

HOUSE JOINT RESOLUTION NO. 10

INTRODUCED BY E. HILL

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A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA TO ABOLISH CORPORATE PERSONHOOD.

WHEREAS, government of, by, and for the people has long been a cherished American value, and We the People's fundamental and inalienable right to self-govern and thereby secure rights to life, liberty, property, and the pursuit of happiness is guaranteed in the U.S. Constitution and the Declaration of Independence; and

WHEREAS, free and fair elections are essential to democracy and effective self-governance; and

WHEREAS, persons are rightfully recognized as human beings whose essential needs include clean air, clean water, and safe and secure food; and

WHEREAS, corporations are entirely human-made legal fictions created by express permission of We the People and our government; and

WHEREAS, corporations can exist in perpetuity, can exist simultaneously in many nations at once, need only profit for survival, and exist solely through the legal charter imposed by the government of We the People; and

WHEREAS, in addition to these advantages, the great wealth of large corporations allows them to wield coercive force of law to overpower human beings and communities, thus denying We the People's exercise of our constitutional rights; and

WHEREAS, corporations are not mentioned in the Constitution. The People have never granted constitutional rights to corporations, nor have We decreed that corporations have authority that exceeds the authority of We the People of the United States; and

WHEREAS, interpretation of the U.S. Constitution by unelected Supreme Court justices to include corporations in the term "persons" has long denied We the People's exercise of self-governance by endowing corporations with constitutional protections intended for We the People; and

WHEREAS, the illegitimate judicial bestowal of civil and political rights upon corporations usurps basic human and constitutional rights guaranteed to human persons and also empowers corporations to sue municipal and state governments for adopting laws that violate "corporate rights" even when those laws serve to protect and defend the rights of human persons and communities; and



1           WHEREAS, corporations are not and have never been human beings and therefore are rightfully  
2           subservient to human beings and governments as our legal creations; and

3           WHEREAS, large corporations' profits and survival are often in direct conflict with the essential needs  
4           and rights of human beings; and

5           WHEREAS, large corporations have used their so-called rights to overturn democratically enacted laws  
6           passed at municipal, state, and federal levels aimed at curbing corporate abuse, thus rendering local  
7           governments ineffective in protecting their citizens against corporate harms to the environment, to health, to  
8           workers, to independent business, and to local and regional economies; and

9           WHEREAS, the recent Citizens United v. Federal Election Commission Supreme Court decision rolls  
10          back the legal limits on corporate spending in the electoral process and creates an unequal playing field by  
11          allowing unlimited corporate spending to influence elections, candidate selection, and policy decisions and to  
12          sway votes; and

13          WHEREAS, the Citizens United decision forces elected officials to divert their attention from the People's  
14          business, or even vote against the interest of their human constituents, in order to ensure competitive campaign  
15          funds for their own re-election; and

16          WHEREAS, large corporations own most of America's mass media and use that media as a megaphone  
17          to express loudly their political agenda and to convince Americans that their primary role is that of consumers,  
18          rather than sovereign citizens with rights and responsibilities within our democracy, and this forces citizens to toil  
19          to discern the truth behind headlines and election campaigning; and

20          WHEREAS, Montana's unique history with the Copper Kings during the late 19th and early 20th centuries  
21          demonstrates the control corporations can exert over state politics if allowed to spend freely to influence elections;  
22          and

23          WHEREAS, Montana's experience illustrates the need to allow states to regulate or prohibit direct  
24          corporate expenditures when corporations seek to influence state elections; and

25          WHEREAS, tens of thousands of people and municipalities across the nation are joining with the  
26          Campaign to Legalize Democracy in the United States to call for an amendment to the U.S. Constitution to abolish  
27          corporate personhood.

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29          NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
30          STATE OF MONTANA:

