

# ***The Citizens United* ruling shows we must amend the U.S. Constitution**

Our destiny - our laws and public policy - should be determined by people and the public interest -- not by Wall Street banks and global corporations and their private interest.

**In the *Citizens United* ruling** (January 2010), the Supreme Court said that corporations have the same rights as persons to free speech, including political speech. This allows corporate entities to spend unlimited amounts to influence election outcomes and lawmaking. And they are doing it.

**"One-person, one-vote" becomes "one-dollar, one-vote"** -- because of the power of money to purchase media, to influence election outcomes, and to influence laws with expensive lobbying.

- Corporate influence in Congress is why Wall Street banks got big bailouts and bonuses.
- It's why health care insurance premiums keep rising and prescription drugs cost so much.
- It's why oil dominates our energy policy -and why corporate farms and food additives dominate our food supply.
- And it's why factories are closed when global corporate owners can make more profit overseas - regardless of the impact on local communities and families.

## **Can Congress overturn *Citizens United* by law?**

No. When the Supreme Court declares a law unconstitutional, as they did in *Citizens United*, that takes precedence over any law or act of Congress.

Congress can try to bandage the damage within the scope of the Supreme Court ruling. But so long as corporate wealth shares power equally with people - protected as "free speech" through court rulings - campaigns, elections and lawmaking itself will be auctions, "for sale" to the highest bidder.

Public financing for campaigns would partially offset the power of private wealth. But only an amendment to the constitution is durable as "the final word" to protect American democracy.

## **Can states take action to limit undue corporate influence?**

States can amend their constitutions to prevent undue influence by wealthy donors and political speech by global corporations. And they should. Corporate charters granted by states can specify what a corporation is allowed to do. Some states and local cities are passing laws that limit corporate activity to the economic sphere only, and prohibiting corporations from engaging in political electioneering. But such state laws might be overruled by the U.S. Supreme Court - using the same reasoning as in the *Citizens United* ruling - unless the Constitution is amended.

## **Constitutional amendments have been done before**

In 1971, the 26th Amendment to the U.S. Constitution was adopted by 3/4ths of the states - within four months! -- giving voting rights to anyone 18 or older. It was motivated by popular uprising resulting from the Vietnam War era: "If I'm old enough to be drafted, I'm old enough to vote!"

## **Boston Tea Party (1773) -- a response to undue corporate influence**

Our nation's founding began when the American colonies rose up against a corporate monopoly. The East India Trading Company used their wealth and power in the British Parliament to achieve tax preferences on imported tea - undercutting local business in the American colonies. In effect, this "WalMart-ization" of the tea trade led to the 1776 Declaration of Independence and the great American experiment in democracy.

Now, two centuries later, we have global corporations exercising their wealth and muscle in our democracy. It's time once again to reclaim the vision and promises of our nations' founding - and to amend the constitution to spell it out. People - not corporations, and not wealth and privilege - should determine our nation's destiny! And we must amend the U.S. Constitution to clearly say so.