

New Haven Aldermanic Resolution

CORPORATE PERSONHOOD RESOLUTION

Whereas, the Constitution of the United States does not mention corporations;
and

Whereas, Corporations were chartered by States with explicit definition of the
purpose of the corporation; and

Whereas, in 1886 the Supreme Court, citing the 14th Amendment declared that
corporations are people deserving the law's protection; and

Whereas, in 1893 the Supreme Court gave corporations the 5th Amendment right to
due process; and

Whereas, in 1906 the Court granted Corporations search and seizure protection
under the 4th Amendment; and

Whereas, a Supreme Court ruling in 1925 gave corporations freedom of the
press and speech; and

Whereas, personhood rights afforded to corporations have allowed courts to
strike down laws and overturn local and state regulations intended to protect
natural persons in areas ranging from public health, to employee safety, to
protection of the environment; and

Whereas, in 2010 the Supreme Court ruled in Citizens United v. Federal Election
Commission that, based on a 1976 decision that money is speech, corporations
have the right to spend unlimited amounts of money in the political process; and

Whereas, The Court's decision in Citizens United severely hampers the ability of federal, state and local governments to enact reasonable campaign finance reforms and regulations regarding corporate political activity, enabling corporations to unduly influence political outcomes; and

Whereas, In his eloquent dissent, Justice John Paul Stevens rightly recognizes that "corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their 'personhood' often serves as a useful legal fiction. But they are not themselves members of "We the People" by whom and for whom our Constitution was established"; and

Whereas, Corporations should not be afforded the entirety of protections or "rights" of natural persons; and

WHEREAS, corporate personhood can only be abolished by amending the United States Constitution; and

WHEREAS, the process of amending the Constitution can be started by an act of the United States Congress

THEREFORE, BE IT RESOLVED, The New Haven Board of Alderman calls upon the members of the Connecticut Congressional Delegation to sponsor or co-sponsor a bill in Congress to amend the Constitution to provide that corporations are not entitled to the entirety of protections or "rights" of natural persons; and

BE IT FURTHER RESOLVED, The New Haven Board of Aldermen shall encourage public discussion on the role of corporations in public life and urge other cities to foster similar public discussion.