

Researching Corporate Rule / Corporate Constitutional Rights

No organization in the nation has done more extensive research defining and describing the impact of corporate constitutional rights on individuals, communities, the natural world and democracy than Move to Amend.

Popularly and inaccurately referred to as “corporate personhood,” corporate constitutional rights are rights the Supreme Court invented for corporations under constitutional amendments originally intended solely for human beings.

While corporate entities include for-profit and non-profit corporations and unions, the vast majority of decisions the Supreme Court has made since the late 1880s extended so-called constitutional rights to for-profit corporations. This illegitimate extension of constitutional rights to for-profit corporations is the major reason for the rise of the business corporation as the most dominant institution in our society.

Move to Amend’s Law & Research Committee has over the past several years published articles, fact sheets, comparison charts and a “White Paper” detailing how never-intended corporate constitutional rights have hijacked our democracy and caused widespread individual, community and environmental harms. The research has particularly focused on how corporate constitutional rights include more than the First Amendment free speech rights which have produced a tsunami of corporate political spending. They also include fictional corporate constitutional rights under the Fourth, Fifth and Fourteenth Amendments as well as non money as speech rights under the First Amendment and other parts of the constitution.

This attention to non-political free speech constitutional rights invented for corporations have widened and deepened the understanding that merely overturning the 2010 *Citizens United vs. FEC* Supreme Court decision or reversing the 1978 *First National Bank of Boston vs. Bellotti* Supreme Court decision that first granted corporate entities political free speech rights will magically end corporate rule.

Below is a listing of our most recent publications addressing corporate constitutional rights – all of which have been used to educate, advocate and organize.

- How Corporate Constitutional Rights Harm You, Your Family, Your Community, Your Environment, and Your Democracy
 - I. Corporate constitutional rights have no legal basis and negatively affect your property rights, environmental protection, worker safety, and community health
 - II. Corporate constitutional rights allowing corporations “right” not to speak and commercial speech “rights” conceal important information from consumers and employees, and expose children to tobacco

- Corporate Hijacking of the 1st Amendment - [political “free speech”]

- Corporate Hijacking of the 1st Amendment - [excluding political free speech]
- Corporate Hijacking of the 4th Amendment
- Corporate Hijacking of the 5th Amendment
- Corporate Hijacking of the 14th Amendment
- Corporate Hijacking of the Commerce Clause
- Corporate Hijacking of the Contract Clause
- Side-by-Side Comparison: Move to Amend's We The People Amendment, (HJR 48) and the Democracy for All Amendment (HJR 2)
- Side-by-Side Comparison: Move to Amend's We The People Amendment, (HJR 48) and HJR 57, Rep. Adam Schiff's Amendment
- The We the People Amendment: The Constitutional Amendment to Counter Political Corruption and the Corporate Hijacking of the Constitution - "White Paper"
- Myths of Harmful Unintended Consequences of Abolishing Corporate Personhood
- Do We Need a Constitutional Amendment Now that the Green New Deal Has Been Introduced?
- Comparing the For the People Act (HR1) to the We the People Amendment (HJR 48)

The pressures on our public institutions caused by the current health and economic crises will likely lead to calls to further privatize i.e., (corporatize) public services as public budgets are strained and confidence in the public sector's role to timely and comprehensively respond to the crises declines. This despite the fact that our current systems -- including health care, financial and economic -- are already dominated by for-profit corporations. Privatization of public services converts members of the public from citizens with the right to hold the government accountable into mere consumers who have no such right.

Nevertheless, for-profit corporations will seek to "save" our communities and institutions by further fulfilling the functions of public institutions. It is in such an environment that not only the economic power of corporations will increase, but their governing power, which has been backstopped by the full range of constitutional rights for more than a century.

Move to Amend will continue its work researching and publicizing how corporate entities were once subordinate to public control, how they usurp constitutional rights by hijacking existing Constitutional Amendments intended to expand rights of human beings) was/is a perversion of We the People's right to self-determination, how those corporate constitutional rights is causing massive harms, and how the complete abolition of them should be a major goal in the pursuit of fundamental change.