

The following reflection was offered by Brian Edward Brown for The Thomas Berry Forum for Ecological Dialogue in its Contemplative Ecologists Circle for November 18, 2021, based on the complete essay "The Corporation Story" in *The Great Work: Our Way into the Future* (pp.117-135) :

The physical, legal, political and psychic landscape that Thomas Berry addresses in his essay "The Corporation Story" is one of severe degradation, protective privilege, corrupted capitulation and colonized consciousness respectively. While countenancing the contributions of corporations to human experience, his review of their rise and dominance principally within the North American context and their more recent transnational extensions and operations, evaluates the severe costs exacted by corporate ascendancy and hegemony." We are beginning " writes Berry " to ask about the real quality of life achieved, the environmental and social costs, also about the more lasting consequences of the so-called improvements in human life and in the integral functioning of the natural life systems of the planet." (p.119)

The precursors giving legal control over vast expanses of land soon to materialize in corporate form, were the original Royal charters granted by the British Crown of the 17th century. These were awarded to companies and sole proprietors, which charters vested monopolistic discretion over the natural resources of the soils, waters, fauna and flora that flourished within these extensive tracts of colonial America. Their holders and their descendants formed a landed elite well into the founding of the post-revolutionary republic. It was in that period, extending throughout the whole of the 19th century, that witnessed the emergence of corporate entities primarily associated with canals and railroads as well as timber, mining, grazing, oil and petroleum drilling and pumping and a host of subsidiary ventures. Not only were the federal and state governments crucial in the granting of initial leases to these proliferating corporations, but they were indispensable in ceding immense millionfold acres to actively open up the middle and western regions of the continent for commercial - industrial development in the manufacturing and population centers along the Atlantic seaboard.

If at the beginning of that increasingly corporatized century, land, held and so profligately dispensed by government became increasingly commodified and reduced to mere instrumentality of profit, that orientation became all the more pronounced as the century drew to its close. "Progressively" writes Berry "reverence for the sacred dimension of the natural world, even for the sense of land as a commons... was further diminished... Some ancient fear of the wilderness in Western civilization led either to a direct assault on the various life forms of the continent or to subjugation for some utilitarian purpose. Land was for settlement and possession. Soil was for cultivation. Forests were for timber. Rivers were for travel, for irrigation... and for power. Animals...were for killing... Fish were for catching. North America was indeed a luxurious continent awaiting human exploitation under the title of 'progress' and 'development'." (pp.122-23) The sway of that mythic conceit of mastery and domination of the natural world so fixated American consciousness that it has remained the steadfast incantation warding off all attempts to regulate or restrain corporate excess and mesmerize popular imagination with its vaunted promises of some artificially contrived wonder world, even as it obscured the depredations inflicted on the living one. So it was that while corporate deployment of all manner of bribery was notorious as the 19th century came to a close, its more effective triumph

over government control was its cunning insinuation that corporate progress was fully consistent with the constitutional recognition of governmental purpose “to promote the general welfare.”(Preamble)This broad unqualified alignment of the public good of society at large with the private pursuits of corporations thinly disguised the primary beneficiaries to be investors and stockholders, not the general citizenry. Nevertheless, this late 19th century stratagem to ostensibly conflate corporate and public interests in the shared movement towards a common progress was the logic reconciling 20th century corporate welfare with corporate libertarianism. What enabled the Corporation to make the argument that it was both the fitting recipient of government support and benefits on the one hand, and entitled to disparage and resist its directives and regulations on the other, was its status as judicially recognized personhood. In 1886 the Supreme Court ruled that the 14th Amendment language that so clearly protected individual citizens applied to corporate entities as well. The Amendment reads: “No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any state deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.”

With such privilege firmly established, corporations were emboldened to seek further constitutional rights and benefits even as they characterized government restraints on their behavior as bureaucratic infringements on their presumptive freedom. Throughout the entire course of the 20th century and into the present, corporations have pursued their conjoint enterprise of seeking to enhance their own capital welfare and privileges as legal persons, even as they opposed regulations and constraints upon them. This dual corporate endeavor was advanced immeasurably in 2010 when a bare majority of conservative Supreme Court justices found in the case Citizens United v. Federal Election Commission that corporate entities not only enjoyed the right to engage in political speech under the First Amendment, but they might do so with unlimited financial commitment. Consolidating ever more powerfully the notion of corporate personhood, this recklessly injudicious ruling by the Court bestowed enormous political advantage on corporations to raise and spend vast sums far in excess of individual citizens to influence and determine all manner of policies affecting people and planet that the respective corporate entity might choose to advance or suppress. That outsized corporate influence and its arrogance was on clear display just last month when the CEOs of the four most lucrative fossil fuel companies testified before a Congressional Oversight Committee. They brazenly postured their industry as corporate good citizen, even as they refused all responsibility for funding some four decades of climate change denial and skepticism, and similarly refused to pause ongoing and future gas and oil leases on lands and waters belonging to the public, further inflaming the planetary body and its risk of cataclysmic climate collapse. Such duplicity and malfeasance are surely one of the most shameful and deadly chapters in the corporation story.

With his concern for corporate expansiveness over society and the natural world, Thomas Berry would fully endorse, with an even broader scope, Justice John Paul Stevens in his dissenting rebuke to the majority opinion in Citizens United. Stevens wrote: “Although they make enormous contributions to our society, corporations are not actually members of it. They cannot vote or run for office... It might also be added that corporations have no

consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their 'personhood' often serves as a useful legal fiction. But they are not themselves members of 'We the People' by whom and for whom our Constitution was established."

Thank you,

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