

# WASHINGTON **Examiner**

## **Bloomberg's spectacular collapse vindicates *Citizens United***

Casey Given

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Ever since the Supreme Court's landmark 2010 case *Citizens United vs. FEC* protecting the First Amendment right to spend money influencing politics, the Left has built an intellectual industry criticizing money in politics. Countless pundits and academics have made careers blasting super PACs, so-called "dark money," and what they perceive as obscene political spending in countless books and documentaries.

Then came Michael Bloomberg.

On Wednesday, the former New York City mayor ended his campaign for president after a lackluster Super Tuesday showing, winning zero states and only the territory of American Samoa despite spending \$464 million of his own money mostly in advertising. The lesson couldn't be clearer: Money can't buy elections.

Of course, Bloomberg isn't the first deep-pocketed candidate to lose despite outspending his opponent. In 2016, Hillary Clinton spent nearly twice as much as President Trump, then still lost in a closely contested race. The scale of Bloomberg's embarrassing collapse, however, takes this to a new level.

Bloomberg's campaign seemed like a money pit, spending millions on advertisements in every Super Tuesday state, at a cost of up to \$220 per vote after final tallying. By comparison, Tuesday's two victors, Joe Biden and Bernie Sanders, have respectively raised \$76 million and \$134 million. Put another way, Biden has raised roughly 16 cents for every \$1 of Bloomberg's; 29 cents for Sanders. Yet, all Bloomberg has to show is a mere 53 delegates.

Money simply cannot buy votes. Money can buy advertising, events, campaign staff, and lots of other things candidates need to spread their message. But those expenses do not guarantee that votes will resonate with that message and vote for the candidate. Thus, spending on political advertising is indeed speech as affirmed in *Citizens United* and nothing more than that.

One of the great ironies of the "dark money in politics" narrative is that the crusade could have easily been a pet cause of the Right instead of the Left in an alternative timeline. As the Cato Institute's Trevor Burrus explains, the Federal Election Commission almost went after Michael Moore for bashing then-President George W. Bush in his 2004 movie *Fahrenheit 9/11*:

Before *Citizens United*, corporations and unions were prohibited from independently funding political speech that was for or against candidates for federal office. This meant ads, movies, or anything else that could be considered a 'broadcast.' In 2004, David N.

Bossie, president of the conservative activist organization Citizens United and current deputy campaign manager for Donald Trump, filed a complaint with the FEC about the movie Fahrenheit 9/11. The ads for the movie, according to the complaint, were prohibited 'electioneering communications' — meaning they clearly referred to George W. Bush, a candidate for federal office — that were illegally funded by corporate money.

Citizens United went after the ads for the movie because the ads were 'broadcast,' whereas the movie itself would not be broadcast, at least as that term was generally construed... The FEC dismissed the complaints against the movie, the trailers, and website because they were deemed 'bona fide commercial activity' rather than campaign speech. Thus, Michael Moore avoided having to fight for his movie in higher courts.

Thankfully, we live in a country where both Moore and Citizens United are allowed to exercise their speech, Bloomberg can spend as much of his own money on a hopeless campaign as he wants, and millions of everyday people can donate to charities that engage on policy issues they care about.

Come Election Day, voters will enter the ballot box and make up their own minds. Because in the ballot box, billionaires and beggars have the same power: one vote. That's the point of democracy.