

What Could Change if Corporate Personhood were Abolished?

WILPF's Campaign to Abolish Corporate Personhood is about the question of who's in charge. If We the People are sovereign, we must control the government. Corporations are created and chartered by the government which, acting on behalf of We the People, gives corporations privileges, not rights. Neither the government, without the consent of the governed, nor corporations have the right to rule over the people. Since corporations have gained the legal status of persons, corporations have accumulated rights and become rulers — in other words, they can tell the government what to do.

Corporate legal personhood was wrongly given — not by We the People, but by nine Supreme Court judges in 1886. Corporate personhood is bad for democracy, people, and the planet because it has allowed an artificial entity to legally relegate people to subhuman status. We the People have the sovereign right — indeed, duty — to abolish corporate personhood.

When corporate personhood is abolished, here are some actions We the People can take that are currently "beyond our authority":

1. Prohibit all political activity by corporations — stop all corporate political donations and all corporate lobbying. These activities are currently legal because "corporate persons" are protected under the First Amendment.
2. Prevent corporate mergers and prohibit corporations from owning stock in other corporations. Regulation of these activities was overturned because "corporate persons" are protected under the due process clause of the Fourteenth Amendment.
3. Inspect for environmental or health violations without a warrant or prior notice. The Fourth Amendment protects "corporate persons" from search without a warrant, protecting corporate polluters from concerned citizens and regulatory agencies.
4. Revoke corporate charters by popular referendum. This is now illegal because "corporate persons" are entitled to equal protection and due process under the Fourteenth Amendment.
5. Prohibit the erection of cell phone towers and chain stores from doing business in your town, county, and state. Civil rights legislation and the Fourteenth Amendment are used to ensure that "corporate persons" have an equal opportunity to be part of our communities.
6. Stop advertising for tobacco, guns, and other dangerous products. "Corporate persons" are entitled to free speech under the First Amendment, with "commercial speech" increasingly protected by the federal courts.
7. Levy differential taxes for corporations and restrict their size. The Fourteenth Amendment protects "corporate persons" from unfair discrimination (although they don't complain when they get big tax breaks).
8. Require labelling of genetically modified foods. This is currently prevented because the First Amendment protects the right of "corporate persons" NOT to speak.

If corporate personhood were abolished, none of these things would change automatically. New laws could be written and old laws could be challenged in court to eliminate the kinds of protections that have enabled "corporate persons" to amass so much wealth and power.

Remember: judge-made law is not democracy! We the People have the power to change this.