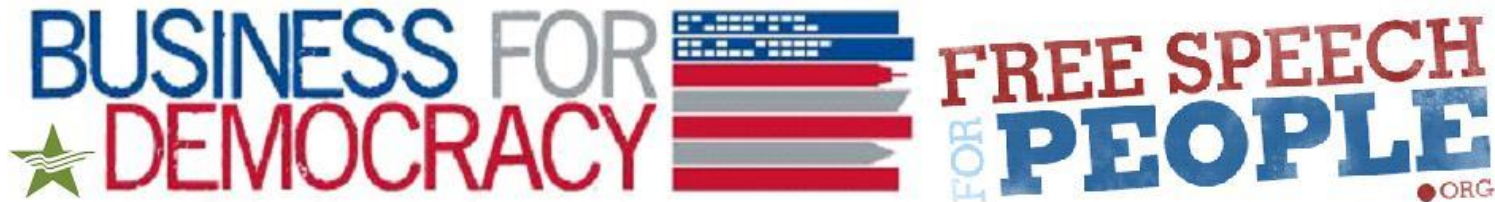




**Beyond Citizens United:
Returning our Democracy and
Constitution to the People**



Overview

- Ben & Jerry: Why Business for Democracy?
 - John Bonifaz & Jeff Clements:
The People's Rights Amendment
 - David Levine: The Road Ahead
 - Questions

Email questions to:

businessfordemocracy@gmail.com



American Sustainable Business Council

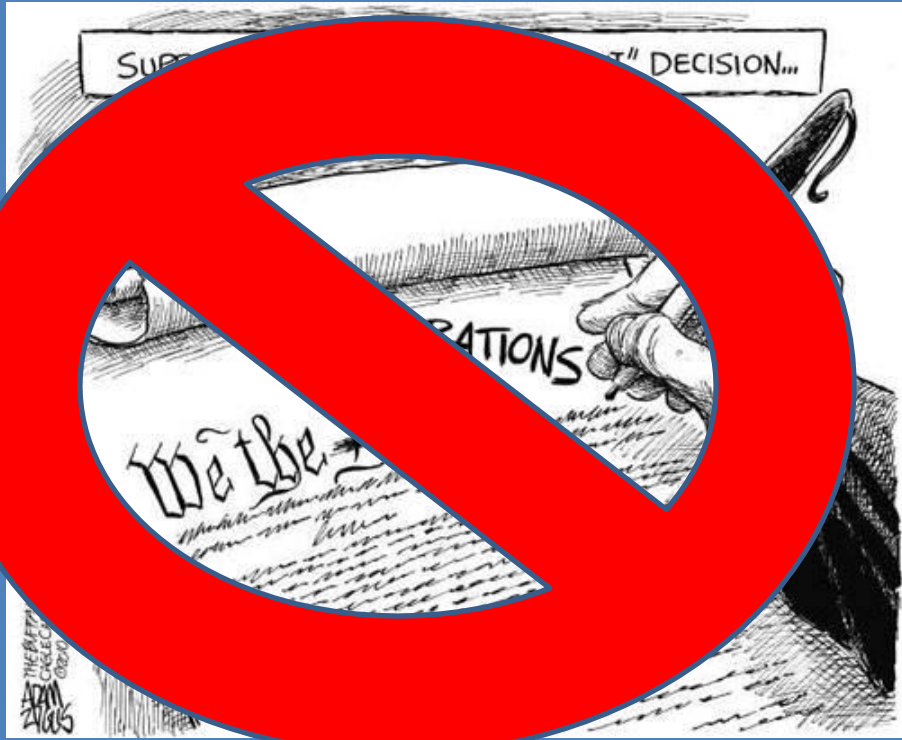


BUSINESS FOR DEMOCRACY



Launched January 2011, one year after the Supreme Court broke with precedent by asserting that corporations have a Constitutional right to speech through independent political expenditures.

Citizens United: Undermines the Constitution & Basic Rights



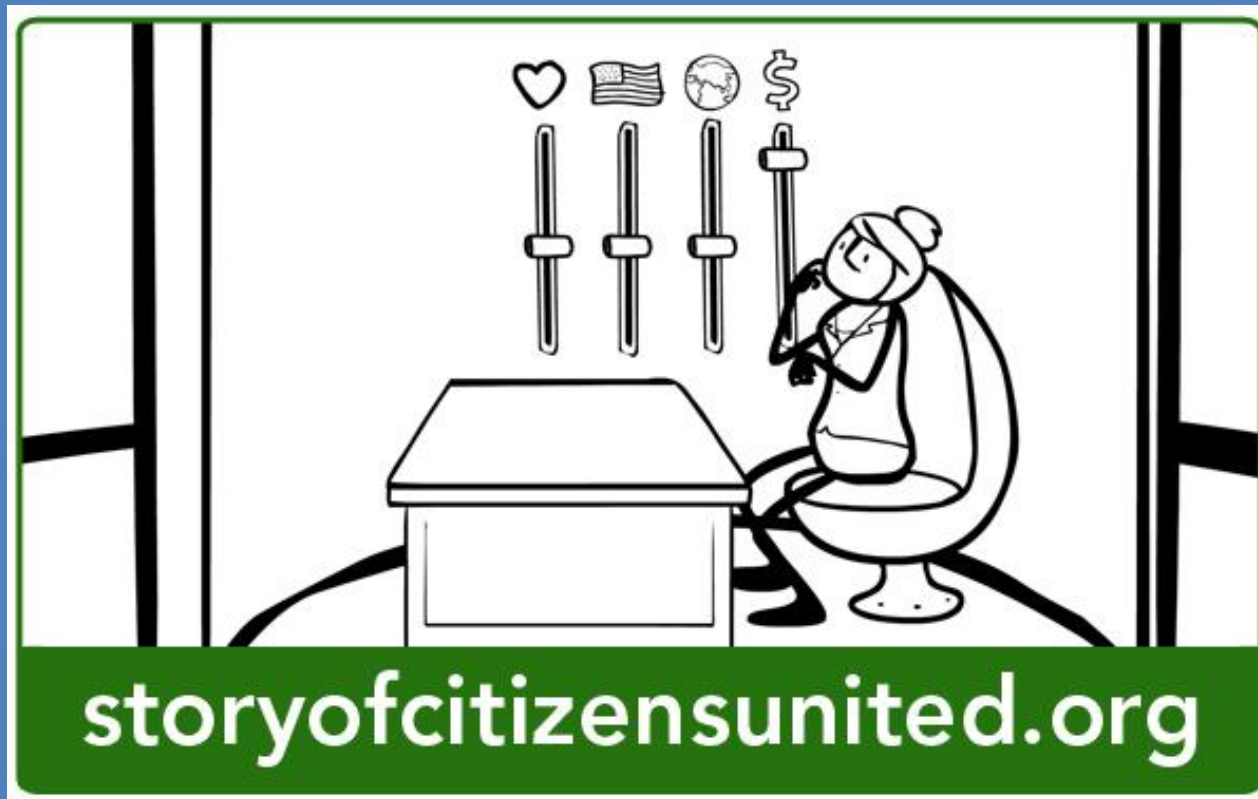
- Incorrectly assigns people's rights to corporations
- Undermines democratic governance
- Undermines competitive economy

The Social Role of Corporations

- Corporations are designed to provide goods and services, jobs & grow the economy
- We do not want new Constitutional rights for corporations which undermine democracy & a competitive economy

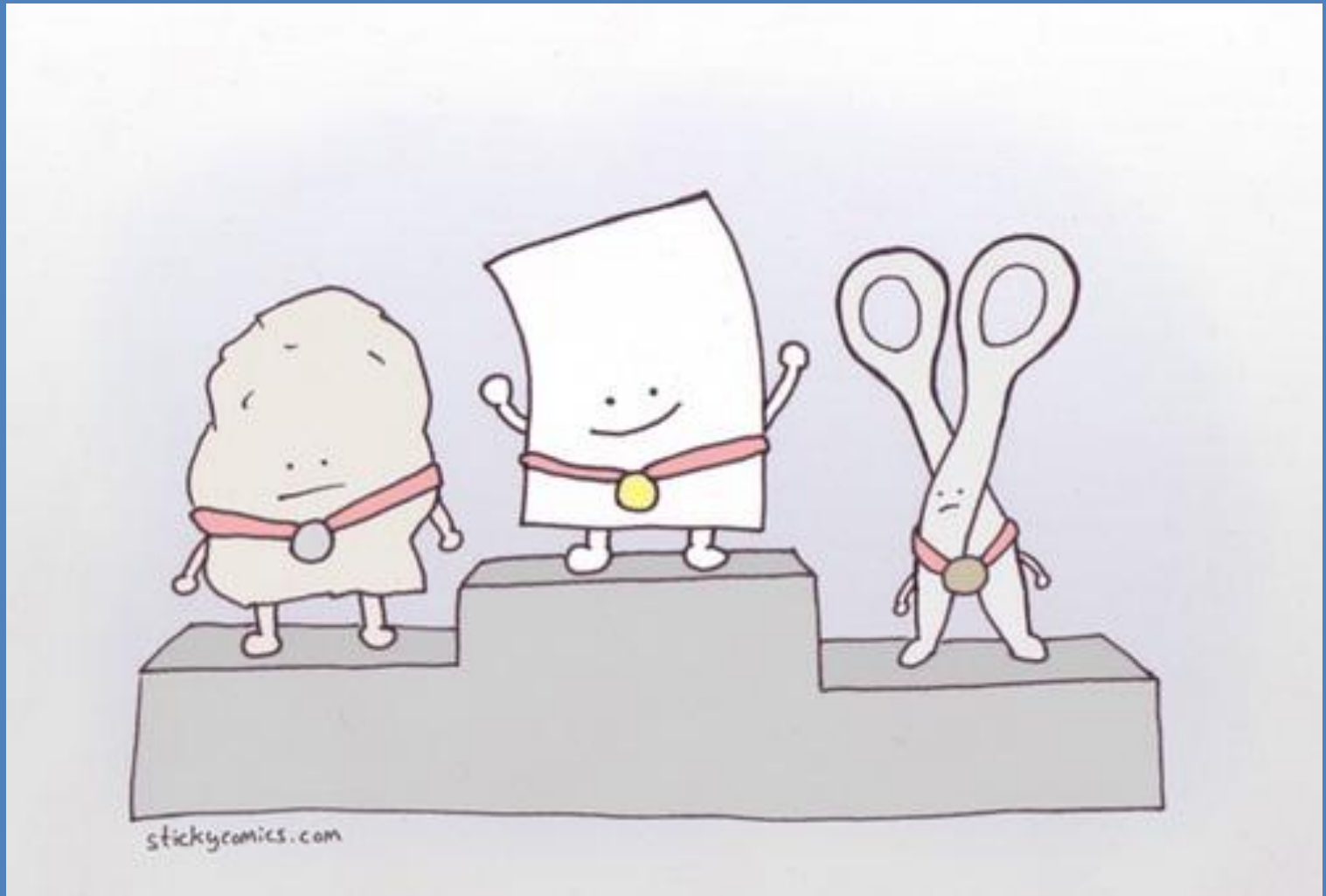


Corporations are not People



Constitutional rights to speak in elections should be for the people who participate in a business, not for the artificial legal entity of the corporation itself.

Why Now?



But even more importantly..

Our Democracy is at Stake



Represented by:



John Bonifaz, Director



Jeff Clements,
General Counsel

Public Education & Grassroots Mobilization

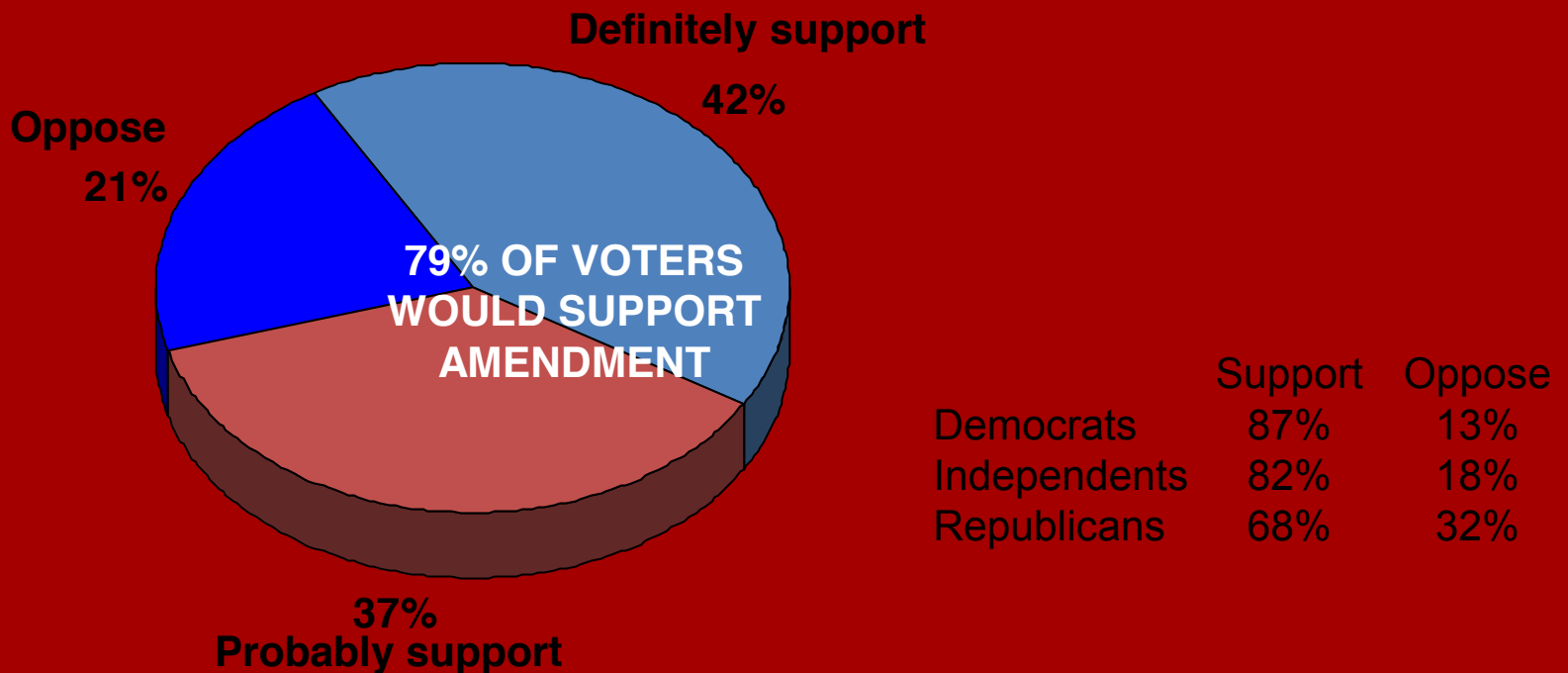


- **Outreach in:** CA, CO, DC, KY, ME, MD, MA, NH, NJ, NY, VA, WA & WI
- Tens of thousands of supporters signed up.
- State resolutions in MA, NM & WA
- Local advocacy
- Congressional Outreach

Support is Widespread for Amendment

Restoring Congressional authority to limit the amount corporations can spend on elections might require a Constitutional amendment because the Supreme Court's decision in the Citizens United case said corporations have the same rights as individuals under the Constitution.

Would you support a Constitutional amendment that would overturn the Citizens United decision & make clear that corporations do not have the same rights as people?

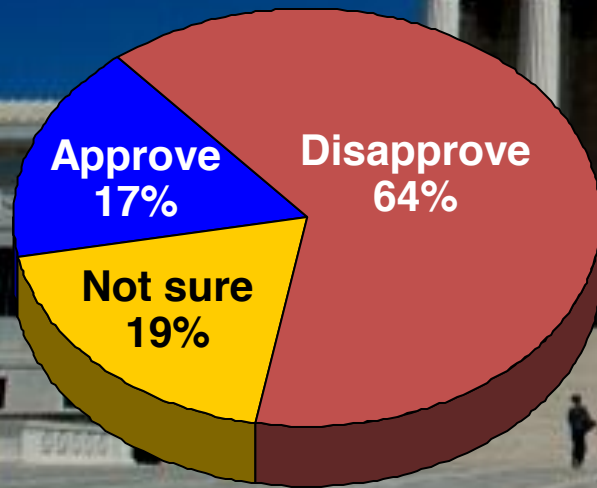


Perceptions of *Citizens United* decision

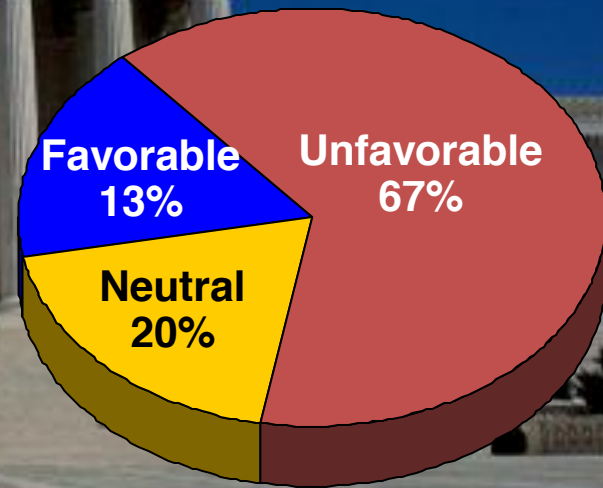
- Just 22% of voters have heard about the Citizens United decision.

Support for Supreme Court Citizens United Decision

Voters Aware of Decision



Voters NOT Aware of Decision
(after read brief description)



Legal Resource & Advocacy



- Serve as a legal resource
- Issue briefs and media outreach
- Bipartisan legal coalition

Going Forward



- **Educate** the public at the **grassroots**
- Build a **trans-partisan movement** for change
- Create proper **legal environment**
- Engage the **business community**

Public Education @ Grassroots



- State-specific work
 - State and local resolutions
- Public education on corporate charter laws

Building a Trans-Partisan Coalition Drives Other Democracy Reforms



- Public funding of campaigns
 - Shareholder resolutions
 - Disclosure legislation

Legal Advocacy



- Convene regional legal meetings
- Build Legal Advisory Committee
- Build state-based legal network

Engaging Business



Ben & Jerry, Ben & Jerry's Homemade Inc.,
and Business for Democracy Co-Founders



“American citizens have repeatedly amended the Constitution to defend democracy when the Supreme Court acts in collusion with democracy's enemies, whether they are slavemasters, states imposing poll taxes on voters, or the opponents of woman suffrage.

Today, the Court has enthroned corporations, permitting them not only all kinds of special economic rights but now, amazingly, moving to grant them the same political rights as the people.

This is a moment of high danger for democracy so we must act quickly to spell out in the Constitution what the people have always understood: that corporations do not enjoy the political and free speech rights that belong to the people of the United States.”

- Jamin Raskin, Professor of Constitutional Law and the First Amendment at American University's Washington College of Law



FREE
FOR PEOPLE
● **ORG**



What We Must Do

- Pass the People's Rights Amendment
- Ratification = 2/3 of Congress, $\frac{3}{4}$ of the States
- Advocate at all levels of branches of government
 - Build a movement across sectors

Citizens United: Undermines the Political Process



- \$\$ spent in elections could be invested in growth
- Voters are bombarded with negative ads
- Elected officials spend ever increasing amounts of time fundraising



State Strategy: Montana

Amicus Brief defending the Montana Corrupt Practices Act



U.S. Chamber of Commerce

- In recent years, 83% of U.S. Chamber contributions were \$100,000 or more
- 40% came from 25 contributors
- 3 contributors provided 20% of the Chamber's dollars
- In 2009, one contribution of \$86.2 million made up 42% of all contributions to the Chamber



Who Else Supports Pay to Play?



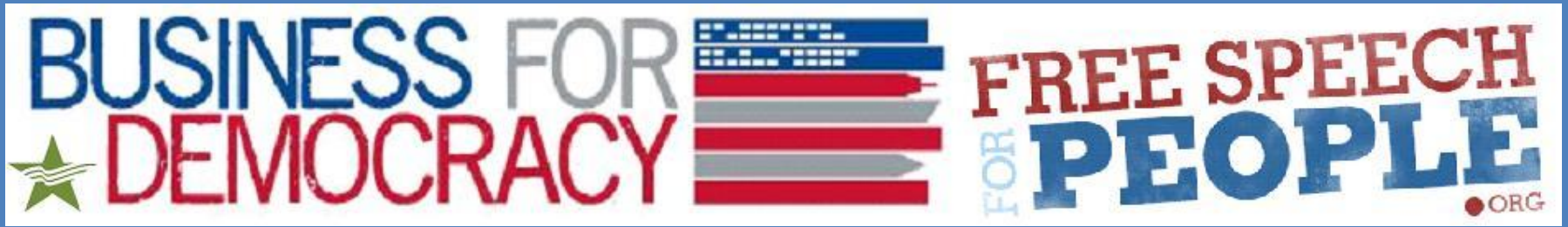
- How many American businesses think it is prudent to throw \$2 million at an election?
- Why should businesses have to do that, rather than concentrate on business?

The People's Rights Amendment

Section 1. We the people who ordain and establish this Constitution intend the rights protected by this Constitution to be the rights of natural persons.

Section 2. People, person, or persons as used in this Constitution does not include corporations, limited liability companies or other corporate entities established by the laws of any state, the United States, or any foreign state, and such corporate entities are subject to such regulation as the people, through their elected state and federal representatives, deem reasonable and are otherwise consistent with the powers of Congress and the States under this Constitution.

Section 3. Nothing contained herein shall be construed to limit the people's rights of freedom of speech, freedom of the press, free exercise of religion, and such other rights of the people, which rights are inalienable.



Business for Democracy & The Road Ahead



David Levine

Executive Director, American Sustainable Business Council



Outreach & Education

- Building the business voice for the People's Rights Amendment
- Display button, blogging, writing & media outreach to increase customer exposure



Testimony & Advocacy

- Congressional, White House & State House advocacy
 - Spokespeople for Legislative Hearings





Media & Dialogue

- Blogs, Opinion Editorials & Letters to the Editor from business leaders
- Recent Press Conference on disclosure issues
 - Collaborative Approach



National Journal

Repost:





How You Can Help:

- Join us & Encourage other business leaders to sign our Statement of Support
 - Reach out to your customers
- Feature us on your website and in your social media networks
 - Talk to your state and federal representatives
- Write a letter to the editor or an opinion editorial
 - Join our speaker's bureau



www.businessfordemocracy.com

www.freespeechforpeople.org

Contact Us:

John Bonifaz, Director, Free Speech For People

413-253-2700, jbonifaz@freespeechforpeople.org

Jeff Clements, Gen. Counsel, Free Speech For People

978-287-4901, jclements@freespeechforpeople.org

Aquene Freechild, Coordinator, Business for Democracy

617-378-2579, afreechild@asbcouncil.org



Questions?

Use the GoToWebinar Questions drop down,
or email questions to:

businessfordemocracy@gmail.com