

ties had been severed with King George, the charter still constituted a “contract” with King George, the person. The court held that this contract fell under the Contracts Clause of the Constitution, which forbids a state to pass laws overturning contracts. Though the provision in the Constitution applied to contracts among persons, the court held that it applied to corporations as well. Dartmouth remained private and under the control of the trustees. Meanwhile, a line had been crossed. A constitutional clause granting rights of contract and property to persons now applied to corporations. And an institution, the British monarchy, called metonymically the British Crown, was now taken literally to be a person, King George.

In 1868, the Thirteenth, Fourteenth, and Fifteenth Amendments were passed, making slaves free, giving them equal protection under the law, and guaranteeing them the right to vote. The first clause of the Fourteenth Amendment reads:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. 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.

In the years leading up to these amendments, large industries, banks, and railroads took corporate form, and became rich and powerful. Many states set about regulating them and restricting their powers. With the passage of the Fourteenth Amendment intended as protection for former slaves, railroads saw a way around these restrictions.

They assumed the opposite of the Pluralities Are Groups metaphor, which separated the properties of group entities from the individual properties of their members. The new Groups Are Pluralities metaphor identified the properties of the group with properties of the members. They began arguing that corporations were persons and had as one of their properties the same constitutional protections as persons had. They argued this for nearly twenty