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Part One Structure

If the foundation of your house is cracked and starting to weaken, it makes little sense to address the problem by applying a fresh coat of paint that would merely conceal the underlying reality of decay. In our view, the American political system is a lot like a house with an unstable foundation. While the possibility of collapse certainly is not imminent, the structure of the American political economy, and the ideology that sustains it, is showing signs of severe stress. Moreover, this structure belies the cherished pluralist assumption (discussed in our Introduction) that our political system is one of open, fluid competition among groups. The inherent structural advantages, and disadvantages, accorded various groups significantly bias the political and economic system toward the interests of those who wield great power.

At the outset we must acknowledge that the concept of *structure* is itself quite muddled. Mainstream political scientists often use the term "structure" in a shallow sense when discussing the institutions of government, thus equating structure with the formal machinery of politics. This reduces structure to the institutional balance of power between the executive, legislative, and judicial branches of government. While these institutional interactions obviously merit our attention, the structure-as-institutions approach ignores the deeper structure of power within which institutions operate.

In Part I we explore this deep structure of American politics, with three chapters focusing on the primary structural components of political economy, ideology, and state-constitutional arrangements. Taken as a whole they challenge you to consider whether the tensions inherent in the relationship between democracy as a political concept, and capitalism as a form of economic organization, may in fact constitute a *problem* for the nation, not the solution to our problems, as we are socialized to believe. Are capitalism and a meaningful degree of democracy really compatible, or is capitalist democracy an oxymoron? Does our political culture enable us to consider carefully a wide range of alternative policy directions in the United States? If not, are we as "free" as we like to think? Why is the power of the state so closely connected to the private power of large economic entities? Does the U.S. Constitution strengthen this connection, or provide ways to challenge it? To what extent have social movements been able to constrain and change this structure? These and many other troubling questions flow from a close reading of the selections in Part I.

Together these three structural components form the basic context—the playing field—within which political institutions operate. Understanding this structure will help you make sense of what government institutions do, and why problems so often seem to persist regardless of what policies are pursued in Washington. And it will help you come to grips with the pressures that impinge upon the foundations of American politics as a new century begins.

Chapter 1 Democracy and Political Economy

Politics is much more than government. Underlying this book of readings is the conviction that politics involves all relationships of power, whether they be economic, social, or cultural, as well as the interrelationship of government institutions. In their accounts of American politics, many political scientists focus on the Constitution and the three branches of government it established more than 200 years ago. We include

these traditional subjects, but place them in a broader context that, in our view, will help you to understand better their actual workings and significance. Given our approach, it should not seem strange that we begin a book on American politics with what appears to be an economic focus.

Our first set of readings emphasizes the closely interwoven connection between democracy and political economy and the importance of understanding our capitalist system if we are to understand our politics. In the late eighteenth century, political economy was a common sense way of thinking for Alexander Hamilton and other Founding Fathers, as we will see in chapter 3. But in the twentieth century the study of economics and politics became institutionally separated in American colleges and in academic discourse more generally. In recent years this conceptual chasm has been challenged from a variety of perspectives. The selections in chapter 1 represent a revival of a broader, integrated analysis of American politics that challenges us to think critically about the relationship of capitalism and democracy. All of the authors in this chapter should help you to see politics as much broader than what goes on in government, and as powerfully shaped and constrained by the dynamics of our economy. When this is understood it is difficult to be satisfied with a definition of democracy confined to the presence of elections and formal rights.

Chapter 1.1

This Land Is Your Land

Woody Guthrie wrote "This Land" in 1940 while living in New York City, penning all six verses in one night while staying in a no-star hotel somewhere around Times Square. The song had been forming in his fertile mind for a long time as "he roamed and rambled" all around America, "walking that ribbon of highway." He wrote it not as a sweet sing-along glorifying the American landscape but as a proudly populist anthem for the hardscrabble people he traveled among. He had already written hundreds of songs that chronicled the lives and struggles of these workaday folks who are the strength of our great land, performing his songs for them on picket lines, in migrant camps, and at rallies, as well as performing on radio and at their dances. His music entertained, even as it encouraged people in their battles against the Pinkertons, politicians, and other authorities who fronted for the refined men with soft hands and hard eyes who ran things from afar. When he wrote the words "*your* land," Woody was pointedly speaking to the steelworkers in Pittsburgh and dockworkers up and down the Pacific coast, the dust-bowl people (of whom he was one) who had lost their crops to drought and their farms to bankers, the workers who risked their lives to build the Grand Coulee and the itinerant harvesters who cut the wheat and stacked the hay, "trying to make about a dollar a day." Every schoolchild has sung "This Land's" gentle verses about the "endless skyway" and "diamond deserts," but the songbooks carefully excise Woody's verses that provoke ordinary citizens to rethink the established order, to realize their democratic strength, and to rebel against the structures of privilege that lock out the majority. Verses like:

*Was a big high wall there that tried to stop me
A sign was painted said: "Private Property."
But on the back side it didn't say nothing
This side was made for you and me.*

Woody knew that this land is our land only if we make it so, only if we have the stomach to confront the elites and challenge the insidious forces of autocracy that are continually at work to make it exclusively their land, in the sense that they control the economic and political decisions that rule us. The essence of democracy is self-

government. Anything less is a fraud. Being connected to the Internet is not democracy, having a choice between Gore and Bush is not democracy, receiving five hundred channels of digital television is not democracy, being awarded a slice of corporate-allocated prosperity is not democracy. Democracy is control. Whatever goals we strive for as a people—racial harmony, peace, economic fairness, privacy, clean water and air—all are dependent on our ability to control the decisions that affect these goals.

Pause for a moment to think of what an incredible treasure it is to have the right to govern ourselves. Precious few people in history have even had the possibility of asserting their common will over the will of the ruling powers, and the vast majority of earth's people today cannot even imagine such a right. But, in the Declaration of 1776, we have it in writing: "... governments are instituted among men, deriving their just powers from the *consent of the governed*." We're in charge! Not kings of feudal barons, congresses or presidents, and damned sure not corporations or World Trade Organizations.

Having it on paper, though, doesn't make it so. Indeed when it was first written, it wasn't so for very many citizens at all. In the first presidential election, 1789, only 4 percent of the American people were allowed to vote. No women voted (they were chattel), no African Americans (they were slaves), no Native Americans (they were considered heathens), and no one who was without land (they were riffraff). A broader sense of self-rule came later, and only with great effort, pain, and suffering. From abolitionists to suffragists, from populists to Wobblies, from sit-down strikes to lunch-counter sit-ins, blood has flowed as generation after generation has battled the Powers That Be for a share of "Life, Liberty, and the Pursuit of Happiness." In the 224 years since Jefferson wrote of these "inalienable rights," thousands upon thousands of Americans have died in the ongoing struggle to democratize the Declaration, to extend the possibility of self-government to more citizens. What a debt we owe to those who have sacrificed so much to bring us this far, and what a gift this right to self-government is,

But will we hold on to it? Progress is never assured and democracy cannot be taken for granted, even in our country. There has been a radical backsliding of democratic control in the past few years—a majority of Americans now find themselves effectively shut out of economic and political decision making, and even greater threats of our sovereignty loom in the ominous form of the WTO, NAFTA, and other antidemocratic creations of the global corporate powers. Democratic power is never given; it always has to be taken, then aggressively defended, and retaken when it slips from our hands, for the moneyed powers relentlessly press to gain supremacy and assert their private will over the majority. Today, our gift of democracy is endangered not by military might threatening a sudden, explosive coup but by the stealth of corporate lawyers and politicians, seizing a piece of self-government from us here, then another piece from over there, quietly installing an elitist regime issue by issue, law by law, place by place, with many citizens unaware that their people's authority is slipping away.

For the past couple of decades, this has been going on, greatly accelerating in the nineties, as corporate will has been enthroned, increasingly reigning supreme over every aspect of our lives—economics, politics, culture, and nature itself. We American people find ourselves, once again, at one of those "When in the course of human events" moments, when it is our time to face the reality that a despotic force is in our midst. In the name of all American rebels who have gone before, are we going to sit by, unwilling to confront the bully in front of us, which grows more powerful the longer we wait? You and I have the lofty responsibility to follow in the footsteps of those rebels, to oppose the corporate usurpers and fight for our nation's unique and hard-won right to self-government. Progress doesn't come by merely standing on guard but, as George Bernard Shaw said about a hundred years ago, "by attacking, and getting well-hammered yourself."

What the Hell is a Corporation?

This ubiquitous critter called the corporation— we're stuck with it, right? We've just got to learn to live with it, don't we, kind of like we live with cockroaches? After all, a corporation has a kind of natural right to do business, doesn't it? No, no, and no. First of all, a corporation is not a business. It's nothing but a piece of paper, a bit of legalism that does not create a business but instead creates a protective association for individuals who want to do business yet want special protections for themselves against other people, against the public at large ... against the very workings of democracy.

You can make widgets, you can farm, you can sell hardware or groceries, you can operate a hotel, you can provide banking services, or be in any other business without being a corporation. Most of the businesses in the world are *unincorporated* enterprises—individuals, sole proprietorships, partnerships, co-ops, or other forms of operation. Taking on corporations is not anti-business at all—we must have businesses, but that does not mean we have to have corporations.

Where did we get the corporate structure? From the jolly Brits, who devised a devilish scheme called "joint stock companies" during their colonial phase. Empire and all that, eh what? The corporate entity was (and is) a legal fiction, first invented by the crown to assist the barons, merchant traders, and bankers of the day in plundering the wealth of the Empire's colonies, including those in our fair land. It was a way to amass the large sums of capital they needed to plunder faraway places, collecting money from investors to finance the plundering, then distributing the booty back to those investors. The corporate construct is dangerous not only because it can agglomerate an absolutely domineering amount of financial power but also because it allows the owners of the corporation (the shareholders) to profit from its business activities, yet accept *no responsibility* for any harm done by their company's business activities. All gain, no pain. The corporation is a legal shield, granting its owners an extraordinary protective privilege that no other business owners are allowed. Oh, did my company spill eleven million gallons of oil into Prince William Sound (Exxon), did it kill two thousand people in a chemical explosion in Bhopal, India (Union Carbide), did it defraud thousands of senior citizens who were persuaded to put money into bad securities (Prudential), did it dump cancer-causing PCBs into the Hudson River (General Electric)? So sorry, I'm sure, but that's none of my doing—the *corporation* did it. Yet, the corporation has no ass to be kicked, no scruff of the neck to be grabbed, no body to be tossed unceremoniously into the maximum security lockup, no conscience to make it contrite, and no soul that would allow the religious among us to believe that at least this wretched enterprise will be condemned to eternal hell.

To the built-in irresponsibility of the amorphous corporate entity, add the bottom-line imperative of the CEO and board of directors. Academicians, judges, and corporation executives themselves aver that the sole role of corporate management is to make as much money as possible for the shareholders (a group that prominently includes the managers). The managers have no responsibility—none—to workers, environment, consumers, community, flag, or anything else. To the contrary, the entire incentive is for management to cut corners, to shortchange, to exploit. It is not a matter of a CEO's good intentions or bad—it is the bottom line, and it must be served. Put away all hope, ye who go in asking corporations to be "good," "responsible," "accountable." It is not in their self-interest or in their nature—you might as well expect a Rottweiler to meow.

As for corporations having natural rights, forget it. It's no longer taught in civics or history classes, and it's definitely not mentioned in today's politics or media, but corporations have no rights at all. Zero. Not even the right to exist. The state gives them the *privilege* to exist, but this existence can be narrowly defined and controlled by We the People. I realize this goes against the received wisdom, against the carefully nurtured assumption that corporations are somehow or other one of God's creatures

with inherent powers that are larger and elevated above the powers of us common citizens. We can all be forgiven for assuming this, for that certainly is how it works in practice today. But it need not and should not work that way, nor was it meant to work that way when our country and most of our states were founded. Each corporation was and is the creature of the *citizenry*, allowed to exist only through receipt of a state charter. *We are the sovereign*, not them. They are supposed to serve us, not vice versa.

Back to the future: the American Revolution. Jane Anne Morris, a thinker, digger, strategist, and agitator on the issue of corporate dominance, writes: "The people who founded this nation didn't fight a war so they could have a couple of 'citizen representatives' sitting in on meetings on the British East India Company. They carried out a revolution in order to be free of oppression: corporate, governmental, or otherwise; and to replace it with democratic self-government." Adams, Jefferson, Paine, and the rest had not had a happy experience with the corporations of the crown and were unabashedly anti-corporate at the founding, with Jefferson even speaking of the need "to crush in its birth the aristocracy of our moneyed corporations."

The citizens of early America knew what they were up against: raw economic power. They were rightly wary of the corporate structure itself, knowing that it allowed a few individuals in the society to stockpile a massive amount of money and power, then use this and the corporate shield to pursue their private gain to the harm of the common good. Eighteenth- and nineteenth-century Americans were prescient when it came to these entities—citizens expressed concern that corporations would use their money as bribes to pervert democratic elections and buy both legislators and judges; farmers worried that corporations would use their muscle to monopolize markets and control crop prices; and industrial and craft workers were concerned that corporations would, as historian Louis Hartz has written, turn them into "a commodity," treating them "as much an article of commerce as woolens, cotton or yarn." They knew that the unbridled corporation was antithetical to the democratic principles they espoused and a threat to the very system of self-government they had established. So they made damned sure the corporation was securely bridled.

Anyone so timid as to think that it is radical for citizens today even to consider "interfering" with the private will of corporations is not made of the same stout stuff as the citizens who created our states and our country. In America's first hundred years, applicants could get a corporate charter only by approval of their state legislature, usually requiring a two-thirds vote to win one. Few charters were awarded, and those few corporations that got them were limited in their function, in how much money they could aggregate, in how long they could exist, and in how they could function. Citizens took their hard-won sovereignty seriously, adamantly defending it against the possibility of corporate usurpation. State after state imposed strict terms on the issuance of a charter, leaving no doubt about who was in charge. This is our hidden history of proud and aggressive citizenship, and you're likely to be amazed if you look into how the people of your state have stood up to corporate power in the not-so-distant past. Jane Anne Morris dug into the records of her state of Wisconsin and found that from 1848 to as recently as 1953, the legislature had imposed such charter conditions as these:

- Corporations had to have a clearly stated reason for existing, and if they failed to fulfill that purpose or went beyond it, their charter could be revoked.
- The legislature could revoke the charter for any particular reason or, as the Wisconsin attorney general ruled in 1913, "for no reason at all."
- Corporate management and stockholders could be held liable for corporate acts.
- Directors of the corporation were required to come from among the stockholders.
- If a corporation's principal place of business was Wisconsin, it had to have its

headquarters and its meetings there.

- Charters were granted for a specific period of time, like twenty years, rather than "in perpetuity."
- Corporations could not own other corporations.
- Corporations could own real estate only if it was necessary to carry out their specific purpose.
- Corporations were flatly prohibited from making any political contribution, direct or indirect, and it was a felony crime if they did so.
- All corporate records and documents were open to the legislature and to the attorney general.

From Maine to California, Wisconsin to Texas, all states had similar stipulations on their books—and they were enforced! Especially important were the revocation clauses, which allowed state legislatures or courts to yank the operating licenses of corporations that behaved badly. Imagine. The people were in charge, the general welfare was paramount over corporate profit, civic authority prevailed over CEO whim. Richard Grossman and Ward Morehouse, two thoughtful activists who co-direct POCLAD (the Program on Corporations, Laws and Democracy), have published an excellent pamphlet worthy of Thomas Paine, entitled "Taking Care of Business: Citizenship and the Charter of Incorporation." It notes that the corporate charter was a sacrosanct oath: "The penalty for abuse or misuse of the charter was not a fine or a slap on the wrist, but revocation of the charter and dissolution of the corporation. Citizens believed that it was society's inalienable right to abolish an evil." Charters were routinely revoked, including those of the most powerful—in 1894, the Central Labor Union of New York City cited a pattern of abuses against John D. Rockefeller's Standard Oil Trust of New York, asking the attorney general to request that the state supreme court revoke its charter. The AC did ... and the court did.

After the Civil War, however, with the rise of the Robber Barons, a full-scale assault was begun by the moneyed interests against these inconvenient rules. Railroad baron Cornelius Vanderbilt issued the war cry of the antidemocratic elites when he thundered, "What do I care about the law? H'ain't I got the power?" For the next hundred years—stipulation by stipulation, state by state, bribe by bribe—the sovereign was steadily reduced to the subjugated. Corporate barons like Vanderbilt hauled sacks of money into state capitols to buy legislators and win charter changes favorable to them. The chief justice of Wisconsin's Supreme Court spoke as early in 1873 of "a new and dark power" that was looming, warning that "the enterprises of the country are aggregating vast corporate combinations of unexampled capital, marching, not for economical conquest only, but for political power..." The Vanderbilts, Goulds, Rockefellers, and others had more money than hell has brimstone, and they used it to corrupt and dominate the same state legislatures that had been bulwarks of democratic resistance to the corporate empire builders. A Pennsylvania legislator is reported to have said, "Mr. Speaker, I move we adjourn, unless the Pennsylvania Railroad has some more business for us to transact."

Gradually, the bridle has been removed, resulting in what we have today—the runaway corporate autocracy that the founders predicted and feared. Shall we just accept it? Shall we timidly continue into another century with the status quo politics of the pathetic ClintonGoreBradley Democrats, who demand again and again that the people must adjust to the private agenda of a handful of corporate executives and investors?

"This is an exciting time to be an American," a Californian wrote to me several months ago. "We are in a crisis. We are on the brink of failure of our old democratic processes—swamped, subverted, perverted, and filibustered by the corporate feudal system and its totalitarian dominance of our lives. We have the opportunity and the duty

to overcome all that," he wrote.

Bingo! In one succinct paragraph, this citizen has nailed it, and he is but one of a growing majority who know that "consent of the governed" is a mockery today, supplanted by a crude bribery system of corporate governance that is becoming as autocratic as anything imagined by King George III and his royally chartered British East India Company, Hudson's Bay Company, and the crown charters that ruled American colonies. Just a few examples: High-handed CEOs can, by fiat, off several thousand workers from the payroll, thereby jacking up the company's stock price and enriching themselves with tens of millions in stock gains, while the workers and their families are allowed no redress for their grievances; your bank, insurance company, credit-card firm, HMO, and other corporations can secretly collect the most intimate details of your private life, then use or sell this information in any way they see fit, without even informing you; imperious biotech corporations can mess dangerously with the very DNA of our food supply for no purpose except to enhance their profits, then force families to be the guinea pigs of their Frankenfood experiments, since there is no labeling of thousands of supermarket items (including baby food) already containing these genetically altered organisms; conniving corporations routinely extract millions from townspeople as the price of building a factory or sports stadium in their town, then can renege on any pledge of job creation and, on whim, pull up stakes and abandon the town altogether; haughty HMOs can make decisions that kill you, yet Congress protects them from legal liability and punishment for your death; "speech" has been perverted to mean money, authorizing corporations and their executives to buy control of the entire political process; a chemical company can callously pollute our air, water, and food, leading to thousands of deaths, birth defects, and other horrors, yet continue doing business and continue polluting, with no punishment beyond, perhaps, a fine, which it easily absorbs and, in some cases, can deduct from its income taxes as a "cost of doing business"; a handful of media giants have attained absolute control over the content of news and the range of ideas that are broadcast on *the public's* airwaves, arbitrarily shrinking the democratic debate; the democratic decisions of a city council, state legislature, or other sovereign government can be arrogantly annulled by corporate action through antidemocratic entities established by NAFTA and the WTO.

Who the hell are these people? Who elected them to run our world? Why are we putting up with this crap? As the bumper sticker puts it: LEMMINGS OF THE WORLD UNITE! YOU HAVE NOTHING TO LOSE BUT YOUR PLACE IN LINE!

We need to crank up a political fight that has some guts to it, some fire-breathing democratic passion in it, some of the revolutionary spirit of 1776 behind it. This is not a fight about regulations or really even about corporations—it's about control, sovereignty, self-government, *democracy*. Let's force the issue and put it as starkly as it is: Are corporations going to rule, or are we? From time to time, I hear veterans of the civil rights and antiwar battles of the sixties bemoan the lack of a "Big Battle" today, one that can unite a majority across traditional political lines, one that is about justice for all, is loaded with citizen outrage, has the spark of genuine passion within it, and is worthy of bloody heads. Well, here it is: The self-evident battle of our era is to defeat corporate autocracy and establish citizen rule over our government, our economy, and our environment.

When You Fight the Devil, Fight to Win

Practically every progressive struggle—campaign finance reform, rain forest destruction and global warming, sweatshops, family farms, fair trade, health care for all, unionization, military spending and arms sales, tax reform, alternative energy, healthy food, media access, hazardous waste dumps, redlining, alternative medicine, you name it—is being fought against one cluster of corporations or another. But it is not that

corporation over there or this one over here that is the enemy, it is not one industry's contamination of our drinking water or another's perversion of the law-making process that is the problem—rather it is the corporation itself that must be addressed if we are to be a free people.

In his powerful pamphlet *Common Sense*, Thomas Paine touched the heart of the American Revolution when he wrote: "Ye that dare oppose not only tyranny but the tyrant, stand forth." We can all object to consequences and seek remedial action, but will we finally face the tyrant itself? That is the questions for progressives as we step into 2000. We can continue fighting the beast as we have been, through scattershot, uncoordinated efforts—a lawsuit here, an investigation there, some legislation, more regulations, prayer, and the always useful sacrificial goat. Occasionally, these approaches succeed. But, as Grossman and Morehouse have written, "Tactically, [this approach] means limiting ourselves to resisting harms one corporate site at a time, one corporate chemical or biotechnology product at a time; to correcting imperfections of the market; to working for yet more permitting and disclosure laws; to initiating procedural lawsuits and attempts to win compensation after corporate harm has been done; to battling regulatory and administrative agencies; to begging leaders of global corporations to please cause a little less harm."

In 1998, Britain's House of Lords dealt with the weighty matter of changing the official costume worn by the Lord Chancellor, that body's top official. The outfit included a long powdered wig, breeches, tights, buckled shoes, white gloves, and black stockings. The incumbent wanted very much not to look, as one reporter described him, like "the frog footman in 'Alice in Wonderland,'" so he proposed a switch to modern business attire. Traditionalists, however, opposed any change in the seven tee nth-century garb. Lord Wattington put the case for tradition forcefully, summing up by declaring, "I can see no advantage to the Queen or the public if the Lord Chancellor removes his tights."

At the national level, inside the Beltway, too many of our progressive energies and resources are spent on fights that amount to removing the Lord Chancellor's tights. The piecemeal approach to fighting corporate abuses keeps us spread thin, separated from each other, on the defensive, riveted on the minutiae, and fighting on their terms (literally over the language of *their* laws and regulations, and in *their* courts and legislatures). More often than not, regulatory agencies are shams, working to sustain the business-as-usual tactics of corporations rather than to inhibit them, and the deck is stacked against the public interest anytime we find ourselves within these legalistic meat grinders. This is nothing new—historian Howard Zinn writes about the creation of the Interstate Commerce Commission in 1887, a "reform" pushed by President Grover Cleveland, ostensibly to regulate railroads. But railroad executives were told not to worry by Richard Olney, a railroad lawyer who was soon to be Cleveland's attorney general: "The Commission ... is or can be made, of great use to the railroads. It satisfies the popular clamor for a government supervision of railroads, at the same time that its supervision is almost entirely nominal.... The part of wisdom is not to destroy the Commission, but to utilize it."

Piecemeal battles must certainly continue, but there is real and immediate corporate harm to be addressed for people and communities. But it's time for our strategic emphasis to shift to the offensive, raising what I believe to be the central political issues for the new century: *Who the hell is in charge here?*

It is an open question, despite the appearance that corporations have things pretty tightly locked down. Yes, they have the money, the media, the government, the two major parties, the police and military, and the deadening power of conventional wisdom. But so did King George III. We've been here before, we've done this, and we can do it again.

We've got a couple of things going for our side in this historic struggle. For one

thing, our constitutional assertion of citizen control of corporations is still there, as is much of the language in the state codes that formally subjugates corporations to us. As Richard Grossman has found in his years of digging, "We still have the authority to *define* the corporations through their charters; we still have the authority to *amend* the charters; we still have the authority to *revoke* the charters—the language is still there. We still have the authority to *rewrite the state corporation codes* in order to *order* corporate executives to do what the sovereign people want to do." We have legal language and authority, a constitutional claim, a moral position firmly rooted in justice, and a powerful historic precedent that flows from the revolutionary patriots themselves.

We also have the common sense and revolutionary chutzpah of grassroots American agitators going for us. The commonsense side says: There are laws in our country that proclaim to human criminals "three strikes and you're out"—why not for corporations? Each year, hundreds of doctors, lawyers, accountants, and other professionals have their licenses to practice permanently revoked by the states—why not corporations? The Supreme Court has rules that the corporation is a "person" under the law; people who murder are removed from society—why not corporations?

The chutzpah side says: Let's go get 'em. And they are! The national media have been practically mum about it, but there already is an important movement among the citizenry to begin reestablishing citizen control over charters. In Wayne, Pennsylvania, the locals passed a 1998 ordinance that prohibits any corporation from doing business there if it has a history of consistently violating laws to protect workers, consumers, the environment, and so forth. In Jay, Maine, a town of paperworkers, the people were fed up with the repeated pollution of the water and air by the recalcitrant International Paper Company, so they enacted the "Jay Environmental and Improvement Ordinance," which gives the town of Jay the authority to monitor and regulate pollution by IP's Androscoggin paper mill—the townspeople have their own full-time environmental administrator with full authority to fine and shut down the mill for violations, in 1998, the people of South Dakota just said "no" to corporate hog factories in their state, voting by a sixty-to-forty margin for a constitutional amendment to prohibit corporations from owning livestock. Also in 1998, New York attorney general Dennis Vacco, a Republican, showed that the Council for Tobacco Research had acted fraudulently and illegally in pretending to do objective research when in fact it was nothing but a lobbyist and a front for the tobacco industry, leading to a settlement in which the council surrendered its corporate charter. The state's new attorney general, Democrat Elliott Spitzer, is expanding Vacco's initiative, considering all corporate charters fair game: "When a corporation is convicted of repeated felonies that harm or endanger the lives of human beings or destroy the environment, the corporation should be put to death, its corporate existence ended, and its assets taken and sold at public auction." He has hired a highly regarded public-interest attorney to oversee this effort.

Meanwhile, in the small coastal town of Arcata, California, there has been a remarkable two-year effort to put the issue of corporate usurpation of democratic authority into the public debate again. It began with Paul Cienfuegos, Gary Houser, and a few others, who organized Democracy Unlimited of Humboldt County, which in 1998 launched a citizen's campaign to get on the ballot a local initiative called Measure F: Advisory Measure on Democracy and Corporations. After a few straightforward whereases about the sovereign power of people to govern themselves, the Measure resolved that "the people of Arcata support the amending of the California Constitution so as to clearly declare the authority of citizens over all corporations." The proposition then included a couple of practical steps that, very smartly, took a slow and minimalist approach toward advancing citizen sovereignty in Arcata, establishing a process for democratic discussion in town that could move people along, but not before they were ready to move. First was a simple provision that, if Measure F passed, the city council would sponsor two town hall meetings on this topic: "Can we have democracy when

large corporations wield so much power and wealth under law?" Second was for the city government to create an official committee to develop policies and programs to assert democratic control over corporations doing business in Arcata.

The citizen's campaign hit the streets, and in just twenty-six days got the signatures needed to put the measure on the ballot. They gained key endorsements from Arcata mayor Jim Test and groups like the central labor council and students at Humboldt State University, and they delivered materials to the doors of nearly every household and business in this town of about seventeen thousand people. In the November 1998 election, their effort paid off: Measure F passed with nearly 60 percent of the vote. Since then, this town has been having what every town, city, neighborhood, and village green needs—a heart-to-heart airing out of the basic question of "Who's in charge?" Ralph Nader visited in 1999 in support of citizen control, likening Arcata's democracy dialogue to the ride of Paul Revere. On the other side, Kenneth Fisher, a *Forbes* magazine columnist and a financial speculator, gave a lecture entitled "Societal Ethics Are Always Unethical," bemoaning Measure F as an example of the "tyranny of democracy." Then came the town hall meetings in April and May of 1999, which produced a turnout of more than six hundred people, far surpassing expectations. The opposition had been active, too, working hard to turn out a pro-corporatist crowd, led by a couple of very vocal officials with the Yakima Corporation, which is based in the area but manufactures at a Mexican border factory. The proceedings were structured so both sides made two presentations of eight minutes each— then the floor was open to the people. The freewheeling discussions went long past the set time, putting the lie to conventional wisdom that insists people are too busy, too satisfied, too uninformed, too unconcerned, too prosperous, too conservative, too short, too stupid, too whatever to get involved with something as "boring" as their own democracy. Overwhelmingly, participants favored Measure F, and the town's people are now at work on developing the policies and programs for city hall that will put the well-being of the community above corporate whim on issues ranging from chain stores bankrupting local businesses to industry polluting the town's air and water.

Whatever the outcome at city hall, the effort already has accomplished something extraordinarily important: It has launched a citywide democratic conversation on a subject that hasn't been discussed in public for a century. Cienfuegos notes that thousands of local residents are now conversant with corporate rule and how it impacts their lives. It's a conversation that has become common in the cafes, Laundromats, in line at the post office, and elsewhere—literally taking root in the culture of the community. The groundbreaking work in Arcata continues, and it is spreading to other California towns, and to places like Olympia, Washington.

People are ready for politics that challenges the ongoing corporate grabfest. A recent series of focus-group sessions with middle-class folks (most of whom made in the range of \$20,000-\$60,000 a year) produced results that cannot be comforting to the Keepers of the Established Order:

- 68 percent of the people viewed corporate greed as an "equally important" or "more important" cause of working families' economic woes than big government—nearly half say corporations are the "more important" cause.
- 70 percent believe that such actions as massive downsizing, cutbacks on worker benefits, and sending U.S. jobs overseas are not motivated by the corporate need to be competitive and efficient, but by greed.
- 79 percent of Democrats in the groups, 67 percent of Republicans, and 74 percent of ticket splitters say the economic and human impacts of these corporate behaviors are serious enough to warrant purposeful government intervention.

I realize that this goes counter to the constant message from those on high who keep telling us that we Americans are a conservative people, but I find the regular folks of this country to be a gutsy bunch who, at their core, have an ingrained commitment to the ideal of democracy, a deep (and hardearned) distrust of concentrations of economic and political power, and a fighting spirit that doesn't need much kindling to flare. People are not "conservative," certainly not in the corporate sense, nor are they "liberal," in the sense of believing that more social programs and nitpicking regulations are going to clean up the messes that are being made by global corporate greed. People are antiestablishment mavericks, and they know (as any mother or kindergarten teacher can tell you) that the better plan is not to keep trying to clean up the messes but to get control over the brutes that are making the messes.

If the progressive movement is going to matter, going to make any difference at all in twenty-first-century politics, it has to understand and act on the latent radicalism (a la 1776) and maverick spirit of the true majority. The term "maverick" even has revolutionary roots—a member of the Maverick family was one of the five "liberty boys" killed at the "Boston Massacre" in 1770. But the term as we use it today actually came from another member of this same family. Samuel Maverick was his name, a pioneer Texas rancher who had fought in the 1836 revolution against the Mexican authorities. A thoroughly independent sort, Sam refused to brand his cattle. So, out on the range, any unbranded calf or steer one came across was said to be a maverick.

Go into the coffee shops and bars where middle-class workaday America hangs out, chat with the cab drivers and grocery clerks, visit working-class churches and neighborhood block parties, talk with nurses, janitors, mechanics, clerks, and restaurant workers while they're on break, shoot the breeze with the regulars at the barber shops or in the feed-and-seed stores. Here's where you'll find the maverick majority for the progressive politics I'm talking about, a constituency willing to run right at corporate power. This is where the progressive future is—not in Washington, fidgeting with policy on the fringes of power, quibbling over which of the namby-pamby corporate suck-ups running for president will do the most for "the cause."

Hey, let's gut it up, decamp from Washington, put our resources into the countryside, slug the corporate bastards right in the snout, and get it on with a grassroots politics that gives regular folks a reason to be excited and to get involved. Why not start the new century and millennium with a political crusade that is worthy of all of our energies and capabilities, a fight that is big enough, important enough, and bold enough to rally the workaday majority? It's the fight to take our government back, take our economy back, take our environment back by taking our sovereignty back—taking back our constitutional right as a people to *be in charge* of our own destinies.

"I may not get there with you," said a prophetic Martin Luther King Jr. in a sermon on the eve of his assassination, but "I've seen the promised land." The land that Reverend King saw is the same land that Woody Guthrie sang about in his cross-country rambles, and that I see today as I travel. It's *our* land, an extraordinary land where ordinary people are the strength, a place with awesome *possibility* to implement the democratic ideals of the people themselves. Through the generations, Americans have taken historic stands to hold on to and advance those ideals. Now is our time, our chance, and our duty to make real the promise of democracy—if not for ourselves, then for our grandchildren.

This *is* an exciting time to be an American.