

# SPANKING SPAK AND SPEC

Arlen "Scottish Haggis" Specter—whose political obituary was written yesterday in the form of a dismal poll result and a renewed threat from Pat Toomey—says we don't need a truth commission because all the details on Bush era crimes are contained in some file cabinets that we need only waltz up to and empty out.

And in case you were wondering, Lee Harvey Oswald acted alone.

Presumably because he believes we need only waltz up to those file cabinets and take out the Cheney indictment, the sole contribution Scottish Haggis made in today's Truth Commission Hearing was to enter this Hans von Spakovsky column into the record. Given that Hans von Spak accused Leahy of pitching a House Un-American Activities Commission, I can only interpret Haggis' action as a profoundly cowardly attempt to get back in the good graces of the Club for Growth.

The column itself shows the depths to which the Heritage Foundation has stooped in these, the declining years of the Conservative Movement. Even setting aside the horrible optics of having someone under investigation for abridging minority civil rights for political gain squawking about "political prosecutions," the column is just of pathetically bad quality.

Hans von Spak begins by exactly repeating (the Heritage Foundation, defender of private property, apparently doesn't even require original work anymore) an error the WSJ made in January, claiming that nothing resulted from Carl Levin's 18 month investigation into torture in DOD.

Moreover, Sen. Carl Levin (D-Mich.) held hearings, under oath, over a 2½- year period looking into many of the same issues. His report, though predictably

partisan, found no criminal violations.

Aside from this apparent inability to even count (18? 30? no difference to today's conservative), Hans von Spak apparently believes that the Committee's findings—that Bush's dismissal of Article Three and Rummy's approval of aggressive technique were the "direct cause of detainee abuse" in Gitmo—doesn't amount to a criminal violation.

And of course, Hans von Spak, like the WSJ, basically endorsed Levin's approach while ignoring his call for "an outside commission appointed to take this out of politics, that ... would have the clear subpoena authority to get to the parts of this which are not yet clear, and that is the role of the CIA." Hans von Spak and WSJ try to fight the idea of a Truth Commission by pointing to the good work of someone effectively supporting a Truth Commission.

Then, after repeating—in more incendiary fashion—the same straw men that David Rivkin used before the hearing today (again, what happened to the individualist concept of original work??), Hans von Spak, from the same party that criminalized a consensual blow job, the guy under investigation for illegal hiring practices for political reasons, whines some more about the criminalization of politics.

Of course.

The thing that really gets me about Hans von Spak's screed, though, are his exaggerations about Democratic complacency in torture. Oh sure, I'd have liked them to use speech and debate to expose the legal wrong-doing. But when Hans von Spak claims that,

In December 2007, The Washington Post reported that in 2002 four members of Congress were given a virtual tour of the CIA's overseas detention sites and were briefed on interrogation techniques. The bipartisan group, which

included Pelosi, was specifically briefed on waterboarding. None of the four complained, and one of them asked if the methods being used were tough enough.

He somehow neglects to mention the very important detail that in this, the only torture briefing Pelosi attended, they were told the torture wasn't being used yet.

Then, with some dishonest rhetoric, Hans von Spak suggests that no one ever objected to the torture regime.

The CIA gave key legislative overseers about 30 private briefings, including waterboarding and other interrogation techniques in 2002 and 2003. It is curious that lawmakers who were repeatedly briefed and raised no objections should subsequently criticize those very same policies.

Hans von Spak would prefer you didn't know, I guess, about Jane Harman's written objection to the torture (and, two years ahead of time, the destruction of the torture tapes). Remarkably, in 2003, Harman was asking the same questions we're still looking to examine in this Truth Commission:

I would like to know whether the most senior levels of the White House have determined that these practices are consistent with the principles and policies of the United States. Have enhanced techniques been authorized and approved by the President?

Pelosi, for her part, has committed to real oversight, whatever her shortcomings in the past. Hans von Spak, on the other hand, keeps crying about "criminalizing politics," presumably in an attempt to inoculate his own alleged criminal attempts to politicize justice.

My biggest questions about this, though, are these. Really, is this the best the Heritage Foundation can do? All that corporate money and they can't even find someone who can do original work that can stand up to the scrutiny of a DFH blogger? This is what the Conservative Movement has come to?

And speaking of pathetic, why is Politico publishing a column that—in significant part—the WSJ published as its own editorial two months ago? Recycling WSJ's crap in the voice of a totally discredited, legally-implicated hack is their idea of cutting edge journalism? Two month old inaccurate opinion is "news"?

And then, finally, I know Scottish Haggis can be pathetic. But is he really going to go there, where in a desperate attempt to cling to his Senate seat he becomes the front man for a guy like Hans von Spak?

I know these guys are desperate to stop any real scrutiny of Bush's actions, but their pathetic state is just making me sad.