

Grossman Says Citizens United, Personhood Fetish, Greed and Corruption Are Diversions

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Careful now. Don't repeat the signs on the street. Think first. Beware of diversions. So warns Richard Grossman.

"There's no shortage of corruption and greed going all around," says Richard Grossman. "But corruption and greed are not the problem. They are diversions."

"The essence of the power arrayed against the 99 percent are structures of minority-rule governance deeply rooted, honored and celebrated, even by, I suspect, many of the people who are occupying Wall Street today."

"I'm referring to the great myths of this nation's founding and founders, of the U.S. Constitution and constitutional jurisprudence, the nonsense about limited governance, the sanctification of 'the rule of law' when lawmaking and interpreting and enforcing have been the special preserve in every generation of a small minority."

"I'm talking about the private ordering of economic decision making, the sweeping constitutional privileges wielded by directors of the 'creatures of law' we call chartered, incorporated businesses camouflaged as 'free enterprise' and 'the invisible hand.'"

"I hope that teach-ins about such realities in Wall Street and Washington and other places are going on. So far, I've not seen evidence."

Grossman has been one of the major philosophers of the movement to challenge corporate power.

Over his career, his thinking has moved from regulate the corporation, to challenge corporate constitutional empowerment, to criminalize the corporate form.

"And criminalizing public officials who have enabled and abetted usurpation," Grossman adds. "And then rethinking everything relating to designing institutions to help a sovereign people live in sane and rational ways."

Grossman objects to being called the father of the movement to challenge corporate personhood – what he dismissively calls the “corporate personhood fetish.”

“ I never focused on personhood,” Grossman said. “I helped to explain Supreme Court cases starting with Dartmouth College in 1819 that turned business corporation directors into usurpers.”

“My focus was on the Constitution as a minority-rule plan of governance, and on usurpations galore.”

“And so this move to amend the Constitution that sprung up after the Citizens United decision – I don’t understand it as strategy, as an educational process, as an organizing process, as a goal.”

“Why validate the idea that amending the Constitution offers a remedy for two hundred years of minority rule? For today's corporate state? Corporate ‘speech’ is such a minuscule aspect of the nation's private governance and mass denials that have been in place since the nation was founded.”

“Let's keep in mind that when the Constitution was ratified, all states denied most people standing before the law. They denied most people the authority to vote.”

“The authors of the US Constitution included no language in that plan of governance requiring the United States to remove all barriers to human liberty – to maximize liberty throughout the land.”

“They did craft language requiring the United States to remove all barriers to commerce – to maximize production and commerce throughout the land. To impose a national economy on communities throughout the land.”

“They certainly understood the concept of a strong, centralized federal government swimming in the preemption and prerogative authority of kings.”

[For a complete transcript of the Interview with Richard Grossman, see [25 Corporate Crime Reporter 40](#), October 17, 2011.]

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