

Why Oxford City Council should pass a resolution calling for a Constitutional amendment that says corporations are not people, and money is not speech.

Because these concepts have direct local impact and there is a growing multi-partisan national movement to address them

Corporations come in all sizes and shapes and serve an important function in our social and economic systems. They are legal constructs created by the People through our representative government. They are not people.

People across the political spectrum took notice when--based on the assumption that corporations are people with the same Constitutional rights as living, breathing human beings--the U.S. Supreme Court in *Citizens United v. the Federal Election Commission* (2010) overturned key provisions of the federal Campaign Reform Act enacted in 2002. The Court ruled that corporate entities, and labor unions, have the same rights as individual people to nearly unrestricted spending on political speech.

A 2010 Washington Post-ABC News poll revealed relatively little difference of opinion across party lines on the issue among those opposed to the ruling: **Democrats (85%), Republicans (76%) and independents (81%)**.

A 2014 Public Citizen poll showed that the impact of special interest lobbying and election spending on our political system is still viewed unfavorably by: **Republicans (79%), Democrats (76%), and independents (74%)**.

Since *Citizens United* more than 300 communities and states from a variety of regions and political climates have passed resolutions or initiatives calling for an amendment, including Montana, where voters approved a statewide resolution by 75%.

Ohio resolutions

Akron, 2012
Athens 2012
Oberlin, 2012
Barberton, 2012
Fremont, 2012
Lakewood, 2014
South Euclid, 2014
Dayton, 2015
Canton, 2015

Ohio Initiatives

Brecksville, 2012 (52%)
Newburgh Heights 2012 (73%)
Defiance 2013 (67%)
Cleveland Heights 2013 (78%)
Chagrin Falls, 2014 (66%)
Mentor, 2014 (70%)

Because it is good for business and the local economy

According to the American Independent Business Alliance (that filed a Friend of the Court Brief with the Supreme Court against *Citizens United*), each dollar spent at independent businesses returns three times more money to the local economy than one spent at a chain (hundreds of times more than buying from an online mega-retailer), helping to create local jobs and local wealth.

In a 2012 poll sponsored by the American Sustainable Business Council, Main Street Alliance, and Small Business Majority:

66% of small business owner respondents viewed the Citizens United decision as bad for small business.

88% of respondents view the role money plays in politics negatively; 68% view it very negatively.

A 2014 survey conducted on behalf of the Small Business Majority showed that “small business owners believe big businesses have an unfair influence on government decisions and the political process—which gives them a competitive advantage over small firms. . .and that they want government to [adopt] policies that level the playing field with big business and bring fairness to our campaign finance laws.”

72% of small business owners say major changes are needed to our campaign finance system

48% of respondents identified as Republican, 32 percent as Democrat and 11 percent as independent or other.

Because we, the people, decide the way Oxford should be

We, the people of the City of Oxford, Butler County, Ohio, in order to secure for ourselves the benefits of local self-government under the constitution of the State of Ohio, do ordain and establish this Charter for the government of the Municipality of Oxford. [Preamble to Oxford Charter 1960]

Oxford is a special place in which to live, attend school, and visit, in part due to the number of small, locally owned businesses and franchises that line High Street and other areas, and very much due to the people who own those businesses and the people who live and work here. Local government plays an important role in preserving the character of Oxford, in protecting the local economy, and in protecting the rights of the people.

Residents, including local owners of businesses, with roots in our community should be the ones involved in key decisions that shape our lives and local economic and physical environment, not corporate executives living in Arkansas, New York, France or China.

Efforts to expand and protect our freedom have always been ushered in by the actions of grassroots people and the local governments closest to them. Almost all constitutional amendments began with local citizens, and rarely has action to amend the constitution started at the national level. Ohio Secretary of State Jon Husted ruled in 2012 that a similar call by citizens of Brecksville, Ohio for a constitutional amendment to address corporate constitutional rights and money in politics was a legitimate interest of city government. The Ohio Supreme Court upheld his decision.

The United States Conference of Mayors passed a resolution in 2012 stating that the *Citizens United* decision “contributes to the undermining impacts that ‘corporate personhood’ has on free and fair elections and effective self- governance.” They also called for other communities and jurisdictions to join them in passing their own resolutions.

GRANTING CORPORATIONS THE SAME CONSTITUTIONAL RIGHTS AS “WE THE PEOPLE” THREATENS DEMOCRACY, AND LIMITS THE RIGHTS OF THE CITIZENS OF OXFORD TO DECIDE FOR OURSELVES THE OXFORD WE WANT.

This handout was prepared by Take Back Democracy – Oxford, a coalition of people and groups from the community and university, and a program of Oxford Citizens for Peace and Justice.