

Citizens United v. Federal Election Commission

Talking Points/ Sermon Starters

January 2010



- On January 21st, 2010, the Supreme Court released its decision in *Citizens United v. Federal Election Commission*, which considered the constitutionality of corporate spending limits established by the Bipartisan Campaign Finance Reform Act of 2002.
- The contentious 5-4 decision declared that corporations are tantamount to individuals, are therefore guaranteed the right to free speech endowed in the First Amendment, and that money is a form of speech. Therefore, corporations, while still prohibited from contributing directly to a campaign, can use as much of their general funds as they wish to advocate for the election or defeat of a candidate.
- The religious community has long been involved in efforts to reform our nation's campaign finance system because of the issue's significant moral implications. As sure as apathy, cynicism, and mistrust work against religious principles, so are they enemies of a healthy democracy. This decision opens the door to these dangerous attitudes as it minimizes the influence of the individual voice and transfers power to wealthy corporations.
- This decision threatens the vibrancy of our democracy. A democracy of the people should be built upon the strength and passion of a person's voice, not the size of their wallet.
- This decision opens the door for unseemly relationships between companies and politicians. Companies can threaten or promise millions of dollars in ad money, depending on how a politician votes, and politicians can promise certain advantages in exchange for a company's support.
- This decision is evidence of the impact that the men and women who sit on our federal bench have on the issues of importance to our community. Just 6 years ago, the 9 Supreme Court Justices upheld the same provisions in the Bipartisan Campaign Finance Reform Act that this Court struck down. No Justices who sat on the Court during the first decision have changed their position, but the replacement of Justice O'Connor with Justice Alito swung the ideological balance of the Court further to the right and led a new majority to overturn the 2003 precedent.
- Campaign finance reform is not merely an esoteric technical issue of election regulations, but an issue that is deeply intertwined in the ethical and moral fabric of our nation. The Bible warns against mingling money and politics. Deuteronomy 16 states, "You shall not judge unfairly: you shall know no partiality; you shall not take bribes, for bribes blind the eyes of the discerning and upset the plea of the just."

Further Resources:

[SCOTUSWiki: *Citizens United v. Federal Election Commission*](#) (links to the Justices' opinions, *amicus* briefs, and analysis)

[Supreme Court Rejects Limits on Corporate Spending on Political Campaigns](#), Robert Barnes and Dan Eggan, *Washington Post*, January 21, 2010

[Justices, 5-4, Reject Corporate Spending Limit](#), Adam Liptak, *New York Times*, January 21, 2010

[Citizens United: The Problem Isn't the Law, It's the Court](#), Doug Kendall, *Huffington Post*, January 21, 2010

[Citizens United v. FEC in Plain English](#), Lisa McElroy, SCOTUSblog, January 22, 2010

[Money Isn't Speech and Corporations Aren't People](#), *Slate*, January 22, 2010

[Bad Judgment](#), Jeffrey Toobin, *The New Yorker*, January 22, 2010

[After 34 Years, A Plain-Spoken Justice Gets Louder](#), Adam Liptak, *New York Times*, January 25, 2010