



THE PEOPLE'S RIGHTS AMENDMENT PROTECTS PROPERTY RIGHTS

Second of a series¹

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 property rights?

The People's Rights Amendment protects all constitutional rights of people, whether they are property rights or other rights. The Fifth Amendment ensures that no person may “be deprived of life, liberty and property, without due process of law; nor shall private property be taken for public use without due compensation.” Following the Civil War to end the systematic deprivation of the life, liberty and property of African Americans and other persons by State governments, the Fourteenth Amendment extended these protections to the States.

Corporations are property, not persons, under our Constitution. The ability of corporations to hold or trade property, or even to exist or engage in any business or activity at all, comes from state law, not from the Constitution.

The People's Rights Amendment does not change the Constitution's protection of all people's ownership interests in corporations or in any other property. The Amendment does stop activist judges from creating special rights for corporations by claiming that corporate entities are “persons” under the Constitution. They are not.

While corporations are not among “we the people” by and for whom the Constitution exists, corporations and other property are nonetheless secure from unconstitutional conduct by government. If corporate property is taken without due process or just compensation, human beings who have had their property taken or deprived (including the shares held by people in the corporation) may invoke remedies under the 5th or 14th Amendment.

The corporation may also have standing to bring those arguments on behalf of their shareholders, as well as other remedies in law, such as the Federal Tort Claims Act or under corporate and other statutory law. The People's Rights Amendment does not empower the government to seize property or do anything in violation of our liberties.

¹ This document is one of a series addressing frequently-asked questions related to 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.