

Challenging Corporate Power, Asserting the People's Rights

Session I — Introduction

The first session of the study group provides an opportunity for the group members to meet each other, find out about the design and content of the course, agree upon discussion and facilitation guidelines, work out logistical details, and conduct an initial discussion. The objectives of the study groups are:

- (1) to frame learning and discussion in ways that focus on the **root causes** of corporate and state oppression
- (2) to direct efforts for change in law and culture toward those public officials and public bodies that must take the authority to place economic institutions and all corporate entities under the control of a **self-governing people**

Structure: Before every meeting each person receives a set of materials (a cover sheet and readings) to read and reflect on before the discussion (reading will take 1-2 hours per session). The study packet includes suggested questions for the discussion, but groups are free to create their own questions in addition to, or instead of, the ones in the packet.

The reading materials have *not* been selected to provide a balanced view of corporate power and its impacts on countries and people in all parts of the world. In modern society we are inundated with the corporate perspective on almost every issue. These materials are intended to provide pieces of the largely untold story of how corporations have come to dominate our lives in the name of profit and at the expense of people and the planet.

The study groups represent an opportunity to create *intentional laboratories* to experience and practice democracy. This initial session focuses on the process the group chooses to use in its discussions. Democracy is a word we use daily in the United States, but many of us have not had the opportunity or motivation to think deeply about what it means to be a self-governing people. The study groups provide us with an opportunity to challenge ourselves to notice and explore both content *and* process during discussions. Optimal group size is 6-10 people to ensure enough viewpoints for lively discussion and adequate opportunity for everyone to participate.

The people in each group represent a range of experience and knowledge about the subjects for discussion and other related topics. A few of the readings are somewhat academic and intellectually challenging; others are more easily accessible. In the evaluation forms that WILPF has been receiving from around the country, some people find a particular reading stimulating and provocative while others find it confusing or even useless. This diversity of experience and response to the readings fuels each group's discussions.

Readings:

- 1 – WILPF fact sheet (1 page)
- 2 – Study Group Guidelines- Process and Facilitation (4 pages)
- 3 - Campaign questions and answers (6 pages)
- 4 – “Remarks on the Campaign Proposal,” by Virginia Rasmussen (2 pages)

Session II — Historical Overview of the Corporate Taking of Our Authority to Govern

Few would argue that corporations today are not only ubiquitous but have enormous power over our lives. Was it always like this? How did it get to be this way? And what are the implications of this situation for democracy? The readings in this session explore the answers to these questions and challenge the concepts of democracy that are commonly accepted today. Indeed, so much power and wealth has been amassed by corporations that they can be said to govern, presenting a mortal threat to our body politic. To use a medical analogy, when a surgeon cuts out a cancer, it's not to punish the cancer; it's to save the body. If we wish to prevent the total demise of democracy — rule by the *people* — then we must return corporations to their subservient role.

A central task in this session is to establish the group's process of sharing leadership, an opportunity to design and practice democracy as you grapple with the history and ongoing struggle for self-governance.

Readings:

- 1 – “Know Thine Enemy,” by Joel Bleifuss (2 pages)
- 2 – “Can Corporations Be Accountable?” by Richard Grossman (7 pages)
- 3 – “Human vs. Corporate Rights,” by Mary Zepernick (2 pages)
- 4 – “Meet the Corporation” by Chris Warren (5 pages)
- 5 – “Gangs of America” by Ted Nace (6 Pages)

Session III — Corporate Personhood

In Session II we noted the 1886 Supreme Court decision that gave corporations the same rights and protections as human beings, and in this session we explore that phenomenon in depth. The 14th Amendment to the Constitution was ratified in 1868 in order to protect the rights of newly freed slaves. Section 1 reads as follows:

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 privilege 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.

The U.S. Constitution and the country's legal foundations were rooted in the sanctity of property rights and the individual. So it was clear to corporate lawyers, following the burst of corporate growth and influence during the Civil War, that it would be necessary to get the Supreme Court to declare the corporation equivalent to a “person” with the same 14th Amendment protection of the laws. Only with this designation could the corporate form pursue growth, wealth, and power free from the restraining will of the people.

In 1936 the dean of the John Marshall Law School said, “In the entire Constitution and the Amendments thereto, the word ‘person’ is used thirty-four times; in thirty-three times, it refers only and can refer only to creatures of flesh and blood. And in the 14th Amendment the word is used five times, ...it is obvious that natural persons alone can be meant, as only natural persons can be born or naturalized, become citizens...” Nevertheless, in 1886 lawyers for the Southern

Pacific Railroad achieved their goal with the Supreme Court declaring that the 14th Amendment applied to corporations.

This session explores the cultural impact of this decision. What has it meant for the role of us human persons, and the organizing of people's movements for full inclusion and personhood, when the biggest, wealthiest, and most powerful "persons" are our own corporate creations?

Readings:

- 1 – "The Birth" and "The Rule," by Kalle Lasn and Tom Liacas (2 pages)
- 2 – "Gangs of America," by Ted Nace pages 5-7 (2 pages)
- 3 – "Timeline of Personhood Rights and Powers," by Jan Edwards (5 pages)
- 4 – "Should Not the 14th Amendment to the Constitution of the United States be Amended?," excerpts by Edward T. Lee (3 pages)
- 5 – "Corporations Behave as if They are More Human than We Are," by George Monbiot (1 page)
- 6 – "Corporate Citizens," by Carl Pope (1 page)
- 7 – Corporate Personhood Resolution, City of Point Arena (2 pages)
- 8 – "Democracy in St. Thomas," by James Allison (2 pages)
- 9 – "Tea Time in Humboldt County (CA)," by Jim and Tomi Allison (2 pages)

Session IV — The Regulatory State

Since the late 19th century, protection of the U.S environment, workers, consumers, and communities has been in the hands of regulatory agencies and the laws that established them — Interstate Commerce Commission (ICC), Federal Trade Commission (FTC), Nuclear Regulatory Commission (NRC), Environmental Protection Agency (EPA), Food and Drug Administration (FDA), Occupational Safety and Health Administration (OSHA), Consumer Product Safety Commission (CPSC) — to name a few. When our news is filled with stories of defective Firestone tires and genetically modified animal feed in taco shells, more people are starting to wonder: are these institutions effective in carrying out their assignments? Are we safe in their hands? Who and what are protected by regulatory law and its implementers? What are the consequences for public and environmental health when poisoning, endangering, and destroying are violations of regulatory standards rather than violations of human beings, communities, and the earth?

For many decades concerned citizens have focused their efforts on nudging regulatory agencies toward more rigorous enforcement rather than challenging the illegitimate power of corporate entities and the people running them. This session asks us to talk about these realities and to imagine the kind of changes in our understanding, approach, and institutions that will provide the protections and authority we seek.

Readings:

- 1 – "Sheep in Wolf's Clothing," by Jane Anne Morris (4 pages)
- 2 – Excerpt from "The Grand Bazaar" chapter of *Who Will Tell the People* by William Greider (9 pages)
- 3 – "The People's Business" by Lee Drutman and Charlie Cray (13 pages)
- 4 – "How to Curb Corporate Power" by Ralph Nader (6 pages)

Session V — Private Property and the Recovery of the Commons

If we want to take away the disproportionate power held by those who own property and wealth and shift it toward people and their governments, it is necessary to know more about the head start that property rights had over people's rights in this country's formative years.

The design of the federal government relied heavily on the principle of self-interest narrowly seen as the right for citizens (at that time elite, white males only) to acquire property and have that property protected and enhanced. The notion of liberty, so highly prized, was primarily taken as the liberty to own things. Jennifer Nedelsky, a student and writer of the Anti-Federalist period, states that the "court built upon the general acceptance of the sanctity of property... and aimed at containing the democratic threat to the rights the Federalists considered necessary to a stable market economy and a free and secure society." (There will be more about Federalists and Anti-Federalists in Session IX.) The states were denied the power to make decisions about property — its definition, production, movement, or distribution. Such matters were the province of the law, the courts, and the minority, not of politics, legislatures, and the majority.

According to this theory, progress would come about not through the promise of community or wide democratic participation, but through the virtuous male seeking stable conditions for securing property ("virtue" comes from Latin, *vir*, for man). The Founding Fathers sought to establish a pre-eminence of the talented minority over the ordinary majority. Talent was measured largely by one's capacity to accumulate material things.

With these sentiments written into the nation's founding doctrines, men of property, using the corporate form (deemed "private" property by the courts), took themselves to great heights of power and control. The costs of this court-granted illegitimate authority — in a country where We the People are supposed to be in charge — grow apparent as they grow enormous. This discussion invites us to examine the role property should or should not play in our lives, rights, and governance.

Readings:

- 1 – WILPF handout on property (3 pages)
- 2 – "Labor Organizing and Freedom of Association," by Peter Kellman (4 pages)
- 3 – "The Divine Right of Capital," by Marjorie Kelly (14 pages)
- 4 – "Thinking Seven Generations Ahead," by Winona LaDuke (3 pages)

Session VI — People's and Worker's Resistance Movements

The changes in the United States throughout the 19th century were profound and rapid, picking up speed as the decades passed. The industrial revolution changed the nature and pace of both urban and rural livelihoods, and a predominantly independent workforce was converted to a majority of wage earners working for someone else. Capitalism came to dominate the economic system, bringing periodic depressions. Immigrants flooded into the country, creating a complex and constantly shifting hierarchical order that affected who worked and who didn't, what kind of work they could do, where they could live, and what kind of life they could lead. The country grew rapidly in size, providing opportunity for some and destroying a way of life for others. The Civil War, resisted by thousands on both sides, left over half a million dead, the South on its knees, and corporations with significantly increased wealth and power.

For the majority of people, all these changes added up to a life of increased subservience to the wealthy minority, and they didn't accept it lying down. Abuse of workers by industrialists was ruthless and rampant; strikes were frequent and often brutally broken by police, Pinkerton's hired men, and even federal army troops. Increased mechanization, monopolistic practices by banks and railroads, and falling crop prices all conspired to drive hundreds of thousands of farmers off their land and into tenancy or low wage work. By the century's close there was an enormous gap between the wealthy and the poor. Resistance to these oppressive systems was born of desperation, hope, and a belief in the promise of democracy. Facing injury, death, disease, and starvation, people rose again and again in the largest mass movements in the country's history.

The readings in this session provide an opportunity to explore this world of resistance — what motivated people, what challenges they faced, what lessons we can learn, and how these events shaped the world we live in today.

Readings:

- 1 – Excerpts from *Who Built America?* by the American Social History Project (10 pages)
- 2 – Excerpts from the introduction to *The Populist Moment*, by Lawrence Goodwyn (10 pages)
- 3 – “Tragedy and Hope in American Labor,” by Paul Buhle (6 pages)
- 4 – “Labor Must Challenge Corporate Rule,” by Peter Kellman (5 pages)
- 5 – “A People's history of the United States,” by Howard Zinn (4 pages)

Session VII — Economic Development and Militarism

“I spent 33 years and 4 months in active service as a member of our country's most agile military force — the Marine Corps.... And during that period I spent most of my time being a high-class muscle man for Big Business, for Wall Street, and for the bankers. In short, I was a racketeer for capitalism.... I helped make Mexico, especially Tampico, safe for American oil interests in 1914. I helped make Haiti and Cuba a decent place for the National City Bank boys to collect revenues in. I helped in the raping of half a dozen Central American republics for the benefits of Wall Street... I helped purify Nicaragua for the international banking house of Brown Brothers in 1909-1912. I brought light to the Dominican Republic for American sugar interests in 1916. In China I helped to see to it that Standard Oil went its way unmolested... Looking back on it, I feel I might have given Al Capone a few hints. The best he could do was to operate his racket in three city districts. We Marines operated on three continents.”

– *Smedley Butler, a decorated Marine general, writing in 1935*

There is a story that during Bill Clinton's 1992 presidential campaign an aide posted a sign on the wall to remind everyone of the most crucial campaign issue: “It's the economy, stupid.” Indeed, judging by its coverage in the corporate press, a healthy economy seems essential to people's livelihoods and our country's success, and worries abound when the economy is growing too fast or not fast enough. The latest governmental reports on prices, sales, new housing starts, production of durable goods, and many other indicators receive prime time coverage and serious analysis, and no news report is complete without the latest on the Dow Jones and NASDAQ averages.

This obsession with the economy is such a normal part of our day-to-day lives that we seldom stop to question it. What fuels this expectation that our economy must continually grow? What underlying values does economic development rest upon? What are the consequences of these

beliefs and our economic system?

“Democracy,” a word with which we have strong, positive, emotional ties, is often conflated with “capitalism,” and this is no accident. We are told that democracy triumphed over communism in the Cold War and that the West is bringing democracy to the long-suffering people of the formerly socialist countries. This ensures the acquiescence of a majority of people in the US while global corporations and complicit governments force their way to economic and political control around the world.

As Smedley Butler noted during his career nearly a century ago, it is a system that has long gone hand-in-hand with violence. The readings in this session examine this phenomenon, and are also linked to the following session on global corporatization. For 500 years economic expansionism and militarism have been inextricably linked in the brutal colonization of every continent. In the past, invading armies from another country were required to accomplish this colonization. Now universal domination is achieved through the imperative of economic development and modernization, with primary enforcement provided by each country’s own military and police force.

Readings:

- 1 – Excerpts from *Radical Democracy* by C. Douglas Lummis (2 pages in condensation)
- 2 – “The Truth Behind US Foreign Policy,” by Henry Rosemont, Jr. (4 pages)
- 3 – “The Reagan Legacy,” chapter from *The Spoils of War*, by John Tirman (3 pages)
- 4 – “Seeing the System: Alan Greenspan, Unemployment, and the Validation of Radical Analysis,” by Tim Wise (4 pages)

Session VIII — Global Corporatization

“If we will not endure a king as a political power, we should not endure a king over the production, transportation, and sale of any of the necessities of life. If we would not submit to an emperor, we should not submit to an autocrat of trade.”

– from Robert La Follette’s 1911 autobiography

Corporate capitalism and its protection by government “security forces” aren’t new, but under the past two decades of influence from the World Bank and International Monetary Fund, their destructive impacts have increased dramatically. Multinational corporations now comprise half the world’s 100 largest economies, and the World Trade Organization epitomizes institutionalized power and protection on a global scale. In response to the loss of their homes, jobs, and even lives, the peoples of the world have not stood idly by — from the Chiapas uprising at the dawn of NAFTA to Indian farmers burning fields of genetically modified crops to French farmers bulldozing a McDonald’s.

None of this made headline news in the US until November 1999, when more than 50,000 people took over the streets of Seattle, helping to prevent the WTO Ministerial gathering from negotiating more global trade rules. Inspired by Seattle, similar protests have continued to take place against the WTO, IMF, World Bank, and other institutions of global power throughout the US and other parts of the world. These struggles on the streets and at the teach-ins, marches, meetings, rallies, and seminars are developing new strategic alliances among labor, human rights, environment, student, farming, peace and justice, and many more activists, and they

signal a growing global people's movement. The hopes raised make it all the more important to ground our energy and efforts in an understanding of the forces of corporate and state oppression.

Readings:

- 1 – “Free Trade: The Great Destroyer,” by David Morris, from *The Case Against the Global Economy* (5 pages)
- 2 – “Globalization and the Poor,” by Amitabh Pal (1 page)
- 3 – “A Choice for the Nice Conspirators,” by Caroline Lucas (1 page)
- 4 – “WTO: Militarism Goes Global,” by Molly Morgan (4 pages)
- 5 – “Globalization from Below,” by Jeremy Brecher, Tim Costello, and Brendan Smith (3 pages)
- 6 – “Corporate Cash” flyer (1 page)
- 7 – “The Party of Davos. The Ruling Class Depends on US Power- Which is slipping into crisis” by Jeff Faux (7 pages)

Session IX — What Does Democracy Look Like?

The democratic founding ideals of the American Revolution were soon subordinated to the fears of white propertied men who had the power to take charge and write the Constitution. These men believed that genuine *people's* rule (what Alexander Hamilton called “the mob at the gate”) would undermine the order and stability on which they believed the future of the republic rested. Many people are surprised to learn that the word “democracy” does not appear anywhere in the Constitution of the United States of America.

People ask what alternatives we who resist corporate power suggest. Indeed, a component of our struggle needs to be developing and modeling ways of organizing our common economic and social life based on human equity and ecological health. Ultimately, however, the fundamental alternative to illegitimate corporate governance is democracy: rule by the people.

Cornel West remarked that our minds have been colonized for so long we can scarcely imagine what real democracy would look like. What images and forms could breathe life into self-governance? And how do we achieve it, especially in light of the wide diversity of beliefs, circumstances, and opinions of “the people”?

A key task is to critique what currently passes for democracy. What kind of processes would we design for governing ourselves and selecting our spokespeople? What values and beliefs would underlie our choices? Equally important is the challenge of designing and practicing democratic processes in our own lives and work. What attitudes, behavior, and skills support (and impede) this effort?

We suggest checking in at the beginning of this session by sharing a democratic experience each person has had, and including in the discussion some evaluation of the group's process from the standpoint of democracy: is leadership being shared? Is participation balanced and egalitarian? What helps and what hinders the democratic functioning of the group?

Readings:

- 1 – Excerpt from an interview of Noam Chomsky, by David Barsamian (1 page)
- 2 – “Confining Democratic Politics: Anti-Federalists, Federalists, and the Constitution,” excerpts from a book review by Jennifer Nedelsky (5 pages)
- 3 – Excerpts from *Political Freedom: The Constitutional Powers of the People*, by Alexander

- Meiklejohn (2 pages)
- 4 – Excerpts from *Radical Democracy* by C. Douglas Lummis (4 pages)
 - 5 – “Nature, Human Community, and the Corporation: Characteristics and Contrast,” WILPF handout (2 pages)
 - 6 – “Some Thoughts and Definitions to Inspire Conversation About Democracy,” WILPF handout (2 pages)

Session X — Where Do We Go From Here: Local Campaign Development

This is the final discussion session in this study packet. During this session, the group will need to attend to some logistical business in addition to its regular discussion time.

After discussing the readings, allow some time to discuss the entire program that the group has experienced together. Have the people in the group acquired a broader understanding of how the corporate system works and what the power dynamics are behind it? Does the group have a different vision of democracy and its possibilities? Are people interested in incorporating more democratic practices in their other social and work organizations? Do people feel inspired and empowered to change the system?

Please allow time in this session to fill out the evaluation form, either as a group exercise or each person individually. Feedback from these evaluation forms from people all over the country have helped to improve the study group materials, so we want to know what you think!

Does this group want to continue to meet? There are abundant materials for continued discussion — you can explore the supplementary materials listed with each session or those in the bibliography; the group can find other materials on its own; or we would be happy to work with you to suggest other possibilities. Is the group interested in developing a local action campaign? Would the group like to have a workshop to build on its discussions for action? WILPF can provide a workshop packet, and leadership team members are available for consultations with groups.

If this is the final meeting of the group, be sure to allow time for closure — to say goodbye, to acknowledge the time the group has shared together, to honor each other, and to celebrate your exploration of democracy.

Readings:

- 1 – “Speaking Truth to Power About Campaign Reform,” by Jane Anne Morris (7 pages)
- 2 – WTO article critique by Molly Morgan (2 pages)
- 3 – “The Crackdown,” by Kalle Lasn and Tom Liacas (8 pages)
- 4 – “Look Who Demands Profits Above All,” by Robert B. Reich (2 pages)
- 5 – Evaluation Form (2 pages)
- 6 – “Preempt This! Michigan Cities Fight Back,” by Daniel Kraker (optional, 4 pages)
- 7 – “Idiocy and Sustainability” by Thomas Prugh (optional, 3 pages)

