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**Surveillance, Infiltration, Threats of Danger: “*Contravergence*” Within the Anti-Globalization Movement**

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### *Abstract*

#### **Surveillance, Infiltration, Threats of Danger: “*Contravergence*” Within the Anti-Globalization Movement**

Since 9/11 changes in national security policy have significantly challenged the Anti-Globalization Movement. “Freedom Now” and “RIOT” are two progressive groups in California who participate in the Anti-Globalization Movement. In response to these new developments these groups have adopted a variety of defensive postures that may be causing as much harm as they are preventing. A two year ethnographic study was conducted to investigate how the Anti-Globalization Movement has been affected by the current socio-political discourse. A theoretical foundation built upon Foucault and Scott regarding power relations in contemporary American society was utilized. This analysis elucidates and exposes the contemporary American socio-political discourses that have contributed to the maintenance of a “*contravergence*” within the Anti-Globalization Movement. Moreover, in the critical intersection of applied anthropology and political science, this study highlights a lesser known issue of concern: how globally motivated political movements are maintained socio-culturally on a local level of interaction.

The terrorist attacks of September 11, 2001 forever changed the socio-political discourse of American society. The events shattered the sense of security and invulnerability that Americans had historically enjoyed, resulting in increased demands for reforms in national security policy. In response the United States government increased counter terrorism efforts, broadening the scope and definition of “terrorism” to include a new category of crime called “domestic terrorism”. The creation of this new category has impacted many groups and individuals involved in progressive and social movements within the United States whose values and activities have been objectified by and associated with the term “domestic terrorism”.

One movement that has been impacted by these changes is the American Anti-Globalization Movement- a domestic component of the larger international movement whose platform incorporates a vast array of progressive and “radical” social, economic, and environmental agendas. Under current national security policy many of the groups involved in the American Anti-Globalization Movement are considered “single issue groups” or “single interest extremists”. Over the last six years these groups have been identified by the Federal Bureau of Investigation (FBI) and members of Congress as some of the greatest threats to American homeland security.

In February 2002, James F. Jarboe, the FBI’s Domestic Terrorism Section Chief testified before the United States House Subcommittee on Forests and Forest Health that the greatest domestic security threat stemmed from special interest extremist groups which; “differ from traditional right-wing and left-wing terrorism in that [they] seek to resolve specific issues rather than reflect widespread political change” (Jarboe 2002, 2). Chief Jarboe continued by saying that these groups “conduct acts of politically motivated

violence to force segments of society, including the general public, to change attitudes about issues considered important to their causes” (Jarboe 2002, 2). Moreover, specifically identifying some of the groups involved in the movement including: the Animal Liberation Front (ALF), the Earth Liberation Front (ELF), and the Coalition to Save the Preserves (CSP), he concluded by adding that these groups are “the most active extremist elements in the United States” (Jarboe 2002, 4).

This discourse has continued throughout the years following the 9/11 attacks, and as of the July 2007 National Intelligence Estimate these groups are still considered the most significant domestic threat to the United States (National Intelligence Council 2007). As a result, concern over the possibility of infiltration by government and law enforcement agencies has grown, directly impacting the ability of the movement to effectively organize and enact the social change they seek within American society.

This article explores how the American Anti-Globalization Movement, has been impacted by current developments in national security policy. In undertaking this investigation, we begin by establishing a theoretical foundation rooted in ideas of discourse, domination and resistance. This foundation frames our analysis of cultural norms and behaviors surrounding group dynamics and maintenance observed in two groups actively involved in the Anti-Globalization Movement in Post 9/11 America.

The primary units of analysis for this study are two self described “non-authoritarian progressive” groups in California referred to here as “Freedom Now” and “RIOT”<sup>1</sup>. Together these groups are comprised of more than eighty five participants in the American Anti-Globalization Movement who prescribe to various ideals of the larger

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<sup>1</sup> To protect the identity of the informants the names of individuals and the location of specific events have all been changed. Any similarity to people or real life events is strictly coincidental.

Anti-Globalization Movement including animal and environmental rights, freedom of migration, women's rights, as well as alternatives to capitalism. Both groups identify themselves as composed of members belonging to the "radical" segments of the movement, including the Animal Liberation Front and the Earth Liberation Front, and advocate for the use of direct action<sup>2</sup>-if needed- in order to achieve their platforms and agendas.

Research for this article was done through a multi sited ethnographic field study conducted by the author from November 2004 to August 2006. Through participant observations and both formal and informal interviews, how these groups have been impacted by changes to national security policy were investigated. These interviews and observations were undertaken twice weekly during regular organizational meetings, and during sixty-four local actions and protests within each of their respective cities in California. Data was also collected during five national actions and protests in various cities throughout the United States. In total, the findings of this article are based on 110 interviews and over 1,000 hours of field observation.

In observing how the post 9/11 security discourse has impacted the group dynamics of both RIOT and Freedom Now, this article helps to illuminate contemporary political and social pressures surrounding the movement; which has led to the adoption of *defensive postures* as tools for ensuring group maintenance and security. Ultimately, it posits that such cultural phenomenon- observed at the micro level- negatively impacts the

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<sup>2</sup> Direct action refers to the use of both non-violent and violent means in order to influence policy, statute, or law in favor of certain platforms or agendas (Wall 2005). Common forms utilized by participants in the Anti-Globalization Movement are protest marches, boycotts and "monkeywrenching". "Monkeywrenching" has been described by the FBI's Counterterrorism Division as "acts of sabotage and property destruction against industries and other entities perceived to be damaging to the natural environment... includ[ing] arson, sabotage of logging or construction equipment, and other types of property destruction." (Jarboe 2002, 3)

efficacy of the movement at a macro level, bringing the movement to a critical juncture in practice by challenging both its strength and resilience in contemporary American society.

### ***Discourse, Power and Resistance***

The existing literature surrounding discourse, power and resistance in human societies is vast. Spanning decades, it incorporates a variety of works from Michele Foucault, Georges Bataille, and contemporaries such as Noam Chomsky and James C. Scott. For the purposes of this article the theoretical context will be drawn heavily from the ideas of Michele Foucault in relation to discourse theory and power, and James C. Scott on dominance and resistance. Such ideas form the base for understanding how human societies come to adopt and understand cultural norms and axioms, how such norms and realities are institutionalized, as well as how these notions of truth are challenged.

#### **Discourse**

For many in the social sciences discourse is a term readily used and rarely understood. The term refers to the socially constructed and accepted notions of reality within a given human society. It encompasses the processes through which realities are constructed, categories are created, and power is delegated. Often referred to as “the limits of acceptable speech” (Ebrion 1991, 26) discourse serves as the socially constructed rules upon which a society’s conceptualization of reality and truth are established. There are often multiple and competing discourses surrounding any one subject within a human society. However, one discourse usually emerges as the dominant discourse through which the entity or subject is conceptualized and understood (Rabinow 1984).



How a discourse is generated within a society follows a unique pattern of development. Discourse begins with the identification of an individual subject, considered to be an empty entity-an unrecognized concept, notion, or idea. In order to give substance to this entity, (i.e. to be able to speak about it) a discourse must be created so that there exists “a group or groups of statements which can provide a language for talking about a particular topic in a particular historical moment” (Ebrion 1991, 28). These discursive statements include the “rules of inclusion and exclusion” (Ebrion, 1991, 37) or the accepted stipulations under which the discussion about the entity can and cannot occur. As a result, discourse is the force through which what one knows and understands as true about a particular topic or subject is defined and produced, helping to stipulate what the entity is and ascribe a perceived truth to these subjects and objects.

#### *Discourse as the Facilitator of Power*

Once society comes to accept and institutionalize a particular discourse, the ability to objectify individuals is increased. Foucault notes that objectification is a result of three discursive practices: dividing practices, scientific classification, and subjectification (Foucault 1990). These discursive practices help to create social structures and power relations within human societies.

These practices begin with the creation of accepted realities that provide the basis from which a society begins to divide itself and establish categories and classifications which differentiate its members (i.e. ethnicity, gender, or political affiliation). Such divisions are furthered through scientific classification, in which these socially constructed divisions or categories are given authority by those viewed as experts on the subject. Throughout human history such “experts” have included: clergy, doctors,

lawyers, politicians, the media and academics. Moreover, with the sophistication and elaboration of the social sciences, these categories are granted legitimacy as a direct result of the specialization of universal human questions into “scientific” fields which help to classify humans into various groups (Rabinow 1984).

These two dividing practices lead to a third mode which Foucault identifies as subjectification (Foucault 1990). In his book The History of Sexuality, Foucault proposes a “hypothesis of repression” (Foucault 1978) through which he examines how the acceptable norms of “sexuality” came to be. Taken into the context of his theory of power, exclusion, and resistance, Foucault relates subjectification to be concerned with how an individual is educated into the acceptable norms of behavior, how a person understands their own capacity to act, the extent to which they perceive themselves as a subject to a body of ethics, as well as the extent to which an individual accepts a specific situation as true (Foucault 1978).

When this occurs, individuals may begin to define themselves, their thoughts, and control their conduct on the socially constructed realities used to define and describe them. Such a concept is important as it leads to the adoption of an identity created and imposed by an external authority which establishes a power relation in society between those who seek to uphold the discourse and those who are objectified by it (Rabinow 1984). According to Paul Patton, “in this manner, the ways in which certain human capacities become identified and finalized within particular norms of subjectivity and the ways in which power creates subjects, may also become systems of domination” (1998, 71).

Power Relations in Human Societies

The creation of discourses and the dividing practices they yield form the basis for what Foucault terms a “power struggle” within society (Foucault 1975). Comprised of two opposing forces—a resistance and counter resistance force—this struggle becomes the foundation for exercising power, domination and resistance. Foucault theorizes that the power struggle begins the moment opposition is raised by the resistance force to their objectification within society. Eventually, resistance forces rise up in an effort to resist, challenge, and overthrow the dominate discourse. However, these acts do not go unchallenged and are responded to with a series of counter resistance efforts employed by those seeking to reinforce the discourse. The goal of such counter resistance is to effectively use and exploit the power they hold within society so as to undermine any appeal those seeking to challenge them may have.

For example, if applied to the power struggles related to the American Anti-Globalization Movement, the movement and its participants can be viewed as the resistance force. These groups and individuals seek to challenge the contemporary American socio-political discourse of globalization and consumerism by employing methods of direct action with the intent to weaken existing systems of capitalism and consumption. In response, counter resistance forces such as multi-national corporations may employ a variety of actions to make the resistance force seem unfavorable. Such acts might include funding media campaigns to highlight the benefits of globalization, portraying consumerism as a social value, or lobbying congress and legislative bodies to adopt and pass legislation such as the Animal Enterprise Act<sup>3</sup>.

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<sup>3</sup> The Animal Enterprise Act (Public Law 102-346) was passed in 1992, making it a federal offense to use interstate and foreign commerce channels or the federal mail system as part of any action that causes disruption to an animal enterprise such as theft, property damage or property loss which results in economic damage that exceeds \$10,000. (Animal Enterprise Protection Act of 1992, P. L. 102-346)

Foucault argues that these power relations remain in a constant struggle against one another in an ongoing continuum until one of these forces is able to “out-power” the other. Once control is gained and retained by one of them, the discourse of a society will adopt and foster their views and platforms pushing any alternative views to the periphery- if not eliminating them completely. As a result, resistance forces may either crumble under the continuous objectification of the counter resistance forces in society, or they may succeed in overcoming such acts to ultimately gain control and influence of the discourse in their favor.

### *The Public and Hidden Transcript*

The role of domination and resistance in such power struggles is advanced by James C. Scott’s work Domination and the Arts of Resistance: Hidden Transcripts. In this, Scott attempts to encode, read, and interpret the discourse of political struggle. Scott’s theory involves the use of both the *public transcript* and the *hidden transcript*. The *public transcript* refers to the dramatizations of the “dominization” of a resistance group (Scott 1990) and incorporates the deliberate display of signs that occur in open, public interactions between the “dominated” (those objectified under the current discourse) and the power holders (those who benefit from the current discourse). Scott further posits that the *public transcript* is enacted and controlled in such a way and under such authority that those who practice resistance are characterized as being accepting of and complacent to its use (Scott 1990). As applied to the research question at hand, this notion would assume that the arrest and detention of participants involved in the anti-globalization movement has resulted in a decrease in actions by and membership in groups whom participate in the Anti-Globalization Movement.

The term *hidden transcript* is used to describe the doubts that those involved in resistance struggles have about the current discourses and public transcripts which surround them. The term refers to the “ideas, symbols, signs, linguistic representations, and the common values shared by those who practice resistance” (Greenhouse 2006, 245). These *hidden transcripts* serve as a source of shared identity which if fostered through mutual interaction have the potential to serve as the nucleus of unification and power for the dominated.

While simultaneously being subjected to the *public transcript*, the *hidden transcript* continues to develop quietly among the individuals and groups involved in the resistance force. According to Scott, this *hidden transcript* will continue to foster and grow through mutual struggle and interaction until it is strong enough to allow the group to organize for successful collective action. Providing the will and inspiration, the *hidden transcript* allows resistance groups to openly rebel against the current discourse, taking advantage of their publicly perceived ambivalence, resentment and complacency towards the public transcript and converting it into the power needed to overthrow the dominate discourses of society (Scott 1990).

### ***The Post 9/11 Public Transcript***

In the aftermath of the 9/11 attacks, a new public transcript surrounding the Anti-Globalization Movement emerged in the United States. Beginning with the almost unanimous adoption of the United States Patriot Act a new category of crime called “domestic terrorism” was created. Defined under Section 802 of the act this new crime includes “ activities that involve acts dangerous to human life, that are a violation of laws of the United States or any state and; appear to be intended to intimate or coerce a

civilian population, to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction , assassination, or kidnapping primarily [within the jurisdiction of] the United States” (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act, Public Law 107-56 Section 802). This piece of legislation was followed by the announcement from the Counterterrorism Division of the FBI that “single issue” groups, which the Anti-Globalization Movement is primarily composed of, pose the most significant domestic threat to homeland security (Jarboe 2002). Moreover, mainstream media broadcasts portraying images of masked protestors angrily marching in the streets and violently clashing with police in Washington D.C, Seattle, Miami and other cities have helped foster a public discourse of fear and caution towards the movement, its members and its policy platforms.

These public transcripts have generated concern amongst members of Freedom Now and RIOT over the possibility of surveillance and infiltration by law enforcement and government agencies. This fear has been encouraged by an increase in reports of infiltration and surveillance by law enforcement and government agencies on other groups involved in the Anti-Globalization Movement. According to “Indy Bay”, a web based independent news source used frequently by Freedom Now and RIOT, there have been at least 43 “proven” cases of infiltration by federal and local law enforcement agencies (Cheever 2006).

One incident, also published in a November 2005 issue of Newsweek, detailed a case of government surveillance on a small environmental collective in Southern California. The article reported that the FBI had been collecting detailed data on political

activities and web postings of commune members as part of a two-year counter terrorism probe. According to FBI documents made public, surveillance on the commune and a “political profile of the residents were ordered after receiving reports of suspicious activity and the discovery that one member posted statements on websites opposing the use of fossil fuels” (Isikoff 2005, 23-24).

The surveillance of this commune resulted in the arrest and holding of 27 year old Josh Connele, for acts of eco-terrorism and allegedly burning 125 sport utility vehicles at four SUV dealerships in California’s San Gabriel Valley. Connele was released after it was found that William Cottrell, a graduate student at Cal Tech and an Earth Liberation Front activist, perpetrated the actions. As a result, Connele received \$100,000 as settlement in a wrongful arrest suit and all charges were dropped. The article cited that this case was indicative of the “current trend in the stepped-up monitoring of domestic political activity by FBI counter-terror agents” (Isikoff 2005, 24).

In interviewing and observing RIOT and Freedom Now, there was an understanding among the members that this public discourse poses a significant danger to both the growth and security of their groups. Late one night, as I was walking back from a protest march in Seattle with a few members of RIOT, I asked two of my informants “Melanie” and “Stew” what they thought those in “mainstream society” thought of them. In their response they expressed both frustrations over the societal representations of them and acknowledged the challenges they faced as a result. At one point Melanie remarked:

“But what do ya expect? They always see us on the TV burning buildings, yelling, pumping our fists, getting the beat down with nightsticks and dowsed with pepper

spray. They never see the good we do, the homeless people we feed, the poor we advocate for, and the world we try to save. They think we are less than them, that our existence is something to be criticized, to be scared of and who is surprised that's all they see on TV. So, because they are scared, they try to stop us and we have to prevent them from hurting us" ("Melanie" 2005).

Stew jumped quickly in and stated assertively:

"Yeah that's crap though and I could care less, I want to scream at them- 'I am so much stronger than you!' I ride my bike across town to the grocery store... go days without a shower. And, you know what? It's because I know that I am so much hell of stronger than them -and I know that because of this they are shit faced afraid of me- and of us- and I'm gonna do what I have to do to protect myself, from them-do whatever it takes to make some change in this godforsaken world" ("Stew" 2005).

It is in this sense of subjectification and the feeling that there is a need to protect the group from outsiders that a *defensive ideology* has emerged within Freedom Now and RIOT. Supported by the fear of potential infiltration and surveillance by government and law enforcement agencies, as well as acknowledging an apathetic general populace, the *defensive ideology* emerges along with concerns over how to ensure group maintenance and security in a post 9/11 America. Yet still committed to their platforms and ideals, RIOT and Freedom Now utilize this *defensive ideology* as a way to remain vigilant towards the threats posed to them as they undertake their symbolic struggle against the current discourses surrounding them. According to Scott then, the *defensive ideology* present in both groups would provide the basis for a mutual understanding, a sense of shared struggle, and would ultimately give rise to an "us" versus "them" perspective which would underscore an eventual open and successful rebellion.



However, instead of bringing groups together, this *defensive ideology* has led to the adoption of what I term *defensive postures*: the proactive measures undertaken so as to reduce risks posed to a specific group. During the course of this study, such postures were observed being utilized both within the groups themselves as well as in their interactions with others involved in the larger movement. Ultimately, these *defensive postures* serve as a source of division within the movement, jeopardizing its strength and efficacy in contemporary American society.

### ***Defensive Postures at the Group Level***

At a micro level, *defensive postures* are employed with the intent to ensure that the recruitment and initiation of new members, the planning of group activity, and the facilitation of group information do not pose significant or additional risks to group security and maintenance. Noted in field observations on both Freedom Now and RIOT, the primary defensive posture utilized at this level is sponsored membership. Sponsored membership refers to adding members through a system in which potential members are “vouched for” by an already existing member. Sponsored membership is undertaken to achieve certain objectives. These objectives were explained to me by a member of RIOT:

“You must remember, we are a targeted group these days and it is when we try to expand our group, that we are the most vulnerable to attack. We can’t just open up our group to just anybody- after all we don’t know if they are a cop or anything. Plus given the fact that some in our group are involved in activities that not everyone in the group supports, because of the risk of being arrested, we have to make sure that we protect each other. As we add more members we find ourselves at our most vulnerable because really they are strangers whose intentions may be not be good. We have to be sure that our rules and ways of introducing new members are going to help decrease the likelihood that our security will be breached.” (“Nick” 2005).

As a result, sponsored membership is used as a mechanism through which threats to group security, posed by the introduction of new members, can be evaluated and eliminated. Often member sponsorship is a highly elaborate and systematic process like the sponsorship of “Mike” into RIOT in April- May of 2005.

One night after a regularly scheduled weekly meeting, “Samuel”, a three year member of RIOT, proposed adding Mike as a new member. Samuel believed that Mike’s support of environmental rights and his participation in economic alternatives to capitalist market systems fit well with RIOT’s platforms. After receiving consensus of the group, Samuel was instructed to bring Mike an hour late to the next six weekly meetings to allow time for more sensitive topics to be discussed before Mike’s arrival. At the same time, Samuel was expected to spend large amounts of time with Mike, getting to know the details of Mike’s daily life and reporting back to three designated members of the group who would share anything of significance with the rest of the group.

Concurrently, these three designated members also undertook a thorough investigation of Mike’s background. They contacted two resistance groups Mike claimed to have previously participated with. In contacting both of these collectives at least two members of each group were asked about their feelings regarding Mike as both an activist and a human being. Such questions were asked in an attempt to gauge whether or not Mike posed a threat to RIOT’s security and if so whether or not the threat was significant enough to warrant denying membership.

The use of *defensive postures* was also observed throughout the planning of group actions. For example, Freedom Now approaches planning actions through a highly

centralized structure wherein information is shared and remains only within a few members of the group. Todd, a member of Freedom Now, described this system in detail to me one night after a weekly planning meeting in 2004:

“We can’t have and don’t want everyone to know about all of our activities- especially those which will place us at the greatest risk- that are illegal or may cause significant consequences to our members who may not necessarily agree with the basis of the action. So there are ways us core group members handle this. We take care of planning and design and determine who will be invited to be involved with the action. We determine this by how long they have been with us and how sympathetic they are to the agenda. It is ultimately up to them to take part.” (“Todd” 2004).

With only one observed exception, this was the system through which Freedom Now designed and implemented most of their actions. It should be noted however, that such a posture was only used in relation to those actions that may have presented significant consequences to the group.

A third defensive posture utilized by both groups was the control of information through established rules and guidelines. It was generally accepted that information considered to be “sensitive”, was only to be mentioned and talked about within the contexts of weekly group meetings or other facilitated conversations between group members. According to Robert, a five year member of RIOT:

“Much of the concern over information sharing comes from a growing number of reports of cases in which members of other collectives and groups have shared information about the identity of members or the details of upcoming group actions outside of group meetings or with non-group members and it compromised their security. That’s why we have our rules and our repercussions so if one opens their mouth or spouts out on an email- we can take care of it. We have everything from cleaning duty, to short term or indefinite suspension... we have to be careful these are crazy times we live in” (Robert 2005).

As mentioned above, the use of defensive postures also extends into other outlets of communication including the Internet. Freedom Now utilizes an email list serve to facilitate communication between group members. Knowing that information shared over email list serves can be viewed by others, and having ties to members of Earth First!, the group has agreed that there is to be no discussion about actions unless they are “low-risk” or legal in nature. On twenty four occasions during the duration of this study suspicious emails came across the list serve. These emails inquired about individuals, events, and sometimes entirely new topics unrelated to anything previously discussed. Having publicly acknowledged that Freedom Now included a segment of Earth First! activists, the group was especially wary of these types of emails and the potential threat they presented.

As a result, Freedom Now utilized a systematic and multi-directional defensive posture in handling these emails. Although no longer in use, this procedure was utilized in all twenty four occasions and is outlined as follows. If the email was directed towards or inquired about a specific member of Freedom Now, that member was instructed to contact the sender if he or she knew them. If the group member did not recognize the sender, the sender was “blocked” by the administrator preventing any future emails. If the email inquired about a past event, the email was disregarded. In contrast, if the email referenced an upcoming action, the use of the list serve was suspended for three days and another member of Freedom Now was given the responsibility for contacting the sender to ascertain their intentions or determine if the email had been sent or received in error.

The creation and enactment of such *defensive postures* are undertaken to protect the integrity and efficiency of both the group and their activities in light of the challenges presented by current national security policy. Recognizing that the most vulnerable moments for any group remain during periods of growth and activity, these postures serve as a way to protect RIOT and Freedom Now at their most fundamental level. Yet, the employment and use of these *defensive postures* extends beyond a micro level and moves externally to interactions between groups participating in the Anti-Globalization Movement, introducing new obstacles to successful large scale collective and effective mobilization.

### ***Defensive Postures on the Secondary Level***

Extending beyond the boundaries of individual groups, defensive postures were also observed in the interactions of both Freedom Now and RIOT with other groups and participants in the broader Anti-Globalization Movement. The data collected in this area was gathered within the context of the convergence centers of five large scale national protests. A designated area or building located close to areas of central activity, a convergence center serves as the central organizing point for any large scale action. At the convergence center participating groups can network with one another, get supplies, and build solidarity in seeking the change they wish to enact in society. Given this role the convergence center could hold the potential to foster the hidden transcript of the movement and serve as the source from which the future success of the movement is grown.

However, group interactions observed in all five convergence centers indicate that the exact opposite is occurring. Instead of providing a place where groups can come

together and network with ease and solidarity, the employment of *defensive postures* has helped to create an environment of mistrust and suspicion. During one interview, Melanie a member of RIOT informed me that this suspicion comes from a variety of factors noting that:

“Because of the activities we undertake and the variety of groups who are present at the convergence center- we just assume that there will be cops there trying to get info on our actions. I can’t tell you the number of times people have been arrested because of what they talked about or because they talked to the wrong people about what they were planning to do. As a result, we just keep to ourselves and stay quiet as a way to ensure group security” (“Melanie” 2005).

Melanie’s response typified the cultural norms observed within the convergence centers where interaction with an unknown individual or group is underwritten by a concern that such interaction may carry extreme consequences for both the group and its members.

On one occasion in Philadelphia, members of Freedom Now were meeting in the convergence center to discuss details of an action they were planning the next day. However the discussion of the action was abruptly stopped when a young man, unknown to any of the five members, approached the group. Wearing a pair of Calvin Klein blue jeans and a black beanie displaying the Anarchist symbol, the young man introduced himself as Paul and sat down. After introductions, Paul expressed excitement over having met Freedom Now and the fact that the group incorporated a cell of Earth First! members. In response “Martin”, one of the older group members, quickly retorted that Freedom Now no longer associated itself with Earth First! and that if Paul was interested in connecting with a group that did, he should try to approach another group in attendance. The young man seemed startled, apologized and left.

Knowing that what Martin had said was false, I approached him after we had left the convergence center and asked why he had responded in that way. Martin told me:

“Oh come on, the eagerness of that guy? He was so excited to meet people who knew “Earth First!” members, not our collective Freedom Now and that’s just plain scary. Often undercover agents will attempt to go in and incite violent or illegal action among some groups. Given that he took such a liking to our more radical component, he could have been trying to do that...Plus, come on who of us wears Calvin Klein Jeans? That’s just a dead giveaway” (“Martin” 2005).

Throughout time spent at the convergence centers I also became subject to the use of defensive postures by other groups. When I was first introduced to the concept of the “convergence center” I thought I had come across the ethnographer’s dream- one central location, where numerous groups and individuals involved in the Anti-Globalization Movement were concentrated. In one location I thought I would be able to interview numerous groups and individuals without having to move more than a few feet.

Yet my assumption could not have been more wrong. In my very first visit to a convergence center in Seattle, I approached one group sitting down in a circle. I introduced myself as a researcher undertaking a project on the Anti-Globalization Movement and began asking a slew of questions which included: Who are you? Where is your group from? How long are you here and what are you planning to do? To my surprise, no one answered my questions and instead responded with blank stares or by angry pursing their lips. This was the same reaction I received each time that I attempted to approach a new group while at the convergence centers. After my ninth attempt to

approach a group, I realized that gathering data would be difficult in this environment and abandoned the idea of approaching groups that I did not know.

After leaving the convergence center frustrated, I asked two of my informants from Freedom Now, Robert and Kylie why I had received this reaction. The two began to laugh hysterically and once able to catch her breath, Kylie reminded me:

“Well, convergence centers are potential hotspots for undercover agents. Lately they have come in the form of reporters saying they are interested in writing an article and asking groups questions such as: who are you? Where are you from? How long have you been here? What are your plans for the week...” (“Kylie” 2005).

Robert jumped in and quickly added: “So yeah way to go knucklehead, there is no way you gonna to get anything out of them now, they think you’re a cop!” (“Robert” 2005). I realized from their comments that what I had done was presented myself as a potential threat and as a result, had experienced the successful employment of defensive postures meant to protect the group and its members and hindering my ability to gain potentially incriminating information on these groups.

With similar cultural behavior observed and experienced in all five convergence centers during this study, the convergence center stands as a paradox within the movement. Although meant to provide a place to increase solidarity and grow in strength and community, the suspicion of potential infiltration and surveillance creates an environment of fear and mistrust among the participants. As a result, the healthy and intimate interaction needed between groups to foster the hidden transcript does not occur and the ability of the movement to engage in effective and efficient actions in a large context is hindered. Ultimately the presence and enactment of these *defensive postures*



hinder the development of the hidden transcript, reducing the ability to engage in large scale effective action and bringing the Anti-Globalization Movement to a critical juncture in contemporary American society.

### ***Defensive Postures as the Source of Contravergence***

Having observed the micro dynamics of the American Anti-Globalization Movement, there is evidence of a new phenomenon occurring within the larger movement. Unable and/or unwilling to interact with one another in the true convergence required for growth and facilitation of the hidden transcript, the movement is experiencing what I term a “*contravergence*”. Stemming from two Latin roots “contra” meaning against and “vergence” meaning toward, the term describes the movement’s inability to foster a hidden transcript rendering them unable to successfully enact the change they seek in American society on a large scale.

The employment of defensive postures causes the interaction between groups involved in the movement to be delayed and sometimes avoided for fear of putting the group and its members at risk. As a result, a sense of mistrust and suspicion has grown between groups, inhibiting the creation of the strong and cohesive bond from which, Scott posits, resistance movements derive their ultimate power and strength. As a result, without this foundation the movement as a whole is unable to withstand the stress of the public transcripts and the threats of danger posed to them by the dominate discourses in society.

Yet, the phenomenon of *contravergence* experienced within the Anti-Globalization Movement does not necessarily mean that the movement has no influence in contemporary American socio-political discourse. On the contrary, *contravergence*

allows for a union between the groups in short spans of collective action (such as national protests) but not the type of continual and long term interaction needed to underwrite the hidden transcript as advanced by Scott (1990). As a result the bonds created during these times of convergence are easily influenced and impacted by the public transcripts surrounding the movement, allowing for only brief moments of significant impact, rather than long term sustainable change.

What then is the future of the American Anti-Globalization Movement? Will the movement continue to struggle under the dominate discourse of globalization and free market capitalism? Will the public transcripts employed be a source of power which the Anti-Globalization Movement must combat in order to engage in America political and civil discourse? More importantly- can and will the Anti-Globalization Movement survive in a post 9/11 American society?

The answer to these questions can be ascertained through a metaphorical example. In 1962 a fire was started by an individual burning trash in a pit of an abandoned strip mine on the outskirts of Centralia, Pennsylvania. Incidentally, this strip mine was connected to a coal vein running near the surface. The coal vein ignited resulting in a large fire which was thought to have been extinguished a short time later. However, the fire went underground and has continued to burn the coal remaining in the vein at a rate of one to two feet per year. For years local firefighters have sought to battle the underground blaze by flushing the mines with water, excavating the burning material, backfilling and drilling in an effort to contain and extinguish the fire. Due to these numerous attempts the shaft is periodically exposed to oxygen from the surface. This periodic exposure causes the fire to spontaneously ignite, increasing the ground level

temperatures of nearby towns by up to two degrees. This increase in ground temperature remains only for a short period of time until the underground fire settles down and returns to a slow consistent burn (Jorgensen 2000).

Given this, the current state of the American Anti-Globalization Movement is similar to that of the underground mine fire. In light of a *contravergence* occurring within the movement, the movement and its participants are still able to join together periodically in short moments of solidarity such as large protests similar to those in New York (2004), Miami (2003), and Washington D.C.(2005), offering the movement significant exposure and an opportunity to publicly engage in social and political discourse. Yet after the meetings are over or the legislation has been decided, these short spurts of activity soon settle. As a result, the movement again returns underground continuing to burn under the surface of the American socio-political discourse by practicing resistance at the local level, where they continue to find a sense of efficacy while simultaneously suffering the sporadic employment of public transcripts which seek to extinguish them on a larger scale.

### ***Conclusion***

This article has sought to illuminate the challenges facing the Anti-Globalization movement in a post 9/11 American society. Using a theoretical framework rooted heavily in the conceptualizations of discourse, power, and resistance as advanced by Foucault and Scott, how the post 9/11 social and political discourse has impacted the American Anti-Globalization Movement was examined. Through this analysis, this article has exposed and identified the existence of a *countravergence* within the Anti-Globalization Movement stemming from the use of defensive postures as a way to maintain group

maintenance and security at a micro level. Such defensive postures have impacted the ability of the Anti-Globalization Movement to develop a hidden transcript at the macro level making large scale mobilization difficult and bringing the movement to a critical juncture in theory and practice.

This juncture presents significant challenges to the movement and its many participants. First, as the movement becomes scrutinized and targeted for its support and incorporation of groups such as the ELF and the ALF, the movement and its participants must consider whether to challenge the public transcripts and discourses which objectify them - and if so must reconsider strategy, tactics and resistance in light of a Post 9/11 security paradigm so as to reconcile the need for group security and maintenance with the potential strength and benefit of fostering the hidden transcript. However, the choice to abandon the defensive postures which lead to *contravergence* might pose significant risks and may result in the arrest, detention, and perhaps more intense persecution of members and groups involved in the movement. Such risks however may have to be taken if the American Anti-Globalization Movement ever wishes to substantially influence the social, political and economic aspects of American society.

At the same time the limits of this study should be acknowledged. As with all studies that rely heavily on qualitative data, it is difficult to escape the influence of personal interpretation, the Hawthorne effect<sup>4</sup>, issues surrounding micro-level analyses and the importance of time and place in relation to the data gathered. This article has however incorporated a vast amount of research including a large number of interviews and observations underdone at both the micro and macro levels and within a variety of

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<sup>4</sup> The “Hawthorne effect” (sometimes referred to as demand characteristics) refers to the believed changes in behavior or performance that occur when people are observed and/or any new or increased attention is provided to them.

environments. Such scope and breadth in research has allowed for the repetitive and long term observation of cultural norms and phenomenon at both levels helping to reduce many of the limitations of this type of study, thereby allowing a more substantive conceptualization of the broader implications for the movement within contemporary American society to be made.

It would be interesting to return to these groups in the future to see if and how changes in presidential administrations, national security policy, and the passage of time since 9/11 have affected the socio-political discourse which surrounds the movement. Perhaps changes within the discourses will have helped to reduce the presence and influence of *contravergence* on the movement. If so, it may permit the successful development of the hidden transcript, helping the movement to overcome the *contravergence* currently occurring and allowing its participants to recreate and reaffirm the place and efficacy of the Anti-Globalization Movement within American society.

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## **Testify: Eco-Defense and the Politics of Violence**

Produced by: Mark Somma, Michael Becker, and Stephen Gamboa

Directed by: Stephen Gamboa

Includes interview with Captain Paul Watson, Rod Coronado, Craig Rosebraugh, Dr. Steven Best, Gary Yourofsky, Dr. Bron Taylor, Leslie Pickering, Kim Marks, Tom Regan.

### **Chapter One**

(opening credit and footage of ELF and ALF actions):

<http://www.youtube.com/watch?v=z6P6B2lhSro>

### **Chapter Two**

(interviews with Leslie Pickering, Kim Marks, Captain Paul Watson, Rod Coronado):

<http://www.youtube.com/watch?v=jsLlIdaVyjig&mode=related&search=>

### **Chapter Three**

(interview with Judi Bari, Craig Rosebraugh, and ELF video):

<http://www.youtube.com/watch?v=hmXel-qGIZU&mode=related&search=>

### **Chapter Four**

(Rod Coronado, panel discussions, Captain Paul Watson and Sea Shepherd video):

<http://www.youtube.com/watch?v=cODrIzsTILQ&mode=related&search=>

### **Chapter Five**

(animal liberation video and Gary Yourofsky):

<http://www.youtube.com/watch?v=90rh5bAPDnQ&mode=related&search=>

### **Chapter Six**

(animal liberation, interviews with Dr. Steven Best and Dr. Tom Regan):

<http://www.youtube.com/watch?v=LwlaOIYRQ8&mode=related&search=>

### **Chapter Seven**

(animal liberation, interview with Rod Coronado, Kim Marks, Dr. Bron Taylor):

<http://www.youtube.com/watch?v=7OgCqWS2yhc&mode=related&search=>

### **Chapter Eight**

(philosophy of animal liberation and revolutionary environmentalism

interviews with Rod Coronado and Dr. Bron Taylor):

<http://www.youtube.com/watch?v=9G2qCtCPtP0&mode=related&search=>

### **Chapter Nine**

(ending credits and music):

<http://www.youtube.com/watch?v=4J8ue9wheDU&mode=related&search=>



## “Giving” and “Taking”: Fundraising and Influence in Local Institutions

Recent changes in tax and labor laws have created a significant shift of wealth from government to a handful of private individuals. As wealth shifts from public to private treasuries, social institutions are underfunded by federal and state governments. Institutional leaders respond with aggressive efforts at private fundraising. Fresno State officials have “partnered” with large donors to allow commercial development on campus property with significantly lower tax and development costs. Senior university officials have acquiesced to demands from wealthy donors and potential donors to place undercover law enforcement officers on-campus to monitor students and faculty, to censor faculty research, and to spin taxpayer-financed ancillary units into the hands of private off-campus interests.

Over the past twenty-five years, U.S. state and local governments slowed the rate of spending growth for a host of public services, while private treasuries held by corporations and a small set of very wealthy individuals have grown tremendously. The top 1% of wealthy households in the US hold 35% of the total net wealth of the US. That’s 35% of approximately 50 trillion dollars or 17.5 trillion dollars held by 3 million people, roughly 5.66 million dollars per wealthy household. The top 5% holds 58% of total wealth and the top 10% holds over 70% of total US wealth (Kennickell 2003; for growing income inequality, see Wolff and Zacharias 2007). Meanwhile, public spending on health, education, and other social services, including US infrastructural development and repair has stagnated or declined. The California Public Budget has been essentially flat for nearly 10 years not adjusted for inflation, and, accounting for inflation, state spending in California has fallen significantly since 2001 (California Department of Finance, 2007).

As wealth shifted into private hands, public and nonprofit institutions have become very aggressive in seeking private donations and sponsorships. An entire industry of “donor management” has arisen and senior officials in university and nonprofit agencies throughout the country are measured by their ability to raise private

funds. As the contemporary strategies for fundraising concentrate on “partnership” arrangements with a limited number of wealthy donors, the management of public and nonprofit agencies has come under the increased influence of private donors.

The competition to attract the attention of wealthy individuals has created an environment where a moral hazard of donor influence arises. Wealthy interests are courted so aggressively and over such long periods of time that senior agency officials can lose sight of their public and constitutional responsibilities as donors begin to operate as overseers of the institutions. Their donations can become investments through which they may expect to exert influence akin to the influence acquired through the financing of political candidates, parties, and PACs (see Table 1 for examples of selected university donors and their political contributions; also Ferguson 1995).

#### The “Big-Donor” Playbook

Senior public agency officials are taught by fundraising experts that the cultivation of a few large donors is more lucrative than the efforts to raise small amounts of money from lots of people. After all, a \$10 million dollar contribution from a single donor is a cost-effective way to raise funds versus raising a similar amount through ticket sales or luncheons. Sophisticated software like Business Systems Resources (BSR), Benefactor or Gifted Memory allows development officers to identify and track the assets, income, and personal information of wealthy individuals without their knowledge. Once identified, public officials initiate a cultivation campaign of social networking and perquisites in an effort to capture the attention of wealthy targets.

But since every social institution and non-profit agency that seeks private donations plays by the “big-donor” playbook, the competition is quite fierce. Wealthy

individuals and corporate officers, certainly no fools at finance, recognize quickly the efforts directed toward them by university and non-profit officials. They use the cultivation campaign to their own advantage by attempting to focus public agency operations in preferred directions.

A common “partnering” strategy is the establishment of advisory boards that purport to oversee university activities. Membership on the board is often purchased with large donations and board members are expected to help university fundraising by identifying other potential “big donors” and assisting in the cultivation campaign. Membership on advisory boards and the notion of “partner” may carry different connotations for business and finance leaders than for university officials. Partnership and board membership in the business and finance worlds suggest a more powerful management role with the authority to influence directly the activities of the organization.

Spending a million dollars to become a university partner and a member of its advisory board suggests to corporate executives and wealthy benefactors that university policy and the activities of university personnel are subject to board review and approval. The university begins to turn in the direction desired by its board-affiliated “partners” and the organizational culture of the university becomes increasingly dominated by corporate perceptions and measures.

Besides the institution’s general fundraising board, divisions within public agencies create specific fundraising boards for their particular interests and operations. As top managers evaluate the performance of middle managers by their ability to raise funds, the moral hazard of donor influence creeps inside the agency. Specific divisions within the agency also begin to redirect their operations to accommodate the interests of

big donors. The web of interconnected boards becomes a possible entry point for big donor influence (see Tables 2 and 3 for examples of membership on university boards by big donors and donors under cultivation).

Power has more than one face. In a seminal article on the exercise of power, Peter Bachrach and Morton Baratz discussed “*The Two Faces of Power* (1962).” The first face of power is obvious. Someone exercises power openly. Funds are allocated, personnel decisions are made, proposals are accepted or rejected. But a second face of power also exists. It’s the power of anticipating what is desired, and delivering results without being specifically asked. It’s the power of ambition, it’s the desire to please.

The cultivation of big donors invokes the second face of power. It’s inherent in the “skilled listening” posture adopted by university fundraisers who establish relationships with big donors in a very competitive fundraising environment. It’s seen in the abandonment of traditional educational values, and their replacement with vocational education. It’s demonstrated in the phone call where major donors express “concern” over an issue, and university administrators react in an effort to please. Both parties subsequently deny any straightforward *quid pro quo* exchange, but the outcome amply illustrates the second face of power.

#### Campus Spending, Privatization and the Revenue Stream

Strong support for privatization strategies runs through modern public administration at all levels of government. Given a total Gross Domestic Product in 2007 of approximately 13 trillion dollars, and with the percentage of public spending at about 30% of GDP, the Federal, state and local governments in the US will spend about 4 trillion dollars this year. For private businesses, the opportunity to divert portions of the

multi-trillion dollar public budgets represents an impressive new revenue source.

Corporations and wealthy interests have reached out for the profits available from spinning public services into private businesses.

Some government institutions like military bases and university campuses are also consumer centers where large numbers of workers and clients assemble each day. From food and drink, to textbooks, clothing, vending machines, parking and event tickets, large government institutions become prime locations for private business to locate consumer operations. Proprietary rights and monopolies at government institutions become valuable franchises, certainly worth the effort of lobbying.

The 2006-2007 Fresno State general budget is approximately 200 million dollars. Those dollars do not include funding for projects like the new library (estimated to cost as much as \$100 million dollars). It also does not include the operation of the SaveMart Center or portions of the athletic budget. With approximately 15,000 persons on campus on an average weekday, Fresno State provides an impressive consumer market. Those consumer dollars spent on campus are also not included in the university's general budget. In total, as much as \$500 million dollars or more runs annually through the Fresno State campus in one form or another.

As with the broader economy, privatization expanded to encompass a larger portion of Fresno State campus spending. Private restaurants, private event centers, private textbook and clothing business, and now private commercial development have come to encumber an increasing share of the monies spent by students, faculty, and staff as well as a larger portion of the university general budget. The buying power of the student body becomes negotiable between university administrators and private business.

At Fresno State, major donors include those with monopoly rights to consumer products sold on campus, and those with the possibility of an inside track to major contracts and developments. The chance to drink from a \$500 million revenue stream is worth a donation or two, even a sizable donation.

University administrators emphasize cost efficiency, not to lower costs to students, but to increase discretionary funds and profitability. They seek to maximize new revenue streams and expand their operations to include profitable ancillary businesses. As universities discard their traditional focus as centers of education and culture to adopt a corporate commerce model, private businesses sensed the opportunities in new “partnership” arrangements. The “big-donor” model of fundraising plays perfectly into the desire of university administrators to emulate corporate executives and adopt the profit seeking motives of private business.

As the universities become larger centers of commerce, and administrative careers become more dependent on private fundraising, wealthy individuals enjoy increasing influence over campus financial decisions and the direction of campus infrastructural and educational growth. The corporate model of excellence as measured by profitability and media management replaces a traditional liberal arts model of literacy, numeracy, and culture (Reading 1996).

For instance, Fresno State’s “Engaged University” adopts a teaching model from the Carnegie Foundation that redirects university education away from liberal arts and sciences, and towards vocational training. The university graduates a growing pool of vocationally-trained workers with marginal literacy and numeracy skills. Increasingly,

coursework consists of vocational training and unpaid employment with local business and agencies under the guise of “community engagement.”

To help justify change from liberal arts to vocational training, university officials embrace the self-referential hyperreal “excellence” campaigns of corporate culture. In the trumpeting of “excellence,” no specific achievement or referent of excellence exists; it happens if you believe that it happens. As Charles Fox and Hugh Miller wrote with regards to “endless proliferation of copies for which no original exists,” it’s the “simulacra of simulacra (Fox and Miller 1996, p.53).”<sup>1</sup>

Transforming classroom teaching into a commodity enterprise, cost efficiency becomes a key element of education operations. Packing as many students as possible into a given classroom lowers the teaching cost per student, thus demonstrating good fiscal management. Faculty, whose undergraduate classrooms and graduate seminars are now overpopulated with students, respond with time-saving strategies that weaken the educational, particularly the discursive and written literacy, value of class time. After all, learning to follow the manual isn’t the same as learning to read a book, and writing an email isn’t the same as writing an essay, but the manual and the email are much cheaper to teach.

Since faculty teaching prowess is measured by student polling, the loss of more demanding reading, writing and mathematical assignments is reviewed popularly by students, and thus evidence of customer-satisfaction excellence. University officials use

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<sup>1</sup> French philosopher Jean Baudrillard (1988) argues that a simulacrum is best understood, not as a representation of reality, but an unreal truth with an epiphenomenal attachment to reality. It’s not real, but *hyperreal*. For instance, corporate sloganeering about excellence is to genuine excellent achievement as the Jungle Cruise at Disneyland is to real jungle. The university’s imitation of corporate sloganeering adopts the view that the simulacrum, the Jungle Cruise, is the real jungle, and you have simulacra of simulacra.

faculty popularity in student polls as evidence of teaching ability; one of the requirements for tenure and promotion. The corporate marriage of “excellence” and customer satisfaction that works for iPods, the Gap, and Walmart becomes the university’s model for education. Cost-effective pricing, marginal quality and high volume have become trademarks of the student-as-consumer culture in a corporatized state university education.

A new set of degrees is offered with abbreviated curricula but at premium prices. As increasing numbers of university administrators derive academic credentials from “virtual” education, they expand university offerings that proffer similar degrees. For a cost significantly above ordinary tuition rates, students can purchase a degree with relatively little class time and without facing the rigor of demanding research papers and assignments.

Administrators, anxious to demonstrate skills akin to their over-admired corporate counterparts, initiate rapidly changing cycles of faculty-student management schemes. These schemes, often tied to the overworked corporate refrain of “excellence,” don’t improve the academic culture of universities as much as they replace it. Like waves at the beach, these schemes arise, crescendo and disappear at regular intervals straining the authentic enterprise of teaching and research, and producing cadres of faculty and staff skilled at assessment camouflage and bureaucratic dissipation.

Fresno State’s new “Engaged University” focus with its emphasis on vocational skills and economic development is an illustration of a university moving in tandem with the interests of its wealthy benefactors and their corporate culture of commerce. As



political scientist, E. E. Schattschneider (1960) wrote, “organization is *the mobilization of bias*.” Some interests are organized in, and some are organized out.

The emphasis on donor relations and its pervasive quality across the university organizes donor interests into university decision making and interests contrary to donor interests out of university decision making. Besides transparent decisions like Fresno State’s Campus Pointe project, hundreds of small decisions made by midlevel managers anticipate the “*second face of power*” and accommodate donor interests thus turning the university in meaningful ways into an auxiliary of the economic development interests of a local wealthy elite class.

#### The SaveMart Center and Campus Pointe

In order to understand the relationship between the “big-donor” playbook and large-scale university development, you have to know how to play the board game, Monopoly.

That’s the one where you roll dice, move around the board, buy and sell properties, collect rents and income, and whoever has the most money wins. In the Fresno area, perhaps as few as 30 individuals and companies play Monopoly with our community. If you own a few rental properties, you don’t play, but, if you own 5000 rental properties, you do. If you build or refurbish a couple of homes each year for sale, you don’t; if you build 2000 homes per year, you do. If you own a small business or several, you don’t; if you own key consumer or service companies that sell millions of units per year, you do.

Imagine that you are one of these few individuals or corporations that play Monopoly with the Fresno community, and you roll the dice, and land on a square that tells you to draw a card from the stack in the middle of the board. The card instructs you and other players to pay a substantial sum of money to build a modern event center in

Fresno. As a result, the value of your properties increases by 5% and all rents and incomes increase by 5%.

Fortunately for your effort to build an event center, the local university president is a protégé of the Monopoly players and the university offers impressive strategic and tactical advantages as a business partner. Commercial enterprises on state property don't pay property taxes, but instead pay a "possessor use" tax. The difference is based on the percentage of use for education. The more the facility is used for education, the less "possessor use" tax paid. Fresno County is willing to concede that 33% of SaveMart Center use is for educational purposes (a remarkably generous concession by the county), while the university and its private partners are arguing for a much higher estimate. Also, in California, commercial development on state property can exempt itself from upfront fees to school districts saving as much as \$1 million dollars in development costs at one Fresno State project, according to some estimates.

Development on university property is exempt from county and city general planning, and their Environmental Impact Reports (EIR) bypasses county and city officials. The final authority to approve the EIR resides with the university's Board of Trustees. That's like giving a corporate board of directors final approval over their own Environmental Impact Reports. It's an impressive set of advantages and private businesses can leverage these advantages in their partnership arrangements with universities.

Any serious player jumps at the chance to make such an investment. As a bonus, you are lauded as a philanthropist, even as you make a sound financial investment. Further, private corporate interests manage the events center and its revenue streams, and

the proprietary interests and exclusive rights already established at the university also become established at the new event center.

Another roll of the dice and another card is revealed from the middle of the Monopoly table. State property owned by the university could be leased for commercial development. Given tax relief and an abbreviated development review, the value of such commercial property would be impressive. Future revenues from the lease of the land, estimated at \$750,000 in 2001, will service the bond debt from the SaveMart Center, (begging the question of where the revenues from the SaveMart Center go now). When the SaveMart Center debt is retired, the university can channel the revenue for the land lease into new development projects.

But, as with the SaveMart Center, the Campus Pointe project requires a statement of educational purpose to be eligible for tax and development advantages. Again, the university president as corporate protégé provides a solution. Part of the proposal is a senior citizen retirement community, so the university states that students will have an opportunity to observe seniors as part of their educational experience. A hotel complex will also enjoy tax advantages as the university claims that the hotel will be available for students training in hotel management. Similarly, a movie Cineplex is presented as an educational resource as it may show educational or documentary films or allow classes to meet occasionally in theater rooms. None of these arguments are particularly convincing on their respective merits (for instance, the university does not offer degrees in gerontology or hotel management), but, in the corporate culture of profitability, the merits of an argument are relatively unimportant and not easily distinguished from the

charisma of the “excellence” and “economic progress” campaign that introduces a new project.

Of course, business people without the resources to participate in the game complain. The university’s commercial development enjoys unfair advantages, including an exemption from local planning. But the university’s determination to refocus itself as a commercial and corporate institution creates a new relationship with the surrounding small business community. Universities no longer see themselves primarily as public educational institutions that serve area citizens. Instead, universities adopt a corporate culture and see themselves as business competitors able to outmaneuver others using state law and the prerogatives of a state institution. Universities have joined the ranks of profit-seeking corporations, albeit with impressive tax and development advantages. Local small business owners have little recourse outside a sprint to the courthouse.

#### Influence under the radar

The influence of the corporate culture and “big donors” doesn’t limit itself to university commerce. Once ensconced in a partnership with senior university officials, “big donors” and donors under cultivation seek to influence teaching or research that appear adversarial to their financial interests. Their behavior isn’t animated by ideology, but by threats to commerce. As faculty or student activity directly confronts their commercial interests, “big donors” reach out to senior administrators for assistance. This behavior parallels the influence of major campaign contributors toward elected officials and suggests that wealthy interests may see their contributions and board memberships at universities in much the same way that they see their relationship to elected officials who accept campaign contributions.

At Fresno State, “big donors” or donors under cultivation have influenced university officials to place undercover police officers on-campus to monitor students and faculty. In some cases, these officers have come from law enforcement agencies outside the university police. In another case, major donors succeeded in collaboration with university officials to suppress faculty research. In another instance, a taxpayer-financed ancillary unit was spun into the hands of private off-campus interests. In some cases, university administrators responded to the second face of power. Concerns raised by big donors were transformed into police action or suppression of ideas by administrators seeking donor approval without any specific request for such actions by the donors.

In one instance, two members of the Fresno County Sheriff’s Office attempted to enter a conference meeting on pesticide use by posing as Fresno State students and claiming that their instructor required their attendance. Once confronted with their deception, they displayed their badges and identified themselves as detectives with the Sheriff’s Office. The conference was not advertised and of little interest to those outside the field, so how did the Sheriff’s Office know about the conference, and how did they know to use a specific instructor’s name in an effort to gain surreptitious admittance?

In another instance, both on and off-campus law enforcement officers, including members of the Fresno County anti-terrorism task force attended a university lecture on vegetarianism for the purpose of surveillance. After a bit of public denial and foot shuffling between campus police and the Sheriff’s Office, both admitted to a coordinated surveillance effort. What isn’t clear, and was never answered, is why, and at whose orders did the police act?

A university police sergeant contacted a professor for video tapes that showed student and faculty audience members at a series of lectures on environmentalism. When asked why she wanted the tapes, the sergeant said the private security chief for a wealthy local rancher and businessman wanted the tapes to study audience members and create a digital photo file of persons interested in the subject of the lecture. The professor refused to hand over the tapes.

Recently, faculty research was censored and suppressed as a response to complaints by big donors and donors under cultivation.<sup>2</sup>

In each of the instances listed above, the genesis of the police undercover and censorship arose from the complaints and influence of big donors or donors under cultivation. Senior university officials stated openly that major donor prospects are alarmed at the discussion of subjects that may threaten their interests and the likelihood of their continued contributions to the university. Senior police officials that I spoke with confirmed that the influence of big donors extended across the university, the University Police Office, and the Fresno County Sheriff's Office.

Some years ago, the state legislature approved funds for an educational and research institute at Fresno State to honor a recently departed California legislator from the Fresno area (SB 733, 1999). The institute was housed with the Department of Political Science and Public Administration. In the fall of 2000, Republican Party members used the institute to help sponsor a fundraising event for a Republican office seeker. Lobbyists paid to play golf with the candidate and donations from the event went to the candidate's campaign funds.

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<sup>2</sup> \* The university has threatened legal action against me if I reveal details of the censorship.

Department faculty members cried foul. The institute, as stated in the legislation was expected to be nonpartisan, and engage in research and education on public policy issues. Republican Party members in Fresno County approached President Welty who contacted local Republican legislators. An amendment to the original institute legislation was approved by the state legislature that took the institute from the Department of Political Science and placed it in the President's office (SB 452, 2003). Immediately afterward, the institute disappeared off-campus and, outside of providing a few paid internships, disengaged from students and faculty.

### Conclusion

For two generations, public agencies have been told to “act like businesses.” They are expected to be entrepreneurial and seek new revenue sources. They are told to outsource and privatize key operations to save money and introduce the cost-efficiencies of profit-seeking. In addition, universities have turned to private fundraising as a source of revenue using the “big-donor” playbook. As a result of new expectations and strategies, corporate culture has taken root in public institutions, especially universities.

Education has become a commodity business to be provided as cheaply as possible and milked for revenue to finance development projects. Crowded classrooms, constantly increasing student fees, and an increase in vocational, not liberal arts, education have become campus norms. Faculty and staff are viewed as commodity labor and subject to cost-effective strategies such as replacing tenure and tenure-track faculty with part-time and adjunct faculty, and replacing on-campus courses with video or internet courses.

Partnership agreements, exclusive contracts for campus goods and services, and the development of private commercial businesses illustrate the growing corporatization of university administration. The proliferation of interlocking advisory and foundation boards dominated by business interests and wealthy individuals provide a new cultural environment for senior university administrators. They see themselves as corporate officers of University, Inc., not as public officials with the responsibility to provide the finest higher education possible.

Few solutions to this dilemma are available. The problem is endemic to contemporary society, and not merely the province of universities. Stronger and enforceable codes of administrative ethics and greater transparency in university-donor relations are a start. The exclusion of community members other than business persons limits the focus of advisory boards. Adding other occupations and interests to advisory boards would expand their concerns beyond profits. A renewed commitment to the cultural fundamentals and literacy skills of liberal arts education to replace the vocational focus of “engaged” universities would also help. It’s worth remembering that universities aren’t business corporations and aren’t intended to be. We don’t properly serve students, citizens, or taxpayers by transforming universities into profit-seeking businesses that treat education as a commodity.



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Table 1  
Political Contributions by Selected  
Major Donors and Donors under Cultivation  
(Center for Responsive Politics 2007; Fresno County Registrar 2007)

KASHIAN, EDWARD KASHIAN ENTERPRISES/DEVELOPER	11/3/2006	\$1,000	Feinstein, Dianne
KASHIAN, EDWARD SELF/REAL ESTATE BROKER	8/13/2006	\$1,00	Lieberman, Joe
KASHIAN, EDWARD M KASHIAN ENTERPRISES LP/GENERAL PART	4/13/2007	\$7,486	National Republican Congressional Cmt
KASHIAN, EDWARD M LANCE KASHIAN AND COMPANY/DEVELOPER	2/7/2000	\$5,000	New PAC
KASHIAN, EDWARD M LANCE KASHIAN AND COMPANY/DEVELOPER	5/17/2006	\$5,000	New PAC
KASHIAN, EDWARD M LANCE-KASHIAN ASSOCIATES/OWNER	9/20/2006	\$2,100	Costa, Jim
KASHIAN, EDWARD M LANCE-KASHIAN/CEO	8/1/2006	\$2,000	Craig, Larry
KASHIAN, EDWARD M LANCE-KASHIAN ASSOCIATES/OWNER	6/6/2005	\$2,000	Costa, Jim
KASHIAN, EDWARD M LANCE - KASHIAN & CO/DEVELOPER/PART	3/3/2005	\$2,000	Nunes, Devin Gerald
KASHIAN, EDWARD M LANCE - KASHIAN & CO/DEVELOPER/PART	2/7/2006	\$2,000	Nunes, Devin Gerald
KASHIAN, EDWARD M KASHIAN DEVELOPMENT/DEVELOPER	3/22/2005	\$2,000	Radanovich, George
KASHIAN, EDWARD M KASHIAN DEVELOPMENT/DEVELOPER	9/23/2005	\$1,000	Radanovich, George
KASHIAN, EDWARD M KASHIAN DEVELOPMENT/DEVELOPER	7/12/2005	\$700	Radanovich, George
KASHIAN, EDWARD M KASHIAN DEVELOPMENT/DEVELOPER	2/23/2006	\$400	Radanovich, George
KASHIAN, JEANNE C LANCE KASHIAN AND COMPANY/DEVELOPER	2/7/2007	\$5,000	New PAC

KASHIAN, JEANNE C LANCE KASHIAN AND COMPANY/DEVELOPER	5/17/2007	\$5,000	New PAC
KASHIAN, JEANNE C N/A/HOMEMAKER	9/25/2006	\$2,100	Costa, Jim
KASHIAN, JEANNE C N/A/HOMEMAKER	6/6/2005	\$2,00	Costa, Jim
LANCE-KASHIAN & CO .	1/15/2007	\$2200	Magsig, Nathan
LANCE-KASHIAN & CO	1/15/2007	\$1000	Waterston, Bob
LANCE-KASHIAN & CO	2/01/2007	\$ 200	Whalen, Bob
LANCE-KASHIAN & CO	2/01/2007	\$ 500	Larson, Phil
LANCE-KASHIAN & CO	2/27/2007	\$1000	Villines, Mike
LANCE-KASHIAN & CO	3/08/2007	\$1000	Perea, H.R.
LANCE-KASHIAN & CO	4/04/2007	\$ 100	Flores, Joe
LANCE-KASHIAN & CO	4/04/2007	\$ 700	Egan, Elizabeth
LANCE-KASHIAN & CO	5/14/2007	\$ 400	Waterston, Bob
LANCE-KASHIAN & CO	5/16/2007	\$1000	Anderson, Susan
LANCE-KASHIAN & CO	5/23/2007	\$5000	Poochigian, Debbie
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HARRIS, JOHN HARRIS FARMS/OWNER	4/2/2007	\$5,000	National Thoroughbred Racing Assn
HARRIS, JORHN	5/9/2005	\$5,000	National Thoroughbred Racing Assn
HARRIS, JOHN	2/13/2006	\$5,000	National Thoroughbred Racing Assn
HARRIS, JOHN	8/18/2005	\$500	Goodlatte, Bob
HARRIS, JOHN C HARRIS FARMS INC./CEO	8/15/2006	\$2,000	Pombo, Richard
HARRIS, JOHN C HARRIS FARMS INC./CHAIRMAN/CEO	2/28/2005	\$2,000	Nunes, Devin Gerald

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HARRIS, JOHN C HARRIS FARMS INC./CHAIRMAN/CEO	10/23/2005	\$2,000	Costa, Jim
HARRIS, JOHN C HARRIS FARMS INC./CHAIRMAN/CEO	3/12/2006	\$2,000	Cardoza, Dennis
HARRIS, JOHN C HARRIS FARMS INC./CHAIRMAN/CEO	5/30/2006	\$2,000	Nunes, Devin Gerald
HARRIS, JOHN C HARRIS FARMS INC./CHAIRMAN/CEO	4/12/2007	\$2,000	Costa, Jim
HARRIS, JOHN C HARRIS RANCH/OWNER	11/2/2006	\$2,000	Radanovich, George
HARRIS, JOHN C HARRIS RANCH/OWNER	4/26/2005	\$1,950	Radanovich, George
HARRIS, JOHN C HARRIS FARMS INC./CHAIRMAN/CEO	10/13/2006	\$1,350	Burns, Conrad
HARRIS, JOHN C HARRIS FARMS INC./CEO	9/15/2005	\$1,000	Pombo, Richard
HARRIS, JOHN C HARRIS FARMS INC./CEO	12/5/2005	\$1,000	Pombo, Richard
HARRIS, JOHN C HARRIS FARMS INC./CHAIRMAN/CEO	10/17/2006	\$1,000	Costa, Jim
HARRIS, JOHN C HARRIS FARMS INC./FARMER	4/18/2007	\$1,000	Valley PAC
HARRIS, JOHN C HARRIS FARMS INC	9/28/2005	\$900	Burns, Conrad
HARRIS, JOHN C HARRIS FARMS INC./CHAIRMAN/CEO	2/28/2006	\$450	Burns, Conrad
HARRIS, JOHN C MR	3/26/2007	\$2,500	National Republican Congressional Cmte
HARRIS, JOHN C MR HARRIS FARMS INC./HORSE OWNER/BREED	3/12/2007	\$500	American Horse Council
HARRIS, JOHN C MR SELF-EMPLOYED/COTTON PRODUCER	10/4/2005	\$300	National Cotton Council
HARRIS, JOHN C MR SELF-EMPLOYED/COTTON PRODUCER	11/16/2006	\$300	National Cotton Council
HARRIS FARMS, INC.	1/11/2007	\$1000	Waterston, Bob
HARRIS FARMS, INC.	1/16/2007	\$ 100	Larson, Phil

HARRIS FARMS, INC.	3/1/2007	\$3403	Larrabee, Jason
HARRIS FARMS, INC>	4/11/2007	\$2835	Mims, Margaret
HARRIS FARMS, INC.	4/16/2007	\$1000	Lincoln Club of Fresno County
HARRIS FARMS, INC.	4/16/2007	\$ 500	Maldonado, Abel
HARRIS FARMS, INC.	5/11/2007	\$1800	Cogdill, Dave
HARRIS FARMS, INC.	5/30/2007	\$2000	Egan, Elizabeth
HARRIS FARMS, INC.	6/07/2007	\$2500	Poochigian, Debbie
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SPENCER, KAREN N.A./HOMEMAKER/ COMMUNITY VOLUNTEER	11/2/2006	\$1,000	Club for Growth
SPENCER, KAREN SPENCER-ROBERTS & ASSOCIATES /PARTNER	2/2/2006	\$1,000	Lungren, Dan
SPENCER, KAREN NONE/HOMEMAKER	10/30/2006	\$500	Allen, George
SPENCER, KAREN A INFANT OF PRAGUE ADOPTION /DIRECTOR	4/26/2005	\$2,000	Radanovich, George
SPENCER, KAREN A SPENCER ENTERPRISES/CFO	2/2/2006	\$2,000	Nunes, Devin Gerald
SPENCER, KAREN A SPENCER ENTERPRISES/CFO	10/19/2006	\$1,000	Nunes, Devin Gerald
SPENCER, KAREN A INFANT OF PRAGUE ADOPTION/ DIRECTOR	8/28/2006	\$1,000	Radanovich, George
SPENCER, KAREN A	10/26/2006	\$1,000	Dreier, David
SPENCER, KAREN A RETIRED	10/20/2005	\$250	Thune, John
SPENCER, KAREN A MRS RETIRED	5/9/2007	\$2,000	Romney, Mitt
SPENCER, KAREN A MS NONE/HOMEMAKER	4/3/2007	\$500	Ryun, Jim

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SPENCER, KAREN A MS HOMEMAKER	10/26/2006	\$500	Steele, Michael
SPENCER, KAREN A MS NONE/HOMEMAKER	6/15/2007	\$250	Ryun, Jim
SPENCER, KAREN MRS	2/6/2006	\$250	Santorum, Rick
SPENCER, RICHARD VOLUNTEER HOMEMAKER	8/14/2006	\$500	Susan B Anthony List
SPENCER, RICHARD F SPENCER ENTERPRISES/ BUSINESS OWNER	3/1/2005	\$2,000	Nunes, Devin Gerald
SPENCER, RICHARD F SPENCER ENTERPRISES/ BUSINESS OWNER	9/7/2006	\$2,000	Nunes, Devin Gerald
SPENCER, RICHARD F SPENCER ENTERPRISES /PRESIDENT	6/1/2005	\$2,000	Costa, Jim
SPENCER, RICHARD F SPENCER ENTERPRISES/ PRESIDENT	8/21/2006	\$2,000	Issa, Darrell
SPENCER, RICHARD F SPENCER ENTERPRISES/ OWNER	3/28/2007	\$2,000	Radanovich, George
SPENCER, RICHARD F SPENCER ENTERPRISES/ OWNER	8/28/2006	\$1,000	Radanovich, George
SPENCER, RICHARD F SPENCER ENTERPRISES/ OWNER	10/24/2006	\$1,000	Radanovich, George
SPENCER, RICHARD F MR SPENCER ENTERPRISES INC./ REAL ESTAT	3/2/2007	\$25,000	National Republican Congressional Cmte
SPENCER, RICHARD F.	1/11/2007	\$ 500	Larson, Phil
SPENCER, RICHARD F.	1/11/2007	\$ 500	Waterston, Bob
SPENCER, RICHARD F.	1/15/2007	\$1000	Whalen, Bob
SPENCER, RICHARD F.	3/07/2007	\$4500	Egan, Elizabeth
SPENCER, RICHARD F.	4/04/2007	\$1000	Villines, Mike

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SPENCER, RICHARD F.	4/24/2007	\$1000	Cogdill, Dave
SPENCER, RICHARD F.	5/04/2007	\$8500	Poochigian, Debbie
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MCCAFFREY, BRENT M MR THE MCCAFFREY GROUP/PRINCIPAL	4/12/2007	\$2,300	Costa, Jim
MCCAFFREY, BRENT M MR THE MCCAFFREY GROUP/PRINCIPAL	9/29/2006	\$2,100	Costa, Jim
MCCAFFREY, BRENT M MR THE MCCAFFREY GROUP/PRINCIPAL	5/6/2005	\$2,000	Costa, Jim
MCCAFFREY, KAREN THE MCCAFFREY GROUP/PRINCIPAL	4/12/2007	\$2,300	Costa, Jim
MCCAFFREY, KAREN THE MCCAFFREY GROUP/PRINCIPAL	9/29/2006	\$2,100	Costa, Jim
MCCAFFREY, KAREN MCCAFFREY GROUP/HOME BUILDER	8/31/2006	\$2,100	Thune, John
MCCAFFREY, KAREN SELF/BUILDER	9/15/2006	\$2,100	Gerlach, Jim
MCCAFFREY, KAREN THE MCCAFFREY GROUP/PRINCIPAL	5/6/2005	\$2,000	Costa, Jim
MCCAFFREY, LAUREN MRS THE MCCAFFREY GROUP/PRINCIPAL	4/12/2007	\$2,300	Costa, Jim
MCCAFFREY, LAUREN MRS THE MCCAFFREY GROUP/PRINCIPAL	9/29/2006	\$2,100	Costa, Jim
MCCAFFREY, LAUREN MRS THE MCCAFFREY GROUP/PRINCIPAL	5/6/2006	\$2,000	Costa, Jim
MCCAFFREY, ROBERT MCCAFFREY GROUP/HOME BUILDER	8/29/2006	\$2,100	Thune, John
MCCAFFREY, ROBERT A THE MCCAFFREY GROUP/PRINCIPAL	4/12/2007	\$2,300	Costa, Jim
MCCAFFREY, ROBERT A THE MCCAFFREY GROUP/PRESIDENT	9/15/2006	\$2,100	Gerlach, Jim
MCCAFFREY, ROBERT A THE MCCAFFREY GROUP/PRINCIPAL	9/29/2006	\$2,100	Costa, Jim
MCCAFFREY, ROBERT A THE MCCAFFREY GROUP/PRINCIPAL	5/6/2005	\$2,000	Costa, Jim
MCCAFFREY, ROBERT A	11/14/2005	\$2,000	Nunes, Devin

THE MCCAFFREY GROUP/PRESIDENT			Gerald
MCCAFFREY, ROBERT A.	1/14/2007	\$2000	Flores, Joe
MCCAFFREY, ROBERT A.	1/14/2007	\$2000	Whalen, Bob
MCCAFFREY, ROBERT A.	3/14/2007	\$2500	Perea Henry R.
MCCAFFREY, ROBERT A.	6/24/2007	\$2000	Magsig, Nathan
TABLE MOUNTAIN RANCHER	6/28/2005	\$2,000	Costa, Jim
TABLE MOUNTAIN RANCHERIA	10/23/200	\$1,000	Costa, Jim
TABLE MOUNTAIN RANCHERIA	2/12/2007	\$2500	Perea, H. R.
TABLE MOUNTAIN RANCHERIA	3/07/2007	\$3200	Villines, Mike
TABLE MOUNTAIN RANCHERIA	4/25/2007	\$6000	Waterston, Bob
TABLE MOUNTAIN RANCHERIA	5/30/2007	\$2000	Magsig, Nathan
TABLE MOUNTAIN RANCHERIA	6/06/2007	\$2500	Anderson, Susan
TABLE MOUNTAIN RANCHERIA	6/06/2007	\$1200	Fresno County Democratic Women's Club
TABLE MOUNTAIN RANCHERIA	6/06/2007	\$2500	Mims, Margaret
SMITTCAMP, BLAKE WOWONA FROZEN FOODS/EXECUTIVE	3/23/2007	\$325	American Frozen Food Institute
SMITTCAMP, BRENT WAWONA PACKING CO. LLC/AG BUSINESS	2/1/2007	\$2,000	Nunes, Devin Gerald
SMITTCAMP, BRENT WAWONA PACKING CO. LLC/AG BUSINESS	3/21/2005	\$2,000	Nunes, Devin Gerald
SMITTCAMP, EARL S WAWONA FROZEN FOODS/OWNER	8/28/2006	\$2,000	Radanovich, George
SMITTCAMP, LINDA NONE/HOMEMAKER	4/12/2006	\$1,000	Radanovich, George
SMITTCAMP, LINDA NONE/HOMEMAKER	8/28/2006	\$1,000	Radanovich, George
SMITTCAMP, LINDA SELF EMPLOYED/BUSINESS OWNER	3/3/2005	\$1,000	Nunes, Devin Gerald



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SMITTCAMP, LINDA SELF EMPLOYED/BUSINESS OWNER	5/17/2006	\$1,000	Nunes, Devin Gerald
SMITTCAMP, LINDA NONE/HOMEMAKER	6/6/2006	\$300	Radanovich, George
SMITTCAMP, LINDA TRIPLE B RANCH/FARMER	9/18/2006	\$250	Pombo, Richard
SMITTCAMP, LINDA MRS SELF EMPLOYED	2/26/2007	\$2,100	Giuliani, Rudolph W
SMITTCAMP, ROBERT LYONS MAGNUS/CEO/CHAIRMAN	3/15/2007	\$2,300	Edwards, John
SMITTCAMP, ROBERT LYONS MAGNUS/CHAIRMAN	9/26/2006	\$2,000	Pombo, Richard
SMITTCAMP, ROBERT E LYONS MAGNUS/OWNER	1/15/2007	\$5,000	New PAC
SMITTCAMP, ROBERT E LYONS MAGNUS/OWNER	5/31/2006	\$5,000	New PAC
SMITTCAMP, ROBERT E LYONS MAGNUS/CHAIRMAN/CEO	4/18/2007	\$2,500	Valley PAC
SMITTCAMP, ROBERT E LYONS MAGNUS	4/22/2005	\$2,100	Feinstein, Dianne
SMITTCAMP, ROBERT E LYONS MAGNUS/CHAIRMAN/CEO	11/4/2005	\$2,000	Nunes, Devin Gerald
SMITTCAMP, ROBERT E LYONS MAGNUS/OWNER	2/24/2005	\$2,000	Nunes, Devin Gerald
SMITTCAMP, ROBERT E LYONS-MAGNUS/OWNER	2/21/2005	\$2,000	Radanovich, George
SMITTCAMP, ROBERT E LYONS-MAGNUS/OWNER	3/8/2007	\$2,000	Radanovich, George
SMITTCAMP, ROBERT E CHAIRMAN CEO/WAWONA FOODS INC.	6/29/2006	\$2,000	Cox, T J
SMITTCAMP, ROBERT E LYONS MAGNUS	4/22/2005	\$1,900	Feinstein, Dianne
SMITTCAMP, ROBERT E LYONS-MAGNUS/OWNER	3/29/2006	\$1,200	Radanovich, George
SMITTCAMP, ROBERT E SELF/PACKER/GROWER	8/1/2006	\$1,000	Craig, Larry

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SMITTCAMP, ROBERT E WAWONA FOODS INC./CHAIRMAN CEO	5/6/2005	\$1,000	Costa, Jim
SMITTCAMP, ROBERT E LYONS-MAGNUS/OWNER	2/23/2006	\$900	Radanovich, George
SMITTCAMP, ROBERT E MR LYONS MAGNUS/CHAIRMAN CEO	3/12/2007	\$2,300	Costa, Jim
SMITTCAMP, ROBERT E MR LYONS MAGNUS/CHAIRMAN/C.E.O.	2/22/2007	\$2,100	Giuliani, Rudolph W
SMITTCAMP, ROBERT E MR LYONS MAGNUS/CHAIRMAN CEO	9/16/2006	\$2,000	Costa, Jim
SMITTCAMP, ROBERT E MR WAWONA FOODS INC./CHAIRMAN CEO	9/30/2005	\$1,000	Costa, Jim
SMITTCAMP, ROBERT E MR LYONS MAGNUS/CHAIRMAN/C.E.O.	5/8/2007	\$1,000	Romney, Mitt
SMITTCAMP, ROBERT MR LYONS MAGNUS/CHAIRMAN	3/2/2007	\$25,000	National Republican Congressional Cmte
SMITTCAMP, WILLIAM SELF EMPLOYED/BUSINESSMAN	3/3/2005	\$1,000	Nunes, Devin Gerald
SMITTCAMP, WILLIAM SELF EMPLOYED/BUSINESSMAN	5/17/2006	\$1,000	Nunes, Devin Gerald
SMITTCAMP, WILLIAM TRIPLE B RANCH/FARMER	9/18/2000	\$250	Pombo, Richard
SMITTCAMP, WILLIAM S WAWONA/EXECUTIVE	1/31/2006	\$2,500	American Frozen Food
SMITTCAMP, WILLIAM S TRIPLE B RANCH/OWNER	2/23/2006	\$2,000	Radanovich, George
SMITTCAMP, WILLIAM S WAWONA FROZEN FOODS/EXECUTIVE	8/1/2006	\$2,000	Craig, Larry
SMITTCAMP, WILLIAM S	9/30/2005	\$2,000	American Frozen Food Institute
SMITTCAMP, WILLIAM S TRIPLE B RANCH/OWNER	4/26/2005	\$2,000	Radanovich, George
SMITTCAMP, WILLIAM S TRIPLE B RANCH/OWNER	2/23/2006	\$1,000	Radanovich, George
SMITTCAMP, WILLIAM S TRIPLE B RANCH/OWNER	2/23/2006	\$1,000	Radanovich, George

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SMITTCAMP, WILLIAM S TRIPLE B RANCH/EXECUTIVE/FARMER	3/2/2006	\$1,000	Cardoza, Dennis
SMITTCAMP, WILLIAM S TRIPLE B RANCH/OWNER	2/23/2006	\$1,000	Radanovich, George
SMITTCAMP, WILLIAM S MR WAWONA FROZEN FOODS/C.E.O.	2/26/2007	\$2,100	Giuliani, Rudolph W
SMITTCAMP, ROBERT E. LYONS MAGNUS INC.	1/12/2007	\$ 500	Magsig, Nathan
SMITTCAMP, ROBERT E. LYONS MAGNUS INC.	1/15/2007	\$ 500	Whalen, Bob
SMITTCAMP, ROBERT E. LYONS MAGNUS INC.	2/20/2007	\$1500	Villines, Mike
SMITTCAMP, ROBERT E. LYONS MAGNUS INC.	3/18/2007	\$3500	Egan, Elizabeth
SMITTCAMP, ROBERT E. LYONS MAGNUS INC.	4/13/2007	\$2500	Lincoln Club Of Fresno County
SMITTCAMP, ROBERT E. LYONS MAGNUS INC.	4/19/2007	\$3600	Cogdill, Dave
SMITTCAMP, ROBERT E.	5/18/2007	\$5000	Poochigian,

**Table 2**  
Membership in Selected Advisory Boards among  
Major Donors and Donors under Cultivation

**Capital Campaign Leadership Committee 2011**

John F. Boogaert	
Eric Hansen, MD	Sierra Pacific Orthopaedic Center <a href="http://www.spoc-ortho.com">www.spoc-ortho.com</a>
Cynthia A. Downing	Professional Exchange Service <a href="http://www.pesc.com/">http://www.pesc.com/</a>
W. Vern Pletz	Managex <a href="http://www.managex.info/">http://www.managex.info/</a>
John S. Shegerian	Electronic Recyclers of America <a href="http://www.electronicrecyclersofamerica.com/">http://www.electronicrecyclersofamerica.com/</a>
Joseph Pressutti	Eiger Group <a href="http://www.eigergroup.com/index.html">http://www.eigergroup.com/index.html</a>
Richard F. Spencer	Spencer Enterprises, Inc.
Vinci Ricciuti	P-R Farms <a href="http://www.prfarms.com/">http://www.prfarms.com/</a>
John Welty	President, CSU-Fresno
Bud Richter Jan Richter	Pepsi Cola Bottling (retired) <a href="http://www.pepsi.com/">www.pepsi.com/</a>
Dennis R. Woods	United Security Bank <a href="http://www.unitedsecuritybank.org/">www.unitedsecuritybank.org/</a>
Phillip V. Sanchez	The Washington Times Corporation <a href="http://www.washingtontimes.com/">www.washingtontimes.com/</a>
R. Stephen Heinrichs	Avistar <a href="http://www.avistar.com/">http://www.avistar.com/</a>
John Gomes	Fiserv Inc. <a href="http://www.fiserv.com/">http://www.fiserv.com/</a>

David L. McDonald	Pelco <a href="http://www.pelco.com/">http://www.pelco.com/</a>
Mark S. Grewal	Sandy Valley Farms, LLC/Sunset Farms <a href="http://svfarmlv.com/">http://svfarmlv.com/</a>
Mike Patton	Patton Air Conditioning <a href="http://www.pattonac.com/">http://www.pattonac.com/</a>
Coke Wanda Hallowell	Hedrick Hallowell Chevrolet (former)
Octavia G. Diener	Densmore Engines/Tavie Farms <a href="http://www.densmore-engines.com/">http://www.densmore-engines.com/</a>

**Craig School of Business Associates Board Members**

James G. Parker	James G. Parker Insurance <a href="http://www.jgparker.com/">http://www.jgparker.com/</a>
Larry Johanson	Johanson Transportation Service <a href="http://www.johansontrans.com/">http://www.johansontrans.com/</a>
Marcia Ross	Jory, Peterson, Watkins, Ross & Woolman
Bill Griffith	Principal Financial Group <a href="http://www.principal.com/">http://www.principal.com/</a>
Scott Jacobsen	Office Depot <a href="http://www.OfficeDepot.com">www.OfficeDepot.com</a>
Jackie Kennedy Harris	Enterprise Rent-A-Car <a href="http://www.Enterprise.com">www.Enterprise.com</a>
Kirk Parrish	Famous Software <a href="http://www.getfamous.com/">http://www.getfamous.com/</a>
Doug Morgan	The Morgan Company <a href="http://www.themorgancompany.com/">http://www.themorgancompany.com/</a>
John Stewart	Pearson Realty <a href="http://www.pearsonrealty.com/">http://www.pearsonrealty.com/</a>
Frank Gallegos	Fresno First Bank

<http://www.fresnofirstbank.com/>

Brad Fischer

Bank of America  
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Berry Construction	<a href="http://berryconstruction.net/">http://berryconstruction.net/</a>
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CACT	<a href="http://www.cact.org/">http://www.cact.org/</a>
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Citibank	<a href="http://www.citibank.com/">www.citibank.com/</a>
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<http://www.leadershipfoundations.org/Display.asp?Page=DougDavidian>

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Zinkin Family Foundation	

*Corporation: The Pathological Pursuit of Profit and Power*, Joel Bakan  
Free Press, 2004

By Lisa Kemmerer

“We have, over the last three hundred years constructed a remarkably efficient wealth-creating machine, but it is now out of control” (159). The out of control machine Bakan refers to in his highly readable and informative book, is in fact the corporation. Few entities are as damaging to the environment as are corporations. Bakan’s book, *Corporation*, outlines the history of the problems that stem from too much corporate power, some of the worst consequences of this trend, and methods for bringing this out-of-control, wealth-creating machine, back in line with common decency.

Bakan begins in 18<sup>th</sup> century England. He explains how the South Sea Company sold stock hand over fist for a shady trading proposition in nations unlikely to grant trading rights to company directors who knew little about the countries in which they proposed to trade, and with whom the “traders” had established no contacts. Not surprisingly, “the South Sea Company collapsed. Fortunes were lost, lives were ruined, one of the company’s directors... was shot by an angry shareholder, mobs crowded Westminster, and the king hastened back to London from his country retreat to deal with the crisis” (7). As a consequence, Parliament passed the Bubble Act in 1720, “which made it a criminal offense to create a company ‘presuming to be a corporate body,’ and to issue ‘transferable stocks without legal authority’” (7).

But industrialization required capital investment for large-scale enterprises such as railroads, mining operations, and waterworks, and the Bubble Act was repealed in 1825 while government controls were relaxed to facilitate corporate growth. Concurrently, shareholder liability was limited to encourage the masses to invest, and constraints on mergers and acquisitions were relaxed. At the turn of the 19<sup>th</sup> century, in a mere seven years, “1,800 corporations were consolidated into 157.... The era of corporate capitalism has begun” (14). Corporations were no longer government grants, but had become “free and independent being[s]” (16).

The US Government, in 1916, had a strong hand in shaping the free and independent corporate beings that were emerging. Henry Ford made his fortune from cars, but he was a man

of conscience who chose to limit his profits and share wealth with employees; he even canceled the dividend at one point, by further reducing prices in order to divert money to customers. But one of Ford's shareholders objected to his generous methods. John Dodge wanted to start his own business with the dividend earned from Ford stocks, and he took Ford to court when the dividend was canceled. The judge agreed with Dodge, "Ford had no right to give their money away to customers, however good his intentions" (36). Corporations were, from that point forward, legally required to act in the best interests of the profits of shareholders, and *not* for the general good. In 1916, corporate investment on behalf of the environment, human health and welfare, or human rights was deemed illegal if it was not in the shareholder's best interest financially. Since the days of John Dodge and Henry Ford, corporations have been legally obligated to be motivated solely by shareholder profit.

U.S. states courted, and soon nations competed, to attract big business. Each state or nation sought the influx of jobs and capital investment to go along with corporate growth. As a result of international business competition, GATT (General Agreement on Tariffs and Trade) was introduced in 1948, and in 1993 the WTO (World Trade Organization) was created. Through these trade organizations and agreements, business regulations were removed or relaxed across borders to attract and expedite foreign business. Corporations, which held no responsibility for the general welfare but only for shareholders, soon carried their disregard for public safety and welfare into the global arena.

So why, Bakan asks, do today's corporations increasingly speak out on behalf of the environment, or community problems, or human rights? Pfizer, Inc. the world's largest pharmaceutical company, has installed security in local subways, developed and now helps fund a local school, and donates life-saving drugs to African communities. How can this be profitable to shareholders, let alone legal?

Bakan explains: Those who now invest expect companies to "deliver the good, not just goods; to pursue values, not just value; and to help make the world a better place" (31). Corporations have begun to show an interest in public health and welfare as a strategy to enhance profits. Bakan digs deeper: is this new moralism itself immoral? Can businesses perform social functions, appearing to be interested in the general welfare, while ultimately pursuing profit?

Again Bakan offers an explanation. Pfizer makes more money selling drugs that prevent baldness and enhance male sexuality than it does selling drugs that treat life-saving illnesses such

as “malaria or tuberculosis... leading causes of death in the developing world” (49). Those with wealth to buy drugs are not fighting malaria, but rather baldness. Those with money to spend suffer from erectile dysfunction more often than they suffer from malaria. Given this financial reality, can market forces offer genuine social responsibility? *Corporation* offers a resounding, “No!” “Predictably, of the 1,400 new drugs developed between 1975 and 1999, only 13 were designed to treat or prevent tropical diseases and 3 to treat tuberculosis. In the year 2000, no drugs were being developed to treat tuberculosis, compared to 8 for impotence or erectile dysfunction and 7 for baldness” (49).

Bakan accuses corporations of being psychopathic. They are “*singularly* self interested and unable to feel genuine concern for others in any context.... The corporation, like the psychopathic personality it resembles, is programmed to exploit others for profit” (56, 69). According to Bakan, corporations have a “built-in compulsion” to externalize costs (61), and any concern for the environment or human safety quickly dissipates when big businesses are faced with the bottom line—profits.

Bakan provides examples. General Motors understood the risks of putting gas tanks where fires were likely to result. This giant car company calculated the cost of paying off victims, and the cost of changing the design flaw, and a comparison of the two figures demonstrated that it was cheaper for shareholders to pay off the families of the deceased, to pay into law suits, than to protect human life, even the lives of General Motors customers. General Electric repeatedly pays fines and finances clean-ups when caught defying environmental laws rather than comply with environmental and public health requirements. *Corporation* lists more than 40 major legal breaches by General Electric just in the last decade of the 20<sup>th</sup> century. This list of infringements indicates the seriousness of corporate moral deficit, including weighty acts such as:

- repeatedly and severely defiling land and waterways
- responsibility for airline disasters
- illegal sales of weapons overseas

For corporations like General Motors and General Electric, “compliance with law, like everything else, is a matter of cost and benefits” (79). It is often more profitable for shareholders if corporations risk human life, defile streams and lakes, engage in fraud, and pay fines and settlements *if* they are caught, than it is to comply with laws.

Is this really what citizens would vote for in a free and democratic nation? “Corporate donations now fuel the political system and are a core strategy in business’s campaign to influence government” (104). Bakan explains the history of the New Deal, Roosevelt’s struggle to reign in the power of corporations for the good of the citizens and the nation. He even relates a lesser-known tidbit of history: A handful of powerful business men attempted to overthrow Roosevelt in order to shake off the business restrictions contained in the New Deal. While Roosevelt prevailed, corporations have ultimately gained the mighty power they only dreamed of in Roosevelt’s day. Democracy, Bakan reminds, is government by the people, for the people, not by corporations and for corporations. Yet corporate monies now guarantee that slaughterhouses and mines function with very little regulation, and are largely regulated by people who were once prominent in these industries; Enron “used political influence to remove government restrictions,” restrictions that would have prevented the Enron scandal (99). Corporate power influences government, even government decisions that effect the health and welfare of all citizens. The US has been bought by corporations, which are now backed by “all the coercive power and resources of the state, while citizens are left with nongovernmental organizations and the market’s invisible hand—socialism for the rich and capitalism for the poor” (151).

In *Corporation*, Bakan paints a bleak picture of the far-reaching ill-effects of corporate power, including devastation of the environment. He views our capitalist nations as run by short-sighted corporations acting in the financial interests of the few. But he also offers straightforward solutions. We, as consumers, have choices. We have a government that is responsible to the people, not to corporations. In the current reign of corporate power, regulations have been given a bad name, but regulations “are designed to force corporations to internalize—i.e., pay for—costs they would otherwise externalize onto society and the environment” (150). Regulations need to be reinstated and enforced. Corporations, Bakan notes, were created by the government, and given power by the government. Democratic governments can and must choose to control these profit-making machines for the benefit of all, and thereby prevent corporations from exploiting the masses and fouling the environment for the short-term benefit of a handful of shareholders. In democratic nations, only *we* can make the change.

## In Search of Consistency: Ethics and Animals

By Lisa Kemmerer  
Brill Academic Press  
2005

Review by Michael Becker

The first time I heard the question I was taken aback, an experience I do not often have: "Why do we hate animals so much?" Like most people I figured I loved animals. After all, I had always treated my pets with great care and respect. The speaker, vegan lecturer and former ALF activist Gary Yourofsky would ask the audience to extend their circles of compassion beyond humans and pets to the entire animal kingdom. In her extraordinary work, "In Search of Consistency: Ethics and Animals," Lisa Kemmerer goes beyond Yourofsky, asking us to consider the well being of all of creation. Ultimately calling for an ethic that minimizes harm in all of our actions and toward all entities, Kemmerer provides an ethically consistent and radically new ground for human being in the world.

Through close and careful analysis Kemmerer elucidates four leading theories of animal ethics—Tom Regan's deontological rights view, Peter Singer's utilitarianism, Paul Taylor's biocentric ethics and Paul Linzey's Christian-based "theos rights" which include, by derivation, rights of animals. Each page glitters with an uncompromising commitment to our companions, the animal nations who we have treated so abysmally. Thus, while her painstaking analyses reflect respect for these important and influential figures she does not hesitate to expose flaws in their thought—usually of an anthropocentric nature--that lead, ultimately, to unethical treatment of animals. Just for its careful explanation and critique of these leading ethicists, the book is well worth reading.

Moreover, unlike many texts on animal rights and animal ethics, in which animals are conspicuous by their absence, this book literally teems with animals from the familiar, Holsteins and tabby cats, to the obscure, spotted tail quolls and whirligig beetles. From the prolific to the rare and extinct, from massive to microscopic the catalogue of animals in "Consistency" is a testament to the author's knowledge of and concern for our companions on the planet and a reminder of the extraordinary number and diversity of precious animal life.

Drawbacks of the text are few but obvious. First, the text is in dire need of a more rigorous editor. It is enough to know that ideals can be useful in morality. A discussion of the application of fractals--idealized number forms in mathematics--is interesting but unnecessary. There are many examples of such needless digressions, many of which, if included at all, could be referenced in brief explanatory notes. Second, at the outset a clear thesis concerning the relation of the four theorists Kemmerer chooses to the ethical theory she is setting out would be helpful. It is not until the final chapters on an ethic of



minimizing harm that the coherence of Kemmerer's text and the selection criteria for the four authors on whom she focuses becomes apparent. Third, Kemmerer's use of the term "protectionism" to refer to the full spectrum of people actively involved in the well being of animals has the advantage of inclusiveness. The defect is that it sustains the very hierarchy of human and non-human animals that Kemmerer works so hard and so effectively in other respects to demolish. Granted, the technological and capitalist "conquest of nature" has brought nearly everything under control, and animals are thus in dire need of help. Except for pets, domesticated animals exist in an "eternal Treblinka" of labs, feedlots, entertainment cages and chains and slaughterhouses. And the mere continued existence of many wild animals depends on the "management" of wildlands. (Only in our bizarre times is that not an obvious contradiction.) But setting up ourselves as the unique kind of beings which must act on behalf of animals is essentially false; worse, it perpetuates the nihilistic anthropomorphism which was a key element of the "mastery of nature" in the first place. Moreover, when industrial civilization collapses it is quite likely that human beings will again be seeking protection from many prey animals far more powerful than us humans. One can only hope. Though problematic given current usage, I would argue that animal liberation is closer to Kemmerer's most profound insights and ambitions than animal protectionism.

This matter carries over into the most important part of the text in which Kemmerer introduces the "minimize harm maxim." This core ethical rule is rooted, for Kemmerer, in Spinoza's concept of *conatus*—the vital drive in every organic entity to continue its existence. The minimize harm maxim demands first that we acknowledge the core relationship of ourselves with all other organic entities; each existent being shares a drive to sustain itself and is thus morally on an equal plane. The next step is to acknowledge that for any entity to survive some harm, indeed, some death must be done to other entities. We are literally interconnected by the harm done to and the subsequent benefit gained from other entities. But finally, as ethical beings, the minimum harm maxim teaches that humans must inflict the minimum amount of harm and death on other entities. Humans must, in as fully a self-conscious manner as possible, strive to do only what is necessary to insure our survival. In that sense harm may be done only in the pursuit of meeting basic needs of minimally necessary food, clothing, and shelter.

The extent to which we are ethically out of bounds by the standards of the minimize harm maxim is recognized in a particularly provocative section. Kemmerer acknowledges that "Americans are *megaconsumers*," that western, first world consumers are "*the most environmentally destructive animals on earth*" (emphasis original), "the bane of the earth" and that "capitalism [is] a primary vice," given its rootedness in infinite satisfaction of desire and theoretically infinite profit taking.

Yet in her prescriptions for action Kemmerer seems to pull back from the radical implications of such a radical, and I would say, true, ethical theory. For example, regarding the habitats of other beings, why should we merely "not encroach further." Certainly the degree of encroachment already reached has harmed and continues to harm myriad entities. In ways that minimize harm, should we not be deconstructing rather than maintaining so many of the harmful elements of technological infrastructure? Similarly,

we are warned against excessive consumption. But isn't any consumption aside from the bare necessity of what is physically close at hand unethical? It seems to me that the ultimate ethical implication of minimizing harm is primitivism or green anarchy. While this is certainly unpopular it seems consistent with Kemmerer's ethical theory and her otherwise uncompromising ethical attitude.

In that vein, I would argue that the contemporary moral dilemmas Kemmerer discusses at the end of the text are misleading. Whether or not we should use animals for entertainment is not really the issue regarding minimizing harm. Clearly, zoos and circuses are completely outside the ethical bounds of minimizing harm. The real issue is whether we should be entertained at all, at least in forms other than story telling or simple ceremonies or music derived from hand-made instruments. The necessary infrastructure of current modes of entertainment—from televisions to computer games to movie theatres-- involve incalculable but surely massive degrees of unnecessary harm and death to countless billions of organisms. Whether or not we should use animals in scientific research is not the ultimate issue involved in a minimize harm ethic: the issue is science itself. The mere provision of tools and materiel for conducting scientific experiments requires massive, arguably unnecessary harm. Worse, most of science, especially today, centers on controlling and manipulating environments, and thus inflicting extraordinary levels of harm and death, on other entities. A vegetarian diet is clearly preferable, ethically, to a carnivorous one; and so is veganism to vegetarianism. But how much death and harm might we avoid by only eating a vegan diet from immediately local sources using only human farm labor and non-motorized vehicles for delivery of farm goods? In short, the real contemporary moral dilemma, in terms of the minimize harm principle, is our very existence as other than stone-age people. The technological/corporate nihilism of contemporary culture is the fundamental moral dilemma of our time with zoos, animal research, and the industrial animal flesh system mere symptoms of the moral disease.

That there is a finely reasoned text giving rise to these speculations is, in itself, a gift. And this book will serve as a gift to diverse readers: the newcomer interested in concise and insightful analyses of leading ethicists in the field of animal liberation, the advocate of radical reform in our treatment of animals, and the academic seeking out new paths from well established sources. Most of all, the text is especially suited, in my view, to the animal liberation activist who seeks thoughtfulness to match the passion of her or his cause. Kemmerer constantly reminds us that ethics is to be lived as well as thought about. Thought without actions is useless, but action without thought is blind. This book is a bright light.