



Vol 5, #3

Winter 2012

# Justice Rising

Grassroots Solutions to Corporate Rule

## Money in Democracy Part 2

Who — or What — Occupies the Government Control Room?

"We hope to see this sweep the nation until we have a Constitutional Amendment which will return the power to the people."

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The head of the American Petroleum Institute threatened huge "political consequences."

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Corporate executives were joined by Republican state legislators to approve "model" legislation.

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It is time we move our money into public banks, operated in the public interest, aimed at returning prosperity to Main Street.

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A Publication of  
Alliance for  
Democracy





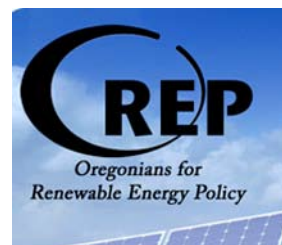
**Alliance for Democracy (AfD)** Since 1996, AfD has brought people together to end our cultural, economic and political domination by large corporations and the wealthy 1%. AfD is one of the founding members of Move To Amend (MTA) and Nancy Price, AfD's Co-chair, serves on the Executive Committee. In many ways, MTA is the realization of Ronnie Dugger's dream of building a strong national people's movement to take on the corporations and end corporate rule. To join with the Alliance in this struggle to create real democracy, call 781-894-1179 or email [afd@thealliancefordemocracy.org](mailto:afd@thealliancefordemocracy.org)

**Local Chapters** • From Boston, MA to Portland, OR, local AfD chapters are the basic operating units, with members educating each other about corporate power and acting against corporate abuses on the local, state and global level. Chapters support fair trade while opposing corporate globalization, and promote community-appropriate economic and political alternatives to corporate domination.



**Defending Water for Life** • AfD works to keep water in public hands and in the public trust as a fundamental right for people and nature. It opposes corporate mining of water to sell for profit. Defending Water supports local communities in asserting local democratic authority to protect their water and the rights of nature, and to deny corporations the illegitimate Constitutional rights granted them by a corporate-friendly Supreme Court.

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**AfD's Local Media Programs Go National** • Populist Dialogues and Corporations & Democracy feature lively interviews with leaders on critical issues of the day — economy, politics, climate and ecojustice, fair trade, water, corporate rule and more — you won't hear on corporate-owned TV and radio stations. They are available anytime anyplace now at [www.PopulistDialogues.org](http://www.PopulistDialogues.org) and <http://afdradio.org/>

**Tools for Organizing** • From pamphlets on "Corporations Are Not People" and "Corporate Bribery: Our Democracy for Sale," to signs and bumper stickers, to "I Miss Democracy" and the "Supreme In-Justices" street theater, use these "tools" as we "join together to end corporate rule." It is all free at [www.thealliancefordemocracy.org/html/eng/2593-AA.shtml](http://www.thealliancefordemocracy.org/html/eng/2593-AA.shtml)



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# Corporate Coup — Popular Pushback

by Jim Tarbell

*All politics comes down to people versus money.*  
— Senator Thomas Hart Benton

This quote by the 19th Century western expansionist Senator succinctly reflects what many know about politics. The patriots knew it when they destroyed shiploads of tea belonging to the British East India Company. In fact, the American Revolution was a revolt against the power of money that had taken over British national policy.

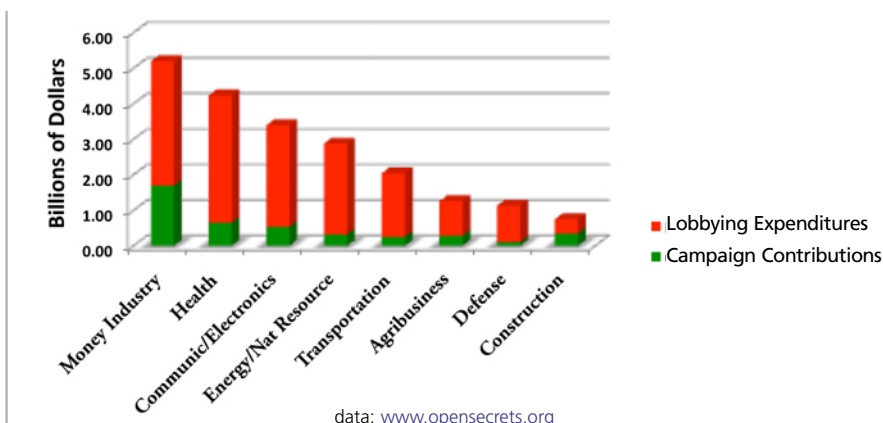
Apologists for modern day corporate lobbying claim that since the founders put the right “to petition the government for a redress of grievances” into the First Amendment, they must have wanted lobbyists hounding government decision makers. History professor Jeffrey L. Pasley, however, points out, “It would have been directly contrary to the hopes of the Federal Constitution’s framers if the new government had been immediately overrun by pressure group politics.”

Now we live in an age when corporate pressure groups have overrun national policy. Starting in the early 1970s (see page 14) corporate money began a long campaign to build our national policies around a corporate agenda. Using lobbyists and think tanks financed by corporate treasuries and corporate-funded foundations, the non-human “corporate person” now occupies our government control room.

Contrary to public perceptions, the “corporate person” has arrived in that position by spending much more on lobbying and think tanks than on financing electoral campaigns. Between 2001 and 2010, the eight largest corporate sectors spent \$16.68 billion dollars on lobbying. That is four times as much as they spent on campaign contributions. If you add in miscellaneous business lobbying, it gets up over \$20 billion. These eight corporate sectors spent 80% of all money spent on lobbying

The popular narrative is that lobbyists bribe federal officials with suitcases of this cash. That is not exactly the case. While Republicans try to drown government by cutting funding, corporate lobbyists gain sway by providing “services” that politicians, regulators and judges need, but cannot afford. These services include putting on campaign fundraisers, forming bogus grassroots pressure groups, providing office services, sharing political intelligence, placing advertising in politically connected venues and offering legal advice. It may not be suitcases of cash, but it is millions of dollars in services. You decide if it is bribery.

## Lobbying & Electoral Expenditures by the Eight Largest Corporate Sectors, 2001-2010



Besides lobbying, corporate money has also been flowing into policy research institutes like the American Enterprise Institute (AEI) and the Heritage Foundation. These think tanks first perfected pro-corporate policy development and dissemination using linguistic spin and modern communications technologies more like a PR firm. As the National Committee for Responsive Philanthropy points out, “these groups operate more like ‘extra — party’ organizations adopting the tactics of a permanent political campaign.”

Once these institutions put out their spin the corporate media picks up the ball and runs with it. They quickly launched into using “free market” when referring to our economic system where money is power. They also popularized the term “free trade” when discussing a global trading system colonized by corporations with budgets bigger and more powerful than most of the nations of the world.

This issue of *Justice Rising* gives you in-depth stories of different aspects of the corporate take over of American public policy. But it also gives you a view of the popular pushback that is growing both in this country and around the world. The Occupy Movement, though now in a winter hibernation, is still alive and active and set to burst back on the scene this spring. At the same time, the drive to end corporate personhood has been adopted as official policy by the largest municipal governments in the land (see page 2).

Change is coming, but confronting the empire is not easy and its success should not be taken for granted. Only when concerned citizens devote their full participation to building a movement more powerful than money will policies for the common good gain power over policies of the 1%.

**Using lobbyists and think tanks financed by corporate treasuries and corporate-funded foundations, the non-human “corporate person” now occupies our government control room.**



AfD Co-chair David Delk (left), a fully participatory citizen, whose Supreme Court antics have been replicated by many others.  
photo: Bobby Allyn

# People Power Comes Alive

by Jim Tarbell

Events around the world in the past year have demonstrated that people are beginning to push back against corporate power. Suddenly participatory citizens have begun telling the government what to do, putting the dominating roles of corporations, dictators and military tyrants under attack globally. The drive to end corporate personhood has become a central focus of people's demands in the United States.

This drive was central to the great movement in Wisconsin that opposed corporate-financed attacks on workers. Last August, it also instigated the first-ever Democracy Convention in Madison, which declared "A new movement — a democracy movement — was born in the streets of Seattle on November 30, 1999. This movement's early years were not easy. Pro-democracy organizers faced crisis after crisis: the stolen presidential elections of 2000 and 2004; the militarization of America that followed September 11th; the Supreme Court ruling that corporations wield Constitutional rights to buy elections; and today, an economic crisis that is being used to impose fiscal austerity and corporatization schemes on our states and people. Through these difficult struggles, the new democracy movement has taken form, expanded, and matured." Now this movement has come of age and is producing results in cities and states across the country.

In 2011, city councils from Fort Bragg to Los Angeles passed resolutions supporting a Constitutional Amendment to end corporate personhood. After the vote in Los Angeles, Move to Amend organizer Mary Beth Fielder declared "This is an incredibly historic day. Los Angeles is the first major city in the United States to call for a Constitutional Amendment calling to clearly establish that only human beings are entitled to Constitutional rights and that money is not the same as free speech. It provides the basis to overturn the Citizens United decision; to get the money out of politics and put the people back in charge. It's a great day for Los Angeles and it's a great day for the

**"We cannot allow corporate money to manipulate our democracy."**

Caucus of the New York City Council



United States of America. I hope this is the vote heard around the world that really is a symbol to the rest of the country that they can do the same as

we've done and together we're going to develop the grassroots support we need to actually amend our Constitution and that's going to be done sooner rather than later."

Los Angeles City Council President Eric Garcetti added, "Every struggle to amend the Constitution began as just a group of regular Americans who wanted to end slavery, who thought women should vote, who believed that if you're old enough to be drafted, you should be old enough to vote. These are how American amendments move forward from the grassroots when Americans say enough is enough. This becomes the official position of the City of Los Angeles, we will officially lobby for this. I also chair a group which oversees all the Democratic mayors and council members in the country and we're going to share this with all our 3,000 members and we hope to see this start here in the west and sweep the nation until one day we do have a Constitutional Amendment which will return the power to the people."

Meanwhile grassroots efforts took corporate personhood directly to the voters. In Madison and Dane County, Wisconsin, 84% of the voters approved two separate resolutions supporting a Constitutional Amendment declaring that only human beings are entitled to Constitutional rights. Then in November, in Boulder, Colorado, 74% of the voters supported a ballot measure calling for an amendment stating that corporations are not people and rejecting the legal status of money as free speech.

So far in 2012, at a clip of almost two city councils a week, Portland, Maine and Portland, Oregon, Duluth, Minnesota and Pueblo, Colorado along with the Big Apple, New York City, all passed resolutions supporting a Constitutional Amendment ending corporate personhood. A press release from the caucus of New York City councilors that got the resolution through said, "We believe that corporations should not share the same rights as people, that unlimited and unreported corporate donations meant to sway the electoral process should not be considered freedom of speech, and that the government should regulate the raising and spending of money by corporations intended to influence elections. We cannot allow corporate money to manipulate our democracy."



LA Council President, Eric Garcetti, and Mary Beth Fielder announcing passage of resolution challenging corporate personhood.

# Fossil Fuel Industry Controls Federal Policy

by Bill McKibben

It's time to say, straight out, why we're in trouble — why, on the issue that means the most to me, we've made absolutely no progress in our country in dealing with climate change. It's not because of the science — scientists have been all but unanimous about the danger. It's not for lack of popular will — the polling consistently shows Americans want action and are even willing to pay more for energy. The reason is fairly simple: the power of the fossil fuel industry to stall change. Big energy is the 1% of the 1% — it's the most profitable enterprise in the history of business.

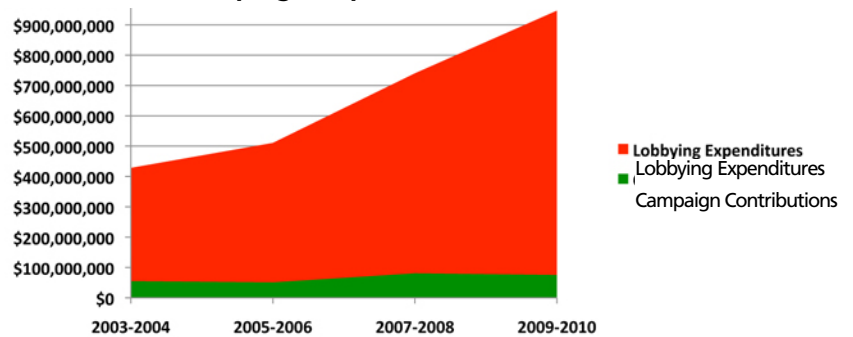
Here's what I mean in practical terms. Many of you joined in the fight against the Keystone Pipeline this past fall, because that pipeline would help crack open the tar sands of Canada, the second-biggest source of carbon on the planet. Out in the open, we had a chance; we used the tools of democracy to foster a debate. Over 1200 people were arrested in the largest display of civil disobedience in this country in 30 years; 12,000 circled the White House. 500,000 wrote public comments on the pipeline, the most for any energy project in the nation's history. And we actually won a temporary delay, which is about as big a victory as environmentalists ever win.

But as soon as Congress returned to DC, the power of big oil went to work. The head of the American Petroleum Institute threatened "huge political consequences" for anyone who blocked the pipeline. But it wasn't just sticks, they had plenty of carrots too. The House voted 234-193 to speed up the pipeline again — and those 234 ayes had taken \$42 million in contributions from the fossil fuel industry. That is simply not fair. It wouldn't be fair if it was your daughter's middle school gymnastics meet. You should not take money from companies and then vote on their interests.

Which is why, on the Monday Congress reconvened in January, hundreds of us were outside Congress, wearing referee uniforms. We wanted to blow the whistle, as it were, on the collusion between business and politics that is wrecking, among many other things, the planet's atmosphere.

But I want to speak for a moment not as an organizer but as a writer. There's a deeper reason to be angry at decisions like Citizens United, one that as a writer seems important to me. And that's that it tells a lie. Corporations aren't people. They're not evil, necessarily, but they are simple. People are complicated — we have instincts, emotions, relationships. We can see back into the past, and

## Energy/Natural Resource Industry Lobbying and Campaign Expenditures 2003-2010



Over the past decade, energy and natural resource corporations doubled their spending to control federal policy on energy issues. As the dangers of global warming and climate change became more apparent — with Pacific islands inundated by the oceans and devastating hurricanes taking lives around the world — these corporations spent \$2.6 billion from 2003 to 2010 to stymie all efforts to create a coherent national policy that directly confronts the impending global disaster caused by the fossil fuel industry. As the chart above shows, while the industry spent \$262 million in campaign contributions over that period, they spent over ten times as much, \$2.3 billion, on lobbying our legislators, public servants and judiciary to make sure that no significant federal policy could be formed to counteract the impacts of climate change..

data: [www.opensecrets.org](http://www.opensecrets.org)

imagine far into the future. We have children, and friends, which help us take the focus off ourselves. We often act badly, but we also often act unexpectedly — deep and mysterious creations like art and religion help make us unpredictable, sometimes even to ourselves. Corporations, on the other hand, are the model of simplicity. If they were organisms, they'd be more like single-celled flagellates on a petri dish, wiggling their way to the sugar on one edge. They exist to maximize profit, and they are good at it; hence, properly regulated, they can be a useful force in a society. But unregulated, or given the political power to in essence regulate themselves, they become problems precisely because they aren't like people. The Supreme Court has, repeatedly, made an error in its thinking, a kind of category mistake. Clearly it's up to us to set them right.

**The Supreme Court has, repeatedly, made an error in its thinking. ... Clearly it's up to us to set them right.**

*Bill McKibben has authored a dozen books on the environment, beginning with The End of Nature in 1989. He is a founder of the grassroots climate campaign [350.org](http://350.org), which has coordinated 15,000 rallies in 189 countries since 2009.*



Refugees fleeing inundated Pacific Islands photo: Climate Refugees



# Corporate Assault on Regulations Meant to Protect Families and Communities

Big business lobbyists and their allies in Congress waged systematic attacks against regulations in 2011, attempting to undermine the protections that keep our environment clean, our products and workplaces safe, and our economy prosperous. Underlying the charge against basic protections is an attack on government's role in safeguarding the general welfare of its citizens and in addressing the negative effects of irresponsible corporate behavior.

2011 did not see the large-scale corporate catastrophes witnessed in 2010 – but the individuals and families who lost loved ones from faulty children's products, workplace safety problems, and food borne contaminants bear witness to ongoing hazards. However, despite this evidence and strong public support for a variety of health, safety, and environmental safeguards, large corporate interests and their allies in Congress intensified their attacks on public protections. The assault on public protections is decades old, but recently, the attacks have become more extreme, designed to block rulemaking entirely through regulatory moratoria and endless litigation.

The current assault on regulations started after the 2010 elections when the House switched from Democratic to Republican control. Environmental regulations and the US Environmental Protection Agency (EPA) have been the primary targets of these legislative attacks, especially those rules that would affect climate change.

Beyond specific attacks on environmental

and public health rules, many of the anti-regulatory proposals in

Congress call for adding more procedural hurdles to a rulemaking process

that is already riddled with legislative and administrative obstacles. Adding redundant analyses, expanding options for congressional rejection of agency actions, and overriding important health, safety, and environmental statutes are just some of the ways regulatory opponents are trying to short-circuit the process.

House Republicans have also tried to load the 2012 spending bill for the Department of the Interior and the EPA with dozens of policy riders that would hamper efforts to protect our health, air, water, and wildlife. Some provisions would block regulations intended to protect streams and communities from mountaintop-removal coal mining, prohibit the EPA from regulating coal ash as a hazardous waste, and prevent the EPA from limiting toxic air pollutants from a number of sources. The appropriations bill, H.R. 2584, would reduce Interior and EPA funding 18 percent below current levels. Similarly, a funding measure that targets programs within the Department of Labor would weaken important worker protections.

In 2012, the Senate will be under pressure from anti-regulatory forces to vote on bills passed by the House. In an election year, these pressures will probably be greater than usual, and the anti-regulatory rhetoric will be even sharper, as the battle for control of the Senate plays out.

The anti-regulatory meme has been perpetrated by corporations and their political allies for decades, even during periods when both jobs and the economy were experiencing strong growth and in the face of evidence that undermines the industry narrative.

The evidence is clear: the American people do not have to choose between job creation and protecting their families and communities from environmental, workplace, and consumer product hazards. Attempts by Congress to dismantle the regulatory system will do nothing to create jobs now and could cost American businesses the jobs and industries of the future

*These articles are excerpted from [Government and Public Protections Under Attack in 2011](#) by OMB Watch.*



photo: San Francisco Bay View

**The evidence is clear: the American people do not have to choose between job creation and protecting their families and communities.**

## Adhering to the Corporate Agenda

One of the most blatant Obama-era examples of political interference in agency rulemaking came when the president ordered the EPA to withdraw a rule establishing a new standard for ground-level ozone pollution. EPA Administrator Lisa Jackson had pursued the rule as recommended by the agency's scientific advisory panel. According to a *New York Times* article describing the inner workings of the White House's decision process on the ozone rule, Jackson was pitted against William Daley, then-Chief of Staff and Obama's liaison to the business community and Cass Sunstein, the administrator of the Office of Information and Regulatory Affairs (OIRA).

The ozone rule is not an isolated incident of political interference with agency rulemaking. Other rules, including two from the Department of Labor have been delayed or killed, and many advocates continue to criticize OIRA for delaying important rulemakings. A study released in November by the Center for Progressive Reform (CPR) charged that OIRA "routinely substitutes its judgment for that of the [agency experts]," and that the internal review process is tilted in favor of industry interests.

The report studied all OIRA meetings with interested outside parties conducted during a period of almost ten years between 2001 and 2011 and revealed that industry lobbyists were the lone participants in 73 percent of the meetings.

# ALEC Revealed

by Lisa Graves

In April 2011, some of the biggest corporations in the US met behind closed doors in Cincinnati about their wish lists for changing state laws. This exchange was part of a series of corporate meetings nurtured and fueled by the Koch Industries family fortune and other corporate funding.

At an extravagant hotel gilded just before the Great Depression, corporate executives from the tobacco giant R.J. Reynolds, State Farm Insurance, and other corporations were joined by their "task force" co-chairs — all Republican state legislators — to approve "model" legislation. They jointly head task forces of what is called the "American Legislative Exchange Council" (ALEC).

At these ALEC gatherings corporate representatives and state legislators vote on draft bills to rewrite numerous state laws. In fact, corporations vote as equals with elected politicians on these bills. These task forces target legal rules that reach into almost every area of American life: worker and consumer rights; education; the rights of Americans injured or killed by corporations; taxes; health care; immigration; and the quality of the air we breathe and the water we drink.

The bills that ALEC corporate leaders, company representatives and politicians voted on this past spring then headed to a luxury hotel in New Orleans' French Quarter for ALEC's national retreat. In New Orleans, Koch Industries — through its chief lobbyist — and lobbyists of other global companies held a "joint board meeting" where a rookery of Republican legislators on ALEC's public board ratified the model bills. Before the bills are publicly introduced in state legislatures by ALEC politicians or alumni in the governor's offices, they are be cleansed of any reference to the secret corporate voting or who really wrote them.

By checking out the website [ALECExposed.org](http://ALECExposed.org), the public can now pierce through some of the subterfuge about ALEC. You can see beyond the names of the bills to what the bills really do. Seeing the text of the bills helps reveal the actual language of legal changes ALEC corporations desire. There is also helpful analysis to decode what the bills really mean. In addition you will see the names of corporations that lead or have helped lead ALEC's agenda.

Many of the bills have obvious financial benefits for corporations but little or no direct benefit to the constituents that a particular legislator was elected to represent. Still, it may be tempting to dismiss ALEC as merely institutionalizing business as usual for lobbyists, except that ALEC's tax-free donations require that ALEC not spend a substantial amount of time on lobbying to change

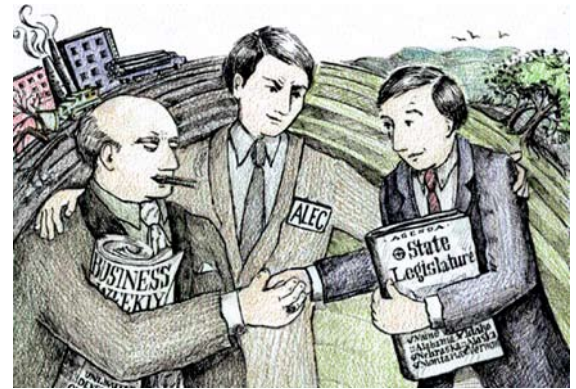
the law. Meanwhile, ALEC has publicly boasted of its "unparalleled" success in terms of the number of model bills introduced and made binding on the rest of us. ALEC says it has created a "unique" partnership between corporations and politicians. And it has.

It is a worrisome marriage of corporations and politicians, which seems to normalize a kind of corruption of the legislative process — of the democratic process — in a nation of free people where the government is supposed to be of, by, and for the people, not the corporations.

The full sweep of the bills and their implications for America's future, the corporate voting, and the extent of the corporate subsidy of ALEC's legislation laundering all raise substantial questions. These questions should concern all Americans. They go to the heart of the health of our democracy, the direction of our country, the soul of our nation. When politicians — no matter their party — systematically put the profits of global corporations above the real needs of the people who elected them, something has gone very awry. It is a form of corruption that must be resisted.

As President Teddy Roosevelt observed in response to the corporate money of robber barons corrupting the democratic process a century ago, "The true friend of property, the true conservative, is he who insists that property shall be the servant and not the master of the commonwealth. ... The citizens of the United States must effectively control the mighty commercial forces which they have called into being." And, so we must.

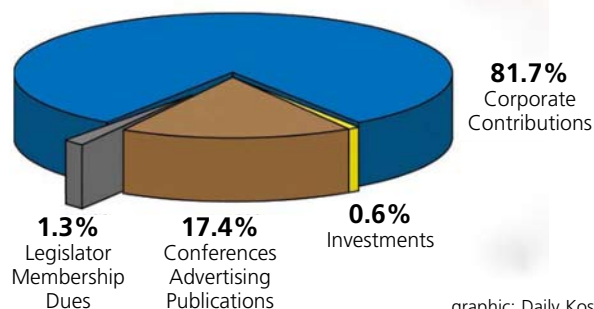
Lisa Graves is the Executive Director of the Center for Media and Democracy and a major driver behind the website [ALECExposed.org](http://ALECExposed.org)



graphic: Daily Kos

**When politicians — no matter their party — put corporate profits above the real needs of the people who elected them, something has gone awry.**

**ALEC Revenue**  
by Source 2008



graphic: Daily Kos

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**JUSTICE RISING** is a publication of **the Alliance for Democracy**, whose mission is to end the domination of our politics, our economics, the environment, and our culture by large corporations. The Alliance seeks to establish true economic and political democracy and to create a just society with a sustainable, equitable economy.

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Cover artist **Peter Veres** is a San Francisco-based *maestro* of tile, monsters and mythical creatures. You can see his work at [www.mosaic-mercantile.com](http://www.mosaic-mercantile.com) and check out his book *Kati's Story: Recollections of Two Worlds* at [www.authorhouse.com](http://www.authorhouse.com) and at [Amazon.com](http://Amazon.com)

## Create Real Democracy Support the Alliance for Democracy

Join with others committed to creating responsive, participatory democracy, as well as a sustainable, equitable society by making a donation to the AfD.

The Alliance is an anti-Super-PAC. Your financial contribution will support our campaign to end corporate rule and create a political environment in which the people's voice will be heard.

Please fill out the membership form on page 17 or become a member online at [www.thealliancefordemocracy.org/join.html](http://www.thealliancefordemocracy.org/join.html) Use that site to become a sustaining donor. Giving regularly is a great help in planning throughout the year.

AfD members receive *Justice Rising* and alerts about critical pro-democracy actions across the country. For questions about our programs or membership, contact the national office at 781-894-1179 or

[afd@thealliancefordemocracy.org](mailto:afd@thealliancefordemocracy.org). We are a 501(c)(3) non-profit-all donations are tax-deductible. Thank you for your support.



# Justice Rising

by Jim Tarbell



While researching this issue of *Justice Rising* in Washington DC, I asked people, "Who tells the government what to do?" From lobbyists to a CEO of a prominent DC non-profit to one of the top regulators in the country everyone surprised me with the same answer — "The banks."

Money is power, and that is a recurrent message in *Justice Rising*. Throughout American history there have been cycles of money power and popular power. We are now, full flush in an era of corporate power and the corporate-financed political class, that directs this money power, has failed the country. Critical government actions that could deal with climate change, resource depletion and economic inequality, or promote the spread of a cooperative global peace are all stymied by the agenda of corporate power. As global warming wracks the planet, economic collapse rocks this country, and the US continues to expand its military around the world, it is crucial for our country and the planet that we wrest control of governmental decision making back from the corporate elites.

This was a solution that the Populists came up with in the 1890s when they proposed a subtreasury that would base our currency on agricultural crops as a counterpoint to our private banking system. They also created a whole cooperative-based economic system that threatened to move control of this country from self-serving, for-profit corporations to community enterprises serving the common good. The Populists' political successes scared the elites so much, it led them to undertake a sustained corporate coup that allowed them to fully take control of our national politics (see Page 13).

The Depression and Franklin Delano Roosevelt's New Deal ameliorated the worst abuses of the corporate elites and the post-war economic expansion diverted attention from the issue of corporate power. This was followed by the rights-based revolt of the 1960s that again conceived of entirely new ways for American society to function in an egalitarian, participatory manner.

Then in the early 1970s, a second corporate coup got underway as money power financed a whole new level of private, think-tank policy houses which began developing pro-corporate national policies. They brought Ronald Reagan to power in 1981, and completed their coup in the past decade with the appointments of John Roberts and Samuel Alito to the Supreme Court. That Court's Citizens United decision in 2010, which gave corporate money free reign to control our elections, was the money-powered coup's premier achievement.

Now the pushback has begun. Occupies have taken over public spaces across the country. City Councils from Fort Bragg, California, to New York City are calling for a Constitutional Amendment banning corporate personhood and ensuring that rights are only for human beings. A solidarity economy that promotes local ownership, democratic participation, and concern for the common good is on the move around the World. It is time that the people successfully direct the government to implement responsible public policies that deal with the horrors of climate change, reinstate economic opportunity and a viable middle class, and promote peace around the world.

This will only happen if we stand united and strong in the face of money power. It will also only happen if our public employees serve the common good rather than the corporate good. That is the topic of the next *Justice Rising*, the third in our series on *Money in Democracy*. That issue will look at who we have hired to run our government, how that process works and how much damage the revolving door between government and corporate America causes.



# Occupy the Courts

## Citizens United Two Years Later

by Andrew Ramonas, Sheri Qualters and  
Amanda Bronstad

The Occupy Movement took its campaign against corporate domination to the federal judiciary on Friday, January 20, 2012 storming the US Supreme Court building and demonstrating at 140 other courthouses nationwide to protest the high court's 2010 "Citizens United" decision.

"Corporations are not persons, and money is not political speech!" proclaimed "Occupy the Courts" leader David Cobb in front of several hundred people at a grassy area on US Capitol grounds across the street from the Supreme Court.

Demonstrators, some of them from the Occupy Wall Street encampments in Washington, later moved across the street to the Court, where they pushed through a police barricade and ran up the Court's steps almost to the columns that guard the bronze front doors. Court police allowed the demonstrators to advance, even though federal law prohibits demonstrations on Court grounds. Finally, an hour after the protesters entered onto Court property, police began making arrests and ordering remaining demonstrators down the steps. A Court spokeswoman said a dozen people had been arrested.

The protests marked the two-year anniversary of the Supreme Court's 5-4 decision in *Citizens United v. Federal Election Commission*, which struck down restrictions on independent expenditures by corporations and unions in election campaigns. Critics say the ruling has injected millions of dollars into campaigns, often in the form of attack advertising funded by independent "Super-PACs" that cannot be directly traced or imputed to candidates.

Several leaders of the protest said their coverage of the Super-PACs and their impact on the Republican presidential primaries has helped galvanize opposition. "We are seeing how this disgusting decision is corrupting our system," said Medea Benjamin of Code Pink, a longtime DC activist who helped organize Friday's protests. "And we ain't seen nothing yet. Wait until the races get underway, and this will be influencing congressional races, everything." Asked why she was demonstrating at the Court, she said, "This is the scene of the crime."

Protesters are building on these protests to push for a Constitutional Amendment that would overturn *Citizens United* by stating that money is not speech and corporations are not persons under the law. Asked if a Constitutional Amendment is a realistic goal, Joan Stallard, a demonstrator from DC, said, "The Constitution



Afd Co-chair Nancy Price (right center) sings along with other citizens as part of "The Supremes Song & Dance Troupe" at the Occupy the Courts rally in Washington, DC., one of many protests nationwide organized by Alliance for Democracy chapters and Move To Amend Affiliates. Read [Move To Amend's proposed 28th Amendment to the Constitution](http://move.to/amend.org/amendment) at <http://move.to/amend.org/amendment> photo: TED

has been amended 27 times, and we can do it again." She said more and more of the public is beginning to understand "the power of corporations in our political system" and will be receptive to a Constitutional change.

In Boston, protests included speeches and music by a fife and drum team dressed in Revolutionary-era clothing. An "auctioneer" dressed in top hat and tails sold rights such as free speech and freedom of the press to the highest bidders, who were corporations represented by people dressed in boxes with the names of companies. About 150 people braved 29-degree weather to participate in the Boston protest behind the John J. Moakley US Courthouse. One woman pushed a toddler in a stroller with a sign attached that said, "no corporation ever gave me a hug."

Roughly 100 people chanted slogans outside the US Court of Appeals in San Francisco. And in West Palm Beach, approximately 40 people protested at the federal courthouse, with one stating, "I don't want corporations to buy the presidency." Demonstrators also gathered in Portland, Oregon and Detroit. In Chicago, 50 demonstrators came out in driving snow, with one holding a sign that said, "Citizens United against Citizens United."

In New York City, where the "Occupy" protests began, demonstrators moved the location of their anti-court protest to Foley Square, after a federal judge on Thursday nixed their preferred location outside the Daniel Patrick Moynihan courthouse.

*This is an excerpt from the Blog of the Legal Times: Law and Lobbying in the Nation's Capital.*

**"This is the scene of the crime."**

Medea Benjamin



Afd Vice Co-chair Ruth Caplan occupying the Supreme Court on January 20, 2012 photo: TED

# Occupy is Occupying



photo: October2011.org

by Margaret Flowers and Kevin Zeese



Though only a few months old, the Occupy Movement has changed the public debate. Republicans are being told by their pollster, Frank Luntz, that they have to change their vocabulary because of the Occupy Movement — no more talk of bonuses, capitalism or tax cuts for the rich. And, President Obama is trying to reframe his stance, as he did in his State of the Union speech highlighting the unfairness in the economy.

But neither party is actually changing their actions. They are trying, through rhetoric based on marketing research, to appear as though they empathize with the American people, that they hear us and understand. The Democrats through their supporters SEIU and MoveOn, even went as far as creating their own five day “occupation” on the National Mall. But, President Obama still surrounds himself with Wall Street advisers and is taking record amounts in Wall Street donations. The Republicans still block taxes on the wealthy, jobs programs and sensible economic policy.

The parties need to know — the occupiers will not be fooled. The American people are smarter than the economic and political elites realize. We are onto their “funnel wealth to the top” game and know that it will not trickle down. In fact, we don't want a trickle. It is time to end policies for the 1% and put in place policies for the 99%.

On our website, [October2011.org](http://October2011.org), we identify 15 areas of crisis such as housing, jobs, education, health care, the environment, and the economy. For each of these crises, there are solutions based on evidence. Some of these solutions even have support by super-majorities of Americans. Not only are these solutions not being heard

in Congress, but Congress is actually going in the opposite direction on them; expanding our military instead of reducing it, cutting our social insurances, not investing in green energy, and not getting money out of politics.

At Occupy Washington, DC on Freedom Plaza we held our own Occupied Super Committee hearing. We thought of it as a truly liberated deficit hearing in which we were able to bring in experts and hear evidence-based solutions that are not “on the table” in Congress. In fact, it is Congress that is “occupied” by corporate interests, which limit what can be discussed.

From our deficit hearing, we produced the “99%'s Deficit Proposal.” The United States has enough wealth to meet our human needs. We demonstrated that by taxing the wealthy and ending corporate welfare, we can raise in two years what the super committee sought to raise in 10 years, and also create a massive jobs program, make mortgages reflect the real value of homes, erase student loan debt, protect retirement security and improve and expand



photo: October2011.org



# the Public Dialogue



photo: October2011.org



photo: John Quigley

Medicare so it covers everyone.

The Occupy Movement is causing fear in members of Congress and corporate executives. The super committee chose not to issue any report and did not even hold a press conference or hearing at the time their report was due. Corporate executives are taking measures to increase security so that Occupiers do not attend their board meetings.

There have been efforts to stop the Occupy Movement. Law enforcement and state officials are holding national conference calls and coordinating crackdowns on the Occupations. They are finding that these efforts, some involving real police brutality, make the movement grow stronger and that you can't evict the ideas of the Occupy Movement. People have found their political voices, see their political power and will not give them up.

We anticipate that the occupation of Freedom Plaza has been left alone because officials do not want to see it grow. There are added problems in that many of the police in DC, who are definitely part of the 99% with slashed pensions and forced overtime, support the goals of the Occupy Movement.

This may be one reason that the National Defense Authorization Act currently contains language that would allow loose definitions of terrorist groups, allow indefinite detention and allow the US military to be used against citizens on our own soil. The post-civil war era law, Posse Comitatus Act which prevented domestic use of the military, has been ended by the 2011 Defense Authorization.

Despite these attacks, the Occupy Movement will continue to grow. Economic insecurity affects every American. We are planning an American Spring and invite all Occupiers to come to the National Occupation of Washington, DC (NOWC.org) beginning on March 30 for a massive encampment that will show that we have the power to change the government through using nonviolent civil resistance and noncooperation. Both parties will be pressured by this independent movement that recognizes the corruption of the system and the complicity of both parties.

We seek to end corporate rule and change the political system to a participatory democracy in which our voices are heard and our resources are used for human needs and protection of the planet. Join us. The people have the power. We just need to recognize it, organize and mobilize to create the world we wish to see. Visit [www.October2011.org](http://www.October2011.org) for more information.

*Kevin Zeese and Margaret Flowers are organizers of Occupy Washington, DC ([www.October2011.org](http://www.October2011.org)) and co-directors of It's Our Economy ([ItsOurEconomy.US](http://ItsOurEconomy.US)).*

## The Super Committee Failed. WE HAVE A SOLUTION.

### The 99%'s Proposal

How to Create Jobs, Reduce the Wealth Divide & Control Spending

On November 17, 2011,  
[ Occupy Freedom Plaza presented a plan to address the deficit  
to the 12 members of the US Congressional Super Committee. ]

**We can re-start our economy** and avoid placing financial burdens on future generations. For the most part these ideas are not new. They represent mainstream economic analysis and are consistent with the views of the majority of Americans on key issues.

More than three-quarters of U.S. citizens say the country's economic structure is out of balance and "favors a very small proportion of the rich over the rest of the country." They are right. The solutions to our economic crisis are evident but they are blocked by those who profit from the status quo.

### The 99% deficit solution:



Read the complete report and sign the petition  
**OccupywashingtonDC.org**

IND US on

facebook - 99 Percent SOLUTION

Paid Advertisement by 99 people via LoudSauce.

graphic: October2011.org

# Public Banking or Bust

by Robert Bows

One of the Occupy Wall Street (OWS) movement's achievements is the scrutiny it has brought to the banking industry's influence over virtually all aspects of our society. This worldwide teach-in has stimulated a debate on solutions to the persistent economic problems that stem from the way private banks create money.

One of these solutions is public banks, which have proven to be so successful that they threaten private banks. In the United States, the only publicly owned bank belongs to the State of North Dakota. Initially, it was organized in response to the theft of family farms by the big Minneapolis and Chicago banks. Opened in 1919, it was rough going at first, with the large banks blocking the sale of bonds to capitalize the bank. Eventually, though, a coalition of labor unions and individuals invested and the Bank of North Dakota (BND) was on its way.

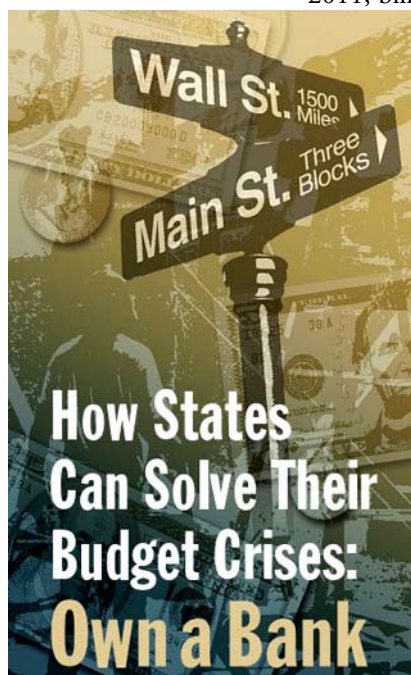
Over the years, the BND has served the people of North Dakota in a variety of ways, including renegotiating loans and mortgages when natural and economic disasters occur; partnering with local community banks to provide additional capital; and expertise in an ever-increasing regulatory environment designed by the big banks to drive smaller banks out of business; leading the nation in implementing student loan programs; and supplementing the revenues of the state's general fund (\$350 million in the last 10 years), all the while expanding its loan portfolio.

During the legislative sessions of 2010 and 2011, bills to create or study the creation of public banks were introduced in 14 states. BND President Eric Hardmeyer recently noted that he has received inquiries regarding public banking from dozens of states. Many of the state bills are being spearheaded by legislative leaders, who are taking the initiative in educating people on the advantages of publicly owned banks.

Because of pushback from the large private banks and their networks, the public banking movement, much like the Occupy Movement, is now decentralizing, with cities and counties beginning to consider the organization of their own banks.

Lately, one of the most interesting developments is the growing synergy between foreclosure/mortgage issues, the effects of the depression on local governments, and the growing awareness of public banking. It has been

**Counties could declare eminent domain and seize all foreclosed property within their jurisdiction. ... income from the rental, sale, or mortgaging of these properties could be leveraged to capitalize county-owned banks.**



graphic: PBI



photo: Another World is Possible

suggested that counties could declare eminent domain and seize all foreclosed property within their jurisdiction, arguing that repairing the blight and recovering their costs are in the public interest. In a short time, income from the rental, sale, or mortgaging of these properties could be leveraged to capitalize county-owned banks.

Having publicly owned banks can save counties, cities, states, nations between 40 and 50 percent of the cost of public works projects (interest costs), since any interest that the public bank might charge is returned to the county's general fund or used to expand its loan portfolio. So, either twice as much would get built, or capital projects would cost half of what they would when financed by private banks.

The possibilities for infrastructure and public services improvements are boundless, including schools, renewable energy, social services, environmental restoration, and much needed jobs.

Cities, counties, and states are just beginning to understand the credit they currently are giving away by depositing their tax revenues and rainy-day funds in Wall Street banks, which use these monies: 1) to invest in overseas and out-of-state companies that compete with local industries; and 2) to speculate in derivatives or in food — artificially driving up prices around the world.

It is time we move our money into public banks, operated in the public interest, aimed at returning prosperity to Main Street. After all, small businesses account for over 50% of the jobs in America. It's time to get this country back on its feet again by breaking the chains of debt slavery to private banks.

*Robert Bows is a board member of the Public Banking Institute and serves as its media and communications manager. He reviews theatre and has worked in public television as a producer, writer, director, narrator, and host, is a pseudonymous novelist and playwright, an instructional designer who has created courseware for instructor-led, web-based, and mobile learning, and has practiced yoga for over 40 years.*



# Populism Isn't Dead, It's Marching

by Ashley Sanders

Not so long ago, Americans witnessed the beginning of a mass democratic uprising. Thousands of average people, disgusted by greedy elites and corporate control of government, launched a movement that spread to almost every state in the nation. They did it to reject debt. They did it to fight foreclosures. They did it to topple a world where the one percent determined life for the other 99. And they did all of it against incredible odds, with a self-respect that stymied critics.

The year? 1877. The people? Dirt-poor farmers who would come to be known as Populists. Now it's 2012, and the People are stirring again. It's been months since a few hundred dreamers pitched their tents in Zuccotti Park and stayed. These people were not Populists, but they had the same complaints. They couldn't make rent. They had no future. They lived in a nation with one price for the rich and another for the poor. And they knew that whatever anyone said, that they didn't have real democracy.

The Populists did not confuse action with aimlessness; they were radicals with a plan. Being destitute, they understood the need to create economic alternatives that immediately relieved other poor people and brought them into broader struggle. They created the Farmers Alliance Exchange, a cotton co-op that pooled resources to buy equipment, market the harvest, and sell in bulk to foreign and domestic buyers. This system allowed the farmers to depend less on the merchant for credit, and to sell their crops at better prices. It also served as a powerful recruitment tool: the co-op attracted recruits and showed them through their own experience how and why the dominant economic system failed them. Participating in the co-ops gave average farmers a sense of dignity, greater economic independence, class consciousness, and experience solving complicated problems together.

Right now, Occupy may represent the 99 percent, but in reality we're our least favorite number: the one percent. To really get people involved, we can't ask people to come to us. We have to come to them. We have to diligently and deliberately reach out to those most affected by our rapacious financial system: people of color, the poor, immigrants and women. And we should do this by working with established community groups and individuals, radically listening to what folks really want and need. Some Occupies have done a great job reaching out to unions, community groups and regular folks. The rest of us are trying. It takes planning and dogged determination. It takes humility and a

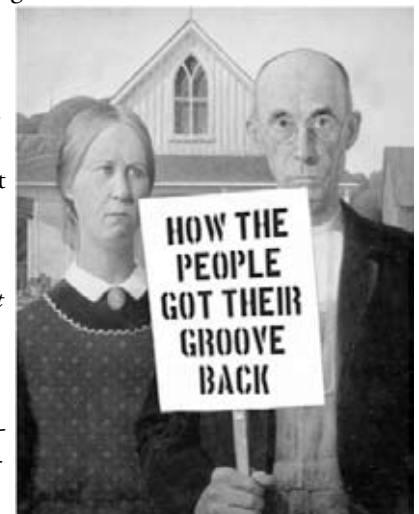
high tolerance for discomfort. And it takes realizing that most people are busy trying to survive and need solutions that will tangibly improve their lives. There is magic to any movement — that soul that makes it sing — but in organizing, no rabbits pop out of hats. If you want to reach the people, you have to reach out, one hand in welcome and the other in offering. You do this door by door, neighborhood by neighborhood, church by church, until you've not just imagined the 99 percent: you've met them.

- Practice democracy fairly. Hold ongoing teachings on racism, classism, and patriarchy developed by those most oppressed and supported by their allies.
- Practice democracy fully. Most of us weren't taught how to make decisions together, so we need to learn. Invite professional facilitators to do trainings on true consensus. Pinpoint places where democracy is breaking down and find solutions.
- Know your neighbor. Set up a storytelling tent. Talk to people about why they are here, what they're angry about, who they are, what solutions they have.
- Heal. We're all coming to this with emotion and history. Some of us are new, and impatient. Some of us are old, and can not bear to fail again. A lot of infighting is the result of unspoken despair and disillusionment. The "real" world silences those emotions, but Occupy is an opportunity for voice.
- Strategize. Challenge cavalier assumptions about what does and does not work. Merge this into a multi-day, consensus-based visioning session and come up with concrete goals and strategies for your local Occupy.

Democracy is not an idea, a monument or a building. Democracy is nothing short of being fully alive and defending the fully living. Populism isn't dead: it's marching.

*Ashley Sanders worked as a youth spokesperson for Ralph Nader and continued the fight against corporate rule on the steering committee at Democracy Unlimited, where she helped to launch Move to Amend. Ashley currently works for Peaceful Uprising, agitating for an end to corporate-induced environmental destruction and advocating for both individual and municipal civil disobedience. She also serves on the planning committee for the October 2011 Freedom Plaza occupation in DC.*

**Democracy is nothing short of being fully alive and defending the fully living.**



What a Bunch of Farmers Can Teach a Bunch of Occupiers About How to Keep on Going

# Groups — Who, or What, Occupies



**OMB Watch** exists to increase government transparency and accountability; to ensure sound, equitable regulatory and budgetary processes and policies; and to protect and promote active citizen participation in our democracy. OMB Watch envisions a more just and democratic society, one in which an open, responsive government protects people's health, safety, and well-being, safeguards the environment, honors the public's right to information, values an engaged and effective citizenry, and adequately invests in the common good. The most respected watchdog group in our nation's capital, it produces plenty of helpful information dealing with corporate influence on federal policy making. Check them out at [www.ombwatch.org](http://www.ombwatch.org)

**Public Banking Institute (PBI)** grew out of Ellen Brown's ground-breaking best seller *Web of Debt*. It brought attention to the success of the North Dakota Bank and the corruption that private control over the money creation process has wrought. Volunteer organizations, germinated through the efforts of PBI, are beginning to spread across the country. PBI also provides educational materials and frequently asked questions for local organizers, as well as serving as the voice of public banking in national and international discussions on banking and political economy. Contact the Public Banking Institute to find out how you can help, [publicbankinginstitute.org](http://publicbankinginstitute.org)



**OccupyWallStreet**  
The revolution continues worldwide!

**OccupyWallSt.org** is the unofficial de facto online resource for the growing Occupation Movement happening on Wall Street and around the world.

They are an affinity group committed to doing technical support work for resistance movements. Their user map shows 1500 affiliated groups in almost every country around the world. Their website features over 250 live feeds from almost every continent. It also provides forums, chats and "how-to" information on setting up an Occupy in your community.

**National Committee on Responsive Philanthropy** has served as the country's independent watchdog of foundations for more than 30 years. It promotes philanthropy that serves the public good. They produced three studies between 1997 and 2004 that documented how pro-corporate foundations, using tax-free money, produced public policy deregulating the use of corporate money in our political system and promoting pro corporate policies from environmental regulations to our national taxing structure. Their more recent pieces include *The Waltons and Wal-Mart: Self-Interested Philanthropy* and *Funding the Culture Wars: Philanthropy, Church and State*. You can check them out at [www.ncrp.org](http://www.ncrp.org)



**Move to Amend (MTA)**, a coalition of hundreds of organizations and tens of thousands of individuals, has been one of the premier organizations pushing to ensure that "We the People" have the strongest voice in creating our national, state and local policies. Besides pushing for a Constitutional Amendment to end all illegitimate constitutional corporate rights, MTA is dedicated to our right to vote and have our votes counted, as well as ensuring that the sovereignty of our local communities will not be corrupted by international trade agreements or other supra national treaties. MTA helped convene the first Democracy convention last summer in Madison, Wisconsin to strengthen democracy where it matters most — in our communities, workplaces, local economies, military, government, media and Constitution.

**Fairness and Accuracy in Reporting (FAIR)** and the **Institute for Public Accuracy (IPA)** take on both sides of the corporate media coin. FAIR scrutinizes media practices that marginalize public interest, minority, and views that dissent from the dominant corporate viewpoint put across by the large media conglomerates. They see the increasing concentration of the US media in fewer and fewer corporate hands as the villain of our public information system. Check them out at [www.FAIR.org](http://www.FAIR.org).



IPA gains media access for those whose voices are commonly excluded or drowned out by government or corporate-backed institutions. As a national consortium of independent public-policy researchers, analysts and activists, IPA widens media exposure for progressive perspectives on many issues including the environment, human rights, foreign policy, and economic justice. See their website at

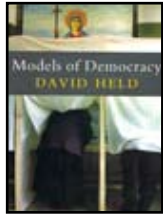




# the Government Control Room — Books

by Jim Tarbell

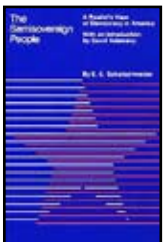
People's drive to nurture and enhance the common good has long been at odds with the power of money and the failures of various forms of government to hold the long-term interests of humans and their environment uppermost. David Held's *Models of Democracy* traces this history from the time of the Greeks up into our present era of corporate globalization. First published in 1987 and updated every ten years hence, it has become a classic look



at how democracies and its theorists have defended and despaired at attempts to establish *demos kratos* (Greek for people power).

Early on, Plato despaired that due to the “politics of unbridled ambition ... comprehensive commitment to the good of the community and social justice becomes impossible” in this newly developing political form called democracy. Held moves on to cover this struggle over the next twenty-three-hundred years including, the naive pronouncements of generations of political commentators starting in the 1800s that promoted a society of mass consumers maximizing private satisfactions within which money is viewed as a good for our political system.

Held points out that this vision of politics was blown apart by E. E. Schattschneider's 1960 book *The Semisovereign People: A Realist's View of Democracy in America*. Writing as America rose to the peak of the global commercial empire, Schattschneider identifies



pressure politics and pressure groups as holding a distinctive sway over our modern politics and that “The business or upper-class bias of the pressure system shows up everywhere.” A series of chapters in this short packed volume illustrates how the wealth bias has transferred democratic decision making about economic issues to the market where money rules. They also

limit effective participation to an educated elite and makes sure that only pro-corporate issues bubble to the top of the public agenda.

Perhaps most interesting is his concise depiction of the past century of American history in which the wealthy began a sustained takeover of American democracy in 1896 due to “the tremendous reaction of conservatives in both major parties to the Populist movement.” He points out that this reaction allied the wealthy of both the north and the south and led them to redivide the country on old sectional lines of the Civil war with conservative Democratic southerners running the south and Republican industrialists running the north.

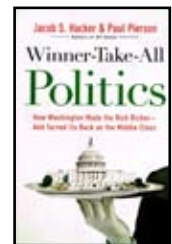
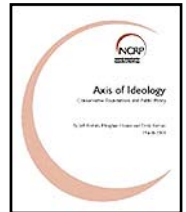
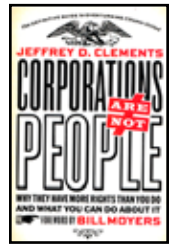
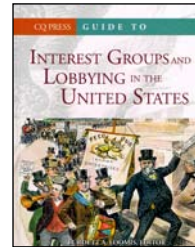
This insight into American history becomes more relevant when viewed along side Charles Postel's award-winning book *The Populist Vision*. Eschewing the view

that the Populists were poor farmers fighting a corporate behemoth, Postel points out that the engine behind the Populist vision was a series of national cooperatives, run by business savvy entrepreneurs. From small florist shops that came together using the newest technologies to expand their business, to fruit farmers who developed massive marketing coops, the Populists developed a business model that was moving away from self-serving, profit corporations to one that looked out for the common good



Postel points out that Populist organizer Charles Macune realized that “large-scale business cooperation stood for ‘the very essence of justice, fairness and equity.’ It ‘possessed the elementary forces... breaking the power of monopoly.’” It was this Populist vision of a whole new democratic, economic model that scared the economic elite, driving them to undertake a political coup that led to their long-term rule.

CQ Press' almost 500-page tome, *Interest Groups and Lobbying in the United States*, depicts this century-old takeover on its cover. However, the dozens of academic contributors to this massive four-year undertaking fail to fully investigate the current corporate coup and the ramifications of the Supreme Court's landmark Citizens United decision on the continuation of corporate rule. Despite these failings, this book does provide a background of how corporate interests have extended their power and influence over all three branches of government and explains the mechanisms they use to do it.



## Popular Push Back

The threat of the rights-based civil and political revolt in the 1960s and '70s led economic elites to again undertake a sustained take-over of federal policy making. This history is well told in Jeff Clements' new book, *Corporations Are Not people: Why They Have More Rights Than You Do And What You Can Do About It*. Clements, who wrote an amicus brief for several pro-democracy groups in the Citizens United case, also introduces the People's Rights Amendment to the US Constitution that guarantees rights only to natural persons and ensures the right to regulate corporations.

The power of the 1970s' elite counter revolution came from a group of corporate-financed foundations inspired by tobacco director and lawyer and then Supreme Court Justice Lewis Powell's cry to reestablish the power of the wealthy. The National Committee for Responsive Philanthropy's *Axis of Ideology: Conservative Foundations and Public Policy* details the strategies of these corporate-funded foundations as they launched a new era of right-wing think tanks with a clear pro-corporate agenda of taking over government decision-making.

Finally, check out Jacob Hacker and Paul Pierson's *Winner Take All Politics: How Washington Made the Rich Richer-And Turned Its Back on the Middle Class* This well-researched piece portrays a Washington political world of organized combat wherein corporations hold all the big guns and institutions of the people have vacated the battlefield. Their solutions are not very inspiring but you can go back to Jeff Clements' book for that.

# Conservative Philanthropy

by Niki Jagpal

*What drives change at the federal policy level?*

Over a decade of research by the National Committee for Responsive Philanthropy (NCRP) demonstrates that conservative philanthropy has succeeded at building a right-wing policy agenda by providing sustained support to conservative think tanks and building the base of a conservative grassroots-powered movement.

Richard Fink, founder of the Koch-funded conservative think tank, the Mercatus Center, stated succinctly the conservative perspective on philanthropy's purpose: funders should use political action committees and think tanks to turn intellectual positions into policy "products." The Mercatus Center has demonstrated success in moving such products — 14 of the 23 regulations on George W. Bush's so-called "hit list" were suggested by this think tank.

The rise of the "Tea Party" movement, funded in large part by oil-industry billionaires Charles and David Koch, and the outcomes of the 2010 midterm elections demonstrate the efficacy of such funding. As Charles Koch states, he sees grassroots organizing as a key political strategy: "To bring about social change" requires "a strategy" that is "vertically and horizontally integrated," spanning "from idea creation to policy development to education to grassroots organizations to lobbying to litigation to political action."

By coupling top-down approaches with bottom-up mobilization supported by the use of effective funding strategies, the conservatives are succeeding at moving their policy agenda.

These strategies include:

- Providing long-term multi-year grants and significant amounts of unrestricted core support, which allow grantees to respond to the ever-changing political landscape.
- Giving more and bigger grants to a targeted group of grantees they knew would advance their agenda.

Moreover, conservative philanthropists are fostering collaboration among and between foundations, recognizing the collective power that supersedes individual



*David Koch talking to Americans for Prosperity*

institutional power and building coalitions among their grantees for the same reason. And importantly, they are making deft use of messaging and social media to ensure that they frame the terms of debate in the public square.

An exposé by the Center for American Progress notes: "In 2006, Koch industries owner Charles Koch revealed to the *Wall Street Journal* that he coordinates the funding of the conservative infrastructure of front groups, political campaigns, think tanks, media outlets and other anti-government efforts through a twice annual meeting of wealthy right-wing donors."

The Center also reported that participants at a Koch-sponsored "election-planning event" worked with consultants who specialize in building "fake" grassroots movements and individuals adept at how corporations can take advantage of the Supreme Court's anti-democratic Citizens United ruling.

Founded and funded by David Koch, the conservative group Americans for Prosperity comprises a team of some 80 campaign staffers across the nation and plans to expend some \$45 million to finance advertisements attacking Democrats. When such philanthropy is coupled with continued support for conservative think tanks such as the Heritage Foundation and the American Enterprise Institute, its chances for success at moving a policy agenda are significantly higher than any philanthropy that focuses on one strategy over the other.

While not recommending that progressive philanthropists simply mimic the behavior of their conservative counterparts, there are important lessons to be learned from the successes of these funders:

- Collaboration is essential to success.
- Providing long-term and unencumbered support to grantees is crucial.
- Combining grass-tops policy advocacy with bottom-up community organizing is fundamental to achieving sustainable, long-term policy solutions.

As the Occupy Wall Street movement demonstrates, the public is angry and mobilized against corporate and elite interests. Progressive funders must seize the energy of this moment and capitalize on this momentum. Now is the time for progressive funders to reclaim our democracy and counter the efforts of conservative philanthropists like the Kochs.

*Niki Jagpal is Research and Policy Director of the National Committee for Responsive Philanthropy.*

**Now is the time for progressive funders to reclaim our democracy and counter the efforts of conservative philanthropists like the Kochs.**

## Powell Memo

by Jim Tarbell

On August 23, 1971, Lewis F. Powell, corporate tobacco lawyer, head of the American Bar Association and future Supreme Court Justice, became chieftain of the corporate coup to completely take over our government apparatus. On that date, he gave voice to the initiative in a letter to the US Chamber of Commerce. Powell's letter emphasized that, "the time has come for the wisdom, ingenuity and resources of American business to be marshaled against those who would destroy it." He urged the Chamber to create a broad-based campaign to counteract the popular social movements by subverting and regaining control of academics, scholarly journals, the media, the courts and politicians."

After reviewing his plea, corporate America took action. Joseph Coors provided \$250,000 to Ed Feulner and Paul Weyrich to start the Heritage Foundation. William E. Simon, Nixon and Ford's Treasury Secretary, became the head of the John M. Olin Foundation and formed a relationship with the Bradley, Scaife, and Smith Richardson Foundations to build a stable of conservative think tanks and legal firms successfully working to instill a pro-corporate control over our political system.





graphic: Matt Wuerker

## Remembering Richard Grossman

When Richard Grossman died of cancer on November 22, 2011, he was still searching for the answer to his fundamental question: How do we turn ourselves into sane, self-governing people? A life-long activist and a co-founder of the Program on Corporations, Law and Democracy (POCLAD), he urged us to un-colonize our minds, search out the root causes that allow minority rule by the corporate class, and assert the people's sovereignty to build a true democracy. In the words of a POCLAD colleague: "Richard was a visionary, a teacher, a mentor, an insightful writer, an inspiring speaker, a truth teller, a grappler, and a sharp critic with high standards. Although he posed as a curmudgeon, he was actually a sensitive, warmhearted person with a generous spirit."

His work directly inspired many groups including Democracy Unlimited of Humboldt County, the Community Environmental Legal Defense Fund, Women's International League for Peace and Freedom, Move to Amend, and the Alliance for Democracy (AfD). After attending a Rethinking the Corporation, Rethinking Democracy workshop with Richard Grossman and other members of POCLAD, Ronnie Dugger wrote the 1995 "Call" letter that appeared in *The Nation* magazine and resulted in the founding of the AfD. Several members of POCLAD spoke at the 1996 founding convention of the AfD.

But not all activists easily embraced "The POCLAD Analysis," and some found Grossman's style to be blunt. Established organizations felt attacked when he pointed out that they did not address the core problems causing environmental and civil rights harms. He was just a theorist, some complained, with no plan for action. Instead of marching in the streets, he wanted us to march into law librar-

ies. A prominent activist once told me that an effective leader is one, possibly two steps ahead of the crowd. Grossman was ten steps ahead, too far, he said. But that was before the Supreme Court's decision in *Citizens United*. Many that once dismissed POCLAD's analysis have now seen the light and are working to revoke corporate Constitutional rights.

I was lucky to have benefitted from Richard's special brand of mentoring, which featured huge packages of obscure law cases and out-of-print essays that had been shrunk to barely readable size on a copy machine and scrawled with his own handwritten commentary. At first I could not grasp why I needed to read "Everyman's Constitution," or law review articles from the 1950s. I just wanted some quick, easy answers about how to end corporate personhood. I found no silver bullet in those stacks of papers, but the Grossman curriculum sank in, profoundly changing my world view. I am grateful for our long conversations and the hours spent helping me and others grasp the underpinnings of our Constitutional oppression, the usurpation of our rights as persons, and what will be required for genuine change.

Over the years Grossman's thinking evolved. The 1993 pamphlet he co-authored with Frank Adams, *Taking Care of Business*, mainly focused on charter revocation. Then Grossman and POCLAD moved on to examine corporate Constitutional rights (including personhood, property rights, contracts clause and commerce clause). Later he started the Democracy Schools with Thomas Linzey to train and empower citizens. In his last years he was working on a book. He also recently drafted a four page law titled *An Act to Criminalise Chartered Incorporated Business Enterprises*, which states that "all existing business corporation charters granted by the United States, and all States, shall be null and void." Apparently Richard Grossman is still ten steps ahead of us.

To read the last interview with Richard Grossman with the *Corporate Crime Reporter*, see [www.corporatecrimereporter.com/documents/grossman.pdf](http://www.corporatecrimereporter.com/documents/grossman.pdf)

Jan Edwards is the creator of the "Tapestry of the Commons," which is online at [www.tapestryofthecommons.org](http://www.tapestryofthecommons.org). She is a member of the Redwood Coast Chapter of the AfD.

**How do we turn ourselves into sane, self-governing people?**

## Timeline of Personhood Rights

Jan Edward's 2011 update to her timeline of human and corporate personhood rights is available online at <http://afd-e-news.blogspot.com/2012/01/timeline-of-corporate-personhood.html> in three sizes. This timeline is a great education tool to explain how corporations have used the legal system to gain Constitutional "personhood rights" through court decisions and how people have organized to gain Constitutional rights through amendments.



graphic: Peter Veres

## Lobbying the Constitution

**In the first Congress, and for a few decades afterwards, some of the most wealthy and powerful men often sat in Congress**

Tea Party leaders have been hard selling a mythical version of the US Constitution in which it was handed directly from a Christian God to the Christian Founding Fathers. This, in turn, is meant to support an “originalist,” literal interpretation of that Constitution, in turn limiting the powers of Congress. Believing such might lead you to believe that the men who met to write the Constitution were saints, or that the men who arrived in Philadelphia to form the first Congress under that Constitution were paragons of free market virtue.

The new Constitution was submitted to the states on September 17, 1787. Opposition was vigorous, overcome only by “irregularities,” bribes (including of Samuel Adams), trickery and force. When the ninth state, New Hampshire, joined on June 21, 1788, the new union went into effect, but was not complete until Rhode Island signed up on May 29, 1790. After the first elections for the new Congress, held in 1788, the anti-Constitution members, known as anti-Federalists, were outnumbered by the pro-Constitution Federalists.

Lobbying was a well-known art long before the First Congress took its seat. The very structure of our government was cast in stone by lobbying within the Constitutional Convention itself. The issue of top-down, quasi-aristocratic versus bottom-up, democratic governance was at the heart

of the debates and the famous compromises that led to the original US Constitution. Given how the delegates to the Convention were chosen and their biases, it should not be surprising that the result was four branches of government, with only one democratic, the House of Representatives; and three oligarchic or authoritarian; the Senate, Executive and Supreme Court.

To give small (by population) states power, the large states had to consent to a US Senate where small states received the same number of votes as large states. Thus today lobbyists can (and do) “buy” Senators from Wyoming and Alaska at a far cheaper price than they must pay to influence Senators in states where election campaigns cost tens of millions of dollars.

In the first Congress, and for a few decades afterwards, some of the most wealthy and powerful men often sat in Congress, pretending to represent the people of their districts. But as Congress was in session longer, and the volume of law swelled, being a politician increasingly became a specialty, a business in and of itself.

In the second year of the first Congress, Alexander Hamilton, the Secretary of the Treasury, who acted as the agent for American wealth, proposed that the highly discounted Revolutionary War debt — selling for 10 cents on the dollar — be bought back by the Federal government at full value. The catch here was that initially most of those bonds had been bought by the common folks of the new country, but as they decreased in value after the revolutionary war, people sold them off at a loss and by 1788 most of the notes were held by the wealthiest men in Boston, Philadelphia, and New York City.

As members of Congress realized that Hamilton’s plan would be passed and the bonds would be paid in full, their agents scoured the country buying up what notes they could find at 10 to 12 cents on the dollar.

Soldiers who had fought in the American Revolution, and their widows, and local merchants, got 10 cents on the dollar, while the emerging urban capitalist predator class eventually got their wealth and power supercharged.

Fortunately, even before the Constitution was written, the people themselves were lobbying to extend the right to vote. At first this took the form of reducing property requirements for voters. By the 1820’s most states allowed all adult white males to vote, setting the stage for (much) later campaigns to give women and non-whites voting rights.

*William P. Meyers is the author of America: Republic or Democracy?, which can be read online at [www.williampmeyers.org/republic.html](http://www.williampmeyers.org/republic.html)*





# Private Access & Public Power

## Gentility and Lobbying in the Early Congress—An Excerpt

by Jeffrey L. Pasley

In the 1790s, a lobbyist whose manners, appearance, and knowledge seemed to mark him as a gentleman had virtually unlimited access to any member of Congress he chose. Gentility created a kind of imaginary club, and one of the key benefits of membership was the right to be treated hospitably, as a friend, an equal and honored guest, by other gentry wherever you happened to go. Once acknowledged as a fellow gentleman, a lobbyist could not only see congressmen but join fully in their social life at the seat of government, providing all sorts of nonofficial settings where contacts could be built and sensitive business matters could be discussed discreetly and effectively.

By all accounts, the Congresses of the 1790s were well integrated into polite Philadelphia society, considered the most sophisticated such scene anywhere in the United States. This was no small matter in a period when social refinement was almost a mania in the United States. George Washington and most of his colleagues among the early American elite were obsessed with perfecting and expressing their gentility. They studied, sweated, and spent to meet standards of behavior borrowed from the royal courts of Europe, standards that applied to every conceivable aspect of life: architecture, home furnishings, table manners, movement, cleanliness, conversation, penmanship, clothing, even bowel habits.

Americans who could afford it hired masters to teach their children not only the complex group dances they were expected to navigate, but also the genteel approach to the most basic movements of everyday life: how to stand, how to sit, how to walk, how to enter a room. Gentility involved living your whole life as if it

were a public performance. They greatly admired people who could perform well. Hence the impressive displays of gentility put on in Philadelphia seriously impressed the congressmen who served there

The most serious problem with this in terms of government was that the members of the American gentry did not know they were superficial. Their assumption was that the genteel mask really did reflect the inner person, or else that the beast within had been effectively repressed. Genteel standards of taste and beauty were all about imposing smoothness, order, and harmony on rough nature, about putting an overlay of beautiful serenity on the harsh, chaotic realities of human life, about valuing and believing in those exteriors rather than the things they covered. Richard Bushman writes that “the attempt to control nature and society for the sake of a beautiful appearance made denial and repression essential traits of gentility. . . . Gentility hid what it could not countenance and denied whatever caused discomfort.” Gentility assumed integrity but it did not necessarily teach honesty.

*Jeffrey L. Pasley is a history professor at the University of Missouri. See the full article at [http://pasleybrothers.com/mocourses/jefferson/Pasley\\_lobbying\\_chapter.pdf](http://pasleybrothers.com/mocourses/jefferson/Pasley_lobbying_chapter.pdf)*

Once acknowledged as a fellow gentleman, a lobbyist could not only see congressmen but join fully in their social life ... where business matters could be discussed discreetly and effectively.



DonKey Hotey

graphic: DonKey Hotey



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**Money in Democracy Part 2: Who — or What — Occupies the Government Control Room?**

A Publication of the

**Justice Rising**

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Alliance for Democracy



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## Why You Should Care

### Public Policy Making is a Failure

Public policy decision making has ground to a halt in our nation's capital as a corporate agenda dependent on "regulatory moratoria and endless litigation" has gained ascendancy. Change is difficult to make happen in the best of times and change for the good has become impossible in a system dependent on corporate money to not only fund our elections but to make the government function for the 1%.

### Lobbyists Dominate Government

In the past decade, corporate expenditures on lobbying have doubled. Corporations spend four times as much on lobbying as they do on campaign contributions. At this point, our government officials are dependent on lobbyists to provide services that they do not have the ability to provide for themselves. Lobbyists have branched out into influencing all branches of government, including the regulatory system and the judiciary, and they brag about their success rate.

### Money Power is Corrupting Our Politics

From the Koch Brothers to the US Chamber of Commerce, corporate generated money is being used to control public policy on all levels of government. The US Chamber of Commerce has increased their lobbying expenditures seven fold in the past decade. The corporate agenda is to leave policies about our economic lives to the corporate dominated marketplace where humans are commodities.

### Our Future is in the Balance

We have entered a new era as our military spans across the globe to ensure access to resources and markets for the biggest US corporations. Climate change is threatening our lives, water supplies, agriculture and wildlife. Without coherent policies that are not beholden to corporate priorities, we will find ourselves living in a world of continual war and an out-of balance environment that is a danger to us all.



## What You Can Do

### Help End Corporate Personhood

Only by taking away the illegitimate Constitutional rights given to corporations over the past 150 years, will we get back in control of our national policy making. The biggest cities and smallest communities have now come together calling for a Constitutional Amendment making it clear that humans are persons, corporations are not. Contact [thealliancefordemocracy.org](http://thealliancefordemocracy.org) to get involved.

### Occupy the Empire

The Occupy Movement has spread around the world and is holding money power accountable to the needs of the common good. There are thousands of Occupy actions emanating from every corner of the planet. There is probably one near you. Go to [OccupyWallSt.org](http://OccupyWallSt.org) to find an Occupy near you or use it to find out how to start an Occupy action for you and your neighbors.

### Start Public Banking Institutions

Money is power, and until money comes back under public control, the power will reside within the vaults of our corporate treasuries. One way to start this process is to create a public bank in your city, county or state. Check out the Public Banking Institute at [publicbankinginstitute.org](http://publicbankinginstitute.org) to find out how to get involved in the public banking movement that is spreading across the country.

### Create Alternatives

The world is alive with creative ideas for alternative economic systems spreading democracy to all sections of our lives. See our *Justice Rising* on *Building an Economy for People and Nature* at [www.thealliancefordemocracy.org/html/eng/2592-AA.shtml](http://www.thealliancefordemocracy.org/html/eng/2592-AA.shtml) Also check out the US Solidarity Economy Network [www.ussen.org](http://www.ussen.org) for information on worker-owned businesses and cooperatives.