Super PACs and Elections

Date: Tuessday October 2, 2012 5:30 p.m. Location: The Osher Lifelong Learning Institute

Facilitated by: Dr. Mathew Goodwin, NAU Philosophy Department

Attendance: 21

To understand SuperPACs, we need to understand the history. In particular we should understand the significance of the 1st Amendment and the protection of free speech, the 14th Amendment and the protection it afforded corporations. These early decisions had an influence in the Citizens United ruling, which overturned the McCain Feingold Act and led to unlimited spending based on freedom of speech.

The Citizens United Decision

The Citizens United will be likened to Dred Scott as one of the worst decisions ever made by the Supreme Court. Corporate structures have changed since 1868, and with international corporations (or individuals) we can have international monetary influence in elections.

Right after the 14th Amendment was passed in 1868 there are a number of court rulings that favor corporations. 1904, Theodore Roosevelt was considered the "trust buster". The Tillman Act in 1907 tried to prohibit corporations from contributing to Federal elections. However the Tillman law had "no teeth" or no enforcement strategy. In 1971, the Federal Election Campaign was formed, and part of this required disclosure, indicating sources of funding. PACs are distinct from individuals, and distinct from campaigns. The McCain Feingold Act or (Bipartisan Campaign Reform Act) 2002. Only 30 days before a primary and 60 days before a general election could PACs advertise. January 2010, Citizens United versus the Federal Election Commission. Citizens United ultimately found that the McCain Feingold Act was unconstitutional because it limits freedom of speech and violates First Amendment rights. In March 2010, Speech-NOW.org v. FEC removed all limitations of donations to political action committees. This created the idea of SuperPACs, the idea that unlimited money can be put into campaigns.

Some people, especially young people, are not affected by SuperPACs. The question is, are young people coming out to vote?



The Relationship Between Money and Speech

At what point does a restriction on spending or advertising challenge an individual's ability to express her point of view? When does the group become too big or too powerful? Are we voting with our dollars? Voting with our dollars may be a limited power or perhaps the sole power that we have.

Anonymity of SuperPACs

Disclosure happens quarterly, however SuperPACS can apply for extensions.

How We Feel About SuperPACs Now

The Obama campaign originally opposed SuperPACs, but they are now encouraging people to contribute to democratic-leaning SuperPACs.

Negativity of SuperPAC ads

They tend to be known for negative advertising.

Good SuperPACS?

Are there good SuperPACs? What about SuperPACs that want to raise awareness about autism?

Ironic SuperPACs

George Soros' son created a Super PAC against Super PACs.

The Two Party System

Why are there only two political parties? Could social networking be instrumental in introducing a third?

SuperPACs give us an opportunity to reflect on our Psychological Responses

- It is not necessarily the case that if you spend a lot of money people will agree with you. If we educate people to critically evaluate information on their own.
- There are also people that will not critically evaluate information on their own.
- The biggest influence of negative ads is that people get discouraged and do not participate.

Would the elimination of SuperPACs change anything?

What if SuperPACs went away? It is likely that another channel would emerge that would allow people to funnel their resources into promoting a point of view. Primarily a SuperPAC is a way to put money into advertising. It is a way to say WHAT WE THINK.

The majority but not all people think SuperPacs are negative.

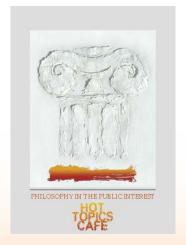


Remedies for Our Current Political IIIs Given this Evening

- Publicly funded elections would promote equality. It would also allow elected officials to spend more time legislating and less time running for office.
- Public Funding raises the question of whether equality is desirable in elections or whether people should be able to use money to support the interests they care more about.
- Maybe voting should be required.
- Maybe voting should be a national holiday.
- We should challenge voter suppression movements.
- Term limits would cause people to focus more on work during their legislative terms.
- **Education**, in school and out of school, is important so voters are informed.
- It is a challenge to educate people when they are surrounded by sound bites.
- Nevertheless education was considered a possible cornerstone for political change.
- The debates give us an opportunity to express our point of view.

Civic Duty

It is our civic duty to vote. The SuperPACs may make us feel like our vote does not count any more. Some of us used to feel that our vote used to matter more. Now we wonder whether our voice is heard. How can a private individual compete with large corporate interests? To get discouraged is to allow the moneyed interests to prevail. To make your voice heard, Get out and VOTE!



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