

Creating the Enemy: The FBI and the Black Panther Party

by

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Certificate of Approval

This is to certify that the accompanying thesis by CJ Fritz has been accepted in partial fulfillment of the requirements for graduation with Honors in Rhetoric, Writing, and Public Discourse.

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Abstract

This project confronts the history of the FBI's efforts to silence the Black Panther Party during the 1960's and 1970's through an analysis of internal FBI memos compiled in *The COINTELPRO Papers*. In this essay, I perform a close reading of such memos in order to expose the FBI's mobilization of war rhetoric, rhetorical exclusion, rhetorical counterinsurgency, and domestic enemy-creation against the Black Panther Party. I argue that the FBI mobilized war rhetoric to rhetorically transform the BPP activist organization into a foreign threat. Not only do I aim to expose the rhetorical strategies which the FBI employed, I also aim to illuminate how such rhetorical maneuvers were used to justify the US government taking materially violent action against a domestic activist organization. I argue that the FBI's war rhetoric against the Black Panther Party created an environment in which the US government, with the moral permission – if not support – of the mainstream media and the American public, could openly harass, wrongfully detain and incarcerate, and even murder domestic activists. This essay examines the historical roots of governmental domestic enemy-creation and confronts the continuing legacy of anti-democratic governmental treatment of activists, especially activists of color.

Creating the Enemy at Home

In 1919, Paul R. Brissenden...wrote in his pioneer study of the Industrial Workers of the World: "The public still knows but little about the organization and its members...The public has not been told the truth about the things the IWW has done or the doctrines in which it believes. The papers have printed so much fiction about this organization and maintained such a nationwide conspiracy of silence as to its real philosophy...that the popular conception of this labor group is a weird unreality." If one were to substitute the words "white Americans" for "the public" and "Black Panther Party" for "IWW," Professor Brissenden's statement could be reprinted today without any other alteration.

- Philip S. Fonerⁱ

War rhetoric – in short, terms and images associated with national justifications and histories of war – is predominantly used by governments for essentially propagandist purposes to ensure public support during wartime. Despite its typical use during wartime, war rhetoric has repeatedly been used by the US government in order to vilify and isolate activist organizations led by and intended for marginalized groups in the US. In Jeremy Engels' book *Enemyship: Democracy and Counter-Revolution in the Early Republic*, Engels defines "enemyship," initiated in the 1780's, as a process of community building against a common enemy. Enemyship became a governmental rhetorical tactic when American elites threatened by democratic organizing struck "back by criminalizing democratic mobilization and turning the state's monopoly of violence against rowdy citizens."ⁱⁱ Even though Engels' work focuses on the Early Republic, the government in the 1960's employed the same strategy of criminalizing mobilization to justify exercising State violence against activists, or "rowdy citizens." This essay will cover exactly how the US government was able to criminalize activism, in part by creating a racialized Other, in order to justify violent action against US citizens. More specifically, this essay

will focus on how the FBI especially targeted the Black Panther Party (BPP) with war rhetoric in order to justify such violence.

Beginning in 1956, through a covert counterintelligence program, COINTELPRO, the FBI targeted “threatening” US political and activist organizations. It is worth noting that, while a few right-wing organizations like the Ku Klux Klan were targeted by COINTELPRO, the vast majority of the operation was directed against left-wing organizations. While one could argue that each of these organizations – including the Ku Klux Klan, the US Communist Party, and the American Indian Movement, among others – were targeted with war rhetoric, none were attacked with the same ferocity as were the BPP. In 1967, in a nationally published editorial, FBI Director J. Edgar Hoover identified the BPP as “the greatest [single] threat to the internal security of the country.”ⁱⁱⁱ Hoover’s public attack on the BPP would be the first of many, and it made clear exactly how the FBI planned to approach the growth and popularity of the BPP. The Panthers were targeted ruthlessly by the FBI over the following four years. In fact, the vast majority of COINTELPRO operations were directed explicitly at the BPP. The FBI targeted many Black civil rights activists, most prominently Martin Luther King, Jr., in order to disrupt activist efforts aimed at improving the rights of Black citizens. Of the 290 official “actions” taken under COINTELPRO, though, 245 of them were directed specifically toward destroying the BPP.^{iv}

Despite its original scope, by 1968 COINTELPRO became almost entirely focused on attacking and dismantling the BPP, which had grown exponentially since its inception in 1966 under Bobby Seale and Huey Newton.^v Utilizing declassified internal FBI memos concerning COINTELPRO and the BPP from 1968 to 1972, I argue that the

FBI actively appropriated war rhetoric in order to destroy the BPP and maintain the status quo of power in the US. By power maintenance in this case, I refer to the preservation of elite control which, in the United States, inherently involves the rhetorical creation of a racialized Other. In reference to the preservation of elite control, I turn to Andrew A. King's succinct definition of power in "The Rhetoric of Power Maintenance," as "whoever is able to define the terms of a conflict situation." King appropriately invokes Stokely Carmichael's declaration that "the power to define [is] the key to the dynamics of a master-slave relationship," which Carmichael suggests, and I agree, is applicable to the conflict between the FBI and the racialized Other it created, the BPP.^{vi} Using a historical example, King demonstrates the US tradition of creating a racialized Other when he mines segregationist rhetoric, which "promised a long night of barbarism if black citizens were allowed to use public drinking fountains."^{vii} This essay explores the rhetorical consequences of FBI vilification of the BPP, examining it as an especially salient moment among processes of domestic enemy-creation which have deep roots in US governmental history, and which continue to this day.

In this essay, I argue that the FBI knowingly used war rhetoric against the BPP in order to engage in a process of domestic enemy-creation wherein the BPP was rhetorically transformed into a foreign threat rather than a domestic activist organization in the eyes of the government and the American public: this, in turn, created an environment in which the FBI could justify taking illegal action against US citizens.^{viii} Interestingly, the war rhetoric mobilized by the US government against the BPP was quite similar to the anti-Communist war rhetoric the US government mobilized simultaneously against the USSR. Both mobilizations of war rhetoric aimed to create the

enemy and to frame it as both a hostile Other— either Communism or the BPP – and as foreign.^{ix} By “hostile Other” I mean that the intention of the government was to exclude the BPP from the American public and depict the BPP as a malicious foreign enemy. The BPP and Communism were treated similarly in terms of rhetorical strategies employed by the US. Despite rhetorical similarities, with the Communist threat there was much speculation as to the extent of Communism in the US, whereas with the Panthers, the government identified the group and emphasized that it was a dangerous organization already occupying areas of the US. While Communists were seen as covertly occupying areas of the US, the BPP was seen as more concretely and openly occupying the US.

The concretely domestic nature of the BPP complemented the government’s rhetorical justification for framing the BPP as an invading foreign enemy because they could be depicted as already occupying US cities. While the FBI was aiming to rhetorically create the BPP as a war-like enemy, the creation of the Panthers as a domestic threat did more than sway public opinion toward supporting the government: it created the grounds for the government to take illegal – and often violent – action against citizens who were legally organizing themselves. The work of this essay is not simply to demonstrate the rhetorical strategies the FBI used against the BPP, but to demonstrate that war rhetoric, when applied domestically, can destabilize an activist organization and can bring about explicit violence against activists. Importantly, not only was violent action justified, such actions also went un-scrutinized and unchallenged by the national media and those outside of the BPP and its allies.^x

An analysis of how war rhetoric was mobilized against the BPP would not be complete without consideration of how national media coverage concerning the BPP

reinforced the FBI's war-like messaging and pushed the American public to view the BPP as an enemy which intended to attack the US. While COINTELPRO memos form the vast majority of my analytical work, I will touch briefly on the role of national media in creating the BPP as a domestic enemy, although further in-depth scholarship on the national media's relationship to the BPP – spearheaded by Amanda Davis Gatchet and Dana L. Cloud – is much needed. While the role that the national media played in the process of domestic enemy-creation was important, an in-depth analysis of national media influence lies beyond the scope of this essay.

Additionally, despite focusing on the institutional forces of the FBI and national media outlets, I also acknowledge how the BPP utilized war rhetoric to garner public support for its activism, and how its war rhetoric may be deemed subversive compared to the FBI's oppressive rhetoric. Michael Hardt and Antonio Negri have offered the important distinction – undermining the FBI's rhetorical tactics against the BPP – between violence of the State and violence of the activist /agitator. Hardt and Negri identify the flawed logic of the moral equivalence of violence in such conflicts. They posit that defensive war rhetoric and threatening violence from a position of relative powerlessness, especially situated within the context of rampant structural racism and anti-Black violence in the US, cannot be compared to or treated as equal to the FBI's offensive war rhetoric and threats of violence (followed by actual violence) from its position of power in the conflict. While there are cases in which the BPP took violent action as well as many cases in which the BPP positioned itself rhetorically as a violent threat to the government, to view this as equal to the same tactics used by the FBI, Hardt and Negri argue, signals a lack of recognition of the institutional power difference

between the FBI and the Panthers. Like the role of national media outlets in this issue, though, confronting the war rhetoric of the BPP, or even radical activist groups more generally, in-depth warrants its own standalone research.

The majority of my research is aimed toward analyzing how the FBI, under the guidance of Director J. Edgar Hoover, actively employed war rhetoric – and, more broadly, rhetorical exclusion – in order to justify to the American public its illegal actions against a domestic activist organization and to keep the BPP from gaining broad political support for its platform predicated on racial equity and justice in the US. I will identify four major rhetorical outcomes originating from the FBI’s strategy of war rhetoric; among them are the rhetorical exclusion of the BPP, domestic enemy-creation wherein a domestic organization is rhetorically transformed into an invading foreign enemy, the implementation of rhetorical counterinsurgency – coined by Casey Ryan Kelly – against the BPP, and governmentally sponsored material violence which, while not exclusively rhetorical, had rhetorical effects to discourage and stifle future activism. All of these rhetorical outcomes served to reinforce the FBI’s reasoning for taking illegal action against the BPP and each outcome painted the US government as a mighty victim of the BPP’s terror despite the BPP having infinitesimally fewer resources, less power, and political control. I use Gatchet and Cloud’s term “mighty victim” throughout this essay to signify the FBI’s rhetorical self-identification as simultaneously being far more powerful than the BPP while also framing itself as the victim: the blameless, selfless defender of freedom which will do what has to be done to protect the US.

I believe that my work addresses an important governmental rhetorical strategy of justifying domestic war against activist organizations – especially racially marginalized

activist organizations – which warrants far more scholarship than yet exists. Despite this essay’s focus on historical truths about the US government’s treatment of minority activist organizations, I believe that my work concerning the BPP has implications for modern minority activist organizations who are treated as foreign enemies rather than vocal citizens by the US government, such as Black Lives Matter. BLM, now being targeted with new rhetorical strategies for repression by the FBI – such as the categorization of the group as a “Black identity extremist” organization – serves to demonstrate that the anti-minority activist rhetoric being honed during the 1960’s is now being applied to modern activist organizations who threaten the maintenance of power in the United States.

Situating the Black Panther Party

Originally named The Black Panther Party for Self-Defense, the BPP was formed in Oakland, CA by Merritt College students Huey P. Newton and Bobby Seale in 1966 in response to repeated instances of police brutality in the community. Because police violence was particularly prevalent in Oakland,^{xi} the sole initial goal of the BPP was to police the police by exercising their Second Amendment right to bear arms in order to not only defend oneself but to defend the Black community of Oakland from police violence. Newton employed a deep understanding of the law to ensure that the types of guns and the ways in which they were carried by Panthers were entirely legal, and the budding organization adhered to a strict shoot-second philosophy to ensure that any violent action was defensive.^{xii} In direct response to the BPP's maintenance of an open-carry policy for self-defense, Ronald Reagan – at the time the Governor of California – moved to make open carry illegal due to the “threat” and “intimidation” which it caused. This governmental response to the Panthers' legal open-carry policy helps to demonstrate that the government was threatened by Black people with guns rather than just people with guns: after all, open carry was entirely legal in California and was repealed in direct response to the BPP. When Reagan's bill to end open carry reached the floor in Sacramento, Seale brought a group of Panther members dressed identically in all black, carrying their legal firearms to the state house.^{xiii} This action, covered extensively by the media present at the state house, exposed far more of California and the nation to the Panthers.

Given a national platform, the BPP's message – summed up generally by the final point of the Panthers' Ten Point Program, which invokes the Declaration of Independence's language about the inalienable rights of all men, and which states succinctly “We Want Land, Bread, Housing, Education, Clothing, Justice, and Peace”^{xiv} – began to reach a nationwide community of Black people and leftist allies. The Panthers' national platform, coming within two years of the organization's inception, led to a crush of communities across the nation rushing to form chapters in Los Angeles, New York, Chicago, Seattle, and Philadelphia, among many others. Additionally, the BPP saw massive inflation in membership within the Party, going from five members to 5,000 in only two years.^{xv} Along with increased Party membership and community engagement, the Panthers' community programs which had previously served a modest number of Oakland residents grew rapidly. Some of the most popular programs included the Free Breakfast Program where any child whose parents could not afford to feed them breakfast could be fed free of charge; additionally, the Panthers instituted the People's Free Medical Clinics which provided free medical care to those in need and also served as sickle cell anemia research centers, addressing an under-researched health crisis for Black people worldwide. Additionally, among many other programs, the Panthers performed clothing and food drives during the winter to bolster families' pantries and wardrobes. While such programs were incredibly popular among members of the communities they served, according to attorney Jeff Haas in the BPP documentary *Vanguard of the Revolution*, the FBI, particularly Hoover, viewed “any form of Black organizing as a threat to the status quo as he saw it. Change that would have involved equality, that would have put power in Black people's hands, was very much a threat to Hoover.”^{xvi}

While the FBI attacked Panther programs, the Panthers verbally attacked the US government for its fascist tendencies at home and its colonialism abroad.^{xvii} The Panthers, in unison with anti-war activists, condemned the US war effort in Vietnam and openly supported the North Vietnamese, Chinese, and many African anti-colonial liberation movements thanks in large part to the international BPP chapter spearheaded by Eldridge Cleaver in Algeria. Cleaver and the Panthers claimed that “blows to the US empire will have a massive windfall for oppressed people everywhere.”^{xviii} The BPP’s Marxist-Leninist ideology, at the time commonly adopted by anti-colonial movements, aimed at improving the wellbeing of poor Black people in the United States. The Panthers’ ideology also made the organization popular with other socialist movements and revolutions around the world. The BPP’s anti-US colonial stance along with its Marxist-Leninist ideology made the BPP, in the eyes of the FBI, a threat to the US government’s maintenance of power. Interestingly, though, COINTELPRO memos concerning the BPP never reference Communism or the organization’s Marxist-Leninist ideology, demonstrating that the government’s main concern centered on race and the BPP’s goal to improve agency and autonomy for Black citizens in the US.

Building a War at Home

In order to address exactly how the FBI justified taking violent action against the BPP, it is important to define terms such as war rhetoric, rhetorical exclusion, rhetorical counterinsurgency, and domestic enemy-creation. These theories demonstrate the combination of rhetorical techniques which the FBI employed to justify its illegal actions to the American public. These four terms, some well-established and studied and others less so, are central to understanding exactly how the FBI was able to justify taking materially violent action against the BPP with the moral permission—if not the support—of the national media and, in turn, a majority of the American public.^{xix} Additionally, by understanding these terms, we can apply the same theoretical framework to identify other instances of rhetorical maneuvers by the FBI to stifle minority activist organizations.

War Rhetoric

At its base, war rhetoric includes strategies of communication invoking terms and images associated with national histories and perceptions of war. These terms and images rhetorically create a simultaneously powerful and weak enemy which must be destroyed. War rhetoric also involves communicating heightened stakes within a conflict; we must attack our enemy in order to defend our livelihood. In comparing the BPP's and the FBI's war rhetoric, I identify two types of war rhetoric. I refer to the two types of war rhetoric as institutional war rhetoric – mobilized by a person or organization within the existing power structure, like the FBI – and anti-institutional war rhetoric – mobilized by a person

or organization which is limited or excluded from participating in the power structure, like the BPP. The US government applied institutional war rhetoric against Communist governments and revolutions internationally while simultaneously turning institutional war rhetoric against the BPP. For the purpose of this essay, the definition of war rhetoric which I use concerns institutional war rhetoric, as the vast majority of my analytical work addresses the FBI's war rhetoric against the BPP.

Due to the potent fear of communism in the US thanks in large part to the Cold War and the Vietnam War, it is useful due to the timeline of the BPP to define war rhetoric through a lens of American war rhetoric in relation to Communism during the 1960's. The US government adhered to the domino theory of Communism which argued that if one country were to become Communist, all neighboring countries would be susceptible to Communism and, in turn, would threaten the livelihood of Capitalism and the US power structure. During the Vietnam War, which overlapped the massive growth of the BPP, justifications of war were framed through the duty of the "force of independence" associated with the US to fight against "Communist domination."^{xx} Such terms capitalized on the domino theory and framed the US as the last line of defense against the oppressive force of Communism. In President Dwight D. Eisenhower's words after a French military defeat in Vietnam in 1954, "The possible consequences of the loss [of Indochina to Communism] are just incalculable to the free world."^{xxi} This demonstrates exactly how great a threat the US believed Communism to be and shows why the US government so rigorously framed Communism through war rhetoric as evil and antithetical to freedom.

The Panthers and the Viet Cong were mutually verbally supportive, and the Panthers made their allegiance against US imperialism clear by supporting the Viet Cong publicly in their fight against the US military.^{xxii} Additionally, the Panthers had a similar mutual support from Algerian revolutionaries and even used Algeria as a safe haven for members being targeted by the government.^{xxiii} While the threat of Communism (through the USSR) did pose a violent threat to the US, Communist ideology was more a threat to the United States government's expressly Capitalist interests. Both in the case of the USSR and the BPP, the US government emphasized the prevention of ideological growth which would threaten maintenance of power in the US.

Not only did the threat of the BPP and the threat of Communism take place simultaneously, the Panthers actively condemned US imperialism and openly supported international Communist revolutions and maintained their ideology based on Marxist-Leninist principles. Despite the BPP's clear association with Communism, COINTELPRO memos did not discuss the Communist principles of the BPP, instead focusing solely on the Panthers' aim to unite Black Americans, reinforcing the governmental trope focusing on the creation of a racialized Other. While the revolutionary political ideals of the BPP set the government on a path to attempt to destroy the Panthers, it was clearly race, rather than Communism, on which the government was focused.

According to Robert L. Ivie in *Cold War Rhetoric: Strategy, Metaphor, and Ideology*, the "guiding perspective" of Cold War-era war rhetoric "consists of figures of speech elaborated and literalized over time into conventional visions of national peril."^{xxiv} Ivie goes on to list some of the main rhetorical maneuvers, particularly metaphor, which

the US used against the USSR, including the depiction of the enemy as “a mortal threat of freedom, a germ infecting the body politic, a plague upon the liberty of humankind, and a barbarian intent upon destroying civilization.” The FBI mobilized several of these metaphors directly against the BPP. Both in this book as well as in another one of Ivie’s works, “Images of Savagery in American Justifications for War,” Ivie identifies the rhetorical creation of the enemy – especially a racialized enemy – as a savage as a common tenet of US war rhetoric.^{xxv} Ivie elucidates that most such metaphors are built around the idea of freedom as being “weak, fragile, and feminine.” Such rhetorical maneuvers make it seem as if “the price of freedom is necessarily high because the alternatives are reduced symbolically to enslavement and death.”^{xxvi} By framing freedom and its alternative in such stark terms, the government could frame extreme tactics as vital to the defense of freedom, thus justifying material violence as the required price of remaining free.

Using internal FBI memos from COINTELPRO, I will demonstrate the ways in which war rhetoric as defined above was applied by the FBI against the BPP. It is always worth remembering that the USSR had the power and resources to respond to US war rhetoric in a way that was never accessible to the BPP, despite the war rhetoric mobilized by the US government being strikingly similar. In this way, it is possible to compare war rhetoric against the USSR (and Communism generally) and war rhetoric against the BPP in terms of the rhetorical strategies used, but not in terms of rhetorical situation or constraints on the opposition.

Rhetorical Exclusion

The majority of this essay centers around the application of war rhetoric by the government in order to engage in a process of domestic enemy-creation against the BPP, but foundational to both war rhetoric and domestic enemy-creation is the concept of rhetorical exclusion. The term rhetorical exclusion was coined in John Sanchez, Mary Stuckey, and Richard Morris' 1999 essay, "Rhetorical Exclusion: The Government's Case Against American Indian Activists, AIM, and Leonard Peltier." As noted in my introduction, AIM was also a target of the FBI's COINTELPRO initiative and, thus, was also targeted with war rhetoric.^{xxvii} At its core, rhetorical exclusion is a strategy of definition – as well as a way to prevent, silence, or otherwise hinder oppositional responses – which justifies taking "whatever tactics those in power deem necessary to control challenges to its legitimacy."^{xxviii}

Casey Ryan Kelly calls on this same essay in his work on rhetorical counterinsurgency to pick out that rhetorical exclusion is "one strategy used by members of the prevailing power structure to conceal any anti-democratic consequences of its actions."^{xxix} Kelly highlights an important point about who is able to employ rhetorical exclusion; he specifies that rhetorical exclusion is only accessible to those within the power structure, whether they be organizations or individuals. Kelly states that "rhetorical exclusion is a mechanism by which institutional structures of power mobilize definitions, images, and other symbolic activities...while concealing its own repressive tactics."^{xxx}

One important implication of rhetorical exclusion is that, by virtue of defining a group or individual, the agent employing rhetorical exclusion is simultaneously defining

itself as the antithesis of the target of the exclusion. Applied to my work, by engaging in a process of rhetorical exclusion against the BPP and defining the group as dangerous, violent, and anti-American, the FBI implicitly defined itself as the brave, benevolent protector of the American people. I refer to this process as rhetorical self-identification. At times the FBI and the BPP both explicitly self-identified, claiming certain virtues for themselves, but the FBI also performed rhetorical self-identification implicitly throughout the process of rhetorically excluding the Panthers. In so doing, the FBI defined a domestic enemy while simultaneously crafting its public perception as the protector of innocent Americans.

Rhetorical exclusion, because of the power which it grants those in power to define their enemies and, in turn, to rhetorically self-identify, plays an integral role in war rhetoric. Without the ability to define the enemy as dangerous and immoral, and to define the self as protective and moral, the government could not justify taking violent action. It is important to note, though, that rhetorical exclusion is not confined to war rhetoric; it can – and often is – applied in non-militarized contexts.^{xxxix} Because of the need to villainize an Other, in this case the need to villainize a racialized Other, and in order to justify a war-like response, war rhetoric requires the use of rhetorical exclusion in order to even be performed. Rhetorical exclusion, on the other hand, does not require war rhetoric for the exclusion to be performed or to be successful. Because of this, rhetorical exclusion will serve as a broad theoretical backdrop to my overall work, which requires a concept like rhetorical counterinsurgency to address war-like situations more directly.

Rhetorical Counterinsurgency

In an essay titled, “Rhetorical Counterinsurgency: The FBI and the American Indian Movement,” Kelly introduces the concept of rhetorical counterinsurgency, which addresses exact instances wherein the FBI applied the principles of counterinsurgency to the BPP.^{xxxii} In order to define *rhetorical* counterinsurgency it is important to define counterinsurgency on its own. Kelly credits the 1960 US. Army Special Forces with defining counterinsurgency as “unconventional military and nonmilitary activities to disrupt and destroy dissident movements, guerrilla organizations, and general revolutionary activity.”^{xxxiii} I argue that the FBI rhetorically created the grounds for counterinsurgency against the BPP despite the BPP posing very little violent threat against the government, but it would be misleading to say that the BPP was not a revolutionary organization. Instead of starting a war, though, the BPP aimed to redefine and redesign the State as a whole through their social programs and their aim to achieve “Black power to Black people,” and “all power to all people.”^{xxxiv} This certainly does not justify the FBI taking illegal action against the BPP, but as Kelly states in his work concerning the FBI and AIM, “When [the FBI] encounter[s] radical social movements, they are likely to apply an interpretive framework of criminality and deviance to their behavior.”^{xxxv} Kelly makes an important acknowledgement about the frame through which the government views radicalism and the constraints which keep the government from responding with openness to such organizations.

The generative moments for rhetorical counterinsurgency, as detailed by Kelly, are “informing [a public] and intelligence gathering.”^{xxxvi} Rhetorical counterinsurgency is instigated, according to Kelly, through the dissemination of information – either through

news media or informal dissemination by dispersing information through pamphlets, posters, etc.^{xxxvii} – and the gathering of intelligence through agent provocateurs, informants, and surveillance. This situates rhetorical counterinsurgency immediately within a dynamic of surveillance and knowledge creation. Importantly, as was the case with the FBI’s campaign against the BPP, the intelligence gathered and the information shared with the American public were often incongruous. While there was a process of informing based on intelligence which the FBI gathered, there was also a concerted effort to misinform and propagandize against the BPP.^{xxxviii} Calling in part on the definition of counterinsurgency, Kelly establishes rhetorical counterinsurgency as “a systematic and strategic set of communicative techniques or instruments which, when used in combination, manage, dissipate, and suppress radicalism.”^{xxxix} The most crucial part of how rhetorical counterinsurgency is defined, in my opinion, is that it “reproduces narrow intellectual interpretations of social protest messages.”^{xl} Here it is clear exactly how closely related rhetorical exclusion and counterinsurgency are, given that they are both concerned with creating a specific definition and way of understanding a group in opposition to the government’s interests.

Kelly continues his definition of rhetorical counterinsurgency, putting forward that by using the strategy the government aims to “undermine the public’s deliberative capacity,” as a community to determine its own evaluation of a controversial situation. The central purpose of the strategy, he states, calling on the work of Garth Jowett and Victoria O’Donnell, “is to alter and manipulate public attitudes, perceptions, and ultimately behavior” to reaffirm the existing power structure.^{xli} In the case of the BPP, the national media played a substantial role in the FBI’s aim to manipulate public perception

of the organization by disseminating misinformation about the BPP in order to turn the public against them. To this portion of the definition I would add that part of the aim of these strategies is specifically to reinforce the roles of aggressor and victim within a conflict; after all, from the outset *counterinsurgency* implies that there is an insurgency that must be countered, and thus the government is already the victim reacting to the insurgency. Finally, to clarify the exact material strategies used within rhetorical counterinsurgency, Kelly identifies disinformation and propaganda along with “surveillance... and amassing intelligence” as ways in which rhetorical counterinsurgency is successfully applied because such actions assist “law enforcement agencies [to] achieve totally[sic] mastery over information.”^{xlii}

Domestic Enemy-Creation

The final theoretical component of my work is what I refer to as domestic enemy-creation. The term shares many characteristics with that of “enemyship” coined by Engels in *Enemyship*. Engels defines enemyship – in contrast to friendship – as “a bond of mutual antagonism for an enemy, resulting in a solidarity of fear, a community of spite, a kinship in arms, and a brotherhood of hatred.” In the early republic, Engels states, naming enemies served the government by allowing it to “trad[e] obedience for protection,” from a perceived enemy.^{xliii} It is clear from Engels’ preliminary definition of enemyship that the concept hinges on community creation and exclusion of an Other, an enemy, from said community.

Domestic enemy-creation and enemyship are broadly the same in that domestic enemy-creation adheres to the progression of enemyship which Engels identifies as the

naming of an enemy, followed by the estrangement of that enemy from a community, leading finally to the escalation of the conflict with the enemy due to the perceived “imminence and inevitability [of conflict] as rhetors make it appear that the coming crisis is unavoidable.”^{xliv} I merely shift the emphasis toward the enemy created – in this case, the BPP – by enemyship rather than the community created by enemyship, on which Engels focuses. Engels’ work is incredibly useful in identifying the ways in which enemies are created domestically in the United States. The change that I introduce is one of verbiage to clarify that I focus on the effects of enemyship in creating an enemy; additionally, I address the inherently racialized component of enemy creation in the US for which Engels’ definition of enemyship does not account.

War Rhetoric in Action

The inception of the BPP by Bobby Seale and Huey Newton in 1966 came after COINTELPRO had already been functional for over a decade. After the rapid national growth of the BPP by late 1967, COINTELPRO resources and energy were diverted toward attempting to “disrupt, misdirect, discredit, or otherwise neutralize,” the budding activist organization.^{xlv} Over approximately four years, FBI agents amassed hundreds of thousands of pages of internal communication and research concerning the BPP. In March of 1971, a small group of activists broke into an FBI office in Media, Pennsylvania and stole over 1,000 of such classified documents, which they mailed to national newspapers.^{xlvi} The documents stolen by the activists exposed the previously covert COINTELPRO to the American public, and have since been compiled into *The COINTELPRO Papers*, a book comprehensively documenting the activities of the program. Using a handful of such internal FBI communications, I have gathered proof across internal memos demonstrating instances in which the FBI appropriated war rhetoric toward the BPP in order to engage in a process of domestic enemy-creation, with the goal of making illegal action against the organization seem appropriate to the American public.

In historical context it is no surprise that the US government took illegal action against an activist organization it considered threatening. According to Engels, since the creation of the Republic, the government has struggled and fought to differentiate between the noble American Revolution and any other potential future – and in its eyes certainly ignoble – revolutions against the government. The same leaders who were

victorious in revolution gained institutional power and “began to worry that common folks, emboldened by talk of the power of the people...would never submit to elite control.” These leaders had to demonstrate that the Revolution had been an “unavoidable revolution, not a disobedient rebellion.”^{xlvii} Engels’ analysis of how the Declaration of Independence has been manipulated by the government to expunge the emphasis on the need for revolution against an abusive government lays bare the dark irony of the FBI’s position against the BPP. What Engels defines as rhetoric of enemyship is comparable to how war rhetoric and rhetorical exclusion are defined in this essay, and his examples of the behavior of the government from the late 18th century bears eerie resemblance to the government’s actions against the BPP. Engels shows that counter-revolutionaries in government in the early Republic “nam[ed] enemies...to encourage allegiance to the Constitution by trading obedience for protection. Elites managed democracy by cultivating fears—some real, some imagined.”^{xlviii} In the same way that Ivie demonstrates that the government recycles justifications for war – both foreign and domestic – Engels demonstrates that the government also recycles strategies of rhetorical exclusion to push negative attention toward a perceived enemy and away from the shortcomings and wrongdoings of the government.

The BPP had existed for less than two years when the organization was first targeted by the FBI, but in September 1968, COINTELPRO efforts against the BPP were drastically accelerated.^{xlix} From the first internal COINTELPRO memo concerning the organization, the FBI was establishing war rhetoric and creating the grounds to justify attacking the BPP. George C. Moore, who wrote the first memo concerning the Panthers, described the BPP as “extremist,” and as “rapidly expanding” before leveling the claim

that the organization had “a record of violence...and puts an emphasis on not only verbal attacks but also physical attacks on police.”^{li} Moore’s claims of violence against police were verifiably false,^{li} and even a quick glance at the Panthers’ Ten-Point Program would illuminate the much more moderate – and, more importantly, entirely legal – goals of the organization.^{lii} Additionally, Moore stated that the BPP was connected with “foreign revolutionaries” without stating which revolutionaries – although he is probably referring to supporters from Algeria and Vietnam, among others – which called on agents’ fears of Communism and revolution more generally to ensure that a war-like response to the BPP seemed necessary.^{liii}

In another, later memo, the Chicago BPP and the Blackstone Rangers, a Chicago gang, were lumped into the same category as being “black extremist organizations,” which created the idea that Black political organizations and gangs were interchangeable in their ideologies and activities.^{liv} Moore’s inflammatory claim that the Panthers were attacking police officers – probably incorrectly describing the Panthers’ insistence on exercising their right to open-carry in order to protect their community from systemic police violence – and his reference to foreign revolutionaries shows the first signs of the FBI using war rhetoric to engage in the process of domestic enemy-creation against the BPP.^{lv}

Terms of War Rhetoric

At the beginning of the first memo, and at the beginning of all subsequent COINTELPRO memos about the Panthers, the words “black nationalist hate groups” appear in the subject line.^{lvi} This act of domestic enemy-creation – which is tied heavily

to rhetorical exclusion since its main goal is to define the BPP as dangerous, evil, and violent – was vital to the FBI’s successful mobilization of war rhetoric because it did not have to be explained or justified; the placement in the subject line makes it an authoritative statement rather than an opinion or argument about the Panthers. The BPP being classified as a hate group – the same classification as the KKK, which misrepresented the BPP as being a Black supremacist organization akin to the KKK’s actual white supremacist platform – gave moral justification for the FBI to take direct action against the organization. If the Panthers could be framed as a hate group who carry out attacks on police and have the support of foreign revolutionaries, it would be irresponsible and reckless of the FBI *not* to wage war on the BPP.

Historically speaking, the US has justified wars by framing the situation as a “last resort, a necessary evil forced upon a reluctant nation by the aggressive acts of an enemy bent upon the alienation of humankind from their liberties.”^{vii} Whether or not such a justification is appropriate in each case of war is beyond the point. What is important is that, in cases of war, the US government reliably portrays itself as the defender of freedom against evil; by using this same frame of the mighty victim of a freedom-hating enemy and the reluctant savior of a free people against the Panthers, the FBI solidified the position of the BPP as that of a foreign aggressor rather than that of an activist organization attempting to provide social programs for poor Black people across the US. By defining itself as the mighty victim against the BPP aggressor, the FBI simultaneously rhetorically excluded the BPP and invoked traditional American justifications for war to ensure that its extreme and often illegal responses to the BPP were seen as necessary and righteous to the American public. Since this was not a war effort involving the military, it

is also important to note here that the FBI rhetorically self-identified not only as the protector of freedom but as a quasi-military organization rather than as a law enforcement agency. The FBI's war rhetoric served two purposes: create the BPP as an enemy and create the government as a victim, both of which in turn justified the imposition of war-like strategies against a domestic organization.

One foundational factor of the FBI's war rhetoric can be found within the COINTELPRO title: the word counterintelligence. Counterintelligence came into being as a vital governing tactic in the late 19th century during what is commonly referred to as The Great Game, which involved political and diplomatic struggles between the British and Russian Empires concerning colonial campaigns in central Asia. The Great Game and the organizations it spawned, such as the Russian Okhrana, is credited with the formal institution of counterintelligence and general anti-espionage efforts within the governments of world powers.^{lviii} Once it became institutionalized, counterintelligence was defined as activities designed to prevent or thwart spying, intelligence gathering, and sabotage by an enemy or other foreign entity. By placing "counterintelligence" in the title of COINTELPRO, the FBI made clear that those being targeted by the program should be considered enemies of the United States. To be fair, COINTELPRO was created well before the BPP was formed, but the FBI utilized war rhetoric to varying degrees against all of the organizations which it targeted, although none to the same extent as the BPP. While not specific to the FBI, Engels' work on enemyship demonstrates that the US government has, almost since its inception, been in the business of creating enemies which are often domestic. Thus, attempting to create a domestic enemy out of an activist group which the government viewed as ideologically threatening is in keeping with the

government's historical tactics of power maintenance. By classifying the Panthers as a group worth targeting with a *counterintelligence* program, the FBI implied that the BPP was targeting the US with violence and thus necessitated a response of counterintelligence.

The FBI took its classification of the counterintelligence mission seriously. For example, there exist 100,000 pages of internal FBI documents specifically concerning Fred Hampton, the head of the Chicago chapter of the BPP, alone.^{lix} With every single memo containing a reference to counterintelligence as well as a definition of the BPP as a black nationalist hate group, FBI agents – who carried out the illegal actions of COINTELPRO – were primed to believe that the Panthers posed a legitimate threat of war for the US government. Importantly, as a part of the FBI's rhetorical exclusion of the BPP, the illegal actions of law enforcement and the penal system received little mainstream media attention. While the FBI's war rhetoric did not create a literal legal exception for such actions, it contributed to apathy toward the Panthers' suffering at the hands of the police and the legal system since the organization was effectively defined as a racialized, foreign Other with violent intentions to overthrow the government.

Throughout its COINTELPRO operations against the BPP, the FBI would continually go back to the well of war rhetoric to reinforce the BPP's status as an enemy in order to justify its continued repression of the group. One term which repeatedly arises across COINTELPRO memos concerning the BPP is "neutralize." Along with several other terms, "neutralize" is commonly used in COINTELPRO memos concerning the BPP, like when the FBI passed on confidential documents to national media outlets "as [a] counterintelligence measure to help neutralize extremist Black Panthers," and directly

demonstrates the fact that the FBI actively used war rhetoric toward the BPP.^{lx}

Neutralization is a common term in military/police parlance which alludes to the death or destruction of a target (i.e.: the threat has been neutralized). By making the “neutralization” of the BPP the central goal of the COINTELPRO campaign against the organization, all recipients of such correspondence were being persuaded to frame the conflict with the BPP as one of war. By employing the term “neutralize” repeatedly, the FBI equated the BPP with other organizations and countries which the government deemed threatening, including North Vietnam, the Soviet Union, and Cuba. Additionally, using the euphemistic language of “neutralize” instead of saying “destroy,” for example, codes the FBI’s violent tactics in neutral terms which downplays the material violence of the Bureau’s actions. By invoking neutralization, which simultaneously situates the BPP as a war-like enemy and frames FBI violence using neutral language, the FBI could justify its illegal actions against the BPP to the American public. As long as the BPP was viewed as a domestic activist organization, direct violence and counterinsurgency measures could not be justified; thus arose the need to rhetorically create the BPP as an enemy before the FBI could materially “neutralize” the organization.

Additionally, included in many memos concerning the BPP was the term “operation,” both in the context of approving FBI operations against the BPP or thwarting operations – or perceived operations – of the BPP.^{lxi} Within many memos, there were discussions of “operations under consideration” which could be carried out by the Bureau. Every time an action against the BPP was referred to as an operation was another moment when war rhetoric was reinforced and the Panthers’ status as a domestic enemy was cemented. Additionally, in such memos which concerned FBI operations,

instructions like, “exploit all avenues of creating further dissention in the ranks of the BPP,” were commonplace.^{lxii} By referring to dissention in the ranks of the Panthers, the FBI framed party members as soldiers in the BPP army, further bolstering the false claim that the BPP was a military-like organization with violent intentions. Along with references to FBI operations, memos also discuss Panther “operations” frequently. The “operations” referred to by the FBI included community programs like the Free Breakfast Program, community education, or anti-heroin campaigns run by the Panthers.^{lxiii} By framing humanitarian programs as BPP “operations,” along with the framing of the Panthers as an army, the FBI rhetorically excluded the BPP from appearing to be a reputable, generally peaceful – or at least only defensively violent – organization. This misrepresentation of BPP community programs as war operations contributed to the skewed understanding of the BPP as a threat rather than an activist group providing much-needed services in poor Black communities.

Yet another consistent through-line among the memos is the term “destabilize” and “destabilization” in reference to the stability of the BPP organization as a whole.^{lxiv} Destabilization of the enemy’s economic centers, public support, and access to resources is a well-documented tactic of total war, which was mobilized in war efforts well before the time of the Panthers.^{lxv} Notably, during the same time period, the US was taking active steps to try to destabilize the Cuban government as well as countless other governments and revolutionary movements – often synonymous – across Central and South America, like Guatemala, Chile, and Nicaragua. This exposes that certain terms in FBI memos, like destabilization, which can be used outside of a war context, can still be considered a part of the FBI’s war rhetoric because those receiving such memos would

have been familiar with governmental efforts to destabilize “threatening” foreign governments and movements. By calling for the destabilization of the BPP, the FBI continued to entrench the conflict with the Panthers within the specific context of war.

It is important to acknowledge that despite using war rhetoric and engaging in a process of domestic enemy-creation against the BPP, the FBI was not seeking to establish grounds for war in the typical sense. There was no attempt to mobilize the army against US citizens or gain Congressional or Presidential approval for declaring war. Rather, the FBI was seeking to wage a type of war which falls in what Michael Hardt and Antonio Negri, authors of *Multitude*, define as the “gray zone,” and they carried out this type of war using “gray strategies” of war.^{lxvi} Hardt and Negri’s work concerns how governments behave in situations of armed conflict – whether it be a war in the traditional sense between two nation-states or between a government and an armed resistance/insurgent enemy – whereas in the case of the BPP, the government was the only side behaving clearly as if a war were underway.

Although the BPP did employ war rhetoric and referred to the police and FBI as an army, there is a distinction between using war rhetoric to make symbolic claims about a conflict and using war rhetoric to actually engage in an armed conflict. Additionally, it is important to reiterate that even if the BPP had attempted to violently destroy the government, the Panthers did not have the institutional power and resources to materially eradicate the US government in the way that the FBI was attempting to eradicate the BPP. Despite the difference in context between my work and that of Hardt and Negri, their analysis of how governments attempt to suppress enemies who are not entirely centralized (like an opposing government) and are atypical in war spaces, both concern

how governments mobilize counterinsurgency efforts. Hardt and Negri argue that in such situations, counterinsurgency measures to carry out war are the only path forward for governments. Kelly adds to this contribution by creating the term rhetorical counterinsurgency which pinpoints the rhetorical tactics used alongside tactics of counterinsurgency to engage in domestic enemy-creation.

While the FBI did not call the conflict a war outright, it certainly implied publicly and approached the issue as if it were a war. The FBI's greatest burden in framing the conflict as war-like was in justifying counterinsurgency measures against the BPP to the American public, who had to be convinced that the Panthers were a legitimate threat. Because of this, the FBI employed rhetorical counterinsurgency by getting disinformation and propaganda broadcast in the news, and even forging letters and documents – like when the Bureau planted a document in “the automobile of [Carmichael's] close Black Nationalist friend” which implied that Stokely Carmichael, leader of the Student Nonviolent Coordinating Committee and later member of the BPP, was a CIA informant.^{lxvii} Additionally, the FBI disseminated countless defamatory cartoons nationwide about the BPP in order to unsettle the organization and its allies in surrounding communities.^{lxviii} If the FBI was the only group of people convinced of the Panthers' danger, public opinion may not have fallen on Bureau's side. Following the Bureau's covert media campaigns and community strategies, though, the American media and the American public began to adopt the FBI's opinion toward the BPP, which allowed the Bureau to take war-like action against its own citizens.

In Gatchet and Cloud's work on the Black Panthers and national media outlets, the authors approach exactly how the media went about framing the Panthers as a

Goliath-like threat instead of a David-like underdog and focused on the organization's "potential for violent extremes."^{lxi} Additionally, Gatchet and Cloud observe that some media coverage "also represented Panther 'violence' as the moral equivalent of establishment violence, as if each force were equally powerful and equally mistaken in engaging in militant struggle."^{lxx} It is not coincidental, according to Gatchet and Cloud, that "mainstream mass media's ideological role" is often compatible with that of the "state and dominant economic interest."^{lxxi} Gatchet and Cloud make a substantial contribution to the discourse surrounding how the BPP was systematically undermined, and I have aimed to build off of their argument by acknowledging how the FBI played an active role in shaping the mainstream media narrative by disseminating disinformation and propaganda about the BPP through what the Bureau deemed to be "cooperative media" sources.^{lxxii} This dimension of media coverage is vital to understanding that the national media, and later the American public, did not simply come to the decision that the Panthers were a threat to the US; the Panther "threat" was, at least partially, fed to the media and, subsequently, the American public via COINTELPRO actions in order to turn public opinion against the organization. Gatchet and Cloud's work sheds light on the agentive role that the national media certainly played in contributing to anti-BPP perceptions without giving fair coverage to the organization's actual ideology, but it is important for my work to discuss the covert role the FBI played to fully understand the context for the negative national media coverage of the BPP.

J. Edgar Hoover and Material Violence

One of the most damning pieces of evidence demonstrating that the FBI rhetorically approached the conflict with the BPP as war comes from a Hoover memo to the San Francisco FBI field office lambasting the agents for not doing more to “isolate the organization from the majority of Americans.” Hoover stated that the BPP is a “violence-prone organization seeking to overthrow the government by revolutionary means.” After the San Francisco office did not comply with Bureau instructions to neutralize the BPP, Hoover adamantly stated – and without actual proof – that “all information to date [shows the BPP] ...will go to any length” to achieve violent overthrow. Hoover even more blatantly went to propagandist lengths to make the case for a war-like treatment of the BPP when he directly attacked the BPP’s humanitarian programs, specifically the Free Breakfast program. Field offices were ordered to “eradicate” Panther programs which served the community: a haunting indication of how the FBI was willing to frame every action of the Panthers, including their free medical help and free breakfast programs, as sinister operations of war which needed to be destroyed. In this instance, Ivie’s observation of medical metaphors in war rhetoric directed toward the USSR can be seen as it is similarly applied against the BPP. Hoover instructed the San Francisco office to attack the program which, he claimed, aimed “to fill adolescent children with [the Panthers’] insidious poison.”^{lxxiii}

Hoover’s hatred for the BPP was palpable and he along with other FBI higher-ups never shied away from turning the conflict with the BPP into a rhetorical war. It is important to remember, though, that the purpose of the war rhetoric that Hoover and the FBI employed was to excuse and permit explicitly illegal action against American

citizens with the backing of the American public. Attorney Charles Garry, who represented the Panthers – most notably Huey Newton in a 1968 capital murder case – charged the government with creating “extralegal legality” in its actions against the BPP.^{lxxiv} This extralegal legality created by the government involves a large gray area in US law wherein the government can declare a threat to national security in order to justify taking actions which would normally be illegal. Since the actions themselves are illegal despite governmental justification, I refer to such actions as illegal throughout this essay.

In a September 1970 airtel to COINTELPRO operatives, Hoover encouraged new operations against the BPP, and stated that the “purpose of counterintelligence action is to disrupt BPP and it is immaterial whether facts exist to substantiate the charge.” This is a clear instance of rhetorical counterinsurgency wherein false information was used to justify counterinsurgency measures against the Panthers. Later in the same airtel, concerning anonymous letters aimed at bringing about the assassination of Huey Newton, Hoover was unconcerned with the FBI taking action to have an American citizen killed, rather his biggest concern was to not “place the Bureau in the position of aiding or initiating a murder.” In other words, Hoover was ordering an indirect assassination which would not implicate the Bureau. By addressing the tactic of murder, Hoover institutionalized the act, making it seem more neutral, and thus depersonalized the potential violence which a murder would involve. Hoover then went on to suggest rewording the letter to ensure that the FBI could not be identified as the original source.^{lxxv} This airtel puts in perspective exactly how the mobilization of war rhetoric to engage in domestic enemy-creation could result, and often did result – as the

assassination of Fred Hampton demonstrates – in material violence against US citizens, from harassment to wrongful incarceration to murder.

The Assassination of Fred Hampton

Countless memos and documents from COINTELPRO expose how the FBI used informants to entrap members of the BPP, created false charges to justify incarcerating members – some of whom remain in prison¹ – falsified documents to try to incite crime between the BPP and other groups, and even saw to it that the rising leader of the Chicago branch of the BPP, Fred Hampton, was assassinated. Hampton was perhaps best known for his now-iconic statement while speaking out against the trial of Bobby Seale, stating that “You can jail a revolutionary, but you can’t jail a revolution.”^{lxxvi} Hampton’s rising status within the BPP along with his charismatic style of public speaking made him such a threat in the eyes of the FBI that the Bureau planted an informant, William O’Neil, as Hampton’s personal bodyguard and head of security to monitor the young leader.^{lxxvii} Due to his growing popularity and the FBI’s emphasis on preventing the BPP from having a messianic figure like Martin Luther King, Jr. at its core (especially with Newton in prison and Seale on trial), the Bureau painstakingly planned, executed, and then conspired to cover up Hampton’s assassination.^{lxxviii} Similar to the domino theory, the government believed that a messianic leader could unite the black power movement with

¹ Many Panthers were wrongfully convicted of crimes (as is evident in *The COINTELPRO Papers*) or were given extremely long sentences for crimes which occurred during the 1960’s and 1970’s. Nineteen remain in prison to this day.

Ed Pilkington, “The Black Panthers still in prison: After 46 years, will they ever be set free?” *The Guardian*, July 30, 2018, <https://www.theguardian.com/us-news/2018/jul/30/black-panthers-prison-interviews-african-american-activism>

other more moderate groups within the civil rights movement, thus demonstrating why the FBI took such extreme measures specifically against Hampton.

These are the material effects of war rhetoric leading to domestic enemy-creation; it creates an environment in which illegal actions including government-sponsored assassinations against activists are permitted. *The COINTELPRO Papers* provides deep insight into how O’Neil created a blueprint of the Panther pad² where Hampton lived, down to the exact details of where Hampton would be sleeping. Memos detail how on December 4th, 1969 the police shot into the pad unannounced and, after injuring but not killing Hampton – who had been heavily sedated by O’Neil – shot him in the head to ensure he would never threaten the institutional power structure of the United States again. One other Panther, Mark Clark, was killed in the raid.

The seven Panthers who escaped the raid alive despite police firing 98 rounds into the apartment, were beaten while handcuffed, charged with aggressive assault and attempted murder of the police raiders – despite only one round being fired seemingly by Clark after being shot – and were held on \$100,000 bond each.^{lxxix} During the ensuing trial, the police crafted a false narrative that the Panthers had been the aggressors and attempted to frame the raid as a defensive act rather than a political assassination on behalf of the FBI.^{lxxx} In a memo sent a week after the assassination, the head of COINTELPRO in Chicago, Robert Piper, claimed “credit” for the “success” of the raid and lauded O’Neil for the “tremendous value” of his actions preceding the raid.

² Panther pads were apartments shared by several members of the BPP. The aims of Panther pads were to provide extra security via strength-in-numbers for BPP members who were being targeted by police, and to protect members’ families from becoming victims of police harassment and violence. Stanley Nelson, Jr., *The Black Panthers: Vanguard of the Revolution*, PBS, September 2, 2015, New York City, NY, video.

Additionally, after all was said and done and Hampton had been assassinated, the FBI approved a bonus for O'Neil for his work.^{lxxxix} This, despite not explicitly being said, is another example of the FBI's war rhetoric at play; killing important BPP members was to be celebrated and rewarded.

Legacy of War Rhetoric

We will not fight and kill other people of color in the world, who like Black people are victims of US imperialism on an international level, and fascism domestically. So recognizing that, recognizing fascism, recognizing the occupation of all the pigs in the Black community, then it becomes evident that there's a war at home, there's a war of genocide being waged against Black people right here in America.

- David Hilliard, BPP Chief of Staff^{lxxxii}

Both in local conflicts with police and the national conflict with the FBI, the BPP adopted war rhetoric of its own in order to rhetorically self-identify as – to use Gatchet and Cloud's term – the “oppressed militant.”^{lxxxiii} As is evident in my discussion of Gatchet and Cloud, the FBI rhetorically self-identified as the mighty victim fighting against the terror of the BPP. While the FBI's self-identification as a victim was constructed – the FBI had astronomically greater power, resources, and support than the BPP – the war rhetoric utilized by the Panthers depicting “the occupation...in the Black community,” was a reality. The Panthers depicted themselves as being victims of the government's harassment and violence, a claim for which there is plentiful evidence.^{lxxxiv} The Panthers' war rhetoric is more justifiable because the group was speaking to the violent oppression of police and the government; although, while the Panthers weren't trying to incite or justify a war against the government, they were advocating revolutionary change to the American system of governance. The FBI was using war rhetoric to justify violence, whereas the Panthers were using war rhetoric to draw attention to said violence. Even though the BPP made clear they were prepared to fight back, the only justification for violence within their ideology was that of self-defense; the

BPP's main focus – despite media coverage and governmental rhetoric suggesting otherwise – was to provide humanitarian programs to poor Black communities in cities across the US, effectively creating an alternative State which would provide better services for Black citizens.

Despite making the at best questionable claim that the BPP was a group concerned with “guerrilla warfare,” Hardt and Negri identify a shift in radical groups’ approach to conflict with the State which came about thanks to the Panthers as well as the Front du Libération du Québec, the Tupamaros in Uruguay, and the Acção Libertadora Nacional in Brazil. While the BPP did not engage in a literal guerrilla warfare, they did rhetorically bolster the Viet Cong’s use of the tactic. Additionally, despite taking a different approach, the BPP did have the same final, revolutionary goal as organizations who used guerrilla warfare: to create an alternative state/replace the state. Rather than attacking the State violently, the Panthers opted for a strategy of “transforming the city itself,” in an attempt to transform the State.^{lxxxv} Hardt and Negri’s contribution demonstrates that the governmental war rhetoric framing the BPP as dangerous and intent on violently attacking the US was far from true. Despite this fact, though, the Panthers did represent an existential threat to the US government due to their goal of dismantling capitalism. Hardt and Negri perhaps also get to the core of why the government identified the BPP specifically as a threat despite posing very little violent threat: because the Panthers were both redefining resistance and trying to redefine governance as a whole in the United States.

As is apparent in several of the COINTELPRO memos, particularly those penned by Hoover, the US government deemed the Panthers’ attempts to transform cities through

entirely legal community programs to benefit poor Black citizens a threat worthy of a war-like reaction. Responding both to the government's repressive tactics against the BPP and the litany of abuses which predated the organization, the Panthers employed their own war rhetoric to advertise their victimhood to the American public in the hopes of garnering sympathy for their cause. While the lens of BPP war rhetoric clearly defined the BPP as the victim of institutional attacks, it also expressed the Panthers' power and resilience against such violence. For example, Eldridge Cleaver, one of the heads of the BPP, stated that the Panthers were being targeted by "these racist Gestapo pigs," and invoked Malcolm X by claiming that the Panthers would resist violence "by any means necessary, including by force of arms."^{lxxxvi} Cleaver's war rhetoric accomplishes several goals. Principally, he identifies the aggressor, the enemy, as the racist police (pigs). Secondly, he clarifies that, although the police were attacking the BPP, the Panthers would not take the attacks lying down and were prepared to defend themselves in whichever way they deemed necessary. This serves the "oppressed militant" imagery that the organization cultivated because it allows for public sympathy without depicting the Panthers as a charity case who will be eviscerated if left to their own devices. Tangentially, by referring to the police as the Gestapo – the name of the secret state police of the Nazi party responsible for devastating attacks on Jews and others during the Third Reich^{lxxxvii} -- Cleaver was able to create an aura of similarity between US and Nazi police forces. By aligning the government with Nazis, Cleaver tried to give the moral high ground to the Panthers.

The war rhetoric of the FBI and that of the BPP differed for a couple of reasons. First, the government had the institutional power to establish the Panthers' identity as a

foreign enemy as Truth through its rhetorical exclusion and counterinsurgency measures. Secondly, the Panthers used their war rhetoric to garner support rather than wage an attack, and mobilized war rhetoric in order to bolster anti-US colonial efforts around the globe. The government used war rhetoric to silence a challenge to the power structure whereas the Panthers used war rhetoric to condemn and attempt to dismantle the power structure.

Despite the fact that the Panthers, like the FBI, actively and knowingly used war rhetoric, I argue that the war rhetoric employed by the BPP could not possibly have the same effect and could not be an oppressive form of war rhetoric like that of the FBI. This is not to say that the BPP's war rhetoric had no materially revolutionary value, or that it could not result in material violence – the spawning of the Black Liberation Army which enacted anti-State violence is a good example³ – but rather that Panther war rhetoric was more symbolic due to the BPP's lack of institutional power and resources to effectively damage the government with violence. Additionally, FBI memos containing war rhetoric were orders being passed down which carried institutional weight, whereas the Panthers' war rhetoric was based on community building and lacked an institutional basis.

It is clear that, while both groups used war rhetoric, that employed by the BPP was subversive and aimed at self-defense by informing the public of the violence enacted on Black citizens by the State in an attempt to stem such violence. The FBI's war rhetoric, as has been the focus of this essay, was an oppressive appropriation of war rhetoric intended to undermine an activist group and validate material violence against said group in the form of harassment, slander, wrongful incarceration, murder, as well as

³ Bim Adewunmi, "Assata Shakur: from civil rights activist to FBI's most wanted," *The Guardian*, July 13, 2014, <https://www.theguardian.com/books/2014/jul/13/assata-shakur-civil-rights-activist-fbi-most-wanted>

a rhetorical climate in which these actions would appear justified, indeed necessary.^{lxxxviii}

An added dimension of the FBI's war rhetoric was that it also aimed to maintain the structure of power in the US, which in part was achieved by re-emphasizing the nature of the BPP as that of the racialized Other. The important differentiator between the FBI's war rhetoric and that of the BPP – to say nothing of the differences in FBI versus BPP violence – is the massive gulf dividing the amount of power between the two groups. The power difference is so vast that to refer to the US government and the BPP as “two groups” seems almost laughable. This power difference is why a complete analysis of Panther war rhetoric does not fall within the scope of this essay. Subversive, anti-institutional war rhetoric and oppressive institutional war rhetoric have significant enough differences in terms of who they are accessible to and how they are applied to warrant being studied as unique rhetorical strategies which serve disparate rhetors. These two forms of war rhetoric are divided principally due to the geographical positioning of the “enemy.”

The two applications of war rhetoric which I identify differ due to the domestic position of the BPP. This small difference in the positionality of the “enemy” changes the rhetorical situation of war rhetoric because of its typical accepted use against foreign enemies. As demonstrated in this essay, domestic enemy-creation is tied directly to the application of war rhetoric by the government against a segment of its populace. In turn, war rhetoric is deeply linked to the concepts of rhetorical exclusion and rhetorical counterinsurgency.

Rhetorical counterinsurgency is basically a subset of rhetorical exclusion due to its narrow application to rhetorical war situations. While both concepts are concerned

with definitions, rhetorical counterinsurgency can only be applied when there is an implied insurgency which creates an exigence for counterinsurgency. Rhetorical exclusion, in this essay, serves as the broad umbrella to understand governmental tactics of defining an Other in any conflict and using said definition to prevent that other from participating fully – or at all in some cases – in the discourse surrounding a given issue. It is important to work both with rhetorical exclusion and rhetorical counterinsurgency because rhetorical exclusion forms the basis of how rhetorical counterinsurgency is defined, but rhetorical counterinsurgency precisely addresses the exact rhetorical maneuvers employed by the State when its maintenance of power is threatened and lays bare how the FBI managed to villainize the BPP. The central aspect of both concepts – the importance of defining an enemy or an Other – made domestic enemy-creation against the BPP possible for the government. Without the capacity to define the BPP as a racialized Other and a foreign enemy, the government’s harassment of and violence toward the Panthers would have been restricted greatly by national media coverage and, thus, public opinion.

It is important to emphasize that, unlike war rhetoric, rhetorical exclusion and rhetorical counterinsurgency – and, arguably, even domestic enemy-creation – are only truly accessible to those in power who have the resources and influence to create definitions of others and to exercise control over the discourse on any given topic. One point of slippage here could be concerning economically marginalized white people who Other another marginalized group, but I would argue that the genesis of poor whites framing different marginalized groups as Others originates in the governmental tactic of divide-and-conquer which has historically aimed to keep marginalized groups from

uniting.^{lxxxix} War rhetoric, as demonstrated at the beginning of this section, can be applied both subversively (in the case of the BPP) and oppressively (in the case of the FBI), which makes it accessible to anyone who chooses to apply it. Thus, unlike the other concepts discussed in this essay, war rhetoric can have the intent and/or effect of either subjugation or emancipation.

While there is some scholarship on governmental rhetoric in response to activism, there is a space to create a theoretical framework for understanding the ways in which governments use war rhetoric to create the grounds for violence against domestic organizations.^{xc} There is plenty of scholarship on justifications of war, war rhetoric generally, and activist rhetoric, but this work does not approach the important issue of how governments create rhetorical justification for violence against activists. There is a hole in the discourse concerning the exact framework of how the State imposes war rhetoric on activists and the implications of how such rhetoric maintains the power structure. Despite the fact that governmental war rhetoric has been studied and catalogued extensively in reference to the War on Terror and the US response to 9/11, such an application falls outside of both the categories of domestic war rhetoric and war rhetoric against activist organizations.^{xcⁱ} In such instances the government unquestionably mobilized war rhetoric, mainly generalizing war rhetoric to rhetorically create every individual as a potential threat, but such war rhetoric was directed at a small number of domestic organizations – particularly antiwar groups – and there was very little media coverage of such instances.^{xcⁱⁱ} War rhetoric following the 9/11 attacks was directed at several countries, including Afghanistan, Iraq, and Iran, which falls into the typically accepted application of war rhetoric.^{xcⁱⁱⁱ} Additionally, it was directed in some cases

against the entire religion of Islam and led to material violence against Muslims – as well as Sikhs misidentified as Muslims^{xciv} -- in the United States.^{xcv} But despite the very real consequence of material violence following the mobilization of war rhetoric after 9/11, and despite the parallel with the BPP wherein a racialized Other was created, the government's use of war rhetoric was entirely different. In the case of the BPP, the government was taking direct action to “disrupt, misdirect, discredit, or otherwise neutralize,” an activist group with a clear ideology and a finite number of members, whereas the targets of the government's post-9/11 war rhetoric were many and were rarely domestic organizations. This allows us to differentiate between domestic and international moments of governmental war rhetoric due to the differing size of, proximity to, and familiarity with a given “enemy.”

Given the differences in the application of war rhetoric against the BPP and after the 9/11 attacks, respectively, I believe that the rhetorical response of the government to each rhetorical situation should be viewed as separate due to the fact that the BPP was a concrete group which the government deemed to be a threat to maintenance of power in the US, while the war rhetoric following 9/11 was generalized to make every individual a potential threat. Even once Al Qaeda had been identified, the application of war rhetoric against the terrorist network cannot be compared to that applied to the BPP since Al Qaeda was not a domestic activist organization and had committed explicit violence against US citizens, thus creating a rhetorical situation which made governmental war rhetoric appropriate. Because Al Qaeda claimed responsibility for the attacks, the rhetorical situation following 9/11 did not require the government to justify its war rhetoric in the same way that it had to in the conflict with the BPP. I believe that, because

of the heavily generalized nature of post-9/11 war rhetoric, this essay contributes to a more specific category of scholarship concerning domestic war rhetoric aimed at activists.

I believe that my work in contributing to war rhetoric scholarship is valuable for the continuance of discourse on the subject, but more importantly I hope that it can assist activist organizations – particularly those managed by and beneficial to people of color – in recognizing and combatting the rhetorical strategies that the government has been known to use against such organizations.^{x cvi} Despite being decommissioned in 1971, COINTELPRO tactics and rhetoric are still active within the FBI. After the advent of Black Lives Matter (both the activist organization and the general movement), an FBI report – prepared by the FBI’s Domestic Terrorism Analysis Unit – was leaked in which BLM is referred to as a “Black identity extremist” group. Beyond a similar group-wide classification, *The Intercept* demonstrates how the FBI continues to use disinformation, informants, and heavy police pressure – tactics of rhetorical counterinsurgency – against BLM.^{x cvii} The chilling similarity between these governmental tactics and the rhetorical creation of BLM and that of the BPP as a “Black nationalist hate group” serves to demonstrate that war rhetoric is still being applied domestically, and that BLM and other similar groups⁴ – or groups which the FBI deems similar – are being targeted with the same foundational war rhetoric which led to material violence against the Panthers.

⁴ *The Intercept*’s coverage also notes the FBI’s classification of some pro-choice activists and environmental activists as domestic terrorists. Alice Speri, “Fear of a Black Homeland: The Strange Tale of the FBI’s Fictional ‘Black Identity Extremism’ Movement,” *The Intercept*, March 23, 2019, <https://theintercept.com/2019/03/23/black-identity-extremist-fbi-domestic-terrorism/>

To mobilize a bit of war rhetoric myself, as is evident in the conflict between the FBI and the BPP, the battle for social change is not fought in the pages of essays. The battle is fought by activists who deserve to know what weapons their opposition, the government, is using as activists fight for social change. My work on domestic institutional war rhetoric is nowhere near comprehensive, but I hope that this essay helps to illuminate rhetorical strategies employed by the US government which aim to silence marginalized activist organizations by defining such organizations as foreign enemies rather than domestic activist groups. As is abundantly clear due to the FBI's approach to BLM, the same rhetorical devices are still being mobilized today in order to neutralize marginalized – particularly non-white – activist organizations. But, as Kelly detailed, just as it is predictable that the US government will repress anti-State activism, it is predictable that activists will continue to fight back. As is gracefully noted by Hardt and Negri, “dominance, no matter how multidimensional, can never be complete and is always contradicted by resistance.”^{xviii}

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