

## Recall This Book 49

### David Cunningham: Post Insurrection Special (EF, JP)

John Plotz:

From Brandeis University, welcome to a special post-insurrection episode of Recall This Book. I'm John Plotz, my partner in podcasting is Elizabeth Ferry. And joining us today is the chair of Sociology at Washington University in St. Louis, David Cunningham. Hello David.

David Cunningham:

Hi, John, Hi Elizabeth.

JP:

Welcome back. So, as you know, we usually call on scholars and writers from different disciplines to make sense of contemporary issues, problems, and events. And if you keep listening today after this special insurrection update, you will hear the conversation we had as a part of our series on global policing with David and with Brandeis's own Daniel Kryder, expert on the structure of white supremacist policing in the American South. But before that, we're going to bring you this unusual conversation recorded on January 11th. So five days after the Wednesday that shook the world. And I heartily hope you'll not be listening to this and thinking, *yeah, and also nine days before the....* fill in the blank. Because today's insurrection post-insurrection episode, (he said optimistically) is about what unfolded in the White House and then at the Capitol.

And perhaps more importantly, it's about what we can learn from the asymmetrical policing--I'm borrowing that phrase from Dave--that allowed some motivated white supremacist and far white groups to do what they (*far-right groups*--I guess, *far white* wouldn't be wrong either) to do what they did. So, Dave, you've done a lot of work on this general topic over the years, but your very first book from 2004, I think, has the revealing title. *There's*

*Something Happening Here: The New Left, the Klan and FBI Counter-Intelligence.* So maybe we can just start with you telling us about that period you studied and what you found, and then maybe we can begin to sort of tease out the historic through-line that connects that research to what's happening right here around us in 2021.

DC:

Sure. Happy to. The research that I did on the FBI focuses on the period between 1956 and 1971, where they had an active set of what they referred to as intelligence programs. So they had the, the bad acronym COINTELPRO for those programs. And by counter-intelligence, what they really meant was that these were programs that would go beyond the surveillance and monitoring of groups that they thought were threats to national security and would, and would seek to actively disrupt harass, discredit, and in some cases at least to try to eliminate those groups altogether. So it was a very proactive program that would infiltrate groups that would use what they referred to as *dirty tricks*, oftentimes to try to really hinder those groups' ability to mobilize and to organize them to act. And you know, one of the things about COINTELPRO is that in the late 1970s, there was a lawsuit against the Department of Justice and more than 50,000 pages of COINTELPRO documents were released. And so among other things, it's a clear window, a very unusually clear window into the operations of a counter-intelligence program like this one. So from a historical standpoint, it gives us this window into policing of protest and how agencies like the FBI think of threats and how they then seek to act against those threats.

JP:

Can you talk about the asymmetries that you found?

DC:

Sure. So when I became really interested in is that the FBI almost entirely focused on left-wing protests. So they had programs against anti-war movements and campus protest against the civil rights movement and black power/black nationalists groups the primary formation of this program that was against communist and socialist organizations. But amidst all that, they focus, they had one program focused on what they referred to as white hate groups, which is at the time, predominantly the Ku Klux Klan. And so I was really interested in how they thought about right wing protests and how they thought about organized racism in this context. And so when you mentioned

asymmetries, what you really see is the FBI taking a template that they already have (and they have 59 field offices around the entire country engaging in these actions) and so they, they take their playbook from COINTELPRO, but what they end up doing is tweaking it some in a way that really demonstrates and highlights the predominant orientation of policing agents towards these groups.

And, and really what that boiled down to fundamentally is that at a deep level, the FBI was seeking to eliminate left-wing threats. So when they saw groups that whether it be organizing against the war or organizing towards civil rights and racial-equity claims; those organizations, they wanted wiped out in effect, they wanted to really eliminate their ability to organize and exist. When they engaged with the Klan. They used a lot of the same tactics, but the overriding motive of that program really was to control the Klan. It was not to eliminate it.

I think it's important to understand, at least from a policing standpoint, the construction of a threat on the left versus a threat on the right as a fundamentally racialized category. So, you know, the way in which the FBI predominantly oriented to these groups was through the lens of subversion, right? And so this is really about who is legitimately part of our Republic, who is a valid citizen and who has the interests of the US at heart. And so when we think about subversion, it's really a claim of illegitimacy and what you really see--and communism becomes the overt lens for this--but what you really see is the painting of certain groups, and this would be people of color, would often be, it would also be Jews, if we go back to the twenties and thirties, you could see anti-Catholic sentiment in these, in this way, is that these racial and ethnic groups were not legitimate citizens of the U S. Meaning that they could not be trusted to hold the interests of the nation fundamentally at heart. And so when we think about left-wing subversion, you know, these are categories that are really painted around the construction of legitimacy. That's always a racialized and sort of ethnic...

Elizabeth Ferry:

And often it seems like often you know, derives its legitimacy or attempts to drive its legitimacy from *not* naming race. I mean, to loop in the Capitol attack for, for a minute, without necessarily only talking about that going forward. You know, when you saw the rioters calling police traitors, right, almost like

they're calling back on the history that you're, that you identified in your book where it's like, *Wait a minute. You're not supposed to be trying to wipe us out. Your brief is to you know, maybe provide maybe channel, maybe regulate maybe surveil even, but, but not necessarily wipe out.* And then you can also see the kind of implicit racialization becoming explicit in that horrible video of the black police officer being chased. Right?

DC:

Yeah. It's so powerful and resonant in the ways that you're describing here. I mean, what, what you really see is when white nationalists are calling police *traitors*, as you say, in 2021 now, it's really this claim that they're breaking this contract, that's really been you know, active throughout the nation's history. And when you see groups like the FBI, it can be the police today really orienting to white nationalism or most protests on the right, it's not through a lens of illegitimacy. It's really through a lens of what are the means through which people are pursuing these ends? So when they're policed, it's really about minimizing violence, maintaining some semblance of order, recognizing the legitimacy or co-legitimacy of the police themselves. And so it's a fundamentally different lens. You know, so when the police would orient to the KKK in the 1960s, you know, and, and you'd see these memos and transcripts, conversations between agents and Klan members, it was never that they have ends that are seen as opposed to the FBI, because they saw themselves as mutually patriotic saw themselves as mutually anticommunist-- but it was all about *you're going about this all wrong.* You know, you need to sort of shift how you're going about it. It was never about the legitimacy of what they were seeking.

EF:

In Latin America they would call this a paramilitary organization.

JP:

I was thinking about Northern Ireland too, like the Ulster, the Ulster Defense Force or something like. There are these Protestant groups that the, you know, so-called neutral British army would not rein in because they were fundamentally pursuing the same aims as the British army, but they were just doing it in this unacceptably violent way,

EF:

And in some ways they can do things that the official state can't do. Right?

DC:

Yeah. So they can be actively useful. And at minimum, you know, sort of aligned, and the idea of opening space for them is really one that we see across the decades. And, you know, I appreciate you both mentioning these kinds of global comparisons, because I think we tend to think of the U S as exceptional as, as people tend to do in all ways. But I think this is really laying bare a lot of the things that we can more readily understand when we look at other nations and other parts of the world, and we see the same thing being echoed through the insurrection last week.

EF:

Can I ask you a question and that, you know, without signing on to a narrative of progress in any naive sense: do you think that something like the rioters calling the cops traitors is a sign that, that pact is breaking up, or not? And like, in a way, because, you know, one could argue potentially that if it's not at risk, if that pact is solid, and one of the things that's kind of potentially effective about it is that it doesn't need to be named, right. It goes without saying, because it comes without saying,

JP:

Actually, can I add onto that? Because my question I was very close to that. It was going to be about those tweets that Trump made about, you know, protecting the boys in blue, basically. I can't remember the exact words, but the moment in which is laid bare, the tension of *we're the party of law and order, but we've done this thing that is embarrassingly not law and order*. Whether that's just a kind of tactical blunder or, you know, a kind of problematic overlap or whether it actually in Elizabeth's terms, whether it be, you know, whether there are real rift opens there that actually has some encouraging signs.

DC:

Yeah. I mean, that seems like the key question in a lot of ways. And you know, I think I wish I could be more optimistic to say that this is creating a rift that is kind of durable and will be, you know, lead to kind of a reformulation of the orientation of the forces of order institutionally to the forces of insurrection here. You know, to my mind, I think if we refer to them as the forces of order, if we think about policing agencies here, I mean, fundamentally they are about order as well as about, you know, the maintenance of these other things that

we're discussing. And, and so it does mean that there are limits in the sense, and clearly those limits even though we saw a very weak and tacit police response, at least initially those limits were crossed.

And I think at that level, you're going to see a kind of line in the sand being drawn down the line in terms of policing. But I feel like it's we haven't really demonstrated where to point to critically interrogate what this means, you know, to sort of say: *okay you know, we see what happened last week. We can critique and criticize how the police responded to white nationalists versus how they respond to Black Lives Matter and other sorts of groups.* I mean, that is, becomes so evident. You see all the side-by-side photos that people are posting. I mean, it's a point that doesn't even need to be strenuously debated at this point, although it will be of course.

But I, you know, what we haven't seen yet is that next step, which just to say, *well, if that's true, how can we think about the police?* Not just supporting them more fully through increased funding, not, not in terms of creating legislation that more assertively and expansively thinks about domestic terrorism, but actually not making the fundamental assumption that the police can operate in just ways in this politicized fields. And I think when we have that conversation at a policy level, then we might really be able to take the leverage of this rift and maybe think about institutional change.

EF:

Which is where the kind of history of it is important. Because it seems, and this is the question that we've all been grappling with for, for, well, for a long time, but sort of a hallmark of 2020 is, you know, is it the sort of bad apples narrative, or is this something that is inscribed in the DNA of the police of the United States and so on.

JP:

Dave, in terms of your own historical knowledge, not just your knowledge of the sort of COINTELPRO moment, but looking back over the last 60 years, can you point to moments where you think this did surface as an issue that could have had a national discussion? Timothy McVeigh came to mind for me in terms of like "domestic terrorism", but you know, are there moments that we could point to as maybe potential productive templates for what that conversation could be if we had it nationally?

DC:

Yeah. I mean, I think there are a couple of things that we can point to, and I appreciate that you mentioned the, the Oklahoma city bombing and Timothy McVeigh. Cause, you know, prior to that was a moment where the government and the Department of Justice made a strategic choice and, you know, went from a lens through which they could target white nationalists and organized racist as a movement thinking of this as sedition (something that's organized a conspiracy, a movement) to adopting a stance where they prosecute and orient to acts of terrorism from an individual basis. So they as an individual cases and not tied to a network of organizations, groups, and cells that should be targeted as a whole or at the group level. So sedition as a collective effort to undermine the integrity and security of the nation. And so you see from the 80s into the 90s, this move to think about terrorism, not as a seditious conspiracy, but as something that can be tackled at the individual level, that's a really important shift. And we have not reversed in any way around that.

JP:

I know that there's not enough information out yet about what the government did and didn't focus on, but can you relate that to at least the New York Times has been reporting the very visible sorts of organizing that went on, not just in the 48 hours in advance, but like months in advance on Gab and Parler and whatever else where there was, you know, let's call it seditious conspiracy. It was certainly planning that seems to amount to seditious conspiracy and then the government, is it, you know, overlooking that or not...? How do you understand that in that context?

DC:

I think you're right that, that and, and this is a place where we see the media playing such an important role because they have done a lot of the work that we would expect that, that the law enforcement agencies to do: to trace these individuals, to connect them in, in important ways to, to sort of trace back these networks of organizing that go back, you know, weeks and months and years, in many cases around these kinds of groups. I think the key will be whether they can kind of turn a corner on that and think that it's viable to prosecute around these acts in ways that aren't just isolated to individual arrests and individual prosecutions. And I haven't seen a move that would adopt that stance.

And, you know, I think what happens in the '80s really is that the Department of Justice fundamentally decides that it's, that they can't win prosecutions, that aren't just oriented to individuals for, you know, kind of discrete criminal or terrorist acts. I don't know if either of, you know, this book by Kathleen Belew, which came out three years ago maybe, called *Bring the War Home*. She documents that move from where the Department of Justice basically thinks that they can't win a case that is about a seditious conspiracy, and they just adopt that. She discusses that at length, I think she surfaces a lot of archival material from that era that is really helpful.

EF

There's an interesting connection in this conversation to a previous podcast episode and the work of Laurence Ralph. We had him on talking about his book, *The Torture Letters*, and one of the things that was, from his perspective, distinctive about the prosecution and follow-up the torturers within the Chicago police was that it was framed as a kind of collective thing that deserved a collective response. And in that way, it was kind of seen as akin to things like Truth and Reconciliation Commissions and other countries, again, making that sort of more global connection on the other hand none of the individuals who were responsible for those things ended up going to jail. So there's kind of this interesting balance there.

JP:

Dave, the last time we spoke with you, we talked about policing and very much emphasized the local dimensions of policing. And some of the nuances of the fact that policing arose out of different local conditions. And then of course your book is about the FBI. And now the current moment that we're discussing you get the Capitol Police who seemed to weirdly sit kind of interstitially between local policing and like national organizations like the FBI. So can, can we just hear your thoughts about that relationship between, you know, what you've been talking about as policing on the national level versus the local dimensions of community-based policing?

DC:

Yeah, it's a good question. And this is an especially complicated situation. You know, people often talk about jurisdictions, but when we moved to DC, I mean, jurisdiction, as you're saying is a complicated and tangled web. And especially in this environment where there was a lot of management of, you know, certain federal forces not seeming to be involved. And, you know, there's,



there's a lot of impression management as well as active policing going on there in terms of who's doing the acting. I've been thinking a lot about the degree to which kind of local jurisdictions tend to mirror these kinds of dynamics that we see more clearly at the federal level. And, you know, I think a lot of what we've been talking about here today about these asymmetries really are mirrored locally quite a bit.

The problem with understanding this fully in a lot of cases is really just access to the information that we need, you know, policing among other things, it's a very closed circle in terms of understanding patterns of communication and operational plans and all of these kinds of things. One of the things that I think that we see coming out of Charlottesville in 2017 was an effort to lay bare, make that more transparent.

So there were a set of external after-action reports after Charlottesville. So we have a sense there, and that was another complicated situation because you have local Charlottesville Police, you had campus police at the University of Virginia, but then the Virginia State Police were involved. And so you have all these different jurisdictions operating, but one of the things that, that one of the most interesting and important things, I think that come out of those reports are the way in which the police kind of constructed their orientation to the threats posed by what they would always refer to as *both sides*.

You know, they *want to protect the ability of both sides to express their constitutionally protected rights to speech*, et cetera. So I mean, the police like our President very much adopts kind of *both sides* lens, but what was fascinating was the, was the communication in the two months leading up to Charlottesville in August of 2017, between the two sides, you know, and the way in which they would assess information and solicit information. Because they would always be acting on, you know, based on "intelligence" related to (I know you can't see air quotes on the podcast, but air quotes there about *intelligence*) you know, information that they would glean from both sides. And if you look at their communication with say Jason Kessler, who was the organizer of Unite the Right locally. Kessler would come to police headquarters weekly, and they would have an operational meeting where the police would go over their plan and Kessler would explain what he was expecting and anticipating, and the dynamic with the anti-racist counter protesters (this was a chapter of Black Lives Matter, a group called Surge was

the other major organization there) they for very good reasons had a very anti-police stance. They felt like the police, his ability to communicate with them (and rightfully so) was a means to basically surveil and monitor what they were doing. So they would refuse to meet with the police. And so what the police would use as a stand-in for that are these oftentimes very thinly general assumptions, you know, so you'd get assumptions around Antifa being present, come showing up with fentanyl and, and bottles and, you know, concrete-filled soda cans.

They even circulated many times, this is the Charlottesville police, the assumption that there would be "compensated counter-protesters." So going back to the trope on the right of George Soros and other presumably other Jews, you know, kind of pulling things behind this and compensating these protestors, this would be actually circulated within these police intelligence reports as a stand-in for direct communication. And then they would turn around and say, well, *we have read, you know, we have tried to even handedly reach out to both sides and glean what we could from both sides as we formulated our operational plan.* And so you really see the way in which these asymmetries emerge over these, these really asymmetric communications that the police have and the way in which they, the lens through which they assess the information from the left versus from the right.

JP:

Right. That is fascinating. That's amazing. I want to read more about that. Do you, is there a similar story to be told about Michigan and the way the armed protests work around the state house there, which is another thing people have pointed to as a kind of, you know, precedent or foreshadowing of, of the Insurrection?

DC:

Yeah, I mean, I think it's another example of the latitude, you know, and not just the simple latitude where there's just space given to groups, but really the latitude that comes from the assumptions of who legitimately can express grievances without severe consequences coming back upon them. And I think, you know, that's another example of a severe and seditious action that was not treated as such from a policing stamp.

JP

I was going to say like, AK 47 as *expression*. Your words are dangerous. If you're a BLM protest, your words are dangerous, but if you're a white protestor your gun is not dangerous, it's just an act of expression.

EF:

Stephen Colbert had a live show and he said he said, *good thing it was only white guys with guns. If it were black people with iced teas, it really could have escalated.*

DC:

Exactly. Yeah. And, you know, these are claims certainly that people can make historically, now it's just so evident that, you know, just making it, it's still an open question about whether making that claim will have any impact, but I don't know. I can't imagine any kind of clearer expression publicly of these disparities that we've seen over the last several months

JP

It will be very interesting. You know, President Obama ran into such headwinds when he pointed out racial asymmetries in policing. President-elect Biden before even taking office has already, you know, foregrounded that; the first thing said about the protest was to point out to the racial asymmetry. And so to hear a white President say it, it will be interesting to see, you know, how, what kind of uptake that may be able to have.

DC:

Yeah. it'll be really interesting to see this debate unfold. And I really hope that that and I expect that pressures on Biden will continue to intensify to not only recognize and call out those distinctions, but really think harder about where they're rooted and what that means to say that we support the police's ability to act and to you know, to support, I mean, clearly Biden to someone who is not been supportive of defunding the police, and, and that's not just removing funds, but even significantly reallocating the funding that the police have received and holding them accountable in, in new ways. And so, you know, that seems to me to be the clear implication of all of this. What I think a lot of people are waiting to see is whether the kind of recognition and rhetoric that you're mentioning that is coming from Biden will actually have some teeth from a policy standpoint in terms of how we hold the police accountable.

JP:

And with that, we will thank Dave for this somber conversation and tell you that Recall This Book is the brainchild of Elizabeth Ferry and John Plotz. We're sponsored by the Mandel Humanities Center, sound editing is by Claire Ogden, website design and social media by Nai Kim. If you enjoyed today's show, please be sure to write a review or rate us on iTunes, Stitcher, or wherever you get your podcasts.

We recommend that you follow this conversation today with our earlier talk with David Cunningham and Dan Kryder about the racist nature of policing in America, that's [episode 36](#). Also coming very soon a conversation with Greg Childs, historian of New-World slavery and slave uprisings about what it means to call the capitol madness a riot, insurrection, or terrorism.

From all of us here at RTB, thanks for listening.