

## Additional Comments to Corporate Personhood

By David Tresemer, Ph.D.

(to accompany Corporate Personhood article from *Journal for Star Wisdom* 2014 or *International Astrologer* of August 2103)

[The Declaration of Independence of 1776, preamble, to be read aloud every July 4, a great document. Don't rush it. These words are meant to be savored.]

From the Declaration:

When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

2.1 We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness.

2.2 That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

Comments by David Tresemer, in relation to research on corporate personhood (the grab by corporations of the rights of a “person,” first described in the Declaration)

The Declaration of Independence of 1776 goes a long way to stating publicly the definition of a person, a people, a group, and a nation. The second paragraph begins:

- “We” – a group of individuals who signed the document, each individual a representative of a group of individuals living in particular geographical places that later became the States. As we will see, an individual is held as a sacred creation, and a group of individuals likewise.
- “...hold these truths to be self-evident...” A truth is something that can be felt by the physical body. When one experiences truth in the physical body, then one can open to the experience of beauty in the etheric body (the vital or energy body), and then one can experience the good in the astral body (the body of thoughts and feelings) as a guide to one’s deeds. A self-evident truth shines plainly out to everyone, and can be *felt* as true.<sup>1</sup>
- “...that all men are created equal...” Equality is the ideal of the middle or feeling realm.<sup>2</sup> The word “men” in English is ambiguous as to whether it refers to adult males or to all human beings. This was ironed out in the Fourteenth Amendment to the Constitution (about which more later), defining all human beings as “persons”. “Men” in German – “*mensch*” – clearly refers to both genders.<sup>3</sup>
- “...that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”

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<sup>1</sup> This relations of the bodies to the great ideals, from a lecture by Rudolf Steiner in 1923, <http://wn.rsarchive.org/Lectures/19230119p01.html>. The word “evident,” as in self-evident, comes from *videre*, to see. A “self-evident” truth is seen in light, or radiates light itself.

<sup>2</sup> The three-fold understanding of society understands the ideal of thinking to be freedom, the ideal of feeling to be equality, and the ideal of willing to be fraternity/sorority.

<sup>3</sup> Despite the ambiguity of “men” especially in German and sometimes also in English, historical studies show that the many (though not all) of the authors of the Declaration meant males, something that had to be worked out in subsequent decades.

God becomes evident here as the one who can endow such rights, and they cannot be separated from a human being. Then and now, these are perhaps the most powerful words to be written by a governing body. They can also be understood in a three-fold way: Life as a feature of the limbs and metabolism (the will working in the economic sphere), Liberty as a feature of the thinking sphere (culture), and Happiness as a feature of the feeling life (the social sphere). These three spheres are claimed as intrinsic to all human beings, thus inalienable.

- "... That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it." Governments are representative of the group of people who reside in a place. The connection to place is strongly implied. The People can abolish a form of government because government, by its nature, was supposed to serve those People.

### **The Fourteenth Amendment**

In *Dred Scott vs. Sandford* (decided March 6, 1857), the Supreme Court ruled that a black person of African descent, even if born in the United States, could not be a citizen because they were chattels or private property; in other words, they were not persons as understood by the Declaration of Independence. This decision was partially responsible for beginning the Civil War, after which Congress passed the Civil Rights Act of 1866 (April 9) opening up who could be a citizen, and later the Fourteenth Amendment to the Constitution (passed July 9, 1868), defining who could be a citizen very broadly – and thus defining what was a person.<sup>4</sup>

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<sup>4</sup> In terms of the abolition of slavery, Lincoln's Emancipation Proclamation (January 1, 1863), the Thirteenth Amendment (adopted December 6, 1865) – "Neither slavery nor involuntary servitude ... shall exist within the United States" – and Emancipation Day on June 19, 1865, were all essential. Here we concentrate on personhood specifically, and note that one of the major themes of this paper – the relationship to Neptune – does not occur conspicuously at any of those three events.

The first section of the Fourteenth Amendment states: “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.” Though “happiness” cannot be found here, the word “equal” appears in the last phrase. Equality is the hallmark of the political realm (governed by the warmth and rhythms of the heart, the feeling realm), where each individual human being is admired for bearing and expressing a soul, thus all are equal in that realm.

The Fourteenth Amendment refers to persons and citizens, not just to the ambiguous name “men.”

Thus far we have defined:

- The individual – “men,” citizens, and persons. The word person means sound (-son) through (*per-*), suggesting the importance of speech as a defining characteristic of each individual.
- The group – the People – as determined by their place of domicile, the bit of earth in which they live and work.
- The Creator – defined more clearly in the first paragraph of the Declaration, which we’ll get to in a moment.
- The government, a body of agreement between the many individuals who live in a place.

### **The Prologue to the Declaration of Independence**

The first paragraph of the Declaration of Independence begins

- “When in the course of human events” – this names the entire human realm, the largest form of the “we” of the second paragraph.
- “...it becomes necessary for one people to dissolve the political bands which have connected them with another and to assume among the powers of the earth, the separate and equal station to which the Laws of

Nature and of Nature's God entitle ...." The people are connected here to the earth, Nature, and Nature's God.

A great being resides over a geographical locality, technically an archangel acting as a "folk soul." This phrase of the Declaration of Independence points to the powers greater than human beings in a place. Those powers are not monarchs but rather folk souls, though we can imagine that, once upon a time, true monarchs were able to speak the intention of, and even to embody, the being of a folk soul for an area.

The complaint of the Declaration was that the King of England, as an individual, had acted to usurp the powers of the People in relation to their geographical place, thus undermining their individuality and their relationship to the folk soul of that place. The people knew that their rights as human beings had been endowed by the Creator – one aspect of that Creator being the folk soul of the place where they struggled for their livelihood and for happiness.

### **The Corporation**

Originally a corporation was a contractual right given by a monarch – for example, the *Royal Doulton* glass and ceramics works. This right to create a legal entity was taken over by the individual States of the United States, whose government is an elected body, thus always representing the people of that place. The State could grant and it could repeal a corporate charter (as affirmed in *Fletcher vs. Peck*, decided March 16, 1810). Corporations were understood as "artificial persons," different from the "natural persons" referred to in the Fourteenth Amendment.

In other writings, I go into how corporations have begun to usurp personhood, too much for this independence day.....

(These comments can supplement what was said in the "Corporate Personhood" article in *Journal for Star Wisdom* 2014.)