



Anti-Corporate Personhood Campaign Backed by Leftists

“Flying under the radar” is a national movement to amend the Constitution to overturn the 2010 Supreme Court decision, *Citizens United v. FEC*, which held political spending by corporations or unions a form of protected free speech. The conservative Citizens United nonprofit organization wanted to advertise an anti-Hillary Clinton film on television, but the Federal Election Commission (FEC) ruled that this violated the McCain-Feingold Act of 2002.



One might remember that President Barack Obama took time during a State of the Union message to directly rebuke Supreme Court justices sitting right in front of him for their decision.

On Wednesday, a resolution was discussed at a meeting of the Helena city commission to consider joining over 500 other American states and local governments in calling for an amendment to the Constitution that would alter the First Amendment. Proponents argue that their proposal would designate money as “property, not speech,” and stipulate corporations like the nonprofit Citizens United are “subservient to human beings.”

They contend that this is not an abridgement of free speech or free press, because corporations are not mentioned in the U.S. Constitution. Opponents note that such reasoning would leave almost every newspaper in America open to government censorship, as most newspapers today are incorporated, rather than sole proprietorships or partnerships.

Interestingly, the FEC had earlier dismissed complaints about a movie by left-wing filmmaker Michael Moore, which advocated for the electoral defeat of President George W. Bush, holding that the film represented legitimate commercial activity, rather than contributions or expenditures as defined by the McCain-Feingold law. In response, Citizens United then produced a documentary critical of Democratic presidential hopeful John Kerry. In contrast to the anti-Bush movie, the FEC decided that this Citizens United film *did* violate the law, because Citizens United was not a bona fide commercial movie company.

To overcome this objection, Citizens United made several documentaries to establish themselves as legitimate commercial movie-makers, before finally producing *Hillary: The Movie* in early 2008. After the FEC decided again that Citizens United’s movie was a violation of McCain-Feingold, Citizens United filed suit in federal court, and the case eventually reached the U.S. Supreme Court, where they finally prevailed in winning their free speech rights.

The Supreme Court held that the FEC’s decisions, based on the McCain-Feingold law and other laws, were an unconstitutional violation of the First Amendment’s prohibition on Congress infringing on free speech, essentially arguing that Citizens United was an example of private citizens exercising their right to free speech through a nonprofit corporation.

Since the ruling, many on the Left have called for an amendment to the Constitution that would restrict free speech rights of corporations and unions, arguing that only human beings are mentioned in the



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Constitution.

Several liberal groups have taken up the cause of reversing *Citizens United* decision via an amendment to the Constitution. One such group is Reclaim the American Dream, which operates a political website. On its website, its political ideology is clearly revealed to be liberal, as evidenced by praise for Seattle's \$15 minimum wage, Oregon's Motor Voter law, and gerrymandering "reform" (creating more Democrat-friendly districts) in Florida.

But the main organization pushing this scheme appears to be Move to Amend, which calls themselves a coalition of organizations committed to "social and economic justice" (code words for wealth redistribution). They insist that "money" is not a form of protected free speech, but they also have several articles on their website promoting a decidedly liberal stance on multiple other issues.

Among the several anti-Trump comments: "The Trump presidency is like a window into a corporate twilight zone."

Their special venom is reserved for Judge Brett Kavanaugh, with several articles published after his nomination by Trump to take Justice Anthony Kennedy's slot on the Supreme Court. They call him a product of the "right-wing Federalist Society." They repeatedly refer to him as a "right-wing hack," who worked for [Ken] Starr's team to impeach President Bill Clinton, a "right-wing hack" who worked on the 2000 presidential recount in Florida, and who has "predictably ... been reliably anti-abortion, anti-regulation, anti-union, and pro-gun," concluding with "in other words, he has been working the same right-wing causes" that he would be expected to favor on the Court.

They even castigate Kavanaugh for being white.

A review of the group's website reveals a strong leftist bias, which is summed up well in these words: "Real democracy — with political equality where the people hold the supreme power — has never really existed in these United States.... The American imperative to protect property over people has led to a uniquely American fascist moment."

One commissioner at the Helena meeting, Heather O'Loughlin, expressed "grave concerns" over the push for constitutional amendments, noting that many are calling for a constitutional convention to advance their proposal, along with several other ideas on changing the Constitution. Local engineer Will Garvin assured O'Loughlin that he preferred the corporations are not persons amendment be proposed by Congress, rather than through a national convention.

Conservatives who have mistakenly bought into the idea that the solution for our present problems is a constitutional convention, should beware that such proposals as those made at Helena — to limit the First Amendment — would be very much in play at any such Constitutional Convention. And if this group has no hesitation in stripping Americans of their First Amendment free speech rights, they could also be expected to attack the Second Amendment, as well.





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They might even favor scrapping the entire document, considering that they believe property rights protection has led us to a “fascist moment,” and they want “real democracy,” which they argue America has never really had.

Certainly, they are right on that. The Framers did not intend to create a democracy. When Benjamin Franklin left the 1787 constitutional convention, he was asked what kind of government had been created, and he responded, “A republic ... if you can keep it.”

If we want to keep our Constitution, and our republic, we don’t need to be tinkering with the First Amendment or any other part of the Constitution.

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