

Petition to City Council

WHEREAS the protections afforded by the First Amendment to the United States Constitution to the people of our nation are fundamental to our democracy; and

WHEREAS the first Amendment to the United States Constitution was designed to protect the free speech rights of individual human beings (“natural persons”), not corporations; and

WHEREAS corporations are not people but instead are artificial entities created by the law of states and nations; and

WHEREAS corporations are not mentioned in the Constitution and the People have never recognized the extension of fundamental constitutional rights to corporations, nor have We decreed that corporations have authority that exceeds the authority of “We the People”; and

WHEREAS for the past three decades a divided United States Supreme Court has transformed the First Amendment into powerful tool for corporations and extremely wealthy individuals seeking to evade and invalidate democratically enacted reforms; and

WHEREAS the United States Supreme Court held in *Buckley v. Valeo* (1976) that the appearance of corruption justified limits on contributions to candidates, but wrongly held that money spent in elections is a form of speech that may not be restricted due to such compelling interests as ensuring a level playing field, and ensuring that all citizens—regardless of wealth—have an opportunity to have their political views heard; and

WHEREAS corporate misuse of the First Amendment and the Constitution reached an extreme conclusion in the United States Supreme Court’s ruling in *Citizens United v. Federal Election Commission* (2010); and

WHEREAS Justice John Paul Stevens’ opinion for the four dissenting Justices in *Citizens United v. FEC* noted that corporations have special advantages not enjoyed by natural persons, such as limited liability, perpetual life, and favorable treatment of the accumulation of assets, that allow them to spend prodigious sums on campaign messages that have little or no correlation with the beliefs held by natural persons; and

WHEREAS the Citizens United v. FEC dissent correctly observed that money spent on behalf of candidates is a means of amplifying speech and not a form of political speech itself, and restrictions on corporate spending are more properly viewed as restrictions on the time, place and manner of speech; and

WHEREAS Kentucky strictly limits the subjects that can be placed on a ballot for decisions by the people; and

WHEREAS you are our elected representatives, a channel for making our voices heard;

THEREFORE Be it resolved that the Mayor and City Council of Midway will support the people of Midway in their effort to restore fair elections by asking our elected State Representative and State Senator to support any call that comes before them for an amendment to the United States Constitution that will reverse Citizens United v. FEC and other cases that gave corporations rights of humans and declared that money is speech.