

We The People Maine.org

Corporations are not people!

Money is not speech!

➤ Specific Cases establishing Rights to Corporations*

- 1886 – Santa Clara County v Southern Pacific Railroad – Establishes that corporations are persons.
- 1889 – Minneapolis & St. Louis Railroad v. Beckwith – Supreme Court rules a corporation is a “person” for both due process and equal protection.
- 1893 – 5th Amendment – Nobel v. Union River Logging – Corporations have claim to Bill of Rights – “The 5th Amendment says: ... nor be deprived of life, liberty, or property, without due process of law.”
- 1905 – 14th Amendment – Lochner v. New York – constitution used to invalidate government regulation of corporations, usually under “due process” clause of the 14th Amendment
- 1906 – 14th Amendment – “Search and Seizure” protection – Hale v. Henkel – gave protection against govt. looking into the books, records or papers of a corporation.
- 1908 – 6th Amendment – “Right to Jury Trial” – Armour Packing v. U.S. – Corporate defendant is considered an “accused” for 6th Amendment purposes.
- 1922 – 5th Amendment – “Takings clause” – Pennsylvania Coal Co. v. Mahon – “nor shall private property be taken for public use without just compensation,” a regulation is deemed a “takings”. This clause is basis for NAFTA and WTO.
- 1936 – 1st Amendment – Grosjean v. American Press Co. – Newspaper corporation has 1st Amendment liberty right to freedom of speech. Can sell advertising in newspapers without being taxed.

- 1947 – 1st Amendment – Taft-Hartley Act – Corporations are granted “free speech” in the union certification process, usurping worker’s right to “freedom of association” and greatly weakening the Labor Relations Act of 1935
- 1967 – 4th Amendment – See v. Seattle – Protection from random inspection by fire departments. An administrative warrant is necessary to enter and inspect commercial premises.
- 1970 – 7th Amendment – Ross v. Bernhard – Right to jury trial in a civil case.
- 1976 – 1st Amendment – Buckley v. Valeo – Money is equivalent to speech. This expanded the 1st Amendment’s protections to include financial contributions to candidates or parties.
- 1976 – 5th Amendment – protection against double jeopardy – U.S. v. Martin Linen Supply – used in an anti-trust case.
- 1976 – 1st Amendment – Advertising is free speech – Virginia Board of Pharmacy v. Virginia Consumer Council – Supreme Court protects commercial speech.
- 1977 – 1st Amendment – First National Bank of Boston v. Bellotti - Overturn state restrictions on corporate spending on political referenda.
- 1978 – 4th Amendment - Marshall v. Barlow – gave right to corporations to require OSHA to produce a warrant to check for safety violations.
- 1996 – 1st Amendment – Right not to speak – International Dairy Foods Assn. v. Amestoy. No requirement to label products containing bovine growth hormone. Extended to statements of fact as well as statements of opinion. Prevents laws requiring GMO’s to be labeled.
- 2003 – 1st Amendment – untruths in advertising – Nike v. Kasky – Question of whether 1st Amendment gives a corporation the right to speak lies remains unsettled.
- 2010 – 1st Amendment – Speech – Citizens United v. Federal Elections Comm. – overturned most provisions of McCain-Feingold legislation that restricted corporate money in federal elections and reversed hundred-year precedent of Congressional authority to regulate federal elections. Most explicit justification of “corporate personhood” by the Court.