"...if way to the Better there be, it exacts a full look at the Worst."
—Thomas Hardy

"I refuse to live in a country like this, and I'm not leaving"
Michael Moore

Danes claim truly about their country where “few have too much and fewer still too little.” There are many capitalisms. US elites chose to make a land where too many have too much, and too many have too little. —Dick
“I wonder how the foreign policies of the United States would look if we wiped out the national boundaries of the world, at least in our minds, and thought of all children everywhere as our own.” Howard Zinn

My blog: The War Department and Peace Heroes
http://jamesrichardbennett.blogspot.com/

Newsletters:
http://www.omnicenter.org/newsletter-archive/

Index:
http://www.omnicenter.org/omni-newsletter-general-index/

See Class, Corporations, Economics, Greed, Inequality, Information Control, Lobbying, Marx, Military Industrial Complex, Monopoly, Occupy, Regulation, Socialism, Working Class, and related newsletters.

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VICTIMS OF US CAPITALISM

BILL MOYERS & CO., JULY 7, 2013, “TWO FAMILIES”

Part I: A story of the consequences on middle class and Lmc families of the economic shrinkage for these classes beginning in the 1970s. In 1991 Moyers interviewed 2 families in Milwaukee who had done everything right to achieve their American Dream of owning their own home, educating their children, and so on, and then their companies cut back and then closed, the jobs sent abroad. The Neumann family is white, 3 kids, the husband working for Briggs-Stratton, the wife able to be home and raise the kids. The Stanley family is black, 5 kids, the husband also in a factory job, the wife with kids. Soon they were faced with foreclosure on their houses, the husbands were seeking any kind of job at much reduced salary, and the wives starting to work, but jobs were few and many at $6 an hour, while the banks were demanding their monthly payment. One powerful stat I noted: From 1970s wages were stagnant (not rising), but productivity rose 70%, the huge profits going to the 1%. It’s a picture of a socially irresponsible few forcing the majority to extremities. The program shown this morning was the 2nd about the family, incorporating film from the first.

Part II: His scholar interviewees were Barbara Garson, author of Down the Up Escalator; and Barbara Miner, Lessons from the Heartland. Like all of Moyers’s guests,
these knew the subject deeply and widely, all the contexts helpful in understanding what happened to the 2 families and why. Their solutions among others: restore unions and raise wages. I found this segment too brief, but Moyers has been interviewing people for several years about the causes and cures of the economic troubles experienced by the mc and lmc. [And see my newsletters on US capitalism, corporations, and the Occupy movement. –D]

This Tues., Moyers’ 3rd program about the 2 Families will be shown as Frontline’s offering, 9pm.

THE TAKEOVER


Excerpted from 'The Great American Stickup'

"It Was the Economy, Stupid"

"How did this happen?" ~ President George W. Bush
"It was a humbling question for someone from the financial sector to be asked—after all, we were the ones responsible." – Treasury Secretary Henry M. Paulson Jr., former Goldman Sachs CEO

They did it.
Yes, there is a "they": the captains of finance, their lobbyists, and allies among leading politicians of both parties, who together destroyed an American regulatory system that had been functioning splendidly for most of the six decades since it was enacted in the 1930s.
The big cop-out in much of what has been written about the banking meltdown has been the argument by those most complicit that there was "enough blame to go around" and that no institution or individual should be singled out for accountability. "How could we have known?" is the refrain of those who continue to pose as all-knowing experts. "Everybody made mistakes," they say.

Nonsense. This was a giant hustle that served the richest of the rich and left the rest of us holding the bag, a life-altering game of musical chairs in which the American public was the one forced out. Worst of all, legislators from both political parties we elect and pay to protect our interests from the pirates who assaulted us instead changed our laws to enable them.

The most pathetic of excuses is the one provided by Robert Rubin, who fathered "Rubinomics," the economy policy of President Clinton's two-term administration: The economy ran into a "perfect storm," a combination of unforeseen but disastrously interrelated events. This rationalization is all too readily accepted by the mass media, which is not surprising, given that it neatly absolves the majority of business reporters and editors who had missed the story for years until it was too late.

The facts are otherwise. It is not conspiratorial but rather accurate to suggest that blame can be assigned to those who consciously developed and implemented a policy of radical financial deregulation that led to a global recession. As President Clinton's Treasury secretary, Rubin, the former cochair of Goldman Sachs, led the fight to free the financial markets from regulation and then went on to a $15-million-a-year job with Citigroup, the company that had most energetically lobbied for that deregulation. He should remember the line from the old cartoon strip Pogo: "We have met the enemy and he is us."

For it was this Wall Street and Democratic Party darling, along with his clique of economist super-friends -- Alan Greenspan, Lawrence Summers, and a few others -- who inflated a giant real estate bubble by purposely not regulating the derivatives market, resulting in oceans of money that was poured into bad loans sold as safe investments. In the process, they not only caused an avalanche of pain and misery when the bubble inevitably burst but also shredded the good reputation of the American banking system nurtured since the Great Depression.

If we accept a broad dispersal of blame or a sense of inevitability -- or simply ignore the details, since they can be so confusing -- we lose the opportunity to rearrange our institutions to prevent such disasters from happening again.

That this is true has only been reinforced by the tentative response of the Obama
administration in its first year. Even after a crash that economists agree is the biggest since the granddaddy of 1929, the president's proposed reform legislation stops far short of reintroducing the kind of regulation of the markets that prevented such disasters in the intervening eighty years. We still see a persistent fear, stoked by the same folks that led us into this abyss, that regulation and scrutiny will kill the golden goose of Wall Street profits and, by extension, U.S. prosperity.

If we as a people learn anything from this crash, however, it should be that there are no adults watching the store, only a tiny elite of self-interested multimillionaires and billionaires making decisions for the rest of us. As long as we cede that power to them, we can expect to continue getting bilked.

Three key myths consistently propagated about the financial markets proved devastating in this event. The first is that buyers and sellers are all logical and well informed about what they are doing, so the markets will always be "corrected" to provide accurate price values. The second is that whatever happens in these "free markets," the general public will not be hurt -- only irresponsible gamblers will lose their shirts. The third is that whenever the government gets involved, it will only screw things up; even if regulators only ask questions, it will poison the pond and spook the fish, to everybody's detriment.

All of these assumptions were proven false; the brave new world order of super-rational high-tech derivative marketing based on a Nobel Prize-winning mathematical model turned out to be a prescription for financial madness. A win-win system too good to be true turned out to be a cruel hoax in which most suffered terribly -- and not just that majority of the world's population that suffers from the whims of the market, but even some who designed and sold the new financial gimmicks. Left to their own devices, freed of rational regulatory restraint by an army of lobbyists and the politicians who serve them, one after another of the very top financial conglomerates imploded from the weight of their uncontrolled greed. Or would have imploded, as in the examples of Citigroup and AIG, if the government had not used taxpayer dollars to bail out those "too big to fail" conglomerates.

Along the way, these companies -- including the privatized quasi-governmental Fannie Mae and Freddie Mac monstrosities -- were exposed as poorly run juggernauts, with top executives having embarrassingly little grasp of the chicanery and risk taking that was bolstering their bottom-lines. Worst of all, damage from this economic chain reaction didn't, of course, stop at the bank accounts of Saudi investors or American CEOs but led to soaring unemployment and federal debt, the acceleration of the home foreclosure epidemic, massive unemployment, and the wholesale destruction of pension plans and state education budgets.

The Biggest Price-Fixing Scandal Ever
By Matt Taibbi, Rolling Stone, ReaderSupportedNews, 27 April 13

The Illuminati were amateurs. The second huge financial scandal of the year reveals the real international conspiracy: There's no price the big banks can't fix.
conspiracy theorists of the world, believers in the hidden hands of the Rothschilds and the Masons and the Illuminati, we skeptics owe you an apology. You were right. The players may be a little different, but your basic premise is correct: The world is a rigged game. We found this out in recent months, when a series of related corruption stories spilled out of the financial sector, suggesting the world's largest banks may be fixing the prices of, well, just about everything.

You may have heard of the Libor scandal, in which at least three - and perhaps as many as 16 - of the name-brand too-big-to-fail banks have been manipulating global interest rates, in the process messing around with the prices of upward of $500 trillion (that's trillion, with a "t") worth of financial instruments. When that sprawling con burst into public view last year, it was easily the biggest financial scandal in history - MIT professor Andrew Lo even said it "dwarfs by orders of magnitude any financial scam in the history of markets."

That was bad enough, but now Libor may have a twin brother. Word has leaked out that the London-based firm ICAP, the world's largest broker of interest-rate swaps, is being investigated by American authorities for behavior that sounds eerily reminiscent of the Libor mess. Regulators are looking into whether or not a small group of brokers at ICAP may have worked with up to 15 of the world's largest banks to manipulate ISDAfix, a benchmark number used around the world to calculate the prices of interest-rate swaps.

Interest-rate swaps are a tool used by big cities, major corporations and sovereign governments to manage their debt, and the scale of their use is almost unimaginably massive. It's about a $379 trillion market, meaning that any manipulation would affect a pile of assets about 100 times the size of the United States federal budget.

It should surprise no one that among the players implicated in this scheme to fix the prices of interest-rate swaps are the same megabanks - including Barclays, UBS, Bank of America, JPMorgan Chase and the Royal Bank of Scotland - that serve on the Libor panel that sets global interest rates. In fact, in recent years many of these banks have already paid multimillion-dollar settlements for anti-competitive manipulation of one form or another (in addition to Libor, some were caught up in an anti-competitive scheme, detailed in Rolling Stone last year, to rig municipal-debt service auctions). Though the jumble of financial acronyms sounds like gibberish to the layperson, the fact that there may now be price-fixing scandals involving both Libor and ISDAfix suggests a single, giant mushrooming conspiracy of collusion and price-fixing hovering under the ostensibly competitive veneer of Wall Street culture.


WARRIOR CAPITALISM  by Dick Bennett

The union of capitalism and militarism is widely observed in the US. A striking example appeared in a full-page ad by AT&T in The New York Times (Feb. 12, 2006). Top right: “The NewATT.com,” the USA Olympics logo, and the words “Proud sponsor of the U.S. Olympic Team.” To left and right buildings of unidentifiable nature, probably an office building to the left. The ad depicts a Henry Fonda look-alike with a determined face dressed in
new black overcoat over pin-stripe suit and blue tie and carrying a briefcase containing his weapons(?) walking down outdoor steps looking at the reader. It is entitled “The World According to Jack.” Under the title is a quotation from Sun Tzu’s *The Art of War*: “Whoever is first in the field and awaits the coming of the enemy will be fresh for the fight. Whoever is second in the field and has to hasten to battle will arrive exhausted.” At the bottom of page is this sentence: “Jack uses the most complete and secure, unified MPLS network of the new AT&T to oversee operations from Topeka to Taiwan and seek out all forms of inspiration.” The AT&T logo bottom right corner is accompanied by the words: “Your world. Delivered.” AT&T’s MPLS network ensures he will indeed be securely first in the field and fresh for battle, to ensure controlling oversight of global operations. A very interesting formulation of a familiar dictum for victory over others in the struggle over global resources. And with an addition that one-ups Sun Tzu: the MPLS network will also enable the warrior to “seek out all forms of inspiration”: not only will he be fresh for battle but he will have in his mind all! creative ideas and options by which to outwit his enemies. AT&T will deliver the world you wish to control and dominate. In fact—the source of Jack’s assertive confidence--it is already Delivered!

Reader Supported News | 14 June 13

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Okay, I'll make a donation.

FOCUS: Matt Taibbi | Everything Is Rigged, Vol. 9,713: This Time, It’s Currencies

Matt Taibbi, Rolling Stone
Taibbi writes: "Given the LIBOR story, the Interest Rate Swap manipulation story, the Euro gas price manipulation story, the U.S. energy price manipulation story, and (by now) countless
others of the 'Everything is Rigged' variety, this screams out for immediate notice."

Truthout

The Structural Genocide That Is Capitalism
Sunday, 16 June 2013 00:00
By Javier Sethness, Truthout | Book Review

http://truth-out.org/opinion/item/16887-the-structural-genocide-that-is-capitalism

"The dominant class at the world level . . . has become the enemy of all humanity." - Samir Amin, Ending the Crisis of Capitalism or Ending Capitalism?

Garry Leech, an author who had previously penned a book on the FARC insurgency in Colombia (2011), has assembled a forceful denunciation of the status quo with Capitalism: A Structural Genocide. In essence, he argues cogently in this work that the devastating structural violence experienced by societies subjected to the rule of capital since its historical emergence - and that particularly felt by the world's presently impoverished social majorities - is, instead of being an aberration or distortion of market imperatives, central and inherent to the division of society along class lines and the enthronement of private property. Even a cursory examination of the depth of human suffering perpetuated historically and contemporarily by the hegemony of capital should lead disinterested observers to agree with Leech that the catastrophic scale of violence for which this system is responsible can be considered nothing less than
In this book, Leech guides his readers through theoretical examinations of the concept of genocide, showing why the term should in fact be applied to the capitalist mode of production. He then illustrates capitalism's genocidal proclivities by exploring four case studies: the ongoing legacy of the 1994 North American Free Trade Agreement (NAFTA) in Mexico; the relationship between trade liberalization and genetically-modified seeds on the one hand and mass-suicide on the part of Indian agriculturalists on the other; material deprivation and generalized premature death throughout much of the African continent and the global South, as results from hunger, starvation, and preventable disease; and the ever-worsening climatic and environmental crises. Leech then closes by considering the relevance of Antonio Gramsci's conceptions of cultural hegemony in attempting to explain the puzzling consent granted to this system by large swathes of the world's relatively privileged people - specifically, those residing in the imperial core of Europe and the United States - and then recommending the socialist alternative as a concrete means of abolishing genocide, while looking to the Cuban and Venezuelan regimes as imperfect, but inspirational experiments in these terms. In sum, while I take issue with some of his analysis and aspects of his conceptualization of anticapitalist alternatives, his work should certainly be well-received, read and discussed by large multitudes.

Leech begins his text by referencing the original formulator of the concept of structural violence, Johan Galtung. In 1969, Galtung famously expanded prevailing notions of societal violence to include consideration of "the avoidable impairment of fundamental human needs or . . . of human life." Key to Galtung's formulation of structural violence in this sense is the gap between "the potential and the actual," or "what could have been and what is." Thus, avoidable death resulting from preventable or treatable diseases today constitutes violence, given the technological progression of modern medicine, whereas centuries ago this would not have been the case, according to Galtung. For Leech, then, capitalist society is indelibly marked by structural violence, as the vast inequalities in wealth and access to which it gives rise lead small minorities to be overwhelmingly privileged, while large groups of others are prevented from meeting their basic needs.

Transitioning then to consideration of the question of whether the large number of avoidable deaths observed under conditions of capitalism should in fact be considered genocidal, Leech concedes that the UN's 1948 Convention on the Prevention and Punishment of the Crime of Genocide excludes mass death resulting from one's pertaining to a given social class as constituting genocide. However, he notes that an initial draft of the Convention from 1947 did include death or injury resulting from "lack of proper housing, clothing, food, hygiene and
medical care, or excessive work or physical exertion" within the definition of genocide. Hence, while such a formulation did not appear in the final version with which we are all familiar, Leech does not accept legal positivism in this case as final; in this vein, he could have done well to have also mentioned that Raphael Lemkin, inventor of the concept of genocide, himself believed the charge should include mass murder of persons following from their belonging to particular classes. Leech nonetheless does mention that the 1998 Rome Statute defines the crime of extermination in part as "the intentional infliction of . . . deprivation of access to food and medicine calculated to bring about the destruction of part of a population," so in this sense has the weight of international law behind him. Leech's only remaining theoretical difficulty, then, is to argue that intentionality exists within the context of the perpetuation of capital-induced genocide: This proves an easy task, for the question of intent in judging capitalism is not one of examining the actions of particular persons or states (as in most traditional cases of the charge of genocide) but rather of judging the "logic" of the system as a whole. Hence, structural genocide - defined by Leech as "structural violence that intentionally inflicts on any group or collectivity conditions of life that bring about its physical destruction in whole or in part" - can be said to be an intentional outcome of adherence to norms which govern a social system that by nature "inevitably results in . . . death on a mass scale," as does capital. For Leech, the proffered defense of willful blindness - "such was not our intention," the system's managers might exclaim - is no defense at all. Or, in Jean-Paul Sartre's words: "The genocidal intent is implicit in the facts. It is not necessarily premeditated."

Following this opening discussion of the theoretical case for considering capitalism to be genocidal, Leech takes a few particularly devastating examples from the contemporary world to illuminate his argument. In Mexico, the passing of NAFTA in 1994 has led to the dispossession of campesinos (peasants) on a grand scale, as the country's stipulated importation of heavily subsidized maize and other crops from the United States effectively led millions to abandon agriculture and migrate to Mexican and US cities in search of employment in the manufacturing sector, in accordance with neoclassical theories of "comparative advantage" - and very much mirroring the means by which capitalism emerged historically through the destruction of the commons in England. For Leech, this forcible displacement has resulted in the explosion of precarity within the informal sector of the economy in Mexico, as many ex-campesinos fail to find traditional proletarian jobs, and it has also driven the horrifying feminicides of maquiladora workers in the Mexican border regions, migration en masse to the United States (and attendant mass death in the Sonoran desert), as well as the horrid drug war launched in 2006 by then-president Felipe Calderón. Leech sees similar processes in Colombia, which hosts the second-largest number of internally displaced
persons in the world (4 million), with many of these people having been removed from their
lands due to military and paramilitary operations undertaken to make way for megaprojects
directed by foreign corporations.

Alarmingly, in India, Leech reports that more than 216,000 farmers committed suicide
between 1997 and 2009, largely out of desperation over crushing debts they accumulated
following the introduction of genetically-modified seed crops, as demanded by the
transnational Agreement on Trade-Related Intellectual Property Rights (TRIPS, 1994) and the
general shift from subsistence to export-oriented agriculture. In many cases, the genetically
engineered seed varieties failed to expand yields to the levels promised by Monsanto, Cargill,
and co., leading farmers then to take on further debt merely to cover the shortfalls as well as
to pay for the next iteration of crops - which by conscious design were modified at the
molecular level so as not to be able to reproduce naturally, thus ensuring biotech firms
sustained profitability (a "captured market," as it were). That such a dynamic should end in a
downward spiral of death and destruction should be unsurprising, for all its horror.

Leech further illustrates his case regarding capitalism's structurally genocidal nature in a
chapter examining Africa south of the Sahel. It is this world region that has been "most
severely impacted" by capital's genocidal imperatives, claims Leech, and it is difficult to argue
with this claim: Merely consider the millions who succumb to AIDS on the continent each
year or the other millions who perish in the region annually due to lack of medical treatment
for complications within pregnancy or conditions such as diarrhea and malaria, themselves
catalyzed by pre-existing background malnutrition. All this deprivation is exacerbated, argues
Leech, by food-aid regimes overseen by wealthier societies - which in the US case demands
that food be purchased from and shipped by US companies, thus effectively removing a full
half of the total resources intended for the hungry - and the infamous land-grabs being
perpetrated on the continent in recent years by investors from such countries as Saudi Arabia
and South Korea. Fundamentally, though, the conflict is one based on the guiding principles
of capital: Because Africans in general do not possess the requisite income to "demand" food
commodities within international capitalism, they themselves do not constitute a "viable
market" and so are rendered invisible - nonpersons, or "unpeople."

In these terms, Leech also discusses the toxic role of the capitalist pharmaceutical industry,
which famously and "logically" invests an overwhelming percentage of its research and
development funds in highly profitable schemes for lifestyle drugs directed at first-world
consumers - at their most absurd, treatments for baldness, erectile dysfunction, and so on -
instead of in essential medicines that could relieve the horrendous disease burden borne by
the peoples of the global South. Leech starkly illustrates these tensions by noting that, were
the eight largest US pharmaceutical companies to have gained an average profit of $6.8 billion instead of $7.7 billion in 2008, with the difference going to purchase anti-retrovirals for the 3.8 million HIV+ Africans who go without any treatment at all, a considerable percentage of the estimated 1.3 million annual deaths observed on the continent resulting from HIV/AIDS could be prevented. Leech summarizes this all rather starkly: "There is no clearer illustration of the shortcomings in trying to reform the behavior of capital than the ongoing annihilation of poor people in sub-Saharan Africa who are dying as a result of the structural violence inherent in capitalism."

A similarly horrifying genocidal tendency for which capitalism is responsible is the next one briefly examined by Leech: that of the specter of catastrophic climate change. Leech claims it to be a "truly inconvenient truth" that the capitalist system itself is incapable of mitigating the total threat posed by global warming and instead precipitates this grim eventuality due to its incessant need for ceaseless expansion and profit, based principally on the indefinite exploitation of hydrocarbon resources. Clearly, it is the world's poor who so far have suffered the most from capitalism's degradation of the climate, despite having contributed next to nothing to the perpetuation of this world-historical problem: the estimated 2,000 Kenyan farmers who killed themselves upon the failure of rains in 2008, as Leech mentions, or the 260,000 Somalis murdered in the 2011 famine that followed from the worst drought in the past 7 decades. Leech observes that the ever-increasing annual death toll for which capital-induced climate destabilization is responsible will merely cause the overall number of 10 million annual preventable deaths to burgeon, leading ultimately perhaps to the deaths of "millions - or even billions," in what may well develop into the extermination of humanity altogether.

With his antepenultimate chapter "Legitimizing the Illegitimate," Leech follows Gramsci in seeking explanations for the means by which such a brutal system as capitalism has reproduced itself over time. He observes plainly that "most people's world views currently reflect the values of capital," at least within more affluent northern societies, and that capitalism proceeds with its genocidal proclivities while enjoying "the apparent consent of a significant portion of the world's population." Like Gramsci, Leech largely faults the hegemonic cultural processes that obtain within core-imperial societies - formal education, the media, work arrangements, etc. - for normalizing the prevailing state of affairs, in part by excluding the barbarous proceedings of capital from consideration - in contradistinction to his own volume. Channeling Theodor Adorno, Max Horkheimer and other theorists with similar concerns, Leech notes that Western consumers remain largely ignorant of the extreme violence that is required as the very basis for the relative privileges they enjoy in global terms;
worse, perhaps, most Northerners - a majority of whom, claims Leech, enjoy "middle-class lifestyle[s]" - have the capacity to escape the alienation driven by capital precisely by engaging in mindless consumerism, thus perpetuating the vicious cycle. For Leech, resistance to the rule of capital is far more evident in the global South, where Western imperial military ventures have long been employed to pacify and control the course of history, in radical denial of self-determination, dignity, and justice.

Leech closes this volume with a plea for socialism as an alternative to capitalist genocide. Given the development of his argument in preceding chapters, he declares that any means of attempting to overcome the extreme violence of capital cannot serve merely as a "band-aid" to the metaphorical "appendage severed by the brutality of capitalism." The system itself must be overthrown, dismantled; the point is not simply to apply anemic reforms that might slightly attenuate capital's genocidal logic, but to abolish the genocidal system altogether. For Leech, the most appropriate political alternative is that of a socialism marked by participatory decision-making and social control of the means of production; crucially, as well, this project should include concern for nature - hence, "eco-socialism" - as much of the historical experience of socialism clearly has not.

Following from assertions made earlier in the book, Leech sees the peoples of the global South as playing a seminal role in presenting anticapitalist alternatives in the present day. Indeed, he endorses Marx's late assertions on the possibilities for noncapitalist societies to simply skip the capitalist stage and enter full communism in accordance with pre-existing communal, socialistic values. In this sense, Leech ends with an appraisal of contemporary experiments in socialism, as in Venezuela and Cuba. While he recognizes that the late Hugo Chávez implemented a vision closer to social democracy than socialism, Leech remains enthusiastic about the various Bolivarian social programs, the thousands of worker-run cooperatives that flowered under Chávez, and the progress taken in the country toward the implementation of popular control of government, not to mention Chávez's famous internationalism. On Cuba, Leech praises the Castro regime's well-known successes in the fields of education and medicine - with the latter including the founding in 1990 of the Tarara Clinic, which treats Ukrainian children suffering from the ill-effects of radiation exposure after the Chernobyl disaster without cost - and celebrates the island-country's near-abolition of child malnutrition, as attested to by UN Special Rapporteur Jean Ziegler, in addition to the World Wildlife Fund's 2006 declaration that Cuba is the only country in the world to have achieved sustainable development. Tellingly, Leech asserts that Cuba's main export is health care, while that of its imperialist northern neighbor is weapons!

All these successes notwithstanding, Leech makes some rather problematic assertions in this
final chapter on socialism. For one, he claims that the Castros' infamous imprisonment of those critical of the regime was undertaken "to defend the collective rights of Cubans," and cites George Lambie's assertion that "the Cuban state . . . is benign towards the population." One can think of many eminent and reasonable observers who would strongly disagree with such characterizations! Similarly, in his discussion on eco-socialism, Leech presents Bolivia under Evo Morales as taking significant measures to protect the environment - without mentioning the 2011 controversy over the government's plan to build a highway through the indigenous nature reserve (TIPNIS), or the general charge of extractivism, as raised most significantly by the unofficial Mesa 18 at the April 2010 World People's Summit on Climate Change and the Rights of Mother Earth held in Cochabamba, which criticized the Morales government's perpetuation of mining and oil and gas exploitation and for this reason was banned from the conference's proceedings.

Despite our disagreements - I would say that Leech has performed a great service with his presentation of capitalism as being structurally genocidal. Perhaps among the most revolutionary acts one can take, as Rosa Luxemburg asserted, is to "proclaim loudly what is happening." Leech's volume does this well and should be greatly commended for this, given the general struggle to "displace and estrange the world" (Adorno) from mainstream presentations of it that would have existing power relations live on indefinitely or until such time as catastrophic destruction sets in, whether through impending nuclear war, environmental collapse or a combination of these two.

It is to be hoped that Leech's passionate contempt for the brutality and senselessness of capital will be taken up by radical social movements seeking to intervene toward the disruption of the hegemonic death-system, in favor of more emancipatory tomorrows. While it is questionable to hold, as Leech does, that such ends will be served by the seizure of state power and the development of Marxist political parties, and though I would argue that the case of proletarian complicity with capitalist imperialism is more complicated than Leech would have it, what is not open to question is the utter depravity of the structural violence inherent to capitalism. As Mark Twain wrote in contemplating the infamous legacy of the Jacobin Terror during the most intense period of the French Revolution: "There were two 'Reigns of Terror' if we would but remember it and consider it; the one wrought murder in hot passion, the other in heartless cold blood; the one lasted mere months, the other had lasted a thousand years; . . . our shudders are all for the 'horrors' of the minor Terror, the momentary Terror, so to speak; whereas, what is the horror of swift death by the axe [or guillotine], compared with life-long death from hunger, cold, insult, cruelty, and heart-break? . . . A city cemetery could contain the coffins filled by that brief Terror which we have all been so
diligently taught to shiver at and mourn over; but all France could hardly contain the coffins filled by that older and real Terror - that unspeakably bitter and awful Terror which none of us have been taught to see in its vastness or pity as it deserves."

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**Javier Sethness**

Javier Sethness is a libertarian socialist and rights-advocate. He is author of *Imperiled Life: Revolution against Climate Catastrophe* (AK Press, 2012), and he blogs on various aspects of the crises of capital at *Notes Toward an International Libertarian Eco-Socialism.*

[The following was forwarded to me by David Druding 7-7-13 with this note:  My credit cards already got cut up when these money handlers all voluntarily (illegally) refused to facilitate $ transfers of litigation donation funds for WikiLeaks's Julian Assange and Bradley Manning as they attempted to reveal the truth about US military & foreign policy to the US public & the world. Silencing the truth and surveillance are now a big lucrative biz in the US.  This media-ignored decision by the corp shill majority on the Supreme Court will hopefully see a bunch more cut into pieces in our plastic recycle bins.  --Dick]

There was almost no media discussion of the recent Supreme Court decision. (photo: unknown)
Evening News Ignores Supreme Court Decision That Protects Corporate Immunity By Sergio Munoz, Media Matters for America 07 July 13

Evening cable and network news have almost completely ignored the Supreme Court's sweeping decision in American Express v. Italian Colors, a 5-3 decision that further privatizes and restricts access to justice for everyday Americans by allowing corporations to immunize themselves from judicial review. Despite the fact that American Express was a highly contentious pro-business opinion by the conservative bloc of the Supreme Court - even by their extremely corporate-friendly standards - a Media Matters search of Nexis transcripts reveals that with the exception of one brief non-primetime mention on PBS, not one cable or network evening news show addressed the decision.

Traditional contract law has long held that certain unconscionable agreements are unenforceable. Contractual clauses are traditionally voided if they eliminate victims' ability to enforce their statutory rights, making Justice Antonin Scalia's American Express opinion to the contrary "a betrayal of our precedents, and of federal statutes like the antitrust laws," according to Justice Elena Kagan's scathing dissent.

In this case, American Express used its monopoly powers over a group of small business owners to force them to accept exorbitant credit card fees in a seemingly blatant violation of antitrust statutes. When these small businesses grouped together to pursue a class action protecting their consumer rights, American Express pointed to a clause in the card agreement that not only blocked access to the courts in favor of forced arbitration, it also prohibited plaintiffs from joining together in this mandatory forum.

But because of the high cost of bringing actions against this well-defended corporation, individual claims are financially prohibitive, leaving the small businesses without "effective vindication" of their federal rights under antitrust law. Not only are these mandatory arbitration clauses forcing victims of corporate abuse to forego the courts in favor of privatized (and confidential) justice, they are barred from making it remotely affordable. From Justice Kagan's dissent:

Here is the nutshell version of this case, unfortunately obscured in the Court's decision. The owner of a small restaurant (Italian Colors) thinks that American Express (Amex) has used its monopoly power to force merchants to accept a form contract violating the antitrust laws. The restaurateur wants to challenge the allegedly unlawful provision (imposing a tying arrangement), but the same contract's arbitration clause prevents him from doing so. That term imposes a variety of procedural bars that would make pursuit of the antitrust claim a fool's errand. So if the arbitration clause is enforceable, Amex has insulated itself from antitrust liability - even if it has in fact violated the law. The monopolist gets to use its monopoly power to insist on a contract effectively depriving its victims of all legal recourse.

And here is the nutshell version of today's opinion, admirably flaunted rather than camouflaged: Too darn bad.

Unfortunately, American Express is yet another example of the conservative justices’ extreme and continued favorability toward corporate interests, especially those pushed by the U.S.
Chamber of Commerce, and utter hostility toward class action lawsuits and the consumers and workers who bring them. And these decisions - AT&T v. Concepcion, Comcast v. Behrend, Wal-Mart v. Dukes - are piling up at an alarming rate.

American Express will only add fuel to the fire by underscoring new ways that corporations can now insulate themselves from a vast range of federal laws. From Mother Jones:

In an amicus brief submitted in this case on the side of the small businesses, lawyers for AARP, Public Justice, and the American Association for Justice warned that if the court sided with Amex, "statutes intended by Congress to protect weaker parties against stronger parties will essentially be gutted. Small businesses might as well move to a different country where they no longer enjoy the protection of the antitrust laws. At the whim of an employer, workers could be required to prospectively waive their Title VII [anti-discrimination] rights. Consumer protection laws such as the Truth in Lending Act could be silently, but inescapably, repealed by corporations with the stroke of a pen."

Indeed, if the court ruled that Amex could use an arbitration clause in a contract with a much less powerful party to escape punishment under the Sherman Antitrust Act, there's no reason why a big company couldn't create contracts that prevent people from filing sex discrimination, consumer fraud, or other similar claims in any venue. Laws that Congress passed to protect the public could simply be voided through artfully written arbitration clauses that create expensive hurdles to pressing a claim.

As Kagan observed, conservative justices are aggressively stretching for appellate decisions they can overrule - "[t]o a hammer, everything looks like a nail" - as they relentlessly create new ways to close off what has traditionally been one of the most effective ways for plaintiffs to defend their rights against more powerful corporate defendants. This obvious right-wing campaign with so many angles - corporate dominance of a Roberts Court unconcerned with overruling precedent, backroom justice for big business at the expense of the little guy - makes the media blackout on this Supreme Court case baffling.

Ultimately, if those anchors and producers who chose to ignore American Express are lucky enough to not be parties to these unfair contracts, good for them. Their viewers, however, are increasingly not this lucky as one-sided arbitration clauses and class action waivers gain in popularity among corporations seeking to insulate themselves from liability for their bad behavior.

In fact, maybe television news employees should look at the fine print of their contracts as well. They might already be part of the story they're ignoring.

Methodology

Media Matters conducted a keyword search of evening weekday television transcripts available on Nexis that included "american express" or arbitration or "class action" in conjunction with "supreme court." Evening was defined as occurring between 5:00 p.m. and 11:00 p.m. and news transcripts for PBS, ABC, CBS, NBC, CNN, Fox News, and MSNBC were examined. The time period surveyed was from June 19 through July 2.

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