

A Movement Diverted:
How Corporations Neutralized Anti-Chain Store Campaigns
Of the 1920s and 1930s
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***"Today, new passions against corporate chain stores are rising.
But instead of beginning where the first anti-chain movement began,
asserting the rights of self-governing people, today's organizers
start their fight where that earlier movement failed."***

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INTRODUCTION

Early in the 20th Century, giant corporations like Woolworth's, Sears Roebuck, J.C. Penney, Liggett, and A&P began forcing their chain stores into communities across the nation. The chains were unwelcome. Throughout the 1920s and 1930s, people in towns from coast to coast banded together to stop this corporate invasion, only to be beaten back by corporations and the federal government. Here is a cautionary tale of how a people's movement to keep corporate empires from invading communities was deflected, divided and defeated---and what today's giant cartel retailing foes can learn from that earlier campaign.

Because chain stores replaced local proprietorships with absentee ownership, vacuumed money out of communities, turned employees into underpaid clerks and servants and removed decision-making from local governance, the chains were seen as direct assaults on community autonomy. By 1929, associations in more than 400 cities and towns arose to say 'no!' They pamphleteered in their neighborhoods and collected donations to support local advertising campaigns. They put their state legislators to work passing laws to stop the multiple-unit, rights-denying, money-vacuuming retail stores from setting up shop.

Citizens wanted to keep chain stores out of their communities. They did not, at first, attempt to isolate the chains in corners of their communities where they might seem less offensive. They did not legislate types of architecture, or size limitations, lighting or traffic flow. They didn't invent regulations to transform corporate chain stores into "good corporate neighbors." They pushed for laws to keep the corporations out.

State legislatures responded to the organized pressure of their constituents by enacting steep licensing fees and imposing heavy graduated taxes on the chains. They passed laws forbidding the sale of food and dry goods in the same establishment. They put caps on the number of stores the corporations could open in any town or county. Through their legislation, lawmakers tried to make chain stores unlawful.

Corporate directors did not remain idle in the face of popular organizing to wield the law against them. As they had been doing for decades, corporate directors called upon the courts to nullify the efforts of citizens to define their communities' futures through law-making. Having been blessed with constitutional powers by the courts in the post-Civil War decades, and finding federal judges eager to halt the expansion of rights for people and municipalities, corporate lawyers were able to shield wealthy investors and corporate officers from direct popular governance.

Although opposition to chain stores remained strong, chain store foes did not prepare their movement to challenge the Supreme Court's interpretations of the Constitution which placed the authority of corporations over those of people. Judge-made law effectively limited chain store foes to indirect strategies that the courts had not forbidden. Since the movement accepted the Court's decrees, that the people could not govern corporations, the people endeavored to regulate the corporate chain stores as best they could.

Instead of picking up the old struggle for human and community rights last waged in a major way by the Populist movement in the late 1800's, the anti-chain store movement came to an end with passage of a much vaunted but toothless and diversionary federal law, the Robinson-Patman Act of 1936. This law marked the anti-climax of a once-vigorous grassroots movement crushed by a federal government conscripted to the will of large corporations.

Here is a story with relevance for people opposing today's corporate imposition of cartel retailing operations on communities. It is a history that we can be sure has been well studied by today's corporate strategists.

THE PEOPLE and THE MOVEMENT

Public ferment against corporate chain stores in the 1920's and 30's was so intense that opposition became the focus of community cultural, educational and social events. High school and college debating teams in 1930 argued the proposition: "Resolved: that chain stores are detrimental to the best interests of the American public." Debating manuals, with what we'd now call "talking points," were widely available and became topics of popular discussion at social gatherings and in the every-day affairs of the community.^[1]

With Sears Roebuck and Montgomery Ward corporations trying to squeeze local merchants with their mail-order version of retailing, community reaction was visceral. People organized boycotts and catalogue burnings. Their outhouses were stocked with a new brand of illustrated toilet paper. The stigma of buying through the catalogues was so great that the Sears Roebuck Corporation promised its customers that all transactions would remain confidential and products would be shipped in unmarked packaging.^[2] The inside cover of the Sears Roebuck sales catalogue told buyers "As some of our customers, especially townspeople and business houses, request us to ship our goods in plain packages or boxes, leaving off our name and address, so that no one will know what they have bought or where the goods come from, we have decided to make every transaction strictly confidential." ^[3]

When chain store corporations came to town with their absentee ownership, money vacuums, uniformly inferior products, and low wages, democracy activists pressured newspapers not to sell advertising space to them. Community based merchant associations tried to force chains to sign minimum "fair-trade" price contracts and pressure manufacturers not to sell directly to the chains. Chain store opponents petitioned state legislators to use tax laws to block the chain stores, and to impose levies high enough to put them out of business. Like the people they represented, many state lawmakers joined the chain store opposition, believing it was their

obligation to reflect majority will to govern over the institutions of commerce in their communities.

Independent radio stations and newspapers treated communities to diatribes against the chains, warning that they threatened to destroy a cornerstone of American democracy, the independent businessperson. William K. Henderson used his radio program, based in Shreveport, Louisiana, to lambaste the chains. He told his listeners:

"We have attempted to bring to light the ruinous and devastating effect of sending the profits of business out of our local communities to a common center, Wall Street. We have appealed to the fathers and mothers—who entertain the fond hope of their children becoming prosperous business leaders—to awaken to a realization of the dangers of the chain stores' closing this door of opportunity. We have insisted that the payment of starvation wages such as the chain-store system fosters, must be eradicated. We have importuned those who labor to join in striking down the chain system in every form and character."[\[4\]](#)

There were "trade-at-home" advertising campaigns, some sponsored by local chambers of commerce. Local businesses bought and gave away tickets to see films that assailed the chain stores, including the full-length feature *America Forward*.[\[5\]](#) Anti-chain associations like The Fox River Valley Home Merchants' Association of Appleton, Wisconsin, financed their campaigns with membership dues and donations from unions and independent merchants. In Springfield, Missouri, the campaign was called "Keep Ozark Dollars in the Ozarks," and the Chamber of Commerce sponsored advertisements in the local papers titled "The Chain Store Menace." These ads told readers "Your loyalty to the Home Owned Stores—your patronage and friendliness to these stores—and your recognition of the Chain Store in its true light—that of a parasite upon legitimate business and a menace to our city's prosperity, will result in a CONTINUATION of that prosperity which has made Springfield so outstanding."[\[6\]](#)

In 1929, *Harper's Monthly Magazine* published *The Chain Store Mind: Reflections of a Shopkeeper* by Jesse Rainsford Sprague. Mr. Sprague explained that "Chain Stores represent a sort of absentee landlordism. On our Main Street, and on thousands of other Main Streets, there is a situation where policies are dictated and standards are set by men who have possibly never seen our town. The modern idea seems to be to get the customer in, get his money, and get him out again as quickly as possible so as to be ready for the next person. I would say the character of our town has tended to become harder, more machinelike. The coming of the chain stores has had a great deal to do with bringing about the machinelike atmosphere."[\[7\]](#)

As part of a series of articles under the heading "Chain Stores and the Community," *The Nation* printed *Chains Versus Independents* by Edward G. Ernst and Emil M. Hartl in November of 1930. The authors studied the effects of the chains on community life in America, circulating surveys and interviewing residents and local merchants. "In Anderson, South Carolina," they noted, "a city of 14,500 people, twenty three of the best business locations on Main Street have been turned over to out-of-town merchants." They reported it was the same in town after town.

Ernst and Hartl eulogized the loss of the local merchant who "generally owns his own home. He is considered one of the leading citizens, and is expected to lend his efforts toward the...advancement of the community. As this loyal and energetic type of citizen is being driven out of his prominent position, another type of merchant takes his place."

And who were these out-of-towners? Ernst and Hartl wrote: "The new man is a transient. He is merely a representative of a non-resident group of stockholders who pay him according to his ability to line their pockets with silver. He is told exactly what to do and how to do it. The better able he is to carry out orders, the better are his chances of being transferred to a bigger town,

and this is his chief ambition. What the local communities wish to prevent is the exodus of money from the town to buy limousines for parasites in other cities.”[\[8\]](#)

In the early days of opposition to the corporate chains, people seemed confident that they had the authority to shape local economic processes and outcomes. Harvard philosopher William Ernest Hocking put it this way: “Economic processes constitute a single and healthy organism only when the totality of persons in a community who have a right to consume *determine what is produced.*”[\[9\]](#) This was no mere theoretical or philosophical opinion to the average person at the outset of the anti-chain store movement. At the heart of the protest loomed the assertion: *a local economy is good for nothing if it's not good for the local people!*

Many protesters based their ideas on the work of early 20th Century writers, such as Frederic Howe. He wrote that “every city will be an experiment station, offering new experiences of the world. A single courageous state may, if its citizens choose, serve as a laboratory and try novel social and economic experiments without risk to the rest of the country.”[\[10\]](#) The notion that local governments ought to be free to decide what is good for the community was commonplace.

Future Supreme Court Justice Louis Brandeis, a staunch proponent of local self governance, attacked the “Curse of Bigness.” He described in detail how chain store corporations undermined local political and economic independence, and destroyed the capacity of individuals to achieve self-mastery and of communities to achieve self-government.[\[11\]](#)

In 1930, another future Supreme Court Justice and then Alabama Senator, Hugo Black, told Congress: “We are rapidly becoming a nation of a few business masters and many clerks and servants. The local man and merchant is passing and his community loses his contribution to local affairs as an independent thinker and executive. A few of these useful citizens, thus supplanted, become clerks of the great chain machines, at inadequate salaries, while many enter the growing ranks of the unemployed. A wild craze for efficiency in production, sale and distribution has swept over the land, increasing the number of unemployed, building up a caste system, dangerous to any government.”[\[12\]](#)

By 1935, the pressure on Congress was sufficient to enable Congressman Wright Patman of Texas to introduce legislation that would literally have taxed the chains out of existence. He initially lined up congressional support for what became known as the chain store “Death Sentence Tax.” Over 75 Congressmen from thirty-three states signed on as co-sponsors. Grassroots arguments that the political clout of the corporate chains enabled them to pressure suppliers for uncompetitive discounts, maintain non-union operations, pay low wages, vacuum money out of communities, deny people’s rights and prevent local democratic self-governance were finally swaying Congress.

That same year, Congressman Patman held House hearings to investigate the American Retail Federation (ARF). The House Resolution establishing the Committee declared that it was “inimical to the welfare of the citizens of the United States to permit the organization and functioning of such a superlobby, designed for the purpose of intimidating and influencing Members of Congress through direct and subversive lobbying practices.”[\[13\]](#) In other words, some were moving toward Congress banning corporate directors and their agents from directly writing – and influencing – legislation.

At the height of the anti-chain store movement, the Great Atlantic & Pacific Tea Company epitomized the mechanization of distribution, retail, and community character that so enraged chain store opponents. The A&P Corporation operated over 15,000 stores across the United States and by 1930 was the fifth largest corporation in the U.S., owning more chains than any

company then or since. Like the Wal Mart Corporation today, A&P embodied the corporate usurpation of community rights and governing authority.

Addressing the National Association of Retail Druggists in 1938, Congressman Wright Patman told the independent businessmen what he thought about the control of food and household necessities by a very wealthy minority. Referring to the Hartford brothers, who controlled the fortunes of the A&P Corporation, he commented:

"If it is right for one pair of childless brothers to own ten percent of the retail grocery business in America, it is likewise right that ten pairs of childless brothers be permitted to own all the grocery business in America. If it is right for such a few people to own the retail grocery business, it is right and economically sound for a few childless brothers to own all the retail distribution business in America. The question is, which is better for the general welfare of all the people of this great country of ours? Will the country's interest be promoted in a better way by the million and a half retail stores being owned by more than a million local citizens, or will the country be better off if these million and a half retail stores are owned and controlled by a few childless brothers?"[\[14\]](#)

Compelling arguments and mounting political pressure from growing numbers of people verged on subjugating the corporate chains to public command. But before Wright Patman's death knell for the chains could be brought to a vote, corporate directors split the coalition of chain corporation opponents, redefined the problem, and broke the movement's back.

THE CORPORATE ASSAULT

The leadership of the nation's large corporations saw in the A&P Corporation and other large multiunit corporations the epitome of scientific management and efficiency. Corporate boardrooms were buzzing with admiration for a new and successful model for dominating the buying, distribution, pricing and retailing of products, eliminating competition and dictating terms to communities.

These corporate leaders were well positioned to impose such a model. By World War I, the corporate class had been successfully wrapped in the Constitution by the Supreme Court, and shielded from direct governance by the people. The Justices had given corporations 4th amendment protections against unreasonable search and seizure, trial by jury under the 6th amendment, protections from government regulation under the "takings" clause of the 5th amendment, and immunity from discrimination under due process and equal protections provisions of the 14th amendment. They had also "found" the corporation in the Constitution's contracts and commerce clauses.[\[15\]](#)

In addition, during the 50 years prior to the anti-chain store movement, strike-busting court injunctions had armed corporate leaders with the might of the state against workers and community residents exercising rights they believed were made inalienable by the 13th amendment. This "Glorious Labor Amendment," they naively believed, protected them from involuntary servitude, including oppressive working conditions and rights-denying corporate directors.

The corporate class had also succeeded in commandeering the 14th amendment, co-opting its bestowal of rights from freed slaves to empower corporations. In 1938, Justice Hugo Black declared that "The history of the amendment proves that the people were told that its purpose was to protect weak and helpless human beings and were not told that it was intended to remove corporations in any fashion from the control of state governments. Of the cases in this

court in which the 14th amendment was applied during the first fifty years after its adoption, less than one half of one percent invoked it in protection of the Negro race, and more than fifty percent asked that its benefits be extended to corporations." [16]

Throughout the 1920s, state and federal courts struck down local and state anti-chain store laws as unconstitutional. In 1928 the US Supreme Court ruled in three significant cases, overturning state laws that differentiated between large and small businesses in each of them. The "harm" created by these state laws, according to the Court, was that they violated the corporations' "rights" to "substantive due process" and "freedom of contract."

Personal memory of the judicial destruction of people's victories in driving the Civil War amendments into the Constitution was still alive at the outset of the anti-chain store movement. So was the story of the Populists. These farmers in the South, West and plains states had organized, along with urban workers, the largest democracy movement in American history. In the last days of the 19th Century they had ignited a prairie fire of local activism against the takeover of money, commerce and governance by the corporate class. But corporations and the U.S. Government barred them from establishing popular democracy.

Corporate leaders of the 1920s clearly understood their position of power in the nation. J.C. Penney Corporation president Earl C. Sams was confident enough to tell the members of the National Chain Store Association that "If we do 25% of the business of the country we must furnish 25% of its leadership." [17] It was not an idle hope, but sound business advice based on real governing opportunities that had been opened up for corporate managers.

The Supreme Court had empowered corporations with new constitutional powers, and so corporate leaders lined up their resources to assert those powers to govern. They staged "town meetings" to persuade communities that the chains were "good citizens." They coerced their employees to the cause, bullied dependent suppliers and their customers. They filed lawsuits and challenged municipal and state laws across the country. Creating numerous non-profit propaganda corporations, they invented a new public image for the chain stores and barreled their way into state legislatures and Congress.

The state associations of chain stores possessed enormous financial capacity. They hired PR firms to reframe the debate as a problem of protecting the inalienable rights of corporations. What they spent on their long-term strategy of busting the coalition of unions, farmers, manufacturers and independent businessmen who formed the backbone of the anti-chain store movement was written off as a cost of doing business. The California corporate chain store tax referendum of 1937 offers insight into how this strategy worked.

The California Chain Store Association, in conjunction with the A&P Corporation and smaller corporate chains, hired the Lord and Thomas Advertising Corporation to engineer a ballot referendum to repeal a chain store tax passed by the legislature. Paid to violate the democratizing spirit of the Populists, who had brought referenda to the state, Lord and Thomas organized the collection of 135,000 voter's signatures to put a question on the ballot.

After identifying potential allies for the chain stores, the PR firm drafted a strategy that would win-over the chain stores' employees, their producers and processors, and their customers. Their tactics included simple fixes, like changing the employee identification system to one that used workers' names instead of numbers, and organizing corporate picnics and dances. An inspirational movie, *The Spirit of '36*, rounded-out the corporate boosterism that prepared employees to participate in the referendum.

Lord and Thomas Corporation also mapped out a series of favors that the corporate chains would offer the farmers, including relief from unreasonable quantity discounts, better compensation for loss leaders on produce, and a reduction of "advertising allowances" that forced farmers to subsidize the chain corporations' advertising costs.

For seven months leading up to the vote, the corporations financed a speakers' bureau packed with PR men that ran the circuit of men's clubs, farm groups and women's clubs. On Monday evenings the radio program *California Hour* treated listeners to regional professional and amateur performers, and invited listeners to enter an essay contest that asked would-be winners to describe the benefits of chains. In the last few weeks before the vote, the corporations doubled their sponsorship of radio broadcasts. They plastered streetcars and buses with posters. They distributed lapel buttons, bumper stickers, and windshield flyers. They advertised public meetings in large auditoriums and offered free entertainment, plus a dose of commentary on the referendum.[\[18\]](#)

The California Chain Store Association's strategy to split the anti-chain store coalition was bolstered by these tactics, but there were more focused maneuvers that led to the peeling away of support for the anti-chain campaign. Prior to the referendum, California peach growing cooperatives---remnants of Populists' agrarian organizing---picked a bumper crop that was in jeopardy of spoiling because the coops had too few retail outlets. A&P Corporation executives saw opportunity in the farmers' plight and decided to buy up the fruit. They sold it in stores across the nation in every imaginable form---canned peaches became a heavily marketed mainstay in their grocery stores. The A&P Corporation capitalized publicly on their rescue of the farm coops. As a result, the staunch anti-chain activism of organized farmers was neutralized.

The coalition-splitting strategy of the chains was not just a California phenomenon. At the same time the California Chain Store Association was employing the Lord and Thomas Advertising Corporation to manufacture a "popular" referendum to overturn a state chain store tax law, Wright Patman was pressing his Congressional allies to pass national legislation that would put the corporate chains out of business. His "Death Sentence Tax" that would, in the words of Patman, "restrict retail distribution to a small area and to a comparatively small number of units,"[\[19\]](#) would have made irrelevant laws like the one challenged by the referendum in California. In Washington, the American Farm Bureau Federation, a lobbying and advocacy organization for corporate agriculture, and the National Council of Farmer Cooperatives took a stand against Patman's legislation. Even the National Grange argued that the chains had "frequently been very helpful to farmers in the distribution of surplus crops."[\[20\]](#)

The corporate strategists then turned to labor. The A&P Corporation cut a deal with William Green, president of the AFL, which delivered union opposition to the Patman tax in exchange for unionization of the chain store. The A&P Corporation deftly stripped labor away from the anti-chain store campaign, and the movement buckled.

Both houses of Congress then overwhelmingly passed the Robinson-Patman Act instead. Although promoted as enacting the reforms that the anti-chain movement wanted, this was not the chain store "Death Sentence Tax." It was a bill with much different intent. It conceded that the corporate chains would spread. The law carefully avoided the movement's demand for popular authority over corporate decisions; it failed even to wound the corporate "superlobby" that Patman's investigative hearings found to be "inimical to the welfare of the citizens of the United States." It placed the burden of proof that chains were engaging in monopoly practices entirely on independent businesses and communities harmed by the chain stores.

And nothing in the law challenged the constitutionality of judge bestowed corporate privileges. Under cover of law, the "few" continued to govern the "many."

By 1940 the corporate chains were entrenched in communities that had fought so hard against them. State legislatures, buried under an avalanche of court decisions overturning their laws that tried to say "no," settled for diversionary regulatory laws and dead-end tax laws that the courts would approve. Ironically, state laws that increased taxes based on the number of stores led to a business trend emphasizing square footage. Instead of more stores, the corporations built bigger stores. They opened huge supermarkets on the outskirts of town and drew business away from town centers, and at the same time increased people's dependence on the automobile.

With the Supreme Court's rapid-fire nullification of one state law after another that subordinated corporations to communities, people's confidence in their ability to govern waned. After that, tepid chain store tax legislation was introduced in more than 40 states and passed into law in 26 states. Although the Court upheld these graduated tax laws for chain stores, it more significantly vindicated corporate constitutional privileges. The state tax laws that stood did nothing to challenge those privileges, and the bolstering of constitutional corporate authority as a political weapon enabled corporate managers to dictate communities' futures.

When the dust settled, the corporations had channeled anti-chain store activists into regulatory remedies that they hoped would lessen the harms inflicted by corporate managers. By adopting regulatory "solutions," chain store foes effectively conceded the right of corporate directors to impose themselves on unwilling communities, and in the process destroyed the popular mobilization they had built.

That the Robinson-Patman Act, absurdly labeled the "Magna Charta of small business," is still on the books speaks volumes about its irrelevance.

DELIBERATIONS and LIBERATIONS

People in communities across America are struggling to stop the Wal Mart Corporation and other global corporate empires from wielding the law of the land and colluding with government officials to deny people's fundamental right to govern their communities.

The local assaults which inevitably accompany such rights denial include: putting local merchants out of business, paying neighbors low wages with no health benefits, vacuuming out local wealth, destroying pristine farmland and natural areas.

There are also far-away harms, largely invisible and unmentioned. These harms result when a handful of corporate emperors join the elites of other countries to deny worker and community rights, and when they rewrite the laws for global investment, sales, labor and trade, reconfigure global production methods that maximize harms to workers and the planet, and when they institutionalize everything based on an insane Wal Mart Corporation model of ever-increasing sales, made possible by virtual slave labor and the endless environmentally destructive extraction of resources and dumping of toxic junk.

Ignorant of the lessons of the anti-chain store movement of the 1920s and 1930s, people springing into action for justice are being channeled into zoning and planning board hearings, and into regulatory processes designed to enable and protect corporations. Little or no attention is paid to the reality that "We the People" are supposed to be the source of all governing authority, that *the people* have the responsibility to interpret the Constitution. Never during local hearings or regulatory proceedings are people asked what they actually want. Over and over corporate and government lawyers and elected officials instruct citizens that the rule of law and the Constitution of the United States forbid their communities to just say 'No!'

Too many people accept this pap as true.

Throughout all these legal dramas, corporate directors wield the law of the land, and steal the people's governing authority. Majority disenfranchisement is accepted as the norm. Even lawyers hired to represent local governments and community groups say that's the way things are supposed to be.

The ritual is repeated solemnly as local civic groups come together, scrounging whatever money they can to pay lawyers whose goals are limited to making corporate chain store siting plans a little less horrible. They hire traffic and lighting experts, environmental, hydrology, geology and engineering consultants. If a group is exceptionally lucky, maybe an old zoning ordinance or a newly discovered wetland will temporarily fend off a corporation. More often than not, however, corporate lawyers will use assorted zoning ordinances and procedures to back citizen groups into a corner, demean the legitimacy of their claims, and deny the authority of their testimony. In either case, people accept that "the law" denies majorities of people the authority to keep corporate chains out of their communities.

It's hard to find fault with people who fight so persistently and courageously against injustice. Many activists believe in and perform well the roles they've been taught to fill. They master the fine points of regulatory law, learn every detail about the corporation's policies and record, and educate large segments of their communities. They flood the hearing rooms, file appeal after appeal. They publicize the corporation's record of violence and law breaking and give thousands and thousands of dollars to lawyers. They hold onto the hope that if their lawyers make the right presentations and marshal the best evidence, then the good people working at regulatory agencies and in local government will take note and protect their communities. To this end, many valiant people invest years of their lives, only to watch corporations triumph by wrapping themselves in the people's Bill of Rights.

Some who have lived through this disheartening process have come to understand that resisting corporate chain stores by opposing their many permit applications, and trying to zone them away, is simply a waste of time. Some have begun to look for -- and forge -- different goals and different strategies.

In Pennsylvania, I work with people who are saying 'No!' to unwanted corporate projects. Here, people are joining forces to assert their sovereign authority to make the rules for determining what happens in their communities. They are learning that saying "no" requires community majorities to contest corporate claims to constitutional authority. They are learning that saying "no" requires majorities to challenge public officials who illegitimately enable corporate directors to deny people's fundamental rights.

To date, people in more than eighty townships in nine rural counties in Pennsylvania have forced their local legislators to pass laws banning certain kinds of corporations from doing business within their borders. Two townships have passed laws explicitly refusing to recognize corporate claims to power and authority rooted in the United States and Pennsylvania constitutions -- not as an abstract organizing concept, but to protect and vindicate their authority to say "no" to corporate assaults.

Because these are not nice-sounding, ineffectual "resolutions," but real laws which local sheriffs and courts must enforce, our corporate-run state legislature has taken steps to preempt, and nullify, some of these local laws. Several townships have responded to this legislative preemption by beginning the process of changing their legal status as subordinate Second Class Townships and "going Home Rule." To accomplish this, they are bringing the people of their communities

together to write Home Rule charters—that is, to write their communities’ new constitutions. With these constitutions, people will do what the corporate class has been doing for well over a century in legislatures and judges’ chambers: *make the rules for making the rules.*

What distinguishes these people from those still putting their hopes in zoning and data and resistance to permit applications? It’s simple: they have attended Democracy Schools, launched in Pennsylvania by Richard Grossman and the Community Environmental Legal Defense Fund (CELDF). At these weekend gatherings, people have been exploring how corporate leaders mobilized long ago to direct government to deny people’s rights, and how they put today’s elaborate Regulatory System in place to divert people from demanding (or even aspiring to) democracy, self-governance, and corporate subordination.

At Democracy Schools, folks look at the apparently endless “single issue” corporate assaults that communities across the country have been resisting. The focus is not just corporate chain invasions but also corporate toxic dumps, incinerators, factory farms, clear cutting of forests, cyanide mining, power plants, superhighways, quarries, urban sludge spreading, aquifer seizures, corporatization of the commons, microwave cell phone towers, landfills, corporatization of prisons, education, hospitals, and every aspect of what once passed for public endeavors. These folks examine key threads running through all the apparently “single issues,” and examine questions like: *who gets to use the law against whom?* And: *how did a few corporate directors get to wield the Constitution to get their way?*

People in Pennsylvania are using Democracy Schools to begin changing how they think about the problems facing their communities, about the goals they want to achieve, and about walking away from regulatory laws and arenas. They have been coming together to look into the past and figure out how our communities got into such a jam. And they have been learning to reframe past defensive campaigns into offensive struggles, to pass laws asserting people’s fundamental rights to define their own communities, to write the rules for democratic self-governance with authority, and to define the very nature of corporate entities.

Imagine if people in hundreds of towns across Pennsylvania began taking a closer look at US history, leaving regulatory hearings behind, and passing laws to assert their communities’ authority to make the rules. What if the passion, energies and resources which environmental, labor and community organizers have been pouring into bottomless pits of regulatory processes and expensive court appeals started coalescing around challenging the denial of people’s rights and the wrapping of corporations in the Constitution?

What if people in thousands of communities around the *nation* began exercising their rights to pass laws explicitly defining the terms under which corporations could enter into their jurisdictions? What if they denied corporate claims to constitutional power and privilege while tossing out public officials who won’t get on board?

This will take hard work. There’s much to learn about corporations and the Constitution, about law and history, about rights and local governance, about past people’s movements, and about giving meaning to the words ‘We the People.’ There may be even more to un-learn than there is to learn about this country: laws and customs that empower corporate directors and deny people’s rights have been accumulating for generations, and there are many barriers to break down.

But it will take no more work to be successful than it has taken to fail. It will take thinking differently, and that’s one of the hardest tasks there is! Doing battle in the Regulatory System, while conceding Constitutional power and authority to a privileged corporate few, also ranks right up there. No one shows more passion for justice or spends more energy in its pursuit than

community organizers who invest years in zoning and planning and environmental boards, and in local, state and federal courts. The question is: can we figure out together how better to direct our energies, passions and resources, so that when we win a struggle we not only stop an imminent harm, but also expand the scope of people's rights and democratic self-governance?

CELDf's and Grossman's Democracy Schools are places where people can begin moving down these roads. So far, Pennsylvanians and visitors from other states have shared their experiences at over fifty schools across the country, teaching one another to think critically about the past in order to reframe today's challenges in exciting, energizing and winnable ways.

Exciting and energizing as they are, Democracy Schools are only a beginning. Corporate usurpations of people's rights remain largely unacknowledged and, since the days of the Populists, minimally contested. The story of the anti-chain store movement of the last century is but one place people can start reclaiming our histories, uncolonizing our minds, refashioning our goals and tactics, and integrating the key lessons of the anti-chain store movement into new strategies.

One lesson is that majorities of people in more than forty states said 'No!' to A&P Corporation and other corporate chain empires. But when corporate leaders pulled the Constitution out of their pockets, the movement was not prepared to challenge the judges and legislators who had given the people's Constitution away. Movement leaders were not prepared to walk away from false victories like the Robinson Patman Act. And so, when the corporations clubbed the people with their own Constitution, the remaining chain store foes retreated into regulatory agencies to ask only that their corporate chains be made a little less tight.

The movement simply did not challenge corporate and government leaders who wielded the law to deny people's rights. Its leaders failed to engage their movement in the aspirations for self-governance pioneered by the American Revolutionaries, Abolitionists, Women's Suffragists, Knights of Labor and the Populists, who had consciously labored to turn our property and commerce Constitution into a human rights and liberty Constitution.

Today, new passions against corporate chain stores are rising. But instead of beginning where the first anti-chain movement began, asserting the rights of self-governing people, today's organizers start their fight where that earlier movement failed.

In his 1929 article, *The Chain Store Mind*, Jesse Rainsford Sprague told us that "this tendency to buy ready-made thoughts and ideas has spread amazingly during the past few years. In our town, and I suppose in other towns, its progress has pretty well paralleled the increasing absentee ownership of the stores."^[21]

Like all great people's movements, the corporate chain store foes of the 1920s and 1930s left us a clear guide: as long as we let corporate leaders, town solicitors, judges, newspaper editors, politicians and Washington DC labor and environmental insiders flood us with ready-made thoughts and ideas, tell us what to yearn for, and what the law says, we will fail. As long as we let these 'experts' channel us into zoning boards and planning boards and environmental boards and permit appeals begging for crumbs, we will remain forever chained by the corporate culture that has not only invaded our towns, but also has taken over our minds.

We are 'We the People.' We must write the laws. We must enforce them. There is no one else.

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one last note: "You know as well as I do that the problems facing our communities, and this country, do not start and do not end with corporate chain stores. There are other chains, some of them in our minds, which need breaking. Come to Democracy School. See what it's like to go on the offense for a change."

For information on Democracy Schools, contact:
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