



## Thom Hartmann: We Live in a Country That Has a Totally Corrupted Political System

Thom Hartmann

February 17, 2018

As the school shooting in Parkland, Florida has shown, what was considered insanely corrupt political behavior 40 years ago is now normal. And you can thank right-wingers on the Supreme Court.

Back in 1982, the late novelist Robert B. Parker was hard at work on one of his Spencer novels, titled *The Widening Gyre*. In the book, a local businessman owns a local politician; the politician then makes tax decisions and real estate zoning decisions that help the businessman. Both the politician and the businessman are working as hard as they can to cover it all up.

In 1982 this sort of thing was a major, career-ending scandal for both the politician *and* the businessman. A wealthy man owning a politician, who, in turn, changed the tax code and altered regulations to increase the businessman's profits, was considered a symptom of intolerable corruption.

But what Parker and most Americans didn't realize was that, in 1982, the die had already been cast and the oligarchs had already begun seizing the levers of power in America; a seizure that would lead to the deaths of tens of thousands of Americans.

The billionaires doing the seizing of our nation just didn't come out about it until the presidency of Barack Obama, when the Koch Network, Adelson, the Mercers and the Waltons all became openly, and in some cases braggadociosly political in their "giving."

As I noted in my book *The Crash of 2016*, The American Legislative Exchange Council was founded in 1973, right after Lewis Powell's memo – suggesting a propaganda program to promote the interests of big business and the rich – began circulating through top corporate and high-net-worth circles. That year, too, the Heritage Foundation was created. And in 1977, Charles Koch and friends founded the CATO Institute.

While the efforts of these groups have been multifaceted, their most obvious and deadly impact has been on the ongoing proliferation of weapons of war in America, and the denial of healthcare to millions in so-called red states. With the installation of Reagan, big business and billionaires were finally to get the tax breaks and other goodies that they wanted from Congress and the Executive Branch, while waging war on unions and working people.

But to Lewis Powell, a lawyer by training and the author of the infamous blueprint for billionaires to take over America (now known as The Powell Memo), nothing was more important than targeting the courts.

In his memo, Powell wrote, “Under our constitutional system, especially with an activist-minded Supreme Court, the judiciary may be the most important instrument for social, economic and political change.”

He noted, “This is a vast area of opportunity for the Chamber, if it is willing to undertake the role of spokesman for American business and if, in turn, business is willing to provide the funds.”

Laying out specifics, Powell added, “The Chamber would need a highly competent staff of lawyers. In special situations it should be authorized to engage, to appear as counsel amicus in the Supreme Court, lawyers of national standing and reputation. The greatest care should be exercised in selecting the cases in which to participate, or the suits to institute. But the opportunity merits the necessary effort.”

In the 1970s, as the US Chamber of Commerce focused on the courts, employing high-priced, savvy lawyers, and flooding the Supreme Court chamber with amicus briefs, a string of explosive decisions throughout the decade gave the #MorbidityRich what they needed to eventually overthrow FDR’s New Deal and to radically reinterpret the 2nd Amendment.

In 1976, in *Buckley v. Valeo*, the Supreme Court (which Nixon appointed Lewis Powell to in 1972, the year after Powell wrote his infamous memo) ruled that political money is constitutionally protected free speech, changing American law so that those who have the most money would have the most “First Amendment free speech” in our political system. And if there was anything that the NRA was getting good at, it was raising money from weapons manufacturers and others.

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That same year, in *United States v. Martin Linen Supply Co.*, corporations – as persons – were given Fifth Amendment protections against double jeopardy, limiting the ability of citizens to go after gun manufacturers, among others.

And in *Virginia State Board of Pharmacy v. Virginia Citizens Consumer Council*, the Supreme Court ruled that corporate advertising (including promoting M15 weapons of war to our kids) is a protected form of free speech. (Ironically, William Rehnquist was the sole dissenter; he argued that corporate “speech” [advertising] was often deceptive. But the deed was done; *Caveat emptor* became the new American normal.)

A year later, in 1977, in *First National Bank of Boston v. Bellotti*, the Supreme Court overturned state restrictions on corporate political spending, saying such restrictions violate the First Amendment rights of corporations, and giving the NRA and other interest groups an added lever to use to extract legislation.

In their dissents in that case, Justices White, Brennan, and Marshall argued, “The special status of corporations has placed them in a position to control vast amounts of economic power which may, if not regulated, dominate not only our economy but the very heart of our democracy, the electoral process.”

But their warnings were ignored.

Then came the Federalist Society, founded in 1982 with millions of dollars in funding by the Koch-connected Bradley Foundation.

They built a nationwide network of jurists, attorneys, legal scholars, and politicians to indoctrinate a new generation's legal system with billionaire-friendly interpretations: *Corporate personhood is real, money is speech, democracy is not sacred, and organized money should always have privilege over organized people.*

They also helped lay the case for the *Heller* decision, which, for the first time in nearly 230 years, found a "right to individual gun ownership" in the 2nd Amendment.

In 2010 the Supreme Court wrapped its gift to corporations and gun manufacturers all up in a neat little bundle with their 5-4 *Citizen's United* ruling. With that decision, America was nearly completely turned over to the wealthy and corporations.

Thereafter, oligarchs like Adelson and the Kochs began openly bragging about how much they were spending to buy politicians, legislation, tax breaks, and the deregulation of consumer protections.

President Obama called this out in his 2010 State Of The Union speech:

"It's time to require lobbyists to disclose each contact they make on behalf of a client with my administration or with Congress. It's time to put strict limits on the contributions that lobbyists give to candidates for federal office.

"With all due deference to separation of powers, last week the Supreme Court reversed a century of law that, I believe, will open the floodgates for special interests, including foreign corporations, to spend without limit in our elections.

"I don't think American elections should be bankrolled by America's most powerful interests or, worse, by foreign entities. They should be decided by the American people."

Hard-right corporatist judge Sam Alito silently (and disrespectfully) mouthed, "Not true!" at Obama, but history shows that Alito was the one in error, not Obama. Right on down to the ability of foreign entities to influence our elections and lawmaking by, for example, the possible laundering of campaign money through the NRA.

And so, a few days after Paul Ryan shepherded through Congress a law that confers potentially billions of dollars in tax benefits to them, the Kochs and their friends put a half-million dollars into Ryan's fundraising committee, while the NRA continues to shower him and Mitch McConnell with support.

In Robert B. Parker's 1982, this would have been the end of Ryan's career, and the Kochs and the NRA would be vilified as corrupters of the political process.

In 1971, only 175 companies had registered lobbyists. By 1982, there were nearly 2,500, and today there are over 12,000 lobbyists just registered in DC. Oligarchs were dumping huge amounts of money lobbying for favorable legislation, although it still isn't really visible to most Americans until tragedies like mass shootings give us an insight into how it all works.

As the Reagan administration rolled into power in 1981, so, too, did the #MorbidlyRich oligarchs, who were seeding brand-new right-wing think tanks devoted to espousing the same free-market, Andrew Mellon/Warren Harding ideologies that led to the 1929 Great Crash: massive tax cuts, deregulation, and privatization.

Back during the era of Nixon, Americans understood the power and dangers of corruption.

As Lamar Waldron and I point out in our book *Legacy of Secrecy: The Long Shadow of the JFK Assassination*, when the milk producers association wanted the Nixon administration to increase milk price supports (to increase their profitability by over \$3 billion), they hid/launched their “campaign donations” through local GOP groups and a briefcase with \$3 million in cash, which were later determined to be illegal, an event that became a major part of the Watergate-era Nixon scandals.

But that was all so pre-1976, the year when the Supreme Court’s *Buckley* decision ruled that rich people (or rich corporations) owning their own personal politicians wasn’t corruption; it was *free speech*.

While it’s taken us over 40 years to fully integrate the 1976 *Buckley* decision and its spawn into our body politic, the corruption of this entirely new interpretation of the First Amendment is systematically taking apart our nation. And has made it easier and easier for maladjusted people among us to stockpile weapons of war.

For example, can you imagine Richard Nixon lying about how environmentally destructive some industrial poisons are? Nixon couldn’t imagine it; he put into place the Environmental Protection Agency. And he was fine with the fairly strong gun control laws that several states, from California to New York, had in place.

But today’s Republican Party (with a few very, very rare exceptions) is so in debt to – so owned by – a few petrobillionaires and coal multimillionaires and oil companies that they’re perfectly willing to look the world in the face and lie through their teeth about the science of global warming.

They’re so fully-owned by the gun lobby/NRA that they’ve made it illegal for the US government to do any meaningful research into gun deaths; they’ve banned doctors, in a number of states including Florida, from even asking kids if there’s a gun in their home; and McConnell and Ryan have successfully prevented any sort of meaningful legislation to restrict guns from getting a vote even when they know it would pass.

As a result, we’re the laughingstock of the world, and we lose over 30,000 people a year to guns and another 40,000 a year to a lack of access to health care. That’s a lot of blood on GOP hands.

Good government was perceived, prior to the *Buckley* decision and its embrace by the Reagan administration, as the singular hallmark of American democracy. Today it’s a joke.

In the wake of the most recent Florida school shooting, we find politicians who’ve taken literally millions of dollars through their careers from groups like the NRA refusing to engage in any meaningful discussion about gun control. Forget legislation; they won’t even allow a debate.

This echoes the legislators who've taken Koch or ExxonMobil money and refuse to discuss climate change.

Or those indebted to Big Pharma who won't talk about reforming Medicare Part D so the government can negotiate discounted drug prices.

Or those taking money from agricultural chemical and seed companies who ignore evidence of cancer and other problems with GMOs and the herbicides and pesticides associated with them.

The young people of Douglas High School in Parkland, Florida see this situation with new and clear eyes. They see it for what it is: *Corruption*.

And they're mad as hell about how that corruption has led to the deaths of 17 of their friends and teachers.

Every new assault – be it from an “active shooter” or a corporate raider – shows us how the radical shift in the Supreme Court starting with the 1976 *Buckley* decision has turned America from a democracy into an oligarchy. Even former President Jimmy Carter came onto my radio/TV program in 2015 to proclaim it:

HARTMANN: Our Supreme Court has now said, “unlimited money in politics.” It seems like a violation of principles of democracy. Your thoughts on that?

CARTER: It violates the essence of what made America a great country in its political system. Now it's just an oligarchy, with unlimited political bribery being the essence of getting the nominations for president or to elect the president. And the same thing applies to governors and U.S. senators and congress members. So now we've just seen a complete subversion of our political system as a payoff to major contributors, who want and expect and sometimes get favors for themselves after the election's over. The incumbents, Democrats and Republicans, look upon this unlimited money as a great benefit to themselves. Somebody's who's already in Congress has a lot more to sell to an avid contributor than somebody who's just a challenger.

The most effective way to solve this problem is to pass a constitutional amendment that will proclaim, clearly and unambiguously, that corporations are not persons and that money is not “free speech.” Groups like MoveToAmend.org and Public Citizen have been working on these campaigns for years, and they're bearing fruit.

Once the power of money is stripped from our political system, the power of gun manufacturers through the NRA will largely evaporate.

During the years I lived and worked in DC, several Republican politicians confided in me – off the record – that they would love to be out of the clutches of their wealthy donors. And that they'd quickly vote with Democrats to get free of the need to fundraise for hours every day. This could easily become bipartisan quickly, with the right leadership.

The NRA's essentially outright purchase of senators like Richard Burr (\$6.3 million in 2016), Marco Rubio (\$3.2 million in 2016), Roy Blunt (\$3 million), and Rob Portman (\$2.2 million) – and Donald Trump (\$30 million in the presidential race) – is so obviously corrupt to many of the students in Parkland that they're furious.

We should all share their anger, and use it to fight to amend our Constitution to undo the damage these oligarchs and their toadies on the Supreme Court have done to our republic.

