

many cases they have been recognized in law. Roman law recognized certain business and religious groups as institutions with the properties of human beings: goals, resources, functions, responsibilities, and privileges. Today, we still attribute these properties of human beings metaphorically to institutions.

There is a long history of just what properties of human beings are attributed metaphorically to institutions. For example, the Medieval Church saw monasteries as institutions with goals, finances, responsibilities, and privileges—but differing from people in that they lacked a soul. In England, “companies” were institutions given exclusive rights or “charters” to do business for the financial benefit of their shareholders and the British Crown. One of the most successful was the East India Company.

The Massachusetts Bay Colony was founded by the owners of the Massachusetts Bay Company, which had a charter to do business in the New England area. The metaphorical idea that A Government Is a Business came to America in 1623 with the Massachusetts Bay Company, and has been part of American political life ever since.

Before 1819, the commonplace conceptual metaphor that Institutions Are Persons began to be applied to corporations and was limited to such matters as goals, finances, responsibilities, privileges, and so on. But there is a difference between this very common and limited view of corporate personhood and a view that gave corporations constitutional rights! That took the Corporations Are Persons metaphor out of range of normal conceptual metaphor and into the power of the courts.

In 1819, the Supreme Court made a fateful decision in *Trustees of Dartmouth College v. Woodward*. Before the American Revolution, King George III granted a corporate charter to Dartmouth College, giving it land in New Hampshire and giving the trustees the right to administer the college. In 1819, the trustees deposed the college president. The New Hampshire legislature was outraged and passed legislation taking away the college’s charter from King George, putting the state in charge, and in effect, making Dartmouth a state college. The trustees brought a case against the state, with Daniel Webster arguing their case passionately before the Supreme Court and Chief Justice John Marshall. The court ruled that, even though all political