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Reversing Citizens United Is Essential for Restoring Democratic Integrity

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Since the 2010 US Supreme Court decision in *Citizens United v. Federal Election Commission*, the role of money in American elections has dramatically expanded, raising concerns about its impact on democratic integrity. The ruling, which declared corporations as “persons” with First Amendment rights to spend unlimited sums on political campaigns, has unleashed a torrent of money into the political system, undermining the principles of fair

representation. This article explores the consequences of that decision and argues for its urgent reversal to safeguard democratic integrity.

The Citizens United case stemmed from a 2008 dispute over a political film, *Hillary: The Movie*, produced by a non-profit organisation. The film, critical of then-presidential candidate Hillary Clinton, raised questions about campaign finance laws. The Supreme Court's 5-4 decision, authored by Justice Anthony Kennedy and joined by Chief Justice John Roberts, ruled that corporations and unions could spend unlimited amounts on independent political advocacy, provided the expenditures were not coordinated directly with candidates' campaigns. This gave rise to Super PACs, political action committees capable of raising and spending vast sums, often with minimal transparency.

The Court's rationale was that corporations, as collections of individual executives, board members, and employees, should enjoy free speech protections akin to those of citizens. This interpretation, however, overlooks the reality that corporations are not democratic entities. Decisions are typically made by a small cadre of executives and board members, with employees having little to no say. As political commentator Robert Reich noted in a 2020 interview with *The Guardian*, "Corporations don't vote, and they shouldn't be allowed to drown out the voices of actual voters with their wealth."

The Citizens United decision fundamentally altered the political landscape. Super PACs, backed by the ultra-wealthy and corporate interests, have poured billions into elections, often overshadowing the voices of ordinary citizens. In the 2020 election cycle, the top 100 individual donors contributed over \$1.5 billion in disclosed donations to federal campaigns, according to the Center for Responsive Politics. Many of these donors have ties to corporate or special interest groups, though corporate contributions to candidates remain restricted. This deluge of money has shifted political priorities towards the interests of the elite, eroding public trust in governance.

Politicians, regardless of party, face immense pressure to align with the agendas of their largest donors. This dynamic fosters a system where policy decisions increasingly reflect the priorities of the top 1% rather than the broader electorate. The UK, while facing its own challenges with political influence, maintains stricter limits on corporate donations to political parties compared to the United States. The scale of corporate and super PAC spending in the US, amplified by Citizens United, remains largely unparalleled in other Western democracies.

At its core, the Citizens United ruling fails to account for human nature. Elected officials, like all individuals, are susceptible to the allure of power and wealth. The influx of corporate money creates a culture of dependency, where politicians may prioritise donors' interests over those of their constituents. This is not merely a theoretical concern. Studies, such as one by Princeton University in 2014, have shown that economic elites and organised groups disproportionately influence US policy outcomes, leaving average citizens with minimal impact.

Moreover, the decision has emboldened a culture of intimidation. Politicians who resist the influence of Super PACs risk losing financial support or facing well-funded opponents in primaries. This environment stifles independent thought and courageous policymaking, weakening the democratic process.

Reversing Citizens United is not a panacea, but it is a critical step towards restoring democratic fairness. Legislative measures, such as a constitutional amendment clarifying that corporations are not persons with free speech rights, could close the loophole. Additionally, reinstating strict campaign finance limits and enhancing transparency for political donations would reduce the influence of Super PACs. Some reform advocates have proposed introducing term limits for Supreme Court justices as a way to reduce the long-term impact of ideological appointments, though this would likely require a constitutional amendment.

The UK's political system, while imperfect, offers lessons in limiting corporate influence through stricter regulations on donations. The US must act decisively to curb the excesses unleashed by Citizens United. Failure to do so risks further eroding public faith in democracy, as money continues to drown out the voices of ordinary citizens.

Justice Ruth Bader Ginsburg, who dissented in the Citizens United case, said, "The notion that we have all the democracy that money can buy strays so far from what our democracy is supposed to be." It is time to heed her warning and act to restore a system where every voice matters equally.