

## Why is corporate personhood a *local* issue?

***Corporate personhood benefits only large corporations, disadvantaging the small and family-owned businesses that town governments most closely work with and support.***

- Only large national companies, chain stores, and global corporations invoke ‘corporate personhood’ upon towns. Small businesses rely more on personal relationships and the legitimate *endowed* rights of their *human* owners when working with town governments.
- *Citizens United* threw out campaign finance laws that somewhat leveled the field between big and small donors giving to campaigns. Without limits, only large corporations, not small businesses, have the resources to flood local elections with out-of-district campaign funds.
- Only large corporations, not small businesses, have the staff and resources to pursue expensive civil-rights litigation to overturn actions of local governments. Example: When Florida tried to impose differential permit fees on locally-owned and out-of-state businesses, a national corporation took the matter to the Supreme Court, claiming that the 14th Amendment (each person has a right to equal protection of the laws) forbade governments from favoring locally-owned corporations in any way. The difference in the amount of the permit fees? \$25.<sup>1</sup>

***Town governments are the bulwark of local interests.*** The mission and interests of local governments—preserving local landmarks and identity, maintaining roads and sidewalks, supporting local businesses, enabling residents to participate in self-government, protecting the local environment, etc.—are the interests that large corporations are least likely to share.

- Decision-makers within large corporations are not local people. They typically reside in other states—often even in other countries—and they know nothing about your township interests. They often reap benefits from actions that harm the town’s residents.
- Example: Large corporations have sued, or threatened to sue, local governments on ‘equal protection’ grounds when their residents seek local ordinances to control lighting, traffic, and land use to encourage small operations and discourage the “big-box” stores that destroy local character and put local merchants out of business.
- Example: In 2005, the Wisconsin state legislature passed the Livestock Sighting Law. This law effectively restricts local government from requiring environmental impact studies. Studies intended to protect the water and air in the community. This despite known factory farms that have had significant destructive environmental “accidents” and have polluted significant numbers of water wells in counties – over 40% in Kewaunee County. Factory farms are only profitable because so much of the cost and damage is externalized onto the environment, neighbors and wildlife. The monitoring, supervision, clean-up, restitution, fines are not happening, thus the true cost of factory farms never find the way onto the balance books

The Wisconsin legislature is regularly creating laws that remove rights of local municipalities to protect the rights of their citizens against corporations that fund state legislator’s campaigns. Between 2010 and 2017 the Wisconsin State Legislature passed over 160 laws and rules that take away rights of local communities or create unfunded mandates – while reducing support to local communities.

***Standing up for self-government and liberty has always been a local job.*** Americans have never relied—with good reason—on the national government to protect our right to self-government. From the invention of corporations in the 1500s throughout America’s history, corporations have (as can be expected) struggled to gain control of the governments that the people created to “provide for the common defense, promote the general welfare, and secure the blessings of liberty.”

Periods when corporations increased their power over government have, so far, been followed by corrective periods when the people reassert control of the governments they created and rein in corporate excesses. These corrective periods have always been ushered in by the actions of grassroots people and the local governments closest to them. In addition, a majority of constitutional amendments arose with local citizens; rarely has action to amend the constitution been initiated at the national level.

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<sup>1</sup> Lane Drug Store vs. State of Florida