

Toronto International Film Festival 2019: Part 4

The Report* exposes CIA torture, then absolves the DemocratsAlso Just Mercy, Harriet, Ken Loach's Sorry We Missed You...***Joanne Laurier**
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This is the fourth in a series of articles devoted to the recent 2019 Toronto International Film Festival (September 5-15). The first part was posted September 11, the second on September 18 and the third on September 20.

The Report

The Report, written and directed by Scott Z. Burns, is a film dramatization of the events surrounding the US Senate Intelligence Committee's investigation into and writing of a report on pervasive CIA torture under the Bush administration.

The production of the document, which involved working through millions of pages of reports, cables, etc., took more than three years. It was completed in July 2012. Another two years passed, thanks to CIA and other obstructions, before the Intelligence Committee in April 2014 voted to publish a version of the executive summary and findings. Eight months later, after further efforts to suppress or excise portions of the document, the revised executive summary, findings and recommendations, 525 pages long, with many redactions, were made public in December 2014.

The original 6,700-page report remains unpublished to this day, blocked by the CIA and the entire US political establishment on "national security" grounds. Even the fragmentary portions that emerged, however, revealed the fiendish and sadistic methods adopted by American imperialism in its drive to subjugate the world.

Burns' film importantly points to some of this, but its fatal flaw is its essential attachment to the Democratic Party and, in particular, the reactionary figure of California Senator Dianne Feinstein. It refuses to face up to the reality that the use of Gestapo-like methods by the US military and their defense or cover-up by the ruling elite revealed, as the WSWS said at the time, that American democracy was in shambles. "The CIA torture program itself was only an extreme expression of a break with bourgeois legality that characterizes every aspect of US policy," we wrote.

As the movie opens, still under the Bush administration, Dan Jones (Adam Driver), the principal author of the eventual report, has just come from the FBI to work for the Intelligence Committee. Dianne Feinstein (Annette Bening) tasks him with leading an investigation into the CIA's use of torture after the 9/11 attacks. That work, including the production of an initial report in early 2009, will last some six years.

Among many other things, Jones and his team discover that at least 119

individuals had been targeted by the CIA program involving the use of "enhanced interrogation techniques" (EITs), contrary to the agency's claims that the number of individuals involved was "less than a hundred." This was only one in a sea of CIA lies. The committee finds that at least 26 of those individuals (or 22 percent of the total) "did not meet the standard for detention"—that is, they were entirely innocent victims.

The CIA retains two outside contractors—Air Force psychologists James Mitchell (Douglas Hodge) and Bruce Jessen (T. Ryder Smith), who had no field experience with respect to interrogation and had only prepared a research paper on how CIA agents could resist torture. Nevertheless, in 2006, the value of the CIA's base contract with the company formed by the psychologists with all options exercised was in excess of \$180 million; the contractors had received \$81 million by the time of the contract's termination in 2009.

Horrifyingly, these pseudo-scientists, along with various CIA operatives and officials, devise and oversee techniques, such as sleep deprivation in which a detainee is forced to stand with his arms shackled above his head, nudity, dietary manipulation, exposure to cold temperatures, cold showers, "rough takedowns," confinement in coffin-like boxes, "rectal hydration" and "rectal feeding," and the use of mock executions. (One of the operatives, an individual known only as "Bernadette," played by Maura Tierney, seems to be a composite character largely based on now-CIA Director Gina Haspel.) Guards strip detainees naked, shackle them in the standing positions and douse them repeatedly with cold water. The movie shows one detainee succumbing fatally to the most vicious torture.

Some of *The Report's* most chilling and intense scenes depict the torture while dead-faced CIA personnel coldly evaluate the effectiveness of their methods.

This fascistic indifference extends to government figures such as John Yoo (Pun Bandhu), the attorney who pens the notorious "torture memos" that help legalize the EITs. Jones concludes that because the detainees "looked a little different, spoke a different language, it made it easier" for CIA agents to torture them.

Ted Levine plays the monstrous John Brennan who oversees and wholeheartedly defends the CIA's actions. Barack Obama made Brennan his chief counterterrorism adviser during his first term and elevated him to the post of CIA director in his second. As noted, Brennan and the White House work together to attempt to suppress the Senate report, withholding documents from the committee and then sitting on the completed draft of the report for two years.

Under Brennan, the CIA spies on Jones and the other Senate staffers preparing the report, hacking into their computers, thus violating the constitutional separation of powers, the Fourth Amendment ban on

arbitrary searches and seizures, and a number of US laws.

The film is relatively hard-hitting in certain ways, but pulls its punches at decisive moments. The depiction of Feinstein as an anti-torture crusader is especially false and even obscene. One of the wealthiest members of Congress and married to an investment banker, the California senator has been for a quarter century a reliable backer and ally of the US military-intelligence apparatus. She has defended the National Security Agency spying programs and denounced whistleblowers such as Edward Snowden, Julian Assange and Chelsea Manning as criminals and traitors. (The movie includes her denunciation of Snowden.)

After the release of the Intelligence Committee report in December 2014 was met with the unapologetic defense of torture by Brennan, along with Bush administration officials, Feinstein issued a groveling statement praising Brennan for showing “that CIA leadership is prepared to prevent this from ever happening again—which is all-important.”

No one has been punished for the massive crimes carried out under the Bush administration, from an illegal war of aggression in Iraq that claimed over a million lives to the systematic torture of detainees. The inability to hold anyone accountable for the grisly torture program exposes the breakdown of constitutional forms of rule in the United States.

As the WSWS wrote: “The United States is run by a gigantic military-intelligence apparatus that acts outside of any legal restraint. This apparatus works in close alliance with a financial aristocracy that is no less immune from accountability for its actions than the CIA torturers. The entire state is implicated in a criminal conspiracy against the social and democratic rights of the people, internationally and within the United States.”

The Report would have the viewer believe that the criminal activity by the Bush administration and the Republicans was put a stop to—perhaps haltingly and inadequately—by Obama and the Democrats. In clichéd Hollywood manner, Dan Jones is elevated to the stature of a solitary American hero who saved the day.

This flies in the face of social and political reality. The American war drive continued under Obama using somewhat different tactics and techniques—drone strikes, “kill lists” and the prosecution of new wars in Libya and Syria. The daily headlines, of course, reveal that the eruption of imperialist violence continues under Donald Trump.

The Achilles heel of Hollywood liberal and “left” filmmaking continues to lie in its alliance with one of the parties fully complicit in the crimes and oppression of the American capitalist social order.

Just Mercy

The brutal state of social relations *within* the US is the subject of *Just Mercy*, directed by Destin Daniel Cretton, which concerns itself with the fight against the death penalty.

Based on Bryan Stevenson’s bestselling 2014 memoir of the same name, *Just Mercy* tells the story of Stevenson’s (Michael B. Jordan) early career as a Harvard-trained, African American attorney working to reverse death penalty sentences in Alabama. In 1989, he founds the Equal Justice Initiative (EJI), whose website explains that the organization “is committed to ending mass incarceration and excessive punishment in the United States, to challenging racial and economic injustice, and to protecting basic human rights for the most vulnerable people in American society.”

The film focuses on the case of Walter “Johnny D” McMillian (Jamie Foxx), a black man arrested in 1987 for the murder of an 18-year-old white girl and convicted based on false testimony, organized by a racially motivated prosecutor and local authorities.

Bryan arrives in Monroeville, Alabama—the hometown of Harper Lee, author of *To Kill a Mockingbird*—to find a prison full of death row inmates like Johnny D. Others include Herbert Richardson (Rob Morgan), who admits to a killing, but was convicted without any consideration given to the fact that as a Vietnam veteran, he suffers from severe PTSD. His electrocution is a shocking and disturbing scene, providing a close-up view of the barbaric legal murder machine and assembly line of death.

Cretton’s *Just Mercy* is a moving film with committed performances. Johnny D’s trial scenes are taut and emotional. It is EJI’s belief that the death penalty is the direct descendant of the practice of lynching: “More than eight in ten American lynchings between 1889 and 1918 occurred in the South, and more than eight in ten of the nearly 1500 executions carried out in this country since 1976 have been in the South.”

If Stevenson and the EJI mean by that to associate capital punishment primarily with racism (some 72 percent of the victims of lynchings between 1882 and 1968 were black, according to one estimate), they are mistaken. In fact, it is a far broader issue, bound up with the vast social gap and reflecting the real state of class relations in “democratic” America. Although African Americans are disproportionately represented among the victims of the death penalty, 56 percent of those executed in the US since 1976 have been white, while 34 percent have been black.

The filmmakers are entirely justified, in a postscript, in pointing to the appalling fact that since 1976, “for every nine Americans executed by the state, one is exonerated and released from death row—a margin of error that should terrify us all.”

Harriet

Kasi Lemmons’ *Harriet* stars Cynthia Erivo in the title role of the great abolitionist and political activist Harriet Tubman (c. 1822-1913). It is to Lemmons’ credit that she has made Tubman’s life her subject matter. There has been a dearth of films devoted to Tubman, Frederick Douglass, John Brown, Sojourner Truth, Wendell Phillips and other anti-slavery opponents, representatives of a profoundly egalitarian and democratic tradition.

Tubman’s life and times raise issues of an essentially revolutionary character. However, Lemmons, a veteran actress and director of several films (*Eve’s Bayou*, *The Caveman’s Valentine*, *Talk to Me*, *Black Nativity*), turns in a relatively perfunctory work. The tumultuous social dynamic of the Civil War period is largely absent.

The film’s biography of Tubman begins in 1849, when she is a slave in Maryland known as “Minty” whose master refuses to grant her freedom despite legal documents entitling her to that. Her owner dies, but his cruel son Gideon (Joe Alwyn) now wants to sell her. She escapes from slavery at the age of 27, making a perilous journey to Philadelphia, where she meets the abolitionist William Still (Leslie Odom Jr.) and changes her name to Harriet Tubman.

Despite the relative safety of her new condition, Harriet, as “Moses,” makes 13 harrowing expeditions to the South to rescue approximately 70 slaves, including her brothers, Henry, Ben, and Robert, their wives and some of their children. After the Fugitive Slave Act of 1850 is passed, she helps guide fugitives into Canada, using the network of safe houses and clandestine routes known as the Underground Railroad.

When the Civil War breaks out, Harriet becomes a scout and spy for the Union Army. As the first woman to head an armed expedition in the war, she leads a raid at Combahee Ferry, in South Carolina, liberating more than 750 slaves, many of whom joined the Northern forces.

The makers of *Harriet*, despite sincere intentions, skim the surface of Tubman’s life and times, creating a relatively bland, rather than

appropriately electrifying work.

When an early biography of Tubman was being prepared in 1868, the legendary abolitionist Frederick Douglass wrote to her:

“The difference between us is very marked. Most that I have done and suffered in the service of our cause has been in public, and I have received much encouragement at every step of the way. You, on the other hand, have labored in a private way. I have wrought in the day—you in the night ... The midnight sky and the silent stars have been the witnesses of your devotion to freedom and of your heroism. Excepting John Brown [for whose October 1859 raid on Harpers Ferry, Virginia, Tubman helped recruit men]—of sacred memory—I know of no one who has willingly encountered more perils and hardships to serve our enslaved people than you have.”

Sorry We Missed You

Ken Loach and longtime collaborator, screenwriter Paul Laverty, have created a portrait of a working class family in northeast England trapped in the gig economy. *Sorry We Missed You* is one of the first efforts to depict the miseries inflicted on workers by companies like Amazon, UPS, DHL and other super-exploiters. The filmmakers have created a fictional concern, PDF (Parcels Delivered Fast), that forces workers to become their own slave drivers.

Ricky (Kris Hitchen) lost his job in construction and a shot at buying a house when the financial crisis hit in 2008. He reluctantly takes a job with the parcel delivery service, where he's told he's now a “franchisee” by his “right-bastard” boss Maloney (Ross Brewster). To finance the van he'll have to supply himself, he persuades his wife Abbie (Debbie Honeywood), a hard-pressed contract home caregiver, to sell a vehicle she desperately needs for her job.

Nearly every scene in *Sorry We Missed You* brings a new crisis, whether it's Ricky's backbreaking working hours or the troubles of his disaffected teenage son, Seb (Rhys Stone), a talented graffiti artist with little interest in attending school. When Ricky is robbed and severely beaten, Loach provides a glimpse of the overburdened National Health Service. There seems to be no way out as the debts pile up and the money disappears. The next stop is homelessness.

Loach told a press conference: “There has been a change to the working conditions, and people now have such insecurity with no-contract employment and working through agencies. Then there are people like Ricky, the self-employed, which is a situation where the worker assumes all the risk and has to exploit himself.”

The film deals with existing social realities. Loach is a leading member of the Left Unity Party, a pseudo-left grouping that has sought, so far unsuccessfully, since 2013 to emulate “broad left” initiatives such as the Left Party of Jean-Luc Mélenchon in France, Syriza in Greece and Die Linke in Germany.

Loach and Laverty, also politically a “left” of some variety, still have enough in them artistically and intellectually to point in certain important directions. It is to their credit—and the discredit of the rest of the movie world—that they are among the first filmmakers to explore these sorts of conditions, now afflicting millions and millions.

However, their political views inevitably find expression. Loach points out, in an interview, that people in Ricky's position “have to exploit themselves” and “have to run themselves into the ground to make a decent income.” This is true. But when the director suggests that what makes this possible is merely the “modern technology that's being used,” he is being disingenuous. What has *principally* made these wretched conditions possible are the decades of betrayals by the trade unions and

the Labour Party, including their so-called left elements, precisely the forces toward whom Loach and Left Unity are oriented. This failure or inability of the writer and director to confront the most complex political problems extends to the structure and general feel of *Sorry We Missed You*, which has a somewhat formulaic character.

Moreover, leaving out the problem of leadership and perspective in the working class inevitably directs one toward blaming the workers themselves for their oppression. Having isolated Ricky and his family from the wider circumstances that have placed them where they are, *Sorry We Missed You* begins to encourage the viewer to feel frustration with this working class family and, in particular, with Ricky himself—a bad path to follow.

Ready for War

Andrew Renzi's generally patriotic, pro-military documentary, *Ready for War*, is concerned with US military veterans who are deported once their tours of duty are over, after committing some offense. Thousands are estimated to have found themselves in this situation. The film focuses on three.

Hector Barajas came to the California from Mexico when he was only seven years old. He joined the US Army, but when he finished his tour, he was convicted of discharging a firearm and deported to Mexico in 2004.

Similarly, Miguel Perez came to Chicago when he was six years old. He served two tours in Afghanistan and was subsequently deported to Mexico. The third veteran, “El Vet,” who remains anonymous behind a mask, was—until his recent death—a member of a Mexican cartel that values former soldiers for their skills in killing. At one point, he sadly tells the camera, “the only way a deported vet can go home is in a box.”

The treatment of these veteran-immigrants is an extreme example of the US ruling elite's attitude toward its soldiers. They are cannon fodder to be employed in neo-colonial wars. Once they are no longer useful, they are thrown on the garbage heap.

Renzi, however, seems to hold an entirely uncritical attitude toward America's unending series of disastrous wars. Such an attitude only encourages more of the same suffering and injustice he depicts in his film.

To be continued



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