

Resolution: Corporations are not people; money is not speech

Whereas, the U.S. Supreme Court has granted corporations personhood status, free speech and other protections guaranteed to living humans by the Bill of Rights and the 14th Amendment, yet historically corporations were created as artificial entities that were subordinate to our democracy, the Marina City Council considers it to be our right and duty to assert that corporations are not natural persons with human rights but artificial entities created by our government; and

Whereas, although some corporations make important contributions to our society, they are required by law to put profit ahead of any other concern, can exist simultaneously in many nations, and use court granted "corporate rights" to get laws that threaten corporate profits weakened or overturned, even when those laws protect people and communities; and

Whereas, the U.S. Supreme Court's 2010 ruling in Citizens United v. the Federal Election Commission threatens our democracy by rolling back limits on corporate spending in electoral campaigns, allowing torrents of corporate money to drown out the voices of "We the People"; and

Whereas, a Washington Post-ABC News poll found that 80% of Americans oppose the Citizens United ruling (Democrats 85%, Republicans 76%, Independents 81%) and a Harris poll found that 87% think big companies have too much influence in Washington; and

Whereas, U.S. Senate Judiciary Committee Chair Patrick Leahy stated that the Citizens United ruling "will allow major corporations . . . to control America;" and former Republican senator Warren Rudman wrote, "Supreme Court opinion notwithstanding, corporations are not defined as people under the Constitution, and free speech can hardly be called free when only the rich are heard;" and Senator Chris Dodd pointed out that "money is not speech," that "corporations are not people" and that "a constitutional amendment is necessary to fully restore the trust and voice of the America people."

Therefore, Be It Resolved that the Marina City Council calls for amending the U.S. Constitution to establish that:

1. Corporations should not be exempt from campaign finance restrictions on the basis of campaign contributions being the same as political speech protected by the First Amendment; and,
2. Corporations are not natural persons, and therefore are not entitled to the same First Amendment rights provided to individual persons.