In July, the leaders of 15 major environmental groups sent a joint letter to all their members saying, "You have never received a letter like this before. This is the FIRST TIME the combined leadership of the nation's leading environmental groups have sent a single call to action to our combined memberships.

"Even during the Reagan/Watt/Gorsuch years, we have never faced such a serious threat to our environmental laws in Congress. Polluters have blocked virtually all of our efforts to strengthen environmental laws, but still they are not satisfied. Now, they are mounting an all-out effort to WEAKEN our most important environmental laws."

The letter was signed by the leaders of the American Oceans Campaign; the Center for Marine Conservation; Defenders of Wildlife; Environmental Action Foundation; Friends of the Earth; Greenpeace USA; League of Conservation Voters; National Audubon Society; National Parks and Conservation Association; National Wildlife Federation; Natural Resources Defense Council; Sierra Club; Sierra Club Legal Defense Fund; The Wilderness Society; and Zero Population Growth.

This week 173 citizens responded to the leaders of the Big 15 with a letter of their own. Here is the text of the citizens' letter, verbatim:

We are responding to your "Dear Environmentalist" letter of mid-July, which you sent to the combined membership of your groups.

We would like very much to meet with you about the problems you raised. We want to talk about something your letter did not mention: the source of these problems.

Some of us are associated with national environmental organizations, while others are actively engaged in community struggles for environmental justice and democracy. We are of diverse colors and backgrounds, live in different regions, and include trade union, religious and electoral activists, as well as survivors of industrial disasters, and shareholder rights advocates.

In your letter, you wrote:

"...we have never faced such a serious threat to our environmental laws in Congress. Polluters have blocked virtually all of our efforts to strengthen environmental laws...[and] they are mounting an all-out effort to weaken our most important environmental laws."

We know this is true. We also know that while such assaults are under way in Congress, people in neighborhoods across the country are suffering injuries to health and life--from chemicals, radiation, incinerators, power plants, clear cutting, highway building, disinvestment, and so forth. We also know that dignified jobs doing socially-useful work at fair pay are scarce and getting scarcer; that wages are declining; that democracy is too often a delusion at local, state and federal levels.

And we know that nature is under attack, that many species, ecosystems and wilderness areas have been ravaged.

What prompts us to send this letter to you is our conviction that you have not identified those subverting Congress as our real adversaries in the struggle to save our communities and the natural world: the leaders of today's giant corporations, and the powerful corporations they direct.

We believe the Earth has never before faced such large-scale devastations as are being inflicted by handfuls of executives running the largest 1000 or so industrial, financial, health, information, agricultural and other corporations. And not since slavery was legal have the laws of the land been used so shamelessly to violate the democratic principles we hold dear.

This was not supposed to happen. It is true that the grand ideals of the American Revolution have not yet been fulfilled, and that many people are still struggling, to gain the legal rights and constitutional protection for which so many fought against tyrannical English monarchy. But for several generations after the nation's founding, the role of corporations in both government and society was strictly limited by law and custom. A corporate charter was considered a public trust. Corporations had no rights at all except what the people chose to give them.

Ironically, however, corporations have achieved a level of constitutional protection which many citizens still do not enjoy. The leaders of giant corporations govern as monarchs of old who claimed legitimacy under divine right theory. Yet your letter never once refers to multi-billion dollar corporations such as Exxon, Philip Morris, General Electric, Union Carbide, Weyerhaueser, WMX Technologies (Waste Management).

You write of lobbies, special interests, polluters and radical property rights advocates. But the work of these lobbies, polluters and radical advocates--in Congress and in our communities--is the work of corporations that manipulate assets beyond our imaginations while hiding behind limited liability, perpetual existence, and our Bill of Rights.

To a large extent, corporations have been given these legal rights and privileges not by our elected representatives, but by appointed judges. This did not happen by accident: Corporate leaders funded scores of research, propaganda, and lobbying organizations (using pre-tax dollars, which means that corporate lobbying and propagandizing are subsidized by us). You know the list: the U.S. and state chambers of commerce, the National Association of Manufacturers, the Chemical Manufacturers Association, The Competitive Enterprise Institute.... With "Wise Use" groups, and the help of foundations such as Olin, Scaife, Bradley and Smith Richardson, along with legal think tanks, corporate executives violate elections, buy and sell our legislators, and intimidate citizens.

We believe that it is too late to counter corporate power environmental-law-by-environmental-law, regulatory-struggle-by-regulatory struggle. We don't have sufficient time or resources to organize chemical-by- chemical, forest-by-forest, river-by-river, permit-by-permit, technology-by-technology, product-by-product, corporate disaster-by-corporate disaster.

But if we curb or cut off corporate power at its source, all our work will become easier.

One major source of corporate power goes back to 1886, when the U.S. Supreme Court decreed that corporations are persons under the law. This legal doctrine of corporate personhood guarantees constitutional free speech and other protection to corporations, thereby preventing our elected legislatures from limiting corporation interference in elections and lawmakers, in our courts, and in policy debates. Other court-made legal doctrines give corporate leaders legal authority to make private decisions on very public issues: energy, chemical and transportation investments, product choices, forest and mineral use, technology development, etc.

How would restricting corporations' constitutional protection enable us to stop corporate-led environmental destruction? Look at takings, for example.

When government wants to use an individual's property for a park, or for a sewage treatment plant, that individual has every right to petition for redress, for "due process of law." But corporate leaders claim this constitutional right of redress for their corporations, arguing that laws and regulations to protect public health and the environment, to protect workers' rights, are takings "without due
process."

They can do this so effectively because a century ago, corporate leaders convinced courts to transform our laws. Ever since, wielding property rights through laws backed by our government has been an effective, reliable strategy to build and sustain corporate mastery.

So it is understandable that many people today believe we have no choice but to concede property (such as takings), free speech and other rights to corporations, and to continue addressing corporate harms one-by-one.

We disagree: we believe we have a social and political responsibility to reject concocted constitutional doctrines which enable undemocratic corporate dominion.

We support without reservation people’s rights for redress against government takings, and people’s protection against tyranny as provided in our Bill of Rights. But we do not believe corporations share such rights with flesh-and-blood people.

We have no illusions that reclaiming people’s rights from the fictions which are corporations will be easy: as Supreme Court Justice Felix Frankfurter observed, "The history of constitutional law is the history of the impact of the modern corporation upon the American scene."

But what’s our alternative? The REAL takings going on today are corporate takings -- of our lives, liberties and pursuits of happiness, and of other species -- without due process of law.

The REAL takings today are planned and executed by corporate executives who are protected by the legal shields which are giant corporations, and who are showered with honors by our corporation-controlled culture.

Corporate tactics such as takings, risk assessment, unfunded mandates -- at a time of escalating grassroots opposition to NAFTA, GATT and to corporate investments around the globe -- provide opportunities for your organizations to go on the offensive. You can educate your members that the authority to define corporations still rests with the people.

You can help us change the legal doctrines and laws which give corporations overwhelming advantage over people, communities and nature. Together, we can get the giant corporation out of our elections, out of our legislatures, out of our judges’ chambers, out of our communities, and off our backs.

But if you do not write and talk about today’s large corporation; if you do not educate and mobilize your members as you know how to do, our legislatures will face crisis after crisis like the one you described in your letter. Corporate leaders will strengthen their grip on the law and escalate their takings across the Earth.

Together, we can end the nation’s long silence about corporate power and manipulation. We can work together to save our democracy in order to save our communities and our natural environment.

We want to meet with you to plan strategies for confronting corporations. [End of text.]

[The letter to the Big 15 was signed by 173 individuals.]

--Peter Montague

===== LOU MARCHI