

## Corporate Personhood

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3 **WHEREAS** government of, by, and for the people has long been a cherished American  
4 value, and We The People's fundamental and inalienable right to self-govern, and  
5 thereby secure rights to life, liberty, property, and the pursuit of happiness as stated in  
6 Declaration of Independence and secured by the US Constitution;  
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8 **WHEREAS** President Abraham Lincoln warned late in his administration that  
9 "corporations are enthroned.....An era of corruption in high places will follow and the  
10 money power will endeavor to prolong its reign by working on the prejudices of the  
11 people.....until wealth is aggregated in a few hands....and the Republic is destroyed;"  
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13 **WHEREAS** democracy means governance by the people, only natural persons should  
14 be able to participate in the democratic process; corporations are not mentioned in the  
15 Constitution; The People have never granted constitutional rights to corporations, nor  
16 have We decreed that corporations have authority that exceeds the authority of We The  
17 People of the United States;  
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19 **WHEREAS** Justice Stevens stated, "corporations have no consciences, no beliefs, no  
20 feelings, no thoughts, no desires. Corporations help structure and facilitate the activities  
21 of human beings, to be sure, and their "personhood" often serves as a useful legal  
22 fiction. **But they are not themselves members of "We the People" by whom and for  
23 whom our Constitution was established";**  
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25 **WHEREAS** the wrongful interpretation of the 14<sup>th</sup> Amendment of the US Constitution  
26 by the Supreme Court in Santa Clara v. The Southern Pacific Railroad Co. to include  
27 corporations in the term persons has long wrought havoc with our democratic process  
28 by endowing corporations with constitutional privileges intended solely to protect the  
29 citizens of the United States or natural persons within its borders;  
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31 **WHEREAS** the Court's ruling in citizens United v. FEC allows corporations to  
32 participate in and contribute to political campaigns as a means of free speech will now  
33 unleash a torrent of corporate money in our political process unmatched by any  
34 campaign expenditure totals in United States history; that presents a serious and direct  
35 threat to our democracy;  
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37 **WHEREAS** five members of the United States Supreme Court in January 2010 have  
38 transformed the First Amendment into a powerful tool for corporations seeking to  
39 evade and invalidate democratically-enacted reforms;  
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41 **WHEREAS** the Judicial Branch of the United States Government continues, in disregard  
42 of the *stare decisis* principle, to move toward the endowment of Corporate Entities with  
43 certain of the inalienable rights guaranteed by the Constitution to People;

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45 **WHEREAS** the ability of citizens to establish laws to protect the health, safety, and  
46 welfare has been diminished by the exercise of constitutional privileges by corporations;

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48 **WHEREAS** large corporations have used their so-called 'rights' to overturn  
49 democratically enacted laws passed at municipal, state and federal levels, aimed at  
50 curbing corporate abuse, thereby rendering local governments ineffective in protecting  
51 their citizens against corporate harms to the environment, to health, to workers, to  
52 independent business, to local and regional economies;

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54 **WHEREAS** an effective remedy to the anti-democratic effects of Corporate Personhood  
55 is urgently needed if People are to retain their Constitutionally-sanctioned primacy in  
56 American polity; and

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58 **WHEREAS**, the people of the United States have previously used the constitutional  
59 amendment process to correct those egregiously wrong decisions of the United States  
60 Supreme Court that go to the heart of our democracy and self-government;

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62 **THEREFORE BE IT RESOLVED** that we, the Washington State Democrats, reject the  
63 U.S. Supreme Court's ruling in *Citizens United* and recommend legislative action or  
64 Constitutional Amendment to firmly establish that human beings, not corporations, are  
65 persons entitled to constitutional rights; and

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67 **THEREFORE BE IT FURTHER RESOLVED** that a copy of this resolution be  
68 transmitted to relevant officials along with a request for response within thirty days,  
69 listing the actions they are willing to take to support this resolution or a list of the  
70 reasons explaining why it cannot be supported.

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73 Submitted by the Whitman County Democrats to the Democratic Central Committee for  
74 consideration at its June 26 convention in Vancouver. (Date Submitted 4/13/2010)

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76 Recommended Pass with amendments by the Subcommittee on the Corporate Power  
77 and Media Reform, Economic Justice and Development, and Labor. (Date Considered  
78 5/2/2010)

79  
80 Recommended Pass with amendments by the State Convention Platform Committee.  
81 (Date Considered 6/5/2010)

82 The Washington State Democratic Convention "PASSED" this resolution at its June 26,  
83 2010 meeting in Vancouver.