

Yes on F

Defend Democracy End Corporate Rule

The Move to Amend Coalition of Mendocino is campaigning to pass Measure F

Measure F will instruct our elected representatives to amend the Constitution to clarify that a corporation is not a person and money is not speech.

Why are you so concerned about corporations?

The many special powers and privileges the government grants corporations (limited liability, perpetual lifespan, ability to overturn local laws, etc.), make limiting their political power essential. Corporations command resources that vastly exceed those of ordinary citizens. Corporations often have a direct interest in weakening regulations protecting workers, communities, small businesses and the environment. Their lobbyists get them tax breaks, subsidies and other favorable treatments. Corporations can easily outspend political candidates who wish to protect their communities or limit corporate privilege. Corporations can challenge democratically enacted laws in court to have them overturned.

What is corporate personhood?

Corporate personhood is the legal doctrine that a corporation is a fictional person under law. In the last 125 years, this has been expanded by the Supreme Court to mean a corporation has the same constitutional rights and protections as a human being. Under current law, corporations have "human rights" like free speech and privacy. This has broad implications. For example, the right to free speech means that corporations may spend unlimited amounts of money on political campaigns. The right to privacy means that regulators are not

allowed to make surprise safety inspections of factories or mines. The people who own and work for corporations are entitled to the rights of free speech and privacy. However, a corporation is a legal invention for making money, not a person with human needs and qualities.

If corporate personhood is so bad, how did it end up on the books?

In the 1886 Supreme Court case Santa Clara County v. Southern Pacific Railroad, the court reporter (who had strong ties to railroad corporations) inserted a statement into the headnotes indicating that corporations are persons. This was then used as legal precedent – even though headnotes have no legal standing and the court did not rule on corporate personhood. Many Supreme Court decisions since then have made the doctrine of corporate personhood "settled law." In the 2010 Citizens United vs. FEC case, a 5-4 majority decided that corporations are entitled to the same constitutional rights as human beings.

What about the idea that money is speech?

This is another creation of the Supreme Court. The Constitution says nothing about this. It came from the 1976 Buckley v. Valeo case in which the court ruled that spending money to influence elections is a form of free speech.

Why do we need a constitutional amendment?

We need an amendment because the current Supreme Court's majority is not likely to overturn itself. Any law passed by Congress, a state, county or town challenging a corporation can be overturned as unconstitutional. Only a Constitutional Amendment

will protect our rights as We the People and allow us to limit corporate power.

Why are you working on passing a citizens' advisory in Mendocino County?

To amend the U.S. Constitution, we need lawmakers to support this cause. Passing Measure F will tell them that real people know about the increasing power of corporations in government and are opposed to it. It will send a powerful message to politicians, whose career depends on voters. We also hope to inspire other towns, counties and states to send the same message to their lawmakers. In municipalities across the nation where advisory measures have been on the ballot, they have passed by big margins!

From the Citizens United dissent of Justice Stevens (joined by Justices Sotomayor and Ginsburg):

"... Corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their 'personhood' often serves as a useful legal fiction. But they are not themselves members of 'We the People' by whom and for whom our Constitution was established."

Where can I get more information?

How can I help?

Contact us at:
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