

POLITICAL SCIENCE SPEAKER SERIES

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Dartmouth Revisited: The Settler Colonial and Revolutionary Origins of the American Corporation

Recent U.S. Supreme Court cases like *Citizens United v. FEC* have reignited debates about the place and power of corporations in contemporary society. How did the modern corporation begin securing the constitutional and legal protections it enjoys in the U.S.? Situating 19th-century debates over corporations and charters in the settler colonial and revolutionary history of the U.S., I show how long-running disputes over the republican legacies of the American Revolution, on the one hand, and the continued dispossession of Native land, on the other hand, informed the Marshall Court's landmark decision in *Dartmouth v. Woodward*. I contend that the extension of the Contract Clause to charters for which Dartmouth is still celebrated was a skirmish in the post-Revolutionary contest over westward expansion. Rather than interpreting the case as reflective of a Marshall Court presciently committed to advancing *laissez faire*, per the extant literature, I instead argue that Dartmouth should be seen as part of the Marshall Court's broader commitment to ensuring the legal succession of British-American colonial claims to Native land across the rupture of the Revolution. This is why the Marshall Court began constitutionally insulating corporations and charters from the democratic decision-making of state legislatures. I conclude by briefly outlining how my account intervenes in contemporary debates over the law and politics of corporations.

TIME

Friday, Feb. 17, 2023
12:00PM-1:20PM

LOCATION

Watkins 1000

ZOOM DETAILS

Meeting ID: 959 2537 3689
Passcode: 714372