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## Will Corporations have Limited Liability, ...



2013/12/26



Author



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... First Amendment Personhood, and Nation-State Statuses?

by Josh Sager

The Progressive Cynic (December 09 2013)

Since the 1800s, corporations have been a very popular method of organizing large pools of capital into cohesive economic entities. Today, corporate entities do everything from charity work to making computers for a profit and control huge swathes of the economy.

<http://progressivecynic.files.wordpress.com/2013/12/free-corporate-logos-1.jpg?w=906&h=644>

In order to allow corporations to function in the United States, corporate entities have been granted a degree of personhood that allows them to function in the market and the courts. The 1819 Supreme Court case *Trustees of Dartmouth College v Woodward* {1} enshrined the rights of corporations to enter into contracts as though they were actual people and ensuing Supreme Court decision have only expanded these rights.

Unfortunately, it appears that a confluence of legislative, executive and judicial events may result in American law dramatically altering its classification of corporations in a way that increases their power.

Under the 2010 Supreme Court case *Citizens United v FEC* {2}, corporations were given First Amendment speech rights – this allowed them to start spending money in elections. It is likely that an upcoming case (*Sebelius v Hobby Lobby* {3}) will further expand this First Amendment guarantee to include religious freedom protections.

At the same time as corporations are being re-classified as people in regard to the First Amendment, a trade deal called the Trans-Pacific Partnership (TPP) is being worked out that will give corporations the standing to negotiate with and challenge the sovereign laws of nation states.

If the Trans-Pacific Partnership becomes law and the Supreme Court decides that corporations have religious protections, corporations will be given a legal status that combines the limited liability of corporate entities with the constitutional protections of people, and the ability to negotiate as a nation-state on the international stage – in effect, they will simultaneously be considered corporations, persons, and sovereign nations under the law.

**What is a Corporation?**

A corporation is a synthetic economic and legal entity {4} which is created in order to allow investors to do business under a special set of regulations and tax statuses. Corporations are “born” when one or more investors applies for incorporation under a state government and are governed both by the laws of that state and international treaty.

Numerous types of corporation exist – ranging from non-profits like Greenpeace, to for-profit entities like Exxon – and each type of corporation has different rules and restrictions.

There are several extremely beneficial aspects to incorporation, but the largest one is that of “limited liability” {5}. Corporations have “limited liability” which shields share-holders from legal consequences if their corporation breaks the law or even kills people. Individual stock owners are not jailed or liable for civil damages if the company that they own acts improperly or negligently – the corporation can get sued and even given the “death penalty” (dissolved as a legal entity), but it remains a virtually impregnable shield.

While corporations are legal and economic “people” they are not afforded every right that real flesh and blood people are; for example, American corporations are not given Fifth Amendment protections against self-incrimination if there is a criminal case being levied against them.

### **Corporations as People and Nation-States**

Currently, two related but unconnected situations are threatening to give corporations dramatic new powers: the executive branch of the US government is crafting a treaty that would elevate corporations to nation status in regard to some legal disputes, while the judicial branch of the US government is deciding whether corporations should be considered people under the First Amendment.

It would appear that these redefinitions are conflicting – after all, how can one entity be determined to be a corporation, individual, and nation under the law – but the structure of the US government allows for such contradictions. Corporations are governed by laws passed by the legislative branch, while treaties are crafted by the executive branch and the judicial branch has the responsibility to interpret existing law.

### **Judicial Branch: Corporations as People**

Under judicial interpretations of the Fourteenth Amendment {6}, corporations are given a limited form of personhood that gives them some of the rights of actual people. Originally, this limited form of personhood only included the rights to sign and enforce contracts, and protections on property rights (ensuring that corporations had equal rights to own property with actual humans), but this has changed in recent years.

The largest modern shift towards corporate personhood was in 2010, when the Supreme Court adopted a radical view of corporate personhood that American corporations should have the same free-speech rights as American individuals – this right to speak also includes the right to spend money in elections (money equals speech according to the previous Supreme Court decision *Buckley v Valeo*).

<http://progressivecynic.files.wordpress.com/2013/12/slavery1.jpg?w=639&h=510>

As previously mentioned, the case *Sebelius v Hobby Lobby* {7} is currently in front of the court and could grant corporations equal religious freedom rights with individuals. The *Hobby Lobby* case centers around the assertion by religious business owners that corporations should be protected against contraception mandates (forcing health insurance plans to cover contraception) if the owners are religious and object to such medications. This assertion is predicated upon the idea that corporations are as human as the owners and can be attributed religious beliefs.

Unfortunately, it appears likely that the *Hobby Lobby* case will result in another Five to Four victory for corporate personhood and that the same majority who gave us *Citizens United* will further expand the protections given to corporations under the Constitution. If this does occur, the judicial branch will have taken one more giant step towards giving corporations equal rights with people.

## **Executive Branch: Corporations as Nation-States**

The Trans-Pacific Partnership is a trade treaty between twelve Pacific nations – including Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, the United States and Vietnam – that may fundamentally alter corporate rights in international negotiations.

While the exact text of the TPP is not known because the treaty has been negotiated in absolute secrecy (only giving us glimpses of its content in the form of leaks), it is highly likely that the finished product will include provisions that grant multi-national corporations the ability to sue sovereign nations {8} as though they were themselves sovereign entities.

Currently, corporations cannot usually sue sovereign nations in order to eliminate regulations that cut into profits – they must accept the sovereign rules of any nation that they choose to do business in. The ability to sue sovereign entities lies with other sovereign entities and the current law does not consider corporate entities to be sovereign (similar to how individual humans are not sovereign on the international stage).

Leaked drafts of the TPP have included provisions that grant corporations based in any of the twelve signatory countries {9} the ability to challenge the laws of any other signatory nation based upon lost profits (lost profits are estimated by the corporations). In effect, they will be able to sue nations with stronger regulations than the one that they are based in order to recoup “losses” that are caused by regulation {10} (for example, an oil company could sue for lost profits due to environmental regulations). In order to decide these legal disputes, the TPP would create an international legal panel, composed of corporate lawyers, who would adjudicate cases in an internationally binding manner.

[http://progressivecynic.files.wordpress.com/2013/12/4\\_indirect\\_expropriation.jpg?w=906&h=903](http://progressivecynic.files.wordpress.com/2013/12/4_indirect_expropriation.jpg?w=906&h=903)

If it passes, the TPP will usher in an era where multi-national corporations will be able to sue local and state governments into compensating them for lost revenue if the government dares to impose any sane regulations. Corporations will snow governments (which often don't have much disposable funding to sustain legal challenges) with lawsuits that eventually end up in courts packed with their own allies.

Even if one looks past the obvious corruption of letting corporate lawyers (who rotate between working for corporations and the regulatory body), force governments to compensate corporations for following environmental and worker safety regulations, this treaty threatens to take the remarkable step towards giving corporations sovereignty. It is certainly true that the TPP does not give corporations full sovereignty, nor does it cover all countries, but it does give away one major component of nation-state status.

## **Conclusion**

The United States is on the cusp of giving corporations the benefits of being an incorporated entity, a person, and a sovereign entity. By giving them this triple status, the US government is actually granting corporations an extraordinary ability to pick and choose what they want to be considered in a specific situation.

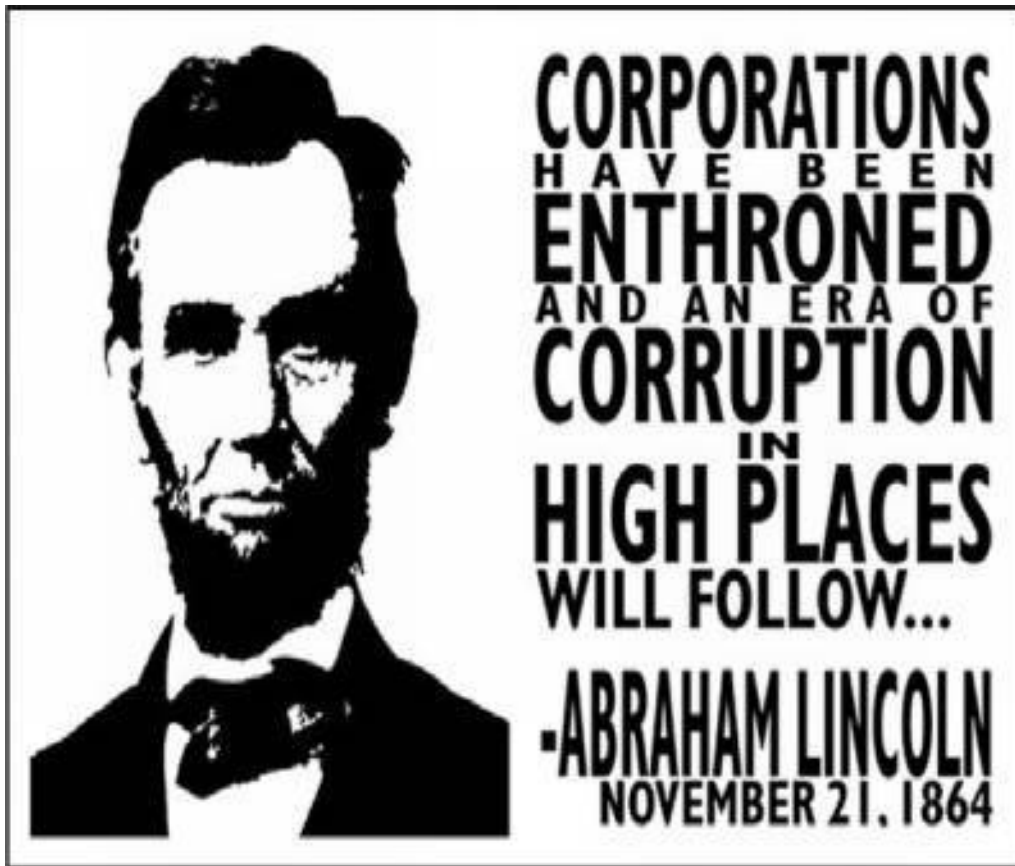
If a corporation wants to negotiate on the international stage, it will call itself a sovereign entity and will obtain rights beyond those of any individual living in the United States.

If a corporation wants to spend money in elections, it will call itself a person and will gain speech rights that no sovereign nation can claim.

If it is being sued for negligence, a corporation will again be considered just an incorporated entity that has the limited liability that no person is afforded.

In effect, these circumstances give corporations the best of all worlds and the benefits of all three statuses with none of the liabilities. This disjointed status of corporations has been pushed by corporations, for the benefit of corporations, and is a grave threat to the American people. If we let corporations gain this triple status, they will use it to manipulate the law into further serving their interests. Unfortunately, this triple

status, they will use it to manipulate the law into further serving their interests. Unfortunately, this topic status is being pushed by both major political parties in the USA as well as by unelected judges who have the power to fundamentally change the law with a single case (case in point: Citizens United).



#### Links:

- {1} [http://www.law.cornell.edu/supct/html/historics/USSC\\_CR\\_0017\\_0518\\_ZO.html](http://www.law.cornell.edu/supct/html/historics/USSC_CR_0017_0518_ZO.html)
- {2} <http://www.scotusblog.com/case-files/cases/citizens-united-v-federal-election-commission/>
- {3} <http://www.scotusblog.com/case-files/cases/sebelius-v-hobby-lobby-stores-inc/>
- {4} <http://legal-dictionary.thefreedictionary.com/corporation>
- {5} <http://www.investopedia.com/terms/l/limitedliability.asp>
- {6} <http://www.npr.org/2011/10/24/141663195/what-is-the-basis-for-corporate-personhood>
- {7} <http://www.scotusblog.com/case-files/cases/sebelius-v-hobby-lobby-stores-inc/>
- {8} <http://www.dailykos.com/story/2013/12/09/1261321/-Why-the-Trans-Pacific-Partnership-Deal-Matters>
- {9} <http://tppinfo.org/>
- {10} <http://www.nakedcapitalism.com/2013/11/the-tpp-if-passed-spells-the-end-of-popular-sovereignty-for-the-united-states.html>

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#### The Progressive Cynic

Modern American politics is filled with partisanship, legalized corruption and extremism. On this site you will find articles on a variety of subjects and points of view that are not normally portrayed in the corporate media—don't expect any sugar-coating, pandering or interest money propaganda here.

(c) Josh Sager – December 2013

<http://theprogressivecynic.com/2013/12/09/will-corporations-have-limited-liability-1st-amendment->

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## Mother Fukushima



2013/12/25



Author



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by **Mike Misselwitz**, Editor of *Sea Kayaker Magazine*

<http://www.theinertia.com> (December 17 2013)

Curious anomalies are taking place in the Pacific Ocean. Shark attacks in Hawaii are at a record setting high – thirteen this year and two fatal – more than three times the annual average for the area. Marine life along California’s shores has increased to an unprecedented presence in recent months, with sightings in Monterey Bay and Santa Cruz of more than 200 humpback whales, a pod of nineteen orcas, countless sea lions, and so many anchovies corralled into Santa Cruz Harbor that the water ran out of oxygen and caused a massive anchovy die-off, as reported by the *New York Times*. In even weirder news, sea stars off the North American coastline, healthy to the point of overpopulation a few months ago, are currently suffering from a

wasting-syndrome of unidentified origins, causing them to mutilate and melt in masses from Canada to Mexico in the largest and least explainable sea star die-off in history.

As of now, these incidents are generally unexplained and unconnected in public claims of the scientific community. But there's one underlying precedent that might explain them all. Fukushima Daiichi.

Nearly three years ago now, on March 11 2011, the magnitude 9.0 Tohoku Oki Earthquake rocked Japan and wiped out power sources for the Fukushima I Nuclear Power Plant. After a first, second, and then third failure of backup coolant systems caused by the earthquake's subsequent tsunami that easily overwhelmed the plant's sea walls, fuel rods melted in their reactors, the buildings that housed those reactors were crippled by massive explosions, and by March 15 2011, unknown amounts of radioactive matter flooded irrepressibly into the surrounding environment. It is the largest nuclear disaster since the Chernobyl incident of 1986. Possibly larger. For two months after the earthquake, the Japanese government and Tokyo Electric Power Company (Tepco), the operators of Fukushima I, denied that any meltdowns had occurred at the plant.

Fast forward two years and change to July 22 2013 to when Tepco finally announced its estimation that 400 tons of radioactive wastewater have been draining into the Pacific Ocean each day since the incident. The Japanese government took hold of the situation upon this announcement, and later revealed that an additional 300 metric tons of highly contaminated radioactive wastewater had spilled from a storage tank into the groundwater, and in turn, into the Pacific.

A team at the Radioisotope Center at the University of Tokyo, lead by Dr Tatsuhiko Kodama, recently conducted a study to measure the amount of radioactive contamination caused by the meltdown at Fukushima I. They concluded,

“ The total amount of leakage to be about 29.6 times the amount of radiation caused by the nuclear bomb dropped on Hiroshima. Assuming the source material to be Uranium, we think the total amount of leakage is about twenty times the contamination caused by the Hiroshima bomb.

So, where's the connection to the anomalies of sea life, and why such a delayed reaction?

A few variables appear to be at hand. First, the reaction of the ocean hasn't been delayed. It's public acknowledgement that's been slow to catch up. In the summer of 2012, scientists at Stanford University caught fifteen Pacific Bluefin tuna off the California coast for research. Of those fifteen tuna, 100 percent tested positive for the radioisotopes cesium-137 and cesium-134, the same toxic matter found in fish from Swedish lakes following the Chernobyl disaster. Follow-up research from the study reveals that Pacific Bluefin tuna, which are born many miles offshore from Japan and surrounding areas and migrate eastward toward California, continue to show up on the North American coastline with traceable amounts of the radioactive byproducts. Yet the Federal Drug Administration (FDA) refuses to test fish on the West Coast for radiation.

In August 2013, an independent fisheries scientist in British Columbia, Alexandra Morton, discovered fish off the west coast of British Columbia [Canada] suffering from a mysterious disease that's causing them to hemorrhage. Of the herring she encountered during a beach seine on Malcolm Island, north of Vancouver Island, Morton noted,

“ I've never seen fish looking this bad [...] These little herring [...] were not only bleeding from their

fins, but from their bellies, their chins, their eyeballs [...] It was 100 percent. I couldn't find any that weren't bleeding to some degree. And they were schooling with young sockeye salmon.

Four months later, sea stars along the North American coastline are being wiped out by similar, unexplainable symptoms. Radiation poisoning is a viable cause, though its relation hasn't been confirmed publicly.

For nuclear water from the Fukushima Daiichi event to reach the North American Pacific coast, it needs to travel along the ocean's currents. Scientists liken ocean currents to a giant conveyor belt. In the case of the Pacific, major ocean currents cycle from deep water along the coast of Japan eastward through the North Pacific Current, then split off into shallower waters between the Alaska Current, which travels north along the Pacific Northwest, and the California Current, which runs south along the west coast of the lower 48 and Mexico. Multiple projections have been made to estimate the time-frame of dispersal for radioactive matter through the ocean currents following the Fukushima Daiichi disaster. Researchers from the Center of Excellence for Climate System Science (CECSS) expect the radioactive plume to hit the US in 2014. The National Oceanic and Atmospheric Administration (NOAA) anticipates that the brunt of radioactive pollution released into the Pacific will not reach the North American Pacific Coast until 2016 or 2017. Any effects we might be seeing now are literally the very beginning.

As for the other anomalies in sea life occurring in recent months – increased shark attacks and a major spike in sightings of sea life along the North American coastline – one possible explanation is that in visiting Pacific shorelines in abnormal numbers, the animals are fleeing their usual open-water habitats. As the impending sprawl of radiation makes its way across the Pacific, it may be uprooting the open-ocean inhabitants and sending them south or east ahead of the plume. 200 humpbacks, hundreds of dolphins, a pod of nineteen orcas, excessive amounts of sea lions, countless anchovies sighted in Monterey Bay. Thirteen shark attacks off the Hawaiian coast this year. Such interaction between open-ocean animals and humans has seldom been so profuse in these areas. The animals appear to be straying from their traditional environments.

Let's revisit our friend the sea star. Affectionately known as starfish, science retired the early pet-name after reasoning that it's an echinoderms, a marine invertebrate rather than a "fish". Sea stars are tokens of a healthy ocean, resilient and iconic, normally found in tide pools, around reefs and on pylons all along North American shores, among many other places in the sea. Sea stars of varying species, and particularly Sunflower sea stars, have suffered die-offs from climatic conditions and disease in the past, but typically rejuvenate and proliferate back to a healthy population. Until a few months ago, they thrived in amounts of up to twelve-per-square-meter in areas along the Pacific Northwest and California.

Now, it's difficult to find even one healthy sea star off the North American West Coast. A more common sight might be white goo, disintegrating limbs from what once may have been a sea star, and sprawling sea-floor graveyards of barely recognizable star-shaped corpses melting into the local current. Laura James, a videographer and underwater explorer in Seattle, Wash. recently dove into Puget Sound near West Seattle to investigate the die-off.

"I'd heard that the sea stars were dying en mass but this was beyond my imagination", James said. "It was like carnage or a mass grave. Dead and dying sea stars, body on top of body." Her video displays the drastic difference between the life she found last year and the death found today.

The onslaught of sea stars is presumed to have begun less than six months ago in June 2013. Accounts detail horrifying death – lesions forming on limbs, body parts twisting and writhing in apparent agony and limbs tearing from bodies and wandering in opposite directions until halted by lifelessness.

"They can go from great – to pieces – in twelve hours", said Pete Raimondi, chair of the Department of

Ecology and Evolutionary Biology at Santa Cruz in an interview with FOX News in November: “We’ve never seen it at this scale up and down the coast [...] We are at the onset of the outbreak”.

Where previous sea star die-offs have affected one or two species of sea star, typically in warmer climates, the current devastation is now documented to be afflicting up to ten species including the Sunflower sea star, in both cold and warmer water stretching the breadth of the North American West Coast. Reports of the wasting-syndrome are beginning to permeate popular media, but any connection between Fukushima Daiichi and the die-off is still being purported as speculation.

What’s puzzling is similar sea star die-offs are now occurring on the Atlantic Coast in areas from Maine through New Jersey, rendering the Fukushima Daiichi correlation seemingly far fetched. “There is no direct route to get from Providence to Seattle”, noted Gary Wessel, a molecular biologist at Brown University How could radiation be affecting animals on the opposite coast?

Maybe it’s because currents don’t stop in the ocean. Water evaporates and is carried inland from the Pacific by weather systems. Along the way some falls on land, but much of it gets picked up by the jet stream and carried to the East Coast, where it deposits into the Atlantic Ocean. The radioactive sprawl dissipates and dilutes as it spreads across the atmosphere, and its potency in rainfall is questionable. Some believe the levels won’t rise into harmful territory.

In November 2013 reporters for EnviroReporter.com, an investigative environmental blog that analyzes research from independent testing, conducted a series of tests on rainwater during winter storm Boreas in Death Valley, California. A few samples displayed standard background levels of radioactive activity, while other samples taken from various areas in Death Valley National Park tested positive for extreme amounts of beta radiation – the type of radiation that carries toxic isotopes cesium-137 and cesium-134, which are majorly associated with nuclear disasters. One rainwater sample from the aptly named Badwater area showed results of 26.7 times normal background levels. Another sample, taken from Stovepipe Wells forty miles to the north, showed 29.7 times normal background levels. The most extreme result, which came from samples near Furnace Creek on November 23, showed a radioactive presence of 31.5 times normal background levels. The effects of such a presence of beta radiation on wildlife are reportedly unidentified.

“There is a general consensus among scientists that we are seeing more disease”, said Jonathan Sleeman, director of the US Geological Survey’s National Wildlife Health Center in Madison, Wisconsin. “So many diseases afflicting such a wide variety of animals [...] A study is being conducted in northwestern Montana to examine the possible causes”.

In Minnesota, moose are dying at a rate of up to 25 percent a year, which prompted the Minnesota Department of Natural Resources to call off the 2013 moose-hunting season. In British Columbia, recent years have seen the moose population decline between twenty and seventy percent. “The fact that you’ve got different proximate causes killing off the moose suggests there’s an underlying ultimate cause”, said Dennis Murray, a population ecologist at Trent University in Canada.

Montana’s animals are also suffering from inexplicable die-offs. In mid-November the Billings [Montana] Gazette published an evaluation of the die-off of Montana’s normally flourishing deer population. “I’ve only seen three does this year”, said Jared Jansen, a Montana resident from the Musselshell River area. “It used to be when I was haying along the river, early in the morning, I’d see 200 to 500 head in the meadows”. Causes for the die-offs have been attributed to epizootic hemorrhagic disease, sylvatic plague, bluetongue, brucellosis, chytrid, and chronic wasting disease. What’s causing such inflation of these diseases is still unclear.

Back in Fukushima, on November 18 2013, Tepco began the high-stakes, decades-long process of removing the remaining 1,500+ spent fuel rods from the only reactor that hasn’t completely melted down already, damaged Reactor Unit Four. Tepco released an animated video to explain the process of removal, which has since become extremely controversial due to public claims that the simplistic, cartoon video downplays the criticality of the operation. The video is viewable [here](#).



The reactor's spent rods contain Uranium and Plutonium, among other radioactive materials. During the removal process, if a rod were to snap and these materials were to fall from the rods to the bottom of the reactor pools, they could interact to ignite and cause the remaining fuel rods to melt down, releasing toxic byproducts like hydrogen gas into the temporary enclosure that houses the facility. If this happens, the gas will be trapped and eventually pressurized in the enclosure, turning it into the equivalent of a atomic bomb surrounded by nuclear reactors.

Arnie Gundersen, a licensed reactor operator, former nuclear industry senior vice president and chief engineer at Fairwinds Energy Education, put the removal process like this:

“ It's like a pack of cigarettes. And if it's a fresh pack, you can pull the cigarettes out. But if it's a crushed pack, the cigarettes get stuck. So the first problem is that these things have been beat up by the earthquake ... But then on top of that, here at Fukushima Daiichi Unit Four, the roof collapsed on top and damaged the racks with the girders falling on it. I built these racks when I was a senior vice president in the industry, and the tolerances are very, very high tolerance. So they have to pull these things out now. And with the roof rubble in it, the friction to try to pull these out is going to be hard. And I'm afraid they might snap one.

Media reports from the first day announced the successful removal of the first few rods. Tepco calls the early removal's success “a milestone”, albeit the first successful milestone of a tedious decades-long process.

The United Nations has assigned the International Atomic Energy Agency (IAEA) to oversee the removal operation, but doubts of the IAEA's motives and transparency are raising critical skepticism.

Said Gundersen:

“ The International Atomic Energy Agency is chartered by the United Nations to promote nuclear power. It's Article II of the IAEA's charter, and it's crystal clear that their job is to promote ... What we think of as the guard dog going to show up and make sure the Japanese do it right, in fact it's the lapdog going to show up. And they have never, you know, for the forty years Tokyo Electric was mismanaging this project, they never slapped Tokyo Electric on the wrist and told them they were doing it wrong.

Dale Klein is at the head of the IAEA task force and chairman of the Fukushima monitoring committee. Klein said in an interview with Australia's ABC, “The best word to use with Fukushima is 'challenging'”.

While the IAEA and Tepco work to disengage the currently dormant fuel rods from Reactor Unit Four, their real challenge is to turning off Reactors One, Two, and Three, which remain relentlessly radioactive, melting into ground and excreting radioactive matter into the groundwater of an enormous aquifer that sits below the plant.

Storing the tons of contaminated coolant that's been used in attempt to cool the reactors is also a serious issue. Tepco is collecting 400 tons of the wastewater each day in newly built tanks for storage. Of the millions of gallons currently stored onsite at Fukushima I, the IAEA reported, “At the end of the day, when the water

is discharged, it will be released in a way that it's diluted", referring to its deposit into the Pacific Ocean.

Currently, popular media refrains from in-depth coverage of the removal and neglects to focus on the possibility of contamination in the Pacific. The FDA continues to refuse to test fish for radiation off the West Coast. Sea stars continue to unexplainably melt into endangerment across the ocean from the melting reactors. Meanwhile, the world has yet to discover the true effects of Fukushima Daiichi.

## Links:

The original version of this article, at the URL below, contains links to further information not included here.

<http://www.theinertia.com/environment/mother-fukushima/>

 Uncategorized

## Obama Faces Backlash ...



2013/12/25



Author



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... Over New Corporate Powers In Secret Trade Deal

by Zach Carter

The Huffington Post (December 09 2013)

WASHINGTON – The Obama administration appears to have almost no international support for controversial new trade standards that would grant radical new political powers to corporations, increase the cost of prescription medications and restrict bank regulation, according to two internal memos obtained by *The Huffington Post*.

The memos, which come from a government involved in the twelve-nation Trans-Pacific Partnership free trade negotiations, detail continued disputes in the talks over the deal. The documents reveal broad disagreement over a host of key positions, and general skepticism that an agreement can be reached by year-end. The Obama administration has urged countries to reach a deal by New Year's Day, though there is no technical deadline.

One memo, which was heavily redacted before being provided to *HuffPost*, was written ahead of a new round of talks in Singapore this week. Read the full text of what *HuffPost* received {1}. Another document, a chart outlining different country positions on the text, dates from early November, before the round of negotiations in Salt Lake City, Utah. View the chart {2}. *HuffPost* was unable to determine which of the eleven non-US nations involved in the talks was responsible for the memo.

“These are not US documents and we have no idea of their authorship or authenticity”, a spokesman for the Office of the US Trade Representative said. “Some elements in them are outdated, others totally inaccurate”. The spokesman declined to specify which parts were outdated or inaccurate.

The Obama administration has been leading negotiations on the international trade accord since 2010. The countries involved in the talks include Australia, Brunei, Chile, Canada, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore and Vietnam.

One of the most controversial provisions in the talks includes new corporate empowerment language insisted upon by the US government, which would allow foreign companies to challenge laws or regulations in a privately run international court. Under World Trade Organization treaties, this political power to contest government law is reserved for sovereign nations. The US has endorsed some corporate political powers in prior trade agreements, including the North American Free Trade Agreement, but the scope of what laws can be challenged appears to be much broader in TPP negotiations.

“The United States, as in previous rounds, has shown no flexibility on its proposal, being one of the most

The United States, as in previous rounds, has shown no flexibility on its proposal, being one of the most significant barriers to closing the chapter, since under the concept of Investment Agreement nearly all significant contracts that can be made between a state and a foreign investor are included”, the memo reads. **“Only the US and Japan support the proposal”**.

Under NAFTA, companies including Exxon Mobil, Dow Chemical and Eli Lilly have attempted to overrule Canadian regulations on offshore oil drilling, fracking, pesticides, drug patents and other issues. Companies could challenge an even broader array of rules under the TPP language.

New standards concerning access to key medicines appear to be equally problematic for many nations. The Obama administration is insisting on mandating new intellectual property rules in the treaty that would grant pharmaceutical companies long-term monopolies on new medications. As a result, companies can charge high prices without regard to competition from generic providers. The result, public health experts have warned {3}, would be higher prices around the world, and lack of access to life-saving drugs in poor countries. Nearly every intellectual property issue in the November chart is opposed by a broad majority of the twelve nations. The December memo describes 119 “outstanding issues” that remain unresolved between the nations on intellectual property matters. The deal would obligate nations to develop many standards similar to those in the United States, where domestic prescription drug prices are much higher than costs in other nations.

Also according to the December memo, the US has reintroduced a proposal that would hamper government health services from negotiating lower drug prices with pharmaceutical companies. The proposal appears to have been universally rejected earlier in the talks, according to the memo.

Australia and New Zealand have medical boards that allow the government to reject expensive new drugs for the public health system, or negotiate lower prices with drug companies that own patents on them. If a new drug does not offer sufficient benefits over existing generic drugs, the boards can reject spending taxpayer money on the new medicines. They can also refuse to pay high prices for new drugs. The Obama administration has been pushing to ban these activities by national boards, which would lock in big profits for US drug companies. Obamacare sought to mimic the behavior of these boards to lower domestic health care costs by granting new flexibilities to US state agencies for determining drug prices.

The US is also facing major resistance on bank regulation standards. The Obama administration is seeking to curtail the use of “capital controls” by foreign governments. These can include an extremely broad variety of financial tools, from restricting lending in overheated markets to denying mass international outflows of currency during a financial panic. The loss of these tools would dramatically limit the ability of governments to prevent and stem banking crises.

“The positions are still paralyzed”, the December memo reads, referring to the Financial Services Chapter. “The United States shows zero flexibility”.

Previously leaked {4} TPP documents {5} have sparked alarm among global health experts, Internet freedom activists, environmentalists and organized labor, but are adamantly supported by American corporations and the US Chamber of Commerce. The Obama administration has deemed negotiations to be classified information – banning members of Congress from discussing the American negotiating position with the press or the public. Congressional staffers have been restricted from viewing the documents.

#### **Links:**

{1} [http://big.assets.huffingtonpost.com/1294\\_001.pdf](http://big.assets.huffingtonpost.com/1294_001.pdf)

Note: Ellipses indicate redacted text. Text in brackets has been added by a third party.

{2} [http://big.assets.huffingtonpost.com/1296\\_001.pdf](http://big.assets.huffingtonpost.com/1296_001.pdf)

{3} [http://www.huffingtonpost.com/2013/11/13/wikileaks-global-health\\_n\\_4269337.html](http://www.huffingtonpost.com/2013/11/13/wikileaks-global-health_n_4269337.html)

{4} [http://www.huffingtonpost.com/2012/06/13/obama-trade-document-leak\\_n\\_1592593.html](http://www.huffingtonpost.com/2012/06/13/obama-trade-document-leak_n_1592593.html)

{5} [http://www.huffingtonpost.com/2013/11/13/wikileaks-global-health\\_n\\_4269337.html](http://www.huffingtonpost.com/2013/11/13/wikileaks-global-health_n_4269337.html)

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This story has been updated with a comment from the Office of the US Trade Representative, and to specify that prescription drug flexibilities under Obamacare are provided to state boards.

[http://www.huffingtonpost.com/2013/12/08/tpp-trade-agreement\\_n\\_4409211.html](http://www.huffingtonpost.com/2013/12/08/tpp-trade-agreement_n_4409211.html)

 Uncategorized

## American Collapse, Recovery or Whatever

 2013/12/24  Author

 1 comment

by Dmitry Orlov

Club Orlov (December 17 2013)

*[Guest post by Candace Makeda Moore. Admitting to the reality of collapse would, for many people, mean biting the hand that feeds them, even as that hand feeds them less and less, making them wonder if the hand itself might be edible ... which it is.]*

“Don’t call me a whore!” a friend wrote me angrily. She was correcting me, explaining that her current work was not true prostitution because it only involved massage and hand jobs. I hadn’t paid attention to precise nomenclature as I was trying to convince her to quit. My point was that by working as a prosti ... prostassage therapist she might severely limit her future employment possibilities. She was furious that I had lumped her in with women who walk the streets.

Nomenclature means a lot to our pride. People take offense if they are told they are living in a collapsed culture. Collapsed implies over. Collapsed implies hopeless. Collapsed implies that we have failed. But at some point we have to look at people like my angry friend and admit that we are failing – on many, many levels. My friend was once a middle-class woman with a college degree and a profession. She raised children on her own after her husband died. And as she tried to push forward, her career started moving backwards. And then somehow, eventually, it came to a point where she was willing to do work of questionable legality to pay her bills and keep a roof over her head. The horror that awaited her if she were to become homeless was arguably much worse than the controlled environment of the massage parlor, even taking into account the occasional police raids.

Our culture is such that half of Americans probably think “If the money is good, so what?” There is no thought given to the proper way to live and to relate to people. There is no thought given to what such work does to the soul of this woman. The American thinking process jumps to the bottom line of the financial transaction, and declares victory if cash has changed hands. The woman is “richer” so for them she is better off. These same people see the American economy as rebounding. People are spending. Some people are getting rich. What’s the problem?

When everything is calculated in a purely financial light, we start to lose any sense of decency or community. I saw the end result of this process when I recently visited Philadelphia to look at properties. There are houses there under \$10,000. While checking out the neighborhoods where these properties are, I made an astounding observation. Almost every block in these neighborhoods has at least one abandoned home. These homes are impossible to miss because of the state of disrepair they were in: porches or parts of roofs are literally collapsed. As if there could be any question as to their status, the city posts large warning signs when boarding them up. The visually offensive chartreuse or neon orange signs warn that “trespassers” could end up spending two years in jail. I wondered which the city had more of – abandoned houses or

homeless families. Sadly, I actually saw an occasional homeless person wander through the area. I was tempted to go purchase them some tools and hardhats, and organize a take-over of abandoned buildings by the homeless.

I got in contact a friend who is well-connected in Philadelphia politics. I pressed him with the obvious question: shouldn't the city be teaching the homeless how to fix up these abandoned eyesores that litter the urban landscape? His answer was a resounding "No". Apparently the city has to protect the rights of property owners, who are hoping to turn a profit on these places. I wondered what kind of financial alchemy could possibly turn a profit on ugly houses in depressed neighborhoods that are in need of serious labor. It must have something to do with "quantitative easing".

At one point during my Philadelphia adventure I walked toward an old abandoned factory which, in a better city, would have been turned into hipster lofts, and I saw a bookstore. I was overjoyed. The bookstore seemed like a beacon of light in this dark ghetto – right until I got close enough to read what was painted in huge letters on its wall. "We ship to prisons! Ask inside." I didn't. I already knew these clever people were doing very brisk business. In the early 2000s I would occasionally volunteer for Books Through Bars, an organization that sent donated books to the incarcerated. Back then jailed people seemed somehow more distant. As the end of the decade approached and I returned to America after living abroad, the prison system seemed much closer. I lived with my mother temporarily, and I would ride the bus to work. Every day, on the bus, I heard men loudly discussing their parole officers on their cellphones. What I might have overheard whispered in hushed voices in my childhood was now a subject the transit riding public could hear about loud and clear, whether they wanted to or not. Nor did the women seem any more reticent, as they discussed what they were planning to do with their food stamps and benefit money. Even if I wore earplugs I would not have been able to avoid hearing these people, or smelling the drugs they occasionally lit in the back of the bus.

All life seemed to revolve around the trifecta of prisons, handouts and drugs. Every few days a van would park directly in front of our house before visiting "friends" across the street. "What are they doing?" asked my mother angrily. "Dealing drugs", I would explain flatly. Based on their shiny new van, the dealers were certainly doing better than I was. I was waiting to be credentialed as a doctor, and worried about being unable to afford my bus rides to work. They were making so much money they could eat endless restaurant-cooked meals in their van and leave the trash on my mother's front lawn. "I don't know why the police don't do something about the fact ... they are littering, LITTERING!!" my mother would start screaming indignantly. "The police are in on the action", I informed her.

On a recent trip home I noticed that the drug delivery van has left the neighborhood. I wondered whether it was a sign of the times getting better or worse. Are they getting better prices somewhere else? Have drugs finally become an item for the middle class? Had the neighborhood demographics tipped it toward prescription drug abuse? Sadly, one of the least probable possibilities is that the police had actually done their job.

When looking at a country as large and complex as the USA, one can make any number of contradictory assertions and still be factually correct. The economy doing extremely well, and the economy is going to hell. One need look no farther than the banking industry to figure that out: the banks are bankrupt and require bail-outs; the banks are doing well and making healthy profits. American banks are in every way typical of American corporations: they are corrupt, reliant on the government to subsidize and support them, and produce mind-boggling riches for those that run them. At the bottom of the bank hierarchy are the tellers. The polite, well dressed tellers wear conservative new clothes and jewelry. They exude the kind of stability and class that reflects well on the banks. Yet about a third of them earn little enough to qualify for public assistance. They have joined the ranks of retail workers, restaurant workers, hotel workers and other service industry personnel who must rely on the welfare system in order to work. I suspect they will be joined by more and more recent college graduates who can not actually earn a positive sum after subtracting their student loan payments.

But rest assured that from each and every payment or delinquency notice or collection activity someone somewhere is making a profit. In this economy every action is monetized, even our very socializing. As you randomly clicked around the Internet to find this article, you generated income for tech companies. At some point, as every last penny was pushed or pulled out of your pocket, you began shifting from consumer to producer: you became a prosumer ... and the machine that is American capitalism milked more profit still from your existence. Your eyeballs and clicks generated income based on some strange calculations by marketers. American-style capitalism now has you in debt and producing for it even as you consume, but that is now a middle class privilege, and no one is forcing people to make these choices.

At the bottom of the food chain are the forced producers. Those people are so broke that they have become superfluous to the normative economy. They seem to be channeled in one way or another into the prison system, where they become the ultimate producers. Their very bodies create profits for prison corporations simply by existing in prisons, while their arguably forced labor is compelled at pennies on the dollar to produce cheap consumer goods. The American economy seems to be succeeding at monetizing everything while producing fewer and fewer goods or services of any real value to anyone but a few rich people profiting off the entire system.

America's political economy has changed incrementally enough that many people have not noticed what is really happening. It's over for most of us. You can call it collapse, or you can call it restructuring. You can even call it a recovery. But you can not call it sustainable, or pleasant. The overall trajectory is toward decline, decay, destitution ...

I'm sure some dyed-in-the-wool patriots will be angered or confused by this article. They may live in a safe, posh area of a city or a suburb, and see none of the decay I observed. Or perhaps, based on some vague ideas they heard at the university, they can guess that this different America is a place into which I have been redlined by my ethnicity. They can't yet see that the fact that they can, for the time being, shield themselves so completely from this other America is a symptom of our problem – which is going to become their problem. There is little sense of a larger American community where people care for their fellow citizens.

But then no one seems particularly concerned with the plight of the doomed, and perhaps no one ever was. So what is the fundamental shift that is happening – one that we could call “collapse”? Well personally, if I look at myself as a black American, I'm not really in a culture of depression or collapse. It's just more of the same, and in some ways things have never looked better. Arguably the issue that really has some people upset is the increasing equality – albeit an equality of suffering. Now that middle class success is no longer achievable for many young middle-class white people, who are being called “the lost generation”, everyone can suddenly see what the rest of us have been complaining about for decades. This collapse is the collapse of dreams, hopes and expectations, not an obvious one like the collapse of the currency or the government. And if you have no hopes or dreams, and your expectations are sufficiently low, then you might not even be aware of it.

A really painful and obvious collapse isn't in anyone's interest, not even the people suffering under the unjust rule of America's empire. The USA admits to a military presence in a staggering number of countries, and many middle class young people in all of these countries sit around in cafes cursing American imperialism. In reality, while the end of America might mean fewer drone strikes and assaults on the sovereignty of other nations, it might also mean misery and death for the emerging global middle class – the very class that supports the young global intellectuals who whine about the injustice of this arrangement. For the time being, what is really in everyone's interest, here and abroad, is to keep playing along. Collapse? What collapse? We all have to keep pretending everything is fine, or things will get even worse quickly – for us. But if things are continuing to get worse for us in any case ...

<http://cluborlov.blogspot.jp/2013/12/american-collapse-recovery-or-whatever.html>



Uncategorized

# Manipulations Rule The Markets



2013/12/24



Author



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by Paul Craig Roberts

Institute for Political Economy (December 20 2013)

The Federal Reserve's announcement on December 18 that beginning in January its monthly purchases of mortgage-backed financial instruments and US Treasury bonds would each be cut by \$5 billion is puzzling, as is the financial press's account of the market's response.

The Federal Reserve conveys a contradictory message. The Fed says that improvements in employment and the economy justify cutting back on bond purchases. Yet the Fed emphasizes that it is maintaining its commitment to record low interest rates

“ well past the time that the unemployment rate declines below 6.5 percent, especially if projected inflation continues to run below the [Open Market] Committee's two percent longer-run goal. When the Committee decides to begin to remove policy accommodation it will take a balanced approach consistent with its longer-run goals of maximum employment and inflation of two percent.

The last sentence in the quote states that the Fed does not regard its announced reduction in bond purchases as less accommodation or as a move toward tightening. In other words, the Fed is saying that tapering does not mean less accommodation.

To put it another way, the Fed is saying that the economy is doing well enough not to require the same amount of monthly bond purchases, but is not doing well enough to stand any change in the near zero nominal federal funds rate. The implication is that the Fed either does not think that a reduction in purchases will result in a rise in long-term interest rates or that such a rise will not derail the economy as long as the Fed keeps short-term rates at or near zero. If the \$10 billion decrease in monthly bond demand results in higher long-term interest rates, what good does it do to keep the federal funds rate at zero? If the \$10 billion monthly bond purchases were not needed as part of the accommodation policy, why was the Fed purchasing them?

Possibly the Fed thinks that Congress has taken steps to reduce the federal deficit, which would result in a reduced supply of bonds to match the Fed's reduced demand for bonds, but the Fed's statement makes no reference to federal deficit reduction, which is probably a smoke and mirrors change instead of a real one.

Moreover, the Fed's outlook for the economy is mixed. The Fed says that “recovery in the housing sector slowed somewhat in recent months”, so why reduce purchases of mortgage-backed financial instruments? And surely the Fed is aware that the U3 unemployment rate has declined because discouraged workers who cannot find a job are not counted among the unemployed. As all measures show, real median family income and real per capita income are lower today than in 2007, and real consumer credit is not growing except for student loans. Without rising aggregate demand to drive the economy, why does the Fed see a recovery instead of faulty statistical measures that do not accurately portray economic reality?

The financial media's reporting on the stock market's response to the Fed's announcement has its own puzzles. I have not seen the entirety of the news reports, but what I have seen says that the equity market rose because investors interpreted the reduction in bond purchases as signaling the Fed's vote of confidence in the economy

in the economy.

Previously when the Fed announced that it might cut back its bond purchases, the markets dropped sharply, and the Fed quickly back-tracked. Everyone knows that the high prices in the bond and equity markets are the result of the liquidity pouring out of the Fed and that a curtailment of this liquidity will adversely affect prices. So why this time did prices go up instead of down?

Pam Martens points out that there is evidence of manipulation {1}.

As market data indicates, the initial response to the Fed's announcement was a sharp move down as market participants sold stocks on the Fed's announcement (see the chart of the Dow Jones Industrial Average in Pam Martens' article). But within a few minutes the market changed course and rose on panic short-covering just as sharply as it had fallen.

The question is: who provided the upward push that panicked the shorts and sent the market up 292 points? Was it the plunge protection team and the New York Fed's trading floor? Was it the large banks acting in concert with the Fed? It is hard to avoid the conclusion that this was an orchestrated event that forestalled a market decline.

Short selling in the paper gold futures market has been used to protect the US dollar's value from being knocked down by the Fed's Quantitative Easing. Following the Fed's December 18 announcement, another big takedown of gold was launched.

William Kaye had predicted the takedown in advance. He noticed that the ETF gold trust GLD experienced a sudden loss in gold holdings as shares were redeemed for gold. Only the large Fed-dependent bullion banks can redeem shares for gold. Possession of physical gold allows the short-selling that drives down the gold price to be covered. {2}

*Bloomberg* reports that gold is exiting the West. It has been shipped out to Asia. You explain, dear reader, how the price of gold can fall so much in the West while the supply of gold dries up. {3}

In a few days prior to the Fed's tapering announcement, GLD was drained of 25 tonnes of gold by primary bullion banks, JP MorganChase, HSBC, Deutsche Bank, Goldman Sachs, and Citicorp. As Dave Kranzler pointed out to me, these banks happen to be the biggest players in the OTC derivatives market for precious metals. HSBC is the custodian of the GLD gold and JPM is the custodian of SLV silver. HSBC and JPM are two of the three primary custodial and market-making banks for Comex gold and silver.

The conclusion is obvious. QE helps the big banks, and manipulation of the gold price downward protects the US dollar from its dilution by QE.

The Fed's reduced bond purchasing announced for the New Year still leaves the Fed purchasing \$900 billion worth of bonds annually, so obviously the Fed does not think that everything is okay. Moreover, the Fed has other ways to make up for the \$120 billion annual reduction, assuming the reduction actually occurs. The prospect for tapering is dependent on the US economy not sinking deeper into depression. Massaged "success indicators" such as the unemployment rate, which is understated by not counting discouraged workers, and the GDP growth rate, which is overstated with an understated measure of inflation, do not a recovery make. No other economic indicator shows recovery.

Until a whistleblower speaks, we cannot know for certain, but my conclusion is that the Fed understands that it must protect the dollar from being driven down by QE and that the orchestrated takedowns of gold are part of protecting the dollar's value, and perhaps also the cutback in QE is a part of the protection by signaling an end of money creation. The Fed also understands that it cannot forever drive down the gold price and that it cannot forever pour liquidity into stock and bond markets. To retreat from this policy without crashing the edifice requires successful orchestrations. Therefore, we are likely to experience more of them in the days to come.

Allegedly, the US has free capital markets, and globalism is bringing free capital markets to the world. In



actual fact, US capital markets are so manipulated – and now by the authorities themselves – that manipulation cannot stop without a crash.

What American “democratic capitalism” has brought to the world is manipulated financial markets and the absence of democracy. How long this game can play depends on the outside world.

### Links:

{1} <http://wallstreetonparade.com>

{2}

[http://kingworldnews.com/kingworldnews/KWN\\_DailyWeb/Entries/2013/12/17\\_Absolutely\\_Shocking\\_Devel](http://kingworldnews.com/kingworldnews/KWN_DailyWeb/Entries/2013/12/17_Absolutely_Shocking_Devel)

{3} [http://www.bloomberg.com/video/what-s-happening-to-all-the-gold-d33u1c23SDqA0p0e~9\\_INw.html](http://www.bloomberg.com/video/what-s-happening-to-all-the-gold-d33u1c23SDqA0p0e~9_INw.html)

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<http://www.paulcraigroberts.org/2013/12/20/manipulations-rule-markets-paul-craig-roberts/>

 Uncategorized

## Slip Sliding Away



2013/12/23



Author



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### The Incredible, Shrinking Presidency of Barack Obama

by Mike Whitney

#### CounterPunch Weekend Edition (December 20 to 22 2013)

According to a new *Washington Post-ABC* poll, Barack Obama now ranks among the least popular presidents in the last century. In fact, his approval rating is lower than Bush’s was in his fifth year in office. Obama’s overall approval rating stands at a dismal 43 percent, with a full 55 percent of the public “disapproving of the way he is handling the economy”. The same percentage of people “disapprove of the way he is handling his job as president”. Thus, on the two main issues, leadership and the economy, Obama gets failing grades.

An even higher percentage of people are upset at the way the president is implementing his signature health care system dubbed “Obamacare”. When asked “Do you approve or disapprove of the way Obama is handling “implementation of the new health care law?” A full 62% said they disapprove, although I suspect that the anger has less to do with the plan’s “implementation” than it does with the fact that Obamacare is widely seen as a profit-delivery system for the voracious insurance industry. Notwithstanding the administration’s impressive public relations campaign, a clear majority of people have seen through Obama’s health care ruse and given the program a big thumb’s down.

Of course, Obamacare is just the straw that broke the camel’s back. The list of policy disasters that preceded this latest fiasco is nearly endless, including everything from blanket pardons for the Wall Street big-wigs who took down the global financial system, to re-upping the Bush tax cuts, to appointing a commission of deficit hawks to slash Social Security and Medicare (Bowles-Simpson), to breaking his word on Gitmo, to reneging on his promise to pass Card Check, to expanding to wars in Africa, Asia and the Middle East, to droning four times as many civilians as the homicidal maniac he replaced as president in 2008.

Obama’s treatment of undocumented immigrants has been particularly shocking although the details have been kept out of the media, presumably because the news giants don’t want to expose the Dear Leader as a heartless scoundrel who has no problem separating mothers from their children, locking them up in privately-owned concentration camps and booting them out of the country with nothing more than the

shirt on their back. Check out this blurb which sums up Obama's "progressive" immigration policy in one paragraph:

“ Obama is on track to deport three million immigrants without papers by the end of his second term, more than any other president. George W Bush deported about two million over two terms. Obama will likely hit that mark this month ... The average daily count of immigrants in detention now is about 33,000. In 2001, it was 19,000. In 1994, it was 5,000, according to the Detention Watch Network. Almost all of the detainees and deportees are Latino. True, the population of illegal immigrants has also doubled in that time to more than eleven million. But the detainee and deportee counts have escalated more than twice as fast.

“He could go down as the worst president in history toward immigrants”, said Arturo Carmona, executive director of the liberal activist group Presente.org {1}.

Hooray for the Deporter in Chief! You're Numero Uno, buddy. You even beat Bush! Is it any wonder why the man's ratings are in freefall?

All told, Obama has been bad for the economy, bad for civil liberties, bad for minorities, bad for foreign wars, and bad for health care. He has, however, been a very effective lackey sock-puppet for Wall Street, Big Pharma, the oil magnates, and the other one percent vermin Kleptocrats who run the country and who will undoubtedly attend his \$100,000-per-plate speaking engagements when he finally retires in comfort to some gated community where he'll work on his memoirs and cash in on his eight years of faithful service to the racketeer class.

But, let's face it; no one really gives a rip about "drone attacks in Waziristan" or "hunger strikes in Gitmo". What they care about is keeping their jobs, paying off their student loans, putting the food on the table or avoiding the fate of next-door-neighbor, Andy, who got his pink slip two months ago and now finds himself living in a cardboard box by the river. That's what the average working stiff worries about; just scraping by enough to stay out of the homeless shelter. But it's getting harder all the time, mainly because everything's gotten worse under Obama. It's crazy. It's like the whole middle class is being dismantled in a ten-year period. Wages are flat, jobs are scarce, incomes are dropping like a stone, and everyone's broke. (Everyone I know, at least.) Did you know that 76% of Americans are living paycheck-to-paycheck. Check it out:

“ Roughly three-quarters of Americans are living paycheck-to-paycheck, with little to no emergency savings, according to a survey released by Bankrate.com {2} Monday.

Fewer than one in four Americans have enough money in their savings account to cover at least six months of expenses, enough to help cushion the blow of a job loss, medical emergency or some other unexpected event, according to the survey of 1,000 adults.

Meanwhile, fifty percent of those surveyed have less than a three-month cushion and 27% had no savings at all

...

Last week, online lender CashNetUSA said 22% of the 1,000 people it recently surveyed had less than \$100 in savings to cover an emergency, while 46% had less than \$800. After paying debts and taking care of housing, car and child care-related expenses, the respondents said there just isn't enough money left over for saving more.

Savings?!?

Are you kidding me? What's that? Who do you know that's able to save money in this economy? Maybe rich uncle Johnny whose lived on canned sardines and Akmak for the last fifty years, but nobody else can live like

their jointly whose lives on earned salaries and annual for the last fifty years, but nobody else can live like that. Subtract the rent, the groceries, the doctor bills et cetera, and there's barely enough leftover to fill the tank to get to work on Monday. Saving just isn't an option, not in the Obamaworld, that is.

Now check this out from *Business Insider*:

“ Thousands of Americans aged 55 and older are going back to school and reinventing themselves to get an edge in a difficult labor market, hoping to rebuild retirement nest eggs that were almost destroyed by the recession ...

According to the Federal Reserve, household financial assets, which exclude homes, dropped from a peak of \$57 trillion in the third quarter of 2007 to just over \$49 trillion in the fourth quarter of last year, the latest period for which data is available.

A survey to be released this summer by the Public Policy Institute of AARP, an advocacy group for older Americans, found a quarter of Americans fifty years and older used up all their savings during the 2007 to 2009 recession. About 43 percent of the 5,000 respondents who took part in the survey said their savings had not recovered {3}.

Sure they're going back to work. What do you expect them to do? They're broke! They got wiped out in Wall Street's mortgage laundering scam and they're still behind the eight-ball five years later. And what's left of the money they set aside for retirement is yielding a big zilch thanks to the Fed's zero rate policy which is forcing people back into another decade of penal servitude at minimum wage. That's why you see so many hunched over graybeards in red vests with "Happy to Serve You" splattered on their chests lugging shopping bags out to the cars for old ladies. Because they're broke and out of options. Everyone knows someone like this unless, of course, they're one of the fortunate few who make up the Nobel One Percent; aka – The Job Cremators. Then they don't have to fret about that sort of thing.

Here's another gem you might not have seen in *USA Today* a few months back:

“ Four out of five US adults struggle with joblessness, near-poverty or reliance on welfare for at least parts of their lives, a sign of deteriorating economic security and an elusive American dream.

Survey data exclusive to The Associated Press points to an increasingly globalized US economy, the widening gap between rich and poor, and the loss of good-paying manufacturing jobs as reasons for the trend ...

Hardship is particularly growing among whites, based on several measures. Pessimism among that racial group about their families' economic futures has climbed to the highest point since at least 1987. In the most recent AP-GfK poll, 63% of whites called the economy "poor".

"I think it's going to get worse", said Irene Salyers, 52, of Buchanan County, Virginia, a declining coal region in Appalachia. Married and divorced three times, Salyers now helps run a fruit and vegetable stand with her boyfriend, but it doesn't generate much income ...

Nationwide, the count of America's poor remains stuck at a record number: 46.2 million, or fifteen percent of the population, due in part to lingering high unemployment following the recession. While poverty rates for blacks and Hispanics are nearly three times higher, by absolute numbers the predominant face of the poor is white ...

"Poverty is no longer an issue of 'them', it's an issue of 'us'", says Mark Rank, a professor at Washington University in Saint Louis who calculated the numbers. "Only when poverty is thought of as a mainstream event, rather than a fringe experience that just affects blacks and Hispanics, can we really begin to build broader support for programs that lift people in need". {4}

Does Obama have any idea of the damage he's doing with his Rich-First policies? The country is in a terrible state and yet Obama continues to approve bills that throw millions of people off unemployment benefits, sharply cut government spending, or undermine vital safety net programs that keep the sick and the elderly from dying on the streets. It's like he's trying to reduce 300 million Americans to grinding third world poverty in his short eight-year term. Is that the goal?

Did you know that, according to *Gallup*, twenty percent of all Americans did not have enough money to buy food that they or their families needed at some point over the past year? Or that, according to a Feeding America hunger study, more than 37 million people are now using food pantries and soup kitchens? Or that one out of six Americans is now living in poverty which is the highest level since the 1960s? Or that the gap between the rich and poor is greater than any in history?

Everything has gotten worse under Obama. Everything. And, not once, in his five years as president, has this gifted and charismatic leader ever lifted a finger to help the millions of people who supported him, who believed in him, and who voted him into office.

These latest poll results indicate that many of those same people are beginning to wake up and see what Obama is really all about.

#### Links/Notes:

{1} <http://presente.org/>

{2} <http://bankrate.com/>

{3} "Unemployed Baby Boomers Are Getting Hired By Going Back To School", *Business Insider*

{4} "4 in 5 in USA face near-poverty, no work", *USA Today*

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Mike Whitney lives in Washington state. He is a contributor to *Hopeless: Barack Obama and the Politics of Illusion* (AK Press, 2012). *Hopeless* is also available in a Kindle edition. He can be reached at [fergiwhitney@msn.com](mailto:fergiwhitney@msn.com).

<http://www.counterpunch.org/2013/12/20/the-incredible-shrinking-presidency-of-barack-obama/>

 [Uncategorized](#)

## Trash the TPP

 2013/12/23  [Author](#)

 [1 comment](#)

### Why It's Time to Revolt Against the Worst "Trade Agreement" in History

by **Kevin Zeese and Margaret Flowers**

**Occupy.com / Op-Ed (July 23 2013)**

As people become aware of the TPP, more are working actively to stop it.

Odds are that you have not have heard of the Trans-Pacific Partnership. While the TPP has been under negotiation since 2008, talks have largely been done in secret and not covered by the mass media.

The media black-out is quite impressive since this is the largest corporate trade agreement to be negotiated since the World Trade Organization got underway in 1995. Commonly called a global corporate coup, the TPP will be a trade agreement more powerful than any previous. Obama calls it "NAFTA on steroids."

TPP makes transnational corporations more powerful than governments. Others call it "NAFTA on steroids" because it will multiply the failures of NAFTA.

### **If People Knew Its Contents, It Could Not Pass**

When it comes to trade, Obama has been the most secretive president. Past trade agreements were made public and discussed in the media. The Office of the US Trade Representative would publish the text on its website, even as the treaty was being negotiated.

Not this time. The TPP is being kept secret from everyone except for the 600 corporate advisers who can read the text on their computers as it is being created, and help the US Trade Representative draft the language. These include the biggest transnational corporations like WalMart, Bank of America, JPMorgan, Pfizer and Monsanto or their trade associations. The TPP is being drafted of, by and for the transnational corporations.

Members of Congress, however, have restricted access to the text and when they do see a summary of it, they must keep the contents secret even from their constituents. The media and public have only seen sections that have been leaked.

Why are the corporations operating in secret? Former US Trade Representative Ron Kirk said that if the people knew what was in the agreement, it would raise such opposition that it could make the deal impossible to sign. Kirk led the negotiations on the TPP but left recently to join a lobbying firm that represents transnational corporations. If Kirk is right – that if people knew what was in it, it would not pass – then, should it pass?

### **The Trans-Pacific Partnership Should Not Become Law**

The answer is no, the TPP should not become law. As people become aware of the TPP, more are working actively to stop it. The TPP is much more than a trade agreement. It will give transnational corporations greater control over our food, Internet access, medicines and health care, and degrade the environment, regulation of banks and wages.

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Indeed corporations will have absolute power over virtually every aspect of our lives. The agreement is being negotiated among a dozen Pacific Ocean countries but is open for other countries to join through a new “docking provision”.

One major advantage we have over past trade legislation battles is that we now have vast experience with trade agreements and the evidence is stark – corporate trade agreements are bad for the economy, the environment and workers.

Recently released government trade data for 2012 show these agreements kill jobs and increase trade deficits. In countries where the US has a trade agreement, the trade deficit has grown by more than 440 percent, while in countries where there is no agreement, the deficit has declined by seven percent.

The increased deficits from trade agreements resulted in the loss of nearly one million US jobs based on the administration’s net exports-to-jobs ratio. This was evident with NAFTA, which cost the US 692,000 jobs. Wages in poor countries are much lower than for US workers. So it will not be surprising to see massive US job losses as well as falling wages as Americans compete with slave-wage jobs around the world.





Some of the most heinous parts of the TPP are provisions to set up rigged trade tribunals. In these tribunals, corporations can sue governments for the loss of “expected future profits”. This means that if a country passes an environmental or a health law that will cost the corporation money, the corporation can sue for the expected profits it stands to lose. The suit will come before a trade tribunal where a three-judge panel, made up mostly of corporate lawyers on temporary leave from their corporate jobs, will decide the case.

The takeaway from the tribunals is this: they will dissuade countries from putting in place public interest laws because those governments will be sued and forced to pay millions to corporations. We’ve already experienced something like this, though on a less sweeping scale. Global Trade Watch reports that under previous trade agreements, “over \$3 billion has been paid to foreign investors under US trade and investment pacts, while over \$14 billion in claims are pending under such deals, primarily targeting environmental, energy, and public health policies”.

By the end of 2011, corporations like Chevron, Exxon Mobil, Dow Chemical, and Cargill had launched 450 investor-state cases against 89 governments, including the US, to fight regulations that protect the environment. Among these cases were bans of toxic chemicals, hydrofracking, timber and mining regulations, and programs that incentivized green jobs and renewable energy programs.

These are just a few examples among many. The TPP provides a backdoor for restrictions on Internet freedom, further deregulation of banks and elimination of “Buy American” provisions or other programs to encourage localism and environmental sustainability. On issue after issue, corporate profits come before what is best for the people and the planet.

### **Strategic Action Plan to Stop the TPP**

Flush The TPP is a campaign bringing people together to stop the TPP. Since the 1999 protests against the World Trade Organization in Seattle, not only has the WTO been stalled but at least fourteen trade agreements have also been stopped. The key to stopping these agreements were: (1) people knowing what was in the agreement; and (2) people taking action to oppose it. Together, we can make the TPP so unpopular that no legislator will want to go near it.

The Obama administration knows this and is trying to take Congress out of the process. They are seeking “Trade Promotion Authority”, which is a euphemism for the now unpopular “Fast Track” legislation. Fast Track would allow the president to negotiate and sign the law before Congress takes any action, undermining the US Constitution in which the Commerce Clause gives Congress responsibility for setting the terms of trade.

The President knows that if the TPP undergoes a democratic review process in Congress, it will surely fail.

Therefore, the first two goals of the campaign to stop the TPP are (1) make the contents of the agreement public; and (2) stop “Fast Track”. Congress should fulfill its constitutional responsibility and serve as a check and balance to the president.

The TPP offers an opportunity for solidarity between groups that are working on a broad variety of issues: food safety, health care, Internet freedom, worker rights, the environment and more. Coalitions of groups that support fair trade rather than free trade exist in the US and are expanding. We have a three-stage plan:

**Phase I:** Throughout the summer, the goal is to educate and mobilize people. The TPP has been negotiated in secret for three years, and very few people know much about it. We start with #TPPTuesdays which are weekly actions to draw attention to the trade agreement. It will be up to people around the country to decide what works best for their local area or organization. And while there is power in acting on the same day every week, actions and educational events are certainly not limited to Tuesdays. The goal is to be visible and to educate. See the Actions and Tools pages for more information. You can begin by sharing the videos with this article and urging people to sign up at [Flush the TPP](#).

**Phase II:** In August during the Congressional recess, we switch focus to influencing members of Congress. We want elected officials to know that their constituents are watching, that we oppose the TPP, and that we demand Congress holds hearings and suggests amendments before the president is able to sign the agreement.

**Phase III:** Defeat the TPP with major actions at the last round of negotiations and in Washington, DC as well as in home congressional districts. When a major action occurs, people will be encouraged to hold solidarity actions.

In fact, this is not just something the people of the United States oppose, but is something people all over the world oppose. There have already been protests in other countries. Thousands of protesters have been taking to the streets in Japan. A cross-border coalition of advocacy groups from Canada, the US and Mexico co-wrote a tri-national statement of unity calling for public access to the text and a democratic process in Washington, DC. The cross-border group also works with advocates in other Pacific Rim countries in order to build solidarity.

The TPP is a battleground for defining democracy in the 21st century and determining whether corporations will be our masters, or whether the people will rule. It is an epic conflict between people and transnational corporations, one the people can win, if we join together to stop the TPP.

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Kevin Zeese, JD, and Margaret Flowers, MD, are participants in [PopularResistance.org](#); they co-direct [It's Our Economy](#).

Kevin Zeese is an attorney who has been a political activist since graduating from George Washington Law School in 1980. He works on peace, economic justice, criminal law reform and reviving American democracy. His twitter is @KBZeese. Zeese has used his law degree to work to end the war on drugs, stop the use of the military and National Guard in drug enforcement and allow the medical use of marijuana. He has filed bar complaints against lawyers in the Bush and Obama administrations who used their legal degrees to justify torture, as well as against Justice Clarence Thomas for conflicts of interests. He has also filed complaints against attorneys at Hunton and Williams who worked with the Chamber of Commerce and HB Gary Federal to target him for his work criticizing the Chamber. Zeese serves on the steering committee of the Bradley Manning Support Network. Zeese filed a complaint with the Justice Department against Rupert Murdoch and News Corp for violations of the Foreign Corrupt Practices Act as well as with DOJ against Karl Rove's American Crossroads for violating the non-profit tax laws and the federal election laws.

Margaret Flowers, MD is a pediatrician and mother of three teens from Baltimore, Maryland. Margaret left medical practice in 2007 to advocate full-time for single payer health care. She served as Congressional Fellow for Physicians for a National Health Program and is on the board of Healthcare-Now. She is co-director of [ItsOurEconomy.us](#). She has organized and participated in protests for health care, peace and economic justice which have included arrests for nonviolent resistance.

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