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Congress for Sale

The Buying of Democracy

by BINOY KAMPMARK

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The US Congress seems to be an amphitheatre, less of unflinching fear in the face of vested interests than the personification of those interests. It is fitting, in fact, that the Corporation, vested with a legal personality, has become the greatest unelected owner of the US congress, the master ventriloquist that articulates through the puppets that take up the role of House representatives and Senators.

As the mid-term elections bears down upon the United States, the various lobbies are muscling their way into the coffers of candidates on both sides of the aisle, punting for their best men and women. The nefarious form such bodies take is the Political-Action Committees (PACs), the anthrax of America's political system. According to the Wall Street Journal, a "significant shift" has been registered, with business groups giving more largesse "to Republican candidates than to Democrats in seven of the most competitive Senate races in recent months, in some cases taking the unusual step of betting against sitting senators."

The pattern of finance is typical and detrimental. Back the incumbent for a period of time, notably in the earlier part of a campaign. The hope here is to secure a selective, higher order of treatment in the course of the electoral cycle. The Democrats are missing out in the race, and for that reason, are getting less. A quoted brokerage executive's words to the WSJ should send

shudders down any politically attuned observer. “Wall Street expects return on investment. It makes no sense to contribute to a losing campaign.” Democracy has truly been rented.

Unfortunately, much of this has been facilitated by the officials themselves, including that valued arm of government, the US Supreme Court. The case of *Citizens United v Federal Election Commission* 558 US (2010) seemed to reduce democracy to effigy, ready for the burning. In what was a rather absurd twist, campaign organisations became the subject of First Amendment protections. Effectively, limits to campaign spending were lifted by the 5-4 ruling.

While it seemed like Mr. Kettle was coming out to call the pot Black, President Barack Obama, yet another President in the long line of purchases made by corporate lobbyists, would claim that the *Citizens United* case had gone too far. It gave “the special interests and their lobbyists even more power in Washington – while undermining the influence of average Americans who make small contributions to support their preferred candidates.”

Not only was Congress, through its intelligence committee, proving complicit in sanctioning the range of unwarranted surveillance of subjects, but the guardian of the law in the country was showing itself to be disinterested by the effects of the money machine on politics. There was no talk of level playing fields, because there was never one to begin with.

Combs are being run through some of the donations being made via the super PACs, and these do not make pretty reading. As USA Today notes, “Forty-two of the nation’s super wealthy have donated nearly \$200 million to super PACs to shape next week’s midterm elections”. A third of the \$615 million raised by these entities has been provided by a scant few.

Not all are of the red, conservative hue. Liberal environmentalist Tom Steyer has demonstrated that in US politics, money doesn’t so much talk as scream. His own contribution has come to \$73 million, much of it flowing to such groups as NexGen Climate Action keen to force and keep the issue of climate change on the table. While the issue is indisputably pressing, the means of buying the voice is troubling.

This goes further. Such organisations as the US Chamber of Commerce have demonstrated what Public Citizen has termed, “The dark side of *Citizens United*.” It is the biggest spender of “dark” or undisclosed money in 28 of 35 Congressional contests. While super PACs must disclose their donors, the Chamber is a s. 501(c) group and need do no such thing. “The waves of non-disclosed money flooding elections threatens to disempower and discourage voters, making government less transparent and less accountable.”

Such conduct means that the debate is not being shaped by citizenry but artificial entities created to transform, and control, the political conversation. The “free speech” matter here is a dead letter, precisely because a civil right can never stand alone in a vacuum. It needs the buttress of social equality. What matters is who has the buck to control the truck. Sheila Krumholz of the Center for Responsive Politics sees it as a matter of “a handful of people who are really driving this train and driving the dialogue.”

Vain attempts have been made to extract Congress from the corporate clutches and the womb of excited lobby groups. The Occupy movement might have been accused of incoherence, but it always had one entirely coherent message: democracy had been pinched, appropriated in the middle of a deep sleep. Unelected elites had effectively strangled the very notion that representation was anything more than a pasty, unwashed front.

Given that public approval of Congress lies in not so majestic territory – single digits at the last count – the fraying of the political system, and the role its representatives play in this, must be noted. But actual change will require resistance from within a body Will Rogers considered a show. Not a blockbuster show, but a show nonetheless.