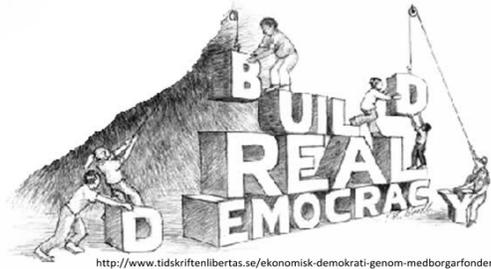


Knowing History is Key to Saying No to Corporate Rights

by Greg Coleridge



"If we want to get out of the mess we're in, we better find out how we got into it." -- Mark Twain

Not sure Twain actually said that, but since so much witty wisdom is attributed to him, why not that one?

What could have been the Sage of Hannibal's advice is the premise behind the *Real Democracy History Calendar*, a daily description produced and distributed by the Program on Corporations, Law & Democracy [POCLAD] of exactly how we got into our many legal, political, economic and social messes -- and what is being done in response.

Thankfully, many people have heard by now of "corporate personhood," that nonsensical development in U.S. history that gradually gave corporations (or legal fictions as we like to call them) the constitutional rights of real human beings. Just as thankfully, a lot of people can tell you what calamities corporate constitutional rights have caused, which seem to be expanding by the day, and, as a result, are increasingly taking action to end them.

What a lot of people don't know, however, is that it took a monumental effort to unearth that history and evangelize what was learned -- over two decades of research and organizing in fact -- long before more recent accounts of corporate history have received media attention. That research makes up a fair amount of the raw material for the *Real Democracy History Calendar*.

Eschewing all book and movie offers, POCLAD now offers that *Calendar* free to anyone. It's sent by email every Monday morning and provides 1-2 listings per day of activities, events, quotes from prominent individuals and other occurrences (both past and recent) on the themes of democracy, human rights, corporate power and rule, and wealth in society (especially in elections).

POCLAD began in the 1990's to share the stories of those who came before us who struggled and organized to fundamentally resist the British "Crown" corporations through revolution, then defined and authorized corporate actions by granting and revoking corporate charters by legislatures and courts,

and then organized against and sought authentic democratic alternatives to a wide range of corporate-friendly Supreme Court decisions that repeatedly applied the Bill of Rights and other constitutional rights to business corporations. POCLAD and a few allied groups also contrasted the ease by which corporations were granted corporate rights with the built-in racism, sexism and classism of the US Constitution where only white, men of property -- roughly 5% of the original inhabitants of the new nation -- constituted the *We the People* that have been so lauded in our culture. Every other group of people have spent decades, if not, centuries trying to secure a seat at the human rights table through organized social movements where they should have been all along if ours had been an authentic democracy from the beginning.

POCLAD's research, writings, workshops, retreats, gatherings and talks over the past near quarter-century, including publication of *Defying Corporations, Defining Democracy: A Book of History & Strategies* in 2001, inspired countless individuals and several organizations to appreciate the importance of building a modern

day democracy movement that is diverse, independent and powerful to end all corporate constitutional rights and create a real political and economic democracy.

The goals of the *Real Democracy History Calendar* are to inform, intrigue and inspire -- and to illuminate the reality that creating real democracy will not happen by changing any one politician, passing/repealing any one law or regulation, or reversing any single Supreme Court decision. It requires, rather, changing our political, economic and social culture -- one byproduct of which will be to democratize our legal structures through genuinely inclusive, multi-issue, nonviolent social movements.

To subscribe to the free *Calendar*, go to <https://realdemocracyhistorycalendar.wordpress.com/about>

A few entry examples of the *Calendar's* breadth of coverage

January 5, 2012 - The article, "Granting Corporations Bill of Rights Protections Is Not 'Pro-business'" is posted on the American Independent Business Alliance website

"The American Independent Business Alliance (AMIBA) says such a change would badly harm the majority of America's independent businesses. AMIBA's brief to the U.S. Supreme Court...argued that even with present limitations on corporate political power, large corporations have converted their economic power into political favors that consistently harm small businesses."

February 27, 1960 -- Beginning of the Nonviolent Sit-in Movement

Among those arrested at this action, which spread throughout the South to desegregate lunch counters, was Diane Nash, spokesperson for the action. Nash co-founded the Student Nonviolent Coordinating Committee (SNCC), one of the most important

organizations during the 1960's Civil Rights Movement.

March 13, 2010 - Murray Hill Inc. announces run for Congress

Washington Post article on Murray Hill Inc.'s announcement of its candidacy for Congress. "After the Supreme Court declared that corporations have the same rights as individuals when it comes to funding political campaigns, the self-described progressive firm took what it considers the next logical step: declaring for office. 'Until now, corporate interests had to rely on campaign contributions and influence peddling to achieve their goals in Washington,' the candidate, who was unavailable for an interview, said in a statement. 'But thanks to an enlightened Supreme Court, now we can eliminate the middle-man and run for office ourselves.'"

Source: [click here](#)

April 17, 1905 - *Lochner v. New York* [198 U.S. 45] Supreme Court decision -- use of the 14th Amendment to invalidate government regulation of corporations

The decision shielded corporations from vast forms of government regulation. The Court invalidated approximately 200 economic regulations from 1905 until the mid-1930's passed by legislators -- usually under this interpretation of the due process clause of the 14th Amendment. The 14th amendment is one of many non-First amendment free constitutional rights won by corporations that would remain to be corrupted or perverted by corporations if all we did was reverse Citizens United of only end First amendment free speech corporate rights.

May 23, 1838 - U.S. troops begin forced removal of Cherokees from their land

Congress agreed to provide a 2-year "grace" period for Cherokees to "voluntarily" leave their lands in Georgia, the Carolinas, Tennessee, Alabama and Texas for Oklahoma and further west. About 25% of those forced to relocate beginning on this date died from exposure, disease and starvation during the

journey. What became known as the "Trail of Tears" was the forced removal of numerous Native American nations in the east, which included people from the Cherokee, Muscogee, Seminole, Chickasaw, and Choctaw nations.

June 26, 2015 - *Obergefell v. Hodges* Supreme Court decision -- same sex marriage is legal

In a landmark decision, the Supreme Court ruled that a fundamental right to marry in all 50 states is guaranteed under the Due Process Clause and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution for same sex couples.

As with all decisions that for the first time guarantees rights to a new group of persons, the decision did not happen in a vacuum, but was the result of several decades of organizing for LGBT rights. A key moment that many believed sparked this social movement was the 1969 Stonewall protest in New York City.

July 4, 1892 -- The Populist Party adopts the "Omaha Platform," its founding document

"We demand a national currency, safe, sound, and flexible, issued by the general government only, a full legal tender for all debts, public and private"without the use of banking corporations"

"Transportation being a means of exchange and a public necessity, the government should own and operate the railroads in the interest of the people. The telegraph, telephone, like the post-office system, being a necessity for the transmission of news, should be owned and operated by the government in the interest of the people"

"The land, including all the natural sources of wealth, is the heritage of the people, and should not be monopolized for speculative purposes, and alien ownership of land should be prohibited. All land now held by railroads and other corporations in excess of their actual needs, and all lands now owned by aliens should be

reclaimed by the government and held for actual settlers only"

Full Platform at torymatters.gmu.edu/d/5361/

August 10, 1943 -- Birth of Richard Grossman, co-founder of the Program on Corporations, Law & Democracy (POCLAD)

"Sovereignty is in our hands now" when the people running a corporation assume rights and powers which the sovereign had not bestowed or when they assault the sovereign people, this entity becomes an affront to our body politic. And like a cancer ravaging a human body, such a rebellious corporation must be cut out of our body politic. "

September 5, 1964 -- Death of Elizabeth Gurley Flynn, labor leader, activist, and feminist

"History has a long-range perspective. It ultimately passes stern judgment on tyrants and vindicates those who fought, suffered, were imprisoned, and died for human freedom, against political oppression and economic slavery."

October 7, 2015 - Article, "Black Cooperative Economics During Enslavement, An Interview with Jessica Gordon Nembhard" by Beverly Bell and Natalie Miller

"Black cooperative history closely parallels the larger African-American civil rights and Black Liberation movements. After more than 10 years of research, I've found that in pretty much all of the places where Blacks were trying to assert their civil rights, their independence, their human rights, they also were either practicing or talking about the need to utilize cooperative economics in one form or another. [click here](#)

November 3, 1998 -- Arcata, CA becomes first U.S. community to pass an anti-corporate personhood bill

By a vote of 3193 to 2056 (60.83% to 39.17%), the citizens of Arcata supported Measure F, "The Arcata Advisory Measure on Democracy and Corporations" which called on

the Arcata City Council to co-sponsor two town hall meetings to address the issue, "Can we have democracy when large corporations wield so much power and wealth under law?" and to immediately establish policies and programs which ensure democratic control over corporations conducting business within the city and in a manner that would ensure the health and well-being of the community and its environment. Democracy Unlimited of Humboldt County organized the initiative.

December 12, 1745 -- Birth of John Jay, first president of the Continental Congress and first chief justice of the U.S. Supreme Court

"The people who own the country ought to govern it." Short, sweet and to the point by one of our original founding plutocrats.

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Sharing this important history in "bite sized" amounts each week we feel satisfies a desired craving for easily digestible information on issues that has for too long been either buried or misrepresented. It's short, historically accurate, interconnected, interesting, sometimes humorous entries add up to an unapologetic call for a nonviolent democracy movement that strives for major changes to address the major political, legal, economic, environmental and social problems of our times.

Knowing some of the "real" history of corporations, democracy and oppression of our nation is vital to not only saying no to corporate rights but also working affirmatively for authentic democracy.

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By What Authority (ISSN: 524-1106) is published by the Program on Corporations, Law & Democracy. The title is English for *quo warranto*, a legal phrase that questions illegitimate exercise of privilege and power. We the people and our federal and state officials have long been giving giant business corporations illegitimate authority. Today, a minority directing giant corporations and backed by police, courts, and the military, define our culture, govern our nation and plunder the earth. **By What Authority** reflects an unabashed assertion of the right of the sovereign people to govern themselves.

POCLAD is a group of 7 people instigating democratic conversations and actions that contest the authority of corporations to govern. Our analysis evolves through historical and legal research, writing, public speaking and working with organizations to develop new strategies that assert people's rights over property interests.

BWA is a tool for democracy proponents to rethink and reframe their work. To that end we encourage readers to engage us with comments, questions and suggestions.

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