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THE KLAN IS HISTORY: A HISTORICAL PERSPECTIVE ON THE REVIVAL OF THE FAR-RIGHT IN 'POST-RACIAL' AMERICA

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With the election of Barack Obama as the first black president, discussion inside and beyond the United States focused on the legacy of civil rights and the possibility of a 'post-racial' America. Discussion and images of Obama were often juxtaposed with historical references to and images of slavery, Jim Crow segregation, civil rights activists and the Ku Klux Klan.¹ Post-racial discourses rely on both a historical narrative of unidirectional progress and the juxtaposition of examples of racism from the past with those of the achievements in the present. Such historical references and images not only obscured continuing institutional racism, racial inequality and discrimination, but were challenged by the revival or resurgence of violent organized racism, including the Klan itself. On 7 April 2009, the Department of Homeland Security issued the report *Right-Wing Extremism: Current Economic and Political Climate Fuelling Resurgence in Radicalization and Recruitment*,² and the Southern Poverty Law Center (SPLC) has reported a significant increase in far-right hate groups and racism in the period since Obama's election and in the context of Donald Trump's campaign and election.³

¹ The Ku Klux Klan is referred to in this chapter by this full name, KKK or Klan. Where a specific organization or klavern is being discussed, it will be identified.

² United States Department of Homeland Security, *Rightwing Extremism: Current Economic and Political Climate Fueling Resurgence in Radicalization and Recruitment*, 7 April 2009. Online. Available: <https://www.fas.org/irp/eprint/rightwing.pdf> (accessed 20 March 2017).

³ D. Holthouse, 'The year in hate: Number of hate groups tops 900', *Intelligence Report*, Spring 2009. Online. Available: <https://www.splcenter.org/intel/intelreport/article.jsp?aid=1027> (accessed 12 October 2009); Hatewatch Staff, 'Update: More than 400 incidents of hateful harassment and intimidation since the election',

What is particularly interesting about this increase is that, while in some cases such developments challenge post-racial discourses and narratives, in other cases they are constructed as remnants of the past or the only remnants of racism. This is despite examples of continuing inequality and institutional racism in the criminal justice system and counter-terrorism and security, and Trump's exacerbation of both with his attacks on Black Lives Matter,⁴ his 'Blue Lives Matter' legislation,⁵ and 'Muslim ban.'⁶ The history of far-right racist terrorism was also evoked post-9/11 to challenge often racist representations of Muslims which associated and conflated them with terrorism. This occurred again in the wake of the Dylann Roof attack on the Emanuel African Methodist Episcopal Church in Charleston, South Carolina on 17 June 2015, with the hashtag '#whiteterrorism.'⁷

Southern Poverty Law Center, 15 November 2016. Online. Available:

<https://www.splcenter.org/hatewatch/2016/11/15/update-more-400-incidents-hateful-harassment-and-intimidation-election> (accessed 20 November 2016); Hatewatch Staff. 'Update: 1094 bias related incidents in the month following the election', *Southern Poverty Law Center*, 16 December 2016. Online. Available: <https://www.splcenter.org/hatewatch/2016/12/16/update-1094-bias-related-incidents-month-following-election> (accessed 1 April 2017).

⁴ C. Campbell, 'Donald Trump trashes Black Lives Matter: "I think they're Trouble"', *Business Insider*, 9 September 2015. Online. Available: <http://uk.businessinsider.com/donald-trump-black-lives-matter-2015-9> (accessed 10 February 2017).

⁵ United States Congress, *All Bill Information for H.R. 4760 - Blue Lives Matter Act of 2016*, 16 March 2016. Online. Available: <https://www.congress.gov/bill/114th-congress/house-bill/4760/all-info> (accessed 20 March 2017).

⁶ D. Merica, 'Trump signs executive order to keep out "radical Islamic terrorists"', *CNN*, 30 Jan. 2017. Online. Available: <http://edition.cnn.com/2017/01/27/politics/trump-plans-to-sign-executive-action-on-refugees-extreme-vetting/> (accessed 20 March 2017).

⁷ See: <https://twitter.com/hashtag/whiteterrorism>. See also: A. Winter, 'White terror: racism and the racialization of violence', *Open Democracy*, 8 December 2015. Online. Available: <https://www.opendemocracy.net/aaron-winter/white-terror-racism-and-racialization-of-violence> (accessed 20 January 2017).

This chapter focuses on the ways in which the Klan has been used to signify the history of racism in the United States as something at once formerly acceptable or mainstream and at the same time extremist, and on how the history of the Klan has been constructed in order to serve that purpose, not just in the current context but throughout the history of both the United States and the organization itself. The title of the chapter is a play on the way the Klan has been evoked to tell a certain history of racism in the United States and the repeated attempts to assert its demise, and alleged consignment to the dustbin of history in order to tell that story. During different periods in Klan history, the rise and mainstream power and influence of the organization was defeated and diminished or destroyed by the attempted criminalization and political delegitimization of the organization by the federal government and law enforcement through legislation, investigations, prosecutions and hearings, typically in relation to terrorism and other forms of violence and criminality.⁸ While such actions were focused on terrorism and criminal activities, and in some cases attempted to address the lack of action against the organization by law enforcement on a local and state level, they had other functions as well. They were enacted primarily when the Klan's presence and activities were leading to increased negative attention and pressure on the federal government and were seen to pose a threat to the peaceful establishment and enforcement of federal laws, most notably those concerning racism in the post-Civil War reconstruction and civil rights eras. They were also designed to disentangle the Klan from wider civil society and political and legal institutions, including their overlap and relationship with state and local political representatives and law enforcement. Such overlap and relationships, reveal the blurred boundaries between mainstream and extreme practice and ideology when it came to racism, but it is just such a boundary that federal responses to the Klan would erect by intent or effect.

⁸ The concept of criminalization typically refers to legal activities and those engaging in them becoming criminal through changes to the law that render these activities and actors illegal and criminal. It can also refer to increased attention on communities or groups by the criminal justice system and legislators, which bring them under greater scrutiny and increases the likelihood that they will be arrested, indicted and convicted of criminal offenses. This usually implies some sort of disproportionality and injustice, which would not be the case with the Klan. In the case of the Klan, their activities were often criminal and tolerated (and they were protected) by local and state law enforcement and criminal justice system or their activities were legal because of legal white supremacy. What is being referred to as their criminalization is the increased attention by the federal government and law enforcement, and the use of new or established resources and legislation, to correct this, address their violence and criminality, and as will be examined, serve various political functions.

While legal and formal state racism was the focus of federal legislation in the cases of reconstruction and civil rights, the targeting of Klan violence in federal campaigns allowed the organization to become the unacceptable face, and even embodiment, of southern racism that could be rejected and expunged, allowing the states and civil society in the south to be redeemed and reconstructed. By definition, this approach could not address the more systemic forms of racism embedded in institutions and their processes, nor everyday racism. In some ways, it stigmatized racist violence, as well as opposition to the federal government, and prioritized national unity and security, more than racism. While white southerners did turn away from the Klan because of its violence in the 1960s, the focus on violence as opposed to racism more widely meant they were unlikely to acknowledge the relationship between their own racism and what the Klan believed, defended and committed violence in the name of. Moreover, the placement of such terrorism and terrorist groups, that were white Christian, state supportive and stood in defence of the laws of the land, in the past today, allows for a presentist and often racist conflation of Islam and terrorism. The confinement of far-right terror to the past coupled with the conflation of Islam and terror make it difficult to recognize and reckon with contemporary far-right extremism and terror.

Andrew Silke has argued that post-9/11 research on terrorism has lacked historical research and focused too much on Islamist terror.⁹ In reference to far-right terror in the United States, it is for these reasons that not only is a historical perspective important, but historical memory, processes and representations should also be examined to understand how the concept of terrorism (and linked to this, racism) is constructed and deployed, and how collective or national historical memory is shaped by and shapes political perceptions and debates in the present. In order to do that, this chapter examines the history of the Klan, focusing on three particular eras: 1. The first era Klan of the post-Civil War reconstruction period (1860s-70s); 2. The second era Klan of the nativist period (1910s-20s) and the fascists who followed them (1930s-40s); 3. The third era Klan of the civil rights period (1950s-60s). The chapter examines the relationship and overlap between the Klan and mainstream

⁹ A. Silke, 'Contemporary terrorism studies: Issues in research', in R. Jackson, M. Breen-Smyth, and J. Gunning (eds.) *Critical Terrorism Studies: A New Research Agenda*, Abingdon: Routledge, 2009.

hegemonic politics, institutions and civil society, as well as the processes of criminalization and delegitimization of the Klan for its violence that attempted to disentangle the organization from these and destroy it, including anti-Klan legislation, FBI investigations and congressional hearings, most notably in the first and third eras. It also looks at how, in the second era and context of the Second World War, the issue and target for the federal government moved from the Klan to fascists, from the south to the nation as a whole, and from racism, violence and criminality to sedition and national security. These eras and government responses to the Klan and wider far-right are also considered in relation to post-racial discourses and historical narratives that followed Obama's election, the revival or resurgence of the Klan and wider far-right in the context of both the post-racial and Trump, and debates about the recognition (or lack thereof) of far-right terrorism in American history.

Post-Racial America

On the eve of Obama's election, former New York Mayor Rudy Giuliani stated: 'we've achieved history tonight and we've moved beyond ... the whole idea of race and racial separation and unfairness.'¹⁰ *Newsweek* had previously declared 'The End of the South' on its cover.¹¹ Just after the election, Richard Cohen wrote in the *Washington Post*: 'it is not just that he [Obama] is post-racial; so is the nation he is generationally primed to lead,' and quoting former President Lyndon Johnson, who oversaw the passing of the Civil Rights Act, 'my fellow Americans, we have overcome.' The editorial, which argued that Obama's election and post-racial America are a result of Johnson's actions and civil rights, was accompanied by an image of police attacking voting rights marchers at the Edmund Pettus Bridge, still named after the former Senator and Grand Dragon of the Alabama Klan, in Selma on 'Bloody Sunday' 7 March 1965.¹² The past was frequently evoked and attached to Obama in the form of legacy and overcoming. Historian Simon Schama has argued that Obama brought with him the 'honoured ghosts' of history, most notably the civil rights generation which had the courage 'to sit at lunch counters and brave fire hoses and march through Selma and Montgomery for freedom's cause.' Following

¹⁰ T. Wise, *Between Barack and a Hard Place: Racism and White Denial in the Age of Obama*, San Francisco: City Lights Books, 2009, p. 26.

¹¹ C. Dickey, 'The end of the South: How Obama vs. McCain is unsettling the old confederacy', *Newsweek*, 11 August 2008.

¹² R. Cohen, 'The election that LBJ won', *Washington Post*, 4 November 2008.

on the issues of generation and the legacy of civil rights, *Time* magazine's inauguration preview included the article 'One Dream Realized,' in which iconic veterans of the civil rights movement, including Democratic Congressman from Georgia John Lewis, who had been attacked by the Klan in South Carolina (and elsewhere) as a Freedom Rider and injured by police on the Selma to Montgomery voting rights march, spoke about both the struggle and Obama's election.¹³ In one editorial image, 'Obama and resigned KKK member', by Riber Hansson, Obama is shown walking up the White House passing a Klansman with his hooded head looking downcast and leaning on his cross with a pile of matches on the ground next to him.¹⁴ References to slavery, Jim Crow segregation and the Klan, as well as other signifiers of historical (and often southern) racism, accompanied these and many other post-racial celebrations.¹⁵

In post-racial discourses and narratives, racism is deemed a thing of the past, eradicated by the forces of historical progress and change, and the United States is portrayed as now an equal and colour-blind society. As proof of such changes, individual achievement is universalized (e.g. Obama's election), and discrimination or racism is denied, individualized and, where found, is constructed as an aberration, out of place and time. According to Eduardo Bonilla-Silva and Victor Ray, most mainstream social analysis and Americans view racism as 'individual-level animosity or hatred towards people of colour,' and associated primarily with its most explicit and historical manifestations or representations, such as 'Klan rallies or overt racial behaviour like hanging a noose from a tree.'¹⁶ According to Miri Song, such perspectives bolster the notion that 'old style'

¹³ A. Fetini, et al., 'One dream realized', *Time: Special Inauguration Preview*, 26 January 2009.

¹⁴ R. Hansson, 'Obama and resigned KKK member', *Cagle Cartoons*, 2008. Online. Available: <http://www.caglecartoons.com/viewimage.asp?ID={8CECA1FF-B1F1-4762-AAAE-EB7E0A9D3A15}> (accessed 3 August 2017).

¹⁵ C. Dickey, 'Journey through a troubled South', *Newsweek*, 11 August 2008, pp.22-32; Chicago Herald Tribune, 'Election 2008', *Chicago Herald Tribune*, 5 November 2008, pp.6-7; USA Today, 'Reflections on living history', *USA Today*, 21 January 2009, pp.14a-15a; Newsweek, 'Commemorative Inaugural Issue', *Newsweek*, 20 January. 2009.

¹⁶ E. Bonilla-Silva, with V. Ray, 'Getting over the Obama hope hangover: The new

racism is a thing from the past.¹⁷ Tim Wise argues that Obama's election did not signify the death of personal or institutional white racism but the usurpation of what he terms 'Racism 1.0,' namely the 'old-fashioned bigotry ... that has long marked the nation's history: the kind that, in its most extreme moments has precipitated racist murder, lynching, and terror on a grand scale,' with 'Racism 2.0.' Wise defines this as 'enlightened exceptionalism, a form that allows for and even celebrates the achievements of individual persons of color.' Wise points out that in addition to this discourse of exceptionalism, underpinned by racist assumptions about black people, the old fashioned bigotry of 'Racism 1.0' persists and 'even now animates hate groups and hate crimes when taken to its logical conclusion.'¹⁸

Around the time of the election, there was a flurry of racist far-right activity, including terrorist and other violent attacks. In December 2009, less than a month before inauguration, neo-Nazi James G. Cummings III of Belfast, Maine was killed by his wife as he was preparing a radioactive 'dirty bomb' in order to carry out a terrorist attack allegedly planned as a response to Obama's election. The other two incidents were clear reminders of racist violence of the civil rights era. Just days before the election, an effigy of Obama was hung from a noose in a mock lynching at the University of Alabama, and only hours after the election, a black church in Springfield, Massachusetts was targeted by arsonists.¹⁹

Prominent white supremacists issued statements about Obama's election in relation to historical change and the loss of white power in the United States. David Duke, former Grand Wizard of the KKK and director the National Association for the Advancement of White People (NAAWP) said 'I believe tonight is a night of

racism in "post-racial" America', in K. Murji and J. Solomos (eds.) *Theories of Race and Ethnicity: Contemporary Debates and Perspectives*, Cambridge: Cambridge University Press, 2015, p.59.

¹⁷ M. Song, 'Challenging a culture of racial equivalence', *British Journal of Sociology*, 65(1), 2014, 107-129.

¹⁸ Wise, *Between Barack*, pp. 9-10.

¹⁹ L. Keller, 'White Heat: Racist Backlash Greets New U.S. President', *Intelligence Report*, 2009. Online. Available: www.splcenter.org/intel/intelreport/article.jsp?aid=1015 (accessed 19 November 2009).

tragedy and sadness for our people ... The country is not recognizable any more.'²⁰ Thom Robb, national director of the Knights of the Ku Klux Klan, argued: 'It could mean a reawakening of our spirit and blood. Every time the television shows an image of Obama it will be a reminder that our people have lost power in this country.'²¹ Someone posted on the Traditional Christian Knights of the Ku Klux Klan online forum 'I consider this to be the darkest day in American history since the end of the Civil War.'²² Ray Larsen, Imperial Wizard of the National Knights of the Ku Klux Klan called for all Klansmen to wear black armbands and fly the 'Yankee' (American) flag upside down, a sign of national distress, on the day of Obama's inauguration.²³ Several groups claimed a rise in membership after the election, with Jerald O'Brien of Aryan Nations-Church of Jesus Christ Christian calling Obama the 'greatest recruiting tool ever.'²⁴ Duke referred to Obama as a 'visual aid' that is helping attract interest and recruits, claiming that his own website has seen traffic by 'unique users' increase from 15,000 to 40,000 a day.²⁵

The SPLC reported a four per cent rise in hate groups in the period 2007-8, with over 900 active, a reversal of the decline experienced since 2000, which they attributed to Obama's election and the recession. This rise was particularly notable in the south and California, and amongst white supremacists and the Klan.²⁶ Soon after,

²⁰ Southern Poverty Law Center, 'In their own words: Hating Barack Obama', *Intelligence Report*, 2009. Online. Available: <http://www.splcenter.org/intel/intelreport/article.jsp?sid=442&printable=1> (accessed 12 October 2009).

²¹ Ibid.

²² Ibid.

²³ Ibid.

²⁴ UPI, 'Aryan Nations: Obama recruiting tool', *UPI*, 18 April 2009. Online. Available: www.upi.com/Top_News/2009/04/18/Aryan-Nations-Obama-recruiting-tool/UPI-80761240108642 (accessed 19 November 2009); S. Chen, 'Growing hate groups blame Obama, economy', *CNN*, 26 February 2009. Online. Available: www.cnn.com/2009/US/02/26/hate.groups.report/index.html (accessed 15 May 2009).

²⁵ S. Chen, 'Growing hate groups'.

²⁶ Holthouse, 'The year in hate'.

Homeland Security issued its *Rightwing Extremism* report.²⁷ Concerns were also expressed by Political Research Associates²⁸ and the Anti-Defamation League.²⁹ In 2014, the far-right Sovereign Citizen movement was identified by the National Consortium for the Study of Terrorism and Responses to Terrorism as the number one terrorist threat to the United States.³⁰ That year also saw a number of high profile armed confrontations and violent incidents such as shootings at a Jewish Community Centre and retirement home in Kansas by former Klansman Frazier Glenn Miller in April,³¹ and the June shootings in Las Vegas by anti-government activists Jerad and Amanda Miller.³²

This trend was consolidated with Donald Trump who courted the far-right and racists during his campaign through the mobilization of white victimization, scapegoating of Muslims and Mexicans, coded antisemitism, and appeals to white nationalism and an idealized past. According to Henry Louis Gates Jr., Trump's campaign and election 'clearly represented a backlash against the progress black people have made since 1965.'³³ Trump

²⁷ United States Department of Homeland Security, *Rightwing Extremism*.

²⁸ C. Berlet and Political Research Associates, *Toxic to Democracy: Conspiracy Theories, Demonization and Scapegoating*, June 2010, Online. Available: <http://www.politicalresearch.org/resources/reports/full-reports/toxic-to-democracy/#sthash.0l5EqPTf.dpbs> (accessed 12 October 2009).

²⁹ Anti-Defamation League, *ADL Special Reports: Rage Grows in America: Anti-Government Conspiracies*, 16 November 2009. Online. Available: http://www.adl.org/special_reports/rage-grows-in-america/default.asp (accessed 23 November 2009).

³⁰ D. Carter, S. Chermak, J. Carter and J. Drew, *Understanding Law Enforcement Intelligence*, U.S. Department of Homeland Security, 2014. Online. Available: https://www.start.umd.edu/pubs/START_UnderstandingLawEnforcementIntelligenceProcesses_July2014.pdf (accessed 20 March 2017).

³¹ E. Fitzsimmons, 'Man kills 3 at Jewish centers in Kansas City suburb', *New York Times*, 13 April 2014.

³² M. Potok, 'Alleged Las Vegas cop-killers in "patriot" movement, warned of sacrifices', *Southern Poverty Law Center*, 9 June 2014. Online. Available: <http://www.splcenter.org/blog/2014/06/09/alleged-las-vegas-cop-killers-in-patriot-movement-warned-of-sacrifices/> (accessed 20 June 2014).

³³ S. Timber, 'Henry Louis Gates on Trump: "That election clearly represented

was endorsed by David Duke and the Klan, the American Nazi Party, Aryan Nations, National Alliance, *Stormfront*, *The Daily Stormer*, Alt-Right leader Richard Spencer, and another rise in hate groups and hate crimes was reported.³⁴ The SPLC reported a spike in hate-based harassment and attacks post-election. Between 9 November 2016, the day after the presidential election, and 14 November, they collected 437 reports of hate incidents, and this rose to 1,094 by mid-December.³⁵ They linked the rise in such incidents to Trump's campaign and victory, and noted graffiti reading 'Make America White Again,' referencing both the campaign slogan and the idealization of the racist past.³⁶ An emboldened white nationalist movement also held rallies in

a backlash against the progress black people have made since 1965", *Salon*, 12 November 2016. Online. Available: <http://www.salon.com/2016/11/12/henry-louis-gates-on-trump-that-election-clearly-represented-a-backlash-against-the-progress-black-people-have-made-since-1965/> (accessed 20 March 2017).

³⁴ D. Neiwert, 'Right-wing extremists hail the ascension of "emperor Trump" as GOP nominee', *Southern Poverty Law Center*, 6 May 2016. Online. Available: <https://www.splcenter.org/hatewatch/2016/05/06/right-wing-extremists-hail-ascension-%E2%80%98emperor-trump%E2%80%99-gop-nominee> (accessed 10 July 2016); D. Neiwert and S. Posner, 'Meet the horde of Neo-Nazis, Klansmen, and other extremist leaders endorsing Donald Trump', *Mother Jones*, 21 September 2016. Online. Available: <http://www.motherjones.com/politics/2016/09/trump-supporters-neo-nazis-white-nationalists-kkk-militias-racism-hate> (accessed 30 September 2016); P. Holley, 'KKK's official newspaper supports Donald Trump for president', *Washington Post*, 1 November 2016; A. Okeowo, 'Hate on the rise after Trump's election', *The New Yorker*, 17 November 2016.

³⁵ Hatewatch Staff, 'Update: More than 400 incidents'; Hatewatch Staff, 'Update: 1094 bias related incidents'.

³⁶ C. Miller and A. Werner, 'Ten days after: Harassment and intimidation in the aftermath of the election', *Southern Poverty Law Center*, 29 November 2016. Online. Available: <https://www.splcenter.org/20161129/ten-days-after-harassment-and-intimidation-aftermath-election> (accessed 1 April 2017); A. Winter, *Brexit and Trump: On Racism, the Far Right and Violence*, Institute for Policy Research (IPR) Blog, 2017. Online. Available: <http://blogs.bath.ac.uk/iprblog/2017/04/03/brexit-and-trump-on-racism-the-far-right-and-violence/> (accessed 10 April 2017).

2017, including a Klan rally in defence of confederate monuments on 8 July,³⁷ and a large ‘Unite the Right’ rally on 12 August, both in Charlottesville, Virginia.³⁸ Referring to the latter, Duke said:

We are determined to take our country back. We are going to fulfil the promises of Donald Trump. That’s what we believed in, that’s why we voted for Donald Trump. Because he said he’s going to take our country back.³⁹

During the ‘Unite the Right’, James A. Fields, a white supremacist affiliated with Vanguard America, drove a car into a crowd of counter-protestors, killing Heather Heyer and injuring many more.⁴⁰ Counter-protesters were also injured in other violent incidents. In response, Trump issued a statement, but failed to denounce the far-right, blaming violence ‘on many sides.’⁴¹

Trump also appointed former Alabama Senator Jeff Sessions to the position of Attorney General. What is interesting about this case is that when he was nominated as a Federal District Judge in the 1980s, he was seen

³⁷ Reuters, ‘Ku Klux Klan rally in Virginia’, Reuters, 8 July 2017. Online. Available:

<http://www.reuters.com/news/picture/ku-klux-klan-rally-in-virginia-idUSRTX3AOF8> (accessed 13 August 2017).

³⁸ A. Winter, ‘Charlottesville, far-right rallies, racism and relating to power’, Open Democracy, 17 Aug. 2017. Online. Available: <https://www.opendemocracy.net/aaron-winter/charlottesville-far-right-rallies-racism-and-relating-to-power> (accessed 18 Aug. 2017).

³⁹ H. Hanson, ‘Ex-KKK leader David Duke says white supremacists will “fulfill” Trump’s promises’, *Huffington Post*, 12 August 2017.

⁴⁰ Hatewatch Staff, ‘Alleged Charlottesville Driver Who Killed One Rallied With Alt-Right Vanguard America Group’, *Southern Poverty Law Center*, 12 Aug. 2017. Online. Available <https://www.splcenter.org/hatewatch/2017/08/12/alleged-charlottesville-driver-who-killed-one-rallied-alt-right-vanguard-america-group> (accessed 17 Aug. 2017).

⁴¹ B. Jacobs and W. Murray, ‘Trump under fire after failing to denounce Virginia white supremacists’, *The Guardian*, 13 August 2017.

by many, including Coretta Scott-King who opposed the appointment in a letter to the Judiciary Committee, as racist.⁴² He had been accused by former subordinate Thomas Figures of calling him 'boy,' making disparaging comments of civil rights organizations, and positive comments and jokes about the KKK. In his own defence, Sessions claimed that he and his office 'broke the Klan in the heart of Dixie,' bankrupting the Alabama Klan, and secured the conviction and punishment of the two Klan members who lynched Michael Donald in 1981. Session's decisive role in these has been disputed by researchers and others involved.⁴³ Sessions was eventually appointed Trump's Attorney General in an administration that removed the civil rights page from the White House website,⁴⁴ and has been accused of degrading the Department of Justice's civil rights division and threatening civil rights protections.⁴⁵

The past has also returned in another way. Since Trump came into office, the United States has seen an increase in incidents of and references to lynching.⁴⁶ Rep. Al Green (D-Texas) received lynching threats after he called for the impeachment of President Trump and on 1 May 2017, the campus of American University saw white supremacists put up bananas hanging from nooses in an attempt to intimidate student body president Taylor Dumpson. The same month, Mississippi State Representative Karl Oliver, who represents the district where

⁴² A. Wilts, 'Jeff Sessions: Man once deemed too racist to be judge set for confirmation as Trump's Attorney General', *The Independent*, 8 February 2017.

⁴³ A. Serwer, 'What Jeff Sessions's role in prosecuting the Klan reveals about his civil-rights record', *The Atlantic*, 9 January 2017.

⁴⁴ J. Ross, 'Civil rights page also deleted from White House website', *Washington Post*, 20 January 2016.

⁴⁵ MSNBC, 'Sessions continues perversion of DoJ's civil rights division', *MSNBC*, 1 August 2017. Online. Available: <http://www.msnbc.com/rachel-maddow/watch/sessions-continues-perversion-of-doj-s-civil-rights-division-1015131203509> (accessed 2 August 2017)

⁴⁶ D. Love, 'Lynching re-emerges in new rhetoric of hate', *CNN*, 23 May 2017. Online. Available: <http://edition.cnn.com/2017/05/23/opinions/stop-mainstream-lynching-opinion-love/> (accessed 5 June 2017).

Emmett Till was lynched in 1955, called for the lynching of politicians supporting the removal of Confederate monuments in Louisiana.⁴⁷ The monument to Till was also defaced twice in 2017.⁴⁸

The fact that the Klan and other far-right, white supremacist and white nationalist groups, as well as forms of (and references to) historical racist violence, have undergone a revival during this period has really challenged the post-racial construction of racism as a thing of the past. In fact, even when recognized (and often it is not), such a revival may be cast as a historical ghost or remnant, the only remaining manifestation of racism, *or* a backlash predicated on the claim that there has been a historical reversal of the white supremacist racial order. The latter would be most accurate, but only if it recognizes the fallacy of the claim that racial power has been reversed and acknowledges both that racial inequality and racism have continued on and that such far-right groups, although diminished at points, never went away. It is surprising that in a context focused on terrorism, the construction of racism as the product of extremists and terrorists in American history and ‘re-emergence’ of such movements, would fail to challenge the often racist representations and stereotypes of Muslims as terrorists.⁴⁹ It may be that contemporary cases of far-right extremism and terrorism are too close for comfort and too disruptive, while the past is constructed in a convenient manner that does not affect the present. Corresponding to the post-racial narrative, partly produced by the criminalization, delegitimization and attempted eradication of the Klan at the end of each era, the United States can see itself having overcome not only racism but terrorism, and contemporary manifestations of these are the product of individuals who do not implicate white America/ns collectively. This is a logic and privilege that is not afforded Muslims and ignores not only the links between contemporary far-right activity, Trump’s campaign and election and wider mainstream white nationalism, but also the racism that underpins it and never went away.

⁴⁷ Ibid.

⁴⁸ P. Holley, ‘An Emmett Till historical marker in Mississippi was destroyed by vandals — again’, *Washington Post*, 26 June 2017.

⁴⁹ Winter, ‘White terror’. For more on the racialization of Muslims in relation to terrorism, see: A. Mondon and A. Winter, ‘Articulations of Islamophobia: From the extreme to the mainstream?’, *Ethnic and Racial Studies Review*, 40(13), 2017.

The double standard where Muslims are labelled terrorists and held collectively suspect or accountable and white people are not was highlighted in the wake of the shooting at the Emanuel African Methodist Episcopal Church in Charleston, South Carolina by Dylann Roof. Following the attack, social media was full of posts and tweets tagged with #whiteterrorism, and asking questions such as why it is not called terrorism when white people do it? And why white people are not held to account?⁵⁰ Senator Sherrod Brown (D-OH), also added his voice, saying about terrorists: ‘Normally, they look more like me than they look like Middle Easterners ... they are generally white males, who have shot up people in movie theaters and schools.’⁵¹ The New America Foundation issued a report based on research into groups ‘engaged in violent extremist activity’ and found that white extremists were by far the most dangerous,⁵² as reported in *Time*⁵³ Trump failed to acknowledge this in his comments on terrorism and froze 10 million in funding going to groups combatting right-wing extremism and terrorism, approved by Obama through the Countering Violent Extremism (CVE) program.⁵⁴

Selective treatment of and historical memory about far-right racist domestic terrorism in the United States, most notably its placement in the past or its denial or erasure by the government, media and public began earlier than the Obama or Trump eras. In *Understanding Terrorism in America*, Christopher Hewitt describes the shock and surprise the media expressed following 9/11, noting Newsweek’s claim that it ‘rattled the country’s confidence,

⁵⁰ Winter, ‘White terror’.

⁵¹ E. Bradner, ‘Sherrod Brown: “Generally white males” to blame for terrorist attacks in U.S.’, *CNN*, 19 November 2015. Online. Available: <http://edition.cnn.com/2015/11/19/politics/sherrod-brown-terrorist-attacks-generally-white-males/index.html> (accessed 10 December 2015).

⁵² P. Bergen, A. Ford, A. Sims and D. Sternam, *Terrorism in America After 9/11*, The New America Foundation, 2016. Online. Available: <https://www.newamerica.org/in-depth/terrorism-in-america/> (accessed 20 March 2017)

⁵³ J. Plucinska, ‘Study says white extremists have killed more Americans in the U.S. than Jihadists since 9/11’, *Time*, 25 June 2015.

⁵⁴ L. Pasha-Robinson, ‘Donald Trump freezes funding to groups fighting right-wing terror and white supremacy’, *The Independent*, 3 May 2017.

dispelling the snug illusion that Americans were immune, somehow, to the plague of terrorism⁵⁵ He then turns to *Newsweek*'s response to the Oklahoma City bombing by militia associate Timothy McVeigh in 1995: 'This doesn't happen here It looked like Beirut. But the devastated building was deep in America's heartland, ending forever the illusion that here at home we are safe.' For Hewitt, the illusion that terrorism in the United States is relatively new, continues in the face of historical evidence.⁵⁶

According to data compiled by Hewitt, between 1954, when the Klan re-emerged to oppose desegregation, and 2000, there were over 3,228 attacks and over 661 fatalities in the U.S. and Puerto Rico. The category of perpetrator that committed the most at 31.2 per cent of terrorist incidents and 51.6 per cent of fatalities, were 'White Racist/Rightist.' These included the bombing of the 16th St. Baptist Church in Birmingham, Alabama on 15 September 1963 and the bombing of the Alfred P. Murrah Federal Building in Oklahoma City, Oklahoma on 19 April 1995. Islamist terrorism, which falls under the category of 'foreign terrorism' comes in last after at 1.1 per cent of incidents and 1.7 per cent of fatalities. Hewitt argues that this is a product of an ignorance of history, the ideological diversity of the terrorists, and their fragmented organizational forms.⁵⁷ What Hewitt does not address is the question of why certain groups who may share a group affiliation or identity with a terrorist are held to account and others not, and how that association or its denial functions politically, particularly when one type of terrorist such as far-right, shares the dominant racial and national identity and mobilizes on its behalf and allegedly in defence of the nation (or a region), its history and institutions (e.g. slavery, segregation and white supremacy) and the other, such as 'Islamist', are linked to a minority and/or foreign group. It is self-serving and useful to deny that the former has any links to oneself, its nation and culture and conflate, stereotype and scapegoat the latter. An exception is made when the former becomes a scapegoat for racism in order to 'overcome' racism and terrorism, foreclose on this chapter of history and redeem whiteness and the nation. In the wake of 9/11, David Farley wrote of this selective history of terror and racist double standard:

⁵⁵ C. Hewitt, *Understanding Terrorism in America: From the Klan to Al Qaeda*, London: Routledge, 2003, p.12

⁵⁶ Ibid.

⁵⁷ Ibid., p. 15

Even now, while our FBI is arresting anyone whose first name rhymes with Osama, groups like the Klan operate openly and legally in all 50 states. Next time you're in Tennessee... come visit Nathan Bedford Forrest Park, named after the founder of America's al-Qaida, the KKK. Absurdly, we're supposed to breathe a sigh of relief now that we think the anthrax was sent, not by Arabs, but by white supremacists... Has U.S. Attorney-General John Ashcroft detained 1,000 Christians without charge? Is everyone with links to Oklahoma City bomber Timothy McVeigh now under surveillance?⁵⁸

One of the ways that this racist double standard, which ignores white racist terror and targets Muslims, operates is through the conflation of racism and terrorism in the past through a process that criminalized the Klan for its terrorism and thereby expunged them and exorcized the body politic, neglecting the fact that this racist past lives on in American institutions and such groups still exist. It is to that past that I now turn.

The Klan in History: Through the Eras

The Ku Klux Klan was founded by Nathan Bedford Forrest in Pulaski, Tennessee in 1865 as a social club for veterans of the Confederate army and became political in 1868. This period, as the first instantiation of the organization, is known as the first era Klan.⁵⁹ The organization provided an outlet for confederate disenchantment and resentment for having lost the Civil War and opposition to the abolition of slavery, made law with the passing of the Thirteenth Amendment to the Constitution in 1865, and reconstruction.⁶⁰ According to the Klan's creed of this period, published in 1867, their stated objective was 'the maintenance of the

⁵⁸ J. D. Farley, 'My fellow Americans: Looking black on Red Tuesday', in P. Scraton (ed.) *Beyond September 11: An Anthology of Dissent*, London: Pluto Press, 2002, pp.178-179.

⁵⁹ C. Berlet and M.N. Lyons, *Right-Wing Populism in America: Too Close for Comfort*, London: Guilford Press, 2000.

⁶⁰ *Ibid.*

supremacy of the White Race in this Republic.’⁶¹ The Klan of this period was organized in local or state dens or klaverns which were unified as a southern movement in 1868 in order to oppose reconstruction, control free black people, police the colour line, disrupt voting efforts, and prevent the enforcement of the equal rights and protections set out in the Fourteenth Amendment to the Constitution passed that same year.⁶² The white supremacist, confederate, anti-federal Klan of this period represented mainstream and dominant politics, ideology, identity and interests in the south of this period. At its peak, the Klan had 550,000 members in the South and 40,000 in Tennessee alone.⁶³ The tactics of the first era Klan were a mix of ritual, intimidation and violence and were designed to promote and protect their politics, ideology, identity and interests, and ensure they remained dominant. The tactics included cross burnings, night riding, parades, rallies and protest marches, creating the iconic image of the white robed and hooded Klansmen on horses and with burning crosses, as well as forms of violence such as lynching, shooting, stabbing, flogging and forced exile.⁶⁴ These were used to intimidate and ‘dispose’ of black people who were viewed as disrespectful, crossed the colour line, engaged in activism, attempted to vote, acquired land or prospered, as well as white people and northern ‘carpetbaggers’ who aided or supported them and equal rights.⁶⁵ According to Cox and Durham, such violence and intimidation by the Klan ‘almost completely aborted reform in the South.’⁶⁶

By 1869, the Klan was losing favour and becoming a problem for the federal government because of its violence and the challenge it presented to reconstruction.⁶⁷ That year, Forrest called for the dissolution of the Klan, but it

⁶¹ M. Cox and M. Durham, ‘The politics of anger: The extreme right in the United States’, in P. Hainsworth (ed.) *The Politics of the Extreme Right: From the Margins to the Mainstream*, London: Pinter, 2000, p. 289.

⁶² Ibid.

⁶³ J. Ridgeway, *Blood in the Face: The Ku Klux Klan, Aryan Nations, Nazi Skinheads, and the Rise of a New White Culture*, New York: Thunder’s Mouth Press, 1990, p.34.

⁶⁴ D. Chalmers, *Hooded Americanism: The First Century of the Ku Klux Klan*, Durham: Duke University Press, 2007.

⁶⁵ Ibid; Cox and Durham, ‘The Politics of Anger’.

⁶⁶ Cox and Durham, ‘The Politics of Anger’, p. 289.

⁶⁷ Berlet and Lyons, *Right-Wing Populism*.

remained active.⁶⁸ In 1870, a federal grand jury labelled the Klan a ‘terrorist organization’, leading to hundreds of indictments.⁶⁹ In 1871, a joint congressional Committee conducted an investigation into Klan violence and revealed that during a four-year period, there were hundreds to thousands of deaths of black people (150 in one Florida county alone). According to one commanding federal general in Texas, the violence and deaths were so ‘common,’ ‘as to render it impossible to keep accurate accounts of them.’⁷⁰ A majority report issued by the committee on 19 February 1872, described the Klan as ‘a fearful conspiracy against society, committing atrocities and crimes that richly deserve punishment.’⁷¹ The previous year, Congress passed The Enforcement Act of 1871, also known as the Third Enforcement Act, Federal Force Act and Ku Klux Klan Act. It was intended to aid and enforce reconstruction by combatting the denial of, and threats to, the equal rights and protections in the Fourteenth Amendment by the states and Klan. The Act made a number of the Klan's tactics into federal offenses and authorized President Ulysses S. Grant to suspend habeas corpus in order to send troops in to suppress Klan intimidation and violence.⁷² This led to mass arrests, convictions and, by 1872, the end of the first era Klan.⁷³ Soon after, The Civil Rights Act of 1875 was passed, yet racism and white supremacy remained. Following the passing of the Civil Rights Act, southern states passed segregationist Jim Crow laws.⁷⁴ When segregation came before the federal Supreme Court in *Plessy v. Ferguson* in 1896, it was ruled that segregated ‘separate but equal’ facilities were not violations of the Fourteenth Amendment. In addition to the

⁶⁸ Chalmers, *Hooded Americanism*, 2007.

⁶⁹ A. Trelease, *White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction*, Baton Rouge: Louisiana State University Press, 1995.

⁷⁰ Cox and Durham, ‘The Politics of Anger’, p.189.

⁷¹ United States Government, *The Present-Day Ku Klux Klan Movement, Hearings before the Committee On Un-American Activities, House of Representatives, Ninetieth Congress, First Session*, December 11, 1967. Online. Available: https://archive.org/stream/ThePresent-dayKuKluxKlanMovementReportNinetiethCongressFirst/HUAC1_djvu.txt (accessed 23 January 2017); also: United States Government, *Activities of Ku Klux Klan Organizations in the United States, Hearings before the Committee On Un-American Activities, House of Representatives, Eighty-Ninth Congress*, 1965 and 1966.

⁷² Ridgeway, *Blood in the Face*.

⁷³ Chalmers, *Hooded Americanism*, 2007.

⁷⁴ V. Sanders, *Race Relations in the USA since 1900*, London: Hodder and Stoughton, 2003.

emergence of new forms of legal racism and despite the dissolution of the first era Klan, between 1885 and 1917, there were 2,734 lynchings.⁷⁵

The actions of the federal government not only failed to destroy legal and extrajudicial racism and white supremacy during reconstruction, they also failed to destroy the Klan itself permanently. In fact, a congressional report on the Klan in the third era discussed the violence of the Klan during the first era and the political response.⁷⁶ Even closer to the demise of the first era Klan, in the early 1900s, when the organization was no longer a focus of attention or significant political presence, it underwent a process of mythologization and whitewashing (to use a term that truly represents their racial politics as well as the process), which set the stage for a revival. Between 1902 and 1907, Thomas Dixon Jr, a writer and North Carolina Democrat State Legislator whose father Thomas Dixon Sr had been in the Klan during the first era, published his reconstruction trilogy: *The Leopard's Spots* (1902), *The Clansman* (1905) and *The Traitor* (1907). President Woodrow Wilson, elected in 1912, even praised the Klan for help saving the south from black rule during reconstruction.⁷⁷ In 1915, D.W. Griffith made the film *Birth of a Nation* based on *The Clansman*.⁷⁸ The book and film celebrate the Klan as heroes in the birth of the nation and white masculinity, the defenders of southern culture against the north, and protectors of white femininity in the face of freed former slaves. The second era began the same year as the film was released.⁷⁹ It was founded in 1915 in Georgia by 'Colonel' William Joseph Simmons. The Klan's 'Kreed' of this era stated as its objective 'uniting native-born white Christians for concerted action in the preservation of American institutions and the supremacy of the white race.'⁸⁰ Despite the source material and southern origins, according to David Chalmers, it was in 1917, when the United States entered the first world war, that the Klan really found their purpose in the wave of nativism, known as 100 per cent Americanism, that emerged. The Klan positioned themselves as defenders of the nation from within against immigrant 'aliens,' Jews, Catholics, communists, strike leaders, slackers, drugs, bootlegging, graft, sex, immorality

⁷⁵ Ibid.

⁷⁶ United States Government, *The Present-day Ku Klux Klan*.

⁷⁷ Sanders, *Race Relations*.

⁷⁸ Berlet and Lyons, *Right-Wing Populism*.

⁷⁹ Cox and Durham, 'The politics of anger'.

⁸⁰ Ridgeway, *Blood in the Face*, p. 36.

and other forces it saw as threatening white America.⁸¹ Where the second era differed from the first era, was that it was national, as opposed to a regional movement, and mainstream, popular and influential on a state and federal level. It was during this era that Fred Trump is alleged to have been arrested during a Klan rally in 1927.⁸²

In 1921, President Harding and the Justice Department considered Klan violence and vigilantism a problem for the individual States to deal with, but felt pressure to address it. A Congressman from Massachusetts introduced a resolution that the Klan had violated the first, fourth, fifth, sixth and thirteenth amendments, impinged on religious freedom and prohibitions against illegal seizure, trial, punishment and involuntary servitude, as well as committed tax evasion.⁸³ Yet, southern elected officials defended the Klan when the House of Representatives in Washington investigated Simmons that year,⁸⁴ and their power, influence and legitimacy would grow, unlike in the first era. At the peak of the second era in 1925, the Klan had up to five million members.⁸⁵ On 8 August 1925, more than 50,000 members of the Klan marched on Washington, D.C.⁸⁶ and Texas Klansman Earl Mayfield was elected to the U.S. Senate. Most significantly, Congress passed the Klan-supported 1924 Johnson-Reed Act, which limited immigration and introduced permanent restrictions designed to keep out southern and eastern Europeans, particularly Italians and Jews, Africans and those from the Middle East, as well as barring Asian immigration.⁸⁷ Jeff Sessions expressed support and admiration for this Act in reference to contemporary concern about immigration in a 2015 interview with Stephen Bannon of *Breitbart*, and later Trump's Chief Strategist.⁸⁸ The Klan went into relatively quick decline, experiencing a 60 per cent drop in membership from 5,000,000 to 2,000,000 in 1927, to 350,000 in 1928 and 35,000

⁸¹ D. Chalmers, *Hooded Americanism: The First Century of the Ku Klux Klan 1865-1965*, Garden City: Doubleday, 1965; Chalmers, *Hooded Americanism*, 2007.

⁸² E. Osnos, 'Donald Trump and the Ku Klux Klan: A History', *The Atlantic*, 29 February 2016.

⁸³ Chalmers, *Hooded Americanism*, 2007; *Ibid.*

⁸⁴ *Ibid.*

⁸⁵ Chalmers, *Hooded Americanism*, 1965.

⁸⁶ J. Rothman, 'When bigotry paraded through the streets', *The Atlantic*, 4 December 2016.

⁸⁷ *Ibid.*; Cox and Durham, 'The politics of anger'.

⁸⁸ A. Swerwer, 'Jeff Sessions's Unqualified Praise for a 1924 Immigration Law', *The Atlantic*, 10 January 2017.

in 1930.⁸⁹ This decline was a result of a number of factors, including internal divisions, revelations about their violence and the 1925 conviction of Indiana Klansman David Stephenson for the murder of a woman he raped, which damaged the Klan's reputation and removed its respectability amongst members, the political class and wider society.⁹⁰ While the full force of the government was not used against the second era Klan, it would be against their successors.

The diminished Klan was replaced in significance soon after by anti-semitic, pro-nazi fascists, such as the German-American Bund and Silver Shirts. The Silver Shirts were formed by William Dudley Pelley in 1933 when Hitler became Chancellor and inspired by the Brown Shirts.⁹¹ In addition to the fascists, this period also saw the emergence of depression-era populists, such as the Union Party, which was formed in 1936 by Father Charles Coughlin, Francis Townsend and Gerald L. K. Smith, who was also a member of the Silver Shirts. The fascist organizations intersected with the wider non-interventionist America First movement, which Trump evoked when describing himself and his foreign policy as 'America First' on the campaign trail,⁹² and experienced a period of growth and prominence through the 1930s. The high point for the fascists was on 20 February 1939, when the German-American Bund hosted a 'Pro-American Rally' with 22,000 people at Madison Square Gardens.⁹³ Government concern about fascism in the United States, and what Leo Ribuffo has termed the anti-fascist 'brown scare',⁹⁴ began earlier. In 1934, the House of Representatives created a Special Committee on Un-American Activities to look into the rise of fascism. The same year, President Franklin Roosevelt reversed a 1924 ban on countersubversive probes and directed the FBI to investigate fascists. At the same time, there was a growth in anti-fascist activism and campaigns led by Jewish, left-wing and anti-racist organizations and activists. The Special Committee on Un-American Activities' recommendations led to the Foreign Agents Registration Act of 1938 (the McCormack Act). The representation of

⁸⁹ Cox and Durham, 'The politics of anger'.

⁹⁰ Ibid.; Rothman, 'When bigotry paraded'; Chalmers, *Hooded Americanism*, 2007, pp.171-4

⁹¹ Cox and Durham, 'The politics of anger'; Ridgeway, *Blood in the Face*.

⁹² L. Rothman, 'The long history behind Donald Trump's "America First" foreign policy', *Time*, 28 March 2016.

⁹³ Berlet and Lyons, *Right-Wing Populism*, p. 151.

⁹⁴ L. Ribuffo, *The Old Christian Right: The Protestant Far Right from the Great Depression to the Cold War*, Philadelphia: Temple University Press, 1983, p. xiii.

fascists, not necessarily as American, but as a foreign ‘fifth column’, was central to the government response. In 1938, a second special committee was established. It was led by Democrat Martin Dies, a segregationist on good terms with the Klan, who would urge Imperial Wizard James Colescott to get ‘back to the original objectives of the Klan.’ With the outbreak of war, Roosevelt ordered the FBI to investigate ‘matters relating to espionage, sabotage, and violations of the neutrality regulations’ and in 1940 Congress passed the Alien Registration Act (the Smith Act), which included sedition provisions and mass registration of foreigners.⁹⁵ The attack on Pearl Harbour in 1941 and American entry into the second world war led to a crackdown on fascists who became the targets of federal investigations and criminal prosecutions.⁹⁶ One notable example of this was when Pelley was charged with and convicted of treason and sedition under the Espionage Act in 1942 for distributing information aimed at subverting the U.S. armed forces.⁹⁷ There was also a mass sedition trial of suspected fascists from 1942 to 1944.⁹⁸ What is particularly notable about this time and response, is that far from rejecting the xenophobia and racism of the fascists and Klan, the federal government not only targeted foreigners, but also stirred up fear and hatred of the Japanese and presided over the racist mass internment of Japanese Americans. In this era, it was the fascists and not the traditional Klan who were criminalized, politically delegitimized and defeated by the government, who would then turn their attention to communists and wider left, as well as anti-racist organizations and activists, during the ‘red scare.’ The Klan would be back though, when the battle over southern racism returned in the 1950s.

The most iconic period of Klan history, that was most frequently evoked in the wake of Obama’s election and in post-racial discourses and narratives as representative of ‘old fashioned’ racism, was the third era. This era covered the period from battles over desegregation in 1950s to civil rights in the 1960s. While the Klan are widely viewed as extremists and terrorists today, and were undoubtedly violent, they were also deeply intertwined with mainstream society, politics, laws and institutions, blurring the boundary between the mainstream and extreme, particularly where it concerns racism

⁹⁵ Ibid. p.153.

⁹⁶ Ribuffo, *The Old Christian Right*, p. xiii; Berlet and Lyons, *Right-Wing Populism*, pp.151-155.

⁹⁷ D. Bennett, *The Party of Fear: From Nativist Movements to the New Right in American History*, New York: Vintage Books, 1990; Ridgeway, *Blood in the Face*.

⁹⁸ Berlet and Lyons, *Right-Wing Populism*.

In Christopher Hewitt's nine waves of American domestic terrorism, the first wave occurred between 1954 and 1969 and centred around white supremacist opposition to desegregation and civil rights in the south, and was dominated by the Ku Klux Klan and the National States Rights Party. During this period, which peaked in 1964, there were approximately 588 incidents, including bombings, lynchings, shootings, assaults and intimidation, with sixty-five fatalities, according to Christopher Hewitt.⁹⁹ Michael Cox and Martin Durham put the number of incidents by the Klan and other white supremacist organizations at over 1000 between 1956 and 1966.¹⁰⁰ The violence was primarily targeted at black citizens and political desegregation and civil rights activists within civil society, while political strategies targeted elected officials and institutions, making use of democratic institutions and processes such as (occasionally successful) electoral campaigning and lobbying. That is because in this era, the Klan were on the side of politics and law enforcement, defending and enforcing laws and institutions such as segregation and white supremacy, and opposing threats to these from those who crossed the colour line, civil rights activists, federal desegregation, civil rights and voting rights. Unlike the first era, which was reacting to post-Civil War emancipation and reconstruction, the third era was defending a racial, social and political order that was still in power.

The Klan's identification with and defence of American institutions, including the law, can best be summed up by the following statements published in the *American Klansman* in 1952:

.... We recognize our relation to the Government of the United States of America, the Supremacy of its Constitution, the Union of States thereunder, and the Constitutional Laws thereof, and we shall be ever devoted to the sublime principles of a pure Americanism and valiant in the defense of its ideals and institutions...¹⁰¹

⁹⁹ Hewitt, *Understanding Terrorism*.

¹⁰⁰ Cox and Durham, 'The politics of anger'.

¹⁰¹ Ku Klux Klan, 'The Ku Klux Creed', *The American Klansman*, January 1952, p.14.

We will not compromise or temporize on the question of patriotism or one's duty as a worthy citizen. This is a country of Laws, American Laws, observance of which, alone, will preserve our Democracy...¹⁰²

Yet, the Klan did not just defend laws and political institutions, it stood side by side with, supported and were represented by the latter in the name of the law, particularly when the law was subject to change, such as the 1954 Supreme Court case *Brown vs. Board of Education* which ended school segregation. In response to this, not only did the Klan mobilize, but White Citizens' Councils were formed by prominent community members, to prevent desegregation.¹⁰³ On a more official level, in 1957, when black students attempted to integrate schools in Little Rock, Arkansas, they were turned away not by hooded Klansmen, but National Guardsmen under the direction of Governor Orval Faubus. President Eisenhower called in one thousand federal troops to integrate the school, and the Supreme Court ruled against the school board's request for a postponement, Faubus responded by closing high schools for a full year.¹⁰⁴

In the 1960s as desegregation was the law and civil rights and then voting rights became prospects, Klan activism and membership grew. By the end of 1960, Klan membership rose four- to five-fold to between 40,000 and 50,000.¹⁰⁵ The Klan also increasingly overlapped and intersected with the State and local government officials and law enforcement, and their activities, during this period. Their relationship went beyond shared interests, ideology and objectives, and included violence which was on the rise. The Klan actively supported local and state law enforcement and elected officials, received support and protection from them, acted as enforcers and included such figures amongst their ranks, not necessarily covertly. The state also sanctioned and violence, particularly by law enforcement, in concert with and without the Klan. According to Chalmers, Klan violence had 'what amounted to general immunity from arrest,

¹⁰² Association of Georgia Klans, 'The Ku Klux Klan', *The American Klansman*, January 1952, p.14.

¹⁰³ Cox and Durham, 'The politics of anger', p. 292.

¹⁰⁴ S. Diamond, *Roads to Dominion: Right-Wing Movements and Political Power in the United States*, New York: Guilford Press, 1995.

¹⁰⁵ Cox and Durham, 'The politics of anger'.

prosecution, and conviction.¹⁰⁶ Testifying before the U.S. Senate, former Attorney General Nicholas Katzenbach discussed the ‘unique difficulty’ in Mississippi, Alabama and Louisiana of ‘gathering information on fundamentally lawless activities which have the sanction of local law enforcement agencies, political officials and a substantial segment of the white population.’¹⁰⁷ This is where the distinction between the violence of extremism and rational and legitimate legal and political practice falls apart, and the federal government’s attempt to combat the Klan and disentangle it from institutions and wider society to aid enforcement of its laws and reconstruction became both necessary and difficult.

In 1960, the National States’ Rights Party attempted to draft Governor Faubus for a presidential campaign. When buses of Freedom Riders arrived in Birmingham on May 14, 1961, the Klan were waiting for them, but Eugene ‘Bull’ Connor, City Commissioner in charge of the Birmingham Police Department, provided no police protection and were on the receiving end of an attack by the Klansmen.¹⁰⁸ In 1963, during a civil rights protest from 2-10 May when the Southern Christian Leadership Conference’s (SCLC) Birmingham Campaign marched through the city, Connor authorized and encouraged the police to use force.¹⁰⁹ 1963 also saw two major violent incidents linked to the Klan: the assassination of NAACP field secretary Medgar Evers on 12 June, and bombing of the 16th St. Baptist Church in Birmingham, Alabama which killed four young black girls, Addie Mae Collins, Carol Denise McNair, Carole Robertson and Cynthia Wesley, on 15 September. Perhaps the most notorious case of violence and overlap between the Klan and the State, specifically law enforcement, was the 21 June 1964 murders of civil rights workers James Earl Chaney, Andrew Goodman and Michael Schwerner in Mississippi. The accused were members of the Klan, and employees of both the Neshoba County Sheriff’s Office and Police Department. Sheriff Lawrence Rainey was a member, as was Deputy Sheriff of Neshoba County Cecil Price. Less than a month later, on 11 July, 9 days after the

¹⁰⁶ D. Chalmers, *Backfire: How the Ku Klux Klan Helped the Civil Rights Movement*, New York: Rowman and Littlefield, 2005, p. 3.

¹⁰⁷ *Ibid.*, p. 88.

¹⁰⁸ Sanders, *Race Relations*.

¹⁰⁹ *Ibid.*; C. Siemaszko, ‘Birmingham erupted into chaos in 1963 as battle for civil rights exploded in South’, *New York Daily News*. Online. Available: <http://www.nydailynews.com/news/national/birmingham-erupted-chaos-1963-battle-civil-rights-exploded-south-article-1.1071793> (accessed 1 April 2017).

passing of the Civil Rights Act, Col Lemuel Augustus Penn, Assistant Superintendent of Washington, D.C. public schools, was murdered by the Klan in Georgia.¹¹⁰

The following year, during the Selma to Montgomery voting rights march, state police, under the orders of Alabama Highway Patrol Chief Col. Al Lingo, as well as a Sheriff's posse, under the leadership of Dallas County Sheriff James Gardner Clark, attacked 525 civil rights activists in Selma on their way to the state capital Montgomery. The march was organized to promote black voter registration and to protest the killing of Jimmie Lee Jackson, by a state trooper during a February 18th voter registration march.¹¹¹ This was state violence in police uniform as opposed to hooded Klan robes. Clark had also recruited Klansmen to prevent voter drives in 1964 and 1965.¹¹² Soon after this incident, the Klan murdered activist Viola Liuzzo following a voting rights march in Alabama on March 25th. According to Chalmers, the murders were initially helpful in bolstering the organization's image and reputation for taking action, as well as increasing its membership. But, by the mid-1960s, 'Klan violence had become too reckless to be ignored' and many feared a return to the violence of the desegregation era.¹¹³

There was a great deal of pressure and frustration at the federal level, not only because of the violence, but the lack of action by local and state law enforcement and the courts, including the failure of Mississippi Federal District Judge Harold Cox to indict in *United States vs Price* in 1964-5. That said, it was also clear that Klan violence was not only leading to pressure on the federal government in the North, but turning the tide of southern white opinion.¹¹⁴ One of the most influential cases were the murders of Chaney, Goodman and Schwerner which took place eleven days prior

¹¹⁰ Chalmers, *Backfire*.

¹¹¹ S. Fiffer and A. Cohen, *Jimmie Lee and James: Two Lives, Two Deaths and the Movement that Changed America*, New York: Regan Arts, 2015.

¹¹² United States Government, *Activities of Ku Klux Klan Organizations in the United States*; United States Government, *The Present-Day Ku Klux Klan*.

¹¹³ Chalmers, *Backfire*, p.89.

¹¹⁴ *Ibid.*; Chalmers, *Hooded Americanism*, 2007.

to the enactment of the Civil Rights Act on 2 July. According to released FBI files ‘Klan-produced anarchy and the possible employment of federal troops helped the Mississippi establishment minimally come to terms with the civil rights revolution’. According to Chalmers ‘The story of the 1960s was one of how Klan clubs, bombs, and bullets made a major unintended contribution to the civil rights revolution.’¹¹⁵ Combatting the Klan was also an opportunity for the federal government.

Klan violence in Mississippi, including the Chaney, Goodman and Schwerner case, led President Lyndon Johnson and Attorney General Robert Kennedy to demand FBI Director J. Edgar Hoover take action in 1964.¹¹⁶ This was not without its challenges. Hoover was more concerned about the alleged link between communism and civil rights, which he saw as part of the ‘red agenda,’ which was the FBI’s chief concern. The FBI recognized that the Klan was reactionary, but largely ‘supportive of existing power structures and traditional American values’, patriotic, anti-communist and opposed to the civil rights movement, thus a great deal of overlap with the FBI.¹¹⁷ In fact, the FBI’s Internal Security Counterintelligence Program (COINTELPRO), which would be used against the Klan, was established in 1956 during the cold war to combat communism, and had investigated civil rights leaders and organizations for alleged links to communism. Hoover had stated that the FBI shouldn’t spend time ‘investigating murders, lynchings, and assaults, particularly in the Southern states’. In addition to this, according to Chalmers, ‘Bureau agents in the South were white Southerners working closely with local police forces that were often sympathetic if not infested with Klan members.’¹¹⁸

In response to pressure from the Johnson administration, Hoover took action. In 1964, the FBI opened its first field office in Mississippi, partly taking control from southern field operatives,¹¹⁹ and rolled out COINTELPRO’s ‘White

¹¹⁵ Chalmers, *Backfire*, p.3.

¹¹⁶ Chalmers, *Hooded Americanism*, 2007; D. Cunningham, *Klansville, U.S.A.*, Oxford: Oxford University Press.

¹¹⁷ Cunningham, *Klansville, U.S.A.*, p.201.

¹¹⁸ Chalmers, *Hooded Americanism*, 2007, p.398.

¹¹⁹ *Ibid.*

Hate Groups' Programme.¹²⁰ At this point, Hoover argued that the government could 'take advantage of our experience with a variety of sophisticated techniques successfully applied against the Communist Party U.S.A.'¹²¹ COINTELPRO was designed to 'expose, disrupt, misdirect, discredit, or otherwise neutralize.'¹²² In a statement, COINTELPRO declared:

We intend to expose to public scrutiny the devious manoeuvres and duplicity of the hate groups; to frustrate any efforts of plans they may have to consolidate their forces; to discourage their recruitment of new or youthful adherents; and to disrupt or eliminate their efforts to circumvent the law.¹²³

There techniques included: surveillance, use of informants, theft of Klan records, planting fake news stories rumours and anonymous letters revealing Klan and National States Rights Party membership and accusing leaders of drunkenness, adultery and misuse of funds and being FBI informants.¹²⁴ By the 1970s, the FBI claimed one in seven Klan members worked for them as informants. According to informant Gary Rowe, who testified in the case of Viola Liuzzo, informants were involved in beatings, possibly murders, and the 1963 16th St. Baptist church bombing.¹²⁵

In addition to COINTELPRO and in the field law enforcement and counter-subversion, in response partly to the murder of Liuzzo and wider violence, President Johnson called for Congressional hearings into the Klan, in which the FBI supplied information from their investigations.¹²⁶ The Committee On Un-American Activities, House of Representatives (HUAC) hearings, *Activities Of Ku Klux Klan Organizations In The United States*, which focused on

¹²⁰ Hewitt, *Understanding Terrorism*; Cunningham, *Klansville, U.S.A.*

¹²¹ Chalmers, *Hooded Americanism*, 2007, p.399

¹²² Cunningham, *Klansville, U.S.A.*, p.196.

¹²³ *Ibid.*, p.197.

¹²⁴ Chalmers, *Hooded Americanism*, 2007; C. Webb, *Rabble Rousers: The American Far Right in the Civil Rights Era*, Athens: University of Georgia Press, 2010.

¹²⁵ Chalmers, *Hooded Americanism*, 2007.

¹²⁶ Webb, *Rabble Rousers*.

terrorism as well as wider violence and criminality, ran from 1965 to 1967.¹²⁷ It produced the report *The Present-day Ku Klux Klan Movement* and condemned the Klan as un-American.¹²⁸ According to the report:

Klans ...have continued to rely on terrorism as an instrument for achieving so-called “white supremacy” and other objectives. This terrorism runs the gamut from telephoned threats or intimidatory cross-burnings to various forms of physical violence. Klan involvement in kidnappings and beatings, arson, bombings, and outright murder in recent years compels the committee to view a klan as a vehicle for death, destruction, and fear.¹²⁹

A study of the evidence amassed during the committee's investigation leads to the conclusion that klans and their leaders actually incite disrespect for the law and encourage acts of violence.¹³⁰

The report noted that legislative hearings on bills to curb ‘klan-type excesses’ were held in July 1966. The Organizational Conspiracies Act was intended to curb or end terrorist activities used by the Klan. It failed and was reintroduced as H.E. 7025, the Organizational Conspiracies Act of 1967, but received no support.¹³¹ The choice of the term ‘excesses’ is revealing though. It implied that the Klan went too far, but was not necessarily illegitimate or wrong in their wider politics and ideology or assessment of the situation.

Over the next number of year, there were an increasing number of positive developments. The Klan was removed from the Highway Patrol in Mississippi, and local Sheriffs and police demonstrated a willingness to work with the FBI against the Klan. The murder of Mississippi NAACP chapter Vernon Dahmer in January 1966, led Governor Johnson to publicly denounce his killers as ‘vicious and morally bankrupt killers.’¹³² On

¹²⁷ United States Government, *Activities of Ku Klux Klan*.

¹²⁸ United States Government, *The Present-Day Ku Klux Klan*.

¹²⁹ Ibid.

¹³⁰ Ibid.

¹³¹ Ibid.

¹³² Chalmers, *Backfire*, p.89.

appeal, Cox's decision in the original murder case was reversed by the U.S. Supreme Court in 1966 and there were convictions for Price and others in 1967. Although, it would take until 2005 for the conviction of former Klansman Edger Killen in the case.¹³³

Throughout the 'White Hate Groups' programme, there were 455 actions.¹³⁴ Despite the activity, there were significant exceptions to the program. COINTELPRO sought only to focus on violent groups and not those that were 'small, inactive, and peaceful.'¹³⁵ In fact, Dargan Frierson, a Greensboro special agent whose grandfather had been a slaveowner and Klansman, stated that his officers felt 'the klan itself was perfectly permissible to join – but let's not have violence,'¹³⁶ highlighting that racism was not the issue and it was only violence that was the problem and delegitimizing. COINTELPRO was disbanded in 1971 following the release of the Pentagon Papers which revealed the extent to which espionage by them was conducted and gathered intelligence on Americans, including the Black Panthers and revolutionary left in the late 1960s and start of the 1970s.¹³⁷ In 1974, the United States Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities (Church Committee) investigated COINTELPRO and, in 1975, declared it illegal and unconstitutional.¹³⁸ In addition to this, COINTELPRO is widely seen to have been politically motivated and undemocratic, and used to suppress, criminalize and delegitimize political protest and speech.¹³⁹ The combination of COINTELPRO and HUAC hearings, as well as popular opinion and changing times, forced the Klan into decline. They experienced a drop in membership from 40,000 to 50,000 at their peak between 1960

¹³³ Southern Poverty Law Center, 'Killen found guilty of manslaughter', *Southern Poverty Law Center*, 21 June 2005. Online. Available: <http://www.splcenter.org/news/item.jsp?aid=114> (accessed 20 July 2009).

¹³⁴ Cunningham, *Klansville, U.S.A.*

¹³⁵ Ibid., p.197.

¹³⁶ Ibid., p.201.

¹³⁷ B. de Graaf, *Evaluating Counterterrorism Performance: A Comparative Study*, Abingdon: Routledge, 2011; M. Crenshaw, *Explaining Terrorism: Causes, Processes and Consequences*, Abingdon: Routledge, 2011.

¹³⁸ de Graaf, *Evaluating Counterterrorism*.

¹³⁹ Y. Alexander, 'United States', in Y. Alexander (ed.) *Counterterrorism Strategies: Successes and Failures of Six Nations*, Dulles: Potomac, 2006; de Graaf, *Evaluating Counterterrorism*.

and 1967 to less than 10,000 between 1967 and 1974. The Klan had been defeated again, but that would not be the end of the story.

As much as the criminalization and delegitimization of the Klan helped defeat the organization and allow for the more peaceful enforcement of civil rights and voting rights, albeit without defeating racism or white supremacy, as with the emergence of the second and third eras, it was not long until there was yet another revival. The combination of Civil Rights and Voting Rights, COINTELPRO and HUAC were seen by the Klan as evidence of both their persecution by the federal government and the final loss of white supremacy that they had dedicated themselves to defending and maintaining. In response, the organization retreated to the political wilderness and underwent a split. From the mid-1970s, David Duke pursued a mainstreaming strategy, largely following his predecessors' non-violent electoral tactics and running for office. His campaigns included a successful run for the Louisiana House of Representatives in 1989 and unsuccessful presidential primary campaigns in 1988 and 1992.¹⁴⁰ This, along with a revival of Klan protest and media based activism, is sometimes referred to as the fourth era. Yet, most followed the more radical path expressed by Texas Klansman Louis Beam Jr. in his call-to-arms 'where ballots fail, bullets will prevail.'¹⁴¹ This was a rejection of the Klan's mainstream tactics in favour of more violent and insurgent ones, which defined the fifth era in the late 1970s to the 1990s.¹⁴² This era saw the traditional robed Klan replaced by Klan paramilitaries, including Beam's Texas Emergency Reserve and Glenn Miller's White Patriot Party, the neo-nazism of National Alliance, White Aryan Resistance and Aryan Nations, anti-government patriotism and white separatism. Beam, who joined Aryan Nations, also wrote, in stark contrast to the Klan's third era Creed: 'Political, economic, religious, and ethnic conditions in the United States have reached the point where patriots are faced with a choice of rebellion or departure.'¹⁴³ The era saw a great deal of violence, culminating in the bombing of the Alfred P. Murrah Federal Building in Oklahoma City on 19 April 1995 by Timothy McVeigh. Pre-9/11, this was the largest terrorist

¹⁴⁰ S. Diamond, *Roads to Dominion*.

¹⁴¹ Ridgeway, *Blood in the Face*, p.87; A. Winter, 'Louis Beam Jr.', in J.I. Ross (ed.) *Religion and Violence: An Encyclopaedia of Faith and Conflict*, Armonk: M.E. Sharpe, 2001, pp.99-103.

¹⁴² Berlet and Lyons, *Right-Wing Populism*.

¹⁴³ L. Beam Jr., 'Seditious conspiracy', *Calling Our Nation*, 58, 1987, p.21.

attack on American soil. In response, five Senate sub-committee hearings were held in 1995: *Combating Domestic Terrorism*, *The Militia Movement in the United States*, *The Nature and Threat of Violent Anti-Government Groups in America*, *The Federal Raid on Ruby Ridge, ID.*, and *The Activities of Federal Law Enforcement Agencies Toward the Branch Davidians*. This was another era and another round of hearings designed to address not racism but terrorism and, this case, primarily terrorism which targeted the government itself.

Despite all the attention the far-right was getting leading up to Oklahoma City and the rich history of far-right terrorism in the United States in and well before the fifth era, the perpetrator was initially assumed to be Muslim by many in law enforcement and the media.¹⁴⁴ The Oklahoma City bombing and wider far-right terrorism, if not terrorism on American soil itself, would be forgotten again following 9/11 as mentioned earlier, when Islam became conflated with and code for terrorism, so much so that few paid attention when Aryan Nations and others called for an alliance with al Qaeda.¹⁴⁵ The Oklahoma City bombing itself, but not the Klan of the past, would be forgotten again when Obama was elected and the third era Klan became a signifier for the racism of old that the United States had overcome, at least until the current revival and resurgence.

To conclude, it is clear that not only did the criminalization and political delegitimization of the Klan not work to kill it off, but in some cases, it became a rationale and fodder for a revival and even radicalization. Moreover, it failed to deal with racism and prevented the nation from dealing with its history of racism and terrorism.

What the history of the Klan, and responses to it show is how permeable and shifting the boundaries have been historically between extremist and violent and mainstream, legal and state-sanctioned racisms.

¹⁴⁴ F. Halliday, *Islam and the Myth of Confrontation*, London: I.B. Tauris, 1996.

¹⁴⁵ A. Winter, 'American terror: From Oklahoma City to 9/11 and after', in B. Brecher, M. Devenney and A. Winter (eds.) *Discourses and Practices of Terrorism: Interrogating Terror*, Abingdon: Routledge, 2010, pp.156-177; A. Winter, 'My enemies must be friends: The American extreme right, conspiracy theory, Islam and the Middle East,' in M. Reinkowski, and M. Butter (eds.) *Conspiracy Theories in the Middle East and the United States: A Comparative Approach*, Berlin: de Gruyter.