How to get involved

If you want a strong democratic process in this country...If you believe in a government of, for and by real people...If you want you & your neighbors' interests to be more important to your congressperson than large corporations and wealthy donors,

Here's what you can do:

1. **Join Move to Amend.** Go to <u>www.movetoamend.org</u>, click "sign the petition."



Join an affiliate, or sign up to organize a local Move to Amend group.

- Contact your state representative and senator and tell them to support a state resolution to amend the Constitution to overturn Citizens United. Who Represents me?
- 3. Contact Congressman Reed and tell him to cosponsor H.J.RES.29 -- Proposing an amendment to the Constitution of the United States providing that the rights extended by the Constitution are the rights of natural persons only and money is not speech.

Get big



OUT of Politics



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Timeline of Relevant Court Cases

1886 Santa Clara vs.

So. Pacific Railroad

The Supreme Court did not rule on corporate personhood, but header notes on the decision are often cited as precedence giving 14th amendment rights of due process & equal protection to corporations.

1889 Minneapolis & St.

Louis RR vs. Beckwith

Court ruled that corporations have equal protection rights under the 14th Amendment.

US Supreme Court

1906 Hale vs. Henkel

Corporations get 4th amendment rights of protection against illegal search & seizure.

1919

Dodge vs. Ford

A corporation's reason to exist is no longer "to serve the public good," but "to make profits for stockholders."

Michigan State

1922 <u>Pennsylvania</u> <u>Coal vs. Mahon</u>

Corporations get the 5th amendment "takings clause." State and local governments become much more timid in passing regulations that protect real people from real harm.

1976 Buckley vs. Valeo

Spending money on election communications is a protected form of free speech.

US Supreme Court

2010 Citizens United vs. FEC

Any infringement on how corporations spend their money is unconstitutional.

US Supreme Court

2014 McCutcheon vs. FEC

Overturned aggregate limits on donations to candidates and party committees

US Supreme Court

Buckley vs. Valeo Case Summary

Article 1, Section 4 of the U.S. Constitution grants Congress the power to regulate the manner of elections, and spending money is certainly a "manner" of elections.

In 1974, Congress passed FECA – the Federal Elections Campaign Act. This was the first attempt by Congress to regulate campaign contributions and spending.

FECA:

- set limits on contributions to candidates
- required the disclosure of political contributions
- limited many types of expenditures by candidates and associated committees
- limited candidate expenditures from personal funds

Ruling: The Court upheld limits on campaign contributions, but ruled spending money to influence elections is a form of constitutionally protected free speech, and struck down portions of the law.

Since regulating elections is a power granted solely to Congress in the Constitution, this ruling overstepped the Court's constitutionally granted scope, and opened the floodgates to the very moneyed interests the original legislation had sought to rein in.

Citizens United. v. FEC Case Summary

The 2002 McCain-Feingold Act, also known as the Bipartisan Campaign Reform Act, focused on these areas:

- Soft money in campaign financing (money given to a party rather than individual candidates)
- Issue ads
- Controversial campaign practices of the 1996 federal elections
- Increasing political contribution limits for private individuals

Leading up to the 2008 elections, Citizens United produced a pay-perview video critical of one candidate, and they wanted to advertise it during television broadcasts. A lower court ruled such adverts would be in violation of the 2002 the **McCain-Feingold Act.**

The US Supreme Court vastly overreached the scope of the case, concluding it was unconstitutional to "ban free speech" by limiting independent communications of corporations, associations, and unions.

In other words, corporations may spend as much of their own money as they want to support or oppose political candidates through independent communications. This decision essentially legalized corruption in politics.

McCutcheon v. FEC Case Summary

Under FECA, an individual could contribute no more than a combined biennial total of \$117,000 to political campaigns.

Alabama resident Shaun McCutcheon didn't think he had enough influence and wanted to contribute more.

The plaintiffs challenged the aggregate limits on contributions as violating the First Amendment.

The Supreme Court overturned the federal aggregate limits allowing wealthy individuals to have more influence over elections.

The case for Amending the Constitution

We, the People of the United States of America, reject the U.S. Supreme Court's Citizens United ruling and other related cases, and move to amend our Constitution to firmly establish that **money is not speech, and that human beings, not corporations, are persons entitled to constitutional rights.**

The "We the People Amendment" does not strip corporations from the ability to sue or be sued or to enter into contracts. It merely affirms that all entities created under law (for-profit corporations, non-profit corporations, limited liability partnerships, incorporated unions, etc) are created under the auspices of law, and that any legal privileges such entities exercise are subject to the political process.

Upon adopting such an amendment, the rights corporations currently have would become privileges – privileges that could be regulated, revoked, and importantly, **protected** by legislation as needed and appropriate.