

In Support of HJM 4

Supplementary Written Testimony

I'd like to take you back in America's history to the Boston Tea Party - why did the American colonists board the ships and destroy the tea? It was because the British Queen and House of Lords, who had major ownership in the giant East India Company, gave the company a major tax break that would have put American tea companies out of business. It was a last straw. That is why the colonists destroyed the tea.

The colonies were governed by similar companies, such as the Virginia Company and Massachusetts Bay Company. They were the mega-corporations of their time. Our founders, such as **Thomas Jefferson**, had no fondness for such. In fact, Jefferson once said, "*[I hope to]crush in its birth the aristocracy of our moneyed corporations, which dare already to challenge our government to a trial of strength and bid defiance to the laws of our country.*"

James Madison, chief architect of the Constitution, writing in the early 1800s said: "... incorporated companies with proper limitations and guards, may in particular cases, be useful; but they are at best a necessary evil only."

On the first page of my written testimony, see the table that shows the differences between the way corporations were treated by our country's early government, and characteristics they now have. For example, in our nation's early years, corporations....

These huge changes have been brought about by Supreme Court decisions over the last century and a half, very often involving 5 to 4 majorities, and justices with conflict-of-interest backgrounds. A case in point is Lewis Powell, who, before his appointment to the Court, urged the U.S. Chamber of Commerce to work for "an activist court" and Justice Powell took his own advice during his time on the Court.

Court decisions have extended to corporations the 1st, 4th, 5th, 6th, 7th, and 14th amendments. Yet the Declaration of Independence says, "*We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights. . . ."* I'm pretty sure that our Creator did not endow corporations with the same inalienable rights.

We now have trade agreements with giant multi-national corporations that are placing entire countries at the mercy of a corporation's suit over "lost expected profits" of all things, with adjudication by international tribunals.

Near the end of the Civil War, Abraham Lincoln said, "*I see in the near future a crisis approaching that unnerves me and causes me to tremble for the safety of my country. As a result of this war, corporations have been enthroned and an era of corruption in high places will follow, and the money power of the country will endeavor to prolong its reign by working upon the prejudices of the people until all wealth is aggregated in a few hands and the Republic is destroyed. [Emphasis added](Nov 21, 1864)*

What Lincoln foresaw, is happening. We owe it to our forebears and our children to do our best to reverse this.