

# It's the Worst Time in the History of Ever. (And it always has been.)



The *Committee Study of the Central Intelligence Agency's Detention and Interrogation Program*, aka the Senate CIA Torture Report, is a legalistic *summary* of the Torture committed in our name during the post-9/11 War on Terror, matter-of-fact descriptions of acts that, whatever enhanced euphemism we use to mask the truth, are acts of Torture.

Torture.

Let that word hang there like an indelible shit stain.

Stick your hand in it, rub it in on your clothes. Don't worry, you won't have any new stink there that wasn't there before. This is America, where hideous violence on your behalf has been the name of the game for well over 200 years. Don't be shy. There's plenty of stink to go around.

Because also in the news: multiple summary executions of citizens by law enforcement, including a 12-year old boy who was romping on a playground across the street from his house. The police fatally shot him within 3 seconds of getting out of their car. Because reasons.

Because also: the State of Georgia executed a man with the functional intelligence of an 9-year old – an African American represented at trial by a knee-walking drunk who was also a

racist and embezzler. Because Justice.

Because also: the movement to make the 2<sup>nd</sup> Amendment the primary ruling principle of our civic lives has led to, yet again, a mentally unstable person opening fire on students at a school. And oh, because also, a prominent member of the Open Carry movement shot her husband and daughter. Newtown, two years ago today. It was a teachable moment, remember? Because Freedom. The better to keep us safe.

And nobody seems the least bit surprised. Upset, for a minute, but unsurprised. Now, what's on the teevee?

Welcome to the New Normal. But really, what's new about it?

"Violence is as American as cherry pie". H Rap Brown dropped that one on an America that had not come to grips with the contradiction between its self-image and its true history.<fn>That America being, largely, White America, naturally. Non-whites were all too familiar with the legacy.</fn> I'm just old enough to remember the tut-tut reactions of parents and teachers, people who were outraged at the suggestion that violence is at the very core of our heritage.

At least they had the decency to be horrified at the thought. Because what changed in the 45 years since H Rap threw down that bloody truth – because Viet Cong prisoners were not throwing themselves out of helicopters, and Fred Hampton did not just die in his sleep, and Emmett Till, &c. – what makes now different from then is not the violence. It's the fact that we have arrived at a point where too many people are willing to stroke their serious chins and say that, sadly, yes, we are a nation that must torture, that our police occasionally just *have to* kill someone where they stand, executed without trial, because reasons. And it all boils down to one sad and simple fact.

America, the greatest nation in the history of forever, the beacon, the shining city on the hill, the land of dreams for millions of immigrants – this land has become the redoubt of a mass of pants-pissing cowards, desperate for Strong Daddy to keep us safe from the boogey man, a fearsome beast of many disguises who will kill you in your sleep because he hates “our way of life”.

One of Those People.

Rick Perlstein's *The Invisible Bridge: The Fall of Nixon and the Rise of Reagan*, provides a useful compass point for surveying the landscape of America's nascent acceptance of violence on its own behalf.<fn>I'm not talking about the political elites, whose affection for violence runs at least as far back as the charmingly misnamed Boston Tea Party. That crowd never hesitates with the iron fist.</fn> There is a bright, straight line that runs from Vietnam to Watergate to the Reagan administration, on through Central America and the Middle East, and on through Ferguson and Staten Island, the execution chambers of America's prisons, and right to the doorstep of detention centers in Afghanistan and Thailand and at Abu Ghraib and Guantanamo Bay. And if we had time, we could trace that line back through Bay of Pigs and Mossadegh and Lumumba and WWII camps for Japanese-Americans, the violence of Jim Crow, our military adventurism in Latin America, the genocide of Native Americans, to slavery. And we would also have to talk about drone strikes, and the unfortunate collateral damage, &c. But this is hard enough to swallow as it is. Baby steps.

During the 60s and 70s, the social displacements stirred by the emerging Rights movements unsettled comfortable assumptions of Real America.<fn>Real America of course meant White America, plus some of those others we grudgingly tolerated, to a point. I was raised in Real America. *Mad Men* is an accurate portrayal of my formative years.</fn> Women were asserting themselves, Blacks were asserting themselves,

Latinos and peaceniks and gays, and so on. Those People were telling people like my parents that they were mistaken, that Real America was a fiction and a crime. A crime that was no longer tolerable, that would be overturned "by any means necessary". And Real America became very afraid.

And there were leaders who recognized this fear and set out to harness that energy to fuel their own ambitions.

That meant stoking the fear. The post-WWII rise of the national security apparatus was predicated on a scary campfire story: that godless commies were determined to destroy "our way of life". Our involvement in Vietnam, among other places, was justified by this reckoning, even though there were obvious financial motivations for our purely noble defense of freedom wherever natural resources or strategic control were desired. Thus, any opposition to military adventurism must de facto be the work of people who hate our freedom, and therefore deserve whatever means we devise to deal with them. Those People.

Stoke the fear. Minorities insisting on equal treatment in the workplace meant that your Real American job was on the block, easy pickings for the militant black or the liberated bra burner, who also by the way were prepared to tempt your daughter into a life of drugs and wanton promiscuity.

Hippies and peaceniks, obviously dupes of the commies, were ready to turn your cherished homeland into a haven of unwashed, drug addled, free love bums who had nothing better to do than make fun of your beliefs, disrupt the way things have always been, and recruit your children to become one of Those People.

The mollycoddling of dangerous criminals was too much to bear. Technicalities and Constitutional protections and such. Courts letting the guilty run free. Courts telling states that the death penalty is forbidden.<fn>Don't worry. They reversed that

decision. Guys like Rick Perry are free to execute without interference. Miranda rights. Everything stacked to favor Those People, those thugs, those super-predators. Please, Strong Daddy, protect us.

Here's the great insight of Perlstein's Reagan chronicle. In the mid-70s, after so much unpleasant reality was laid bare, this Nation faced a choice: understand the conflicts and contradictions and historical truth, and work to make this nation a true reflection of the stirring ideals of the Constitution; or deny the truth staring you in the face, and retreat into fantasy. America loves it some fairy tales. From the first Thanksgiving to a chopped down cherry tree to a rail splitter to a coonskin cap to Remember the Maine!, America can't get enough of flattering fantasy. The 60s and 70s cut those tales down to size. Sorry Virginia, no Santa Claus. Become adults, or stay in Neverland.

You know how it went.

Along comes Reagan with fantasy in irresistible packaging, bedecked with bunting, and America, desperate to be told pleasing bedtime stories again, enthusiastically infantilized itself to bring on Morning in America. We became a nation hungry for happy lies and happy endings. Do whatever you have to, Strong Daddy, and keep us safe from harm, and thanks for the 230 channels and the big screen.

And so we smuggled weapons to Iranian militants in return for money to fund Central American terrorists who smuggled drugs to America to help fund their revolution against the evil commies, who sometimes just happened to look like nuns and priests. And so we made alliances, in turn, with noble freedom fighters like Gadafi and Saddam and Noriega and the Iranian mullahs, and with heroes like Savimbi and Rios Montt, &c. And so we armed and trained Afghan freedom fighters who later became the Taliban. And when our friends became inconvenient, or tugged too hard on the leash, we found new friends to

replace the ex-friends that were now our enemies.<fn>We have always been at war with Eastasia.</fn>

But don't ask questions, better that you not know all this, just trust us.

The justification for secrecy has not changed since the beginnings of the Security State. Revealing secrets will embolden our enemies, endanger innocent people, undermine your very safety. The arguments were the same, from Mossadegh to Vietnam to Pinochet to Cambodia to Watergate to Nicaragua to Granada to yellowcake uranium. Those People are coming to kill you in your sleep. We'll keep you safe. Shut up, sit down, and watch the teevee.

And then an airplane flies into a New York skyscraper. Those People are here! We must do everything possible to protect ourselves. Please follow the bright line to the window where you will surrender your freedom for the illusion of safety. Don't ask questions. In fact, why don't you just take a nice trip to Disneyland and leave it all up to us.<fn>Really. Bush the Dimmer actually suggested this in a speech just 2 weeks after the al Qaida attacks.</fn>

And so we follow the bright line directly to this week's torture report. As always, the idea that any of this activity was truly a secret is a sad joke.<fn>Any more than the secret bombing of Cambodia was a secret or the secret death squads in Latin America and elsewhere were secret. The truth about Abu Ghraib came out years ago, and the few bad apples excuse only flies if you really, really want it to. Clap harder.</fn> Once again, we are being told that we have no right to know certain things that our betters have done on our behalf because national security. Besides, it's all a pack of lies anyway, created by Those People Who Hate Our Way of Life, and we would love to prove our innocence but really can't because national security. In fact, continue our betters, not only are we completely innocent of these scurrilous charges that we simply

cannot defend ourselves against because national security, but we only did it in the first place to keep you from being murdered in your sleep by commies/Black Panthers/hippies/Muslims/terrorists/&c. So shut up, sit down, and watch the teevee.

And the bright line takes us from a society that condones whatever-it-takes-as-long-as-we-can-deny to whatever-it-takes-whatever-you-say-boss. To a moment in time where America will actually entertain a Serious Conversation about what makes torture acceptable. I'm sure this is also some kind of teachable moment.

Torture. Let that word hang there.

Too many Very Important People with oh-so tender feelings think that word is extreme and uncivilized and inflammatory, think that it shuts down any possibility of a polite conversation about how and when Torture might in fact be okay, just this one time, or maybe two, or 47, or 122, or whatever.<fn>"The CIA maintained such poor records of its detainees in [Country] during this period that the CIA remains unable to determine the number and identity of the individuals it detained. The full details of the CIA interrogations there remain largely unknown..."</fn> And that's exactly the point. There should not be any rational discussion. Fuck being polite. We should react with horror, with outrage. The people who do this in our name, and those who make excuses for them, should be reviled, excluded, quarantined from our midst.<fn>Most of the architects of this horror are actually living pretty high on the hog.</fn> Any reasonable discussion about when torture is justified is morally equivalent to debating when slavery might be okay or when you might get a pass for sexually abusing a child or for committing a rape because you were sure that 'no means yes and yes means anal'.

But no, people will say, with a sad head shake. Sometimes you just have to do whatever it takes, and besides, Those People

hate our way of life. Sometimes, you just have to accept that rectal rehydration and waterboarding are not just okay, but necessary.

And therefore of course, you just have to accept that a 12-year old playing with a toy gun is going to be murdered by a jittery, unfit cop<fn>He had been fired from a previous job.</fn> because the brave policeman was afraid; or that some guy standing on the street is going to be choked to death; or that a child in a hoodie deserved to die because a Rambo-wannabe didn't like seeing one of Those People in his neighborhood. Because one of Those People scared the piss out of our protectors and they had to act because they knew they could convince that that was one scary motherfucker and you would have killed him, too.

The similarities between Nixon's apologists and those of the Torture Regime, or the defenders of summary police execution, lie in this. Secrecy is justified by the overriding concern for Security. Any mistakes made on your behalf are justified because you are afraid, because you want Strong Daddy to slay the dragons. Your right to know is trumped because the brave defenders of your freedom say you can't handle it, or that you knowing would jeopardize your brave defenders, or because the commies/terrorists/urban predators will kill you in your bed so shut up already because Those People aren't you.

The difference? Only that, when exposed, our latter day Strong Daddy says, yes we did these things, and what of it. You made me what I am, says Strong Daddy. What did you expect? Isn't this just what you wanted?

A nation willing to be kept in a state of infantilized fear – fear of Those People, whoever they are –cannot deny the violence done in our name. We are instead compelled to excuse it, to blame the object of our violence for their own fate. They had it coming, those Muslims, those Black Panthers. Those kids. Those People.

Twenty-eight years ago this month, Elie Wiesel said this upon receiving his Nobel Peace Prize:

*“We must always take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented.”*

I grew up with a naïve faith in the concepts of the Constitution and the ability of the Nation to self-correct. That whole We the People in order to form a more perfect union myth. And amazingly, despite all that has happened and the cynicism and despair that is so hard to resist, I still hold that faith. Even though I came of age during the political calamities of Vietnam/Watergate,<fn>And it was truly calamitous. The fear that Nixon might call upon a military solution to protect his presidency was palpable.</fn> I came away from that episode with a stronger faith in what our system of government can achieve. It was not an easy pull, but in the end, the Watergate investigations, the Church and Pike committees – the refusal to accept the claim that we could not handle the real truth – led to the kind of transparency and moral expiation we need so badly right now. It was Constitutional self-governance at its best, in response to degraded government at its worst. And then, when we made a choice to embrace a fantasy, my generation failed us all.

Red pill or blue? Maybe this time we’ll choose to grow up. Watch this. There’s still hope.

Turn off the teevee. Stand up. Make some noise.

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# Eppur si muove.

In 1633, the Holy Roman Inquisition sentenced Galileo Galilei<fn>The father of modern science, if my public school education is to be trusted.</fn> to a lifetime of house arrest for having the audacity to agree with Copernicus regarding the Earth's motion around the Sun. Despite the fact that heliocentrism is one of the greatest scientific discoveries in history, the Church declared Galileo to be "vehemently suspect of heresy" and ordered him to recant under pain of punishment and excommunication. The myth holds that Galileo refused, pointing to the celestial bodies and declaring "Eppur si muove", Italian for "and yet it still moves". This could be one of those momentous events that never happened but should have – varying accounts have Galileo saying this upon release, upon transfer to a more benign/malign jailer, stamping his foot as he said it, or maybe not saying it at all. Either way, the phrase has come to symbolize the refusal of science to knuckle under to theological pressures to privilege theology over scientific evidence and observation.

But let's be fair. Mother Church finally came around after nearly 400 years and admitted its error in treating Galileo as it did. No harm, no foul, right? Bygones.

In 1859 and 1871, Charles Darwin published *On the Origin of the Species* and *The Descent of Man*. Again, one of the great leaps forward in understanding our world, and like heliocentrism, Darwin's theory of evolution threatened religious belief, most critically the origin myths of Genesis. Defenders of God declared Darwin to be a heretic, a fomenter, a radical lunatic to be ignored or, if necessary, discredited. But science marches on, and anyone with a rudimentary science education understands that the Theory of Evolution is about as controversial (on a scientific level) as the Theory of Gravity or the Germ Theory of Disease.

In 1925, in *The State of Tennessee v. John Thomas Scopes*, a substitute high school teacher was prosecuted under Tennessee's *Butler Act* for teaching Darwin's Theory of Evolution in a public school. Most people know the story from watching Spencer Tracy and Frederic March duke it out as stand-ins for William Jennings Bryan and Clarence Darrow in the 1960 movie *Inherit the Wind*. Tracy famously made a fool of March's character, and the movie sent a clear message – evolution was science, creationism (though the term barely existed then) was knuckle-dragging nonsense, and liberal-minded men of reason (men, always men) would lead the way to a brighter society based on evidence and reason. Holdouts arguing in favor of creationism might as well argue that gravity is “just a theory”. Eppur si muove.

We all remember how horrified we were when poor downtrodden Dick York (the first Darren of *Bewitched*) was found guilty by the gullible rubes of small-town Tennessee, but never mind, man, because things must have been set right pretty quick. Frederic March being led away in enfeebled disgrace was all the signal we needed to know that Reason had conquered superstition. Right? Not so fast, there. The Scopes decision was appealed all the way to the US Supreme Court, which overturned his conviction on a minor technicality while affirming the Constitutionality of the Butler Act. Butler remained the rule of law until 1967. <fn>I was in first grade in Tennessee when the first rumblings about repealing *Butler* started up, and while I didn't know what in fresh hell he was talking about, my Dad's boss went off on a tirade one night about “not descending from no gal-durned monkeys” and “next they'll be teaching Hin-doo nonsense about evolving from hands...HANDS!...and am I supposed to deny my God and believe THAT?”. I remember it well because he zeroed in on me, a tender first grader vulnerable to the deceptions and manipulations of the “communist plotters” and their “liberal comrades”. Again, I had no idea what he was on about, but his intensity was unmistakable. And unforgettable. His voice

quivered with anger and indignation, his eyes afire at the threat “evil-lution” posed to our Godly way of life. I learned much later that he was a lifelong Goldwaterite and Bircher enthusiast. But no matter which laws are on the books; evidence supporting the theory of evolution mounts at a steady pace. Eppur si muove.

Eighty years after *Scopes*, *Tammy Kitzmiller et al v. Dover Area School District* flipped the script. In this case, parents objecting to the presentation of intelligent design (ID) as a viable alternative to evolution took their school district to court. The judge in this 2005 case – an appointee of Bush the Lesser – gave the creationists a thorough thrashing, calling out their arguments as ludicrous and the testimony of their expert witnesses as borderline perjuries. The full opinion is long, but if you are geek like me, the complete opinion in *Dover* is an awesome read. Judge Jones basically hands them their asses in tiny pieces. In the end, the school district was ordered to pay over \$1 million to the plaintiffs to cover legal fees. Pushing theology as science can be a very expensive mistake. At last! We can all agree that creationism, or ‘intelligent design’, is a barely disguised tidbit of Christianist hooey dressed up as science. Could any question be more completely settled?

And yet just last month, retired baseball pitcher and ESPN commentator A word I hate above any other, aside from ‘moist’. Curt Schilling spent about 12 hours on Twitter declaring evolution to be permanently and definitively debunked. An ESPN journalist, Keith Law, got into it with Schilling on Twitter, pointing out the basic errors in his word salad. Standing tall, ESPN took immediate steps to ease the embarrassment staining its good corporate name. One can’t have the Help bickering in public.

Alas, ESPN managed to step right on the corporate Johnson by suspending Keith Law and ordering him to stay off Twitter. To be fair, ESPN did not subject Law to a lifetime of house

arrest or have his collected writings suppressed, and they fairly quickly un-suspended Law. They announced that they could not say exactly why Law had been punished<fn>The old “respecting the privacy of the employee” dodge.</fn> and unpunished, but that none of it had anything to do with helping Curt Schilling “show his ass to the world”,<fn>In the words of Deadspin’s Kevin Draper. Bravo!</fn> no siree, it’s all a big coinkydink. Whatevs. Let’s just guess that somebody in the executive suite realized that assuming the role of the Holy Roman Court of Inquisition in 2015 might not be the slickest move in the book, image wise. And to their credit, ESPN took no action against Schilling. It’s always good when a knuckle-dragger shows his ass. I’m more comfortable knowing exactly what I’m dealing with.

His penance paid and his purgatory lifted, Law returned to the Twitter machine with a three word message: Eppur si muove. I’m going to go ahead and declare the Best Tweet in the History of Ever competition to be over. I had not thought about these three little words in a while. I thank Law for his pith, and, oddly, Schilling and ESPN for putting him in mind of it.

Thirty years ago, people who held beliefs like Schilling’s were largely too embarrassed to show their ass the way he did. They might have believed the same thing, but mostly they had enough sense to keep it covered. No more. For better or worse,<fn>Worse. Definitely worse.</fn> Ronald Reagan’s ascent to the presidency was enabled by cleverly organizing and mobilizing conservative Christians. It was a largely cynical play, in that Reagan’s gang did not really care much about the religionists’ agenda. But all the same, the fringe elements of American religiosity were invited to take a place at center stage, and the rest of America was ‘invited’ to treat them and their fringy ideas with tolerant respect. I’d suggest that the world was a better place when the snake handlers, moral majoritarians, and sundry other bible-banging grifters were subjected to intolerant ridicule, but I guess that’s just me.

In 2012, 46% of polled Americans declared their belief in intelligent design driven by divine intervention. This near-majority insanity is one rationale offered by the ID partisans to support their claims that there is a controversy about the science, and it is a direct result of giving religionist extremists a seat at the table in the first place. But one of the greatest characteristics of science is that it's not a popularity contest, and it doesn't matter what you believe. What matters is whether or not the explanation holds true under rigorous observation. If it still moves, it still moves. It doesn't matter which ancient desert scroll you base your belief on if it contradicts the science. Done. Or so you would hope.

In 2010, an opinion poll about climate change found 43% of Americans declaring that human activity was not the cause, with 20% declaring there was no proof of change at all. Two years later, those denialist numbers had dropped to 30 and 12 percent respectively. Many media outlets have dropped the pretense of allowing denialists to present their claims on par with established climate science. The science is utterly settled on this, but the game is far from over.

For a couple of years I worked for a software maker in the extreme-risk insurance sector. This is a very conservative crowd, and my attendance at conferences had a distinctly behind-enemy-lines feel to it.<fn>The comments about Obama and Prof. Senator Warren were especially deranged and fringy.</fn> We would sit in session after session where actuaries and risk analysts from the big insurers talked about their efforts to understand and prepare for severe weather events created by climate change. Pentagon analysts would lay out studies and plans that directly address the reality of anthropogenic climate changes and the potential impacts on human health, food and water supplies, population migrations, and international conflicts. And then we'd go to the bar where the gaggle would consider the threat to their bottom lines, and

outright denial began to fade. Sure, there were still a few who loudly harrumphed that it was all a scam to make the climatologists rich, and Al Gore is still fat, etc. But the threat to the bottom line got their attention.

We've reached a point where the business and military interests recognize the threat to profits and security posed by climate change. On the other side, acknowledging and addressing the realities of climate change would tap the bottom line of some very powerful people and institutions who profit greatly from the status quo. And as with evolution, there is a significant slice of the population that embraces opinions contrary to accepted science for no reason beyond tribal reflex: if *libberrullls* believe something, let me believe the opposite. The science is clear: we're destroying the ability of our planet to sustain human life. We will either address it or not. In the end, the inexorable march of nature will have its way, public opinion be damned.

Trends in public opinion on a variety of issues have moved in what we could roughly call the liberal direction in recent years. Approval of equal rights for gay and lesbian couples regarding marriage, adoption, and employment is overwhelming, albeit with a few well-entrenched institutions still manning the barricades. The once-universal condemnation of LGBT folk has all but disappeared. This game is won. But I've thought that before.

Public support for gun control regulations – especially background checks and waiting periods – is overwhelming, but again, well-financed institutions make it their business to block meaningful action that would threaten the bottom line.<fn>The NRA's claim that this is about the Bill of Rights is All. My. Balls.</fn> In 1967, noted pinko sympathizer Ronald Reagan signed into law the Mulford Act, which prohibited the public<fn>Meaning on your person, in your vehicle, and on the street or in any other public place.</fn> carrying of loaded firearms. The law's author was himself a

Republican.

On March 28, 1981, an assassination attempt on then President Reagan shocked the nation<fn>It was one of those “Teachable Moments” you hear so much about.</fn> and gave birth to calls for even stricter restrictions. Reagan gave full support to the Brady Bill, the last comprehensive piece of gun control legislation passed in this country. On March 28, 1991, 10 years after his shooting, Reagan said:

*“I’m a member of the NRA. And my position on the right to bear arms is well known. But I support the Brady bill and I urge the Congress to enact it without delay. It’s just plain common sense that there be a waiting period to allow local law enforcement officials to conduct background checks on those who wish to buy a handgun.”*

The most conservative President this nation had seen in over 50 years believed – as does the majority of America today – that restricting easy access to firearms was solid public policy. Even the NRA agreed. Arguments against sensible regulation were relegated to Archie Bunker bigots, the brunt of jokes, the old school that was being swept away. Why are we debating this again? It was settled, right?

When I look at the backwards movement on other issues – evolution is one, along with reproductive rights; the importance of affordable, universal education; the value of the arts in education and quality of life, among many – and I wonder why we are even having a conversation about these things, much less having to fight against losing hard won advances. And it makes me wonder if twenty years out we won’t be back re-arguing climate change or gay marriage. I mean really. Birth control? Evolution? It was settled, right?

No worries, though. It only took Mother Church about 400 years to come clean on Galileo. Maybe by 2250, the inheritors of creationist superstitions may admit their errors about Darwin.

That is, unless the climate denialists have their way, because then it won't make any difference.