

BUCKS COUNTY **Courier Times**

Protecting our democracy requires intolerance

By Barbara Stakes

April 6, 2015

Brian Loutrel's March 8 Guest Opinion says the left is "totally intolerant" of the Citizens United Supreme Court ruling, that the left "unfairly attacks the Koch Brothers," that the left believes we will become a society of "rich conservative plutocrats buying elections."

He denounced Harry Reid's statement: "The Koches operate in shadowy network(s) of secret conservative donors ... outside the campaign finance system."

The "left" is correct, and has the facts to support it.

In 2010, Citizens United ruling reversed provisions of the Bipartisan Campaign Reform Act (known as McCain-Feingold Act), saying it's unconstitutional to ban free speech — basically equating money to free speech.

Conservatives, libertarians, and advocacy groups such as the Heritage Foundation, Cato Institute, U.S. Chamber of Commerce and the NRA all praised the ruling.

Liberals and campaign finance reformers criticized it as greatly expanding the role of corporate money in politics.

Retired Justice John Paul Stevens wrote: "The Court's opinion is a rejection of the common sense of the American people, who recognize a need to prevent corporations from undermining self government since the founding, and have fought against the distinctive corrupting potential of corporate electioneering since the days of Theodore Roosevelt..."

A second ruling last year, *McCutcheon v. Federal Elections Commission*, was assessed by Center for Public Integrity (oldest, largest nonpartisan, nonprofit investigative news organizations): "Candidates can now more easily band together and raise big money from the same individuals through legal entities called "joint fund-raising committees."

The Koch Brothers hold annual retreats that are closed to the public, but we know their aim: dramatically change government by doing away with all social safety-nets, regulations, public education, and workers' rights. One Koch retreat invitation read: "At our most recent meeting our group heard plans to activate citizens against the threat of government over-spending and to change the balance of power in Congress."

If you don't know what life was like for the average American before the 1930s, when "robber barons" ruled the country, get educated: there was no "middle-class." Already, the widening wealth-gap is the greatest in 30 years and it doesn't look as if it's stopping.

By no stretch are we on "a level playing field."

That Supreme Court Justices Antonin Scalia and Clarence Thomas have attended at least one invitation-only retreat and have never been forthcoming with information about their participation should raise eyebrows.

In 2009, Thomas was featured at a fundraiser for the Heritage Foundation and Justice Samuel Alito headlined a fundraiser for the Intercollegiate Studies Institute — a conservative think tank.

In 2010, Alito attended a fundraiser benefiting the Conservative Action Project, a lobbying group dedicated to opposing President Obama's agenda.

Supreme Court justices attending political-action gatherings not open to the public is not illegal, but it is unethical in my view and also unprecedented. The Alliance for Justice wonders why the Code of Conduct for U.S. Court Justices — namely, Canon 5: "A judge should refrain from political activity" — isn't imposed on Supreme Court Justices.

Instead, and worse, these justices helped pass Citizens United and McCutcheon, very serious and maybe decades-long rulings favoring the interests of the very corporations and wealthy political donors they associate with.

Koch Industries is the second largest corporation in the United States; they don't need defending.

This January, the latest meeting hosted by Charles and David Koch in Palm Springs, Calif., was attended by 450 of the nation's wealthiest Americans. The Washington Post said, "Campaign 2016 is well underway. Hosted by Freedom Partners — the tax-exempt business lobby" (that uses antiquated Internal Revenue Service codes, in order to operate as "nonprofits") "serves as the hub of the Koch-backed political operation. These conservative advocacy groups aim to spend \$889 million in advance of the 2016 White House election; double the \$407 million spent in 2012."

The Koch Brothers have managed to amass all the "free speech" there is in the country.

The American left has very serious reasons to be "totally intolerant" as every American who believes in democracy and the middle class should.