



Calum MacKenzie's View From The Shore:

Corporate Persons in the Dock

Those of us who stand in awe of the brass neck tactics employed by some corporations wonder just how we can reclaim democracy for our government and our people. Corporations have managed to get themselves defined in law as persons and crave to be treated accordingly, so let's follow that surmise -- that "corporate persons" be treated as they would have ordinary citizens be treated -- and see where it leads. What's good for the goose after all, is just hunky dory for the gander.

Corporate airlines such as Air Canada can monopolize publicly funded airport terminals. International cartels such as OPEC and the so-called silver seven international oil corporations fix prices and bids are rigged contrary to fair trade by insiders. No bid contracts are commonplace with Halliburton and Bechtel coming to mind. Community monopolies exist in telecommunications, radio and cable and TV services as seen with Clear Channel and News Corp. In his book "Crimes against Nature" RF Kennedy Jr., lists further examples where a handful of powerful corporations control agriculture, meatpacking, food retailing; and continue to abuse the system. Even when the system works and corporate criminals are nailed to the wall, a slap on the wrist allows them to continue business as usual the next day. Coal mining in the Appalachians has undermined the spirit and letter of laws designed to protect the health of the environment and that of the local population. Any fines imposed become a business expense passed on to the consumer in the next price review. Some companies are even so powerful that they can influence government to amend laws in their favor so that what was illegal and infringed yesterday can be openly flouted tomorrow.

When individuals commit street crimes, often harming no one, they pay the price with a loss of freedom and often have to pay fines and court expenses. The Conservatives in Canada campaigned long and loud for mandatory sentencing, longer prison terms, and more stringent rules for parole supervision and monitoring. Surely then it follows that we must do something to curb the vast increases in corporate crime. If we are to join the US model, which Canadian PM Stephen Harper seems to favor -- Mr. Harper's speeches sound exactly like George Bush's with increasing regularity -- then perhaps we can apply it to corporations and their subsidiaries operating in Canada. After all, they wanted to be treated as persons. But let's do it fairly. Let's tighten up a lax, one sided application of justice.

So from now on convicted corporations, their officers and stockholders should lose their right to vote and run for public office. That in itself might cause a new general election. DNA samples from all officers and stockholders will be kept on file as well as mug shots and fingerprints.

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In the area that a criminal corporation operates, a registry will be kept, and any corporation convicted should register with the local constabulary. In addition, each householder will be notified by mail that a criminal is taking up residence in their community. Junior companies so convicted should have to do community service in food banks, soup kitchens, and the recovery of Tim Horton cups.

Criminal corporations will lose all corporate welfare benefits and government contracts, their officers and stockholders will be required to make weekly visits to parole officers and be subject to random drug tests, (urine and hair). If incarcerated they may not benefit from the proceeds of their crimes through interviews or writings.

Criminal corporations should not operate within 500 meters of a school, church or library. Juniors will have a mandatory 6PM curfew for the term of their probation or parole. Each will be required to place the warning phrase "A criminal corporation" on all vehicles, signs and advertising. Violations of probation or parole bring mandatory jail time for all officers and stockholders.

Fines on corporations should include forfeiture of personal stockholder's assets in the corporations as well as all stock options held by officers until the victims of their actions are paid full restitution plus costs for all injustices visited upon them. Being an accessory before during and after some corporate actions carries certain responsibilities.

The increasing corporate lawlessness requires stricter penalties. Let's bring back the death penalty and apply it liberally as Bush did in Texas. Severe crimes would see the corporation closed down, its assets and those of its management, directors and stockholders forfeited to victims, and its affairs wound up by a court appointed receiver.

While corporate officers and stockholders are on parole/ probation, they will be electronically monitored, required to wear ankle bracelets, and may not travel outside their jurisdiction without a pass from the local constabulary. Stockholders and officers of criminal corporations will not be allowed to associate with other known felonious corporations and they may not keep or bear arms.

It is said that in the West, "**We get the justice we can afford to pay for**". Let's tighten that concept up a tad and make justice fair for all, individual citizen persons and corporate persons alike.

Suggested Readings

This piece draws on recent readings in

Straight Goods - <http://www.straightgoods.com/index.php>
Democracy Now - <http://www.democracynow.org/>
Majority Report Blog on Air America Radio -
<http://www.majorityreportradio.com/weblog/index.php>

as well as readings in

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Kennedy, R.F. Jr. "Crimes Against Nature" Harper Perennial; Reprint edition July 5, 2005
ISBN 0060746882

Korten, David C. "The Post Corporate World" Berrett-Koehler Publishers; March 1999 ISBN
1576750515

Shiva, Vandana "Biopiracy: The Plunder of Nature and Knowledge" South End Press; March
1997 ISBN 0896085554

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