

RECORD OF RESOLUTIONS

Resolution No. **R-02-12**

Passed **February 6**, 2012

Introduced by All City Council Members

A RESOLUTION IN SUPPORT OF ABOLISHING CORPORATE CONSTITUTIONAL RIGHTS AND CREATING A TRULY REPRESENTATIVE DEMOCRACY.

WHEREAS, government of, by, and for the people has long been a cherished American value, and the fundamental and inalienable right of the people to self-govern and thereby secure rights to life, liberty, property, and the pursuit of happiness guaranteed in the Declaration of Independence and the United States Constitution; and

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

WHEREAS, corporations are not and have never been human beings, are legal entities created by express permission of the people through our representative government, and, being chartered to be our servants rather than our masters, are therefore properly subservient to human beings and the government which created them; and

WHEREAS, corporations, unless restricted by their legal charter, can exist in perpetuity, can exist simultaneously in many nations at once, and need only profit for survival; and

WHEREAS, corporate pursuit of profits and survival can be in direct conflict with the essential needs, welfare and rights of human beings; and

WHEREAS, the great wealth of large corporations allows them to wield coercive force of law to overpower human beings and communities, thus denying the people full exercise of our constitutional rights; and

WHEREAS, application to corporations of the term *persons* together with the adhering constitutional rights intended for natural persons has long disadvantaged human persons who find themselves on an unequal playing field in matters pertaining to legislation, regulation and the administration of justice; and

WHEREAS, the judicial bestowal of civil and political rights on corporations allows them to trump the will of the people through the courts by invoking the constitutional rights conferred on them when they challenge state and local laws, regulations and ordinances that supposedly violate their rights, even when those laws, regulations and ordinances serve to protect the welfare and defend the rights of human persons and communities; and

WHEREAS, the US Supreme Court's 2010 *Citizens United v. the Federal Election Commission* decision, rolling back the limits which our elected representatives in Congress placed on corporate campaign spending to safeguard the integrity of our electoral process henceforth allows unlimited spending from corporations' general treasuries to influence elections, candidate selection and policy decisions; and

WHEREAS, the spending power of corporations forces elected officials to divert their attention from the people's business, and even to vote against the interests of their

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human constituents in order to safeguard the flow of corporate campaign funds to keep them competitive when seeking re-election; and

WHEREAS, vast amounts of money are available to corporations to establish and fund Political Action Committees (PAC's) and Super PAC's which then sponsor advertising and public relation media campaigns to overwhelm local opposition and to heavily influence the state legislatures to limit local government control of those issues and actions that would normally be under the jurisdiction of the local government; and

WHEREAS, the ability of corporations to operate, transact business, enter into contracts and seek legal redress can be facilitated and regulated by statute; and

WHEREAS, it is the duty and obligation of any body of government composed of freely, democratically elected officials to insure that all governmental elections are open and free from corruption and influence from non-person legal entities, now and for posterity;

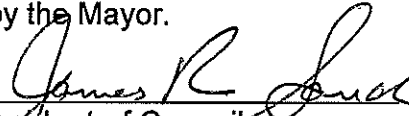
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATHENS:

SECTION I: The City of Athens does hereby join citizens, grassroots organizations and local governments across the country in the call for an Amendment to the Constitution of the United States to abolish corporate personhood and return our democracy, our elections and our communities to America's human persons.

SECTION II: The City of Athens strongly urges our elected representatives in Congress to support an amendment drafted by Senator Bernard Sanders of Vermont.

SECTION III: The Clerk of Council is hereby directed to forward a copy this Resolution to the following: State of Ohio Senators Sherrod Brown and Rob Portman, and the State of Ohio's Congressional Delegation of the United States Congress, Representatives Steve Austria, John Boehner, Steve Chabot, Marcia Fudge, Bob Gibbs, Bill Johnson, Jim Jordan, Marcy Kaptur, Dennis Kucinich, Steven LaTourette, Robert Latta, Jim Renacci, Timothy Ryan, Jean Schmidt, Betty Sutton, Steve Stivers, Patrick Tiberi, and Michael Turner to act pursuant to Article V of the United States Constitution to propose to the legislatures of the fifty states for the approval of such a constitutional amendment as fore mentioned.

SECTION IV: This Resolution shall be in full force and effect at the earliest moment permitted by law upon its passage and approval by the Mayor.




President of Council

ATTEST:



Clerk of Council

APPROVED:



Mayor