

CITY OF OBERLIN, OHIO

RESOLUTION No. R12-06 CMS

A RESOLUTION RECOMMENDING AN AMENDMENT TO THE UNITED STATES CONSTITUTION ABOLISHING THE RIGHTS OF CORPORATIONS TO BE PROTECTED AS PERSONS UNDER THE UNITED STATES CONSTITUTION AND DECLARING AN EMERGENCY

WHEREAS, the U.S. Supreme Court has seemingly extended to corporations some of the provisions which the Bill of Rights and the 14th Amendment established for natural human beings, yet historically corporations were created as artificial entities that were subordinate to special regulations pertaining to their special character and goals, the Oberlin City Council considers it to be our right and duty to assert that corporations are not natural persons with the same rights as individual citizens; and

WHEREAS, although some corporations make important contributions to our society many, but not all, are required by law to put profit ahead of any other concern, and can exist simultaneously in many nations; and

WHEREAS, the U.S. Supreme Court's 2010 ruling in Citizens United vs. the Federal Election Commission, threatens our democracy by rolling back limits on corporate spending in electoral campaigns, allowing torrents of corporate money to drown out the voices of "We the People"; and

WHEREAS, U.S. Senate Judiciary Committee, Chair Patrick Leahy, stated that the Citizens United ruling "will allow major corporations – who should have law written to control their effect on America-to instead control America;" and former Republican Senator Warren Rudman wrote, "Supreme Court opinion notwithstanding, corporations are not defined as people under the Constitution, and free speech can hardly be called free when only the rich are heard."

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring;

SECTION 1: That the Oberlin City Council calls for freeing democracy from corporate control by amending the U.S. Constitution to establish that:

1. Money is not speech, and therefore regulating political contributions and spending is not the equivalent to limiting political speech.
2. Only human beings, not corporations, are entitled to constitutional rights.

SECTION 2. That the Oberlin City Council requests that our elected representatives support a constitutional amendment containing the above principles.

SECTION 3. That the Oberlin City Council calls on other communities to join the movement to amend the U.S. Constitution in actions that defend our right to self governance.

SECTION 4. That the Oberlin City Council directs that this Resolution be posted on its website and sent to U.S. President Barack Obama, the leaders of the U.S. House and Senate majority and minority, the Judiciary Committee Chair, U.S. Senators Sherrod Brown and Rob Portman and

Representative Marcy Kaptur, Governor John Kasich, State Senator Gayle Manning, State Representative Dan Ramos, and all local media outlets.

SECTION 5. It is found and determined that all formal actions of this Council concerning or relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the citizens of the City of Oberlin, or to provide for the usual daily operation of a municipal department, to wit:

“to ensure that this Resolution on an important subject is communicated to our national leaders in a timely manner” and shall take effect immediately upon passage.

PASSED: 1st Reading - February 21, 2012 (S, E)
2nd Reading -
3rd Reading -

ATTEST:

BELINDA B. ANDERSON, CMC
CLERK OF COUNCIL

RONNIE J. RIMBERT
PRESIDENT OF COUNCIL

POSTED: 02/22/2012

EFFECTIVE DATE: 02/21/2012