

Exercise: Rights and Privileges Timeline (90 minutes)

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Purpose: To make the connection between personhood, law, rights and privileges. To help people understand why Move to Amend's fight must include a commitment to dismantle racism in order to be fully effective.

Materials Needed:

Tape (if posting it to a wall, otherwise people can hold the cards and stand in front of the room)

Three color-coded stacks of note cards: one for corporate rights, one for human rights, and one for white privilege. Each card will have the date and name of a historic event/law on the front and a description on the back.

Instructions:

Move to Amend has two goals that cannot be separated from each other: to amend the Constitution to abolish corporate personhood and money as speech, and to build a democracy movement across issues and oppressions that works together to replace our current corporate system with a system of justice for all. Whatever issues you in this room might work on, we want to collaborate with you to create a whole new system. We want to ask what new laws, cultures, founding documents and alternatives we'd need to go beyond the amendment and actually create a new world. But it's easy to get too focused on our first goal alone: amending the Constitution to abolish corporate personhood and money as speech. Today we are going to do some exercises together to answer the following questions:

Why do we need a democracy movement to both pass and build on our amendment? Why can't we just focus on the amendment and be done with it?

Why do we need to build movements across race, class and gender? It sounds nice, but what does it have to do with Move to Amend?

Why is the amendment alone not enough?

To answer that, we first have to talk about personhood.

Can someone tell me what being a legal person means?

How does one become a legal person? Who has the power to grant this?"

Push people to recognize that personhood is granted by law.

“Alright, so personhood is created by law. Does anyone know what percentage of Americans were considered people at the time of the ratification of the Constitution?”

Let folks answer. If they don't get it right, say, “About 5-8 percent. That means that almost 95 percent of people--women, poor folks, Native Americans, African Americans, and indentured servants--didn't count as people.

But why does this matter? Obviously, they were people, so why did they need the law to recognize them? What's so powerful about being a legal person?

Gather answers from the group. Push folks to recognize the relationship between law, power and culture.

“We live in a world where corporations have the rights of legal persons. But how did corporations get these rights, and what specific rights did they get?”

Pass out the corporate rights note cards to people in the group. Ask everyone with a notecard to come in front of the room and self-organize into chronological order. When everyone is lined up, ask folks to read their card aloud and then tape it above the timeline.

When everyone has read, ask folks to sit down and discuss.

- Why do corporations want rights?
- Why did they go through the law?
- What happens to our economy and democracy when corporations have the same rights as persons?”

Listen to people's answer, then recap/follow up.

“Law is a big deal because law is power. Law also influences culture. Being a legal person gives someone the backing of the state and legitimacy in the culture. This two-way relationship between law and culture that can dramatically affect someone's perceived value, their decision-making power, their safety, their livelihood and their opportunities. So when corporations became people, they not only got the power to count and decide on our democracy, they received the added benefits of cultural legitimacy--the idea that they deserve to participate and decide. This gives them tremendous power to control our government and squash resistance efforts. But remember, their power is not inevitable, it's constructed. They are creatures of law and culture, and if you take away their legal rights, you affect their cultural power, too. You can dismantle their power.

That's what we're doing in the Move to Amend movement. We are working to amend the Constitution to overturn corporations' legal rights, and we are building a movement to change this corporate culture.

But what power do we have? What about the 95% of people who didn't count as legal persons at the time of the Constitution? They, too, wanted the rights of legal persons so that they could protect their land, their labor and their dignity. Molly Ivins has said that the whole history of the United States can be seen as groups of people forming social movements to drive themselves into the phrase *We the People*. So how did that happen?"

Pass out the People's Rights cards and repeat the process for corporate rights. Have people line up, read their card aloud, and then stick them on the butcher paper below the timeline.

Ask for people's reactions to the people's rights portion of the timeline, and how the people's timeline relates to the corporate power timeline.

Why did these movements make it a point to get personhood in addition to their other strategies?

Push people to recognize that movements have used law to change culture and culture to change the law. For example, the Civil Rights movement won some important legal victories, but to do that they changed the race culture of the country through education, civil disobedience, and radical self-respect. Similarly, their legal victories helped affirm their cultural victories and enforce them, so that even people who had not been transformed by their culture work had to be at least somewhat accountable to the law.

Make sure people recognize that these movements weren't using the law as their sole tactic. Ask people what the real goal of the women's suffrage movement was. It wasn't voting, it was full female equality. Similarly, the Civil Rights movement was not merely pushing for the right to vote, it was fighting for full racial equality. Stress that law is a tool for enforcing a movement, but movements are also tools for enforcing the law. Many movements kept their sights on their real transformative goal of liberation, but other movements got distracted and allowed their legal demands and victories to replace their fight for liberation. Ask if Move to Amend's goal is just an amendment, or something bigger. Push people to realize that our movement is also using the law to rally around a much larger fight for liberation from corporate rule. We don't just want money out of politics. We are fighting for the power to decide, the power to transform culture, the power to replace the corporate system with a human and humane system. We cannot get so caught up in the fight for the amendment that we forget that we need a movement to both pass it and enforce it, then build a new world on its foundations.

What happens to people's rights when corporations have rights, too?

Move on to the third set of cards and pass them out to the participants.

"Most of us in Move to Amend know the basic story of these two timelines. We are fighting corporate rule by forming a people's movement to demand our rights. But there is one more timeline that we have to address if we really want to understand how power and law have worked in this country."

Before reading, point out that this timeline will deal with race, but we could have also created a timeline to deal with class, gender, ability, etc. We are using one timeline to make a larger point about oppression in general.

Have people line up in chronological order and read the last set of cards, then sit down to debrief.

Ask for initial reactions and then move deeper.

- How many of you knew about this history?
- How does it make you feel?
- How are whiteness and privilege, like corporate rights, creations of the law?
- What are the impacts on our democracy as a result of the legal creations of whiteness?
- And finally, how does the legal creation of white privilege affect our work to create a democracy movement?

People will have lots of answers. Ask about the phrase “restoring democracy.”

What does this phrase mean to most people of color and poor people in this country?
Why does it make sense to white people?

“We know it’s a problem that we left people out of We the People, and we know it’s a problem that the Courts gave corporations rights. This harms everyone. But what about the relationship between the law, white privilege, corporate rule and human rights? Because corporate rule harms some groups disproportionately, and democracy has never been available to most people. Rights can be used for good or bad purposes. In the case of social movements, rights protect. In the case of white privilege and corporate rule, rights can harm.”

“At Move to Amend we are building a people’s movement to demand a real democracy with human rights for all. To do that, we are working to pass an amendment.”

Ask someone to come up to the timeline and attach a card that says We the People Amendment, 20__? to the end of the People’s Rights timeline.

“And what if we did that? If the amendment passed, corporations would no longer have rights!”

Ask someone to come and take down all the Corporate Rights note cards.

“So we’ve won, right? We have a real democracy, don’t we? No? Well then, what’s the problem?”

Listen to people brainstorm answers. Push people to talk about what remains on the timeline: a whole history of white privilege encoded in law. Wrap up.

“Even if we are successful in winning this amendment, we won’t live in a real democracy unless we work to dismantle the 300 years of laws that gave white people privilege and power over people of color, even under a corporate system that harmed everyone. We have to organize for real justice, and we can’t do that if we’re still hanging on to our advantages. We also can’t fully fight corporate rule unless we know all its consequences, but white privilege keeps white folks from having to know the worst effects of corporate rule. That’s why we have to take the lead in our organizing from groups led by working class folks and people of color, as well as other marginalized groups. We need to understand what we don’t understand about how corporate rule affects immigration, prisons, healthcare, labor and the environment, and we need to know this from the people who know it best. Finally, look at all the social movements that came before ours. Did they secure full justice for everyone? No. They are ongoing. Often they were splintered by issues of race, class, gender and geography. We in Move to Amend want to continue the good work of past struggles by collaborating with people from impacted communities, and we want to fight against the forces that have been used in the past to divide us. If we can do that, we will win--not just in Washington but in our everyday, material lives. We need a movement because we want to create a new world. We can’t deal with just one aspect of corporate power or one aspect of justice. They are all interconnected and we must build a movement to do the work that is larger than any of our movements alone. The elites are watching our progress and they are afraid. When we start to succeed, they will try to divide us in every way we can. We need to be strong, united and committed in our demands for structural change. If we do that, we will win. If we don’t, we will lose even if we win.