



## THE PEOPLE'S RIGHTS AMENDMENT PROTECTS FREEDOM OF THE PRESS

*First of a series<sup>1</sup>*

Free Speech For People is a national, non-partisan campaign seeking to challenge the misuse of corporate power and restore republican democracy to the people. We are dedicated to overturning the US Supreme Court's rulings in *Citizens United v. FEC* and *Buckley v. Valeo* and a fabricated doctrine of corporate constitutional rights, which threatens American self-government.

Free Speech For People supports the constitutional amendment bills introduced by US Senator Jon Tester (D-MT), [S.J. Res. 18](#), and by US Senator Tom Udall (D-NM), [S.J. Res. 19](#), as well as the companions to these amendment bills in the US House of Representatives, as introduced by Rep. Jim McGovern (D-MA-2), [H.J. Res. 20](#) and [21](#).

### **What impact will the People's Rights Amendment have on the freedom of the press?**

The [First Amendment](#) provides that "Congress shall make no law ... abridging the freedom of speech, or of the press." Free Speech For People works to protect the First Amendment against any threat. As Supreme Court Justice John Paul Stevens declared so clearly, *Citizens United* is "a radical departure from what has been settled First Amendment law."

The People's Rights Amendment strengthens the freedom of press and freedom of speech that have been explicit in our Constitution since the earliest days of our nation. The People's Rights Amendment does not change a word in the First Amendment or in the Bill of Rights. And, it goes further: the People's Rights Amendment specifically states that nothing contained in the Amendment limits in any way the people's rights under the Constitution, including the rights of freedom of the press and freedom of speech.

It has never been necessary or advisable to have activist judges create new "corporate rights" in the Constitution simply because owners of large press and media operations tend to use the privilege of incorporation for their operations. People may engage in press activity using a corporation for the activity's business operations, but the right at stake remains a right of human beings. The press machines, computers, and buildings used by people in the media do not have constitutional rights. We understand that those "things" are tools that help people carry out the press activity. The corporation also is a tool to help people carry out the press activity, and it makes no more sense to insist on "corporate rights" because The New York Times operates in a corporate form as to insist on "building rights" because they operate in a building.

The freedom of press applies to press/media functions regardless of whether a corporation owns and operates those functions. That has always been true, and will continue to be true after the People's Rights Amendment is ratified. A recent [New York Times editorial](#) makes this point:

"It is not the corporate structure of media companies that makes them deserving of constitutional protection. It is their *function* — the vital role that the press plays in American democracy — that sets them apart."

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<sup>1</sup> This document is one of a series addressing S.J. Res. 18 and H.J. Res. 21, the constitutional amendment bill, known as the People's Rights Amendment, introduced respectively by Senator Tester and Representative McGovern.