

And Justice For All

From an early age we are all taught the pledge of allegiance: "I pledge allegiance to the flag of the United States and to the republic for which it stands: one nation indivisible ***with liberty and justice for all***". It's unfortunate that at that early age we are also not taught that some in our society can afford to have more justice than the rest of us. In fact, I guess some could truly buy a Justice.

In the case of [Citizens United](#) v. Federal Election Commission, the 5-4 ruling by the Supreme Court takes the position that campaign contributions are "free speech" and the legal entities known as corporations have rights guaranteed to them under the First Amendment.

In writing the majority opinion, Justice Anthony M. Kennedy declared, "If the First Amendment has any force it prohibits Congress from fining or jailing citizens, or associations of citizens, for simply engaging in political speech." Note that twice in that sentence Justice Kennedy used the word citizen. Merriam-Webster defines citizen as: "an inhabitant of a city or town; especially : one entitled to the rights and privileges of a freeman." So we could conclude that Justice Kennedy was referring to an association of inhabitants in the phrase "associations of citizens", not the legal entity known as corporations.

I've always been taught that for privileges there must be responsibilities. Some of the responsibilities of being a citizen are: obeying the laws, paying taxes, serving jury duty, serve as a witness, register for the draft and to vote. One could argue that voting is both a responsibility and a privilege, and I think most people the world over would think it's a privilege. In a representative democracy, voting is how we elect the leaders who will watch out for the people's interests and put the citizens' interests above all other considerations.

When comparing how a corporation measures up to being a citizen using the responsibilities outlined above, what comparisons can be made?

1. Obeying the laws: While corporations are not setup to specifically break laws, they are setup to take advantage of a different set of laws, and in all cases these laws provide limited liability to the formers of the corporation.
2. Paying taxes: Avoiding taxes is a primary motivator for forming a corporation.
3. Serving jury duty: Have you ever seen a corporation or its representative in a jury pool?
4. Serve as a witness: see number 3.
5. Register for the draft: While multi-national corporations have required that our children go to war to "protect our vital interests abroad", you'll never see a corporation or CEO in basic training.
6. To vote: If you count pouring tons of money into campaigns of favorable politicians as voting, then yes. But then you would have the corporation exercising the highest privilege without any of the responsibilities.

Uncle Paul served on the draft board in Jackson county during Viet Nam. Paul's "America Right or Wrong" philosophy was forever changed by seeing how the sons of privilege could get deferments

or National Guard assignments while their classmates were sent off to Viet Nam. Paul came away from the Viet Nam era believing all citizens should be required to do two years of military service after the age of 18 and the completion of high school. Paul believed there would be far less wars if the rich kids had to fight them.

Uncle Paul thinks the Supreme Court "screwed the pooch" on this one. In fact, he's calling for term limits for Justices of the Supreme Court. After all, if you would throw out a half chewed Cohiba, why wouldn't you throw out a half baked Supreme Court Justice?