



Roll Call Number

Agenda Item Number

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Sponsor: Council Member Moore

Date March 9, 2015

**RESOLUTION SUPPORTING THE POSITIONS THAT CORPORATIONS
SHOULD NOT RECEIVE THE SAME CONSTITUTIONAL RIGHTS
AS NATURAL PERSONS AND THAT MONEY IS NOT SPEECH**

WHEREAS, government of, by, and for the people has long been a cherished American value, and the First Amendment of the Constitution of the United States is intended to protect the free speech rights of people, and;

WHEREAS, free and fair elections are essential to democracy and effective self-governance, and;

WHEREAS, persons are rightfully recognized as human beings whose essential needs include clean air, clean water, safe and secure food, and;

WHEREAS, corporations, unions, and non-profit organizations are artificial entities, and are entirely human-made legal fictions created by express permission of We The People and our government, and;

WHEREAS, these artificial entities can exist in perpetuity, can exist simultaneously in many nations at once, need only profit or donations for survival, and exist solely through the legal charter imposed by the government of We The People, and;

WHEREAS, in addition to these advantages, the great wealth of these artificial entities allows them to wield coercive force of law to overpower human beings and communities, thus denying We The People's exercise of our Constitutional rights, and;

WHEREAS, corporations, unions, non-profit organizations, and other artificial entities are not mentioned in the Constitution, and The People have never granted constitutional rights to these entities, nor have We decreed that these entities have authority that exceeds the authority of We The People of the United States, and;

WHEREAS, rulings by the Supreme Court of the United States interpreting the US Constitution to include artificial entities in the term 'persons' has long denied We The Peoples' exercise of self-governance by endowing these entities with Constitutional protections intended for We The People, and;

WHEREAS, bestowal of civil and political rights upon artificial entities usurps basic human and Constitutional rights guaranteed to human persons, and also empowers these entities to sue municipal and state governments for adopting laws that violate 'corporate rights' even when those laws serve to protect and defend the rights of human persons and communities, and;



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WHEREAS, artificial entities are not and have never been human beings, and therefore are rightfully subservient to human beings and governments as our legal creations, and;

WHEREAS, some artificial entities' interests are in direct conflict with the essential needs and rights of human beings, and;

WHEREAS, the recent *Citizens United v. the Federal Election Commission* Supreme Court decision that changed the legal limits on spending in the electoral process created an unequal playing field and allows unlimited spending by wealthy individuals, corporations and other entities to influence elections, candidate selection, policy decisions and sway votes, and forces elected officials to divert their attention from The Peoples' business, or even vote against the interest of their human constituents, in order to ensure competitive campaign funds for their own re-election, and;

WHEREAS, the judicial interpretation that spending money in political campaigns is speech is contrary to the notion of one person, one vote and allows those with the most money to have an unfair advantage in a political system that should be about ensuring that all citizens have equal access to the political process and to influencing the outcome of elections, and;

WHEREAS, money is property, not speech, and;

WHEREAS, large corporations own most of America's mass media and use that media as a megaphone to express loudly their political agenda and to convince Americans that their primary role is that of consumers, rather than sovereign citizens with rights and responsibilities within our democracy, and this forces citizens to toil to discern the truth behind headlines and election campaigning, and;

WHEREAS, tens of thousands of people and municipalities across the nation are joining with the Move to Amend campaign to call for an Amendment to the US Constitution to Abolish Corporate Personhood and the doctrine of Money as Speech.

THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the City Council supports the call for an Amendment to the Constitution to Abolish Corporate Personhood and the doctrine of Money as Speech and the desire to return our democracy, our elections, our communities to America's human persons and to thus claim our sovereign right to self-governance.



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BE IT FURTHER RESOLVED that the City Council of the City of Des Moines supports the concept of education to increase public awareness of the issues contained in this Resolution.

APPROVED AS TO FORM:

Moved by _____ to adopt.


Cori Kuhn Coleman
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk