

The Right Thing To Do

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The Alien Tort Statute often provides the only way for a victim of human rights abuses committed abroad to see justice. In upholding the use of this tool for the last three decades, the U.S. court system has sent one resounding message: if you come here, operate here, work here and you have committed horrific acts, like torture, genocide and other crimes against humanity elsewhere, you can be held liable for those crimes here.

In 2004, the Supreme Court affirmed the use of the Alien Tort Statute to bring human rights violators to account. No one contests its application to “natural persons” — or human beings. The decision before the court now boils down to whether corporations — considered legal persons already in many cases — should be held to the same standards of accountability as actual people when they commit egregious crimes.

Through my work with the Center for Constitutional Rights, I can say that the horrific details of *Kiobel v. Royal Dutch Petroleum (Shell)*, the case that brings this issue before the court, are, sadly, not unique. In several corporate cases involving the Alien Tort Statute, businesses with mining and drilling operations abroad decimate local populations with the full consent of brutal regimes, and when the people affected assemble and protest, family members are abducted, people are murdered, profits are defended at all costs and no local justice or accountability is possible because of government complicity. Thanks to the Alien Tort Statute, we have seen some meaningful settlements for the victims.

With its decision in [Citizens United](#), the Supreme Court has expanded what “corporate personhood” entails, telling the American public that these “people” can use their limitless supplies of money to influence a democratic electoral system. That these same “people” cannot be asked to pay damages to the families of those they’ve tortured and murdered is a statement I can only hope our judicial system will not make. While I believe *Citizens United* has done grave damage to our democracy, if we are in the business of giving corporations increasingly extensive rights, we must also enforce their responsibilities.

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<http://www.nytimes.com/roomfordebate/2012/02/28/corporate-rights-and-human-rights/siding-with-the-plaintiffs-is-the-right-thing-to-do>