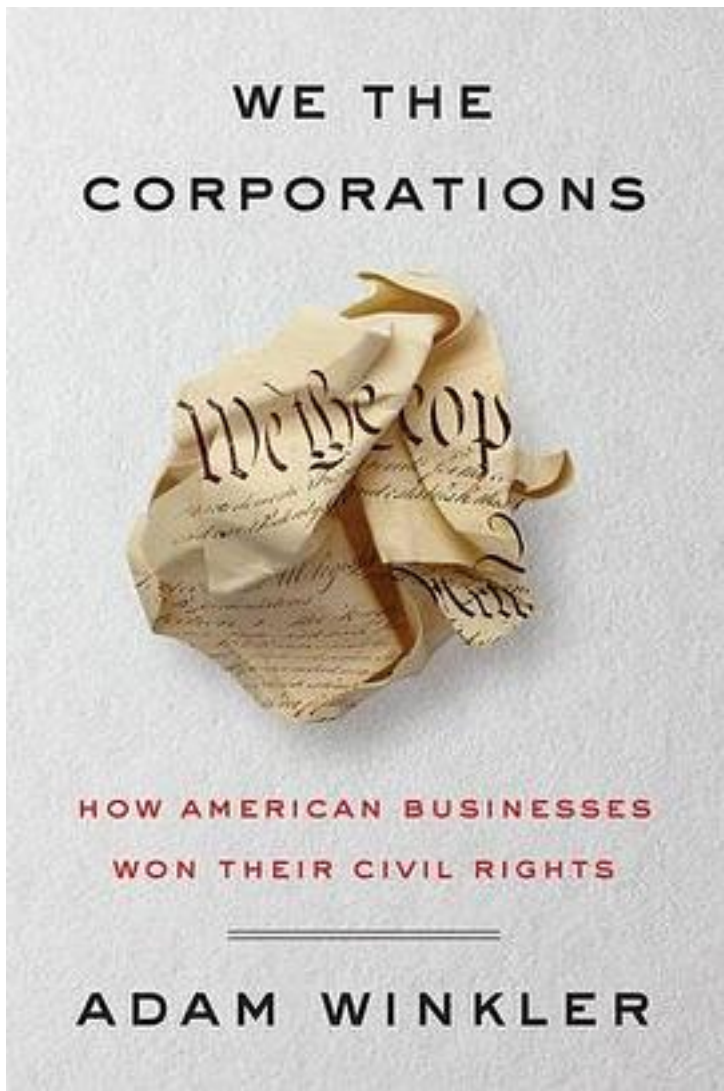


We the Corporations



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出版者:Liveright

出版时间:2018-8-17

装帧:Hardcover

isbn:9780871407122

We the Corporations chronicles the revelatory story of one of the most successful, yet least known, “civil rights movements” in American history.

We the Corporations chronicles the astonishing story of one of the most successful yet least well-known “civil rights movements” in American history. Hardly oppressed like women and minorities, business corporations, too, have fought since the nation’s earliest days to gain equal rights under the Constitution—and today have nearly all the same rights as ordinary people.

Exposing the historical origins of Citizens United and Hobby Lobby, Adam Winkler explains how those controversial Supreme Court decisions extending free speech and religious liberty to corporations were the capstone of a centuries-long struggle over corporate personhood and constitutional protections for business. Beginning his account in the colonial era, Winkler reveals the profound influence corporations had on the birth of democracy and on the shape of the Constitution itself. Once the Constitution was ratified, corporations quickly sought to gain the rights it guaranteed. The first Supreme Court case on the rights of corporations was decided in 1809, a half-century before the first comparable cases on the rights of African Americans or women. Ever since, corporations have waged a persistent and remarkably fruitful campaign to win an ever-greater share of individual rights.

Although corporations never marched on Washington, they employed many of the same strategies of more familiar civil rights struggles: civil disobedience, test cases, and novel legal claims made in a purposeful effort to reshape the law. Indeed, corporations have often been unheralded innovators in constitutional law, and several of the individual rights Americans hold most dear were first secured in lawsuits brought by businesses.

Winkler enlivens his narrative with a flair for storytelling and a colorful cast of characters: among others, Daniel Webster, America’s greatest advocate, who argued some of the earliest corporate rights cases on behalf of his business clients; Roger Taney, the reviled Chief Justice, who surprisingly fought to limit protections for corporations—in part to protect slavery; and Roscoe Conkling, a renowned politician who deceived the Supreme Court in a brazen effort to win for corporations the rights added to the Constitution for the freed slaves. Alexander Hamilton, Teddy Roosevelt, Huey Long, Ralph Nader, Louis Brandeis, and even Thurgood Marshall all played starring roles in the story of the corporate rights movement.

In this heated political age, nothing can be timelier than Winkler’s tour de force, which shows how America’s most powerful corporations won our most fundamental rights and turned the Constitution into a weapon to impede the regulation of big business.

作者介绍:

Adam Winkler is a professor at UCLA School of Law, where he specializes in American constitutional law. His scholarship has been cited by the Supreme Court of the United States and his writing has appeared in the New York Times, Wall Street Journal, Washington Post, Los Angeles Times, New Republic, Atlantic, Slate, and Scotusblog.

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评论

3.5. 讲故事为主。。。

Corporate Lives Matter

#弃了，这本书讲的基本都是法律，公司在美国的权利扩张史，搞公司法的人看看应该蛮好的

讲清楚了corporate personhood为什么反直觉地反而是限制公司权利的argument.
最心惊的是medication那段，为消费者权益奔走呼号却成了公司权利扩张的重要基石。
资本将抓住它所有能抓住的东西……

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