



Tools for Democracy

Get Informed

Take Action

Use the Toolbox

SEARCH:

GO

Introduction

Corporations have brought many benefits to modern society, including technological innovation, products and services necessary for daily life, and high-paying jobs that have created a decent standard of living for hundreds of millions of people. Nevertheless, the vast majority of people believe that corporations have too much power. For example, 72% of those polled by Business Week in September 2000 agreed that, "Business has gained too much power over too many aspects of American life ." And this was before many of us had even heard of Enron. This is an organizing manual for those people who believe that corporations have too much power and who want to take constructive action in response.

Today we are facing an astounding array of problems, many of which are rooted in the abusive behavior and unchallenged power of giant multinational corporations. The economy does not sufficiently support working people (thirty percent of American working people earn poverty level wages), the ecosystems that make life on earth possible are gravely endangered (the extinction rate is estimated by leading scientists to be between 1,000 and 10,000 times greater than the natural rate), industrial polluters threaten our health (according to their own data, U.S. industries released over 7 billion pounds of toxic emissions in 2000 alone, or over 20 pounds per person living in the U.S.), and the gap between the rich and the poor continues to expand (the richest one percent of Americans receive as much after-tax income as the bottom thirty-eight percent combined .)

Corporations dominate virtually every sector of the economy and nearly all of society. Their influence is felt everywhere, including our schools and universities , religious institutions , entertainment outlets , the halls of government and other public spaces , and virtually every other area of our lives . They determine the news we read (and sometimes don't) , the conditions of our working environment , our health care options , the quality of the food we eat , the safety of our drinking water and air, and the sustainability of the planet's ecosystems .

We know that the unrivaled power of corporations is at the root of many of these complex problems. But what do we do? Where do we begin?

Why Organize?

For decades, compartmentalized reform movements have been fighting to create a more just world issue by issue, but the problems keep getting worse. Clearly we need new strategies that address the underlying problems.

History teaches us that the power of an informed and organized citizenry can be vast and formidable. All around the world, for centuries, groups of dedicated citizens have proven that by organizing, people can have strength in numbers and that together, our voices can be louder than that of the richest corporation or the most powerful government. In the last century in the United States alone, citizens have asserted their constitutional rights in successful fights for unions, racial desegregation, women's right to vote, young people's right to vote, and international peace.

People living in every type of community -- suburbs, cities, and every size town in between -- exercise their collective strength every day, advocating for a more just and sustainable world. Whether it's fighting against polluted drinking water, demanding proper textbooks and materials in public schools, keeping superhighways from destroying our neighborhoods, or supporting local businesses, citizens are active participants in democracy everyday.

The struggle between those who have power and those who have little is timeless. In today's world there are two distinct types of power, people and money. Our movements tend not to have much money but generally represent the interests of the majority of people. The challenge facing us today is to find ways to utilize our rights and powers as citizens, along with a little bit of money, to counterbalance the dominance of giant corporations. You don't have to be Gandhi or Martin Luther King, Jr. to be an activist who creates lasting change, but you do need to be dedicated, persistent and willing to stand up for what you think is right.

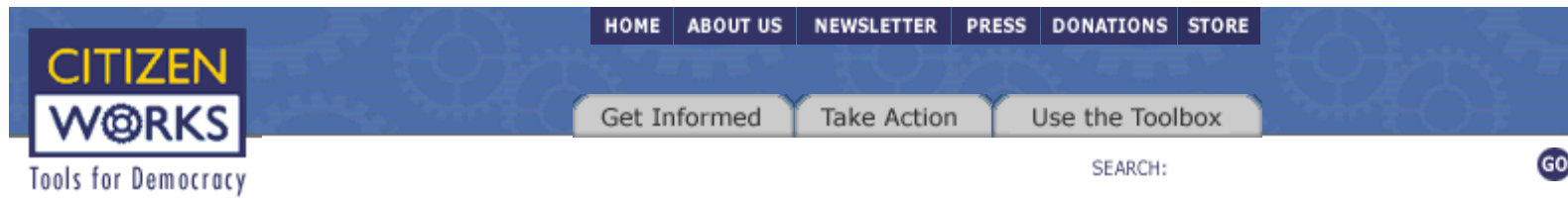
In the first section we will provide an overview of the impacts and causes of corporate use and abuse of power and highlight some suggested reforms. The second section focuses on the skills you will need to build a group that can effectively promote concrete and systemic solutions. These are by no means an exhaustive review, which is why we have provided a list of other resources at the end of the handbook to aid in your organizing. This guide will be updated as our movement grows and our collective understanding evolves.

Back to [Table of Contents](#)

[>>next section](#)

Last Updated February 2003

[About Citizen Works](#) | [Contact Us](#) | [Privacy Policy](#) | [Jobs/Internships](#)
ALL CONTENT © 2004 CITIZEN WORKS



Corporate Dominance: Defining the Problem

America is built on simple yet revolutionary principles; fundamentally, self-governance is an inalienable right and governments should serve the interests of the people. These are essential characteristics of a healthy and functioning democracy. But America has stumbled upon a formidable roadblock to the realization of our founding fathers' dream, as Lincoln said, of a country that is "of the people, by the people, and for the people". Clearly, the gap between our democratic ideals and our current reality is due to many factors; one of the biggest is that mammoth corporations, huge in size, wealth and power, are drowning out the voices and interests of everyday American citizens. The following is a broad overview of the ways in which corporate dominance is stifling democracy, stunting our communities and devastating the environment.

THE CORPORATE INFLUENCE ON GOVERNMENT

A huge component of increasing corporate control, power and irresponsibility is the grip that corporations have over our government. The most obvious way that corporations influence government officials and policy is through campaign donations and lobbying. In the 2000 election cycle alone, businesses gave \$1.2 billion to congressional campaigns, lining the pockets of both the Democrats and Republicans. Unless you are rich, it is nearly impossible to run a viable congressional campaign without corporate financial backing, since their donations make up about 75% of the money that candidates receive. In the most recent election, the candidate who raised the most money won 94% of the time.

Once elected, an army of roughly 20,000 corporate lobbyists provides constant reminders of just whose money elected whom. The combination of corporate political donations and pressure from lobbyists is an excellent investment for the corporate world. It helps them frame the issues and keep critical interests out of the halls of government. Sometimes the payoff is direct. In 2000, corporations received \$125 billion in tax-breaks and subsidies, a return of about 100 to 1 on their investment. In addition to draining taxpayer dollars to support corporate welfare, the government also heavily subsidizes the research and development side of many industries, particularly the pharmaceutical, technology and military hardware/weapons industries, spending billions of government dollars and then giving away the findings for virtually nothing to corporations, who proceed to make a profit.

The ties between corporations and governments run so deep that a revolving door has appeared between the two sectors. Many of President Bush's appointees, for example, are ex-corporate executives now in government positions where their role is to regulate the industries they were once a part of. For example, 41 officials in the Bush administration have close ties to the oil industry. These kinds of connections clearly make it difficult for objective evaluation and regulation of industry, or for the interests of ordinary citizens to receive equivalent consideration.

THE RISE OF MULTINATIONALS

In the past several decades, corporations have been given free reign to enter markets around the world with little regulation and with the license to demand priority treatment. With the emergence of the World Trade Organization (WTO) in 1995, and the transformation of the World Bank and International Monetary Fund into corporate-driven institutions, there now exists an institutional framework by which corporations are legally dominating markets around the world, dictating economic policies of developing nations, and strong-arming their way to resource and wealth extraction. Although we usually think of these transnational institutions as determining the economic policies of indebted nations in Asia, Africa and Latin America, it's also true that international trade agreements such as NAFTA pose considerable threats to the U.S. system of democracy.

One example of how international trade agreements give corporations more rights than citizens is Chapter 11 of NAFTA, the chapter that defines investors' rights. Chapter 11 grants corporations of each nation (the U.S., Mexico and Canada) the power to sue the other two nations and overturn laws that might be construed as interfering with the corporation's profits. If a company believes that a NAFTA government has violated these new investor rights and protections, it can initiate a binding dispute resolution process for monetary damages before a trade tribunal - a process which is closed to public participation, observation and input. Individuals, on the other hand, have no legal status in NAFTA. Human and labor rights, environmental protections, and democratic accountability were consciously excluded. As Jeff Faux of the Economic Policy Institute puts it, "NAFTA thus represents the most extreme example of the so-called neoliberal model, in which supranational rules liberate the private corporate investor from the constraint of democratic public values."

The recent mass wave of corporate mergers has resulted in extreme consolidation of wealth for a very small number of corporations. In fact, 51 of the world's 100 largest economies are corporations, while only 49 are countries. The result is that unaccountable corporations and corporate dominated institutions like the IMF, World Bank and WTO have more power and influence than many countries' governments.

WHAT DRIVES THE SYSTEM?

Hardwired into the corporate machinery is a drive to maximize shareholder value. Translated into practice, this economic imperative means that corporations do whatever it takes to maximize their gains while externalizing all possible costs onto workers, communities, consumers and the planet.

CEOs are in fact legally bound to make as much money as possible for their shareholders. The problem with this kind of system design is not the notion of profit in itself, but rather that the real costs of business ventures and corporate activity are not taken into account. Consequently, communities, workers and the environment are left to pick up the tab for corporate irresponsibility. Any economic model that solely relies on profit and growth to gauge success is fundamentally unsustainable and flawed because it neglects critical components of a healthy society: the well being of communities, workers, and the environment. A huge component of this problem is that there are very few avenues available for the voices and concerns of employees, communities or other stakeholders to be heard and heeded as they are excluded from the corporate decision-making process.

The logical result of the single-minded profit-based approach is an array of both legal and illegal bad corporate behavior. For example, in the name of profit corporations legally can, and often do, re-incorporate in an off-shore tax haven without moving any of their operations. While still benefiting from government services and contracts these corporate tax traitors can save tens of millions in annual tax returns. Officials from the U.S. Treasury Department estimate that between \$70 and \$155 billion disappears into the "Bermuda Triangle" of off-shore tax havens each year. By utilizing tax havens and other tax loopholes corporations are paying less than their fair share, only 1.3 percent of the nation's Gross Domestic Product, the lowest percentage in two decades. At the same time, many of these same companies are receiving untold billions in corporate welfare subsidies. Additionally, because of weak whistleblower protection laws, corporate disclosure regulations and public right-to-know laws, it is often difficult for the public to learn when corporations are breaking the law.

While much corporate irresponsibility, abuse and tax-avoidance is legal, we recently witnessed a wave of corporate crime that was fueled, in part, by the drive to maximize profits. But corporate crime is not a new phenomenon. While the FBI doesn't keep statistics on corporate crime, one university professor found that in 1997 there were twice as many workplace deaths as murders. White-collar corporate crime - consumer fraud, deceptive advertising, tax cheating, and insurance, Medicare, and securities fraud - cost society between \$200 - \$500 billion each year. Compare this to the cost of burglary and robbery costs, which the FBI estimates is about \$3.8 billion a year.

The punishments for white-collar crime are also significantly less than for street crime, generally on the order of months instead of years. Corporate crime, like violating environmental, workplace safety or labor

laws, regularly goes un-prosecuted and often results in nothing more than a minor fine that the corporation can write off as the cost of doing business. The big Wall Street banks that were charged with stock-research abuses in 2002, for instance, are claiming that more than \$1 billion of their \$1.5 billion global settlement is tax-deductible.

Frank Easterbrook and Daniel Fischel, two leaders of the Chicago School of Law and Economics, summed up the profit-at-any-cost school of thought 20 years ago: "Managers not only may but should violate the rules when it is profitable to do so. "

THE CORPORATE CRIME WAVE -- A SYSTEM OUT OF CONTROL

The explosion of corporate scandals in 2001 and 2002 should not surprise anyone. The drive to maximize profits at all costs (externalized costs, that is) reached manic proportions during the recent stock market bubble. And when the bubble burst, it sent many companies into a devastating tailspin that hit employees and shareholders the hardest. A total of 186 public companies with \$368 billion in debt filed for bankruptcy protection in 2002, shattering the record for a second straight year . With nearly half of all U.S. households owning stock , the corporate restatements of earnings and huge losses of stock value (both for criminal corporations and across the market), hurt millions of ordinary citizens.

The corporate scandals of 2002 were caused by a number of factors that can be viewed as the failure of both internal and external accountability. Observers, such as The Conference Board , that describe the cause as a failure of internal accountability point to a breakdown in corporate governance. Corporate governance is the accountability of management to shareholders and directors. (See the Corporate Governance fact sheet in the appendix) Shareholders (mostly passive investors) are technically the owners of publicly traded companies, but since they are such a diffuse group, they exert little control. Instead, they "elect" a board of directors to look out for their interest, which is almost always narrowly defined as making money. However, these directors are generally handpicked by management and wind up serving the interests of management more than the interests of shareholders.

An illustration of the resulting unaccountability of management is the ridiculous pay packages that top executives have received in recent years . Nor is this lack of accountability unique to companies involved in financial fraud. On average, CEO pay is astronomical, and still rising. In 2001 the average CEO earned 411 times what the average worker earned . Incentive packages for CEOs often include millions in stock options that can motivate executives to pursue short-term profit at any cost, even if that involves laying off employees or artificially inflating share price through accounting fraud.

Even where directors are more independent, they still only represent a small slice of people affected by a company's actions. If workers, communities, consumers and other stakeholders were given a participatory voice in corporate governance, corporations would probably become responsive to more than just profit-driven investors, and more closely resemble their roots as public-minded entities. But shuffling the players on the board is not enough. We are still left with the failure of corporations to be accountable to the broader citizenry. (The analysis of the Enron scandal provided by its own board through the so-called "Powers Report" - which depicted a company defrauded by a few greedy executives - ignores the damage that Enron did to California consumers, the environment, etc.)

Much of the debate after the recent scandals focused upon the failure of the system's traditional watchdogs - including accountants, stock analysts and the media. The dismantlement of New Deal-era protections and the aggressive deregulatory agenda of the last 30 years led to massive conflicts of interest between and among the accounting and banking sectors. The doctrine of deregulation only left corporations alone to bend and break the law, while these so-called watchdogs aided and abetted the fraud. Their indifference was fueled by "tort reform" laws that gutted the liability of aiders and abettors of fraud, such as the Private Securities Litigation Reform Act of 1995 .

But while a few laws were passed regarding accounting reform and analyst ties to banks that underwrite the businesses they are supposed to provide objective stock analysis, the general faith in deregulated

markets continues. Although many "experts" were touting the benefits that deregulating the electricity markets would bring to places like California, we now know the results: gouging of customers (including poor homeowners and small businesses), blackouts, and fraud and manipulation of trading by Enron and other companies. Nevertheless, efforts to gut the Public Utility Holding Company Act (PUHCA) continue unabated .

The larger lessons seem to have gone unnoticed. The most prominent companies involved in the corporate scandals came from industrial sectors -- energy, banking and telecommunications -- that were quickly transformed in recent years by new laws that lowered existing barriers to the companies' rapid expansion and involvement across business sectors. For example, after the Telecommunications Act of 1996, the telecom industry (buoyed by overinflated expectations about the new high-tech economy) spent nearly half a trillion dollars building a monumental high-tech network with extensive overcapacity that caused it to grow its debt from \$9 billion to \$306 billion by the year 2000 . Telecom investors alone lost nearly \$2 trillion, while half a million workers lost their jobs, and dozens of debt-laden companies went bankrupt, including WorldCom, the biggest bankruptcy in history .

We also saw the repeal of the New Deal-era Glass-Steagall Act, which established the strict separation between investment banking, insurance, and underwriting businesses. As a result of lobbying efforts led by Citigroup, in 1999 the Act was fully repealed after several years of gradual dismantlement. As a result, investment analysts rated stocks that their own banks were underwriting, giving them strong recommendations, while privately deriding them as junk.

BIG PICTURE: LEGAL WRONGDOING

Of course the most horrific truth about the recent corporate scandals is that much of the devastation was the result of perfectly legal actions. The fact that millions of employees, pensioners, and investors lost their life's savings while executives knowingly cashed out without going to jail indicates a much larger and more fundamental problem. Corporations have become so powerful, and have so many rights, that many of the worst abuses of corporations and top executives are often considered to be legal. And even when the bad behavior is illegal, the enforcement of the law is undermined every step of the way, and the penalties are minor -- considered merely the cost of doing business. For example, it is easier and cheaper in many cases for a company to pay a fine for dumping toxic waste into the sewer than it is for the company to dispose of it properly. The problem therefore is not just that they break the law, but that they write the laws, influence the people and entities that enforce the laws, and use their illegitimate claims to constitutional rights to block any serious attempt at holding them accountable.

HOW DID THIS HAPPEN?

While the enormous power and influence of today's corporations results in a complex web of negative impacts, corporations as large, private institutions are historically speaking a fairly recent creation. When corporations were first formed in Europe during the 17th century as a way to finance large projects, they were closely watched and regulated by governments. In early America, there were few corporations; corporate charters (the license to do business) stipulated that the corporations act for specific purposes, such as public works projects. The charter could be revoked if the company exceeded that defined purpose. Charters were also issued for a discrete period of time and corporations could not make political contributions or own stock in other companies.

After the American Revolution (which happened in part because of the unjust activities of the East India Company) our founding fathers worked to develop a government that balanced power between separate branches of government to avoid the consolidation of too much power. Corporations were not mentioned once in the Constitution or Bill of Rights. They were thus not recognized as having the same legitimate claims to fundamental rights that we, the people, have.

Nevertheless, during the first half of the 19th century, corporations slowly gained increasing amounts of economic and political power. At the same time that corporations grew into giant trusts, they quickly acquired considerable legal rights, privileges and immunities. For example, in 1819 the Supreme Court

ruled in its landmark Dartmouth College decision that all corporate charters were protected by the United States Constitution clause prohibiting a state "from impairing the obligations of contracts." Under that ruling, after granting a corporate charter, a legislature could no longer repeal or revise it, thus limiting the state's ability to regulate the corporation.

During industrialization, a new mega-wealthy class of railroad barons, steel magnates and financiers began to influence policy and push for fewer restrictions on corporations. Charters grew longer and less restrictive. States began to include limited liability in their laws, which allowed corporate owners and managers to avoid responsibility for the harms and losses caused by the corporation. Charter revocation became less frequent, and government functions shifted from keeping a close watch on corporations to encouraging their growth.

Corporations continued expanding their power through the courts and the state and federal legislatures, all of which were increasingly packed with sympathizers. As a byproduct of an 1886 case, *Santa Clara v. Southern Pacific Railroad*, corporations gained access to the legal standing of "persons" and as a result can use constitutional rights installed for citizens to challenge attempts to limit their power. The importance of this corporate status of personhood cannot be overstated: it means corporations have the same rights as real people including constitutional rights to free speech, protection from search and seizures, and freedom from discrimination. While the Supreme Court never ruled or heard arguments in the case as to whether corporations qualified as "persons", *Santa Clara* has effectively given corporations the legal standing of people .

At the end of the 19th century a "race to the bottom" ensued in which states relaxed their chartering laws and regulations to attract corporations . In 1896 New Jersey passed legislation permitting unlimited size and market share, removing time limits on corporate charters, reducing shareholder powers, and allowing all kinds of mergers, acquisitions, and purchases. Delaware followed suit in 1899, passing its "General Incorporation Law" which weakened regulations even further. Today, nearly 60% of all Fortune 500 companies are incorporated in Delaware. By the beginning of the 1900s, the corporation had been transformed from a quasi-public organization limited in size to a gigantic unlimited private organization with limited responsibility and limited accountability.

As corporations became the dominant institutions of society, presidents like Teddy Roosevelt and Woodrow Wilson turned to a regulatory system and applied anti-trust laws to keep corporations from getting too big. This was followed by a string of pro-business presidents during the 1920's who stopped cracking down on corporate power.

As corporations continued to grow in size a new problem emerged - the owners (now an increasingly diffuse network of individual investors) no longer controlled the corporation. Ownership and management became increasingly separate, which resulted in disinterest from owners and a lack of accountability and consequences for management. Though in theory stockholders owned a company, they were now too numerous to exercise any control over management. Executives essentially ran companies as they see fit. That separation of ownership and control, wrote Adolf Berle and Gardiner Means in their groundbreaking study, "destroys the very foundation on which the economic order of the past three centuries has rested."

The Great Depression restored government as the dominant economic institution, strengthening the regulatory framework in response to some of the corporate excesses that led to the stock market crash of 1929. Government regulation remained in place for a few decades, though corporations continued to play an ever more central role in society, particularly as consumer goods became dominant in the 1950s. The theory of free market idealism developed throughout the 1970s, and continues to dominate today's discourse .

Beginning in the 1980s, the majority of New Deal protections were eroded during the business-friendly and free market-focused Reagan administration. That administration kicked off two decades of aggressive deregulation, eliminated key public controls on corporations and cut taxes on corporations and the

wealthy. This set the stage for the market consolidation and conflicts of interests behind many of the recent scandals as well as the continued growth of the corporation into the unchecked behemoths that run much of our world today.

Back to [Table of Contents](#)

[>>next section](#)

Last Updated February 2003

[About Citizen Works](#) | [Contact Us](#) | [Privacy Policy](#) | [Jobs/Internships](#)

ALL CONTENT © 2004 CITIZEN WORKS



Tools for Democracy

Get Informed

Take Action

Use the Toolbox

SEARCH:



Moving Towards Solutions

Challenging Corporate Power on a Number of Fronts

Corporations did not always have such a firm grip on power and wield such commanding influence over our lives. Even though the problems of corporate dominance may seem insurmountable, we can proceed toward countering their power and grip over all of society by building a widespread movement of citizens tackling the problem from many angles, ultimately reasserting citizen authority over corporations.

There is a huge array of potential solutions, and a variety of strategic approaches that can be used, including legislative fixes, legal challenges, community empowerment and direct limits of corporations. Some are already being used in one place or another; others have yet to be tried. None of these is the magic bullet to suddenly fix the problem of abusive corporate power. These approaches vary in size and scope and their usefulness and appropriateness will vary from community to community, and from issue to issue. For example, in some places citizens can pursue legislative strategies. Under other circumstances, it may be necessary to begin with an educational program to lay the groundwork before mounting a fundamental challenge to entrenched corporate interests. In fact, all of these approaches should include an educational component and focused outreach to new people and groups. A successful national movement to curb abusive corporate power will include efforts on many fronts and will operate on the local, state and national levels all at once. We need organized citizens to educate one another and mobilize a multi-faceted, coordinated campaign to make substantial steps forward.

ILLEGITIMATE LEGAL RIGHTS

Ultimately, we need to reclaim the very concepts with which democracy was originally conceived; corporations only have the rights that we as citizens allow them to have; they should exist to provide the public good. Citizen participation, not the maximization of corporate profit, is the fundamental essence of democracy.

Corporations have not always had a firm grip on the rights of people while managing to escape the responsibilities of citizenship. At the center of the illegitimate corporate claim to the rights of people is the notion of corporate personhood, based on the 1886 case *Santa Clara v Southern Pacific Railroad*. While 100 plus years of corporate legal theory is based on the corporations-as-people assumption, remember that the Supreme Court has never ruled on corporate personhood. American citizens have never voted on corporate personhood and congress has never passed legislation about corporate personhood. We have truly been bamboozled. The struggle to reclaim citizen authority over corporations and strip the illegitimate corporate claims to constitutional rights and protections of people will require years, perhaps decades of work. It will necessarily involve both local and national campaigns as well as legal and legislative battles. Although revoking corporate personhood may ultimately require a constitutional amendment, there are significant steps we can take before we are strong enough to mount a campaign of that magnitude. (See Box entitled *Abolishing Corporate Personhood* for an example of a local approach.)

Another approach is to challenge specific corporate rights. One of the many rights that corporations claim is that of free speech, which, among other things, allows them to make campaign contributions. This "right" was affirmed in the 1976 case *Buckley v. Valeo* which stated that money is a form of free speech and corporations, as people, have the right to use speech (i.e. money) to influence candidates and elections. Finding a way to legally challenge this assumption may be a key step to significantly reduce corporate influence of politics as well as educate the public about corporate personhood.

Corporate access to First Amendment rights is also being challenged on another front. Marc Kasky, an

activist in California, alleges that Nike is deceiving consumers in a PR campaign to convince the public that it has cleaned up its subcontractors' sweatshop labor practices. It is against California law for corporations to intentionally deceive people so Kasky is suing Nike, Inc. Nike isn't saying it didn't lie, but rather is arguing that corporations have the same free speech rights as individual citizens and therefore can lie just like regular folks. The California Supreme Court disagreed, and now the U.S. Supreme Court will hear arguments about whether Nike can use the First Amendment to protect its "right to lie." This controversy is an excellent opportunity to educate the public about corporate claims to constitutional rights and re-examine the assumptions of corporate personhood. A decision is expected in late July 2003. See www.reclaimdemocracy.org for more information.

ABOLISHING CORPORATE PERSONHOOD: A Case Study of Porter Township

In early December 2002 one small township in Pennsylvania made history by being the first local government in the United States to eliminate corporate claims to civil and constitutional privileges. Porter Township is in many ways a microcosm of the struggle between people fighting to make their voices heard and corporations claiming the rights afforded natural people in the constitution and utilizing these legal privileges to override democratic decision-making. The Porter community was working to regulate the dumping of Pittsburgh-generated toxic sludge in their township by adopting a "tipping fee" which requires dumpers to pay per ton of sludge dumped and allows the Township to verify the safety of the sludge applied to the land. Sludge companies have used both the legal and legislative process in an attempt to override the decision-making authority of several Pennsylvania Townships to regulate toxic dumping. The legal attempt involves the Synagro Corporation claiming that "tipping fees" violate their constitutional rights, in this case using the 14th Amendment's protection against discrimination. In response to this litigation, the people of Porter Township asserted their democratic rights to be able to make and enforce legislation and laws for the good of citizens by passing an ordinance that denies that corporations are "persons" thus stripping them of the same constitutional protections that natural persons are afforded.

Corporations use their legal status as "persons" to claim an array of rights including First Amendment free speech protections, which also allows corporations to make campaign contributions, and other constitutional claims that include protection from search and seizure, double jeopardy, self incrimination and discrimination, as well as rights like due process. Corporations are legal fictions and lack the morality and responsibility to community that many people value. They should not have access to the same constitutional protections. A starting point for a community that wants to challenge corporate personhood is to connect a corporation's false claims to constitutional rights to specific local battles like Porter Township did in Pennsylvania. These local battles could include campaigns to keep giant chain stores out of the community, stopping the development of dumps and incinerators, or fighting corporate farming. In the appendix is a model ordinance for revoking corporate personhood in your community. For more information about corporate personhood check out: www.poclاد.org and www.wilpf.org.

Corporate Crime and Punishment

A double standard plagues our criminal justice system. While corporations have the legal rights of people, they escape many of the responsibilities and consequences of citizenship. Burglars, car thieves and drug users typically are aggressively prosecuted and serve years in jail. Corporate law violations cost society at least \$2 trillion dollars and often go unpunished. When corporate crimes like toxic pollution, food and drug violations, fraud, bribery, illegal agreements, and wrongful death of community members and employees are prosecuted, the resulting fines are generally insufficient and can be written off as the cost of doing business. Individuals convicted of criminal activity can have their rights taken away from them and often have difficulties getting a job. Corporations with repeated criminal activity usually suffer no such difficulties, not even when it comes to getting government contracts. Threats of imprisonment are meaningless against corporations because, while the law has created the fiction that corporations are persons, there is no way to imprison a fictional person.

Another problem is the sheer power of large corporations versus the government. Both the Department of Justice and the Securities and Exchange Commission (the two agencies responsible for prosecuting

corporate crime) are woefully under-funded and unfocused when it comes to unraveling complicated corporate crime. But plenty of resources are devoted to street crime. The lack of much initiative against corporate crime at the federal level has in some cases caused some politically ambitious attorneys general in a few states to take aggressive action . In order to force corporations to change their behavior we need to punish them as institutions, not just individual executives. One attempt to crack down on corporate crime is the Corporate Three Strikes Act currently being pursued in California (see box entitled Corporate Three Strikes).

Another approach is to change the system design or incentives that motivate executives to commit crimes in the interest of maximizing profits. One model of this approach has been suggested by attorney Robert Hinkley, who calls his approach the Code for Social Responsibility (see box entitled Code for Corporate Responsibility).

CORPORATE THREE STRIKES

The courts have long held that corporations may be dissolved or denied permission to do business if they violate the law. Usually it is the responsibility of the Attorney General to initiate charter revocation proceedings against criminal corporations, an action that is sometimes used against small corporations, but rarely used against the larger corporations. Californians are seeking to enact state legislation in the Corporate Three Strikes Act, which would require California to take legal action to put out of business in the state any corporation that has three "major violations" in a ten-year period. In this case, a "major violation" is defined as an intentional or grossly negligent violation of existing law that results in a death, or in a fine, damages or settlement of over a million dollars.

After Enron, the Corporate Three Strikes Act is an excellent example of how we can be tougher on corporate crime and assert our authority over corporations. See www.corporate3strikes.org for more information.

THE CODE FOR CORPORATE RESPONSIBILITY

Robert Hinkley was a corporate securities attorney for 23 before years he realized that "many of the social ills created by corporations stem directly from corporate law...[which] actually inhibits executives and corporations from being socially responsible." His beef is with the state laws that say the only purpose of a corporation is to maximize profits and make as much money as possible for the shareholders. Hinkley says, "corporate law thus casts ethical and social concerns as irrelevant, or as a stumbling block to the corporation's fundamental mandate." The implications of the "profit-only" focus are apparent in crumbling job security, disintegrating communities and the devastated ecosystems that surround us. Hinkley's suggestion is simple: adjust state corporate legal codes which define the purpose of corporations to expand their realm of responsibility. This would fundamentally restructure the priorities of the corporate world to better align them with the values of the citizenry. This change is captured in these 28 words that can be inserted into state corporate laws: ...but not at the expense of the environment, human rights, the public safety, the communities in which the corporation operates or the dignity of its employees. The Code was introduced in the California Senate on February 19, 2003.

See the [Citizen Works web site](http://www.citizenworks.org), or www.c4cr.org for more information.

CULTURAL TRANSFORMATIONS

Corporations are invading our lives from all angles through a cascading assault of sponsorships and advertisements, an all-encompassing web of product placements and branding. Our sports stadiums and museums garishly broadcast the names of corporations ; our symphonies and public works are only made possible through their "generous" sponsorship. Even our schools, universities, and places of worship now increasingly bear the marks and mindsets of corporations. We no longer relate to each other as citizens, but as consumers, our identities somehow defined by the clothes we wear, the cars we drive, even the soft

drinks we prefer. Corporate values have permeated our culture, through and through.

We can challenge the corporate co-optation of our culture, both through individual actions and coordinated campaigns. For example, 11 years ago, Adbusters started Buy Nothing Day on the busiest shopping day of the year, the day after Thanksgiving, as a simple yet powerful way to challenge our over-consuming culture. Citizens participate in a variety of ways by stepping out of the insanity of consumer work-spend-work-spend fray for 24 hours to organize symbolic and educational actions.

In the same vein, in 2002 Citizen Works launched an annual event, Big Business Day, as a vehicle to demonstrate opposition to corporate driven culture and corporate power. Each year, communities across the country organize teach-ins, rallies, protests, parades and other media events to illustrate a local aspect of the problem of corporate power. Big Business Day is helping to build the movement to challenge corporate power by educating and activating concerned citizens, and raising awareness about corporate power among the general public.

Citizens also find other ways to locally challenge the infiltration of corporatism into their communities. Some communities are running campaigns against Channel One, a mandatory T.V. program shown to eight million students in 12,000 schools across the country. The program contains a mix of ads, news and other programming. Critics contend that the content of Channel One forces children to watch commercial advertising, wastes school time, promotes violent entertainment, wastes money and promotes television instead of reading. See www.commericalalert.org for more information.

On a larger scale, campaigns targeting corporations nationally or internationally have proven to be an effective tool to both educate the public and initiate change within specific companies and industries. Thanks to the vision and hard work of anti-sweatshop and other activists, companies with well-known brands like Nike, the Gap, Starbucks, Coca-Cola and other large retailers have been forced to address growing public concern over the content of and conditions under which their products are made overseas. Similarly, stores like Wal-Mart and Home Depot have had to respond to citizen protest about their unethical labor and environmental practices. We can also include a message of challenging corporate power while running winning local sustainability campaigns to stop damaging corporate development projects. Both types of campaigns are opportunities to educate the broader public about the need to fundamentally change the role of corporations in our democracy.

CHALLENGING CORPORATE POLITICAL POWER

We know that it will take a multi-faceted effort to weaken the vice grip corporations have on our government. Back in 1906, in an address to Congress, Theodore Roosevelt said "let us prohibit in effective fashion all corporations from making contributions for any political purpose, directly or indirectly."

Fighting to ensure that public officials are truly independent and beholden only to their voting constituents, activists and public interest advocates throughout the twentieth century have championed various campaign finance reforms (CFR) aimed at curbing corporate influence in government. Particularly in the last two decades, since monumental court decisions expanded opportunities for corporations to contribute to electoral campaigns, the debate about money in politics has

COUNTERING THE CORPORATE MEDIA

Corporate control of the media is one of the biggest threats to democracy. There are a number of ways that activists can respond to growing corporate control of the media: fight that control, support alternatives, or establish your own media outlet (e.g. through the Independent Media Network).

Challenging Corporate Consolidation of the Media: Media Access Project:

www.mediaaccess.org

Center for Digital Democracy

www.democraticmedia.org

Critiquing the Content of Corporate News:

Fairness and Accuracy in Reporting: www.fair.org

Independent Press Association: www.ipa.org

Project Censored: www.projectcensored.org

Alternative Media Sources:

Independent Media Center www.indymedia.org

Independent Press Association www.indypress.org

become increasingly visible and the necessity for reform clear to the public.

For more information see: *The Progressive Guide to Alternative Media and Activism*

The turning point that ushered in the modern campaign finance reform era was the passage of the Federal Election Campaign Act (FECA) in 1971. This act, along with a slew of amendments in 1972 after the Watergate scandal, represented an effort to address the damaging conflicts of interests created when big corporate money elects public officials. Among other things, it enacted spending caps, limited the amount an individual could contribute to a federal candidate to \$1000, and established the Federal Election Commission to enforce the regulations.

This system was never given a fair chance, though, because in 1976 the Supreme Court ruled in *Buckley v. Valeo* (see Legal Rights section) that the key provisions were unconstitutional. This decision was monumental and laid the foundation for the unjust and disastrous system we are faced with today.

The next campaign finance reform victory came in March of 2002, when after years of proposals and compromises and in the wake of the Enron scandal, the Congress passed into law the McCain-Feingold campaign finance bill. While proponents of reform celebrated, most of them recognized it as a compromise and a modest step forward. The laws' two major provisions are a ban on soft money (money donated to parties that is not subject to contribution limits or disclosure), contributions to national parties, and restrictions on the timeframe within which interest groups are allowed to air ads. But many of the key provisions of the initial bill drafted in 1996 did not make it into the final version of the law. These include bans on PACs (Political Action Committees), voluntary spending limits in exchange for free broadcast time, and a mandate for Senate candidates to raise 60 percent of their funds in their home state. Some critics even say that the law has the potential to further cripple the system with its increase in the hard money (money donated directly to candidates) limit from \$1000 to \$2000. While McCain-Feingold was on the whole an important victory for the CFR movement, we must consider it a step towards more fundamental change, not a final destination.

FOUR LEADERS IN PUBLIC FINANCING

Arizona, Maine, Massachusetts, and Vermont have led the way toward publicly financed elections. In those states, voters have chosen a system that provides qualifying candidates who agree to limit their spending and reject contributions from private sources with a set amount of public funds to run for office. Evaluation of these new laws is underway, but early analysis of the first election cycle (2000) under the system already reveals improvements in transparency and access for a broad field of candidates. See Public Campaign www.publiccampaign.org/ for more information.

The ultimate goal of the CFR movement should be full public financing of federal, state, and local elections. Over two-thirds of people polled favor public financing of campaigns if it means limits on spending and a ban on private and special interest money and most industrialized nations have it. Public financing would quell the voice of corporate special interests that are so loud in Washington, and allow solid candidates from all backgrounds to compete. (See box entitled Four Leaders in Public Financing.)

In addition to publicly financed elections, Mark Green, a longtime expert on campaign finance reform and author of *Selling Out*, lays out the following additional steps, essential to a clean system:

- Overturn *Buckley v. Valeo*: take away the corporate claim to free speech rights.
- Restructure the Federal Election Commission: make it nonpartisan instead of bipartisan, increase staff and budget, take it off the 'honor system' by mandating audits, and empower it to review laws regularly.
- Allot free broadcast time and mailings to qualified candidates.

Getting corporate money out of electoral politics is only one of the reforms necessary if we are to eliminate the immense corporate influence of government. Corporations manipulate our democratic process with an army of lobbyists, scores of unelected and appointed high-ranking government officials, and by demanding massive industrial subsidies. The following are some important steps to counter this influence beyond CFR:

- To balance the loud voice of the corporate interests that often dominate Washington, the federal government could create a "Consumer Protection Agency" to advocate for consumer interests, investigate, develop facts, participate in federal agency proceedings, challenge agencies that neglect to enforce statutes passed by Congress, and present consumer interests to legislators, regulators and courts .
- The "revolving door" between business and government should be closed. Public officials should be required to recuse themselves for 3 years from any investigation, enforcement action, or rule-making involving a former employer or client.
- We can also drastically cut the subsidies, giveaways, and huge bailouts that only benefit corporations at the expense of taxpayers . Good Jobs First (www.goodjobsfirst.org) helps groups that want to fight local giveaways to corporations.

ECONOMIC POWER

Economic power can be measured in different ways, including market size and control. Many giant corporations use their superior size and cross-sectoral integration to stifle competition within their market sector . As we have seen, corporations have become so big that they are, as economies, larger than dozens of nations . They are able to wield tremendous amounts of influence and power to shape domestic and international economic policy, consumer choice, and aspects of cultural life.

A single corporation is able to integrate operations across many sectors, stifling competition and access to markets. For example, Clear Channel, a firm that controls 1,200 radio stations in the United States, owns concert promotion firms and many concert venues across the country. Clear Channel uses its radio stations to promote its concerts, and some independent concert promoters claim they are denied access to airtime for paid advertisements and some bands produced by competing promoters do not get airtime either . This illustrates how companies involved in many phases of production or delivery of a particular service can leverage their power in one market to exert influence over another.

For Clear Channel, as for Enron, corporate misconduct has been enabled by deregulation. Deregulation is part of a broader economic philosophy that is often described as neoliberal, and is based on the idea that free, unregulated markets are the best way to provide equal access to opportunities for growth and progress. What the theorists behind neoliberalism neglect, though, is that the world does not operate in a vacuum free of stresses and complicating influences. We have seen time and time again that markets left unregulated do not in fact allow equality. Rather, they produce increasing inequality and a wild, volatile atmosphere that does not encourage sustained growth, while constantly narrowing consumer choice and making it difficult for smaller and new businesses to startup and sustain . Deregulation assumes that competition will promote efficiency that benefits all, and that government is wasteful because it has no incentives to do better. It should be clear after what energy deregulation did to California that the assertions about increased efficiency and consumer choice have proven false .

There are a number of national and state groups working to reverse the deregulatory tide and advocate for sensible economic policies on the state, national, and international levels. Some of these include Public Citizen www.citizen.org (particularly in the area of energy and water utilities), United for a Fair Economy www.ufe.org, the Economic Policy Institute www.epinet.org, Institute for Policy Studies www.ipd-dc.org, New Rules Project www.newrules.org, and Campaign for America's Future www.ourfuture.org.

Communities around the country are challenging these neoliberal economic policies and challenging the corporate dominance of local markets in other ways. Community groups have beaten back large corporate box stores like Wal-Mart in a number of towns.

In addition to resisting corporations, communities are working to strengthen local economies through such means as small business associations. Owners of small businesses have begun to organize independent business alliances that aim to highlight the value of supporting local business. These alliances are instrumental in preserving local cultural heritage, integrity in business practices and community involvement, and often set a standard that larger international chain corporations cannot meet. (See box

entitled American Independent Business Alliance.)

American Independent Business Alliance

Activists at Reclaim Democracy in Boulder, Colorado joined with independent business owners to establish the American Independent Business Alliance, a group that helps people in communities across the country establish independent business associations. The IBA's help local business compete successfully against chains and reverse the trend of losing community-based businesses. By its third year, Boulder IBA had united over 150 member businesses and made a tremendous impact on community consciousness. Visit www.amiba.net to learn more.

Another way that communities fight corporate control of the local economy is by resisting the expansion of markets into essential services. Battles over the privatization of municipal services like water and electricity are critical parts of the resistance to corporate rule over community services. Sometimes those battles attempt to reverse corporate control. After the California energy crisis San Francisco barely voted down a proposal to reclaim its electrical utility. (See box entitled Limiting Corporate Intrusion on Competitive Markets.)

These fights are also tied in a way to national and international policies. While starting with advocacy on the local level is certainly the best way to protect services in your community, there are many ways that state, national or international policies affect your local struggle. The battle against trade agreements is in many ways a battle to protect local control.

But how do we make the connection?

On a global scale, we are fighting an aggressive push by the corporate-driven international financial institutions to coerce developing nations to relax trade laws, open markets and usher in privatization. This agenda is being driven by taxpayer-funded institutions such as the IMF and the World Bank. And we can fight these institutions by taking away their funds. One way is to pressure our elected officials to vote against any funding reauthorization.

The World Bank Bonds Boycott is another way that your community can help deflate these institutions' ability to exert remote decision-making authority over local communities in poor nations. The World Bank pressures governments to cut social spending on vital health and human services, and funds destructive development projects. The Boycott is in effect in several cities, investment firms, and unions internationally.

Both domestically and internationally, internal pressure to change corporate behavior is growing through a rapidly-expanding network of socially-conscious investors. A record number (up to 893 by late February) of shareholder proposals have been filed at 2,000 widely held U.S. companies in 2003, according to the Investor Responsibility Research Center. The resolutions address company policy on corporate tax dodging, worker rights, global warming, executive compensation and other corporate governance questions.

Limiting Corporate Intrusion on Competitive Markets:

Nebraska Fights Corporate Concentration Of Farms Nine states have placed some sort of restriction on corporate-owned farms, whose profits usually end up in corporate headquarters, not the local economy. The country's toughest anti-corporate farming law was adopted in 1982 as part of Nebraska's constitution. Its reach is broad, covering not only land ownership but the operation of farms and ranches. The family farm corporation is exempt from the law, but it must meet two conditions: a majority of the livestock must be owned by members of the family, and the family members must live on the farm or be engaged in the day-to-day work and management of the farm. Most significantly, if there is a violation of the law and the state fails to act to enforce it, any citizen has standing to sue the corporation. For more information, check out Nebraska's Friends of the Constitution at www.i300.org.

There are at least as many approaches to solving the problem of corporate dominance as there are

components of the problem. Instead of allowing the choice to overwhelm us, we should recognize that these approaches can be complimentary and that a multi-faceted effort is indeed necessary to effectively challenge the complex problem corporate power. Only through a comprehensive and versatile effort of coordinated groups will we engage massive numbers of diverse citizens and build a strong and successful movement.

Back to [Table of Contents](#)

[>>next section](#)

Last Updated February 2003

[About Citizen Works](#) | [Contact Us](#) | [Privacy Policy](#) | [Jobs/Internships](#)

ALL CONTENT © 2004 CITIZEN WORKS

Skills to Challenge Corporate Power

"Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has." --Margaret Mead

In the first part of this handbook, you learned about the structure and consequences of corporate power, particularly how corporate wrongdoing and abuse is fundamentally integrated into the configuration of corporations. Much more can be found on our web site at www.citizenworks.org. If we are to build a serious citizen challenge to the conglomeration of power in fewer and fewer corporate hands we must organize an active and intelligent movement. This movement must be able to articulate our long-term goals of reasserting citizen control over corporations while simultaneously finding ways to run winnable campaigns. This section focuses on the nuts and bolts of organizing a citizen movement that effectively challenges corporate power.

The only way to pressure corporations and governments is to build a movement that is able to effectively challenge injustice and unaccountable corporations. This undoubtedly requires numbers and organization. One of the most essential components of this movement will be local citizens banding together to form groups that are working to chip away at corporate power while laying the ground work for longer term systemic change. The number of people and level of participation required will vary depending on the scale (neighborhood, town, district, state, national) and the scope (a particular corporation, law, initiative, or elected official). Each community will need to decide on its own what issues will provide the best opportunity to begin to tip the scales of power back towards the citizenry. Whatever the issue, we know that lasting, sustainable groups and organizations will be necessary to significantly shift power on a number of fronts.

LAUNCHING YOUR GROUP

Getting started is often the hardest, and most exciting, part of building a campaign or social change project. A good place to begin is a kick-off meeting, which can accomplish multiple goals: invest key leaders, activists and volunteers in the project, present or decide on the issue, and develop a plan of action.

The First Meeting

The first meeting of your group is a critical opportunity to generate excitement about the campaign, demonstrate the potential of the project, and solidify support from the people who will be able to successfully implement the campaign. It's also very important that the meeting be organized and relatively short, so that people come back for the next one. Here are the basics to cover for the first meeting:

Picking the Issue. Clearly, there are a multitude of important issues that you could work on, but it is important not to spread your resources too thin. In most cases, it is best for young groups to focus on one issue. You can decide before the first meeting or use the meeting to decide on an issue. In either case, here's a list of important criteria to consider:

- **Result in Real Improvement in People's Lives:** People want to know that the issue they are working on is really going to make a difference. No matter how interesting or noble the issue, people are probably not going to participate unless they will gain some kind of benefit from their involvement.
- **Give People a Sense of Their Own Power:** Many people are hesitant about getting involved because they don't think that they can make a significant impact. Campaigns that create the opportunity for

people to realize their own power are more likely to be successful and will help to build a strong and growing movement in which individuals see themselves as powerful agents of change.

- **Alter the Relations of Power:** Campaigns that challenge corporate power are fundamentally about reasserting our democratic right to control the institutions that influence our lives. Your campaign should have the potential to shift these relations of power.
- **Be Winnable.** Make sure your campaign has an attainable end-point that also lays the groundwork for further more fundamental change.
- **Be Widely and Deeply Felt.** Your campaign should resonate with a large audience.
- **Be Easy to Understand.** Develop a message that is accessible and compelling.
- **Have a Clear Target.** Know exactly who or what can give you what you want. This could be an elected official, an executive, a business leader or other community member.
- **Have a Clear Time-frame.**
- **Build Leadership.** You should seek out campaigns that develop the organizing and leadership skills of your group members. This will set you up for success in this and future campaigns.
- **Set Your Organization up for the Next Campaign.** Good campaigns provide opportunities to build a volunteer and support base while developing relationships with other organizations, funders and the media. This will ensure that you are developing a sustainable group.

Recruitment. The first meeting doesn't need to be a big meeting, but it does need to involve a core group of concerned and resourceful people. You'll need to figure out who cares about the issue and then demonstrate that coming to your meeting will benefit them. Cast a wide net; invite members of other progressive groups, churchgoers, local small business owners, your neighbors, students, labor union folks and anyone else that you can think of. Keep track of who expresses interest along with a phone number and email so you can begin to compile a list of supporters and remind interested folks as your meeting approaches. A general organizing principle is "the rule of halves," basically that about half the people who sign up to attend will actually show up. The best way to guarantee that you'll have enough people at your first meeting is to personally contact individuals to inform them about the meeting and tell them why their involvement would be beneficial for both parties. A personal phone call or brief visit is usually effective.

Good Meetings. A successful meeting is one that gets things done. It is orderly, but remains flexible enough to encourage the sharing of ideas. It empowers participants and builds leaders, but focuses ultimately on making decisions efficiently. Finally, it is fun and friendly without wasting time.

The most important component of running good meetings is to set goals for what you want to accomplish before hand. For the first meeting this could be to determine the issue the group will be working on, developing plans for the organization and campaign or developing a strategy to recruit new people. Make sure that your agenda reflects the goals of your meeting.

After you've set the goals, determined the time and place, and recruited people for the meeting, these are the basics to help you run effective meetings:

1. Prepare materials

- **Sign up sheet.** This will keep track of meeting attendance and collect the contact information for new participants. Assign someone to greet folks and make sure that everyone signs in.
- **Chalk board or paper.** Make sure the room has a chalk board or that you bring big sheets of paper and markers for brainstorming and planning sessions.
- **Minutes from the last meeting.** Have at least one copy available in case anyone needs to refer to what happened last time.
- **Agenda.** The agenda should be visible to all participants, so either have it posted or bring copies. The agenda should reflect the short

Sample Agenda

1. Introductions (10 min)
2. Update from State Senator (10 min)
3. Presentation of the goals for the campaign (10 min)
4. Brainstorm about campaign tactics (20 min)

and long-term goals of the group and allow room for 1) follow up on old business, 2) updates on continued projects, and 3) discussion of new proposals (see sample agenda).

- Coffee and Snacks. This will help keep the creative juices flowing, and people are more likely to show up if they know that there will be food.

5. Developing a plan of action (20 min)

6. Delegating of Tasks (10 min)

7. Announcements (5 min)

2. *Assign roles.* Many groups choose to rotate these responsibilities with each meeting, but however you decide, they should be designated before the meeting starts.

- **Facilitator.** You'll need to decide whether the leader or chair of the group will facilitate each meeting, or if this will be a rotating position. The facilitator is a neutral figure who guides the discussion (see the Facilitation section below for more.)
- **Greeters.** In addition to greeting people as they walk in (pay particular attention to new folks!), one person should remain near the door during the meeting, so that late-arrivers can be welcomed, briefly brought up to speed, and directed to a place in the room.
- **Timekeeper.** This person helps the facilitator keep to the agenda by gently notifying the group when it has gone on too long on a topic, or when there is extra time.
- **Note-taker.** This person collects the sign-in sheets and takes notes. The notes should be written up into "Minutes" and distributed before the next meeting to everyone who attended the meeting and others who were not able to attend.
- **Presenters.** It's an excellent idea to have multiple people giving updates or presenting other information. You can involve new people in the meeting by asking them to give an update or presentation - but make sure that you prepare people beforehand.

3. *Start on Time.*

4. *Introductions.* Introductions are a must unless they will be unwieldy due to the size of the group. They can set the tone of the meeting and make the meeting more welcoming for new people.

5. *Review the Agenda.* You should post the agenda on a board visible to everyone in the room, or make copies available to everyone. At the beginning of the meeting, briefly review the agenda and ask if anyone has additions. Agreeing on the agenda will help the facilitator keep the discussion on track.

6. *Facilitation and Sticking to the Agenda.* Leading a meeting can be tricky, but when it's done well it makes the time efficient, fair, and productive. Your group may decide to rotate facilitators each meeting, or have the chair of the group lead each time. Either way, the facilitator needs to know how to listen and encourage everyone's participation. The facilitator will need to maintain a neutral stance while running the meeting and allow all opinions to be heard. In cases of a vote, the facilitator can temporarily take off the leader hat and cast a vote, but during discussion, this person should remain neutral. During discussion a good way to keep track of people who want to give input is to keep a "stack", which is basically a line for speaking, where people get to speak in the order they raise their hands and the facilitator calls them.

7. *Follow up.* Do it promptly! We all lead busy lives and most of us need a little friendly nudge to follow through on tasks we've committed ourselves to. Email is an efficient way to communicate, but not always the most effective. If you're trying to make sure someone does something, the best method is usually a phone call. It's likely that not everyone in the group will operate with email, so you'll need to figure out a protocol for communication, such as a phone tree system or fax.

Research

Do your homework! You've got to be informed to develop a strategic campaign and communicate its importance. In addition to researching the problem side of your campaign, you might need to do a bit of research on local elected officials, corporate executives, or the decision-making process. There is usually

at least one person in each group who feels more comfortable and excited about doing research than grassroots organizing, so find out who that person is and let them lead the way on digging up good facts to fuel your work! Understand that if your campaign succeeds in stirring up discussion about change, then there will undoubtedly be people who criticize your stance and information. Be as prepared as possible to justify your claims with solid, credible facts and citations for where you found the information. When fighting corporations, the best weapons are often facts that you find in their own materials! For information about researching corporations see page 25.

Campaign Planning

Do it early and review it often. Campaign planning is one of the most important, yet overlooked components of running a project. A good campaign plan will outline your overall strategy, define your tactics and put it all into a timeline. Strategies and tactics are often confused, but they are different. Strategy is the broad approach you are using to achieve your goals (for instance, leveraging the power of the target's constituency to pass corporate reform legislation) while tactics are the methods that you employ to carry out your strategy (demonstrate grassroots support through handwritten letters and phone calls to pressure the target).

Here are parts of the planning process:

1. **Clearly state what you want.**
2. **Figure out who has the power to give you what you want.** This is the target. In some cases it will be an elected official, in some cases it will be an executive, and sometimes it will be an entire government agency.
3. You'll need to **sort out the relations of power among all people and entities involved**, and a good way to do this is to create a power map. This is a visual representation of the steps between you and the target. It shows all potential constituents, allies, intermediaries, and other people, entities, and resources that could help you win your campaign. Place your target at the center of your map, and then identify all of the people, institutions and forces that influence your target. For instance if a corporate executive is your target a few of the influences could be shareholders, customers, and public opinion of their brand. If it's an elected official, your power as a voting constituent is clear. Ask the question, how can we influence our target directly or through the other factors that are influencing her? Then ask, how can we demonstrate this power to the target and to others who will help us?
4. **Inventory your resources**, including people, working space and supplies, phone lists, money, vehicles, and anything else of potential value.
5. **Set goals.** Be realistic and consider your resources, but also challenge yourself and be confident that an organized group can achieve a lot! You should set both long and short term goals for the campaign; long term goals being what you ultimately want to achieve (pass corporate three strikes legislation) and short term goals being the intermediate steps that allow to you to reach your ultimate goal (generate 500 petition signatures, hold two press conferences and meet with 10 state legislators). This will allow you to evaluate your progress, trouble shoot any setbacks, celebrate intermediate success and know what has to happen to win.
6. **Be inclusive.** Find ways to be inclusive and build leadership within the organization, as well as constantly develop a base of supporters and volunteers that includes all parties whose voices would be valuable to the group.
7. **Set a timeline** for achieving each step of your plan and ultimately winning your campaign. A written plan that outlines weekly or monthly goals is important for staying on track. Involve many people in the timeline development process; people tend to be more invested in projects that they actively contributed to from the beginning. Share your goals, plan and timeline with everyone who is working on the campaign.
8. **Evaluate.** In addition to continually critiquing the campaign as you go along, you'll need to build formal structures for evaluating the successes and failures of the project.

THE CAMPAIGN: TOOLBOX OF TACTICS

THE POWER OF THE GRASSROOTS

As the familiar organizing saying goes: there are two types of power, money and people. Grassroots tactics involve organizing the power of people to demonstrate that citizens support your platform and, hopefully, strategically directing this power in order to pressure your target to meet your demands.

Some common grassroots tactics include writing letters, generating phone calls, sending faxes or emails to your target, collecting petition signatures and door knocking. Think strategically about what type of grassroots action will have the most effect on your target. For example, handwritten letters to a local legislator from constituents are effective because elected officials need to listen to those who put them in office. Handwritten letters carry much more weight than emails or sign-on letters because people have to invest much more of their time. If you are targeting a CEO, phone calls from shareholders may be more effective than emails from citizens.

Volume is essential for grassroots pressure to be heard above the din of money, so find ways to involve dozens, hundreds or thousands of people in your grassroots actions. An effective way to do this is to organize events where you generate signatures, letters or phone calls. There are endless opportunities to organize these events; just brainstorm locations where there will be a high volume of people. Think concerts, bus or metro stops, festivals, grocery stores, the meetings of other progressive groups, or the local progressive bookstore or coffee shop.

Tips:

- Set a realistic but challenging goal for your grassroots effort (calls, petition signatures, whatever) both for your overall campaign and for each specific event.
- Recruit volunteers! Drives to generate petition signatures, letters or phone calls are a great activity for new and veteran volunteers alike. Remember the universal truth of organizing, that about half the people who sign up to help will actually show up.
- Remind volunteers of their commitment the night before with a quick call.
- Develop a script that quickly and effectively conveys your message. For example: "Corporate crime costs society billions of dollars, yet often goes unpunished. Will you sign this petition to pass legislation that would punish corporate criminals if they repeatedly commit egregious crimes?"
- Practice the script and approaching people. Talking to strangers can be intimidating and practice will give you confidence.
- Bring enough materials including petition forms, clipboards, pens, fact sheets and other informational materials.

In addition to pressuring your target, grassroots tactics provide an excellent opportunity to educate the public about corporate abuse of power while recruiting new supporters and volunteers. In order to create a meaningful dialogue about the role that corporations play in democracy we need to create opportunities to talk to regular folks about our work. Petitioning or door knocking are great tools to begin these conversations. Talking to strangers about political issues can be intimidating, whether it is knocking on doors to gather petition signatures or handing out flyers in a parking lot, so here are some suggestions about how to more effectively approach and engage people.

- Run formal and informal trainings. Lack of confidence is often a formidable barrier people need to overcome before they take action. Also, many people view activism as something that "other people" do instead of skills that every citizen should be cultivating. Trainings provide people the opportunity to develop activism skills and the chance to realize that they can be confident and effective agents of change. Trainings can be formal sessions, incorporated into meetings or right before a grassroots outreach event.
- Be friendly. People will be more likely to stop and talk to you if you are upbeat and friendly.
- Make Eye Contact. This conveys confidence, legitimacy and humanity.
- Master "the ask." Whether you are asking for petition signatures in a parking lot or for handwritten letters at someone's front door, ask for people to take action with confidence.

Pair up veterans with new folks. This will make the experience more fun and less daunting for new people and will give experienced volunteers the opportunity to offer feedback to the newer folks.

- Ask supportive people to volunteer. If our movement is going to be effective we need to involve as many people as possible. Don't be afraid to articulate this to people as you are generating grassroots support by asking them to volunteer.
- Have fun!

EDUCATIONAL FORUMS

Educational forums are an excellent way to jumpstart a serious dialogue about how corporations are crippling democracy, bring new people into our movement, develop our knowledge base about corporate power, motivate people to take action, as well as give people the facts and tools they need to become active. You don't need to be an expert on corporate history, theory, and law to assert your belief that citizens and not corporations should have the power to shape our democracy, but a better-developed understanding will help us more effectively articulate our perspective. Here's a guide to organizing educational forums:

Step 1: *Develop goals.* What topics do you want to cover? What do you want attendees to be able/willing to do upon leaving? How many people do you want to attend? Are there specific constituencies that you want to reach out to? How many and what types of speakers do you want? Do you want media attention? How many volunteers will you need for a successful event?

Step 2: *Set the date, place and time.* Libraries, churches, schools, and non-profit organizations often have free or cheap space available. Work to find an accessible location with easy parking (or accessible by mass transit) and pick a time that will be easy for working folks to attend.

Step 3: *Invite speakers.* Look for speakers that will help you meet your goals. Be sure to have an idea of what you would like each speaker to discuss and to invite them as early as possible. Citizen Works has a corporate reform commission composed of experts on a variety of issues who may be available to speak at your event.

Step 4: *Develop an agenda for the event.* This should include speakers, including the titles and topics of their talks, breaks and enough time for people to register or sign in and get settled before the event begins. You can also use this agenda to recruit people to the event. This is a good time to make sure that you are thinking about ways to involve people after the forum.

Step 5: *Recruit, recruit, recruit!* Attendance is likely the most important, and the most difficult part of organizing an educational forum. Start by brainstorming a list of people that you would like to have in the room, like shareholders, small business owners, other progressive activists, college and high school students, and church members. Then decide how you can reach them. Flyers and emails are good ways to let the general public know about the event, but tend to yield less results than personal invitations. More effective recruitment techniques include making announcements at other groups meetings, personally inviting friends and family, and calling through lists of past volunteers and supporters. You also could set up an informational table at a local grocery store, festival, concert or other progressive event in order to sign people up for your forum.

Step 6: *Keep track of who signs up.* Either a formal registration process or informal sign-up lists are fine, but it is essential to gather the names, phone numbers and emails of interested folks so you can make sure to meet your goals (remember the pesky rule of halves and recruit double!) as well as remind people of the event via email and phone calls.

Step 7: *Turn out the media.* If you decide to invite the media, make sure that you have a plan to invite and follow up with local news outlets. See page 23 for a guide.

Step 8: *Double check logistics.* Details can have a big impact on the overall success of your forum so be sure to think through the entire event. It's a great idea to walk through the space before the event, decide

how you want the room arranged, pull together any materials that you want available to attendees. Make sure that everyone who attends either registers or signs in so you can keep track of supporters. It is also helpful to post signs directing people to the exact location of the event or have greeters welcoming people as they walk into the building and directing them to the forum.

Step 9: Follow up! In addition to sending thank you notes to speakers and others who helped with the event, make sure that you have a way to follow up with forum attendees, especially if they expressed interest in your group.

LOBBYING DECISION-MAKERS

While corporate big bucks often dominate the attention of our elected officials, senators and representatives on the local, state and national level do listen to and meet with their constituents. After you have decided that a lobbying meeting is strategically important for your campaign, find ways to demonstrate public support (i.e. the grassroots power!) behind your platform. A few ideas: bring your "grassroots results" (handwritten letters, petitions signatures from constituents, etc.), involve respected and/or well known community members in the lobby meeting, or deliver an endorsement letter from independent business owners.

Here's a guide for a successful lobbying meeting:

Before the Meeting

- *Make an appointment.* Simply call your representative's office, identify yourself as a constituent, quickly state the reason for your meeting request, and ask for a meeting. If your Senator or Representative is not available, ask to meet with her staff. Obviously, local and state level officials will be more available than national members of congress.
 - As soon as you made a lobbying appointment, *send a confirmation letter* confirming the meeting and describe why you want the meeting.
 - *Gather your delegation.* Again, bring more than the usual suspects and consider whose voices will carry weight with this particular elected official.
- Preparing for the Meeting
- *Establish your agenda and goals.* The most important part of this process is determining your "ask", or what commitment you want the elected official to make.
 - *Research your elected official.* This will allow you to tailor your message and determine what is a realistic "ask."
 - *Divide up roles for the meeting,* including a group leader and people to run different parts of the meeting (see sample lobbying agenda below).
 - *Practice!* Definitely rehearse your meeting.
- At the Meeting
- *Be concise and diplomatic.* You may have a limited amount of time, so keep your presentation short and to the point while making sure you effectively articulate your position. It is important to listen to the elected official even if their viewpoint differs from your own and allot sufficient time for them to express their opinion. Don't be argumentative or confrontational.
 - *Include a local and personal angle.* Convey why excessive corporate power affects the elected official's constituents and use specific examples or cite statistics. Personal stories or examples from the local community can be particularly powerful.
 - *Get a commitment.* When asking for a commitment or an opinion, don't let the elected official avoid or change the subject. Ask for their position on your issue, and follow up with a specific request for a commitment.
 - *Don't be intimidated.* It's ok to say that you don't know the answer to a question, just let the official know you will get back to them with a response.

Sample Lobby Meeting Agenda for Three Strikes Legislation:

I. Introductions.

II. Overview. Go over why you asked for the lobby meeting and what you plan to cover in the meeting.

III. Thank for past support, if appropriate.

IV. Presentation of the problem. Explain why you are concerned about excessive and unpunished corporate crime, how this affects your community perhaps citing local examples.

V. Solution. Present Three Strikes legislation as an integral way to ensure that corporations comply with the law, to deter corporations from engaging in criminal behavior and to minimize negative effects on employees, communities and the environment.

VI. Request a commitment. Ask the elected officials to support, co-sponsor legislation, make a floor speech or write a "Dear Colleague" letter in support of Three Strikes legislation.

VII. Response. Let the official explain her position.

VIII. Questions and Answers.

IX. Wrap-up/Thank You. Clarify what each party has committed to do as a result of the meeting and thank the official for taking the time to meet with you.

After the Meeting

- **Follow Up.** Send a thank you note to the official and her staff, including any follow up information that they requested, you promised, or that you think she would find helpful. Work to be a resource for the elected official, which is an excellent starting point for a relationship.
- **Build a Relationship.** A lobby visit should never be the end of contact. Stay in touch in order to develop a relationship that will be useful in the future.

Pressuring Corporate Leaders

Because corporate leadership is not an elected position, you will need to approach meetings with corporate leaders differently than with government officials even though the preparation for the meeting will be similar. Here are some hints:

- Find ways to demonstrate your power. Corporations are unaccountable to the general public, but there are groups whose voices carry weight. Shareholders, investors and business leaders could be very effective messengers.
- Large corporations often spend millions of dollars cultivating their brand and image, and we can use this to our advantage. Bring the media to a creative event that exposes corporate crime, abuse or irresponsibility and don't stop the pressure until your demands are met.
- Use customer testimony. Consumer power lies mainly in our buying power, so it could be persuasive to bring a life-long customer who explains why they are considering taking their business elsewhere.
- Don't threaten what you can't deliver. Boycotts are very difficult to organize because they require massive public education and support. Don't threaten a corporation with a boycott or other action that you aren't going to be able to make happen.
- Research your executive. Perhaps with a bit of research you can uncover a unique way to pressure a particular corporation through the individuals who work there. Maybe the CEO regularly attends a local church and would listen to church leaders.
- Remember that we are challenging the way corporations are structured and not the individuals who are in them. We are not looking for individual villains, but seeking ways to limit the ways that corporations interfere with democracy. Executives may be more receptive if they understand that you are not personally attacking them.

MEDIA

When used effectively and creatively, the media can be an excellent way to educate the public, put pressure on corporations and elected leaders, build recognition for your group and cause, and ultimately, catalyze a broad discussion about the proper role for corporations in a democracy.

There are several common avenues for media coverage.

News articles or stories. These generally cover some sort of news worthy event or current happening. There are ways to create these opportunities by holding press conferences, launching campaigns, organizing demonstrations, or inviting media to other timely events. Don't forget about your local paper!

Letters to the Editor (LTEs). The letters page in many papers is a great indicator of public opinion and is thus read by citizens, executives, and elected officials alike. LTEs are also a fairly easy way to get press coverage.

Editorials and Opinion Editorials. Editorials are written by the staff of a newspaper while Opinion Editorials are authored by experts, community members or recognized leaders. Both are powerful vehicles for conveying your message to a broad audience and widely read by policy makers and business leaders.

Radio Shows. Conservatives have long recognized and utilized the radio as an effective vehicle to influence public opinion, so it is important to claim airtime for progressive voices. The easiest method is to call into a radio show when they are soliciting comments from community members, although you may also be able to land a spot as a guest. Don't forget about public radio, college radio or other community access stations.

Television. While TV can be the most difficult medium to break into, it can also be the most effective due to the breadth of the audience. Use creative and visible tactics to make your event "TV worthy." Also, check out our tips on working with reporters.

Magazines, Journals and Newsletters. There are a variety of progressive and mainstream publications that you could target, as well as organizational newsletters.

The Internet. Many on-line publications accept submissions from the public. Also email and the web sites of allied organizations could be good vehicles to convey your message.

HOW TO BEGIN

The first step to working with the media is to develop a concise, compelling message. Generally, it is a good idea to decide on three major points that encompass the problem and your proposed solution.

Hints for developing an effective message:

- **Know your target audience** and their motivations. Generally people are motivated by self-interest so convey why your campaign affects the lives of everyday people.
- **Keep it simple.** Use language that everybody understands and avoid insider jargon. Especially when dealing with television, you should boil down your message to a "sound bite" that contains the core content of the message that you want to communicate so even if you only have a 10 second spot on the nightly news you are able to convey your platform.
- **Test out your message** on laypeople uninvolved with your organization to gauge its effectiveness.

GETTING PRINTED

NINE STEPS TO A SUCCESSFUL LETTER TO THE EDITOR

- **Be Timely** - Capitalize on current events and stories. The more quickly you respond, the more likely

you are to get printed. Many papers give preference to LTEs that reference a specific past article.

- **Follow the Guidelines** - Generally, papers have guidelines for submitting LTEs. Follow them.
- **Short and Sweet (and Simple)** - Papers usually only print a few paragraphs, so make your point quickly, clearly and stick to one subject.
- **Hook the Reader** - Many people scan the paper and read what grabs their attention so use a catchy first sentence to "hook" the reader.
- **Think Locally** - Corporations often seem too huge and distant to change so it is critical that we find ways to demonstrate how excess corporate power affects our everyday lives in order to motivate people to take action.
- **Sign Your Letter** - Include your name, address and phone number. Often newspapers contact people before they print letters so your contact information is important.
- **Follow up** - Call the newspaper and ask if they are going to print your letter. Just ask to speak to the person in charge of letters to the editor. If they don't plan on printing it, ask for feedback.
- **If You Don't Succeed, Try Again** - Newspapers get a lot of letters to the editor, so if they don't print yours, try again. Every time you submit a letter you are educating the editorial board, and paving the way for future letters to be printed. Don't give up!
- **Share Your Success** - Let us know when you get printed so we can share your success with the rest of the corporate reform network.

OPINION-EDITORIALS (OP-EDS)

Op-eds are often viewed as a barometer of public opinion and can be extremely powerful. The same tips apply to op-eds as letters to the editor, although you must carefully select your messenger because op-eds are printed when the newspaper staff views the author as an "expert" or a prominent leader. Once you have identified your messenger (business owner, accountant, investor, church leader, etc.) pitch your idea to them and give them your ideal op-ed. Your messenger can then sign onto the op-ed you have written or write their own piece. Remember to follow-up with newspaper staff.

EDITORIALS

Editorials are authored by the newspaper staff and can be very influential vehicles to persuade policy makers of your viewpoint. See if you can schedule a meeting with the editorial board to pitch your position and view these meetings as mini-lobby meetings (see lobbying and working with reporters). At the editorial board meeting you should demonstrate broad support for your position, again carefully picking your messengers and practicing your presentation beforehand. Your presentation should be about 10-15 minutes. This leaves plenty of time for questions, which is how journalists are accustomed to getting information. Make sure to ask them if they will write an editorial on corporate reform and if so, when. If they decline to print an editorial, propose that they print an op-ed from you. In any case, be gracious and thank the editors for their time.

PRESS EVENTS

Press events are timely and exciting opportunities to generate media around a newsworthy happening. This could be a press conference about a campaign launch, a corporate scandal, an anniversary of a historic or important event or it could be a rally or demonstration, an educational forum, or direct action. The opportunities to create press events are endless, but to get the press to turn out you will need to make sure that your event is timely, relevant and appealing. Whatever avenue you choose to get your issues in the media, here is a guideline to a successful press event.

Step 1: *Develop the idea and message* for your event. Be creative!

Step 2: *Find ways to entice the media.* This could be large numbers of people, big name speakers, or creative and relevant angle to a current issue.

Step 3: *Pick a convenient and interesting location* that relates to your event. Schedule your event on slow dull news days and allow enough time to process for the local evening news. 11:00 a.m. is a good time for a press conference.

Step 4: *Develop the materials.* A sample press advisory and press release are in the appendix. Other materials could include interesting visuals. You will also want to prepare a press release, which essentially is your ideal article, as well as a sign in sheet for reporters.

Step 5: A week before the event, *send out your press advisory* with the basic who, what, when, why of your press event. Don't send out your press release until after the news conference and re-send your press advisory the day before the event.

Step 6: *Follow up* to make sure that the right reporter received the advisory and to personally invite journalists to your event. The first time you talk to the reporter you will want to pitch the story to them conveying why they should cover it.

Step 7: *Practice your presentation!* Pick an articulate spokesperson and remember that on T.V. tone and body language also convey information.

Step 8: On the morning of your event *call through your media contacts one more time* to remind them of your event and to nudge them to show up.

Step 9: *Make sure reporters sign in at your event*, so you can follow up with them afterwards and invite them to your next event.

Step 10: After the press conference, *fax your press release out to media outlets that didn't attend.* Call through your entire media list and ask everyone to print your story. Be sure to keep track of all our your media hits, as well as your contact with reporters.

WORKING WITH REPORTERS

When you are holding press events, you have two goals. In addition to gaining media attention for a particular event, you also want to develop good relationships with reporters so they will cover future events. Here are some hints:

- Keep an up to date press list that includes press contacts, phone numbers, and a record of your interaction.
- Pay attention to the authors of articles and work to develop relationships with progressive reporters.
- Always be polite and respectful when talking to reporters. Press calls are a critical element to generating media attention, but reporters are often very rushed and have multiple demands on their time. Be confident when pitching your story, after all, reforming corporations is critical to the health of our democracy, but also be concise and brief.
- Practice your pitch! You may have less than 60 seconds to convince a reporter to show up to your press event, so make sure you are as articulate, concise and compelling as possible.
- Work to be a resource by providing additional and helpful information and answering reporters questions.
- Respect that reporters have deadlines. It's best to reach them in the morning or early afternoon, as reporters are busiest in the afternoons and evenings.

MAINTAINING YOUR ORGANIZATION

Organizations that last need both smart, winning campaigns, and a strong internal structure. In addition to filling gaps so as not to duplicate existing efforts, new organizations should seek to work in coalition with existing groups when possible. They should also have systems in place to develop the leadership skills of everyone in the group, and be able to raise enough funds to maintain and build the organization. Also, groups should be continually recruiting new people and reaching out to diverse constituencies to build the strength and breadth of the group. In most campaigns, recruitment fits naturally as an essential campaign component, but organizations should make sure that on-going recruitment is always part of the plan. Following are guides to help maintain a strong organization.

DEVELOPING LEADERSHIP

Strong leaders often determine the success of an organization or a campaign, not only due to their own leadership abilities, but also to their commitment to developing leadership skills in others. There is an enormous amount of work needed in order to create a just and sustainable world in which corporations are accountable to people. The only way we can move towards this vision is to train as many people as possible in the skills they need to be effective agents of change, individuals who, in turn, can teach others these same skills. Keep in mind that leadership is developed and not discovered and is a skill that most people can develop and refine. Following is a guide adapted from Organizing for Social Change, Midwest Academy Manual for Activists.

Start With Self-Interest

People give their time to a cause or struggle for a variety of different reasons, but almost invariably these reasons spring from a place of self-interest. After all, someone who is going to work hard and spend the time necessary to win a campaign or develop an organization probably wants something in return. The reasons could include a personal connection to an issue, desire to gain new skills, satisfaction, friends, or connections. Volunteers could be seeking out excitement, recognition, or an "in" to a new career, or wanting to reassert citizens rights to determine the appropriate role for corporations in a democracy. In order to effectively develop the skills of potential leaders, and continue to build their commitment to your group, you will need to know what is motivating a particular individual so you can match the needs of the organization or campaign to the personal goals of that person. The core of successful organizing is building relationships people; finding out the motivation of a volunteer or potential leader is a great way to start or develop a relationship, just ask questions about why they are interested in working to reform corporations. Once you know a bit more about an individual's motivation and goals, you can better find a role with your group that will be rewarding for the individual while furthering organizational goals.

Create Leadership Opportunities

There are two ways that people develop leadership skills, either by attending trainings designed to teach people skills, or in a more hands-on way by just trying new things. A good organization and campaign finds ways to provide both opportunities to their volunteers. You can think of the leadership opportunities in an organization as a ladder or pyramid, with a foundation of "entry level" activities followed by other actions that require an increasing amount of time, investment and responsibility. Most people begin their involvement with activities that require only a small amount of commitment and then take on increasing amounts of responsibility. Entry-level activities could be attending an event or donating money. This might be followed by a one time volunteer activity, like office work or staffing an information table. The next step could be acting as a captain at an outreach event, or helping to organize other volunteers. The next level of involvement may require a longer-term commitment, like sitting on a committee or coordinating a specific campaign. The further up the pyramid that a person progresses, the more involved they become in determining the direction of the organization. The folks at the top of the pyramid are responsible for coordinating the overall work of the organization, long term planning and much of the logistical side of maintaining and developing an organization. People at every level of the leadership pyramid are equally important, as a successful group needs people at every stage.

Guidelines for Leadership Maintenance and Growth

Proactive Evaluations. Look for and give positive as well as growth-producing, feedback. Regular group evaluations at meetings are good.

Institute the Rotations of Roles, and Develop Systems for Training People for New Roles. Few of us want to remain doing the same job forever.

Make Sure Leaders Are Enjoying Their Positions. If leaders are not enjoying their positions, they will either get frustrated and quit or make themselves and those around them miserable.

Use Strong, Skilled Leaders to Train Others. Every strong leader should be training others. No one should

become "irreplaceable." Build leadership development into every position.

Ask Leaders to Set Personal Leadership Development Goals as Part of Your Annual Goal-Setting Session. Provide needed support and training to help leaders achieve their goals, as long as they don't conflict with the organization's goals.

Skills and Qualities

There are some qualities that good leaders generally share like commitment, honesty, a positive outlook, self-assurance, a trust in people and a healthy mistrust of unaccountable institutions. In addition to these qualities, there is set of skills that we should be seeking to develop in leaders:

Listening: Good listening means not only opening one's ears but also really concentrating on what someone else is saying.

Diplomacy: Leaders must learn to be direct, assertive, and yet tactful, unless a group has consciously decided in a particular situation not to be diplomatic.

Recruitment: Almost all leaders need to recruit others to work with them in some capacity or other. Thus, they must clearly understand how to recruit and develop experience recruiting.

Personal Organization: Leaders need good systems for keeping track of meetings, following up with people, making calls, and so forth.

Goal Setting: All leaders need to develop skills in setting measurable and realistic goals. Without such goals, we are unclear about where we are going. If we get there, we don't know to congratulate ourselves. Learning how to set such goals helps avoid leadership burnout.

FUNDRAISING

One of the biggest challenges to groups, whether a small community group or nationally well established non-profit organization, is raising the funds to maintain and expand your work. It is an ongoing process and the effort should be incorporated into many of the group's activities but without dominating the selection of projects. In many cases, fundraising events can double as good recruitment or media events, and there is always an opportunity to build leadership throughout this process, so fundraising can be seen as opportunities to achieve other organizational goals. Most groups find that a broad range of fundraising approaches is necessary for long-term sustenance, and you'll need to plan out your fundraising just like you do the rest of your campaign. The following are various categories of sources of income.

Dues or Membership. Many groups ask that members pay a one-time, monthly, or annual dues fee to help sustain the group, sometimes with a sliding scale respective of status as student, senior citizen, or coalition partner. Dues can be a good way to diffuse large operational costs, but always remember that paying a periodic membership fee does not in and of itself constitute active contribution to the group. For some large national groups, it is effective enough to have passive members who mainly contribute by writing a check once a year, but this will not be enough for a local action-oriented group.

Grassroots Events and Appeals. Events are a great way to raise awareness, build a reputation for your group, and bring in contributions from concerned individuals who are sympathetic to your cause, but who may not necessarily be able to commit to joining as an active member. They are effective when you link solving a problem directly with the event's revenue, so that people gain a sense of efficacy. In other words, you don't want to appeal to potential donors by saying that you need money so you can pay the groups phone bill next month, but rather, their money is an important contribution to the cause you're fighting for. Following are some ideas for grassroots fundraising, though this list is not exhaustive, and remember that your creativity and ingenuity will go a long way in creating memorable, successful, fun and lasting events.

- Benefit Concerts, Talent/Variety Shows
- Car washes

- Bake Sales, Book Sales, Yard Sales,
- Raffles
- Auctions
- Brunches or Dinners
- Public Television Tele-a-thon
- Walk-a-thon
- Door-knocking

Foundation Grants. Even though it requires significant research, writing, and time to acquire a foundation grant, the pay off is generally large and certainly worth the effort. While grants are usually given for specific campaigns or projects, it is sometimes possible to apply for operating budget funds. In any case, the proposal should clearly state the purpose of the project, follow the application guidelines, and be customized to the specific foundation as much as possible. There are many good online sources for citizen group and nonprofit grant fundraising. Here are a few:

The Internet Nonprofit Center includes an extensive FAQ section, www.nonprofits.org

The Foundation Center Library is a national clearinghouse, www.fdncenter.org

Ohio Citizen Action has compiled a great list for small groups, www.ohiocitizen.org

BUILDING COALITIONS

In many cases your group will benefit by partnering up with other groups to add power to your message and broaden your base of support. As part of your campaign planning and power mapping, you should consider which community groups or associations might help you demonstrate your power to the target. Coalitions are usually formed for short-term campaigns, but the relationships built will benefit the groups involved for future events, networking, and increasing capacity for grassroots efforts.

Neighborhood groups, churches, PTA's, small business associations, environmental groups, and civil rights groups could all be natural allies for your corporate reform work. You'll need to consider what value potential coalition members might bring to the campaign in terms of resources, broadening the power base, and improving publicity.

When joining a coalition, you should consider the potential overall disadvantages as well. Possible drawbacks include compromise on priority issues, distraction from other goals of organization, and structural problems that result from inequality in resources and power. Clearly stating expectations and guidelines in the coalition building process can prevent many unnecessary conflicts down the road.

Back to [Table of Contents](#)

[>>next section](#)

Last Updated Febuary 2003

[About Citizen Works](#) | [Contact Us](#) | [Privacy Policy](#) | [Jobs/Internships](#)

ALL CONTENT © 2004 CITIZEN WORKS



Three Strikes And You're Out Sample Letter

To the Editor:

A Los Angeles Times article on January 20, 2003 advocated for stricter punishment for street criminals, but what L.A. really needs is stricter punishment for the criminals that operate beneath the public radar screen: corporate crooks. As we witnessed recently in the Enron et al scandals, corporate crime can cost billions. But unfortunately, these are not isolated cases; rather the fabric of corporate social responsibility is torn beyond repair. Almost every Fortune 500 company has had to pay substantial fines at some point in the past decade. But they expect to do so, treating it as "the cost of doing business." These "intentional or reckless acts" often jeopardize the safety of workers, devastate the environment, pose serious public health risks and can cost lives. Urge your state senator or representative to support Three Strikes legislation that would revoke the charters of corporations that repeatedly break the law.

Sincerely,

Citizen X

Last Updated February 2003

[About Citizen Works](#) | [Contact Us](#) | [Privacy Policy](#) | [Jobs/Internships](#)

ALL CONTENT © 2004 CITIZEN WORKS



Corporate Personhood Sample Letter

To the Editor:

Within the recent ordinance passed by a small township in Pennsylvania lies a latent power to fundamentally restructure the role that corporations play in our democracy, for the better. The precedent-setting ordinance refuses to recognize corporate claims on civil and constitutional rights, rights that have been illegitimately granted to corporations since the late 1800s. These court decisions paved the path to our current situation in which gigantic corporations recklessly pursue profits at the expense of intact communities, a healthy environment, the dignity of employees and a functioning democracy. The people of the U.S. need to join in one voice and loudly declare that corporations are artificial legal entities not flesh and blood living beings and therefore should not be afforded the same rights as people.

Sincerely,

Citizen X

Last Updated February 2003

[About Citizen Works](#) | [Contact Us](#) | [Privacy Policy](#) | [Jobs/Internships](#)

ALL CONTENT © 2004 CITIZEN WORKS



Tools for Democracy

Get Informed

Take Action

Use the Toolbox

SEARCH:

GO

The Code for Corporate Responsibility Sample Letter

To the Editor:

Recent scandals have rocked the corporate world and shaken Wall Street to its foundation but have yet to result in the types of meaningful reforms that our times, and the American people, demand. As a Business Week/Harris poll indicates the vast majority (95%!) of Americans think, "Corporations should have more than one purpose. They also owe something to their workers and the communities in which they operate and should sometimes sacrifice some profit for the sake of making things better for their workers and communities." The current corporate focus (backed up by law) is clearly out of step with the values of Americans. We need to rewrite corporate DNA to include American values in addition to profit, including protecting the stability of communities, the integrity of the environment and the dignity of workers.

Sincerely,

Citizen X

Last Updated February 2003

[About Citizen Works](#) | [Contact Us](#) | [Privacy Policy](#) | [Jobs/Internships](#)

ALL CONTENT © 2004 CITIZEN WORKS



SAMPLE MEDIA ADVISORY

2 April 02
For Immediate Release

Contact: Lee Drutman
w: 202-265-6164; c: 202-555-1212
ldrutman@citizenworks.org

Ralph Nader, corporate reformers speak out at first annual Big Business Day Giant shredder to shred cherished values in relentless pursuit of profits

Photo Op: A 240-cubic foot corporate shredder will shred many of our cherished values, like truth, justice, families, communities, and democracy. Shredding will run from 11 a.m. to 1 p.m.

What: Citizen Works press conference with consumer advocate Ralph Nader and other corporate reformers as a D.C. anchor event for Big Business Day, a nationwide day of action for democracy and against corporate rule in America with activities in more than 100 locations. Nader and representatives from other organizations in D.C. will address how too much corporate power in America endangers democracy, families, workers rights, the environment, and the Constitution.

When: Saturday, April 6, 2002. Press Conference from 11 a.m. to 11:30 a.m. Shredding continues until 1 p.m.

Where: On the Mall between 3rd St. NW and the Capitol Reflecting Pond, between Jefferson Ave. and Madison Ave. Parking will be available along 3rd St.

Who: Ralph Nader, consumer advocate, founder, Citizen Works
Mildred Brown, legislative representative, ACORN
Tom Devine, legislative director, Government Accountability Project
Chris Townsend, political action director, United Electrical Workers Union
Karen Friedman, director of policy strategies, Pension Rights Center
Lisa Gue, policy analyst, Public Citizen Critical Mass Program
And many more...

For more information on National Big Business Day go to www.citizenworks.org or contact Lee Drutman at Citizen Works at 202-265-6164 or ldrutman@citizenworks.org.

###

Last Updated February 2003

[About Citizen Works](#) | [Contact Us](#) | [Privacy Policy](#) | [Jobs/Internships](#)
ALL CONTENT © 2004 CITIZEN WORKS



Tools for Democracy

Get Informed

Take Action

Use the Toolbox

SEARCH:

GO

SAMPLE PRESS RELEASE

PRESS RELEASE

5 April 02

For Release after 11 a.m. Saturday

Contact: Lee Drutman

w: 202-265-6164; c: 202-555-1212

ldrutman@citizenworks.org

**Ralph Nader, corporate reformers speak
out at first annual Big Business Day
Giant shredder shreds cherished values in relentless pursuit
of profits; speakers condemn Big Bad Business practices**

WASHINGTON, D.C., April 6, 2002 - With a giant corporate shredder shredding away in front of the Capitol, today Ralph Nader and representatives from several public interest, consumer, and labor organizations made it clear that corporate rule in America is bad for democracy, dangerous for the environment, unfair to workers, and inimical to the Constitution.

The giant corporate shredder, a true sight to behold at 240 cubic feet, was working overtime today as demonstrators dressed as anonymous corporate executives fed the hungry shredder cherished American values like truth, justice, democracy, families, communities, and spirituality, all in relentless pursuit of profits and power.

The event was part of Big Business Day, Citizen Works' national day of action against corporate rule in America with activities in more than 100 locations throughout the country, from Puerto Rico to Portland, Oregon. All over America, citizens took to the streets in protest, theater, and parades to talk about how Big Business is hurting them in their local communities and to discuss the role big corporations play in their lives.

At the D.C. event, consumer advocate and Citizen Works founder Ralph Nader called on the government to do its long-neglected duty and police corporate crime.

"After years of exposés of corporate crime, fraud, and abuse by the mainstream media that go nowhere, from the Wall Street Journal to 60 Minutes, it is long overdue for the forces of law and order to crack down systemically on fraudulent and criminal behavior by Big Business against the interests of workers, investors, consumers, taxpayers, and the environment."

Mildred Brown, legislative representative of ACORN, spoke about how corporate greed hurts low-income families.

"Last summer, families couldn't afford to refrigerate milk for their infants, seniors couldn't afford to turn on a fan to keep cool, all because Ken Lay and others believed that being disgustingly rich wasn't enough, and because they legally bribed our government officials to enrich themselves even more," Brown said. "If we truly had a government of the people, energy would be regulated for the good of the people."

Karen Friedman, director of policy strategies at the Pension Rights Center, spoke about how a failure in both the public and private sectors caused the Enron pension disaster.

"What created Enron?" Friedman asked. "A host of factors. But certainly the mixture of lax federal regulatory policies combined with corporate practices that only reward the bottom line helped create these abuses. We need to pass laws that close gaps in the federal private pension laws and create federal policies that help protect workers."

Lisa Gue, policy analyst with Public Citizen's Critical Mass Energy and Environment Program, spoke about how the nuclear industry is endangering the well-being of 50 million Americans to create a dump at Yucca Mountain.

"The dangerous plan to ship tens of thousands of tons of deadly radioactive waste through virtually every state is yet another example of corporate interests unacceptably influencing energy policy and threatening public health, the environment, and the safety of our communities," Gue said.

Stephen Kretzmann, Campaigns Director for the Sustainable Energy & Economy Network at the Institute for Policy Studies, spoke about how Enron ruthlessly used \$7.2 billion in public financing to build its global network.

"It is simply no surprise to the people of Argentina, India, or the Dominican Republic that Enron is an unethical corporation," Kretzmann said. "For years, Enron and other oil and gas companies have been getting away with murder, sometimes quite literally. For years, the US government and international financial institutions have been helping them, usually turning a deaf ear to local complaints.

Chris Townsend, political action director of United Electrical Workers Union spoke of the failure of our government to crack down on corporate crime.

"Working people are the innocent victims of an unprecedented Big business wave of criminal and corrosive conduct," he said. "Sadly, our elected officials, lawmakers, regulatory agencies, and even law enforcement are unwilling to confront this greed-driven corporate crime."

Tom Devine, legislative director for the Government Accountability Project, spoke about the need for increased whistleblower protection to prevent future corporate disasters sustained by secrecy that threaten the public and shareholders.

"As the eyewitnesses to corporate crime, whistleblowers are the lifeblood for genuine law enforcement efforts," Devine said. "Without them, anti-corruption campaigns are empty and lifeless. You can only rarely prosecute criminals unless those who can call their bluffs bear witness."

For more information on National Big Business Day click [here](#) or contact Lee Drutman at Citizen Works at 202-265-6164 or ldrutman@citizenworks.org.

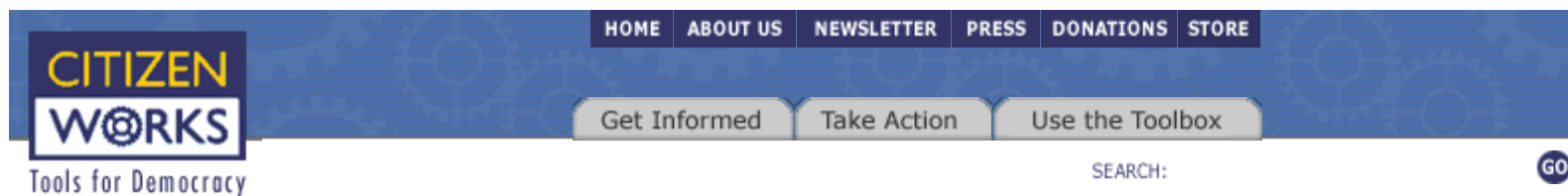
Citizen Works is a nonprofit founded by Ralph Nader to advance justice by strengthening citizen participation in power. We give people the tools and opportunities to build democracy.

###

Last Updated February 2003

[About Citizen Works](#) | [Contact Us](#) | [Privacy Policy](#) | [Jobs/Internships](#)

ALL CONTENT © 2004 CITIZEN WORKS



The Model Uniform Code For Corporate Responsibility

For more information see www.c4cr.org

Preamble.

Whereas directors of corporations formed under this [chapter] have heretofore been required by law to manage their companies in the best interests of such companies and their shareholders and

Whereas this requirement has been found to restrict directors from managing companies in a manner that fully respects the public interest and

Whereas the legislature believes that large corporations formed under the laws of [this state] should have due respect for and safeguard the environment, human rights, the public health and safety, the welfare of communities in which such corporations operate and the dignity of employees,

Now therefore, in order to expand the duties of corporate directors to require that the pursuit profit by corporations formed under this [chapter] no longer occurs at the expense of the environment, human rights, the public health or safety, the welfare of communities or the dignity of employees, be it enacted that the following [article] shall be added to the [State] [Business Corporation Act]:

Section 1. Duty to Safeguard the Public Interest. It shall be the responsibility of the directors to manage the corporation in a manner that does not cause damage to the environment, violate human rights, adversely affect the public health or safety, damage the welfare of the communities in which the corporation operates, or violate the dignity of the corporation's employees.

Section 2. Civil Liability for Damage Caused to the Public Interest. In the case that any corporation formed under this [chapter] causes damage to the environment, violates human rights, adversely affects the public health or safety, damages the welfare of the communities in which the corporation operates, or violates the dignity of its employees, any person damaged by such action, may either in law or in equity, in [court of competent jurisdiction], sue either

- (a) the corporation or
- (b) any person who was a director of the corporation either at
 - (i) the time the damage occurred or
 - (ii) the time the board of directors approved the corporate action that led directly to such damage.

Section 3. Exemptions from Liability in Certain Cases. (a) Notwithstanding any other provision of this Article, no director shall be liable as provided therein who shall sustain the burden of proof that

- (i) the damage complained of was the direct result of an action approved by the corporation's board of directors that the director had voted against; or
- (ii) the damage complained of was the direct result of an action approved by the corporation which approval occurred prior to the director becoming a member of the board.

(b) This article shall not apply to corporations, or the directors thereof, the annual revenues of which are less than \$5 million.

Section 4. Amount of Damages. (a) The suit authorized under Section 2 may be to recover damages as shall represent the greater of (1) the actual damage caused to the plaintiff or (2) three times the savings which accrued to the corporation as the result of failing to safeguard the public interest as required by Section 1.

[*(b) The trier of fact may award punitive damages against a defendant for violation of Section 1 if the plaintiff has established by clear and convincing evidence that the defendant knowingly, intentionally or recklessly caused damage to the environment or injury to any person or community protected by Section 1 and an award is necessary to punish the defendant for the conduct or to deter the defendant from similar conduct in like circumstances.]

Section 5. Contribution. Any director against whom a claim is asserted under Section 2 and who is held liable thereon, is entitled to contribution from the other directors who are likewise liable thereon or any other director who, if sued separately, would have been liable to make the same payment.

Section 6. Limitation of Actions. No action shall be brought to enforce any liability under Section 2 that accrues prior to [the ____ anniversary date of enactment].

Section 7. Liability of Controlling Persons. (a) Every person who, by or through stock ownership, agency or otherwise, or who, pursuant to or in connection with an agreement understanding with one or more other persons by or through stock ownership, agency or otherwise, controls any person liable under Section 2, shall also be jointly and severally liable to the same extent as such controlled person to any person whom such controlled person is liable, unless the controlling person had no knowledge of or reasonable grounds to believe in the existence of the facts by reason of which the liability of the controlled person is alleged to exist.

(b) For purposes of this Section 6, the term "control" (including the terms "controls", "controlled" and "controlling") means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract or otherwise.

Section 8. Attorney General. (a) Whenever it shall appear to the Attorney General that any corporation is engaged or about to engage in any acts or practices which constitute or will constitute a violation of the provisions of Section 1, the Attorney General may in his or her discretion bring an action in any [appropriate state court] to enjoin such acts or practices, and upon proper showing a permanent or temporary injunction or restraining order shall be granted without bond.

(b) Whenever it shall appear to the Attorney General that any corporation or person has violated Section 1, the Attorney General may bring an action in any [appropriate state court] and the court shall have jurisdiction to impose, upon a proper showing, a civil penalty by the person who committed such violation. Any such penalty shall be payable to the State of [appropriate state].

Section 9. Criminal Penalties. Any director who willfully violates Section 1, shall upon conviction be fined not more than \$1,000,000 or imprisoned not more than five years, or both. Such monetary penalty shall not reduce the amount of any civil judgement paid under Section 4.

Section 10. Attorneys' Fees. Upon motion, a court may award attorneys' fees to a successful party against one or more defendants in any action which has resulted in the enforcement of this article against a corporation or a director thereof if: (a) a significant benefit, whether pecuniary or nonpecuniary, has been conferred on the general public or a large class of persons, (b) the necessity and financial burden of private enforcement are such to make the award appropriate, and (c) such fees should not in the interest of justice be paid out of recovery, if any.

*Optional provision

Last Updated February 2003

[About Citizen Works](#) | [Contact Us](#) | [Privacy Policy](#) | [Jobs/Internships](#)
ALL CONTENT © 2004 CITIZEN WORKS



Tools for Democracy

Get Informed

Take Action

Use the Toolbox

SEARCH:

GO

Basics Sources for Corporate Research

For more information see www.corporate3strikes.org

SECTION 1. Title 6 (commencing with Section 4000) is added to the Corporations Code, to read: TITLE 6. CORPORATE THREE STRIKES ACT

40000.

This title shall be known and may be cited as the Corporate Three Strikes Act.

40001.

The People of the State of California find and declare all of the following:

- (a) Statistics reveal that corporate crime and other corporate violations are more costly to the public than crime by individuals, yet individual crime is punished more severely than corporate crime.
- (b) Some corporations repeatedly violate the law and, if caught, pay relatively insignificant amounts that they pass on to the public as a cost of doing business. This practice is a gross injustice both to the public and to law-abiding corporations, and also undermines a healthy California economy.
- (c) Threats of imprisonment are meaningless when directed at corporations as distinct entities. While the law has created the fiction that corporations are persons, there is no way to imprison a fictional person.
- (d) The courts have also long held, however, that corporations are mere artificial creatures of law and may be dissolved or denied permission to do business if they violate the law. The statutes of California provide these remedies, but public authorities rarely use them. It is the purpose of this title to protect the people of California by requiring enforcement of these existing remedies against corporate repeat offenders, and by preventing evasion of these remedies by directors and officers of corporate repeat offenders.

40002.

- (a) This title applies to all general corporations, nonprofit public benefit corporations, and nonprofit mutual benefit corporations that are subject to Division 1 (commencing with Section 100) of, or Part 2 (commencing with Section 5110) or Part 3 (commencing with Section 7110) of Division 2 of, Title 1.
- (b) This title does not apply to nonprofit religious corporations, corporations sole, partnerships or limited liability companies subject to Part 4 (commencing with Section 9110) or Part 6 (commencing with Section 10000) of Division 2 of Title 1, Title 2 (commencing with Section 15501), or Title 2.5 (commencing with Section 17000).

40003.

- (a) A corporation that commits three or more major violations of law within a ten-year period, commencing after the effective date of this title, is declared to be a corporate repeat offender.
- (b) A corporate repeat offender shall not be permitted to be incorporated or to transact intrastate business in California.
- (c) A corporation shall not be permitted to be incorporated or to transact intrastate business in California if a majority of its directors or officers have ever been directors or officers of a corporate repeat offender as determined by the Secretary of State after notice to the corporation and an opportunity for the corporation to respond.
- (d) A corporation shall not be permitted to be incorporated or to transact intrastate business in California if it is legally controlled by a corporation a majority of whose directors or officers have ever been directors or officers of a corporate repeat offender, as determined by the Secretary of State after notice to the corporation and an opportunity for the corporation to respond.

40004.

For purposes of this title, "major violation of law" means the intentional or grossly negligent violation of any federal, state or local law in the United States that results in the imposition against the corporation of a fine, civil penalty, restitution, damages, or other monetary payment of at least one million dollars (\$1,000,000) or results in the death of a person. Fines, civil penalties, restitution, damages or other monetary payments for separate violations arising out of the same facts and circumstances shall be aggregated, and shall constitute one major violation of law if the aggregated amount totals at least one million dollars (\$1,000,000). Multiple major violations arising out of the same facts and circumstances shall be considered as only one major violation of law.

40005.

a) For purposes of this title, any of the following shall be conclusive evidence that a corporation has committed a major violation of law.

(1) A settlement, consent decree, plea-bargain or similar arrangement in a criminal, civil or administrative case in which the corporation has been charged with intentional or grossly negligent violation of law in which the corporation is required to make a payment that meets or exceeds the monetary threshold in Section 40004. irrespective of whether the corporation admits or denies liability.

(2) A final criminal or civil judgment against the corporation by a court, or a final adjudication against the corporation by a public agency, if the judgment or adjudication finds an intentional or grossly negligent violation of law and pursuant to which the corporation is required to make a payment that meets or exceeds the monetary threshold in Section 40004.

(3) A final criminal or civil judgment against a corporation by a court, or a final adjudication against the corporation by a public agency, if the judgment or adjudication finds an intentional or grossly negligent violation of law that caused a person's death.

(b) Every corporation formed under the laws of California or qualified to transact intrastate business in California shall file annually with the Secretary of State a statement of those items specified in subdivision (a) that were applicable to the corporation during the previous year. The Secretary of State shall prescribe an electronic form for submission of these items and shall make the statement available to the public in a timely fashion through its Internet web site.

40006.

If a corporate repeat offender is a corporation formed under the the laws of California, the Attorney General shall bring an action under Section 1801, 6511, or 8511, as applicable, to dissolve the corporation and provide for forfeiture of its corporate existence. The court shall follow the provisions established in this code for those involuntary dissolutions, including the provisions permitting the court to appoint a receiver to take over and manage the business and affairs of the corporation and to preserve its property. The court shall issue orders, decrees and injunctions as justice and equity require, and shall specifically issue orders necessary to ensure that jobs and wages are not lost, to protect community as well as legitimate shareholder interests, and to maintain corporate obligations to protect the health, safety and environment of workers and the public.

40007.

If a corporate repeat offender is a corporation formed under the laws of a jurisdiction other than California that is subject to Section 2105, the Secretary of State shall, after a fair hearing and on the basis of substantial evidence, revoke the right of the corporation to transact business in California by withdrawing the certification of qualification required by section 2105.

40008.

Neither the Attorney General nor the Secretary of State shall have discretion to refuse to enforce this title with respect to their respective duties under this title. Any person may petition the Attorney General or the Secretary of State to enforce this title against a corporate repeat offender. If the Attorney General or the Secretary of State rejects the petition, or fails to act within 180 days of the submission of the petition, a person may bring an action for a writ of mandate to compel enforcement of this title. That person shall be entitled to an award of costs and reasonable attorneys' fees if the person is the prevailing party in that

action.

40009.

The provisions of this title shall not be amended by the Legislature except by statute passed in each house by roll call vote entered in the journal, two-thirds of the membership concurring, or by a statute that becomes effective only when approved by the electors.

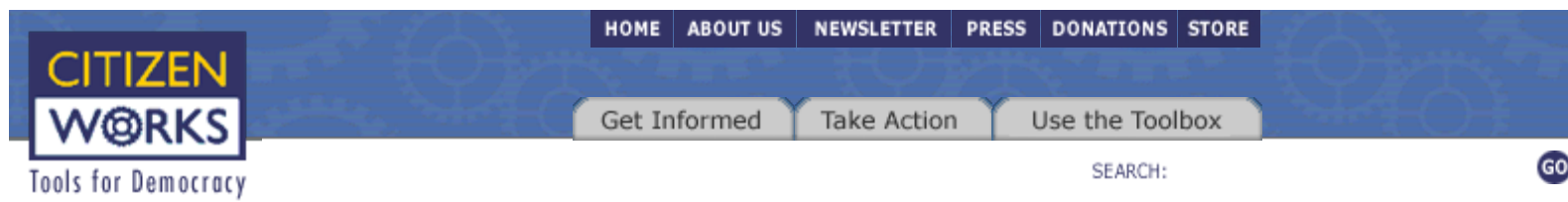
This Act was written for the Campaign by:

Robert Benson, Professor of Law, at Loyola Law School in Los Angeles and Director of Project HEED (Human, Economic & Environmental Defense) of the Los Angeles National Lawyers Guild. Comments may be addressed to Dr. Benson at heed@igc.org

The Act was revised by the Legislative Counsel of the State of California.

Last Updated February 2003

[About Citizen Works](#) | [Contact Us](#) | [Privacy Policy](#) | [Jobs/Internships](#)
ALL CONTENT © 2004 CITIZEN WORKS



Basics Sources for Corporate Research

Guides to corporate research:

- Corporate Research Project: www.corp-research.org
- CorpWatch.org: www.corpwatch.org/research/PHR.jsp
- Co-Op America: www.coopamerica.org
- Multinationals Resource Center: www.essential.org/monitor
- Endgame: www.endgame.org

Specific Sources:

1. Use the company's web site. Ask employees questions.
2. Track down people in communities they operate (people and local newspapers can be good sources) and lawyers who have obtained documents from them through discovery.
3. Use the information filed with the Securities and Exchange Commission (SEC). That is often on the company's web site (look for financial or "investor relations" information). Read the company's 10-K, the annual financial report to the SEC. You can search these documents on web sites like www.edgar-online.com.
4. Use our web page, where we have links to many good corporate research sites.

State and Local Records:

Secretary of State Corporations Bureau (public, private and non-profit companies must register with the Secretary of State in every state in which they conduct business) Documents to ask for include articles of Incorporation (explains the corporate structure, purpose of the company, business address, and names and titles of most owners and officers) amendments (changes to the articles, filed separately); certificate of good standing (formal notice from the Secretary that the company is up to date on all filings, fees and taxes). KnowX (www.knowx.com) provides low-cost searches for corporate records in most states. Can search by officer name, not just company name.

Court Information:

Uncovering the Corporate Rap Sheet (How to Learn About a Company's Brushes With the Law) www.corp-research.org/sep00.htm and PACER (Public Access to Court Electronic Records) www.pacer.psc.uscourts.gov are good sources.

Law Firm Ties (to find out who the corporation's lawyers are):

http://www.law.com/special/professionals/nlj/nlj_clientlist1-50.html

Environmental Records: www.scorecard.org; www.rtk.net; www.epa.gov/superfund/sites. www.ebic.org

Labor: www.osha.gov/oshstats/; www.nrlb.gov; www.ftc.gov/search

Other web sites:

- Executive salaries: www.ecomponline.com/ www.aflcio.org/paywatch
- Corporate Dirt Archives: www.corporations.org/corplist.html
- Corporate Reference Desk: www.internet-prospecter.org/company.html

- Political Contributions: www.opensecrets.gov

Back to [Table of Contents](#)

[>>next section](#)

Last Updated March 4, 2003

[About Citizen Works](#) | [Contact Us](#) | [Privacy Policy](#) | [Jobs/Internships](#)
ALL CONTENT © 2004 CITIZEN WORKS



Tools for Democracy

Get Informed

Take Action

Use the Toolbox

SEARCH:

GO

Resources and Links

General Corporate Campaigns and Accountability

Citizen Works, Washington, D.C., www.citizenworks.org, 202-265-6164

Institute for Policy Studies, www.ips-dc.org

CorpWatch, www.corpwatch.org

Multinational Monitor (see the links page), www.essential.org/monitor

Empowering Democracy (a network of corporate campaigners), www.empoweringdemocracy.org

International Forum on Globalization, www.ifg.org

Alliance for Democracy, www.afd-online.org

Stakeholder Alliance, www.stakeholderalliance.org

Aurora Institute, www.aurora.ca

Endgame, www.endgame.org

Change the Rules, www.changetherules.org

Local Challenges to Corporate Rule

Program on Corporations, Law, and Democracy, www.poclاد.org

Community Environmental Legal Defense Fund, www.celdf.org

C4CR (Minnesota Code for Corporate Responsibility, www.c4cr.org

Reclaim Democracy, Boulder, Colorado, www.reclaimdemocracy.org

Institute for Local Self-Reliance New Rules Project, www.ilsr.org

Good Jobs First, www.goodjobsfirst.org/gjf.htm

Corporate 3 Strikes (California), www.corporate3strikes.org

Economic Justice and Worker Rights

AFL-CIO, www.afl-cio.org

Pension Rights Center, Washington, D.C., www.pensionrights.org

United for a Fair Economy, www.ufenet.org

Government Accountability Project, Washington, D.C., www.whistleblower.org

ACORN, www.acorn.org

Consumer Federation of America, www.consumerfed.org

Campaign Finance Reform

Public Campaign, www.publiccampaign.org

Alliance for Better Campaigns, www.freeairtime.org

Common Cause, www.commoncause.org

Democracy Matters, www.democracymatters.org

Public Citizen, www.citizen.org

U.S. PIRG, www.pirg.org

Investor Activism

Council of Institutional Investors, www.cii.org

The Investor's Clearinghouse, www.investoreducation.org

Restore the Trust, <http://gal.org/campaign/restorethetrust>

Consumers Union, www.consumersunion.org

Investor Rights and Responsibility Center, www.irrc.org

Co-Op America Shareholder Activism Network, www.coopamerica.org

U.S. Investors: 1-800-297-5610

Eraider.com, www.eraider.com

Economic Policy

Center for Economic and Policy Research, www.cepr.net

Economic Policy Institute, www.epinet.org

Institute for Policy Studies, www.ips-dc.org

Political Economy Research Institute, University of Massachusetts, www.umass.edu/peri

Left Business Observer, http://www.panix.com/~dhenwood/LBO_home.html

Financial Markets Center www.fmcenter.org

Back to [Table of Contents](#)

[>>next section](#)

Last Updated March 4, 2003

[About Citizen Works](#) | [Contact Us](#) | [Privacy Policy](#) | [Jobs/Internships](#)

ALL CONTENT © 2004 CITIZEN WORKS

The Activist's Library: Books on Corporations and Related Topics

[printer friendly version of book list](#)

General Books on Corporations

When Corporations Rule the World by David Korten

Corporation Nation and People Before Profit by Charles Derber

The Tyranny of the Bottom Line: Why Corporations Make Good People Do Bad Things by Ralph Estes

The Corporation Inside & Out by the Aurora Institute (www.aurora.ca)

Defying Corporations, Defining Democracy: A Book of History and Strategy by Dean Ritz, ed.

Unequal Protection: The Rise of Corporate Dominance and the Theft of Human Rights by Thom Hartmann

Taming the Giant Corporation by Ralph Nader, Mark Green and Joel Seligman

Cutting Corporate Welfare by Ralph Nader

Corporate Irresponsibility by Lawrence Mitchell

Challenging Corporate Rule by Robert Benson

Selling Out: How Big Corporate Money Buys Elections, Rams Through Legislation, And Betrays Our Democracy by Mark Green

Corporate Crime

Corporate Crime and Violence by Russell Mokhiber

Corporate Predators by Russell Mokhiber and Robert Weissman

Corporate Crime by Marshall B. Clinard and Peter C. Yeager

The Rich Get Richer and the Poor Get Prison: Ideology, Class, and Criminal Justice by Jeffrey Reiman

Pigs at the Trough: How Corporate Greed And Political Corruption are Undermining America by Arianna Huffington

Pipe Dreams (Enron) by Robert Bryce

Corporate Governance

The End of Shareholder Value by Allan A. Kennedy

The Divine Right of Capital by Marjorie Kelly

Take on the Street: What Wall Street and Corporate America Don't Want You to Know by Arthur Levitt

The New Global Investors by Robert Monks

Books on Corporate Globalization

Alternatives to Economic Globalization (see www.ifg.org)

Whose Trade Organization? by Lori Wallach and Michelle Sforza,

Vanishing Borders: Protecting the Planet in the Age of Globalization by Hilary French (Worldwatch)

Unequal Partners by William Tabb

The Silent Takeover: Global Capitalism and the Death of Democracy by Noreena Hertz

Other Corporate Related Books

Global Spin: The Corporate Assault on Environmentalism by Sharon Beder

Toxic Sludge is Good for You: Lies, Damn Lies and the Public Relations Industry by John Stauber and Sheldon Rampton

Trust Us, We're Experts by John Stauber and Sheldon Rampton

Digital Capitalism: Networking the Global Market System by Dan Schiller

Rich Media/Poor Democracy by Robert McChesney

Silent Theft: The Private Plunder of Our Common Wealth by David Bollier

World Hunger: 12 Myths by Peter Rossett et al.

Wealth and Democracy by Kevin Phillips

One Market Under God by Tom Frank

Christianity, Inc. by Michael Budde et al.

Campus, Inc. by Geoffry White (ed.)

Magazines

Multinational Monitor (www.essential.org/monitor), Covert Action, Z Mag, the Nation, In These Times,

Corporate Reform Weekly, Rachel's Environment and Health Weekly, www.Commondreams.org

For more reading suggestions, see Citizen Works' [progressive reading list](#).

Last Updated March 25, 2003

[About Citizen Works](#) | [Contact Us](#) | [Privacy Policy](#) | [Jobs/Internships](#)

ALL CONTENT © 2004 CITIZEN WORKS