

The Powers and Abuses of America's Mega-Corporations

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"Slavery is the legal fiction that a person is property. Corporate personhood is the legal fiction that property is a person." -- Anonymous

In 2010 the NeoConservative, pro-corporate, anti-democratic Roberts' 5/4 Supreme Court's decided in the Citizens United vs. Federal Election Commission ruling to grant personhood to corporations by allowing unlimited, anonymous monetary contributions to political campaigns and candidates. This ruling, called by many to be the worst Supreme Court decision of the past century, has emboldened the already powerful and corruptible multinational corporations (that now have achieved dominion over US politics as well as the economy) to "buy" any number of politicians and brain-wash voters by multi-million dollar ad campaigns that the rest of us can't afford to counter in state and national elections.

The US Supreme Court has thus made legal the absurd notion that inanimate corporations like PolyMet and GTac (potential despoilers of northern Minnesota and northern Wisconsin's irreplaceable wetlands, aquifers and aboriginal land and water rights) deserve the same privileges (but not the same responsibilities) as living humans.

After the ruling came down, there was only a brief bit of outrage from the so-called national leadership of our essentially "one-party system" (one-party, that is, when it comes to the GOP and Democratic Party's corporate and militarist agendas). What outrage was expressed was quickly drowned out by a well-timed, mainstream media-orchestrated "tempest in a teapot", namely Toyota's recall of tens of thousands of accelerator pedals (that had only infrequently been the cause of significant accidents).

What Should be the Punishment for Corporate Entities That Plunder and Pillage?

The following question about the consequences of the Supreme Court's democracy-threatening decision must be asked:

If corporations are given the privileges of personhood, shouldn't they also bear the same responsibilities and incur the same punishments as individuals when they commit crimes, poison the water and air or rape the land?

Peace and justice activists applauded when the citizens of Shapleigh, Maine protected their water rights last year from the insatiable water-extracting corporate giant Nestle. (See video and more information on this episode at: (<http://www.afterdowningstreet.org/node/40335>).

Nestle, one of the many multinational corporate exploiters, has no allegiance to Maine, Minnesota or Wisconsin or any other state where this foreign entity tries to extract water or

minerals that never were theirs to begin with. But when the minerals have been depleted and the water has been polluted or drained, Nestle, PolyMet and GTac will be gone, and so will Exxon/Mobil, British Petroleum, Halliburton, Deep Water Horizon, British Petroleum, Coca-Cola, Perrier or whatever other corporate intruder that ruthlessly extracts or poisons the people's resources — all for the economic benefit of their faceless investors, shareholders and CEOs at their out-of-state corporate headquarters, none of whom will have to live with the poisoned environment that they have left behind.

The good citizens of Shapleigh recognized the foxes that tried to get inside their henhouse, and they did the right thing by vigorously resisting; and another underdog David — with a lot of justice, a lot of pluck and a little luck on his side — won a rare victory against another evil giant.

Move to Amend: Overturning Citizens United

That small victory against injustice should illustrate what must be done if American democracy is ever to thrive again. The outrageous Citizens United decision must be overturned with a constitutional amendment. (See www.movetoamend.org for more.) The future of the nation, our children, the planet, our drinking water, natural habitat and aboriginal rights are all at stake. And exploitative corporations, just like other sociopathic entities, don't seem to care.

It is important to understand that the allegiance of big corporations is to its investors, shareholders, executives and management teams, and not to the people whose lives and health depend on the sustainability of the land, water, air and food supplies. Most corporate shareholders and executives from multinational corporations that are part of Big Pharma, Big Food, Big Agribusiness, Big Oil, Big Finance, etc are motivated by profits and not the common good, and therefore they are not concerned when local resources are used up and the struggling, degraded communities are left behind to fend for themselves (after being fooled into trusting non-human corporations that are inherently untrustworthy [see below]).

"Trust us: We're the Experts; Toxic Sludge is Good for You; We'll Clean up After Ourselves"
— and Other Corporate Lies

Conscienceless mega-corporations that swoop down on unsuspecting people and naïve governmental bodies, usually ask them to "trust us" and that — at some time in the uncertain future — they will un-poison the often permanently-toxified environment that they secretly intend to just leave behind. The people, understandably desperate for jobs, are usually fooled into believing well-crafted disinformation that is cunningly delivered — until it is too late and the mess that is left behind is no longer the sneaky corporation's problem. It's an old con.

Promises made during the courtship phase are likely to be broken with impunity when these foreign corporations are forced to pull-out, merge with other entities or file for bankruptcy. Silver-tongued experts from out of state are very good at getting us rubes up north all starry-eyed over temporary jobs, jobs, jobs while discounting the huge risks of permanent dead and dying zones being created because of their poisonous chemicals.

Wal-Mart, Coca-Cola and Union Carbide/Dow Chemical and Henry Kissinger

A good example of the many tax-avoiding American mega-corporations is Wal-Mart. A large

portion of its profits go to a handful of Walton family billionaires in Arkansas. Wal-Mart successfully — and legally — avoids paying for healthcare insurance and other benefits for most of their exploited, underpaid, part-time employees, who are also victims of the corporation's notorious union-busting policies.

US taxpayers are left holding the bag while Wal-Mart legally avoids what should ethically be their corporate responsibility: to be fair to their employees. Wal-Mart's notorious below-subsistence level wages forces many of their workers to work a second or third job and also seek welfare benefits — a cunning cost-shifting tactic that places economic burdens on the tax-paying public.

Another example is Coca-Cola. Coke depends on water that it extracts from any water source or aquifer from which the corporation can economically extract it, including, as a particularly egregious example, the aquifers that are situated beneath thirsty, struggling, starving (and then suicidal) farmers who are losing their farms in newly drought-stricken India.

Millions of gallons of water, that have traditionally been used for farmland irrigation systems, are being depleted by Coca-Cola in order to meet the artificial demand that has been created for the sweet, sugary, caffeinated (and therefore addictive), nutritionally useless, obesity-inducing and diabetes-producing soft drink that contains a few cents worth of ingredients and then is sold to poor people everywhere for as much as the market will bear.

Coke's predation of poor people in India and elsewhere brings to mind another corporate crime that has never been brought to justice. The infamous 1984 Union Carbide cyanide catastrophe in Bhopal, India that killed 25,000 slum-dwellers, left 100,000 permanently poisoned victims whose lives were ruined, and has left uncounted numbers of people living on poisoned soil, drinking poisoned water and breathing poisoned air.

Every person that has been exposed to the Union Carbide cyanide plant environs is chronically ill, and Indian mothers are still delivering malformed babies and dead fetuses because of the pesticide residues that cannot be detoxified. Union Carbide, the American corporation responsible for the disaster, has consistently shirked, just like most criminal entities, its moral responsibilities to the suffering victims. Carbide eventually sold itself to the equally infamous Dow Chemical, the company that brought us Agent Orange, immune-destroying silicone breast implants and a multitude of other highly profitable but very poisonous products.

Carbide's corporate executives have been repeatedly subpoenaed to appear in Indian courts for their crimes. But the US has not honored the extradition treaties it has with India. These executives have repeatedly refused to appear and are therefore in contempt of court. There are warrants out for their arrests in India, just as there are warrants out for the arrest of Citizen Henry Kissinger for his part in international war crimes and crimes against humanity in Chile, East Timor, Vietnam, Cambodia, Laos, etc. All of these accused criminals remain at large, harbored by America's Big Business-friendly, corporate-controlled nation.

Sociopathy and the DSM: The Common Denominator Linking Human and Corporate Criminals

There are a number of common denominators that link human criminals and the

multinational corporations that populate the Fortune 500 and/or Dow 30 Industrial Average lists (like Wal-Mart, McDonald's, Coca-Cola, Dow, Chevron, Exxon/Mobil, du Pont, British Petroleum, Halliburton Monsanto, Merck, Pfizer, Proctor and Gamble, Nestle, Perrier, Nike, Goldman Sachs, J P Morgan Chase, Enron, etc, etc). For one, the corporations, being just as afraid of facing the music as were Henry Kissinger, Bernie Madoff, Ken Lay and the other multibillionaires of their ilk (that are rich enough to employ rafts of cunning defense lawyers). Be certain that they will use any means necessary to evade or delay justice. Similarly, none of them can be expected to show any genuine remorse for the human suffering that their actions have caused.

There are checklist diagnoses for various personality disorders in the billing and diagnostic manual for psychiatrists (the Diagnostic and Statistical Manual [DSM] which, by the way, contains no statistics – go figure). One of the 374 disorders that are listed in the 4th edition of the DSM is antisocial personality disorder (code number 301.7), which identifies chronic pathological liars, cheaters, extortionists, abusers, thieves and killers whose lack of morals, ethics or consciences commonly enables them to avoid being caught or punished for crimes and misdeeds.

These “sociopaths” (aka psychopaths) typically refuse to accept blame or responsibility for their actions. In the case of sociopathic mega-corporations that are occasionally successfully sued in court, business-friendly judges will often allow a gag rule to be imposed against the plaintiff and may also allow the corporation to deny any wrong-doing even as it accepts the penalty!

Those supposedly “human” corporate entities can easily meet the criteria of antisocial personality disorder, and thus they seem to be incapable of showing genuine remorse if or when they are caught or convicted for their crimes. (Learn more about corporate sociopathy at <http://www.thecorporation.com/> or by watching the 2003 Canadian documentary titled The Corporation at <http://www.youtube.com/watch?v=xHrhqtY2khc>.)

Below are seven diagnostic criteria that are used to diagnose antisocial (aka, sociopathic or psychopathic) personality disorder in humans (be mindful that only three of the seven are needed for a positive diagnosis):

- 1) callous disregard for the feelings of other people
- 2) the incapacity to maintain human relationships
- 3) reckless disregard for the safety of others
- 4) aggressiveness
- 5) deceitfulness (repeated lying and conning others for profit)
- 6) incapacity to experience guilt and
- 7) the failure to conform to social norms and respect for the law.

Other common traits manifested by sociopaths include:

Lack of conscience

Lack of remorse for evils done to others

Indifference to the suffering of its victims

Rationalizes (makes excuses for) having hurt, mistreated or stolen from others

Willingness to exploit, seduce or manipulate others

No sign of delusional or irrational thinking

Cunning, clever

Usually above average intelligence

Always looking for ways to make money or achieve fame or notoriety

Willing to cause or contribute to the financial ruin of others

Untrustworthy

Cannot be trusted to adhere to conventional standards of morality.

We are talking about criminality in individuals that are not considered mentally ill. Sadly, sociopaths are, for all intents and purposes, totally sane but are also incurable of their personality disorder. These individuals make up at least 4% of the US population, although certain professions, such as the killing professions, tend to attract larger percentages of them (read *The Sociopath Next Door: The Ruthless Versus the Rest of Us*, by Martha Stout, PhD – buy it at: <https://www.google.com/#q=The+Sociopath+next+door>).

Actually the exact number of sociopaths — humans or their corporate counterparts — is not precisely known, but, lacking a conscience, neither truly feels guilty about their misdeeds. And therefore they never truly try to change. Believing that there is nothing wrong with them, human sociopaths rarely ask for help, and corporations are no different, especially when the law and the markets are on their side.

If and when human sociopaths are court-ordered to submit to evaluation and “treatment”, they typically only pretend to change until the pressure is off and their unethical or criminal activities look doable again. Academic psychologists tell us that attempts to rehabilitate full-fledged sociopaths are useless, although the often charming, charismatic, silver-tongued sociopath will commonly fool the treatment team into thinking progress is being made.

And sociopathic corporations don’t seem to have much trouble seducing regulatory agencies, local governmental entities and desperate underemployed workers by promising jobs and a secret un-tested plan to prevent environmental catastrophes. Only when it’s too late and the megacorporation has skipped the country with the loot will all the painful truths come out.

What Should be the Punishment for Sociopathic Corporations When They Lie, Cheat, Advertise Falsely, Act Unethically, Poison or Rape the Environment or Commit Crimes?

Experienced psychologists tell us that sociopathic individuals that have committed crimes have to be locked away to protect society from them.

So a number of questions need to be asked, “what needs to be done with corporate entities that meet three of the seven criteria above? What needs to be done with corporations that have a history of deceiving, lying, cheating, raping the land, poisoning the water, fouling the air or otherwise acting unethically?

Given the anti-constitutional 2010 Roberts’ Supreme Court ruling granting personhood to corporations (Citizens United), shouldn’t sociopathic corporations be dealt with just like their human counterparts when they act criminally? Shouldn’t long prison sentences be given to the CEOs, Boards of Directors and management teams? Shouldn’t there be confiscation of property or even capital punishment in the case of egregious cases including mass deaths as in the cases of Union Carbide, Coca-Cola and Merck (examples: the Vioxx and Gardasil deaths)?

I hasten to add that I am against capital punishment for humans, but any person with a conscience and more than a double digit IQ knows that corporations are not really human. Corporations don’t bleed and don’t cry out in pain during the execution process, although they may plead for mercy while shedding insincere crocodile tears. Capital punishment for corporations, contrary to the data on capital punishment for humans, would prevent a lot of future sociopathic behaviors.

What about the crime of rape as applied to corporations? Rape has several definitions, including the following ones that are in my dictionary:

- 1) Any violent seizure or hostile action against a weaker opponent;
- 2) to rob or plunder;
- 3) the act of seizing and carrying off by force;
- 4) the crime of having forcible sexual intercourse without consent.

Corporations that plunder, pollute or poison Mother Earth (or do hostile mergers and acquisitions of weaker companies) meet most of the above definitions for rape. Shouldn’t our society punish corporate rapists/plunderers as severely as we punish human rapists?

And what about the serial corporate predators, poisoners and killers of the earth and the creatures that should have every right to co-exist on our threatened planet?

What about the known lethal poisons that thousands of unregulated chemical corporations knowingly discharge into the water, air, soil and food? Should their acts of desecration be regarded as premeditated murder? Their homicidal or ecocidal actions have already caused a multitude of die-offs of thousands of species (eventually, perhaps even humans), in the increasing numbers of dead zones in aquifers, wetlands, rivers, lakes, rivers and oceans.

What about the extractive mining companies that, with their poisonous explosives, blow the tops off mountains in Appalachia or the Philippines (and are now planned by GTac for the Penoque Mountain range of northern Wisconsin) in order to more economically extract the non-renewable mineral resources beneath? Does it make any sense whatsoever to believe them when they then claim innocence when living things downwind and downstream are sickened or die off from the poisoned water, air and toxic sludge that contaminates the previously pristine streams and aquifers that once provided safe drinking water and a healthy natural environment for fish, wildlife and humans (especially the aboriginal First

Nation brothers and sisters that had their lands and livelihoods stolen from them a century or two ago)?

Zero Tolerance for Corporate Predators; Stop Them Before They do it Again!

How many strikes should any out-of-state corporate predator be allowed before they are called out and thrown off the land and out of the game? Shouldn't exploitive intruders be stopped before they despoil even one more aquifer, one more stream, one more lake, one more mountain or this one planet? Shouldn't cunning, politically-connected corporate exploiters be banned, arrested, tried and punished just like the human predators that normal civilized people need to stay away from? And shouldn't there be generous monetary restitution to the victims of past corporate crimes?

Shouldn't corporate thieves, liars, rapists and killers be treated the same as human thieves, liars, rapists and killers? Shouldn't we refuse to trust untrustworthy corporations that have lied in the past, even if they have spent millions of dollars on powerful, multicolored Power Point presentations, feel-good commercials, "green-washed" billboards or highly-paid lobbyists that bribe politicians and the media to be on their side?

What about corporate junkies, those executives that are addicted to their wealth, profits, prestige, corporate jets, vacation homes and quarterly bonuses? We regularly intervene for society's human addicts who need help overcoming their gambling or drug addictions who are a danger to themselves and others. Shouldn't there be interventions planned for these wealth addicts before they do any more damage to us or their families?

The answer, in a fair society, should be yes to all these questions, no matter how often the smiley-faced, well-dressed corporate executives — in their most cunning damage-control mode — try to convince us that their companies are "responsible citizens". We star-struck celebrity-worshippers of high profile corporations and CEOs seem to sucker for that line again and again. But the stakes are higher this time. The survival and sustainability of the planet and its creatures is at stake.

Perhaps Corporations Should be Judged Guilty Until Proven Innocent

One wonders what should be the best approach for dealing with cold-blooded, criminal, corporate entities. Rather than applying the standard American constitutional guarantee for human citizens to be judged innocent until proven guilty, shouldn't we be judging dangerous non-human entities as guilty until proven innocent?

I like that notion. I have often advised my psychologically traumatized patients (falsely diagnosed, by the way, of having a mental illnesses of unknown etiology) who were physically, sexually, emotionally or spiritually abused in childhood by parent figures to only give respect and forgiveness to those abusive adults when they have truly earned it, have sincerely and contritely asked to be forgiven and therefore deserve to be respected and forgiven. Psychologically speaking, not obeying — and also not respecting — one's victimizers (even if they were parents) should be the norm in interpersonal relationships. Psychologically speaking, the existence of significant parental neglect or abuse in a family should be one of the exceptions to the 4th commandment rule (that commands children to unconditionally honor their father and their mother). Likewise, we should only do business with companies that have earned and truly deserve our respect.

Being suspicious of sociopathic entities is an important strategy to follow if one is to protect oneself from getting cheated or abused. Staying out of a sociopath's grasp is the proper thing to do, even if the person or corporation appears on the surface to be charming or honorable, for both traits can be easily faked. Staying clear of anybody or anything that one suspects has no conscience makes tremendous sense, since conscienceless entities are also likely to be liars and thieves and are thus fully capable of rape, pillage and even murder if they can get away with such crimes.

Staying away from (boycotting) corporations that have behaved unethically in the past is one thing a person can do to combat corporate sociopathy. Guilty corporations hate it when the nonviolent tactic of economic boycott is used, but in our largely brainwashed, advertised-into-submission culture, only small minorities of people recognize — until it is too late — that they are being chumped.

Has the Corporate Coup d'état Been Completed?

The concept of corporate power and privilege has massively benefited Big Businesses at the expense of the "consuming" public, but the reality is that it has been going on for generations. Multinational corporations and multibillionaires are increasingly in control of the White House, the US Congress and the court system, especially since Citizens United. Both political parties have been seduced by corporate campaign money/bribes.

And now, sadly, it appears that a majority of the judicial branch of the federal government has been bought off — and it appears that they are staying bought. It is not just the politicians that are controlled by corporate money anymore.

Actually, the mythical "unbiased", "non-politicized" US Supreme Court has always been heavily influenced by corporate power. Throughout US history, it has always been wealthy corporations, wealthy businessmen, wealthy politicians, wealthy judges and wealthy attorneys that have been installed in federal judgeships by equally wealthy presidents — many of whom have been members of the same bipartisan "old boy's clubs" such as Yale University's elite, secretive Skull and Bones. America's courts have always had judges that were in bed with capitalist, racist and union-busting ruling class folks who have never held the common good as a high priority.

Say Hello to Friendly American Fascism

The Italian dictator Benito Mussolini is often quoted as having said that "fascism should rightly be called corporatism as it is a merger of state and corporate power:" He should know, he invented the term and the concept. Italy's anti-worker, union-busting corporations loved him as much as most 1930s German corporations loved and supported Hitler.

Fascism is a right-wing, nationalistic, authoritarian political ideology that rules the people with military and police state power, backed up by a secretive national security apparatus, aggressive propaganda, control of the media and by suppression of trade unions. Therefore Big Businesses, notably the weapons industries and other war-related or police state industries thrive in fascist nations.

Fascist nations commonly violate the human rights of their own citizens (not to mention the rights of the nations that they invade and colonize). Fascists leaders try to unify the people by creating enemies, scapegoating those enemies and then, usually via false flag

operations, going to war against them. Dissent is not tolerated in fascist nations and often elections are fraudulent. Oftentimes there is some sort of a merger of church and state and the fostering of anti-intellectual/anti-scientific attitudes. And there is always an obsession with law and order (police state tactics).

Sadly, there has been a slow, rolling corporate coup d'état that has gradually overthrown America's one person/one vote republic. America has all the marks of a plutocracy (rule by the wealthy privileged class).

Wealthy corporations and their plutocratic billionaires appear to be in charge of both major political parties, the economy and even foreign and domestic policy. And now they have their privatizing eyes on our water, our land, our breathable air and even our food (as Bob Dylan sang in *Union Sundown*, "I can see the day comin' when even your home garden is gonna be against the law".).

Elections will continue, although the choice of candidates, the orchestrated "debates" (that excludes minor party candidates), the speechifying and the value of small monetary donations will be increasingly meaningless. There will be fewer viable, courageously anti-establishment candidates like Paul Wellstone (or a Green Party or a Democratic Socialist Party candidate) for whom to cast votes. The American dream (that "you have to be asleep to believe in", as George Carlin told us) appears to have vanished. And we sheep were asleep at the wheel when it disappeared.

Corporate Rights vs. Corporate Responsibilities

It is the greedy, non-human, conscienceless, under-regulated corporations (and NOT "man") that have poisoned the planet's ecosystems. It has been nonhuman corporations that have caused the economic and environmental crises — including the global weather changes. And, because they rarely get indicted, much less punished for their misdeeds, they are continuing to try to get away with planetary murder — and they don't seem to care. Their motto seems to be: "grab everything you can steal by any means necessary; enrich your CEOs, your boards of directors, your shareholders, spokespersons, lawyers, lobbyists, legislators and judges; don't get caught; hunker down in your gated communities with your chauffeurs and your bodyguards; hope nobody revolts; and let the devil take the hindmost."

Wrist slaps seem to be the norm for corporations and the superrich when they are eventually "brought to justice" for their crimes. If there are any consequences for reckless or destructive business practices at all, the company usually gets assessed a relatively small, very affordable fine. For large corporations, fines are now just an affordable part of doing business. Sometimes though, a corporation about to be brought to justice will threaten to move its headquarters or its operations to another state, leaving their smelly and toxic messes to be cleaned up by somebody else, just as one would expect of a conscienceless sociopath.

The brazen action of the Roberts' court in *Citizens United* might be one of the final nails in the coffin of America's mortally wounded democracy. Given the fact that the myth of corporate personhood is now the law, it is past time that the 99% and its representatives in Congress insist that the 1% be punished as severely as are human criminals. The 99% needs to exercise its duty to preserve and defend the constitution (and the planet) from all enemies, foreign or domestic, human or corporate, even if the corporate criminals are hiding behind boardroom walls during the day or living the celebrity high life at night.

We must identify and courageously name America's domestic enemies even if they are members of the executive, legislative or judicial branches of our federal and state governments. Naming the evil-doers (and naming the evil that they do) must be done in order to effectively confront them. Simultaneously, we need to demand that our basic human right to have access to uncontaminated water, food, soil and air (and access to affordable health care) be safe-guarded from the greedy exploiters and predators in the plutocratic classes who want to extract the wealth and resources from whomever they can. The fate of our children, grandchildren and planet Earth depends on those safe-guards.

Among the first of the many steps that must be taken if we are to reverse the multinational corporate takeover/privatization of the planet is to demand that our local, state and federal legislators reverse the Citizens United ruling and correct the damage done. (See www.movetoamend.org for more information.)

Dr Kohls is involved in peace, nonviolence and justice issues and therefore writes about fascism, corporatism, militarism, racism, imperialism, totalitarianism, economic oppression, anti-environmentalism and other violent, unsustainable, anti-democratic movements.

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