

## **Artifact One**

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First artifact is my research paper titled Buying Influence: Super PACs and the Evolution of Political Power in America. This paper was completed in my last class Political Parties and Interest Group Behavior focusing on the rise of the Super PACs and the impact they grew to have on campaign finance. The core of this paper focused on the Supreme Court decisions of Citizens United v. FEC and Buckley v. Valeo and the legal interpretations of how political speech and campaign contributions have changed the modern election approach. The main argument is that while Super PACs work within the legal boundaries of the First Amendment, their influence has grown significantly which in turn has changed the balance of political power.

This paper shows my ability to analyze the theories and philosophies of government and apply them to the modern political system. The paper explores the philosophy of political speech and how it's protected as a form of expression connection to real world policy outcomes in this case, campaign finance. This paper does not simply try to describe the role of Super PACs, it tries to evaluate how constitutional principles tied to free speech with limited government as in the judiciary has interpreted it.

By examining how these decisions shape the structure and influence of the Super PACs I try to connect the theory with elections finance, campaign strategy and political influence from third parties. This is then compared to my interpretation of how this aligns with the intended principles and intent of the election process.

In terms of self-evaluation, I believe this paper demonstrates my understanding of political philosophy and the modern constitutional interpretation. I think one of its strengths is

the use of recent legal cases and the policy develops that quickly followed showing the real-world application.

Improvement of this paper may be more difficult than my older papers, as my understanding of political science has not increased much since last month. I would focus on strengthening the depth of the paper by incorporation additional sources and compare it to how other democratic systems regulate political funding and third-party support. Overall, with some refinement I would work to improve and enhance the clarity and flow of the paper.

**Buying Influence: Super PACs and the Evolution of Political Power in America**

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POLS511: Political Parties and Interest Group

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## **Buying Influence: Super PACs and the Evolution of Political Power in America**

Every decade has a type of polarized politics, civil war, women's suffrage, the world wars into the cold wars and the red scare followed by civil rights. Political polarization did not end with these historical moments but continued into the 1990s and remains present in modern US politics. Today is no different, however the number of resources currently dedicated to political elections has escalated. Understanding elections are the result of campaigning which is fueled by financial resources. Political financing has always been a debated topic in society at all social levels, because (or at least appear to) make unequal competition. In the 1940s a Political Action Committee (PAC) was formed with the Congress of Industrial Organizations to support Franklin D. Roosevelt's reelection which aided his successful reelection (Sabato 2007). In the 1970's the number of PACs grew, the FEC began to provide tightly regulated oversight of PACs. In 2010 came the emergence of Super PACs and their ability to raise unlimited funds as well as advertise for or against politicians and views. (EBSCO Information Services n.d.) Super PACs were originally created as a legal extension of First Amendment protections following the Supreme Court's decisions in *Citizens United v. Federal Election Commission* (Citizens United v. Federal Election Commission 2010) and shortly after *SpeechNow.org v. Federal Election Commission* (SpeechNow.org v. Federal Election Commission 2010) this allowed for unlimited financial contributions with the restriction that expenditures are not coordinated with, remain independent of the party and candidate campaign. This was not an overnight change, but a long path to getting to the point of Super PACs. Since their creation, Super PACs have become major players in federal elections, spending billions of dollars in independent expenditures during presidential and congressional campaigns. (OpenSecrets (Center for Responsive Politics) n.d.)

While the first intent was to expand political speech with independent finances, the quick growth of Super PAC funding changed the dynamics of US elections, leading to increased political polarization by giving power to donors, shaping primaries, and encouraging different varying campaign strategies. The paper argues that while Super PACs were legally justified as protected political speech, their rapid expansion has significantly increased the influence of wealthy donors and outside interest groups, contributing to greater political inequality, candidate dependency, and partisan polarization in US elections.

The early twentieth century can be considered a golden age of political funding from businesses, interest groups, labor organizations began to lobby together pushing for greater influence with US elections. The candidates that would support the legislation that favored their supporters allowing them to increase their market or receive incentivized government investments and programs. Instead of supporting politicians that were seeking their first office these organizations could support candidates that already had the views that the organizations looked for (Herrnson 2016). The early development of PACs led to federal lawmakers starting the process of establishing a more structured system for campaign finance regulation that we know today. The significant efforts first came from the Federal Election Campaign Act (FECA) in 1971 with its amendments in 1974 (Federal Election Campaign Act 1971). The law was designed to help regulate the growing complexity of federal political campaigns and provide the needed transparency in the electoral process by requiring disclosure of campaign contributions and expenditures. FECA also introduced limits on campaign spending, regulating political advertising in both broadcast and non-broadcast media, disclosure of requirements for campaign expenditures and tax incentives (Federal Election Campaign Act 1971). At the time FECA was the

most significant effort to regulate the influence of money on politics and represented a huge increase in electoral process accountability. The law wasn't without its challenges, questioning whether limiting political spending violated protections of free expression was a major argument from the people that opposed it. (Stefanuca 2008) Like many things politics often supports the path to least resistance, this included avoiding FECA regulation. It has been suggested that members of Congress supported FECA and benefited from it, simply because FECA supported incumbents more than challengers (Stefanuca 2008), likely due to the established name recognition that incumbents have. Although imperfect, FECA established the modern framework for federal campaign finance regulation.

Following FECA, one of the most significant campaign finance cases to reach the Supreme Court was *Buckley v. Valeo* in 1971 (Buckley v. Valeo 1976). The case argued that the limited campaign spending found in FECA created a violation of the First Amendment to the US Constitution. The Court upheld contribution limits that intended to prevent corruption or the appearance of corruption, but struck down the limits on independent campaign expenditures. The opinion of the court was that spending money in support of political communication is a form of political expression that is protected by the First Amendment. The decision resulted in an understanding that independent political expenditures could not be limited the same way as direct contributions to candidates were. Contribution limits were justified to prevent corruption, or the suspicion of corruption, while independent individuals were more protected by the US Constitution. Again, the understanding was simple, independent expenditures are not coordinated directly with a candidate's campaign. This court decision shaped campaign finance law for years and served as the legal precedence for later court rulings that expanded the role

of money about political speech. (Corrado 2008). For PACs this enabled a focus on the more independent expenditures, like political advertising, issue advocacy and campaign messaging supporting or opposing candidates if this was done without coordinating with the official candidates' campaign. These investments were able to influence the election while being legally separated from the candidates. (Corrado 2008) *Buckley v. Valeo* was another step into business of politics without direct connections to candidates, further blurring the lines between supporting and influence. In the end many scholars view *Buckley v. Valeo* as the moment campaign finance law permanently divided corruption-based contributions limits from speech-based independent expenditures, shaping decades of future litigation (Issacharoff 1999). By protecting independent expenditures more than direct contributions, the Court created a set of legal incentives for outside organizations to increase influence on elections without formal coordination with the candidates (Smith 2001)

With a firm understanding of the evolution of political finance and the understanding of independent organizations of what PACs represent a better understanding of the current expansion of political financing can be observed. Throughout the 1980's and 1990's PAC influence continued to grow, but was still not at the level that is seen today. The Supreme Court's decision in *Citizens United v. Federal Election Commission* in 2010 centered on the question of whether the federal government could restrict corporations and labor unions from spending money on political communication during elections. (*Citizens United v. Federal Election Commission* 2010) The issue of the case was due to the *Bipartisan Campaign Reform Act (BCRA)* (Legal Information Institute, Cornell Law School n.d.) which was an effort to close loopholes left after *Buckley v. Valeo* that reduced the influence of large donors. The restrictions

that the BRCA placed led to *Citizens United v. Federal Election Commission*. Around the same time was the Hillary Clinton Documentary “Hillary: The Movie” which was strongly critical of Hillary Clinton and was planned to be shown during the Democratic Primary. The documentary was produced by Citizens United and was a cornerstone of the US Supreme Court hearing. The Federal Election Commission ruled that distributing the film during the election period violated BCRA restrictions by the documentary qualified as “electioneering communication.” The law prohibited corporations and unions from funding broadcast communications that referenced a clearly identified federal candidate, in this case it was Presidential candidate Hillary Clinton, within 30 days of a primary election or 60 days of a general election. (Franz 2008). In the 5-4 decision the US Supreme Court ruled the restrictions imposed by the BCRA in corporate and union political spending violated the First Amendment. As a result, the government could not prohibit corporations or unions from spending their own funds on independent political communications supporting or opposing candidates. However, the Court maintained that direct contributions to political candidates could still be limited, this was not only to prevent corruption but also the appearance of corruption, which could be influence an election just as much. (*Citizens United v. Federal Election Commission* 2010) This court decision further defined the differences between direct contribution and independent support, cracked the door to the creation of Super PACs, but the route was not fully open. Critics argue that the ruling increased the practical political power of corporations and wealthy donors even while formally expanding free speech protections (Hasen 2016).

Shortly after the *Citizens United* decision another court case expanded the role of independent political spending. In *SpeechNow.org v. Federal Election Commission*, the U.S.

Court of Appeals for the District of Columbia Circuit considered if limits being placed on contributions to organizations only existing to support independent political expenditures could be applied to organizations and did not donate directly to the candidates. It was decided that because independent expenditures could not be limited under the previous *Citizens United v. Federal Election Commission*, contributions to groups making only those independent expenditures could also not be limited. If independent political spending were protected under the First Amendment, then limiting donations to organizations engaged solely in that activity would also violate constitutional protections of political speech. (SpeechNow.org v. Federal Election Commission 2010) The Citizen United ruling may have cracked the door, but the SpeechNow.org decision is what really allowed PACs to kick open that door and become Super PACs now with no limit on raising funds from corporations, unions and individuals. Super PACs have also become very influential during a party's primary election, here outside spending can truly shape a candidate's visibility, messaging, and voter perception as well as determine what candidate will receive the party's nomination. Once the contribution limits were removed for independent-expenditures committees, outside political organizations feigned the ability to complete financially with traditional party structures.

Super PACs grew quickly, almost immediately after the court decisions in early 2010 Super PACs began to exist. The Club for Growth Action was organized as one of the first Super PACs, but it was not the only organization being built under the new legal precedent. By Super Tuesday in March of 2012, 363 Super PACs had been organized spending almost \$100 million in the primaries (Kahl 2012). The increase in independent political spending was reflected with a broader campaign finance landscape. During the 2010 midterm elections, about \$300 million in

outside spending was used by third party organizations like PACs. Outside spending during the 2012 presidential election cycle exceeded \$1 billion, much of it coming from the now Super PACs and other independent expenditure groups (Pew Research Center 2015). It quickly became evident that the best way to influence an election was through a Super PAC with their ability to raise unlimited funds from individuals, corporations, and labor unions. The rapid increase in spending demonstrated how dramatically the campaign finance landscape changed once legal restrictions on independent expenditures were lifted; this foreshadowed the massive financial expectations of future political elections to include the primaries. Although Super PAC support did not guarantee a victory; it often allowed candidates to be more competitive in their race longer though sustained independent advertising and voter outreach independently. A good record of this was the Super PAC supporting Mitt Romney, Restore Our Future, which spent over \$140 million during the election. Other candidates like Newt Gingrich received millions of dollars in support from other Super PACs that opposed Mitt Romney and his campaign. Romney won the nomination however his opponents were able to stay in the race longer showing the increased influence of independent political spending.

As this paper has established, Super PACs work independently of campaigns; this enables them to advertise in ways that the official campaign may be hesitant to do. These groups, with unlimited contributions, can purchase large volumes of television and digital advertising that shape how voters perceive candidates. The increase in PAC spending generated a dramatic increase in negative campaign advertising (Wesleyan Media Project 2012). These independent groups sponsored “attack ads” criticizing opposing candidates, often pushing true campaigns to distance themselves from the independent groups and their messaging. Negative

ads tend to increase political polarization, moving voters from not only voting as their views align but also help rationalize why their personal views are correct versus the opposing side (Montopoli 2012), this is sometimes referred to as an echo chamber. Additionally negative ads can make voters hesitant about their own choices, they may not switch to a different candidate, but they could decide not to vote at all. Research from the Wesleyan Media Project found that nearly 70 percent of political advertisements aired during the 2012 presidential campaign were negative in tone, many of which were funded by Super PACs and other outside organizations (Wesleyan Media Project 2012). The ability of independent groups to fund large volumes of attack advertisements further intensified partisan conflict and contributed to the increasingly polarized tone of modern election campaigns.

Although Super PACs can receive unlimited funds from unions and corporations, what is overlooked is often the funding from small groups of wealthy donors. These donors provide substantial portions of financial resources for today's elections (Pew Research Center 2015). These donors can support candidates who strongly agree with their own ideology, especially during primary elections where influence and support is needed the most and before being selected to being a party's nominee. This is when political positions tend to be more polarized to stand out from their peers. This could result in candidates feeling more pressure to adopt rigid stances to secure backing from the influential Super PAC supporters. In turn this can weaken the role of the political parties, as history has shown parties tended to look for a more mainstream middle ground candidate that could appeal to the broader voter base. Outside funding, even indirectly used, can be very influential on a candidate. Political analysts have argued that the shift in financing has increased the influence of highly motivated ideological

supporters leading to the political environment to be before more difficult and divisions to be more pronounced (Mann 2012). Consequently, the role of Super PACs is particularly pronounced in primary elections, where financial influence can determine which candidates remain competitive.

Political primaries often represent the most competitive and ideologically intense stage of the election process, where candidates struggle to distinguish themselves from rivals, even in their own party. . It has become a critical arena where Super PACs funding can shape both candidate viability and ideological positioning. It also prepares the candidates and their families for what to expect during the full election. Unlike general elections, primaries have lower voter turnout and are much more politically engaged with debates and town halls. This type of environment where politicians do not have the singled-out support of a party allows Super PACs (and other independent groups\individuals) a disproportion influence on the outcome of races. As mentioned before a candidate that receives this type of support can extend out their political effort longer and remain competitive with extensive advertising campaigns that increase name recognition as well as work to counter a political opposition or view. The growing reliance on large donors through Super PACs has shifted campaign dynamics, allowing outside organizations to shape electoral outcomes in ways that were less common in earlier campaign finance systems (National Public Radio (NPR) 2020). The evolution of Super PACs has fundamentally altered the campaign finance landscape, contributing to political polarization by empowering ideological donors, intensifying negative campaign strategies, and influencing candidate positioning in primary elections. Although the influence of Super PACs has been linked to

growing political polarization, others contend that these organizations serve a valuable role in expanding political expression and engagement.

Not everyone agrees with the argument that Super PACs have too much influence. Super PACs are linked with increasing funding and in turn creating more polarization; some legal experts argue that it benefits the democratic process outweighs the risk of the influences of a Super PAC (*Citizens United v. Federal Election Commission* 2010). One of the main arguments for Super PACs is that they simply expand political speech by letting individuals, corporations and labor unions express their views through financial support. This was the key argument of *Citizens United v. Federal Election Commission*, which was emphasized in that political spending is a form of protected speech under the First Amendment. Super PACs are extensions of political speech (the First Amendment) by allowing a wider range of voices to contribute to public discussion, often heated (Persily 2015). It can also be argued that Super PACs allow a wider range of voices to contribute to public discussion, those that may not have direct access to the party. This is also supporting the fact that a Super PAC can be supportive of a single stance like gun control or abortion, without having to support a singular candidate, but the idea behind selects candidates. In this way, a Super PAC can be seen as enhancing the democratic process and engagement by encouraging debate and growing the visibility of a single perspective. These arguments highlight the political benefits, but like all things they must be weighed against the total broad impact of the Super PAC idea against electoral fairness and the issues that are coming to light about the political polarization that it has been creating.

Development of Super PACs was not an all at once occurrence, nor was it a singular court case; it was an evolution of over a hundred years following a path of campaigns,

congressional legislation and their financing. Beginning with early political action committees, followed by the regulation establishing the Federal Election Commission and the Federal Election Campaign act and later the shaping by the US Supreme Court decisions to include *Buckley v. Valeo* and *Citizens United v. Federal Election Commission*, the legal framework surrounding political spending has steadily expanded. The triggering point was the *SpeechNow.org v. Federal Election Commission* allowing for the creation of Super PACs, which have changed everything about not just campaign financing but strategies behind both winning a party nomination, and the later the election. As demonstrated through this paper, the rapid growth of Super PAC spending has increased the use and influence on the scale of campaign financing as well as the nature of the competition. As mentioned, more negative advertising and hardline approaches have been taken with the amplification of influence by wealthy donors. Through these methods and the refinement of multiple elections since the creation of Super PACs the currently 2,500+ Super PACs (OpenSecrets 2026) that exist today have not only contributed to negative campaigns but also dramatically increased party and view polarization. This rise of Super PACs has not simply increased funding but has fundamentally altered how political influence is utilized in modern elections. Shifting power toward independent organizations, legitimized by the US Supreme Court rulings in reference to the first amendment has shifted the traditional control of political parties and how they interact with the candidates. This change has encouraged the strategies that prioritize ideological intensity and voter mobilization over building a large moderate group of voting individuals. This has resulted in the tactics that are less about motivating the general population to gain votes but motivating polarized groups that typically feel unheard. The structure of campaign finance itself has

become a driving force behind the increasing polarization of American politics. This structural change has reinforced divisions within the electorate and incentivized candidates to adopt more rigid and polarized positions, particularly during primary elections. As a result, the modern campaign finance system itself has become an active force in deepening political polarization, rather than simply a neutral mechanism for supporting democratic participation.

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Artificial intelligence (ChatGPT, OpenAI GPT-5.3) was used in a limited support role for, source discovery assistance, proofreading, and organizational feedback.