THE STRANGE POLITICS OF PRISONS IN AMERICA BY JAMES KILGORE
THE END OF CAPITALISM BY ROB URIE
A BRIEF HISTORY OF THE US CHAMBER OF COMMERCE BY DAVID MACARAY
BEHIND THE BIG GREEN DOOR BY KRISTIN KOLB
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Cover Image
This End of Capitalism (after Lichtenstein) By Nick Roney.
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In Awe
Dear Jeffrey,
Your September column in the hardcopy … I don’t even know why I’m mentioning it — it is so typical of your trenchant analysis — is exceptionally brave and terrifying. Wow. I’m in awe.

Tracy McClellan.

The Wolves
Jeffrey,
That article — if you will accept it from one who reads hundreds of environmental articles — “Sacrificial wolves,” is a masterpiece on a wretched, lamentable theme. It is a top selection in the anthology of our times.

Yesterday and once earlier in the week, I watched a coyote family in a pasture. They crossed into another pasture and I wondered if they would have been shot if that rancher had been there. Then I wondered where the bullets would have carried. We were there to begin to figure out how to recreate the wetlands destroyed when the former owner dug a channel and straightened a creek. We were at the beginning of the Sierra foothills, hardpan beneath, sandstone ridges to the east, the remorseless march of he Imperial Almond on the other three sides. The smog was so bad we couldn’t see beyond the first set of hills. It lacks drama and focus. But you write like Lafcadio Hearn about a hanging.

Bill Hatch

Move Over NPR
Paul Craig Robert’s is high on my list of most admired people. CounterPunch is a breath of fresh air outside the sewer of misinformation that Americans are drowning in.

Ira Pettit

Opting Out
Dear Jeffrey,
I was happy to receive my “magazine” of CounterPunch, and of course your article on Guantamano Bay was excellent; I enjoy all your writing; thank you! However, I’d like to make a comment on the letter which slammed Whitney, ending by recommending that he ‘carry an umbrella.’ I suppose there are people like that in the world, though I seemingly manage to avoid them. The letter-writer’s attitude reminds me of the Reagan-era “don’t worry, be happy” mindset (which Linda and I managed to avoid by being in Malaysia during those years)! We know of this mindset because of letters our friends despairingly wrote us. My reason for writing is to express one person’s opinion that that letter was, hopefully, not representative of collective reaction to Mike Whitney’s consistently and brutally honest reportage of the Financial Situation, a situation which deserves no ‘happiness’ as we witness what is happening to us all (unless we are capable of deriving joy from “investments” we carry in the Stock Market (“feeding the tiger”, as Pam Martens wrote in CounterPunch a while ago -- Pam Martents being mentioned joyously by a cigarette-smoking yoga-practicing reader.) I guess that the “letters” section is supposed to help a ‘community of readership’ develop, but from those two letters my gut reaction is that I am not, nor do I want to be, part of the community.

All the best, I am proud to support CounterPunch.

Cordially,
Dave Stewart
Bloomington, Indiana

Come Back Syd Barrett
The last cover, playing off of Dark Side of the Moon, was one of your most ingenious. But I wonder how many of your younger readers experienced the chilly paranoia that record evoked for so many of us in the 1970s, as the age of Nixon was giving way to the even creepier era of neoliberalism. Hopefully, Nick Roney’s art will drive some of the kids back to that album. Note to Millennials: you don’t need to drop acid to enjoy Pink Floyd, but it helps.

Sheila O’Toole
Evansville, Indiana

The World’s Best War Correspondent

I was thrilled to hear that CounterPunch’s Patrick Cockburn just won another huge journalism award: Best Foreign Correspondent. I recall that Alex disdained writing prizes, but surely even the old curmudgeon would be bursting with pride that his little brother is finally receiving accolades for his bravery and courage under fire. I’m having a Jameson’s tonight in celebration!

Finian Flores
Liverpool, England

Hierarchies of Privilege
I appreciate CounterPunch’s clear-eyed reporting on racial and sexual violence. I believe these acts are a reflection of the material conditions of the culture within which we live, a culture that objectifies the living world, and does so by way of institutionalizing systems like: patriarchy (matriarchy is not a system, “whatever” you mean), capitalism, human supremacy, and white supremacy. These systems result in the normalization of internalizing beliefs and then behavior of privilege: White males attacking black and brown people is not merely sad and frightening (altho it *is* that, I agree), it is the result of all of these forces of a culture which lends to these hierarchies of privilege.

Roxanne Amico
Buffalo, New York

Send Letters to the Editor to: CounterPunch PO Box 228, Petrolia, CA 95558 or email counterpunch@counterpunch.org
In 1952, Charlie Follett, a wayward orphan, was a resident of the Sonoma County State Boys Home. When he was 14-years old, he was taken to the hospital, told to disrobe and sit on a table. The orderly offered no explanation.

"First, they shot me with some kind of medicine. It was supposed to deaden the nerves," Charlie Follett said, describing his forced vasectomy. "Then the next thing I heard was snap, snap. Then when they did the other side, it seemed like they were pulling my whole insides out."

Follett was a minor, unaware of what was happening to him or why, unable to resist or even challenge it. The state had simply decided that this teenager was a derelict, unworthy of the right to reproduce.

Follett was one of at least 20,000 people sterilized against their will by the state of California from 1909 to 1963, in a eugenics program explicitly geared toward ridding the state of “enfueled” and “defective” people.

California’s eugenics program proved so efficient that in the 1930s, Nazi scientists asked California eugenicists for advice on how to run their own sterilization regime. “Germany used California’s program as its chief example that this was a working, successful policy,” Christina Cogdell, author of Eugenics Design, said.

But California wasn’t alone. The state of Virginia forcibly sterilized 8,300 people. North Carolina sterilized 7,600 people against their will, the last in 1974. My home state of Indiana has a wretched record, with 2,500 forced sterilizations with most occurring between 1938 and 1953. Oregon, which had a population about half the size of Indiana, performed 2,300 sterilizations, with 60 percent of them conducted on patients entombed in the barbarous state mental hospital. The sterilizations were approved by the state-sanctioned Oregon Eugenics Board. Incredibly, this board wasn’t disbanded until 1975, though the state’s eugenics program persisted until 1983.

A grim chapter of history, you say. But the era of sterilization hasn’t ended yet. It has simply migrated from state hospitals and health departments to the courts and medical offices. Take the case of Kathy Looney, a Louisiana woman convicted in 2000 of abusing three of her eight children. She was given a savage choice: either undergo medical sterilization or face lengthy jail time. "I don’t want to have to lock you up to keep you from having any more children," barked District Judge Carl V. Sharp, as he sentenced her to sterilization and a five-year prison term. "So some kind of medical procedure is needed to make sure you don’t."

In this context, the Annals of Internal Medicine published a revealing comparison by Drs. Andre N. Sofair and Lauris C. Kaldjian of German and US sterilization policies from 1930 to 1945. During the years when Americans were being involuntarily sterilized as part of a multi-state eugenics program dating back to 1907, what did the leading medical journals here have to say on the topic in their editorials?

The authors reviewed the relevant periodicals only from the 1930s. Even in this narrow time frame, against the backdrop of Nazi eugenic programs, the facts are instructive. The American Journal of Medicine, the Annals of Internal Medicine and the American Journal of Psychiatry had nothing to say. A special committee convened by the American Neurological Association endorsed the widely held view that mentally "defective" people were a drain on national resources. The committee reviewed the Germany sterilization law of 1933, and praised it for precision and scientific grounding.

The editorial record of the New England Journal in the early 1930s was dreadful. In 1934, The Journal’s editor, Morris Fishbein, wrote that “Germany is perhaps the most progressive nation in restricting fecundity among the unfit,” and argued that the “individual must give way to the greater good.”

While researching our book Whiteout, I came across a remarkable federal court opinion on sterilizations of the poor. In 1974, U.S. District Court Judge Gerhard Gesell wrote that “over the last few years, an estimated 100,000 to 150,000 low-income persons have been sterilized annually in federally-funded programs.”

Gesell pointed out that though Congress had decreed that family planning programs function on a voluntary basis, “an indefinite number of poor people have been improperly coerced into accepting a sterilization operation under the threat that various federally funded benefits would be withdrawn... Patients receiving Medicaid assistance at childbirth are evidently the most frequent targets of this pressure.”

Starting in the early 1990s, poor women were allowed Medicaid funding to have Norplant inserted into their arms; then, when they complained of pain and other unwelcome side effects, they were told no funding was available to have the Norplant rods taken out. Here, therefore, was a new species of involuntary sterilization, implemented under the approving gaze of Bill and Hillary Clinton, who later imposed their cruel Malthusian obsession on the destitute women of Haiti.

In the coming age of austerity, as poverty, homelessness and hunger take deep root across the Republic, the eugenic impulse is almost certain to reemerge, probably dressed in the old progressive guise of social improvement and economic benevolence.
I don't much care who killed JFK. I know, heresy, but I've always been partial to the theory that Oswald did it – for ideological reasons, just like Czolgosz, President McKinley's assassin. Kennedy had blood on his hands and more in mind; he and Brother Bobby hadn't succeeded in killing Castro but would've if they could've. The will and machinations, the secret assassination team, were all there and, more than that, the imperative of the job. You don't run to be president of the empire without assenting in advance to be a murderer, and you don't assemble a braintrust of hawks – the same that would urge-on LBJ in prosecuting the war in Vietnam – if you have a secret plan for love and peace. Oswald had a particular political passion: hands off Cuba. But there was a wide world of grievance under the sunny skies of 1963. Karma killed Kennedy.

That's not to slough off death, or anniversaries. The latter are the social equivalent of hitting the pause button, somber breaks in the quotidian acceptance of what is. *Gosh, November 22 ... who died today?*

The quick answer is someone in Pakistan, blown to bits of flesh and bone, burned beyond recognition by dronefire. The manner of death makes this accounting more variable than usual, but The Bureau of Investigative Journalism, a London-based nonprofit, reports that from June of 2004 to mid-September 2012, missiles from US drones killed between 2,562 and 3,325 souls in Pakistan, and injured between 1,228 and 1,362. Across 3,031 days, that makes for at least one person killed or injured every day. Earlier this year Sen. Lindsey Graham boasted of higher numbers. “We've killed 4,700”, he told the Rotary Club of Easley, South Carolina. From the context, he was citing the carnage from drone strikes in Pakistan and beyond, though not including Iraq and Afghanistan.

Picture the scene: the Rotarians, fine figures of society, stuffed from lunch, belching quietly, no doubt proud that a US Senator should grace their speck of a city, listening in deference as he crows about mass murder. It is absolutely astonishing that someone – say a cousin of the dead, say a father sending remittances home to a family that he knows endures drones flying overhead twenty-four hours a day, say any relative or friend aware that every minute a child is crying in terror of possible death, afraid to go to school, afraid of funerals and shopping and playing outside – it's astonishing that that person doesn't crack and plant a bomb in any mall or Wal-Mart in America on Black Friday.

But I'm being dramatic, and a political appreciation of anniversaries does not require drama. On any given November 22 the news anywhere in the US says more about the horror that haunts our yesterdays and todays than anything spewed from the national memory machine whirring nonstop about the loss of Camelot.

A year ago I was in Arizona and picked up this from the Pima County Sheriff’s Department blotter, as printed in the Ajo Copper News:

*November 22, 2012

Pima County comprises Tucson and a vast area of the Sonora Desert west almost to California, and south to the Mexican border. A longer-lost Mexican vehicle, it too is stolen property. Lukeville is the port of entry, at the edge of Highway 85, one rampart of a militarized zone that obtrudes upon the crazy cacti grace of Organ Pipe National Monument; that buzzes with trucks and helicopters and radio signals, crawls with agents and their dogs, there to intercept that 82.7 pounds of weed, that undocumented alien, with the full knowledge that they can never stop most of the drugs, most of the men, women and children crossing the desert.

Hence those “human remains”, noted as routinely as broken glass. In Ajo, an old copper town whose present fortunes hinge on Snow Birds and the Border Patrol, an agent confides that the law intercepts probably 8 or 9 percent of the drug traffic – not much, but enough to grease the machinery of surveillance and punishment. Estimates about human traffic are scaled differently: the checkpoints and sensors and 500 additional BP agents have “taken away the easy ground”, added four days to the trip from Mexico to Tucson or Phoenix. Traversing the harshest desert ground, out of sight, migrants shed their backpacks, their jackets, their sardine tins and water bottles and their blood.

A president who died lucky in his bed a long, long time ago captured the proper emotion for this occasion when he said, “I tremble for my country when I reflect that God is just.”
Distant Mirror: November 1963

By Chris Floyd

Alex Cox was in full flow, holding forth across the candle-glittered wine glasses and fine china plates. The two of us had somehow gate-crashed High Table at an Oxford college. He had been artist-in-residence there for a year, but that year had passed and it was not entirely clear that he retained his dining privileges -- much less the right to invite a hick from the sticks to sit among the Fellows. But there we were.

He was in town trying to drum up money for a series of films based on Jacobean plays; I was, very briefly and completely ineffectually, helping him. Ignoring High Table protocol, which dictates a change of conversational partner with each new course, Alex kept up his passionate dialogue with me. He was talking of 9/11, then just a couple of years past, and how the official story was full of holes.

It's still full of holes, of course. All the "official" stories -- 9/11, both Iraq Wars, Iran-Contra, Libya, Kosovo, the Osama rub-out, on and on -- are full of holes. Holes, evasions, misdirections, outright lies: black oil-smoke to hide the enormity and ubiquity of state crime, which each scandal and catastrophe threatens to expose, whether or not there is some direct official culpability in the particular matter at hand.

The whole business of empire is carried out in a rolling, heaving hairball of infinitely tangled connections between the upperworld and the underworld, where ruthless factions use, betray, fight and ally with each other in ever-changing combinations. Any sliver of light falling anywhere on the hairball must be snuffed out immediately, lest it illuminate the true nature of the system.

I don't remember us drawing any profound conclusions between the many courses that night. But the scorching skepticism we shared toward official stories had its origin in the same place, in the mother of all hole-ridden, oil-smoked hairballs: the Kennedy assassination.

As Cox notes in his new book, The President and the Provocateur, he was 8 years old when John Kennedy was killed. (I was five, but I remember it too; or rather, what I most remember was not Kennedy’s assassination but Oswald’s, being reported on our grainy black-and-white television as we came home from church.) Even then, Cox was struck by the strangeness of the event; shortly after reporting Kennedy was shot, he writes, the BBC suddenly went off the air for several hours -- an unprecedented event. Afterwards, the entire bipartisan British Establishment, mimicking its American counterpart, closed ranks around the official account, locking out the questions even of such redoubtable figures as Bertrand Russell.

It was only a few years later that Cox ran across a pamphlet voicing the credible concerns that Russell and others had raised about the Warren Commission’s obvious oil-smoke job -- a serendipitous find that set him off on the decades of diligent research summed up in the book.

Cox synthesizes a vast corpus of investigation into the hydra-headed morass of the Kennedy murder to succinct and powerful effect. With a director’s eye for cinematic jump cuts and well-paced narrative, Cox juxtaposes the parallel lives of Kennedy and Oswald they race toward their joint rendezvous with death in Dallas in November 1963. Cox is especially good at laying out Oswald’s remarkable trajectory, which was surrounded in still-impenetrable murk even from his earliest years. (The “official story” has young Oswald attending two different junior highs in two different states at the same time, for example.) Oswald’s innumerable contacts with the “National Security State” are laid bare -- including the fact that this brazen ‘defector’ to the Soviets, who openly declared his intent to reveal state secrets (from his work in the U2 intelligence-gathering program), was not only allowed back into the United States, but was even given a loan by the government to cover the expenses of his return.

Meanwhile, Kennedy is shown dealing with open insubordination from the military-industrial-security complex, enduring a level of hatred and vitriol from these armed and dangerous factions that makes the Tea Party look like purring pussycats -- even as he cravenly appeased them at nearly every turn. Cox is careful not to paint JFK in falsely heroic colors; his Kennedy is no liberal saint brought down by evildoers, but an active accomplice in imperial crime who, toward the end of his short life, was -- perhaps -- just beginning to grasp the enormity of the devil’s bargain he had made to win power.

Cox comes to no ultimate conclusions. Among the many power factions that wanted Kennedy removed, Cox seems to incline to his mentor Mark Lane’s view that the CIA was likely a prime mover. But whatever else the mysterious Oswald might have been (including, without doubt, an agent or asset of the security state), the book’s skillful mastering of the facts makes it clear that he was, in the end, exactly what he claimed to be after his arrest: a patsy.

And so are we all, fifty years on: a nation of patsies, still being played by the brutal power-gamers of our unloving imperium.
The Fed's asset purchase program dubbed QE is having an increasingly destabilizing effect on the financial system. The $85 billion per month program has triggered a wave of speculative buying that has inflated bubbles in stocks, bonds and other financial assets. The distorting policy flies in the face of the Fed's statutory mandate which is "price stability". By assuming the role of active participant instead of impartial referee, the Fed has become "more of a price maker than a price taker", which suggests the central bank is fixing prices according to its own biases instead of letting the markets' pricing mechanism function unimpeded. The Fed's nonstop intervention has created a disconnect between stock prices and the real economy which augurs a sharp correction when the program ends.

The impact that QE is having on stock prices is evident by the topsy-turvy way investors react to economic data. Good news is bad news and bad news is good news. When 3rd Quarter GDP came in at a better-than-expected 2.8 percent, traders quickly dumped stocks en masse anticipating a faster scaling back of the Fed's liquidity injections. All three major indices plunged with the S&P 500 posting its biggest loss in more than four months.

In contrast, the Dow Jones reached a record 15,746 just a day earlier on dismal projections that GDP would grow at a mere 2 percent and that employers would hire fewer workers than the month before. Signs of a weak economy send stocks into the stratosphere while indications of stronger growth lead to a selloff. Once again, good is bad and bad is good. Investors have been conditioned to operate opposite the way they would normally if the Fed was not directly involved. The implications of are striking. Investors no longer base their buying decisions on employment, growth, personal consumption, retail spending, consumer confidence or even earnings. What matters is the Fed: Will the liquidity injections continue or not. The prices of equities and bonds rest entirely on the behavior of the market's biggest player, the Central Bank. If the Fed continues to intervene, stocks will rise. If the Fed withdraws, stocks will fall.

How is this policy supposed to lead to a credit expansion when 5-years into the program, households are still paring back their debts and increasing their savings? How does QE strengthen the economy and spark more investment when businesses have accumulated more cash than anytime on record and have limited their investments to stock buybacks and dividends? And where do we see proof that the Fed's easing policy is reducing unemployment, raising wages, stimulating employment, raising wages, stimulating consumption, retail spending, consumer confidence or even earnings. What is the "wealth effect" would spill over into capital investment? The Fed's belief that the benefits of QE are not the case at present.

No where, in fact, the only non-controversial thing we can say about the program is that it pushes up stock prices which is apparent by the flurry of speculation it's ignited on Wall Street. But while stocks are soaring higher by the day, the increases in the monetary base (bank reserves are currently 20-times larger than required) have not led to more personal consumption or capital investment. The Fed's belief that the "wealth effect" would spill over into the real economy has not panned out at all. Higher asset prices have merely exacerbated the disparity between rich and poor which is already at levels not seen for more than a century.

Also, while Fed chairman Bernanke has been goosing stock prices, President Barack Obama has slashed the budget deficits by $400 billion in the last year which is the largest one year decline in the budget deficit since 1969. According to economist Jared Bernstein, "We're engaged in a level of budget austerity that would make a European policy maker proud."

Budget cuts and QE are two spokes on the same wheel. The policies are part of a starve-the-beast plan to restructure the economy so more of the wealth flows upwards. There are, however, nontrivial risks associated with the toxic combo of belt tightening and asset inflation. Those risks include economy crushing credit bubbles, bond market ructions and potential loss of reserve currency status. In the short term, the most likely scenario is a stock market plunge following the announcement of a reduction in the Fed's asset purchase program. Tapering QE will push up long-term interest rates, throw a wrench in housing sales, and send stocks and bonds tumbling. Margin debt which is presently at its highest point since the peak in 2007, will be cut sharply as investors look to reduce their leverage and prepare for a correction in stock prices. Corporate stock buybacks would also be curtailed as Bernanke's $85 billion monthly backstop is removed. Equities will continue to slide until investors feel that prices reflect fundamentals and earnings potential, which is not the case at present.

While it's still too early to say what the long-term impact of QE will be, it's clear that the benefits have mainly gone to the uber-rich whose holdings of stocks and other financial assets exceed those of the bottom 90 percent by more than 20x. The investor class has done remarkably well in the last 5 years, taking advantage of the stock market surge that has more than doubled the value of all 3 indices in the same period.

"Quantitative easing is meant to benefit the wealthy," says Nomura's chief economist Richard Koo.

Indeed, it is. In fact, QE is just plain old class warfare dolled up as "extraordinary monetary policy."
DAYDREAM NATION

Behind the Big Green Door

By Kristin Kolb

The float plane ducked from the heavy clouds, gliding over Whale Channel. We left Prince Rupert, on British Columbia's coast, and cut deep through the Inside Passage. Our destination, Princess Royal Island, home of salmon-eating wolves and white Kermode bears, who prefer just the fish's eyes and brains for a snack. The aircraft skidded across the glassy water to a dock on a barge.

On that barge sat a luxury resort, and in front of that resort stood two athletic waiters with trays of champagne. I was handed a flute: "Welcome to King Pacific Lodge. No, no. Leave your bags here. I'll show you the spa."

It was Week Two at my new job in a new country. My husband and I had recently left Chicago for Vancouver, where he was to study anthropology and I was the communications advisor for a new environmental campaign.

I stared at coffee-table books documenting this place, dubbed the Great Bear Rainforest by photographer Ian McAllister. I quoted Edward Abbey in my journal: "There are some places so beautiful they can make a grown man break down and weep."

The contrast was huge. My last night in Chicago was on deadline at the lefty magazine where I worked as an editor. This time, some guy tried to break into the office through the roof access.

Three days prior to my first campaign retreat, I suited up and met my colleagues in the Vancouver boardroom of Weyerhaeuser. Staff from the Sierra Club, Greenpeace, and Forest Ethics had formed the Joint Solutions Project with Weyco and three other logging companies when they agreed to stop sawing down old-growth after boycotts. But civil disobedience was now out the door. We had a different way of doing conservation – collaborative. Win-win. And the stakes were high: 21 million acres, hungry markets in China and the United States. It was September 11, 2001. We watched the towers fall on CNN as we sat around an exquisite red-cedar table.

I worked that job for two years. And by the time I left, I rarely saw my colleagues. We communicated via email, mostly, about ghost-writing PowerPoints. Executive staff flew in and out of Vancouver weekly, working from a conference room in our office in the financial district. Chanel was across the street. I never met an ordinary resident of the Great Bear Rainforest involved in the campaign. That conference room door was rarely open. Foundation officers and consultants plump with high finance backgrounds jetted in from San Francisco and New York.

Now, if you want to visit King Pacific Lodge, it costs $4,999 for three nights. The best suite, with a view of the harbor, runs $12,600.

Now, if you want to work for an environmental, non-governmental organization, or ENGO, here are some typical phrases to log for interviews, which I've skimmed from recent job ads: "looking for a rock star organizer" … who can "increase our program and fundraising effectiveness."

Now, the environmental movement machinized behind the Big Green door and fueled by consultants is losing. The Great Bear Rainforest Agreement, heralded seven years ago, putters along, and every few months, bleats of " Implement!" fall on deaf ears.

The foundation greenbacks are focused on climate change. But, in early November, the provinces of British Columbia and Alberta agreed to allow pipelines to empty on the Great Bear Rainforest. By the time this magazine is printed, oil will flow through TransCanada's Gulf Coast pipeline.

Meanwhile, a few pips in the press are pointing out what is wrong with movement-building today. A piece on Alternet referred to a study revealing that big environmental organizations received more than $10 billion over nine years, and just 15 percent of those funds went to community groups.

A publicity video – titled "Strange Bedfellows" – by the mega-foundation Tides Canada, goes for the money shot. We see a beautiful woman wake up in a bedroom with posters of clearcuts and "Eat Local" taped to the walls. There's a bongo drum. She's clearly disoriented, and a bit disgusted, presumably after a one-night stand, as a lanky, cute, hippie boy sleeps next to her.

Beautiful Woman puts on her suit and panty hose, grabs her briefcase, and dashes off to her Mini. She texts Hippie Boy: "Sorry I had to run. We should do that again sometime."

"Yes," Hippie Boy replies. "Thanks to Tides Canada for bringing us together."

We can only assume that they put in a long night of high-powered, closed-door negotiations.

Now, that suit I wore to Weyco on September 11 doesn't fit. I prefer the jeans and boots and advice of old man Abbey. "Yes, there are plenty of heroes and heroines everywhere you look. They are not famous people. They are generally obscure and modest people doing useful work, keeping their families together and taking an active part in the health of their communities, opposing what is evil (in one way or another) and defending what is good. Heroes do not want power over others."

heroes."

others.” CP
Are We Really Witnessing the End of Mass Incarceration?
The Strange Politics of Prisons in America
BY JAMES KILGORE

“This is the beginning of the end of mass incarceration.”
–Natasha Frost, associate dean of Northeastern University’s school of criminology and criminal justice

After more than three decades of “tough on crime”, the New Jim Crow, truth in sentencing and three strikes, the law and order project looks adrift with no one rushing to bring it back on course. The bubble of prison construction is about to burst, if it hasn’t already. Pretty soon it may be difficult to find anyone who admits they once advocated serial prison building and trying fourteen year olds as adults. Crime figures are down while other distress meters rise into the danger zone—unemployment, homelessness, and deteriorating public education. No longer can Directors of Corrections masquerade as first responders and lay claim to unlimited funding streams. Budgetary and social justice alarm bells are ringing loud and clear. On top of this, as Soros Justice fellow Tracy Huling notes, a “newfound political will” from state Governors of both parties “to close prisons and, in some cases, to reduce the overall size of their incarceration systems” has emerged. At a local level, more than 40 municipalities and counties from, Kalamazoo to Jacksonville, have passed Ban the Box legislation which removes questions about criminal background from job applications. Even people with felony convictions seem to be getting a fair shake.

For those of us who have spent years of our lives in cages and for everyone who has been fighting mass incarceration, this reality is encouraging but also a little unsettling. We have perfected our mantras, honed our talking points of condemnation for everything from supermaxes to technical parole violations. Now everyone speaks like they are on our side. In a battle where the lines were once clearly drawn, the division between them and us is getting murky. After six and a half years inside Federal and state prisons, I’m getting pressure to call prison guards “correctional officers,” being told I must find commonality with them as “exploited workers.” Such urgings push me into an uncomfortable corner. Time to take a deep breath and survey the lay of the land.

The Carceral Big Picture

Capturing the big picture requires looking at several aspects of what some of us call the prison industrial complex. The first is the numbers game: do we really have less people behind bars? The answer is, yes. For the past three years, the total number of people in prisons in the US has fallen for the first time since 1972, a post-2009 decrease of about 43,000 out of a prison population of more than 1.5 million (2.2 million including jails). No massive celebrations are in order, however. Some disturbing new trends are creeping into the mix like the meteoric increase in the incarceration of women in the last few years. Besides, even with the reductions, the US still far outdistances the rest of the world in per capita incarceration rates and states like Pennsylvania continue to promote massive prison construction projects.

Also, the numbers game isn’t everything. We need to ask what happens to people who have been taken out of prison. Do they find jobs? Are substance abuse and mental health treatment programs available? Are they managing to avoid constant harassment by police? Do they really have a future or are they destined to live at the margins, in the gutters, alleys and board ups of U.S. cities? And most importantly, how many of them are locked up somewhere else just to keep the state prison statistics looking good? Answering these questions is difficult. That trending catch all, “alternatives to incarceration,” can become a shell game where punitive policies submerge themselves in benevolent clouds of risk assessment tools and evidence-based practices. Punishment adopts many pseudonyms.

A quick snapshot of the nation’s four largest prison systems sheds considerable light on the complex dynamics involved. Let’s begin with the good news in New York, where the most significant changes have occurred. Since 1999 the prison population in New York state has decreased by 24% with eleven prisons closed. Law enforcement officials have been quick to attribute these shifts to reduced crime produced by “hot spot” policing and “zero tolerance.” Activists Judith Greene and Marc Mauer call the decreases the result of “a remarkable change in drug enforcement policy in 1999 that entailed an unprecedented curtailment of NYPD’s ‘war on drugs’.” These policy changes didn’t come about through a spontaneous change of heart by police, nor did legislators simply wake up to budgetary pressures. Rather, the work of civil society groups like the NYCLU, the Correctional Association’s “Drop the Rock” campaign, and the Drug Policy Alliance’s Real Reform coalition exposed the bankruptcy of aggressive drug prosecutions. Eventually the public and then key officials like District Attorney Joe Hynes began to see the light.

Reforms to laws such as the removal of mandatory minimum sentences, contributed to a decline in drug arrests, from 40,361 in 2008 to 29,960 in 2012. Moreover, while the stop and frisk policy has deservedly landed New York City with a New Jim Crow label, figures from the state Division of Criminal Justice Services show that Black drug arrests have actually been decreasing- from 42% of the total in 2008 to 35% in 2012. More people now receive citations for minor
Looking West

California presents another version of the reform scenario: a set of administrative changes forced down the throat of the governor by a Federal Court decision. Despite its reputation as a Blue state, California has been at the cutting edge of racialized mass incarceration. As recently as 2007, the state assembly voted 70-1 to pass AB 900 authorizing the construction of 53,000 new prison and jail “beds.” But a high profile campaign by Californians United for a Responsible Budget (CURB), a coalition of over 50 organizations and an advocacy heir of prison abolition pioneers Critical Resistance, slowed the state’s capacity to roll out the construction. Then in 2009 the Federal Courts intervened. In a landmark move resulting from legal action by prison resident Marciano Plata, the court upheld the plaintiff’s allegations that medical care in California’s prisons was inadequate. The decision pointed to overcrowding, rather than lack of services, as the root problem. The court then ordered the California Department of Corrections and Rehabilitation (CDCR) to slash the population from its then 200% of capacity to 137.5% within two years. Failure to comply would mean the Feds would step in and run the system.

In response, Jerry Brown, first as state Attorney General, then as governor, bought time with legal appeals while he developed his plan of “realignment.” Vowing not to release people early, the Governor “realigned” individuals from the state prison system by shifting them into county jails and community-based programs. AB 109, passed in 2011, was the enabling legislation, removing the cap on county jail sentences and clearing the deck for people to serve unlimited time in county lockups as long as they were “non/non/nons” - non-serious, nonviolent, and non sexual. Despite disturbing results like one man being sentenced to 43 years in LA County Jail, Stanford law professor Joan Petersilia responded with typical Golden State hyperbole: “The importance of California’s realignment experiment cannot be overstated… This is the biggest penal experiment in modern history.”

This mega- “penal experiment” came with a local sweetener, extra funds for counties to accommodate the “re-aligned.” Some sheriffs opportunistically used this money for jail construction rather than placing people in alternative programs. A few prosecutors developed their own pushback strategy “upping” the charges, to make sure a person’s conviction would warrant a prison rather than a jail sentence. Despite these obstructions, the plan succeeded in moving some 25,000 people out of the state system over the next two years, but fell short of the court-mandated target. Earlier this year, the Supreme Court issued a final verdict: the state had to reduce to 137.5% of capacity by the end of 2013. Brown then added a second round of “bonuses” to local authorities for his pass the buck strategy - $315 million in extra funding to county sheriffs to accommodate their new immigrants from CDCR with the figure to almost treble by 2015.

On the surface, Petersilia does seem to have a point - that the importance of this “cannot be overstated.” The issue is defining that importance. While Brown’s counter to the Feds has bounced thousands out of state prisons, medium- and long-term impact remain in doubt. As more money drifts down to the county level, more sheriffs may opt to expand jail capacity rather than fund programs. If this occurs, the net
result could be no significant reduction in the ranks of the incarcerated but simply more people in county jails, less people in state prisons. This would be a clear cut loss for the men and women behind bars, since nearly any state prison, even California’s violent and racially segregated facilities where I spent a little over three years, offers programs and services vastly superior to those of most county jails.

On the other hand, if realignment were to succeed and keep reducing the number of people incarcerated in the Golden State, Governor Brown would have discovered a way of decarcerating by administrative fiat rather than a philosophical shift or significantly modifying draconian legislation and carceral practice.

Ultimately, the importance of Brown’s initiative may actually be in realigning the CDCR with private prison providers. While California has largely avoided private prisons, with Brown under the gun to reach the 137.5% by the end of 2013, the Governor signed an agreement with Corrections Corporation of America (CCA) to lease a minimum security facility in the Mojave Desert which holds 2300 beds. While the privates generally are staunchly anti-union, the deal allegedly would staff the facility with guards from the ultra-right union, California Correctional and Parole Officers Association (CCPOA), a major backer of Brown’s campaign.

In the meantime, CURB and many other groups continue to pressure against any expansion of the CDCR’s capacity, consistently calling for the release of people with non-violent cases as a more meaningful alternative than Brown’s administrative restructuring.

California’s process demonstrates how decarceration is about far more than numbers. The recent hunger strike by men in the Security Housing Unit in Pelican Bay provides evidence that the punishment paradigm remains alive and well in California. Brown and CDCR officials’ steadfast refusal to negotiate with hunger strikers who were demanding an end to isolation cells in which some of them had remained for over four decades, revealed that little had been realigned in the minds of criminal justice authorities in the Golden State. Only continued pressure from below by organizations like CURB is likely to yield more permanent results.

**Texas Hold Em’**

The upbeat version of recent criminal justice history in Texas characterizes the state as a poster child early adopter of prison reform. The narrative goes like this: when 2007 budget projections showed Texas would need 17,000 prison beds in the next five years at a cost of $1.6 billion, a now-retired, cherry Red state legislator named Jerry Madden stepped in. A series of startling reforms ensued - including the spread of drug courts, mental health and substance abuse treatment and lower parole case loads. The resulting changes freed up some 12,000 “beds” in the state system, though Texas continued to carry out contracts with more than a dozen private prisons.

In policy terms Texas, once the beacon for the “make my day” set, did soften, especially when it came to releasing people on parole. In addition, a broad-based coalition which included the ACLU of Texas, Grassroots Leadership, the Texas Criminal Justice Coalition, AFSCME Local 3807, the Texas Inmate Families Association and several other groups successfully foiled attempts at private prison expansion. While the state managed to free up enough “bed space” to close two institutions, a look at the overall numbers is equivocal. Texas did register a decrease of almost 3,000 people in the state prison system from 2011 to 2012, but the numbers remain at 2005 levels of slightly over 152,000, still the United States’ largest state prison system. Furthermore, with an astronomical per capita incarceration rate of 923 per 100,000, Texas doesn’t amount just yet to any beacon of hope. As a recent post from high profile blogger “Grits for Breakfast” asks: “If Texas justice reforms were so great, why does the state still have the nation’s largest prison population?” Good question.

Where Texas has succeeded is juvenile justice. After a set of scandals involving abuse of youth in state lockups in 2007, authorities closed nine facilities and built community-based alternatives. Perhaps adult corrections officials should study their juvenile counterparts more seriously.

**The Federal System**

Lastly, we come to the Federal system—the nation’s key carceral growth area. Despite the recent chest-beating by Attorney General Eric Holder about setting aside mandatory minimums, the Federal Bureau of Prisons (BOP) has not succumbed even to the rhetoric of decarceration, let alone the practice. Instead, the Feds have adopted an expansion-oriented business model, partnering with private prisons to tap into the “niche market” of immigration detention leading to an 84% rise in the number of people in immigration detention since 2005. In addition, Congress has imposed a mandatory quota of 34,000 immigration detainees- ICE cannot let the number fall below that figure, despite declines in actual “illegal” border crossings. Coupled with harsher immigration laws like Arizona’s SB 1070, all this has led to a spiking of deportations, with 2012 numbers surpassing 400,000 for the first time in history. In a previous *CounterPunch* article, I have termed this wave of deportations “The New Operation Wetback”, after an actual U.S. government program in the 1950s which repatriated hundreds of thousands to Mexico. But nowadays deportation is not the only issue.

Under the current regime people with a prior illegal entry conviction can be sentenced to up to two years in prison before being repatriated. Those with a previous felony conviction who enter the U.S. illegally can receive up to ten years, 20 years if it was an “aggravated felony. Locking up the undocumented has become the primary face of mass incar-
Conclusion

In New York a popular mobilization along with politicians waking up to fiscal realities helped precipitate important changes. In Texas and California, the results have been much more uneven with political pushback and bureaucratic manipulations like realignment stalling comprehensive shifts. While the national and state level conversation has altered, we stand at the precipice of a very complex period—the bursting of the bubble of prison construction can assume many forms. Tracy Huling points out some of her concerns in this regard: I am worried that … entrenched special interests, including unions representing prison workers and for-profit private prison companies, might somehow combine to create the perfect storm.

Citing California Governor Brown’s dealings with private prison kingpin CCA, Huling goes on to add, “In that kind of scenario, given the extent to which campaign contributions and other kinds of bribes already corrupt the democratic process, all rational public policy considerations about the costs and benefits of prisons might be thrown out the window.” A key point which grows from Huling’s analysis is that significantly changing the prison industrial complex entails wresting money and resources from corrections for programs and ultimately transformative processes that attack the problem at its core. In short, there is no stopping mass incarceration without redistribution of wealth and tax revenue, without attacking poverty and inequality.

Those who have benefited from mass incarceration will find new ways to resist change, new ways to brand and deliver their commodity. In 2010 private prison operator the GEO Group, bought the nation’s largest electronic monitoring firm, BI Incorporated. Clearly, GEO Group CEO George Zoley, who earned $7 million in 2010, thinks that GPS is part of the wave of the future. In a society where many people look for technological solutions to social problems, electronic home incarceration, especially as the surveillance capacity of GPS escalates, offers many attractive possibilities for investors and corrections power brokers. If prison and jails cells are rendered too costly, with home detention, families can shoulder the expense of room and board and the state can extract daily user fees for being monitored. Most programs already impose such user fees, typically from $5 to $17 a day.

Boutique prisons constitute a second reform which can sustain or expand incarceration. Not all forms of carceral punishment come with orange jumpsuits and electrified fences. Now we have a range of product variations designed to “humanize” the captive experience: “gender-responsive” institutions (which were part of Brown’s realignment), mental health lockups (the GEO Group has also heavily invested here), and family friendly immigration detention centers where mothers and fathers do time with their children while awaiting adjudication. And lastly, in a society predicated on dividing the rich from the poor, we have the pay to stay facilities where folks in Beverly Hills can fork out $150 a night not to have to sleep with the riff raff. All of these “alternatives” keep the resources and the focus on detention and deprivation.

Ultimately, the reversal of mass incarceration necessitates not only designing genuine alternatives but transforming the dominant national mindset. Perhaps the biggest challenge to current thinking relates to notions of innocence and guilt. Often when I speak to people about decarceration or ending prison construction, they accuse me of advocating for the release of Charles Manson or backing drive by shootings in inner city communities. But hundreds of thousands of people behind bars fall between the “non-non-nons” and the Mansons. They should be released long before their ridiculously long sentences have expired.

These people and their families are the major victims of mass incarceration. They carry the violent label in a legal system that has been structured to punish the violence of the poor, particularly that of poor people of color. African American youth catch a violent label for possessing an unregistered gun or get an assault on a police officer charge resulting from an aggressive stop and frisk. Latinos and poor whites earn the violent tag when they commit a robbery born out of the desperation of addiction or just plain old no food in the house and no access to food stamps because of a drug conviction. The bottom line dictates that if we change peoples’ social and economic realities, we can change the way they act.

I have walked prison yards with many people I would not like to see back on the streets any time soon. But I have walked with far more people who were doing life or 30 years because they got backed into a corner where doing something destructive felt like or perhaps was the only option. To reduce U.S. incarceration rates to the relatively sane levels of other industrialized countries, we have to decarcerate more than the non-non-nons. This will only come about when the social movement addressing mass incarceration grows stronger and begins to grapple with the complex racialized nexus of incarceration, poverty, inequality and the state.
Post script

Let me end on an optimistic but contradictory note. For the past eighteen months I have been involved in a campaign to stop a $20 million jail project in the county where I live—Champaign, Illinois. After lots of ups and downs, just two weeks ago the county sheriff, who had been the chief inspiration behind the jail plans, stated that he had shifted in his thinking, was no longer asking for a cent for construction and was ready to experiment with policies that would keep people out of jail and avoid spending money on incarceration. At the end of the meeting, after considerable discussion, he reached out to shake my hand and I accepted. I thought about washing that hand as soon as I got home but I didn’t. Still I’m not ready to call anyone a “correctional officer” just yet. Old habits die hard and they usually hang around for a reason. CP

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The End of Capitalism?

BY ROB URIE

Western economics is an exposition of capitalist ideology put forward as scientific explanation of the economic ‘aspect’ of social life. It is also ‘a methodology in search of applications’ as Nobel Prize winning economist Gary Becker put it. So which is it, ideology or methodology? Through the Western ontological construct of ‘metaphysics’ it is both. The metaphysical humanism of ‘economic man’ is both the ‘rational’ actor of economic method and the fundamental unit of capitalist political economy. As the ‘object’ of both ideology and method economic man ‘exists’ in the metaphysical ether and as reconstituted in capitalist political economy. And as an implausible artifact of Western ontology metaphysics serves as an implausible framework for Western economic methods and as implausible premise for capitalist political economy.

Western intellectual history shares this ontology handed down from the philosopher Plato as philosopher and mathematician Rene Descartes developed it and as it is used today in the modern practice of Western science. The effect is to combine a set of theories about the nature of ‘the world,’ metaphysics, with a method of inquiry that is put forward as the secular voice of god to claim possession of ‘truth’ as a tool of social domination and control. Its metaphorical hierarchy is reconstituted in social practice and as analog in ‘the sciences’ that runs from physics, chemistry, and biology down to the social sciences—and from the Western metaphysical worldview ‘down’ to all others. In this history theory and practice have united in ways of ‘seeing’ the world that exist today in the Western mind and as the fundamental premise for capitalist political economy.

While criticism of metaphysics is generally presented as methodological critique—the methods used in the Western sciences are based on an implausible set of premises about the ‘nature’ of ‘the world,’ the critique presented here places metaphysics as the central hegemonic force at work in the Western worldview—as the hidden governing ideology as meant by the Italian political theorist Antonio Gramsci. Metaphysics has ideological content that lies at the very heart of this worldview from perceptions of ‘individual’ and ‘society’ to the Western concept of ‘truth,’ from the theorized purpose of scientific inquiry to who ‘we’ are as people and to the nature of ‘nature’ itself. This hegemonic worldview reconstituted in political economy is in full collision with ‘the world’ because its set of contingent ‘wants’ and priorities are leading to social and environmental catastrophe.

The social practices of ‘the West,’ broadly considered, are an iterative reconstitution of this metaphysical worldview—‘understanding’ of ‘the world’ forms the guiding premises—both form and purpose, of Western institutions from political economy to its particular political, military, scientific, technological and academic institutions. And it lies behind existing social hierarchies as they developed historically. The political economy of capitalism is the preeminent reconstitution of this hegemony. In theorized opposition, the Marxian political economy of capitalism is the preeminent reconstitution of this hegemony. In theorized opposition, the Marxian concept of materialism as the basis for historical development is metaphysical in a slightly different manner, as a ‘ground’ for history that nonetheless stands outside of it. This written, once the metaphysical worldview is set to the side what is left is a non-metaphysical materialism with basis in human needs that is similar to theoretical communism. But to be clear, no metaphysical humanism is being re-developed here.

Metaphysical hegemony is more than ‘mistaken’ practice, even as reconstituted in its ‘pragmatic’ institutions. It is an arrogance premised on the ‘special access’ to ‘the world’ that derives through history and metaphor from hierarchy in Cartesian metaphysics, from the privilege of logos over broader experience of being. Western science is the most visible embodiment of this metaphysics as social practice. Science is described/understood as the method of gaining ‘true’ knowledge of ‘the world’—knowledge that stands outside of time, space and human interests. Its basis in Cartesian metaphysics lies in the idea of ‘truth’ as atemporal object and in its methods of demonstration—scientific research as it is related ‘back up’ to its metaphysical ‘object’ as mode of proof. As geographical metaphor, its problem is of the coincidence of temporal and atemporal objects—timeless and universal ‘truths’ that nevertheless exist temporarily. More fundamentally, its special status in the West is as a tool.
of social domination and control. Arrogance here isn’t meant as personality quirk, but rather as the presumed hierarchical relationship with ‘the world’ that lies behind the social dysfunction and environmental catastrophe of capitalism from its birth in European imperialism to its modern incarnation as totalizing political economy. The theorized benefits of capitalism are its opposite, largely because its premises and conclusions are otherworldly—theorized to exist in unlikely ether, while its results are in ‘the world’ in which we live. This metaphorical distance leaves the capitalist calculus capable of ‘counting’ only its theorized product while ‘the world’ is forced to accommodate its factual product. The difference threatens annihilation of most living things through environmental and social catastrophe. By placing ‘economic man’ in the metaphysical ether capitalism is a totalizing identity explained as ‘freedom.’ Economic man is the actor who acts on ‘the world’ without living in it, the ‘tourist in other people’s misery’ he creates.

In the ‘ether’ there exist multiple ‘mans’: biological man, historical man, philosophical man, technological man, etc. Of some relevance is that each of these ‘mans’ has scientific analog. But none of these other ‘mans’ exists as the basis for the form and purpose of the social institutions of Western political economy. In opposition to the ‘idealist’ proposition that all of these ‘mans’ are equally possible, economic man embodies the metaphysical metaphor that is the base object of capitalist political economy. Economic man, or some analogous metaphor—‘rational man,’ is the actor who embodies the methodological requirements of Cartesian metaphysics. As the idealized embodiment of an historical existent—the European trading economy as ‘economics’ was being developed, methodology is tied to the ‘type’ of object that was needed to build the theorized bridge between a metaphysical self and ‘the world’ and freezes it for all time.

To invert the point, in capitalist political economy ‘freedom’ is to act on the instantiated identity of economic man as it is reconstituted in Western institutions—to be ‘free’ to be told who you are. It is to forego the agency long put forward as the core of the Western ‘self’ because the metaphysical self is frozen in the ether apart from ‘the world.’ The metaphysical approach requires a theoretical ‘someone’ to gaze out at ‘the world’ and economic man was the chosen actor. As conceived, he was no more than the simple contrivance needed to occupy the ‘inside’ of the metaphysical inquiry that is capitalist economics. That capitalist political economy is reconstituted in the image of economic man has turned a methodological contrivance into the instantiated identity of Western ‘individuals’ as social actors without society and as free choosers who are free to choose an antique metaphysical contrivance over reconciliation with ‘the world.’

A consequence of economic man’s alienation from ‘the world’ is that the fundamental constituents of capitalist political economy are put forward as existing outside of, as incidental to, its core activities—wars for economic resources, radical social alienation, environmental catastrophe and ultimately, the social incapacity for reconciliation in any of these dimensions. What these illustrate is the implausibility of the metaphysical construct—the lines of division theorized to exist in the ether that find no analog, no such clean lines, in ‘the world.’ In human terms this division is illustrated through the capitalist tendency to see the human catastrophes it causes—deprivations of physical and social necessities, as ‘psychic’ artifacts, as failure of those suffering to competently negotiate the distance between self and world. Political economy that sees its core constituents, its dysfunction expressed in social pathologies and environmental catastrophe, as standing outside of itself can only find resolution through abandonment of its ‘home’ in the metaphysical ether.

The collision between the mental objects of capitalist theory and the facts of capitalist production occasionally find voice in metaphor. ‘Externality’ is the Western economists’ term for the ‘internalities’ of capitalist production that are claimed to be incidental to it—environmental devastation and the social catastrophes of unemployment, poverty and social exclusion that don’t fit into the capitalist metaphysical construct. ‘Externals’ are put forward as critique from ‘without,’ as unintended consequences that can be managed from ‘within’ through more and better capitalism. However, the coincidence of these externalities with capitalist production illustrates the metaphysical blind spot at work—from effect on / in ‘the world’ capitalist ‘intent’ is indistinguishable from its unintended consequences. And through the metaphysical divide the factual consequences of capitalism can never challenge the mental objects of capitalist theory because they are perceived to exist on different planes. Western economists can’t ‘re-think’ capitalism because it is all they have.

The Great Depression also presented a distance between capitalist theory and fact so great that those on the receiving end of ‘free-market’ outcomes couldn’t ignore it. The economist John Maynard Keynes found paradox in the metaphysical relation of economic man to ‘system.’ Keynes was a mathematician and logician with an understanding of paradox—the tendency of logical constructs to be self-contradictory. Keynesian economics represented ‘innovation’ over economic man acting through Cartesian ‘rational extension’ but it nevertheless left the metaphysical construct of capitalist economics intact. The Keynesian ‘fix’ was through deference to system over the simple aggregation of economic men acting rationally. After several decades of technocratic Keynesian ‘management’ of ‘the economy’ paradox once again reared its head through ‘stagflation,’ the coincidence of high inflation with falling economic production, and Western economists pulled economic man back out of the closet and gave him a job on Wall Street.

The Cartesian metaphysical construct is totalizing through
the claim it is both method to and repository for 'truth.' As repository 'rational man,' or in Western economics 'economic man,' is its circular embodiment as well as its primary actor. As metaphysical object economic man is simultaneously everyone and no one. To argue that rational man isn't rational leaves neither premise nor method remaining. To accept the premise leaves only method as entry point for critique. Within its own terms debate of the nature / characteristics of rationality produces paradox—how is it demonstrated (as metaphysical object) without presupposing it? Keynes' insertion of paradox as critique—that local rationalities aggregated to systemic 'irrationality,' remained methodological in two senses—through paradox rational man can remain rational with the complicating factor that logical paradox is an aspect of rationality and paradox is used to relate the metaphysical 'objects' of economic man to 'system' in the metaphysical ether. 'System' in the sense Keynes put it forward is either a 'frozen' metaphorical object, even in its 'dynamic' incarnation, or it is incoherent on its own terms.

Capitalism reconstituted in the political economy of the West is similarly totalizing—if economic man isn’t both the primary actor and rational in the operational sense of capitalist metaphysics then both capitalization as political economy and capitalist economics are theoretically incoherent in the terms put forward by proponents. To be clear, outside of these terms there is plenty to discuss, but that discussion proceeds from the point where there is no theoretical / humanistic support for capitalism as 'legitimated' political economy and the modes of discourse are 'flattened' to the level where non-'experts' have as much say in the matter as do the possessors of scientific 'truth.' This isn't to confuse theory with social practice—there is no possibility that ideological capitalists and their apologists in academic economics will be swayed by the 'internal' incoherence of their beliefs, nor will they voluntarily give up the social power they wield to consider alternatives to capitalism. The capitalist metaphysical construct is self-legitimizing from the 'inside' and leaves nothing of itself still standing from the 'outside.'

The stakes for foregoing the metaphysical frame are high for wealthy capitalists—they risk losing social legitimacy for the political economy from which they’ve so benefited. But the stakes for not foregoing it are even higher for everyone else. It isn’t just that the metaphysical frame is incoherent; it is incoherent in specific ways that have the potential to end civilization. The impending environmental catastrophe of global warming is the product of the metaphysical worldview that divides the same act—capitalist production, into intended and unintended consequences and then only 'counts' those that are intended—capitalist ‘wealth.’ However, burning down the house to bake a loaf of bread ‘produces’ both more and less than a loaf of bread. And this formulation leaves aside the social catastrophes of capitalism. Not only are the 'frictions' of unemployment, poverty and social exclusion 'in-ternal' to capitalism—the difference between capitalist political economy in theory and in fact, but the totalizing nature of the capitalist frame places them on the 'outside' as personal failures in a perfectly ordered universe that isn’t.

The question of what would replace capitalism as economic 'system' is the wrong question—it keeps possible answers in the metaphysical ether—in psychic opposition to a question with only one answer, its own. If inference from the trajectory of global warming and any of a growing number of social and environmental catastrophes informs the question, capitalism is already in the process of ending itself by ending civilization. Within metaphysics 'holism' is put forward as possible reconciliation with 'the world.' But holism retains the same distance, the same dysfunctional construct, that finds analog in Keynes’ deference to 'system' as resolution of paradox that was itself ultimately undone by paradox. Metaphysical holism faces the same challenge of transcendence, of bridging the distance between self and world, which capitalism does. Moreover, like Keynes’ economics, metaphysical holism is conceived as ‘system,’ as a set of knowable relationships that can be managed from the ‘inside’ of atemporal space. And it is this same division of ‘inside’ and ‘outside’ that makes capitalism incapable of reconciling its theorized ‘product’ with its factual product. As a theory of ‘system’ holism is incoherent outside of metaphysical construct.

It would seem that inside metaphysics there isn’t much interesting to say and outside of metaphysics there isn’t much left to say. But outside of the implausible and totalizing nature of metaphysical ‘truth’ there is everything to say and everyone to do the saying. The incoherence of the metaphysical construct is only at issue because its ‘internal’ requirement is coherence to support the ‘truth’ claims made for it. The incoherence of capitalist theory on its own terms is a potent metaphor for the broad results of capitalism as it is reconstituted in political economy. But that is a failure of its ‘own’ project—of its own ‘will to truth,’ not of possibility for the overwhelming residual of existence as it is realized in experience. To push its tedious question to its tedious end, which truth is the true truth and how is this demonstrated without assuming the answer in the question? Any broad read of Western economics finds its ‘timeless and universal’ objects are particular and largely divergent theories—no metaphysical ‘unities’ there. And the same is true of Western science. The threat posed by flattening truth claims is in exposing their role in strategies of social domination and control, not as threat to ‘truth’ as discursive object in embedded experience.

Alternative political economy as totalizing system seems a doomed proposition—if capitalism as Cartesian metaphysical construct remains plausible there seems little point in endlessly revisiting the question designed to offer only one answer. And if not, why choose a totalizing ‘system’ at all—the inability of capitalism to either correct or be corrected due to its totalizing nature is its central defect. Alternative
political economy that stands a chance of producing different outcomes should ‘flatten’ the hierarchies of metaphysical reasoning to reconcile ‘self’ with ‘the world.’ This ‘flattening’ is to remove the implausible metaphysical hierarchy reconstituted in social relations; it isn’t to ‘force’ flatness. The social conditions for this flattening are the material conditions for economic and political ‘democracy.’ To be clear, this isn’t to ‘oppose’ the capitalist construct, it is to shove it to the side by creating the material conditions that render it irrelevant. Outside of this metaphysical alienation there is the chance of reconciliation with ‘the world’ needed to restore the possibility of possibility. CP

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A Brief History of the US Chamber of Commerce

Chamber of Horrors

By David Macaray

Like most years, 1912 had its share of memorable events. Without question the most spectacular of those was the April 15 sinking in the North Atlantic Ocean of the British passenger liner, the RMS Titanic, a state-of-the-art luxury vessel that had been widely advertised as “unsinkable.”

Sailing on her maiden voyage, with 2,224 passengers and crew on board—departing Southampton, bound for New York City—the Titanic ran into an iceberg. In less than three hours she went under, resulting in more than 1,500 passengers drowning. Unsinkable boat. Maiden voyage. Big iceberg. It doesn’t get any more dramatic than that. Hollywood should seriously consider turning that story into a movie.

Other significant events of 1912 were the election of Woodrow Wilson as president, the founding of the Girl Scouts, New Mexico and Arizona being admitted to the union as the 47th and 48th states, the textile strike in Lawrence, Massachusetts (the famous “Bread and Roses” strike) involving more than 20,000 immigrant workers, and Smoky Joe Wood’s sparkling 3–5 record as ace pitcher of the Boston Red Sox.

But another event occurred in 1912, one that, while drawing scant attention at the time, turned out to have enormous influence on the subsequent socio-economic history of the United States. And from the vantage point of employee rights and compensation, industrial safety, environmental responsibility, and overall economic egalitarianism, that “enormous influence” has been uniformly detrimental.

On April 22, exactly one week after the Titanic, Charles Nagel, the Secretary of Commerce and Labor (when those two cabinet departments were still combined), gave his blessings to the formation of the U.S. Chamber of Commerce. (Fun fact: In 1925 the Chamber set up its Washington D.C. world headquarters on property previously owned by Daniel Webster.)

It might be said that the Chamber of Commerce was created in self-defense. Fearing that organized labor was becoming too big, too confident, too popular and, well...too organized, President Taft’s idea of a countermeasure was to launch a comprehensive trade association, one that would serve as both a high-profile advocate of the free market and a friend to the business community.

Modern-day trade associations can be traced all the way back to the guilds of medieval Europe. Broadly speaking, guilds were composed of like-minded merchants and artisans who banded together in an effort to “control” their enterprises. They ran the gambit from secret societies to cartels. Organized labor traces its origins back to those centuries-old European guilds. (Movie actors are members of SAG—the Screen Actors Guild, and Associated Press union members belong to the News Media Guild).

This is how the Chamber describes itself on its own webpage: “The U.S. Chamber of Commerce is the world’s largest business organization representing the interests of more than 3 million businesses of all sizes, sectors, and regions. Our members range from mom-and-pop shops and local chambers to leading industry associations and large corporations. They all share one thing in common—they count on the Chamber to be their voice in Washington, D.C.”

To render that description more accurate and meaningful, the phrase “world’s largest business organization” should be changed to “world’s largest lobbyist,” because that is precisely what the Chamber is.

With access to the highest levels of governmental and corporate power, annual revenue exceeding $250 million (built on dues and fund-raising), and tentacles stretching all over the globe, the U.S. Chamber of Commerce is the largest and most extensive lobbying entity in the history of the world.

According to OpenSecrets.org, from 1998 to 2013, the Chamber spent a total of $1,002,845,680 on lobbying. During the same period, the next highest lobbyist, General Electric, spent $294,040,000.

As for its extraordinary reach, here’s an example. In 2007, in response to protests and public demonstrations, the Chinese government finally agreed to sit down with workers’ representatives and discuss much needed labor reforms. But the ever-alert Chamber of Commerce objected, arguing that Chinese labor reforms could lead to increased wages and improved benefits which, in turn, could cut into corporate profits.

That, in a nutshell, reflects the Chamber’s view of the
world. It is dedicated wholly and exclusively to the make-
ning of money. This dedication cannot be overemphasized. It's all
about profits. American profits, Chinese profits, any profits
that might lure investors. The only proviso is that these
profits do not fall into the hands of working people.
And that proviso also cannot be overemphasized. Because
the Chamber is an unabashed champion of the entrepre-
neurial class, it will do everything in its power to keep the
corporate boot firmly on the neck of the American worker,
which is why it is no exaggeration to say that the Chamber of
Commerce is the greatest enemy the American working class
organization. God help us, I've even heard people confuse it
with the Better Business Bureau.
And, of course, the Chamber of Commerce will do the
bidding of any special interest group (petroleum, pharma-
caceuticals, financial services, et al) willing to pay the freight.
Again, these special interests don't have to be American. As
of 2010, it had 115 international affiliates, located in 108 coun-
tries.
Not only does the Chamber pay politicians to introduce
legislation, its own lawyers draft many of those bills them-
selves. They actually write the legal text in the precise lan-
guage desired. All that's left for the congressmen to do is
introduce the bill as written and urge others to vote for it.
Granted, the Chamber isn't the first or only lobbyist to have
its in-house lawyers write the actual text of the laws; they just
happen to be very good at it.
The Chamber is a member of the Civil Justice Task Force
(tort reform is a big issue), the Education Task Force (the
privatization of public schools), the International Relations
Task Force (foreign money is low-hanging fruit), and the
Telecommunications and Information Technology Task
Force (fastest growing sector in the market). All four of those
groups happen to be organs of the American Legislative
Exchange Council (ALEC).
Founded in 1975, ALEC is a 501(c) (tax exempt, non-profit)
organization whose membership includes more than 2,000
legislators representing all 50 states. That figure translates
into almost one-third of the combined men and women cur-
rently serving in all the state legislative bodies in the United
States, which is staggering.

That kind of political influence is unprecedented. If you're able to “harvest” nearly one-third of the country's elected state representatives, you're in a position to move mountains. No wonder corporations expect to run the table every time they pick up a pool cue. ALEC members also include more than 85 congressmen, and 14 current (as of 2010) or former state governors. Needless to say, the overwhelming majority of ALEC's legislative members are Republicans.

Because of its close ties with the ALEC, and ALEC's disturbingly close ties with multinational corporations, people worry about the Chamber's relationship with foreign companies and governments, particularly as it relates to accepting foreign contributions to the campaigns of American politicians deemed "friendly" to those countries.

While there are federal laws limiting the role that foreigners can play in U.S. politics and commerce, globalization has so effectively blurred the lines between national, international and multinational corporations, it's hard to know who owns what anymore, even when the principals involved aren't trying to conceal it. And when they are trying to conceal it, it's made doubly hard.

In 2010, the DISCLOSE Act was introduced in Congress. Despite the best of intentions, the DISCLOSE Act has to be one of the clumsiest acronyms ever invented. Its official title was The "Democracy Is Strengthened by Casting Light On Spending in Elections" Act. That's a mouthful. It's surprising the opposition didn't try to inject some humor by countering with its own, The "We Aren't Ready Yet" Act (WARY).

Here is a summary of the DISCLOSE Act's goals: "To amend the Federal Election Campaign Act of 1971, to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes."

It was no surprise that the Chamber opposed the DISCLOSE Act. Despite its patriotic rhetoric about the virtues of the American free enterprise system, when it came time to take a stand against foreign intervention, the Chamber reversed itself, and it did so because there was money to be made.

No matter that American workers could lose their jobs as a result of foreign interests, what was important was that investors would be rewarded and businesses would prosper. On September 29, 2010, by a margin of 59-39, the DISCLOSE bill failed in a cloture vote.

With privatization fever sweeping the country, and so many federal, state and county jurisdictions having turned over the housing of prisoners to private contractors, the for-profit prison industry has become a lucrative business. Just as widget-manufacturers earn more money when they sell more widgets, for-profit prisons earn more money when they incarcerate more prisoners.

The Corrections Corporation of America and The GEO Group happen to be two of the largest for-profit prison companies in the U.S. Both are members of the Chamber of Commerce, and both have been contributors to ALEC. In its role as paid consultant, ALEC has assisted state legislators in developing “tough on crime” and mandatory “Three Strikes” initiatives.

When Woody Allen was asked if he thought sex was dirty, he replied, "It is if it's done right." That view applies to beefed-up law enforcement legislation as well. If these harsher measures are done right—if they're enforced the way they were intended—they will yield more inmates, longer sentences and, to the rapidly growing for-profit prison system, increased profits.

The Chamber supports stiffer prison sentences not because it's a law-and-order freak, or because it possesses an over-developed sense of justice, but because tougher sentencing can be counted upon to put more money into the pockets of the owners and investors of these for-profit prisons.

One can see a pattern emerging. From the standpoint of everyday workers, it's fair to say the Chamber has opposed everything that has historically contributed to making the U.S. a decent country in which to work. Look at the record. Practically from its inception, the Chamber has consistently opposed every pro-worker regulation to come down the pike.

Consider: The Chamber opposes the federal minimum wage; it opposed the 1964 Civil Rights Act, the EPA, EEOC, OSHA, food stamps, the Clean Water Act, and creation of the NLRB. To this day it denies that human behavior is a factor in climate change. In fact, in 2010, it sued the EPA over the agency's "greenhouse gases" allegations. As for organized labor, forget about it. The Chamber would like to see every union in the country abolished.

An example of an early attempt to keep the working class down was the Chamber's opposition, in 1935, to the NLRA—the National Labor Relations Act (commonly known as the Wagner Act), part of Roosevelt's New Deal program. The Wagner Act was viewed by many as labor's Magna Carta, bestowing three landmark rights: (1) the right to be recognized as the workers' sole representative, (2) the right to engage in collective bargaining, and (3) the right to strike. These became the Holy Trinity of the labor movement.

One reason the Chamber and its allies were unable to block Wagner was because the bill included enough exemptions (e.g., the Act wouldn't apply to agriculture workers or domestic help) to satisfy Southern legislators whose votes were absolutely necessary. Also, the country was still struggling economically, working people were still respected, and Roosevelt was still relatively popular.

Despite becoming law, the right-wing wasn't done with it. The Wagner Act was now squarely in the crosshairs of anti-union groups like the Chamber and NAM (National
Association of Manufacturers), who vowed to get it repealed or strongly diluted. In 1947, with the Taft-Hartley Act (passed over President Truman’s veto), they got their wish. Taft-Hartley more or less defanged Wagner, removing most of its “militant” features. Alas, it was T-F language that made those toxic “right to work” laws legal.

The Chamber conducts its business through a well-oiled combination of public relations finesse and behind-the-scenes muscle. For public consumption, the Chamber likes to present itself as the devoted benefactor of America’s small businesses. In reality, it saves its heavy artillery for the world’s largest corporations (Goldman Sachs, Chevron, Texaco, Ageon, etc.). Half of the Chamber’s $140 million in contributions, in 2008, came from just 45 big-money donors.

When it comes to elective politics, the Chamber is an eager and active, if not particularly effective, participant. Typically, it opposes candidates who are deemed too “pro-government,” or who are seen as obstacles to pet projects (e.g. the Keystone pipeline). It will either attempt to “primary” them, or oppose them in the general election. And of course, they generously support candidates who endorse their special interests.

While this phenomenon is not a new or creative tactic, it is one that, since time immemorial, has responded well to the exertion of influence, the dissemination of bullshit, and the expenditure of money, all of which the Chamber has in abundance.

During the 2010 midterms, they spent $33 million on hand-picked candidates, 93-percent of whom were Republicans. Oddly, the Chamber’s recent overall record in picking winners hasn’t been good. In fact, it’s been poor. In 2012, only 14 of 50 Chamber-backed congressional candidates won their elections. Clearly, it is better at behind-the-scenes machinations and deal-making than betting on horse races.

As consistently anti-worker as the Chamber has been throughout its 101-year history, it made a sharp turn to the right in 1997, when Tom Donohue took over as president and CEO. Under Donohue, the Chamber has become more tactically aggressive and more conspicuously conservative. This is partly due to Donohue’s obnoxious personality (he once said that John Sweeney, president of the AFL-CIO, needed “to be punched in the mouth”), and partly due to the national mood.

It can be argued that the 1990s were witness to a re-calibration of Ronald Reagan’s bogus “supply-side” template, a revival of what fellow Republican George H. W. Bush and Reagan’s future vice-president once referred to (before Republican Party honchos shut him up) as “voodoo economics.” It’s too bad Poppy wasn’t allowed to elaborate on that theme because the man’s assessment was right on the mark.

With President Clinton (at the urging of Treasury Secretary Robert Rubin) now marching in lockstep with Wall Street bond traders, poised to implement NAFTA and repeal the Glass-Stegall Act, which limited the amount of risks U.S. banks were allowed to take (How’d that work out for you, Bill?), the sense of an unimpeded, almost licentious economic free-for-all was in the air. Donohue and the Chamber have made the most of it.

Donohue makes no apologies for his mission. This is a quote from Bob Weissman, head of the liberal advocacy group, Public Citizen, “The Donohue Chamber is in full-time attack mode. [my italics] From their point of view, they’ve been very aggressive in advancing the interests of their constituents. From our point of view, they have very aggressively expanded the corporate grip over policy-making in Washington, D.C.”

Although the Chamber of Commerce has pretty much opposed every liberal program or policy in existence (although they’ve remained neutral on abortion and gay marriage), there is, ironically, one progressive issue that they not only wholeheartedly support, but are enthusiastic about: Immigration.

It’s no mystery why the liberalization of immigration laws warms the cockles of the Chamber’s heart. The prospect of millions of motivated immigrants entering the U.S., many of whom are willing to toil in substandard conditions for sub-standard wages—willing to work hard and keep their mouths shut—is a dream come true for the Chamber and the business community it represents.

The way the Chamber sees it, if the federal government feels compelled to identify who is legal and who is illegal, that’s its constitutional right, but in no way should the obligation for determining an immigrant’s status be thrust upon business owners, who are already buried in bureaucratic red-tape. That’s their argument.

Of course, it is pure bullshit. Knowing the feds can’t possibly monitor even a small fraction of these immigrants, businesses realize they’re free to hire all the illegals they like. And because bosses are aware that these workers can’t complain to the authorities or join a union, they are free to intimidate, abuse, and cheat them out of their earned wages. Unfortunately, these practices are all too common in the restaurant and carwash industries.

In 2011, the Chamber (joined by an odd coalition of liberal civil rights and pro-immigration groups) filed a lawsuit against Arizona, arguing that federal law prohibits the states from making it a mandatory practice to use “E-verify” (a federal database to check documentation). By a 5-3 vote, the Supreme Court, in something of a surprise, upheld the Arizona law, allowing state authorities to punish businesses for hiring illegal immigrants.

Another Chamber-assisted legislative torpedo job occurred in 2009. The bill in question was the EFCA (Employee Free Choice Act), a critically important issue to organized labor. Admittedly, the bill, introduced by Sen. Ted Kennedy (D-MA) and Rep. George Miller (D-CA), was an ambitious undertaking. But recalling Obama’s ardent campaign prom-
weren't all that successful. By the mid-/one.oldstyle/nine.oldstyle/five.oldstyle/zero.oldstyles, union mem-
ber-did their best to keep the unions out, their anti-union efforts
Wagner Act, used to work moderately well. Although labor
of many months or longer.
and then formally vote on it. And that vote can require a wait
the NLRB for the right to hold a union certi/f_ication election,
employees who wish to join a union are required to petition
make “card-check” the law of the land. /T_he way it works now,
...card-check formats, taking the enlightened (and practical)
Disney) have voluntarily gone to neutrality agreements and
a union. Card-check actually works. Some companies (e.g.,
do ask to /f_ill out a card asking if they
whilst paying lower wages and offering worse benefits. 
C.sc/P.sc
Titanic

Surveys indicate that upwards of 60-percent of working
people regularly express an interest in joining a union. And
why wouldn't they? Across the board, union wages, benefits
and working conditions are substantially better than non-
union shops. Moreover, there's a direct correlation between
middle-class viability and union membership.
Under card-check, most of the drama and company mis-
chief is removed from the equation. Employees are simply
asked to fill out a card asking if they do or do not wish to join
a union. If a majority votes Yes, presto!....they now belong to
a union. Card-check actually works. Some companies (e.g.,
Disney) have voluntarily gone to neutrality agreements and
card-check formats, taking the enlightened (and practical)
view that if workers truly want a union, why engage in a long,
acrimonious battle to block it?
Of course, most businesses don't see it that way. The
Chamber doesn't see it that way. Though they bandy about
such noble concepts as the right to privacy, the sanctity of
the secret ballot, the tyranny of the majority, etc., none of
those things matter a whit to them. What they fear is having
a meaningful number of American workers represented by
labor unions, which, simply put, would force businesses to
pay higher wages and offer better benefits. The horror!
Yet, as vehemently opposed as the Chamber of Commerce
was to the EFCA, it would be inaccurate to accuse them of
having been the primary instrument in its defeat. Predictably,
the EFCA turned out to be a lightening rod. Because it was so
highly controversial, every trade association, business group,
media commentator, and hope-to-die Republican piled on in
opposition.
And it wasn't just Republicans. For months, Obama's chief-
of-staff Rahm Emanuel had been blowing kisses to the op-
position hinting that the White House didn't really consider
EFCA to be a deal breaker. Meanwhile, gutless Democrats lay
in the weeds, waiting for the bill to have no chance of passing,
so they could then vote in favor of it and maintain their creds
as the "Party of the working man."
Not surprisingly, even our silver-tongued President
wimped out. Although Obama gave several impassioned and
inspirational speeches supporting the measure, when he was
asked to lead the Democrats in full mobilization, he refused
to suit up. And by the time influential senators like Arlen
Spector and Diane Feinstein got around to bailing on it, the
bill was already as good as dead. The scary thing about
the Chamber isn't simply its enormous influence, or its in-
ternational aspirations, or its hidden resources. The scary
thing about the Chamber is that its mission is never going
to end. When it comes to making money, it will never reach
the point where enough is enough. No matter how far the
American worker falls away from the middle, it will never be
far enough.
In November, 2010, the Department of Commerce report-
ed that U.S. companies had their best quarter ever. Repeat:
Best quarter ever. Obviously, from the standpoint of balance
sheets and bottom-lines, that nasty recession we've heard
so much about has long since ended....at least for business
owners.
According to the Commerce Department, U.S. business-
es recorded profits at an annual rate of $1.66 trillion in the
third quarter of 2010, which is the highest rate (in non-in-
flation-adjusted figures) since the government began keeping
records more than 60 years ago.
That statistic seems incredible until we recall recent
history. Over the last 20 years, what we've seen is layoffs and
downsizing and furloughs and rollbacks and restructuring,
and pay cuts and lump-sums and wage freezes and outsourc-
ing and the reduction of hours. Those things add up. Do the
math. Stagnant wages + lower headcount + level sales = in-
creased profits.
The big question: What kind of country does the Chamber
want the U.S. to become? Surely they must know that without
a critical mass of workers having livable wages and good
benefits the U.S. economy will continue to shrivel. There's a
lesson to be learned from the Titanic. Nothing is “unsink-
able.” Not even the American middle-class. CP

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CULTURE & REVIEWS

The Cinema of Steven Soderbergh

Hollywood’s Lost Cause

By Louis Proyect

Perhaps no other director epitomizes the tension between art and commerce than Steven Soderbergh who retired recently after twenty-four years of filmmaking. In a widely discussed farewell address to the 56th San Francisco International Film Festival in April, Soderbergh identified some of the tendencies that had finally convinced him to retire, mostly focused on the difference between “movies” (commerce-driven) and “cinema” (art-driven). Apparently, the possibilities of making “cinema” (think in terms of Orson Welles, Akira Kurosawa et al) are constrained now more than ever. When Soderbergh refers to baseball below, there is a certain irony since his geeky image belies his proficiency as a baseball player when young, good enough to consider becoming a pro until he learned that he was not that good. When he took an alternative professional route, cinema was the beneficiary.

When I was coming up, making an independent film and trying to reach an audience I thought was like, trying to hit a thrown baseball. This is like trying to hit a thrown baseball – but with another thrown baseball. That’s why I’m spending so much time talking to you about the business and the money, because this is the force that is pushing cinema out of mainstream movies. I’ve been in meetings where I can feel it slipping away, where I can feel that the ideas I’m tossing out, they’re too scary or too weird, and I can feel the thing. I can tell: It’s not going to happen, I’m not going to be able to convince them to do this the way I think it should be done. I want to jump up on the table and scream, Do you know how lucky we are to be doing this? Do you understand that the only way to repay that karmic debt is to make something good, is to make something ambitious, something beautiful, something memorable?” But I didn’t do that. I just sat there, and I smiled.

Those “scary” and “weird” ideas that put off audiences accustomed to the usual juvenilia can be found in “Side Effects”, his last film targeted for theatrical release (his Liberace biopic for HBO came after it.) Like most Netflix subscribers, I am always on the lookout for new releases that merit more than three stars. When I noticed that “Side Effects” garnered 4.3 stars, my interest piqued. And when I discovered that Soderbergh directed it, the deal was closed. The Soderbergh brand was a guarantee that the film was worth watching, whether or not it died at the box office.

Soderbergh told the San Francisco gathering that the marketing might have been wrong: “There was a very active decision early on to sell the movie as kind of a pure thriller and kind of disconnect it from this larger social issue of everybody taking pills.” In fact it was both a Hitchcockian thriller with overtones of “Vertigo” as well as a commentary on the widespread use of antidepressants, with each intertwined strand dramatized powerfully. One can easily imagine the late Alexander Cockburn finding much to admire in the film given his take on such substances in the April 2nd 2005 CounterPunch:

As Prozac came off Lilly’s research bench and headed for the mass production line psychiatrists labored to formulate a multitude of bogus pathologies to be installed in the Diagnostic and Statistical Manual of Mental Disorders, whose chief editor in the 1980s was Robert Spitzer MD, an orgone box veteran and adept copywriter skilled at minting new ailments for late twentieth-century America and sanctioning treatment, medication, state funding for the requisite pills (no expensive consultation therapy) and reimbursement by insurance companies.

Rooney Mara plays a chronically depressed female patient who begins using a new medication prescribed by her psychiatrist (Jude Law). The drugs have a side effect—some patients experience sleepwalking. When her husband arrives home at three in the morning, he spots her dicing carrots in the kitchen as if in a trance. When he tries to gently wake her from an obvious sleepwalking bout, she plunges the knife into his midsection repeatedly until he is dead.

When the media blames her psychiatrist for prescribing an insufficiently tested drug, a scandal deep enough to jeopardize his career, he launches an investigation that will remind you of Jimmy Stewart trying to get to the bottom of Kim Novak’s mysterious suicide. It is top-flight cinema from beginning to end.

With an amazing variety of genres directed by Soderbergh over the years, ranging from low budget and almost experimental films like “Bubble” to the expensive and mindlessly entertaining Danny Oceans movies designed to make money, it is a challenge to define the typical Soderbergh work. In preparing this article, I watched Soderbergh’s
very first film “Sex, Lies, and Videotape” upon which his early success rested. Despite the fact that there were no mysterious homicides in the film, it shared with his latest the theme of couples failing to communicate. There are more dysfunctional couples in the Soderbergh library than any other filmmaker I can think of, excepting Ingmar Bergman and Woody Allen. A writing instructor at NYU once told me that there are only ten plots in all of literature (including screenplays) with, for example, the same road story found in “Huckleberry Finn” as well as “On the Road”. Soderbergh, who experienced a brutal divorce in 1994, obviously feels an affinity with the “bad marriage” story that can be found in its initial incarnation in the biblical tale of Adam and Eve as well as his last film made for TV, the Liberace/Scott Thorson saga.

After “Sex, Lies, and Videotape”, Soderbergh made a series of indie type films that died at the box office and left him questioning their artistic merit as well. This led to a personal and artistic crisis that focused his mind on the movie/cinema dichotomy. In his indispensable “Down and Dirty Pictures: Miramax, Sundance, and the Rise of Independent Film”, Peter Biskind reports that when Soderbergh decided to make “Out of Sight”, a film based on an Elmore Leonard novel reminiscent of Tarantino (of course, Tarantino will just as easily remind you of Elmore Leonard), it was after concluding that his indie films were too “cold” and “cerebral”. He told Biskind: “My apprenticeship is over, and if I’m going to become something other than an art house director, it’s time to step up.”

While “Out of Sight” was a box office success, it was merely a prelude to “Erin Brokovich” and “Traffic”, smash hits that catapulted Soderbergh into the Hollywood elite; he became a bankable director who was the counterpart of the actors who became part of Soderbergh’s repertory company, including George Clooney, Julia Roberts, and Matt Damon. This is probably not where Soderbergh expected to end up when he was a teenager in love with art film. In a revealing interview titled “Toward a Universal Cinema” that appeared in the September 2010 World Policy Journal, the director described his original inspirations:

I was attending this labora-
yory school on the Louisiana
State University campus and
had access to a lot of films that
under ordinary circumstances I
never would have been exposed
to. I was hanging out with these
college film students and seeing
movies from all over the world,
in addition to classic American
films. Watching “8 1/2,” or
“Blowup,” or “High and Low” at
14 and 15 is a really extraordinary
experience. They imprint you in
a way that’s unique, you’re such a
sponge at that age.

This would explain his affinity for
cinema as opposed to movies, but he
was never a film snob. He explained:
I think it resulted in my work
having this funny combination
of both aesthetics—there’s a very
American desire to entertain and
to tell a story, but there’s also a
very European approach to style
and character that is obviously
influenced by those early experi-
ences.

One cannot be sure that story-telling
is uniquely “American” when consid-
ering a film like “High and Low”, but
at least we can agree that Soderbergh
has successfully balanced a career in
movies as well as cinema, sometimes
combining the two in a work like
“Traffic”, sometimes going for the
uncompromising independent cinematic
vision of a film like “Che”, and some-
times cooking up a fun-filled money-
maker like “Oceans 11”. Unlike Quentin
Tarantino, Soderbergh never appeared
to be competing for auteur status.
For most of his career, he has simply
sought to make well crafted, entertain-
ing films of the sort that Hollywood
once cranked out with regularity. With
his self-effacing personality and his
general aversion to venues like David
Letterman’s sofa, Soderbergh is the
consmmate professional putting all
his energy into filmmaking rather than
cultivating entourages or inspiring ar-
ticles in People magazine.

Biskind surmises that Soderbergh
identifies with Sidney Pollack based
on a remark made on a panel at the
1997 Hamptons Film Festival: “I want
to know who’s gonna be the next
Sidney Pollack”. Rather than reading
Soderbergh’s mind, it might make
sense to connect him with Richard
Lester since he wrote a book titled
“Getting Away With It” in 1999 that is
made up primarily of interviews with
the director of “A Hard Day’s Night”
and many other mainstream films,
such as “Superman II”.

Lester is a very witty interviewee but
the book is also a must-read based on
Soderbergh’s own off-kilter remarks.
His introduction is both brief and hi-
larious:

Brief desultory discussion of
forthcoming manuscript’s incep-
tion, purpose and potential au-
dience. Self-deprecating remark.
Amusing anecdote with slightly
serious undertone. Awesome
display of ego disguised as
humility; joke about same.
Transarently hollow thanks to
contributors and collaborators.

There are also some priceless entries
from the director’s diary:

Rouge/Paris

On the plane. Hard to believe it
was almost a year ago to the day
we began shooting Schizopolis.
Across from me is a couple that
I’m assuming must be Famous,
because they look the they must
be Famous, I’m not sure how to
explain that - it's just an energy or something. The woman very tall and striking, and the man is taller still and sporting a short bleached-blond haircut. They are dressed in really great clothes and appear to be very much in love and I've decided that I hate them.

One of the benefits of making box office smashes like the Danny Ocean films is that they allow you to recycle the big bucks into cinema rather than movies. Soderbergh and Clooney formed Section Eight productions in order to fund films that the studio establishment ignored and to avoid the bullshit cuts often required by Harvey Weinstein at Miramax. They saw Section Eight as a compromise between cinema and movies. From Biskind we learn that Clooney saw it this way: "Why can't we do the aesthetic that came from [the '70s]? We just try to push an indie sensibility within the Hollywood mainstream."

One of the projects they took on was Todd Haynes's "Far From Heaven", a profound examination of race and class that was inspired by Douglas Sirk's 1950s "women's films". It starred Julianne Moore as the wife of a closeted gay executive who begins spending too much time with the handsome African-American son of their former gardener. The only problem was that Haynes had already spoken to Harvey Weinstein who assumed that he had a lock on the film.

When Weinstein learned that another studio was making the film with Soderbergh as executive producer, he phoned Haynes to bawl him out: "WHAT? YOU FUCKIN' MADE YOUR DECISION? You fuck, you didn't fuckin' give me a chance to fuckin' talk to you?"

Although Miramax was responsible for distributing "Sex, Lies, and Videotape", the Weinsteins began to view Soderbergh as a lost cause after it was followed by a string of commercial and critical flops, from "Kafka" to "Schizopolis". When he showed up at the Miramax party after the 1997 Academy Awards on the invitation of Anthony Minghella, the director of "The English Patient" that had garnered a fistful of Oscars, he was denied entrance to the VIP section, where he spotted Minghella through a glass partition. Inside a big-screen TV played excerpts from Miramax's biggest hits, including "Sex, Lies, and Videotapes". The only mystery is why Steven Soderbergh stuck around Hollywood for as long as he did. CP

LOUIS PROYECT lives in New York and reviews films for CounterPunch.

We Gotta Get Outta This Place

BY LEE BALLINGER

In America, we have a seemingly incurable case of Anglophilia. We worship all things British, except the food. We even venerate their politicians, about whom we know nothing. The royals, who are really just a part of the British one per cent (albeit one with a unique hustle), contend with the Kardashians for top spot on the front page of American tabloids.

If our vision of the present is so cloudy and narrow, an accurate version of history has no chance of sitting at our national table in anything but an anachronistic fable. Andrew Carnegie and Charles Schwab invented the pull of North America as a land of opportunity.

"It was not the magnetic attraction of the land of opportunity that pulled my ancestors from their homes," Joanna Brooks writes in her new book, Why We Left: Untold Songs and Stories of America's First Immigrants. "These are just the anachronistic fables Andrew Carnegie and Charles Schwab invented about my ancestors."

Brooks, whose ancestors first arrived in North America on debtor ships, tells that story, answering her own questions: "Who are we? Who were we? Have we always been the weeds of mankind?"

It was the rise of industry, not religious or ethnic strife, which dominated England in the sixteenth and seventeenth centuries. Rural land that had been held in common for centuries was fenced off by a nascent one per cent in an illegal process known as enclosure. Land became part of a growing market economy which drove former tenant farmers and their families into the cities to work for starvation wages. What today we might recognize as corporate farms emerged to meet the cities' demand for food.

Besides enclosure, the British empire needed warships and this required wood, wood from forests that once sustained rural communities. "Each ship built required the clear cutting of at least 100 acres of woodlands." Industry, war, and environmental destruction have been linked ever since.

The proportion of landless laborers grew nearly 500 per cent from the sixteenth to the seventeenth centuries. Their protests were nearly constant: Food riots, pulling down the hedges that demarcated their former homelands, attempts to restore their communal ways of life. In 1629, dozens of women stormed grain barges and made off with as much food as they could carry. The response of the British royal government, the predecessors of those who grace People Magazine covers today, was to arrest women who broke
the law and brand them with hot irons. Brooks describes why her ancestors left: “The unworthy poor were criminalized by early sixteenth century statutes: stripped naked, tied to carts, whipped through town, and returned to the places of their last residence or prosecuted as felons for vagrancy, or bound as slaves for two years to willing masters, or put in stocks or branded.”

The pressure, the chaos, the misery was too great. The surplus population had to go somewhere. And so it did.

Desperate men and women were enticed by a carrot of lies about a wondrous new world, a carrot waved avidly by singers of “advertisement ballads.” But the use of the carrot paled beside the wielding of the stick. People convicted of crimes of poverty were forced to emigrate to the North American colonies. Press gangs roamed England’s port cities, spiriting away victims. The word “kidnapping” comes to us from the abduction of Irish children, often pulled from their beds while asleep to be put on westbound ships, never to see their parents again. Above all there was the stick of extreme poverty, which all too often convinced many of England’s displaced to take their chances as indentured servants.

Here in America we are taught to revere entrepreneurs who, through pluck and hard work and ingenuity, amass their fortunes and make us all proud of our country. But whether it’s the early colonial barons or Bill Gates, all are the beneficiaries of a system the one per cent built with the advantages of free land and free labor. You don’t need to be the sharpest tool in the shed to take advantage of that. Joanna Brooks mocks the histories of colonization with their “celebratory accounts of conscience-bound Puritans and courtly Virginia adventurers.” And she does so with good reason.

Embarking from English ships after a lengthy and brutal ocean crossing, the emigrants found themselves in a world in which they were expected to work from before dawn til after sunset, a world where trivial offenses resulted in ears and toes being cut off and the clock on the seven year term of “apprenticeship” being reset to zero. The death penalty was enforced for adultery, theft, lying, and sacrilege. To borrow an ear of corn or a bunch of grapes from a garden was a capital crime.

A maidservant who had a child served two extra years for it, even though she was providing her master with a new source of child labor. It was common for an indentured servant to bind himself over to his doctor for a year in order to receive medical treatment. He probably needed it, since diseases such as dysentery and malaria were rampant. According to Edmund S. Morgan, author of American Slavery / American Freedom, only one in fourteen indentured servants ever received the land they had been promised in return for their years of harsh unpaid labor.

Such conditions caused indentured servants to run away or to stage rebellions, sometimes in concert with African slaves. Since the lives of slaves and indentured servants were so similar, there were few if any social barriers between them. They worked together, ate together, and made love together. The master class eventually had to pass laws to keep them apart. Certain privileges were dispensed to the whites to ensure that the previous unity was broken.

Meanwhile, in England a culture of protest was emerging. As Brooks notes, it “sometimes found literary form in the custom of writing seditious rhymes known as libels.” And there were ballads, ballads everywhere. Like forms of music which would come later in history, from the field holler to hip-hop ciphers, no equipment or band rehearsal was required. Just think it, sing it, watch others pick it up and add to it.

These ballads ranged from “Edward,” which detailed the role of deforestation in pushing the rural poor inexorably toward waiting ships to “Well Met Neighbor,” which mocked the wearing of beaver-skin hats the merchant class.

“The Trapped Maiden” was a smart rebuke to the seductive lies of advertisement ballads, an “answer song” in which a woman describes her time as an indentured servant as “sorrow, grief, and woe,” of “thin” clothes and beds of straw.

Yet we are taught as schoolchildren to revere those who caused such “sorrow, grief, and woe” for our ancestors. For instance, we know Sir Walter Raleigh, primarily as the gallant man who laid his cloak over a puddle in order to prevent Queen Elizabeth I from muddying her shoes. Raleigh was actually a man who suppressed rebellions in Ireland and then became the landlord of property confiscated from the Irish. Raleigh used press gangs to muster crews for his expeditions to colonial Virginia and was widely hated for it. One popular ballad, “Sir Walter Raleigh Sailing in the Lowlands,” repeatedly cries out “You promised me gold” and details his sins:

Raleigh doth time bestride
He sits twixt wind and tide
Yet uphill he cannot ride
For all his bloody pride
He seeks taxes in the tin
He polls the poor to the skin
Yet he vows ’tis no sin

It wasn’t just what happened in England or North America that became the subject of ballads, but the daily exploitation which took place in transit. For instance:

Our sailors they work night and day
Their manhood for to try
When landed men and rustling Jacks
Do in their cabins lie

In “The Golden Vanity,” a classic ballad which existed in many versions, a cruel captain refuses to allow the cabin boy he had sent on a military mission back on board, leaving him at the mercy of the open ocean. The cabin boy contemplates using an augur
to drill holes in the side of The Golden Vanity to sink it as an act of revenge, but he decides not to because he can’t bear to harm his fellow sailors. He drowns.

Brooks summarizes the ballads: “The story they tell is this one: English peasant migrants did not come here as appointed keepers of ancient customs; we came here as the rejected ones, pushed into the water or across the seas.”

All this may sound like dusty ancient history but it isn’t. For instance, between 1935 and 1937, 221,000 Okies entered California. Just as had happened to English emigrants three hundred years earlier, their rural homeland had suffered from environmental disaster and the depredation of economic elites. They too were encouraged to move west by tales of sunny prosperity. But that’s not what they found. As David Cantwell writes in Merle Haggard: The Running Kind, “he knows that the truth of that dream wasn’t going to be a paradise at all but ‘labor camps….filled with worried men with broken dreams.’ He knows California would likely offer the man, at best, only backbreaking work at crap wages.”

Haggard’s mother Flossie added: “We found many of our friends living in shacks made of cardboard or anything that could make a shelter from the sun, and provide a place to call home. They were working people, they did anything they could find to do.”

The English ballads find an echo in Haggard songs like “Tulare Dust:” “I can see Mom and Dad with shoulders low, both of them working a double row.”

Black Rose, the inventor of unlicensed radio, spent much of his childhood in a cotton camp similar to the ones the Haggard family knew. He told me that “The camp scene was basically white, black, and Hispanic. The Okies, the whites who came out, lived in shanties. At first, according to my father, their lives were hell. Many of them had nothing to eat.” Living such similar lives, the cotton pickers of all races got along well, socializing together just as had happened in seventeenth century Virginia. That moment was symbolized by the signs in Depression-era movie theaters in Bakersfield: “Negroes and Okies upstairs.”

But that moment didn’t last. Black Rose explains: “After a while the whites were able to assimilate into the cities and some were promoted to field bosses, irrigators, or tractor drivers, jobs that paid more than picking cotton.”

A few generations later, the destruction of the communal land-owning ejido system in Mexico had the same effect as the enclosures did in rural England or the Dust Bowl did in Oklahoma, driving a mass rural emigration toward a “land of opportunity.” NAFTA made it worse when it opened up Mexican agricultural markets to U.S. agribusiness and ruined millions of Mexican small farmers. While many did find jobs in the United States, that outcome is tempered by borderlands littered with the corpses of those who didn’t make it, much like the thousands of English emigrants in seventeenth century Virginia who died less than a year after landing. Those Mexicans who did manage to successfully cross the U.S. border immediately encountered a pervasive surveillance state that operates in the spirit of antibellum fugitive slave laws. Given the history of other migrants, it’s not surprising that countless ballads are written about these experiences.

In 2013 it is a crime to be homeless, just as it was in post-feudal England. In Columbia, South Carolina the homeless are now arrested on sight and the city operates a hotline to encourage reporting the homeless to police. In Raleigh, North Carolina, police have told church volunteers they will be jailed if they keep feeding the homeless and in New York City it is now illegal to donate food directly to homeless shelters. All this shows how far we haven’t come. In 1597, English cottage communities built by landless laborers, the equivalent of the twenty-first century’s outlawed tent cities, were destroyed by local officials.

Similarly, the protest ballads of colonial times still have a connection to the present. Today’s rural-themed music often explores the subject of coal, the mining of which is another idea we got from England. Country music stars such as Brad Paisley, Dierks Bentley, and Kathy Mattea have recorded chilling songs, mostly ballads, about life and death in America’s mines.

But unlike past times, today is there is nowhere for those pushed out of the economy to go. In a high-tech world, there is no place to emigrate to which can make use of surplus labor. The only place to go is back in time, which both the Tea Party and the Democrats, with their babble about reinvigorating the middle class, urge us to do. Pending the invention of a time machine, that alternative is a dead end.

More realistic alternatives can emerge now that the walls of racial separation are, as they once did in Virginia and in California’s Central Valley, beginning to crumble. This was exemplified by this past summer’s epic California prison hunger strike, where long-standing prisoner-on-prisoner bees, often racial in nature, were set aside by a unified leadership seeking to solve problems all prisoners had in common.

Unlike colonial Virginia or the United States of the Great Depression, today’s economy isn’t poised for expansion so it can’t separate people with the carefully-doled out crumbs expansion makes possible. The silver lining to that dark cloud may be that, forced to deal with each other as equals in fact, if not always in sentiment, we may find new pathways to a land of opportunity that will exist not just in word but in deed.

**CP**

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