

Why Should State Legislators Urge the Congress to Amend the Constitution?

A Request to sign a Legislative Letter for a Constitutional Amendment to Regulate Corporate Political Spending and Campaign Financing

Government of, by, and for the people has long been a fundamental American value. It is threatened - by an avalanche of spending that out-shouts the people and skews election results.

The U.S. Supreme Court ruled, in *Citizens United v. the Federal Election Commission (2010)*, that corporate entities have the same right as persons to unrestricted spending on political speech - overturning selected provisions of the federal Bipartisan Campaign Reform Act enacted in 2002.

In reaching its decision, a majority of the Supreme Court interpreted the First Amendment of the Constitution to grant corporations the same free speech protections as natural persons.

The Court's ruling must be reversed or overturned. Corporations should not have "rights" of natural persons, such that the expenditure of corporate money to influence campaigns and elections is considered constitutionally protected speech. Corporations are legal creations, chartered by law and given "privileges" to engage in commerce and civic affairs deemed necessary for the public good. They do not have automatic or inalienable rights as natural persons; indeed, to do so would undermine the basic principles of democratic self-government by people.

The Court's decision in effect allows unlimited corporate spending to influence campaigns, elections, lawmaking and public policy decisions. In the two years since the ruling, there has been tremendous growth in contributions and spending by super political action committees for media ads and related independent electioneering activities.

The Court's decision in the case of *Citizens United v. F.E.C.* severely restricts the ability of federal, state and local governments to enact reasonable campaign finance reforms and regulations regarding corporate political activity. Indirectly it subjects lawmaking by state and local government to the undue influence of excessive spending on lobbying and to influence election results.

Several proposed amendments to the Constitution have recently been introduced in Congress that would allow federal and state governments to regulate the raising and spending of money by corporations to influence elections and ballot measures.

The people of the United States have previously used the constitutional amendment process to correct decisions of the U.S. Supreme Court that are deemed to be egregious or wrongly decided or significantly out-of-step with the prevailing values of the populace.

Tens of thousands of people and municipalities across the nation are joining together to call for an Amendment to the United States Constitution to establish that political speech and spending by corporate entities to influence the political process must be regulated and made subservient to the people's interest in authentic democracy and self-governance. Memorial resolutions have been introduced in several states. Several cities have enacted resolutions or allowed voters to directly vote on an advisory resolution.

For all of the above reasons, we ask for legislative action, to call for a Constitutional amendment to overturn the *Citizens United* decision and thereby to enhance government of, by and for the people.

For more information: Write wpc@washclean.org