

H.R. 74 Testimony

In the wake of last year's presidential election, we saw a nascent anti-fascist, anti-racist movement coalescing in cities and towns across the country. Yet this movement need not remain in a state of pure opposition and resistance. Despite the transparent abuses of government power and the public trust we see in the current administration, we must come to grips with the reality that it is our broken political system that has paved the way for Donald Trump's ascendancy. The current chain of events has arisen due to the great sense of disaffection and betrayal felt by the vast majority of Americans who now fully realize that they have not been treated well by elected representatives of either party. We have seen over and over again how populist campaign promises of candidates ring hollow once they have secured their elected office.

The truth of the matter is that the fault lies in two major parties that are beholden to their core to corporate interests. Sure, one can argue that one party is more damaging than another, but we cannot let those differences blind us to the fact that both parties will sacrifice the interests of common people on the altar of "Profits over People." In recent years, there has been a growing movement to address the sickness in a political system that has come to overwhelmingly represent a corporate agenda that leaves the needs of our communities out in the cold.

Move to Amend, a non-partisan, broad coalition of grassroots organizations and individuals who share common values, is working together in communities across the country to affect real change in this broken system and demand real democracy. Move to Amend's stated goal is a constitutional amendment ("We the People" amendment) to abolish the legal concept of corporate personhood and establish that money is not speech and can be regulated for political purposes.

Corporate Personhood is the idea created through Supreme Court doctrine that corporations have rights under the Constitution. The idea was originally created by railroad lawyers in the late nineteenth century as a way to circumvent regulation by municipal and state governments and has been expanded through numerous Supreme Court decisions since then, culminating in the 2010 Supreme Court *Citizen's United* decision, which held that corporations have free speech rights and that money is equivalent to speech and cannot be limited for campaign purposes.

Whereas, corporations are creations of the state and could not exist without the legal sanction of government, lifetime-appointed US Supreme Court justices have "found" corporations in numerous places in the US Constitution over the past 124 years. These "findings" have bestowed rights to corporations, including 1st Amendment Free Speech rights, 2nd Amendment Religious Freedom rights, 4th Amendment Search and Seizure rights, 5th Amendment Due Process rights, and 14th Amendment Equal Protection rights.

These rulings have bestowed unprecedented rights to corporations; arguably illegitimate rights, since our Bill of Rights was intended to protect individual citizens; and these rights are now used to insure legislation that is friendly to both corporations and a wealthy class individuals willing to pay for the privilege of being well-represented when it comes time to draft and pass legislation.

Move to Amend's strategy involves a wide spectrum of action including lobbying at the state and federal levels, solidarity organizing at the community level, educational programs, and passing local resolutions and ballot initiatives in support of the ("We the People" amendment.

I urge the state legislature to take HR 74 to a vote without delay.

Testimony by Douglas Jambard-Sweet, February 12, 2018