

# TOWARDS GLOBAL DISORDER: How the Corporate Rights System Straddles the World

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## THE LIFE-AND-DEATH WAR OF RIGHTS SYSTEMS DEFINED

by

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*The global disorder is glimpsed in everyday symptoms, but not the deep-structural conflict – the war on common goods for human life by unliving and unaccountable corporate persons backed by global armed force under multiple alias names, borderless growth without law, no duties but to money profit, and no limit by death or even taxes.*

This is the contemporary corporate rights system. Formerly confined to wildernesses whose people who had no rights under corporate trade charter, the reborn corporate rights system now straddles the world – but with no colonial limits or required charter from the sovereign (the corporation writes its own). No monster imagined by myth has matched its private powers over the lives, livelihoods and life means of peoples, its unaccountability to any higher power, its impunity in annually imposing trillions of dollars of damages on the world, and its emergent rights to control state elections, offices, public communications and the academy itself. Ever more unaccountable since the Reagan-Thatcher turn, state sovereignty in the public interest has been overthrown for direct rule by transnational corporations whose supra-state rights are embedded in small-print treaty regulations conferring rights on them alone.

The borderless corporate market's feeding cycles are all that can be bought and sold – increasingly everything. Its conglomerate money stocks can ruin currencies and economies overnight with leveraged capital for fast profit, avoid taxes, regulations, and living wages, loot natural resources before moving on, and spew toxic wastes into the air, the waters and the ground with no charge. They can buy and sell governments and officials as servant classes, control the contents of trade -and-investment treaties making it all legally possible, propagandize the virtues of their brand companies around the clock, and flood the sites they poison, destroy or make unliveable with hired lawyer and P.R. hit squads, mouth-sealed agreements for any money paid out, and demands for more of the same. Nations who do not consent are destabilized or warred upon until they too are occupied states. In Orwellian touch, the umbrella term for this permanent war of invasion and occupation is “the Free World”.

Private corporate banks meanwhile pick up ever more of the wealth extracted by leveraging money into 100-times multiples or whatever can be borne into function-decoupled money

circuits seeking only to be maximally more with no product. The methods are well known but not connected – pervasive compounding state and personal debts, perpetual takeovers and service charges to dismantle for more, fraudulent financial products metastasized across continents when interest rates are low, and myriad forms of bleeding exchange sites, productive economies and peoples dry to multiply the cancerous money sequences faster around the world.

### **Defining the Global Corporate Mechanism in Formal Terms**

We need here as elsewhere a criterial definition so that pro and anti slogans do not confuse meaning. The meaning is complex, but can be exactly parsed in formal terms. *The corporation is a changing pool of money owners defined by a unitary legal goal of profit maximization for its shareholders and their non-liability for the corporation's actions. It is also the sole right holder as "the investor" in transnational treaty corporate-rights mechanisms whose rules since 1988 govern the global market and whose articles exclude all labor and citizens rights.* Above the lines of natural life and death – “lacking both a body to be kicked and a soul to be damned, they therefore do as they like” in the words of British Lord Chancellor Thurlow (1731-1806) – *the corporation is the sole agent inducing obligations in contemporary international trade with a unilateral rights to sue governments for "loss of profit opportunity" through binding and punitive tribunals with powers of unlimited financial penalty. In domestic law, the private corporation writes its own charter of incorporation as distinct from its original reception of power by sovereign government conferral.*

This deep structure of rule is blocked out across disciplines and cultures, in particular its cumulative threat to global life itself. Its surface expressions are infinite and pervasive, but all conform to *one syntax of rule*. The *subject* is private money capital whose *verb* is seeking to become more without upper limit, and *all modifiers* are money-demand or its equivalents. Competing money capital subjects purchase, exchange and dispose of human and natural resources, commodities, and stock futures to become *more* money capital and commodities as final end. *Rationality* is, in turn, regulatively presupposed as (i) self-maximizing strategies in (ii) conditions of scarcity or conflict over (iii) desired payoffs at (iv) minimum costs for the self to (v) win/gain more. One can see that this syntax of meaning and value is life-value blind in every dimension, but the causal mechanism of disaster it forms is not recognised nor examined, even in philosophy whose formal paradigms of rational justice and morality presuppose (i) through (v).

What systemic injustice and violation of human and ecological life systems today is *not* driven by globalization of this syntax of value in money-value terms? The question is not asked, but its answer discloses whether or not any *other* causal mechanism can explain it. Formally represented again, this ruling system of rights has disconnected its private money sequences from even the tangible products of classical industrialization in \$ 1->2->-3->à *n* sequences of merger and equity predating, currency speculations, shorting bets, price arbitrages, carrying trade margins, derivative covering, credit swaps, and so on. Private money-value multiplication decoupled from any commitment to life goods production of any kind captures government revenues formerly available for investment in social life goods and regulatory structures and increasingly dominates all levels of the world system.

### **The Age-Old Life Economy of the Civil Commons versus the Corporate-Rights System**

The resolution may be expressed in one life-value principle. Transnational corporate-person

rule by money sequencing as the sovereign driver of world society must be regulatively re-set so that enabling life goods instead of disabling life bads are selected to sustain rather than predate social and ecological life-support-systems – as explained in prior sections and has already happened before in history without principled comprehension across cases.

Civil commons development has been explained as the unifying social agency of social resistance and advance across cultures, the human vocation in collective expression across place and time. Deeper than the issue of revolution is the prior issue of a life-coherent rule system of political-economic ordering. The civil commons principle identifies this required ordering, but must be distinguished from the age-old concept of “the commons” which is used today in profoundly conflicted ways– as “global commons” open to corporate-right control on the one hand, as shared life goods of subsistence agriculture on the other hand, and so on. The actual ‘commons’ were and remain *nature-given* forests and fields in which villagers could graze their livestock, draw water, pick plant-stuffs for food, access wood for fuel, building materials and tools, and so on. They were *not*, as famously misunderstood in Garrett Hardin’s “The Tragedy of the Commons” (1968), natural resources which local people spoiled by individual exploitation.

Before they were expropriated by agribusiness interests, the commons were structured by community rules for their protection and reproduction through generational time. Harden’s article projects agri-business over-exploitation onto its victims, a familiar operation of this system’s ideology. The meaning and substance of the *civil* commons is geared to the present, however, and includes the centuries of progressive history since “the village clearances” which, in Marx’s words, introduce capitalism “dripping blood and dirt from every pore”. The civil commons refers far beyond what is given by natural commons to include all *human-made goods* that people need and to which community members have universal access by social regulation of production and use.

These life goods include from the earliest times on community gathering places, abodes and life-spaces, structured water sources or wells, care of the young and ill, repulsion of external attacks, human waste and burial routines or rituals, community stories, tribal symbols and games, and so on. Which remains unpredated by the corporate-right system? In every case, the underlying organizing principle of what is attacked and expropriated is still not yet understood – a contributing function of each to the well-being of the social whole by cohering functions – which in the first instance involved hunting, gathering, cooking, childcare, planting, and the rest, but even now involve *every kind of social and natural life support system built and stewarded beneath the private-profit and commodity surface*. All involve, that is: (i) social rules of access or activity or production which (ii) enable the access of all members to (iii) life goods whose generic criterion is (iv) that without which human life capacity is reduced.

### **Holding and Advancing the Life-Ground of Resistance:**

### **Clarifying the Civil Commons of Economic and Human Rights Around and Under Us**

Moving from past periods to our era, a host of otherwise unconnected phenomena in our daily lives come to attention through the lenses of civil commons understanding – not only the air we breathe which has been safeguarded from pollution and the clean water we can drink from any tap, but – as the Occupy Wall Street movement has pressed into – any park or public concourse. The civil commons are all around and under us – a public health-care

resource, an educational classroom and its texts, the classics of word, film and documentary in public libraries, any neighbourhood or government network of mutual life assistance, common life-serving knowledges of hygiene and cooperative ordering (e.g., queues), unemployment supports and old-age and disability pensions, undominated democratic elections, all publicly constructed infrastructures that exist, city playing areas and recreation spaces, open public ways from sidewalks to paths in the wilderness, the entire accessible content of the knowledge commons and Internet – *all* are civil commons phenomena. But they are unrecognised in their unifying meaning and so not connected into the common life-ground still left and to be advanced at every level.

Specifically all these civil commons depend upon and express *rule structures, enable access without price or other barrier*, and are cases or means of *life goods without which people's individual life capacities are disabled*.

On the other hand, what does *not* qualify under these criteria is not a civil commons formation, and may be a usurpation or violation of it – from privatized-for profit healthcare subsidized by taxpayers to, more heinously, armed-war aggression by state armed forces of distant societies promoted as “defending the free world”. The civil commons criteria, in short, provide the missing objective and principled grounds for distinguishing what has not before been reliably told apart – government and private-sector formations that serve the *common life interest* versus ones that do not. Every corporate enterprise depends on claiming it best serves people's interests – but ever fewer in fact do and ever more override people's individual and common life interests in cumulatively destructive ways that only criterial recognition can identify through the propagandist fields and only civil regulation can impartially prevent.

The life-value criterion of the civil commons principle also works the other way to tell community traditions and norms which are worth preserving as opposed to totemic life oppressions. The ultimate issue always is: Does this private, state or traditional right *compossibly enable people's lives across the community*? This is the *life-coherence question*.

Yet an endless politics and ideology of invalidation as “socialism” and “communism”, on the one hand, or “not working-class centred” or “unrecognized in the literatures”, on the other, or further blindness to the civil commons infrastructures of our lives have fatefully blinkered public and theoretical understanding. These opposing forces and ideologies ironically *collaborate* in an unseen way. Both block out the underlying civil commons from view, the very distinguishing feature of the species' evolution as human.

While in fact historically led by women to the present day in the majority world, feminist literature itself does not comprehend the civil commons pattern of human development across epochs. Although Karl Polanyi has tapped the general idea in Britain from medieval villages to 1944 in Britain in his *The Great Transformation* and Richard Titmuss has over the 23 years since Polanyi in his *Commitment to Welfare* (1967), neither classic identifies the generic principle, while both are in any case excluded from contemporary mainstream teaching of economic, political and moral science. G.A. Cohen resonantly cites Titmuss in his *Rescuing Justice and Equality* (2008) as advocating the individual motive force of “principled commitment and fellow feeling” (p. 189), but again the objective principles which unify and define these life-support institutions over millennia are not penetrated.

Life-value analysis observes that despite the relentless blocking and attack on civil

commons at every level by private-profit forces, public regulations and outlays have been instituted which concretise the civil commons principle in every case but which received theory remains incapable of comprehending – as once women, workers and slaves, non-whites, and children could not be recognised as human beings.

Indeed civil commons formations have had an even deeper blind eye against their recognition – with more far-reaching consequences in the corporate totalitarianism of today. Economic understanding is as blocked against recognition of the civil commons principle and reality as the terminal bigot is against recognising the human in other races. U.S.-led Western foreign policy in fact systemically attacks any society which has built or seeks to build any social infrastructure displacing private-profit corporate control of its resources for public benefit – in short, civil commons formations called by other names. An unseen profile of world war emerges through the lenses of this long repressed framework of comprehension.

### **Beyond Amnesiac Despair: The Life Economy and Human Rights Base Already Won**

If we reflect again on the actual life-serving fabric across classes that has been built since Marx in the ultimate struggle not yet conscious in theory or conception, we see civil formations at every line of developed civilisation – effective laws to ensure the purity of food and milk as well as water supplies; inspection, disinfestation and condemnation of private as well as public structures deemed to be health hazards; the construction and maintenance of community systems of waste and garbage disposal; systematic testing, inspecting and screening of commercial products to validate their safety for human use and consumption; formation of publicly enforced workplace standards in private factories and places of business; provision of public spaces and paved paths to ensure non-priced free and safe movement for all; development over generations of non-profit public libraries, museums and universal education systems shared and managed by public servants for whom price or profit demands would constitute a criminal offence; and most recently and perhaps revolutionarily, development of a universal nano-second communication system of information without price barriers or media control of its content led by civil commons shareware and information across property and national barriers.

This latter is a world-wide civil commons formation bursting out of the seams of the corporate-right lockdown by countless millions collaborating across divisions in spontaneous community of thought, learning and action which has long led the original civil commons of language through every generation of its advance – – Or regression by exploitative control by private interests now centered on money profit. It is the story of history, but in so many shifting variations and doctrinal filters we have trouble seeing our common life ground and human vocation with us from the beginning. The Internet is the latest war zone with the social communication, freedom and knowledge commons of the human users invaded by corporations and states seeking to commercialize, copyright, block, and so on with no life function – the dividing line of the war.

When overall we consider the dramatically lower life-costs *and* money-costs compared to private money-sequence rule by transnational corporate monsters called ‘persons’, the lights go on everywhere the war is waged. *Always* non-profit efficiency, durability and good management achieve the very opposite of what is pervasively asserted in the ruling system ideology that ‘only the market works’ – the mask of the oligopolist rights system. Consider the general facts never reported in the corporate media or connected. Social versus



corporately privatized healthcare, water provision, higher research, communications, shareware, and mass transport have *always* been demonstrated far superior in life-enabling outcomes and profitless cost efficiency through known historical struggles in virtually every case. Where does this superiority *not* hold? Yet where is the political question asked in public with independent facts? Challenge anyone to show the evidence of even *one* 'privatization' and you are unlikely to find fact or satisfaction.

There is, however, a law of comparative performance which is invariably avoided. Modern public enterprise in accordance with the civil commons principle is incontrovertibly more evolved and proven system of production and distribution for the wellbeing of citizens' lives than the private and corporate rights system in *all* areas in which it has been permitted to openly and democratically develop.

### **The Real Private Sector is the Opposite of Global Corporate For Profit**

When we consider an apparent exception to this law from 'the private sector' – like the greening and flowering of people's private homes and gardens– we find that it is yet another example of the civil commons principle. All who pass are enabled to enjoy the biodiverse life and beauty without charge or profit, including the many-sided bird and fellow life provided new habitats.

This civil commons found in also in community vegetable gardens – a spontaneous greening of urban life that restores the life world for life function. Even the corporate poisoning and pollution of this life good – for example by once pervasive pesticides and herbicides – comes to be banned by long public struggle for the common life goods of non-toxic air and earth. The moving lines of civil commons struggles have no edge. But without a unifying principle or name, they remain invisible and unconnected.

The actual social resistance and advance against the global corporate system occupation is thus not grounded in by theory, or recognised as an historically bonding human vocation across times, places and actions. But when the people roll into the streets, a millennia-old civil commons meaning binds them as the ongoing resistance to the oppressor in inhuman form. Ever more transparently representing the money interests of the one per cent alone, only armed force and ignorance can sustain the life-blind rule.

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