**Student 1**

Should the First Amendment protect corporate political expression? Why or why not?

The First Amendment was intended to protect individual freedom of religion, speech, assembly and free press, it also includes corporations. The original intent was not to include corporations but to protect individuals rights. Some group members feel that the first amendment should protect corporate political expression. Under the law a person and a corporation are the same. The corporation’s political expression is considered their ability to petition the government. Other members feel that it shouldn’t include corporations because corporations can use their influence and financial donations to either have a candidate elected or defeated. Also, corporations are viewed as one entity even though the corporate structure is made up of many individuals with different viewpoints regarding government movements and laws. They shouldn’t have the ability to have one message speaking on behalf of the entire corporation.

If not, where should you draw the line for corporations between freedom and restrictions?

The legal rights of corporations and people are similar in their ability to act as a person. The two are not similarly constructed in their ability to exercise political expression. The supreme court held in Evenwel v. Abbott that “We hold, based on constitutional history, this court’s decisions and longstanding practice, that a state may draw its legislative districts based on total population.” (Liptak, 2016). Corporations should be restricted from engaging in political agendas or campaign fund sharing during elections. If an owner/board/or shareholder of a company wants to promote a candidate, it should come from that individual’s pocket and voice rather than the corporations. Setting a limit on how much corporations should be able to donate and how involved they can be could be the best-case scenario.

If you were in charge of government relations at a business, what strategies would you now employ, in light of the Citizens United decision, to advance your position?

The Citizens United decision allows corporations to act as one unit to provide money to political campaigns or candidates to either promote or denounce them during elections (Dunbar, 2012). If I were trying to advance my corporations position following the decision, I would evaluate the current mission/vision, and values along with the corporate social responsibility policy to evaluate which candidate I would promote and why. I would develop a robust corporate social responsibility policy (CSR) where the interests of all stakeholders are held above that of the corporation's means of obtaining revenue. “Enterprises should have in place a progress to integrate social, environmental, ethical, human rights and consumer concerns into their business opera6ons and core strategy in close collaboration with stakeholders.” (Reputation Institute, 2017). Companies should get involved with issues that hold similar values to that of the company and stakeholders especially if those values are part of the corporate culture or business plan. The top ten companies with the highest CSR score according to reputation institute share five common factors;

1. Leadership actively engaged in CSR
2. CSR aligns with the corporate brand purpose
3. CSR agenda is about action, not just about rhetoric
4. CSR drives internal and external engagement
5. CSR focus on human and social interest (Reputation Institute, 2017).

The average consumer is acutely aware of where they spend their money and prefer to spend at companies who share similar values and are actively engaged in the community.

**Student 2**

2 days ago

Having read the topic for this week, We are almost certain that there will be varied and divergent opinions on this board on what should be the allowable level of corporate involvement in politics and whether or not the Supreme Court judgment on the landmark Citizen United vs FEC case which determined that corporations are covered under the free speech provisions of the First Amendment was a jurisprudential mistake. Some who support the notion that the First Amendment should apply to corporations base their argument on the fact that restricting these corporations is tantamount to targeting the rights of citizens of average means to come together in advocacy groups to speak about an election of a politician and therefore that will be enshrining a system that benefits the wealthy. However, a few questions beg for asking here: Should corporations have a role in politics in a truly free society? Should election be about what people want or should it be about what corporations want? If it is about what people want, why should corporations be treated same as people and get the same rights that people get? If it is right to protect the rights of these corporations to sponsor issue based advertising or electioneering communications, why do we think it is still considered illegal till this day to allow corporations to donate to political candidates? If corporations cannot vote, why should its right to influence an election be allowed to drown the electorate who is constitutionally required to vote? Therefore, in examining the question on whether the First Amendment should protect corporate expression, the question to ask is: who stand to gain from any such protections? The individuals who vote, the corporations or the politicians who uses this landmark case as stare decisis for a quid pro quo? - A promise to support the corporate interests as a reward for assisting him to win election. The answers to these questions appear obvious. What speech are we limiting when every individual member of a corporation can speak for themselves? It is based on this that majority of group 3 members are reluctant to support corporation’s right to free speech in this context under the First Amendment.

In addition, corporations have only one goal: to maximize value for shareholders. Therefore in light of Citizens United decision, corporations and personnel in charge of government relations will be locked in an arms race of unhealthy competition which is supported by the dominant perspectives and precedent cases such as this present the intended unfortunate effects of increasing corporate political activity (Coates IV, 2012) and by no means tend to give more free speech to corporations than individuals because they have more money, thereby opening a floodgate for corporate interests to thrive in the political arena and encourage corporate lobbying especially where lobbying disclosure laws are also largely unenforced (Fried 2011).