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Bachelor's Thesis

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10/6/2022

The Impact of *Citizens United* on Republican Opposition to Climate Change Legislation
(Word count: 9.906)

Abstract:

In this essay, I analyze the degree to which the Supreme Court's 2010 decision in *Citizens United v. FEC* impacted the opposition of the federal Republican Party to climate change legislation. I first draw upon preexisting literature to demonstrate how the GOP had already been growing more opposed to climate science and legislation since the 1980s because of both internal ideological developments within the party and the influence of fossil fuel industry funded think tanks and lobbying, and how the Court's 2010 decision was not as monumentally important in the grand scheme of US campaign finance regulation as it is often treated as. Thereafter, I analyze how campaign finance changed after *Citizens United*, noting a substantial increase in independent election spending, and how this impacted electoral outcomes for Republicans. I conclude that, while there is not enough research on the effects of independent expenditures on federal elections post-*Citizens United*, and more research is needed in that field, the Republican Party was already so anti-climate by 2010 that it is unlikely *Citizens United* had a significant impact on that position.

Keywords:

Climate change, *Citizens United*, Republican reversal, campaign finance, independent expenditures, think tanks

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Introduction

Climate change is the single most important issue facing the world today. It is an issue that requires us to think globally, in terms of decades, and the measures it would take to combat it go against the interests of some of the wealthiest nations, corporations, and individuals on earth. It is for these reasons that the global community requires the active participation and leadership of its strongest economies, and why it is so troubling that, in recent decades, the most powerful country has effectively abdicated that responsibility. The United States of America's inability to lead on issues of climate change is one of the great political tragedies of the post-cold war era. America signed the 1997 Kyoto Protocol pledging to cut greenhouse gas emissions, but it never even got a vote on ratification in the Senate. Global trust in American climate policy was more recently shaken again, as President Obama signed the Paris Climate Accords in 2015, only for President Trump to abruptly withdraw from the agreement five years later, and President Biden to hastily rejoin in 2021. It is, however, evident that this American intransigence on issues of climate is not shared equally by the two parties, but is rather almost exclusively the domain of the Republican Party.

During the 2016 presidential primaries, every Republican candidate either denied the existence of climate change outright, or the scientific certainty that humans are its main cause (Kaplan and Uchimiya). The eventual victor, Donald Trump, was perhaps the most ardent climate change denier on stage, and in the 117th congress, 52% of House Republicans, and 60% of Senate Republicans deny climate science, as opposed to 0% of Democrats or independents. Worryingly, although the total number of climate deniers has gone down, the number of Republican deniers has gone up in the most recent election (Drennen and Hardin). These radical positions seem out of line with the GOP's track record when we consider it was Nixon who created the Environmental Protection Agency, and Bush Sr. described himself as an "environmental president" (Collomb, "A Worthy Heir" 2; Turner and Isenberg 5). This tremendous shift in Republican politics since the 1980s is called by Turner and Isenberg "the Republican reversal," and they describe it as, "one of the most profound and far-reaching transformations in modern American political history" (Turner and Isenberg 6). What can make sense of this radical sea change in the Republican climate politics? Seeing as this is a constantly evolving, and worsening, issue, it has been subject to increased academic scrutiny in the 21st century. In the past decade, however, some politicians and advocacy organizations have pointed to the year 2010 as a crucial turning point in the Republican reversal, for that

was the year in which the Supreme Court handed down one of its most infamous decisions, in *Citizens United v. Federal Election Commission*.

Citizens United was a landmark case deregulating campaign finance, and is often used as shorthand for the issue of money in American politics more broadly (Issacharoff and Paterman 199). Already in 2010, academics and politicians alike rang the alarm for the potentially dangerous effect the ruling would have on American democracy by opening the financial floodgates, giving corporations “unprecedented influence” over policymakers, President Obama calling it, “a major victory for big oil” (Rutkow et al. 1456; Liptak). Climate change came to the fore of the *Citizens United* debate in 2014. By that time, there had already been one midterm and one general election after *Citizens United*, and on 24 July, Democratic Senator Sheldon Whitehouse gave his 75th weekly “Time to Wake Up” speech, pressing the urgency of climate change. In it, he summed up the general narrative I will be tackling in this thesis. According to Senator Whitehouse, “climate change was once a bipartisan concern,” with, “a steady, healthy heartbeat of Republican support for major US legislation to address carbon pollution.” But Whitehouse states that, “we lost the ability to address climate change in a bipartisan way because of the evils of the Supreme Court’s *Citizens United* decision,” going on to say: “In a nutshell, the *Citizens United* decision says this: corporations are people; money is speech; so there can be no limit to corporate money influencing American elections.” He then argues that after the court’s decision, attacks by polluting industries with “*Citizens United* money,” or even the threat of such attacks, were enough to cow Republicans out of working with Democrats on issues of climate (Whitehouse). Two months later, citizen advocacy organization Common Cause released a report arguing many of the same points. There used to be bipartisan agreement on climate, until *Citizens United* caused, “a massive infusion of money...spent on political advertisements trying to ‘debunk’ the science of climate change and attack politicians who support reversing the tides of climate change through legislative action” (“Silencing Science”). In 2017, The New York Times also credits *Citizens United* for unshackling the fossil fuel industry’s advertising blitz against climate friendly Republicans, and in 2019, Common Cause doubled down on their claim that *Citizens United* and congress’ inaction on climate were “inextricably linked” (Davenport and Lipton; Giovannetti).

It is an alluring narrative. Republican opposition to climate legislation is a major global issue for the reasons mentioned above. It is also true that money plays a major role in shaping American politics, and that *Citizens United* was an important chapter in that story. But smushing all of those facts together into a single narrative can often obscure, rather than

clarify, the actual problem at hand. If we want America to be proactive in the fight against climate change, we have to understand why one of its two major parties refuses to acknowledge the problem, and look critically at how that situation came to be.

The larger trends of the Republican reversal have been thoroughly studied and debated over the years, so what I will do in this essay is place *Citizens United* in that greater historical and political context to determine how deciding a factor it was in the federal Republican Party's opposition to climate legislation. In Chapter One, I will lay out the broader history of the Republican Party's stance on climate change, and demonstrate that while there used to be more bipartisanship on environmental issues, the 1980-2010 period is characterized mostly by a steadily increasing opposition by Republicans to climate policy, and eventually climate science as a whole, under the influence of both fossil fuel lobbying, industry funded think tanks, and an increasingly radical conservative ideology, to the point that by the early 2000s, climate science denial had already firmly taken root in the GOP. In Chapter Two, I will disentangle the complicated history and legacy of the *Citizens United* ruling. As I will demonstrate, *Citizens United* was just the tip of the iceberg of a quarter century of court rulings on corporate personhood and the first amendment protection of money as speech. In Chapter Three, I will demonstrate that while *Citizens United* did substantially increase the amount of money spent on American elections, the real effects thereof are not yet well understood. It is my argument that by the time *Citizens United* was able to affect American elections, the Republican Party had already gone too far to the right on climate for the Court's decision to push them much further, even if we could identify how much.

Chapter One: The Republican Reversal Before 2010

Early Republican Environmental Politics

A full accounting of the Republican Party's history with environmental politics could probably start with President Grant's creation of the first national parks, but for the purposes of understanding the Republican reversal as I have laid out, we need to start in the late 1970s, with the political climate that would allow the true transformation to begin under the Reagan administration, for if there were some heyday of bipartisan support for environmental legislation, this was it. Throughout the 1970s, the Republican Party took seriously the science on issues of environment, the urgency with which they needed to be addressed, and the necessary role of government in doing so. The Clean Air Act (1963), Clean Water Act (1972), Endangered Species Act (1973), and most importantly, the establishment of the EPA in 1972, all represent the flurry of environmental legislation kicked off with the 1963 Clean Air Act, and enjoyed broad Republican support, most of which under President Nixon. Crucially, these laws were passed at a time when ecological issues were immediately obvious for many voters and politicians. Fear of a population bomb, famines in the developing world, visible smog and water pollution leading to the extinction of treasured species, and the awareness of the effects of lead poisoning in children made for clear and immediate enemies to fight with federal legislation (Collomb, "The Ideology of Climate Change Denial in the United States" 2; Turner and Isenberg 6, 12).

These early legislative successes of the environmental movement, however, planted the seeds for a counter-movement that would do much to push the GOP to the right on climate. A counter-movement is simply any movement that is mobilized against another movement, and works to counter its actions and messaging. In order for a counter-movement to form, the original movement must meet three major conditions: signs of success, the movement threatens the interest of part of the population, and there must be political allies who can aid in oppositional mobilization. The environmental movement satisfied all of these criteria by the late 1970s, and produced what we call the climate change counter-movement (CCCM) (Jacques et al. 352) The spearhead of the CCCM were the business sectors and corporations whose profits would be threatened by these new laws and regulations. Luckily, corporate America already had a playbook by which to fight against environmentalism in Washington. "The tobacco strategy," as it has become known, refers to a number of strategies previously employed by the tobacco industry to delay action on and obfuscate public

awareness of the dangers of smoking to public health. It consists of funding fringe scientists, and funding conservative think tanks (CTTs), to propagate the message that the scientific consensus on the health risks of tobacco is overblown, and in so far as we can say anything about it, more research is needed, thereby kneecapping the urgency of the issue. The fossil fuel, and other polluting, sectors easily adapted this strategy to their own designs (Collomb, “A Worthy Heir” 2). It should therefore be emphasized that the push for environmental skepticism did not originate with the voters and trickle up to the politicians, but was “an elite-driven reaction to global environmentalism,” (Jacques et al. 364).

The CCCM would find its political allies in the more economically libertarian branch of the Republican Party. The aforementioned new laws triggered an unprecedented increase in the power and funding of American environmental regulations, which was anathema to the growing neoliberal wing of the GOP. And while these battles still largely played out over issues like welfare, not climate, that would quickly change with the Reagan revolution of the 1980s (Turner and Isenberg 13; Collomb, “A Worthy Heir” 3). Neoliberalism was already underway in American conservatism since the creation of the American welfare state in the 1960s. Based on a desire to keep the government out of the free market as much as possible, wealthy individuals and corporations began funding more and CTTs, like the Heritage Foundation, to promote their conservative ideology, a sort of “market fundamentalism,” that opposed government regulation of any kind, let alone environmental. The crowning achievement of neoliberalism in the United States was the election of Ronald Reagan in 1980. Reagan’s famous adage that government was the problem, not the solution, meant repealing many of the environmental regulations established in the previous decade, and appointing staunch anti-environmentalists to head key agencies like the EPA and Department of the Interior, which provoked significant backlash from the general public, and environmental groups (R. Dunlap and McCright 304–05; Jacques et al. 353).

Nevertheless, despite Reagan’s opposition to environmental regulation at home, America was still a credible environmental leader globally. In 1988, the US took the lead in establishing one of the most important pieces of global environmental protection, with the Montreal Protocol. Since 1974, evidence had been mounting that chlorofluorocarbon (CFCs), chemicals common in everything from spray cans to refrigerators, could pose a serious threat to the planet’s atmosphere. The hole in the ozone layer over Antarctica was first observed in 1985, and scientists were quick to raise alarm that, should it grow, there would be a global increase of solar radiation, cancer, and other diseases. The evidence was clear, and the threat immediate. Enough so that by the mid-1980s the American chemical industry could not deny

the dangers of CFCs, and the Reagan administration was well aware of its responsibility to lead the world's response to the problem. The resulting Montreal Protocol on Substances that Deplete the Ozone Layer committed the world's industrialized nations to a 50% reduction their ozone-depleting emissions by 1999. The Montreal Protocol was not only effective, but became a template for international cooperation on environmental issues, Reagan himself calling it "a monumental achievement" (Reagan quoted in Turner and Isenberg 145)

So despite the aforementioned domestic setbacks, America was still able to lead on environmental issues in the late 1980s. Global warming as a unique problem also first gained national attention around this time. There was an exceptionally hot summer in 1988, causing droughts, crop failures, and the Mississippi dropping to its lowest ever recorded level. The underlying science behind the greenhouse effect had been understood since 1896, and only became clearer over the 20th century, to the point that NASA Scientist James Hansen could testify before congress that, "we can state with 99% confidence that the current temperatures represent a real warming trend rather than a chance fluctuation." On global warming, the state department warned in 1989 that, "We can probably not afford to wait until all of the uncertainties have been resolved." The president of the World Resources Institute later remarked, "We thought we were on track to make real changes"(Gus Speth, Quoted in Turner and Isenberg 148), (Turner and Isenberg 146–49).

But once again, action was met with reaction. The Intergovernmental Panel on Climate Change was founded in 1989, and that is where Brulle places the true birth of the CCCM. I have already mentioned some of its major players and tactics, but this is where they came into full bloom. The counter-movement also learned from the backlash to Reagan's anti-environmentalism that it was better to be less brazen in their opposition, and rather question the soundness of the science upon which the environmental movement based itself (Jacques et al. 353). The most important tools of the CCCM were the conservative think tanks. During this period, many CTTs, like The Heartland Institute or Competitive Enterprise Institute, were either founded, or flooded with money from corporations like ExxonMobil to support conservatives' "advocacy of inaction" on climate change through Congressional testimony by industry funded contrarian scientists, and the publication of anti-climate books and editorials. Their main goal was creating the impression there was still serious disagreement within the scientific community on the existence of, and possible solutions for, manmade climate change, and that more research still was needed (Brulle; R. Dunlap and McCright 306–12).

Their campaign was a success. In 1990, President Bush opened a global conference on climate change with a drastic shift from his previous position, saying that the science on global warming was still fundamentally uncertain, could not justify the drastic reordering of the economy, and that, “what we need are more facts” (Bush quoted in Turner and Isenberg 151). That is because the Bush administration was not listening to the scientific consensus, but those of the Marshall Institute, one of the major CTTs. Their report, which was heavily scrutinized by other scientists, again emphasized the uncertainty of the science on global warming, and called for more research. This was crucial, because Bush presided over a period of robust discussion on national energy policy, including the first Gulf War, which upset America’s reliance on foreign oil, and the Exxon Valdez oil spill. The culmination of this national discussion was the Energy Policy Act of 1992, which included only paltry support for renewable energy, and ample expansions for American oil production and subsidies, in part thanks to active lobbying from the petroleum industry. Bush’s backpedaling on global warming was even more apparent during the negotiations of the United Nations Conference on Environment and Development in Rio de Janeiro, in 1992. While European countries pushed for more ambitious commitments to address global warming, modelled on the Montreal Protocol, Bush was far less certain of the necessity and political viability of such aggressive measures. Eventually, the UNFCCC only established a framework for monitoring emissions and sharing research, while leaving specific reductions negotiation for the future (Turner and Isenberg 149–57).

The CCCM had evidently made serious inroads within the Republican Party by the early 1990s, but the partisan split on climate was not yet so big that the GOP could not call climate change “the common concern for mankind” in its 1992 platform, and Bush did still block offshore oil drilling in the Gulf of Mexico. But, in a reversal of the Reagan administration, while American domestic environmental policy was remained strong, Rio showed that American international leadership on climate was severely lacking, a point which Bush’s 1992 opponent stressed on the campaign trail. Bill Clinton framed climate as an issue that not only required global American leadership, but could also make the American economy more competitive, rebuffing the Republicans’ most common line of attack. The economic reforms President Clinton sought to push through in 1993, therefore, also included an unprecedented energy tax meant to lower emissions and raise revenue. It was a modest tax levied not on any specific energy source, but the amount of energy consumed. This was meant to spread the blow more evenly than a carbon or gas tax, which would disproportionately affect certain regions. Despite Clinton’s best efforts, the tax failed to

satisfy anybody. Liberals were unhappy since it also taxed renewable hydroelectricity, and conservatives did not buy into any of the environmental or revenue raising aspects, seeing only a tax on the average American to serve “a wrongheaded environmental crusade.” As criticism of the tax mounted, it was quickly lowered, and as it got passed in the 1993 budget, it did so with zero Republican support (Turner and Isenberg 158–61).

The issue of the energy tax would become a frequent Republican cudgel during future elections, most critically, the 1994 midterms. That election upset the decades long balance in congress by installing Republican majorities in the House and Senate, who now had a window of opportunity to block or repeal many pieces of climate legislation with renewed vigor. The House Committee on Science led an “all-out assault” on existing environmental regulations, promoted anti-environmental policies, and the amount of climate skeptics with connections to the fossil fuel industry testifying before Congress on climate change more than quintupled from 1993 to 1997. CTTs once again stepped up during this period as the cornerstone of the climate change counter movement, as they not only provided contrarian scientists, but sponsored policy forums, press conferences, and created ad hoc projects specifically meant to counter climate science and policy. The conservative line from 1994 onwards was that the science on climate change was weak at best, that global warming could even have a net beneficial effect, and that policies meant to address it would do more harm than good (McCright and Dunlap, “Defeating Kyoto” 153–63).

It was on these precepts that the Republican congress would base its successful opposition to the 1997 Kyoto protocol. Kyoto was an attempt to commit the US and other nations to the kinds of emissions reductions agreed upon in Rio. In the lead-up to 1997, the Clinton administration had made clear its willingness to commit to serious, verifiable medium-term emissions targets, but during the negotiations, the Republican Senate was already opposed to the suspected burdens such binding agreements would put on the American economy, and that developing economies like China and India would not be subject to them. The Clinton administration tried to fast track a solution that would give it some flexibility, but in July the Senate unanimously passed the Byrd-Hagel resolution, to notify the president it would not ratify any treaty that would impose mandatory greenhouse gas reductions on the US without also doing so for developing countries, or would do harm to the economy. The resolution’s 95-0 vote nevertheless hides the deepening fissures within congressional climate politics. Nearly every senator agreed that not binding developing nations to reductions targets would put the US at a competitive disadvantage, but while Democrats still acknowledged the science on climate change, and the need to do something

about it, many Republicans echoed the line of the CTTs and industry supporters they had been courting over the years that the science was just not there. The Kyoto protocol was dead on arrival. While the American public broadly supported action to address climate change, the administration failed to translate those polling numbers into an effective movement in support of Kyoto (McCright and Dunlap, “Defeating Kyoto” 349; Turner and Isenberg 163–66).

The Turn of the Millennium

The failure of Kyoto is emblematic of the stark decline of climate politics that began in the early 1990s and continued through the 2000s. The proposition that I counter in this essay is that SCOTUS’ *Citizens United* decision represented a crucial turning point in Republican opposition to climate change legislation, but as I will argue in the remainder of this chapter, there were a number of factors both internal and external to the GOP that had already pushed it into climate denialism around the turn of the millennium.

One important external development was that after Kyoto, the CCCM took its campaign of pseudo-science a step further. Whereas beforehand, their line had been that more research was needed on the issue of climate change, from the late 1990s onwards, the message put out by organizations like the American Petroleum Institute (API) was that climate science was junk science, and the sowing of doubt became their sole objective. It is little wonder that this message found purchase in the George W. Bush administration, as W’s chief of staff for the Council on Environmental Quality in his first term was the API’s former chief climate lobbyist. Bush paid lip service to climate change on the campaign trail, but, influenced by the Competitive Enterprise Institute and other CTTs, quickly retracted any support for regulating carbon dioxide emissions because of “the incomplete state of scientific knowledge of the causes of, and solutions to, global climate change,” (Turner and Isenberg 170–73).

It is also this period that the direct influence of the fossil fuel industry becomes more brazen, and its tactics more academically understood. The fossil fuel industry has long been one of the most well-funded lobbyists in America, but the mere fact that it is a defender of the status quo, not calling for, but pushing back against, serious reform, only compounds that advantage (Baumgartner 233). As the oil and gas industry consolidated in the early 2000s, an increase in lobbying soon followed, going from \$50,75 million in 2000 to a peak of \$176,51 million in 2009, the vast majority going to Republicans (Showalter 19; “Oil & Gas Lobbying

Profile”). It is also after the year 2000 that the number of organizational resources directly controlled by the GOP began to shrink in comparison to those controlled by outside parties. One of the major players in this monumental shift in the Republican power structure was the Koch network, referring to the myriad of CTTS, advocacy organizations and PACs funded by the oil billionaires David and Charles Koch, which has been a significant factor in driving the Republican Party to the right on many issues, not least of which climate change. The Kochs had been active in Washington since the 1980s, but their network began to grow in scope and influence in the early 2000s, and the founding of Americans for Prosperity (AFP) in 2004, a political advocacy group engaged in lobbying, advertising, and grassroots agitation. AFP is the posterchild for the GOP’s loosening grip on its own funding and ideology, since it is set up almost as a parallel organization to the Republican Party, with chapters all over the country, and members regularly moving between AFP and the GOP, thereby gaining internal knowledge of the party’s working, which it can use alongside its considerable funding to lobby for its far-right agenda, or punish those who stray from it (Skocpol and Hertel-Fernandez 683–92).

What should not be lost in these external reasons for the Republican reversal are the internal ways in which opposition to climate change has also become core to the Republican belief and identity. I have already discussed how the ideological opposition to the increase of government power provided an early basis for Republican opposition to climate change, but this would only be exacerbated in the early 1990s by the fall of the Soviet Union. The Republican Party had defined itself as staunchly anti-communist, but as global communism was imploding around the same time environmentalism was gaining steam, many conservatives seamlessly replaced communism with environmentalism as the insidious ideology that would get big government in your personal business. As anti-climate lobbyist extraordinaire Steve Milloy put it: “green is the new red” (Lever-Tracy 244; Collomb, “The Ideology of Climate Change Denial in the United States” 6).

Another such internal ideological development was the role Christian evangelicals came to play in the Republican reversal. While there is a long history of evangelicals viewing themselves as stewards of God’s creation, as they got more intertwined with the Republican Party, this group got pushed out by a “dominion theology” which held that earth is an immutable part of God’s perfect design, for man to do with as he pleases. Therefore, warnings by scientists and activists that human activity could have serious detrimental effect to both man and nature border on heretical. Since 2006, group of evangelicals have been promoting this theological opposition to climate change policy via the Heritage Foundation.

Plus, why worry about some far-off climate change, when 75% of Republicans believe in the Second Coming of Christ? That does not mean that all those Republicans believe it will happen in their lifetime, but end-times theology is strongly associated with resistance to government action addressing climate change (Turner and Isenberg 187–88).

As a result, and in combination with the aforementioned external factors, there has been an increase in “party sorting” around climate change, a process in which two parties are polarized on a given issue. In the early 2000s, Democrats became more concerned with the environment, whereas Republicans opposed climate science more and more, and what it meant to be a good Republican was to oppose climate science (R. E. Dunlap and McCright 31; McCright and Dunlap, “The Politicization of Climate Change and Polarization in the American Public’s Views of Global Warming, 2001–2010” 179).

By the late 2000s, the remainder of moderate Republicans had been pushed thoroughly to the side on issues of Climate. Already in 2008, a National Journal Survey found that 74% of congressional Republicans did not believe that human activity was causing climate change (O’Carroll). This radical transformation of the party was only further galvanized by the rise of the Tea Party after the election of Obama, who made an ambitious cap-and-trade bill the centerpiece of his climate change agenda. The proposal passed the House with only 8 Republican votes. But as the bill stalled, AFP and many CTTs waged a nation-wide campaign against the proposal. The Tea Party-led Republican takeover of the House in 2010 effectively rendered cap-and-trade dead in the water (Turner and Isenberg 175–88). This was a crucial defeat in the battle for climate action. It was the first time either chamber of congress had passed a greenhouse gas reductions target, and there would be no comparable action thereafter. But 2010 was also the year of another crucial vote in a different branch of government that would live in infamy to this day.

Chapter 2: *Citizens United*

In 2008, a conservative nonprofit organization, Citizens United, released a documentary highly critical of then-presidential primary candidate Hillary Clinton. Citizens United wanted to make its film available on-demand and pay to advertise it within 30 days of the 2008 primary election, which they anticipated would violate the 2002 Bipartisan Campaign Reform Act (BCRA), also known as the McCain-Feingold act. The BCRA had originally banned corporations, for-and-nonprofit, from spending treasury funds on electioneering communications, meaning messages that mention political candidates close to an election, but had a year before been amended to ban only *express* advocacy *for or against* a candidate. Anticipating penalties over the promotion of its film, Citizens United sued the Federal Election Commission (FEC) on the grounds that the ban on express advocacy was unconstitutional. The case of *Citizens United v. Federal Election Committee* eventually worked its way up to the Supreme Court in 2010, which on 21 January 2010, ruled 5-4 that bans on express advocacy infringed on the free speech of corporations, and were unconstitutional (Evers-Hillstrom et al. 4). Those are the basic facts of the case itself, but it would not have become the *bête noire* of the American left if it was just a dry legal dispute about the monetary regulations and time window for corporate electioneering communications. *Citizens United* sits atop a mountain of legal precedent and arguments concerning the nature of free speech, corporate power, and corruption. It was also not the final say on these matters, and a full accounting of them is needed to determine *Citizens United's* impact on money in politics, and the Republican reversal. For if the Court's decision was to have influenced the GOP's position on climate policy, it would have to have been via the new avenues for moneyed interests to shape elections, in favor of anti-climate Republicans, enabled by *Citizens United*.

Campaign Finance Reform Before *Citizens United*

Efforts to regulate the power of wealthy donors and corporations in politics largely began during the gilded age. The first such regulation of note was the 1907 Tillman Act, which prohibited corporations from direct financial involvement in federal elections. The Tillman act was strengthened in 1925 with the Federal Corrupt Practices Act, which was replaced in 1975 with an even more comprehensive set of regulations: the Federal Election Campaign

Act (FECA). FECA is noteworthy because, in 1976, it sparked the first major dispute of campaign finance law on first amendment grounds in *Buckley v. Valeo*, which would form one of the main pillars upon which *Citizens United* would be built (Kerr 316–17). *Buckley* did two major things. First, it established the rules and regulations for Political Action Committees. Not to be confused with the later “super PACs,” FECA defines a PAC as, “a committee, club, association, or other group of persons which receives contributions aggregating in excess of \$1,000 during a calendar year or which makes expenditures aggregating in excess of \$1,000 during a calendar year,” and has the “major purpose” of electoral activity. PACs are therefore allowed to donate directly to campaigns, but are also subject to contribution limits, and must disclose the size and source of those contributions with the FEC (Issacharoff and Peterman 188).

The more important result from *Buckley*, however, was the Court’s ruling that, because of the prevalence of mass media in modern society, “political spending and political speech are inextricably interrelated, and that the former cannot be restricted without adversely affecting the latter.” It was therefore *Buckley*, not *Citizens United*, that first established the principle that money equals speech. *Buckley* also established another precedent that would remain contentious for decades to come. The court ruled that limiting contributions made directly to candidates was constitutional, but expenditures, the money spent on the campaign itself, did not present enough of a risk of corruption to warrant such regulation (Kerr 317). What this in effect accomplished, however, was broadening the ways in which campaigns could spend money, but limiting the ways in which they could raise it, creating a growing appetite for campaign funds, which candidates found harder to sate (Gerken 906). Individuals and interest groups seeking to back particular candidates therefore sought new ways to fill this gap, and while they could no longer contribute with abandon directly to candidates, they could still spend more money on independent political advertising, as long as it was done so without coordination with candidates or their campaigns. However, the Court did regulate corporate and union express advocacy within 60 days before a general election. The distinction is contentious, but in theory, express advocacy advertisements directly tell the viewer to vote for, or against, a given candidate (Issacharoff and Peterman 188).

Buckley provided the battlefield upon which a quarter century of campaign finance battles would be waged, some of which would culminate in, while others would be overruled by, *Citizens United*. While *Buckley* concerned itself primarily with the question of money as speech in relation to campaigns and their spending, that language would soon be extended to

the rights of corporations in 1978's *First National Bank of Boston v. Bellotti*, in which the court ruled that corporations were allowed to spend without limit on political spending for referenda. Framing the issue primarily as one of speech, not money, the majority opinion stated: "if the speakers here were not corporations, no one would suggest that the State could silence their proposed speech." Here we already see the Court treating the rights of a corporation as those of a person, pertaining to free speech. As an associate justice, William H. Rehnquist strongly opposed this interpretation of the first amendment, and voted with the majority on cases like 1982's *Federal Election Commission v. National Right to Work Committee*, which did strike down limits of PAC spending, but maintained such limits for corporate campaign spending, on the basis that the latter presented a greater threat of corruption than the former, because PACs are designed expressly for political participation, but corporations only for profit.

As Chief Justice, Rehnquist presided over many more cases that tried to limit the implications of *Bellotti*, the most important of which being *Austin v. Michigan State Chamber of Commerce* (1990), and *McConnell v. FEC* (2003). In *Austin*, the court ruled that it was constitutional for the state of Michigan to ban business from using general treasury funds for independent expenditures in candidate elections, because corporations have "state-created advantages" in the accumulation and distribution of assets that regular people cannot match (Kerr 317–20). *McConnell* mostly affirmed the new regulations put in place in 2002 by the BCRA, which sought to deal with the growth of previously unregulated "soft money" (donations given directly to the parties), and other loopholes designed to evade regulation. *McConnell* upheld BCRA title II which prohibited corporations and unions from funding "electioneering communications," defined as "any broadcast, cable, or satellite communication that refers to a clearly identified candidate for Federal office" within 30 days of an election. It was this law that was at stake in *Citizens United* (Kerr 321; Tribe 465).

After the death of Rehnquist, the court took a more rightward turn on campaign finance with the ascension of chief Justice John Roberts, and nomination of Justice Alito. Two early cases that signal this shift were *Randall v. Sorrell* (2006), in which the court decided that the increasing amount of time drained from legislators by fundraising was not sufficient cause to put limits on expenditures, and *Davis v. FEC* (2008), which struck down a relaxation of fundraising limits for candidates running against richer self-financed opponents. Levitt argues that these cases were "watershed decisions" because the former "refused to consider novel forms of harm to the political system," while the latter "wholeheartedly embraced a novel form of harm to political plaintiffs." Effectively, *Randall* decided that there

was no need to reign in the increasing “fundraising arms-race,” and *Davis* axed off one of the better means of doing so (Levitt 219). The last steppingstone to *Citizens United* was 2007’s *FEC v. Wisconsin Right to Life (WRTL)*. At stake was the BCRA’s prohibition on corporate political media spending. The court ruled 5-4 that corporate political messaging spending could only subject to regulation if it was, “susceptible of no reasonable interpretation other than as an appeal to vote for or against a specific candidate.” Chief Justice Roberts argued this was a narrow ruling that did not challenge the constitutionality of *McConnell* or the BCRA, but in their concurring opinion, his conservative colleagues Kennedy, Thomas, and Scalia argued that the court should have gone much further, and *Citizens United* gave them that exact opportunity (Kerr 322).

Citizens United Itself

The case brought before the court with *Citizens United v. FEC* originally only asked whether the ban on corporate electioneering in the BCRA, as narrowly defined by *WRTL*, could be applied to a documentary film about a candidate for office, funded almost exclusively through non-corporate donations, and made available digitally through video on demand. But during reargument, the court broadened this fairly narrow scope substantially of its own accord to overrule *Austin* and *McConnell*, and challenge the very constitutionality of this part of the BCRA. In his dissent, Justice Stevens wrote of this “scope-creep” that: “essentially, five justices were unhappy with the limited nature of the case before us, so they changed the case to give themselves an opportunity to change the law” (Tribe 474). But regardless of whether the court overstepped its boundaries, we must ask ourselves what *Citizens United* effectively said. Because by declaring unconstitutional title II of the BCRA, which banned corporations and unions from electioneering, the definition of which had already been severely narrowed by *WRTL*, what the court essentially did was allow corporations and unions to be explicit in their advocacy for or against a candidate, which they were indirectly engaging in anyway. This ruling, on its own, is a far cry from the supposed landmark case that opened the floodgates to corporate money in politics, but as I will demonstrate, the crucial factor in *Citizens United* was not the court’s decision itself, but the logic it used to get there. *Citizens United* ruled that “ingratiation and access...are not corruption,” thereby substantially limiting the definition of that word. Because before *Citizens United*, the Court had held that corruption was not limited to direct quid pro quo agreements, and that congress had the ability, if not duty, to prevent even the mere appearance of “undue influence” of large

donors over politicians (Gerken 907–08). But in his opinion, Kennedy wrote that, “independent expenditures, including those made by corporations, do not give rise to corruption or the appearance of corruption,” (Justice Kennedy 42).

It was this reasoning that allowed for the ballooning of independent expenditures after 2010. I will address that increase, and its effect on politics, in chapter three, but for now it is worthwhile to take stock of what exactly independent expenditures are, and the two main channels through which they are made: 501c nonprofits super PACs. The FEC defines independent expenditures as: “an expenditure for a communication that expressly advocates the election or defeat of a clearly identified candidate and which is not made in coordination with any candidate, or his or her authorized committees or agents, or a political party committee or its agents,” (“Understanding Independent Expenditures”). It was such an expenditure that was in question in *Citizens United*. Citizens United itself is a 501(c)(4) non-profit organization. The 501(c) refers to its section in the Internal Revenue Code as a non-profit organization, and the (4) to its goal of promoting social welfare. AFP is another such 501(c)(4), while the API is a 501(c)(6) because of its goal to improve business conditions. These groups cannot make direct campaign contributions, but thanks to *Citizens United*, they can raise unlimited money from corporations, unions, and individuals, which they do not have to disclose, and can spend on express advocacy, so long as this is not their “primary purpose” (Klumpp et al. 8–10).

Super PACs are a very different beast. As I discussed previously, regular PACs have played an important role in American politics for a long time. These organizations can make independent expenditures as well as direct campaign contributions, but the size of these contributions, as well as the donations they can receive, are quite limited, and they must disclose all of their funding and expenditures (Klumpp et al. 7). Super PACs only truly emerged after *Citizens United*, though crucially, also not exclusively because of it. There was yet another Supreme Court case in 2010, namely *SpeechNOW.org v. FEC*, in which the Court ruled, based on its prior decision that independent expenditures cannot lead to corruption, that contribution limits on PACs that make *only* independent expenditures were unconstitutional. So, while there is no strict definition of a “super” PAC, in practice, it refers to a PAC that makes only independent expenditures, and therefore cannot contribute directly, or coordinate legally, with a candidate’s campaign. They can spend without limit and fundraise without limit, but must disclose *most* of their contributors.

PACs still play an important role in the American political machine, as, despite their numerous limitations, they still provide direct access to a campaign, but after 2010 the

continuous debate on money in politics shifted its focus to super PACs and 501(c) non-profits. Neither permit direct contributions to, or coordination with, candidates, but super PACs allow for unlimited spending and fundraising, while having to disclose most funding. If one's concern is donor secrecy, a 501(c) allows for the same unregulated spending and fundraising, though this advocacy may not be the majority of the organization's activity (Issacharoff and Peterman 170). These Byzantine rules have defined the last decade of campaign finance, and permeated every discussion on money in politics. In Chapter Three, I unpack how these landmark decisions have changed campaign finance, and to what extent that change has influenced the Republican reversal.

Chapter 3: The Impact of *Citizens United* on the Republican Reversal

Quantifying the influence of special interests is in many ways the Holy Grail of interest group studies, “All seek it, but are forever being led astray,” (Abdul-Razzak et al. 4). The difficulty of determining how special interests affect electoral or even policy outcomes is compounded further when looking at not just lobbying or campaign contributions, but independent expenditures, where donors are, legally, not allowed to cooperate with the candidate they support. Consequently, independent expenditures have received far less academic attention until *Citizens United* (Klumpp et al. 5). Nevertheless, the new scholarship that has emerged after 2010 does allow us to say certain things about how the political landscape has evolved from 2010 onwards. In this chapter I will lay out how *Citizens United*, together with cases like *WRTL* and *SpeechNOW.org* changed campaign finance in practice, and to what extent we can say they impacted election outcomes for the GOP, and how climate politics caused, and was affected by, these changes.

Campaign finance post-*Citizens United*

The primary consequence of *Citizens United* was that, unsurprisingly, independent expenditures exploded during the subsequent election cycles. Independent expenditures grew 594% between the 2008 and 2012 presidential elections, and the trend of skyrocketing independent expenditures has held true for subsequent elections both presidential and congressional (Hansen et al. 543; *Outside Spending* | *OpenSecrets*). In the decade after *Citizens United*, outside groups spent nearly \$4,5 billion on elections, compared to just \$750 million in the two previous decades *combined*. Even more worryingly, outside independent spending as a percentage of total election spending has similarly ballooned from a mere 6% in 2008 to as much as 22% in 2016 (Evers-Hillstrom et al. 8–9). This shift has also not been bipartisan, as in that decade, Republican aligned groups spent \$2,6 billion, while Democratic ones spent only \$1,7 billion (Evers-Hillstrom et al. 19).

This increase in independent expenditures was easily predicted in the wake of *Citizens United*, but one prediction that did not pan out was who would be the ones to take advantage of these new opportunities. During and shortly after the Court’s decision in 2010, fears abound over the power the new deregulation of campaign finance would bestow upon corporations, but more than ten years later, we can see that this fear was not necessarily

wrong, but misplaced. It was not corporations who flooded the new super PACs and non-profits with unlimited donations, but rather wealthy individuals. In the decade after *Citizens United*, the top 100 individual donors gave over \$2 billion to super PACs and other outside spending organizations. Just the 10 very wealthiest individuals or couples gave \$1,1 billion on their own. This power of wealthy individuals over super PACs has only increased over the years. In 2012, the top 1% of donors provided 78% of the funding for super PACs. In 2020, that number was 96% (Evers-Hillstrom et al. 23). Wealthy donors from the oil and gas industry also give vastly more to Republican candidates or aligned groups than any comparable sector, with 91,2% of their donations going towards supporting the GOP. They also donate the most to outside spending groups, at 32,24% of their total donations (Evers-Hillstrom et al. 31).

It might be surprising to learn that it was individuals, not corporations, who seemed to benefit most from *Citizens United*, but the fact is that corporations did not stand to benefit more from the new ways of influencing politics that *Citizens United* provided for them than their old ways already did, and in so far as they did take advantage of *Citizens United*, it is far more difficult to tell. The primary reason as to why corporations did not donate to or create super PACs en masse after *Citizens United* and *SpeechNOW.org* is that it would simply have been bad PR to have to publicly disclose which potentially contentious issues or candidates they supported (Tribe 472; Evers-Hillstrom et al. 21). Corporations, historically, are also less interested in shaping the outcome of an election, than the agenda of whoever ends up in office through traditional lobbying (Issacharoff and Peterman 194). But, if corporations did want to engage in unlimited independent spending on campaigns, without having to disclose their actions, they could do so via 501(c) non-profits. These organizations do not have to disclose where they get their money from, but that also makes it very difficult to track which corporations donate to them, and how much, which has given rise to so called “dark money” (Hansen et al. 543).

Nonprofits have spent over \$963 million on elections in the decade after *Citizens United* without having to disclose where that money came from. Here it is again worth emphasizing that *Citizens United* was not the main cause behind this problem, as it was *WRTL* in 2007 which allowed nonprofits to spend as much as they wanted on independent expenditures, as long as they did not cross the very narrow line of “express advocacy,” which *Citizens United* would later do away with. We can already see the effect of this decision in 2008, as in that election cycle, nondisclosed nonprofit groups spent \$102 million on crucial races, compared to just \$26 million in the four previous cycles *combined*. Nevertheless, the

new freedom afforded by *Citizens United* did spur another increase in nondisclosed spending, growing to \$139 million in the 2010 midterms, and \$313 million in 2012. Conservative groups once again dominated the field, with 86% of dark money being spent by groups like the US Chamber of Commerce, NRA, and Americans for Prosperity. Consequently, transparency in outside spending eroded during the late 2000s. In 2006, 87% of independent expenditures came from groups that fully disclosed their funding, but only 65% in 2008, and 40% in 2012. There was, however, an uptick in transparency post-2012, with as much as 72% of outside spending being fully disclosed in 2016, but that uptick was accompanied by the growth of so called “grey money” groups, which disclose some, but not all, of their funding. Because, while super PACs have to disclose their funding, as opposed to nonprofits, nothing prevents a super PAC from taking donations from a nonprofit, thereby obscuring the actual source of the money. In the 2018 midterms, for example, dark money groups funneled \$176 million through super PACs and hybrid PACs, and the total amount of grey money accounted for more than a third of outside spending, at over \$391 million (Evers-Hillstrom et al. 35–40). It was also the top two Republican super PACs, the Congressional Leadership Fund and Senate Leadership Fund that took more than four times as much dark money as their Democratic counterparts (Evers-Hillstrom).

If their requirement to disclose the origins of their funding is one way super PACs are meant to be kept in check, then the primary one is the fact that unlike a regular PAC, a super PAC is not allowed to coordinate their actions with any of the campaigns they support. But much like that first rule, the latter is also often circumvented. The legal definition of coordination is so narrow that many super PACs effectively function as extensions of the campaigns they support. Many super PACs are run by the people who used to run the campaigns for the candidates they now support, campaigns and super PACs can share the same office space, and candidates/campaign heads often attend super PAC fundraisers (Gerken 915–17). Both Romney and Obama attended fundraisers for their personal super PACs. In 2016, Jeb Bush raised money for his super PAC, right before announcing his candidacy, thereby avoiding illegal coordination, after which his campaign and the super PAC ran ads that were virtually indistinguishable. Almost every other Republican had such a single-candidate super PAC, which in total spent \$531 million in the 2016 election. In 2020, that number soared to \$657 million (Evers-Hillstrom et al. 11–13; *2020 Outside Spending by Single-Candidate Super PACs* | *OpenSecrets*).

The Electoral Impact of *Citizens United*

Having now established that *Citizens United*, together with the ancillary cases like *WRTL* and *SpeechNOW.org* did substantially change American campaign finance by vastly increasing independent expenditures, we can now look at how these changes impacted the electoral outcomes for the Republican Party, and subsequently, their stance on climate change legislation.

The problem one quickly runs into is the difficulty of verifiably connecting independent spending to electoral, or even policy, outcomes. This problem is compounded when looking at changes in federal congressional election outcomes after *Citizens United*, since at the time of writing we only have six election cycles to look at, and the older the study, the lower that number is. Still, Chaturvedi and Holloway (2017) studied the effects of independent expenditures after *Citizens United* and *SpeechNOW.org* on Senate elections from 2010 through 2014, and found that, “outside spending does play a significant, though small role in determining the vote share of a candidate.” They conclude that spending by the campaign itself has a greater impact than independent spending, and that outside spending in support of a candidate is more effective than against a candidate, which raises doubts about the real-world efficacy of fossil fuel attack ads against climate-friendly Republicans. Most importantly, they find no noticeable difference as to which party benefits more from independent expenditures. They do also note that their conclusions cannot be taken as final, since the issue is still in its infancy (Chaturvedi and Holloway 251, 255, 261–64).

Indeed, I was unable to find any other articles that studied the effects of independent expenditures on congressional elections post-*Citizens United*. The two major ones I did find were those by Klumpp et al. (2016), and Abdul-Razzak et al. (2020), both of which concern state government elections. Klumpp et al. looked at 29,698 state house races and 8,517 state senate races across 49 states, 22 of which used to have bans on corporate/union independent political spending before *Citizens United*. Their research compared two post-*Citizens United* election cycles, 2010 and 2012, to the five previous ones between 2000 and 2008. Their research find that Republicans are 4% more likely to get elected in state house races, 5% more likely to run for reelection, 6% more likely to win reelection in state house races. They also find that, post-*Citizens United*, there is a significant decrease in Democrats running for state houses (Klumpp et al. 1–3). Abdul-Razzak et al., meanwhile, focus their research on 48 states over 20 years. They conclude that the elimination of funding restrictions on independent expenditure organizations post-*Citizens United* had a substantial effect in favor

of the GOP, and increases the conservatism of state legislatures. Republicans increased their vote share in lower houses by 8,2%, and 7,2% for the upper houses (Klumpp et al. 19, 31).

These are noteworthy finding, but we cannot assume that these state-level results will carry over to the federal level, so absent any more studies on the long-term effects of *Citizens United* on congressional elections, where is one to turn? In their 2014 report, Common Cause does give major before-and-after example of a congressional Republican who suffered a major defeat after *Citizens United* for taking seriously the science and urgency of climate change. The story of Bob Inglis is very illustrative of the story of the Republican reversal as a whole, but not in any way that prioritizes *Citizens United* as a turning point for the GOP, and rather supports my argument that by 2010, the Republican Party had long made up its mind on climate change.

Bob Inglis was a six-term Republican congressman from South Carolina who was uniquely outspoken about climate change, even (derogatorily) getting nicknamed “the Al Gore of the Republican Party” in 2008. While he opposed Obama’s cap-and-trade bill, he did support a tax swap system that was designed to tax carbon dioxide while staying revenue neutral. His break with Republican orthodoxy would catch up with him in 2010 when he suffered a devastating primary defeat against Trey Gowdy, a Tea Party backed climate denier. Inglis’ Republican bona fides were not spotless, having opposed the Iraq troop surge, and supported immigration reform with a pathway to citizenship, but reflecting on his defeat he maintains that, “the most enduring heresy that I committed was saying the climate change is real, and let’s do something about it.” But why was this particular heresy so damnable? Common Cause points out the \$34.870 Gowdy got during the primaries from oil, gas, and electric utility companies, including from Koch Industries, but that has nothing to do with the kind of independent expenditures enabled by *Citizens United* (“Silencing Science”). In fact, nowhere does Inglis himself cite some unprecedented influx of electioneering communications attacking him or supporting Gowdy on the issue of climate, and the reasons he does lay out as to why climate had become a death nail for him ring much closer to the developments within the GOP I lay out in Chapter One.

Naturally he cites the recession as one of the reasons Republican voters were even less open to big long-term worries like climate, but beyond that, his use of the word “heresy” was deliberate, as he faced serious religious opposition from evangelical voters for presuming any human action could harm God’s creation. Rank partisanship was also to blame. Alluding to the party sorting I addressed in chapter one, he says: “it became convenient to say that this is a Democrat idea, and therefore let’s reject everything that Barack Obama would say.”

Inglis describes a GOP which, by 2010, had already become ideologically opposed to climate science: “right now it doesn’t seem safe to pay attention to the science because the ideology says no, the science is wrong.” Inglis does still see money as a corrupting influence, but in a much more familiar way. He sees campaign contributions from the fossil fuel industry as driving some of the discussion, but where their money is most effective is in the funding of conservative think tanks, which give climate pseudo-science an air of legitimacy: “They have really done an amazing job of introducing doubt where there really was very little doubt in the scientific community,” (Breslow). The doubt had sunk in deep. Already in 2010, Inglis reflected on the small, dwindling, number Republicans who would openly acknowledge climate change, calling it a “small fraternity,” and lamented that, “It really is odd to realize ... that gee, there are not many of ya,” (Lehmann).

Conclusion

What I have done in this essay is draw two timelines, that of the federal Republican Party's increasing hostility to climate science and legislation from the 1980s onward, and that of the gradual deregulation of campaign finance law which eventually peaked, but did not end, with *Citizens United*, and I have demonstrated what happened when these two timelines intersected. I use the Inglis case not as a singular proof, but an illustrative example of my argument that by the time *Citizens United* was able to affect American elections, there was very little room left for the undeniably increased power of the fossil fuel industry to push the Republican Party much more to the right on issues of climate than they already were. A potent mixture of endemic factors like neoliberal aversion to big government spending, a redirected cold war paranoia, and the increasing power of evangelicals within the GOP were met with external factors like a fossil fuel industry that as ready to lobby politicians, support contrarian scientists, and fund conservative think tanks to create an air of uncertainty around the scientific consensus on climate change. Already by the turn of the millennium had these forces become so entwined that opposition to climate legislation had become a partisan badge of identity within the GOP, in opposition to the comparatively much more outspoken pro-climate Democrats.

It was in this political landscape the Supreme Court would make its *Citizens United* ruling, which as I have also shown, was not as groundbreaking as it is often regarded. Corporate personhood and money equaling speech, rightly or wrongly, had been accepted precedent for decades by the time the Court decided that these factors meant it was unconstitutional to prevent unions or corporations from expressly advocating for or against a given candidate. The definition of "express" advocacy has already been severely narrowed by previous rulings, to the point that all *Citizens United* itself did was allow corporations to go from saying "Senator John Doe hates coal country!" to "Senator John Doe hates coal country, don't vote for Senator Doe!" Nevertheless, such a narrow focus on the decision itself does obscure the ways in which the case as a whole paved the way for much more corrosive influx of money in politics, because the Court based its decision upon the belief that independent expenditures, unaffiliated with a campaign, could not lead to corruption. In its decision, the Court refused to acknowledge any kind of corruption besides an explicit quid pro quo, and it was this logic that was the basis for its *SpeechNOW.org* ruling, which eliminated any and all contribution limits to organizations that only made such independent expenditures, leading to the infamous super PACs.

As a result, independent spending on American elections did skyrocket after *Citizens United*, but not solely because of it. It was also not corporations, but wealthy individuals who took disproportionate advantage of the newly loosened campaign finance laws. Corporations mostly stuck to their usual channels of direct lobbying and campaign contributions, and if corporations wanted to engage in limitless independent spending, they could already effectively do so via 501(c) nonprofits ever since *WRTL* in 2006, provided they did not engage in *express* advocacy. Nonprofits carry the benefit for the corporation that they do not have to disclose who gives them money, and how much, but that makes it harder for academics to trace the flow of money, and possible corruption. Regardless, it is evident that all of these forms of independent expenditures, especially by fossil fuel aligned groups, favored Republicans more than Democrats, at a time when the strength of the parties themselves was shrinking. We could therefore reasonably expect this to result in better electoral outcomes for Republicans, and a stronger opposition to climate legislation, but the fact is that we do not have any data to say so with certainty. The electoral and policy outcomes of independent expenditures are seriously understudied, as I was able to find only one such study on congressional Senate races, which did find a positive correlation between outside spending in favor of a candidate, but did not determine a partisan split.

Further research is definitely needed to assess the impact of independent expenditures on federal elections post-2010 to determine the full effect of *Citizens United* on the Republican reversal, but I do not suspect this will change the fact that already before 2010, the GOP had become a majority anti-climate party. That is not to say moneyed interests did not play a part in the Republican reversal, lobbying and CTTs were very influential, but what I have also stressed in this essay is that *Citizens United* must not be seen as the be-all end-all of money in politics. Therefore, I argue that academics, but also politicians and activists, should view the story of the Republican reversal as one of internal ideological developments within the GOP which were aided by moneyed interests and the fossil fuel industry long before *Citizens United* provided them with relatively few new methods of doing so. It would do politicians and activists well to view it in that light, and to not discard the available evidence in favor of a simplistic narrative like the fossil fuel industry and its allies have so eagerly done.

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ENGELSE TAAL EN CULTUUR

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Title of document: Jasper Allaert Bachelor's Thesis

BA Werkstuk Amerikanistiek

Date of submission: 10/6/2022

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