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Goldberg: People Inc.

The war on corporate personhood is nothing more than a novel ploy to increase corporate regulations.

By Jonah Goldberg

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"Corporations are people, my friend," [Mitt Romney](#) declared in a testy back-and-forth with hecklers last summer in Iowa.

It was among the first of what appears to be a growing list of gaffes [Democrats](#) will use to hang around Romney's neck in the less than certain but more than likely eventuality that he is the Republican nominee for president.

Much like his more recent statement about how he likes to "fire people," the corporation remark has been taken grossly out of context. The "fire people" line simply referred to the fact that he likes to use his power as a consumer to deny his support to firms — specifically insurance companies — that don't provide good service. Who doesn't like doing that? Let me know who you are and I will gladly sell you a lifetime supply of unicorn repellent. No refunds, of course.

Meanwhile, his point about corporations being people was simply that raising taxes on corporations means raising taxes on people, because the corporations will pass the costs of those taxes on to consumers.

It didn't matter. Romney has something of a gift for making his arguments sound worse than they are. A "corporate raider" — as unfair as that term may be — just shouldn't be using the phrase "I like to fire people" in any context, never mind amid a really awful economy. I don't care if the full sentence is "I like to fire people who hurt puppies," you know which snippet the Democratic National Committee will use.

Similarly, Romney's point about corporations was entirely valid, as some liberal writers, such as Jonathan Chait, have acknowledged. But particularly in the wake of the Supreme Court's *Citizens United vs. FEC* decision in 2010 — which opened the political process to more "corporate money" (loosely defined) — the left has been on a tear about the evils of "corporate personhood." It didn't matter that Romney wasn't addressing that topic. And if Romney is the nominee, it won't matter that his views are entirely mainstream. Expect a very long debate over the question: Are corporations people?

OK, corporations aren't people in the whole carbon-based humanoid life form sense. If they were, then [Stephen Colbert](#) would be right that Romney was a serial killer when he worked at Bain Capital.

All corporate personhood means is that corporations are legal entities that have certain rights or "standing" under the law. The law does this for several reasons, but first among them is the simple fact that people don't lose their rights when they associate in groups, whether it's a

corporation, a labor union, a nonprofit organization or even a newspaper.

As legal scholar Ilya Shapiro writes, "It cannot be any other way; in a world where corporations are not entitled to constitutional protections, the police would be free to storm office buildings and seize computers or documents. The mayor of New York City could exercise eminent domain over Rockefeller Center by fiat and without compensation if he decides he'd like to move his office there.... [R]ights-bearing individuals do not forfeit those rights when they associate in groups."

It's really that simple. When liberals insist that corporations aren't really people-*people*, they do so on the false assumption that conservatives were running around like Charlton Heston in "Soylent Green" shouting, "Corporations are people! They're people!" Supreme Court Justice John Paul Stevens in his dissent in the Citizen United ruling, writes "[C]orporations have no consciences, no beliefs, no feelings, no thoughts, no desires."

Agreed. But so what? The law doesn't in fact treat corporations just like people. Corporations can't vote or be drafted. And people can't sell fractional shares of themselves. The war on corporate personhood is really nothing more than a novel ploy to regulate corporations more.

What I find most fascinating about the debate over corporate personhood is the fact that the people who defend corporate personhood don't anthropomorphize big business nearly as much as those who oppose it. After all, if Justice Stevens is right about corporations not having beliefs, feelings and desires, why do we hear so much about "corporate greed." Non-human entities can't be greedy, can they?

jgoldberg@latimescolumnists.com

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