

# The Collapse of Comity: Perilous Times in the Third Turbulent Century of Our Political Experiment

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*The Collapse of Comity: Perilous Times in the Third Turbulent Century of Our Political Experiment*

Testimony of Brian Michael Jenkins<sup>1</sup>  
The RAND Corporation<sup>2</sup>

Before the Committee on Homeland Security  
United States House of Representatives

February 4, 2021

**T**hank you Chairman Thompson, Ranking Member Katko, and members of the committee for inviting me to again appear before the House Committee on Homeland Security.

It is not an exaggeration to say that these are perilous times.

We face a continuing threat from a global jihadist enterprise that remains determined to mount terrorist attacks on the United States from abroad while exhorting homegrown jihadists to carry out attacks here.

We face a still-raging COVID-19 pandemic that in the past 12 months has killed more Americans than were killed during World War II.

And we face a heightened threat of domestic violent extremism.

## A Trifecta of Dangers

It is a trifecta of dangers that is testing the resiliency of American society and the strength of our democratic institutions.

I believe that we will come through this as we have come through so many dark moments in our nation's turbulent history, but we should not underestimate the hazards.

Jihadist fronts remain active in many parts of the world. At great cost in blood and treasure, we have degraded their operational capabilities, but we have not diminished their determination. They continue to plan operations against the United States—last in December, authorities revealed that a foreign jihadist plot to train a pilot to carry out a 9/11-style attack in the United

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<sup>1</sup> The opinions and conclusions expressed in this testimony are the author's alone and should not be interpreted as representing those of the RAND Corporation or any of the sponsors of its research.

<sup>2</sup> The RAND Corporation is a research organization that develops solutions to public policy challenges to help make communities throughout the world safer and more secure, healthier and more prosperous. RAND is nonprofit, nonpartisan, and committed to the public interest.

States.<sup>3</sup> And as the arrest of a U.S. soldier in New York in January confirms, there are still Americans willing to assist the jihadists in terrorist operations.<sup>4</sup>

Pandemics devastate economies, as COVID-19 has done. Pandemics expose and exacerbate existing inequalities in society, including throughout the recovery. Their economic, social, psychological, and political effects last long after the disease has subsided.

Historically, pandemics have been accompanied by popular resistance to public health measures, threats to political authority, increases in violent crime, and the spread of conspiracy theories. These things we have also seen here.<sup>5</sup>

We have come through an exceptionally difficult year that has witnessed anguish, anger, and turmoil in our cities, which violent anarchists and other extremists have exploited to advance their own agendas. These actions continue. On Inauguration Day, anarchist protesters in Portland and Seattle attacked the offices of federal agencies and a headquarters of the Democratic Party.<sup>6</sup> We have experienced the most contentious election in our nation's history.<sup>7</sup> We have seen the resurgence of violent activity by far-right extremists across the country. In the wake of the recent attack on the Capitol, these extremists are currently the most immediate but certainly not the only cause of concern, and they are the focus of the remainder of my remarks.

Right-wing extremism in the United States is an assemblage of causes and grievances. We saw that on full display on January 6. Many of the extremists' causes constitute a continuing dark undercurrent in American history that widens during periods of economic, social, or political stress.

There is no single organization or doctrine that unites these disparate groups other than their shared hostility toward political authority in general and the federal government in particular. Their discontents fuel and feed upon the increasing polarization of American politics and society.

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<sup>3</sup> U.S. Department of Justice, "Kenyan National Indicted for Conspiring to Hijack Aircraft on Behalf of the Al Qaeda-Affiliated Terrorist Organization Al Shabaab," press release, December 16, 2020 (as of February 1, 2021: <https://www.justice.gov/opa/pr/kenyan-national-indicted-conspiring-hijack-aircraft-behalf-al-qaeda-affiliated-terrorist>).

<sup>4</sup> U.S. Department of Justice, "U.S. Army Soldier Arrested for Attempting to Assist ISIS to Conduct Deadly Ambush on U.S. Troops," January 19, 2021 (as of February 1, 2021: <https://www.justice.gov/usao-sdny/pr/us-army-soldier-arrested-attempting-assist-isis-conduct-deadly-ambush-us-troops>).

<sup>5</sup> Brian Michael Jenkins, "Could 2020 Spawn '70s-Style Radicals and Violence?" *NBC News THINK*, August 16, 2020 (as of February 1, 2021: <https://www.rand.org/blog/2020/08/could-2020-spawn-70s-style-radicals-and-violence.html>).

<sup>6</sup> There were violent demonstrations in Portland on both January 6 and January 20 and in Seattle on February 20. See "Windows Smashed, Portland Police Declare Unlawful Assembly," KOIN 6 News, January 6, 2021 (as of February 1, 2021: <https://www.koin.com/news/protests/direct-action-protest-justice-center-portland-01062021/>); Lindsay Nadrich, Jennifer Dowling, Jenny Young, Hannah Ray Lambert, and Elise Haas, "Inauguration Day in Portland: Tear Gas, Arrests, Demonstrations," KOIN 6 News, January 20, 2021 (as of February 1, 2021: <https://www.koin.com/news/protests/inauguration-protests-portland-01202021/>); "Three Arrested During Destructive March in Downtown Seattle," KING 5, January 20, 2021 (as of February 1, 2021: <https://www.king5.com/article/news/local/protests/seattle-protests-downtown-january/281-6e085af2-4d54-4238-8ec8-9b3c0fb3834d>).

<sup>7</sup> Brian Michael Jenkins, "Domestic Terrorism and the U.S. Elections," *RAND Blog*, October 7, 2020 (as of February 1, 2021: <https://www.rand.org/blog/2020/10/domestic-terrorism-and-the-us-elections.html>).

Many elements of the movement coalesced in what I have called “the Battle of Capitol Hill.”<sup>8</sup> This was a turning point in our cultural and political history. It will have long-term consequences.

Astonishingly weak security made it possible for a violent mob to invade the Capitol (the very symbol of our democracy) during a constitutionally mandated procedure necessary for the peaceful transfer of power (the very essence of democracy).

Some of those who broke in wandered about the building like tourists. Others trashed offices or stole so-called souvenirs. Some reportedly hunted for the Vice President and certain members of Congress who were forced to hide out or barricade themselves in the House chamber. Retaking the building took hours. It could have been worse. This was an unprecedented assault on America’s political system.

## A 1/6 Commission

In an opinion piece published in the *Los Angeles Times* on January 19, I called for a national commission to review the events of January 6: what happened, how it happened, what lessons can be learned, and what should be done. Insulated from the passions that sunder our politics and our society, a commission can conduct impartial inquiries, assemble experts, and level hard criticism when warranted.<sup>9</sup>

A commission can also provide an accurate historical record of the events. The 9/11 Commission is still the most authoritative source on the attacks of September 11; although we now have additional information, its conclusions hold.

A 1/6 commission should aim for a detailed chronology that looks at the political setting over recent decades, the contentious atmosphere following the November 3 elections, the days and hours leading up to January 6, and a minute-by-minute account of what happened—from the gathering of the crowd in front of the Capitol to the clearing of the building hours later. There remains much that we do not know.

This is not merely for the historical record. A thorough and accurate accounting would provide the basis for an informed discussion of measures and policies. It is also a way of recording and thereby bounding the national trauma. A 1/6 commission could offer a road to national recovery.

## Why Did Security Fail So Spectacularly?

The commission’s purpose would not be to affix blame, but the reasons for the inadequacy of security on January 6 must be examined. One issue is the matter of intelligence.

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<sup>8</sup> Brian Michael Jenkins, “The Battle of Capitol Hill,” *The Hill*, January 9, 2021 (as of February 1, 2021: <https://thehill.com/opinion/national-security/533474-the-battle-of-capitol-hill>).

<sup>9</sup> Brian Michael Jenkins, “Why We Need a January 6 Commission to Investigate the Attack on the Capitol,” *Los Angeles Times*, January 19, 2021 (as of February 1, 2021: <https://www.rand.org/blog/2021/01/why-we-need-a-january-6-commission-to-investigate-the.html>).

Public statements by Capitol Police, DC Police, and various FBI officials have offered contradictory accounts of whether there was intelligence warning of an attack and, if there was, who saw it. That sharing intelligence about potential attacks in the nation's capital is still a problem nearly two decades after 9/11 seems astounding. One of the tasks of a commission would be to sort out who knew what when.

Even if there was no specific intelligence warning of the assault—often a finding of previous commissions looking at surprise attacks—that is no excuse for the security failure. Rarely is there specific intelligence indicating an imminent attack. If there were, the authorities could intervene and prevent it. There is a difference between specific tactical intelligence and sensible foresight.

An assault on the Capitol should have been anticipated. Shootings and bombings have occurred here in prior years. Since 9/11, the nation has been especially concerned about a terrorist attack on the Capitol. We have gone through a year of protests in Washington. Violent street clashes occurred in the city just weeks before January 6. Members of Congress warned of potential problems.

Days before January 6, groups with histories of violence were gathering again. Internet chatter among these extremists—as reported in the news media—included discussions about smuggling guns into the nation's capital. Formalizing the electoral count, which would take place in the Capitol, was identified by some extremists as the last opportunity to change the outcome of the November election. Yet no one thought the Capitol might be a target?

The Department of Homeland Security is responsible for preparing intelligence reports on domestic threats and sharing them with federal, state, and local law enforcement, including the Capitol Police. Reportedly, social media were buzzing with talk of violence in the days leading up to the invasion, but the Department of Homeland Security had stopped at least some of its reporting months before. Why?

Whether the Capitol Police reportedly was prevented from enlisting help or rejected offers of assistance in preparing for January 6 appears to be another area of conflicting accounts. That still would not let other federal agencies entirely off the hook. They were aware of the threat and had routinely dealt with situations like this before.

The President's State of the Union Address, for example, is a "National Special Security Event" that engages all assets of the federal government to protect it against terrorist attack. The Department of Homeland Security designates the events that fall in this category. Was doing so in the case of the electoral count even considered as a possibility?

The Department of Homeland Security is in the Executive Branch. The Capitol Police operates under congressional authority. Did jurisdictional issues get in the way?

Some have suggested that, following the criticism of the militarized response to the Black Lives Matter demonstrations over the summer, federal authorities did not want to create the appearance of another oppressive armed presence. Was inadequate security at the Capitol an overreaction to an overreaction?

The Capitol Police performed bravely, as evidenced by the many who were injured and the death of one officer. (One other Capitol Police officer and one member of the DC Police who defended the Capitol later committed suicide.) And it is understandable that being so badly

outnumbered discouraged futile resistance, but there are disturbing reports of inappropriate behavior, suggesting affinity with the invaders.

The astonishing inadequacy of security raises questions about the leadership, recruitment, and training of the Capitol Police, but it also raises questions about the adequacy of oversight. Did Congress take responsibility for ensuring its own safety, or did members simply assume that they would be adequately protected? After all, the Capitol Police comprises 2,300 officers and civilian employees and has an annual budget of \$460 million.

A question going forward is whether the Capitol Police, which mainly mans security checkpoints at entrances, should be held responsible for protecting the facility from mass assaults.

The mass demonstrations and riots in the United States during the 1960s, the barricade-and-hostage situations that began in the 1970s, and the Middle East truck bombs of the 1980s required continuing changes in security measures and response. Facing large groups of potentially violent occupiers, some of whom may be displaying but not using firearms, along with others who may be carrying concealed weapons, requires rethinking how to protect public officials and enforce the law.

## Addressing Broader Issues

Earlier commissions charged with investigating specific events also identified broader national challenges. The 1960s commissions on civil disturbances pointed to the fundamental problem of violence in America and warned of a divided society.<sup>10</sup> The Long Commission not only examined the 1983 Beirut bombing but warned that terrorism had become a new mode of warfare—17 years before the 9/11 attacks—for which the nation’s armed forces must be prepared.<sup>11</sup> More than a year before 9/11, the National Commission on Terrorism warned of the potential for large-scale terrorist attacks on U.S. soil.<sup>12</sup>

The 1996 White House Commission on Aviation Safety and Security made numerous practical suggestions for improving security, but it also argued that aviation security was a component of national security, a concept that was accepted only after 9/11. The 1998–2001 Commission on National Security/21st Century determined that the United States would become

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<sup>10</sup> National Advisory Commission on Civil Disorders, *Report of the National Advisory Commission on Civil Disorders: Summary of Report*, Washington, D.C.: U.S. Government Printing Office, 1968 (<http://www.eisenhowerfoundation.org/docs/kerner.pdf>).

<sup>11</sup> See, for example, DOD Commission on Beirut International Airport Terrorist Act, October 23, 1983, *Report of the DOD Commission on Beirut International Airport Terrorist Act, October 23, 1983*, Washington, D.C., December 20, 1983 (as of February 1, 2021: <https://fas.org/irp/threat/beirut-1983.pdf>); see also Brian Michael Jenkins, *The Lessons of Beirut: Testimony Before the Long Commission*, Santa Monica, Calif.: RAND Corporation, N-2114-RC, February 1984 (as of February 1, 2021: <https://www.rand.org/pubs/notes/N2114.html>).

<sup>12</sup> National Commission on Terrorism, *Countering the Changing Threat of International Terrorism: Report of the National Commission on Terrorism*, Washington, D.C., 2000 (as of February 1, 2021: <https://fas.org/irp/threat/commission.html>).

increasingly vulnerable to hostile attack within its own borders and that U.S. military superiority would not entirely protect American citizens.<sup>13</sup>

The practical problem of defending government officials and buildings goes beyond barriers and tactics. On the same day as the invasion of the Capitol, armed protesters showed up at the Georgia state house, demanding to see the secretary of state.<sup>14</sup> In April 2020, armed protesters entered the Michigan legislature to protest control measures for dealing with COVID-19.<sup>15</sup> Similar incidents have occurred at state capitols across the country, raising a fundamental question: How do we maintain the reality and appearance of open government that guarantees access by the public to elected officials and at the same time protect public officials and their staffs and even their families?

The internet and social media offer access to information and unprecedented connectivity. At the same time, they have become highways of hate, disinformation, radicalization, and incitement to violence while they facilitate mobilization and planning. How does a society maintain its commitment to free speech but deny those bent upon its destruction from hijacking this powerful communication technology?

The Capitol was not invaded by extraterrestrials. Domestic violent extremists are made in the USA. Part of the inquiry must be an examination of the motives and intentions of those who broke into the Capitol. That does not mean offering a forum for the spread of hate or excusing anyone's behavior. The country needs to understand the invaders' perspective, not just dismiss them as fanatics and lunatics. Who were the invaders? What did they want to do? Was this merely an aroused but disorganized horde that swarmed into the Capitol, or were there elements within it following a preconceived plan? If so, what were the objectives? Did they receive direction or support from others not on the scene?

The invaders describe themselves as "patriots," and Revolutionary War symbols were certainly abundant on January 6. In the eyes of most people, invading the Capitol and threatening the lives of democratically elected officials hardly qualifies as an act of patriotism or a defense against criminal charges, but it is significant that the invaders see themselves in this way. If they were merely a mob of vandals and looters, devoid of intellectual content or spiritual impetus, this would be a security and law enforcement problem. The thinking they reflect runs deeper and poses a greater societal challenge.

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<sup>13</sup> United States Commission on National Security/21st Century: *New World Coming: American Security in the 21st Century; Supporting Research and Analysis*, Washington, D.C., 1999 (as of February 1, 2021: <https://www.hsdl.org/?view&did=2078>).

<sup>14</sup> Associated Press, "Georgia Secretary of State's Office Evacuated as Armed Protesters Gather," WBUR News, January 6, 2021 (as of February 1, 2021: <https://www.wbur.org/news/2021/01/06/georgia-election-secretary-of-state-evacuated>).

<sup>15</sup> "Coronavirus: Armed Protesters Enter Michigan Statehouse," *BBC News*, May 1, 2020 (as of February 1, 2021: <https://www.bbc.com/news/world-us-canada-52496514>).



## The Political Consequences of Normalizing Threats and Violence

As heirs to the Founding Fathers of this nation, members of Congress bear an awesome burden—increasingly, it is a dangerous one. I suspect that probably all of you have received venomous communications. Most of you, I suspect, have been obliged to think more about your own security in recent days.

When the mob broke into the building on January 6, no one knew how many might be armed or what their intentions were. Security had already broken down. A single determined shooter could have caused a massacre. Or the invaders could have seized hostages, leading to a dangerous siege.

Incessant threats to politicians and their families on social media, vandals attacking the homes of congressional leaders, armed protesters barging into state houses, extremists plotting to kidnap, and, most dramatically, the violent invasion of the Capitol on January 6 are having a profound effect on those in public office and their families.<sup>16</sup> This goes beyond an immediate security issue and affects the psychology of politicians—whether they can trust their colleagues, their willingness to remain in office. It will alter the readiness of others to enter public service.

Some historians have noted that recent political violence may be no worse than that witnessed throughout U.S. history—a periodic spasm. But the violent takeover of the U.S. Capitol building on January 6 changed perceptions. This was an unprecedented assault on American legislators conducting a solemn responsibility, and it has understandably rattled members of Congress.

An angry mob invaded your workplace. Experiencing any kind of criminal assault can cause anxiety, apprehension, and other psychological problems, which can take months or even longer to get over. Crowds, sudden approaches by individuals, shouts—any loud noise can trigger alarm. This is especially difficult for politicians who move constantly among strangers, shaking hands, pressing the flesh, drawing strength from noisy crowds—an affirmation of connectivity in a tumultuous democracy.

In addition to shootings, bombing plots, and angry mobs, politicians are targets of continuous, often graphic threats on social media, in e-mails, and on phone calls. A heavily armed man arrested in Washington, D.C., the day after the Capitol invasion had previously texted, "Ready to remove several craniums from shoulders."<sup>17</sup> Authors of threat messages seldom turn out to be assassins, but for the foreseeable future, no threats can be dismissed. They are a constant reminder of peril, and they contribute to distress.

Improving security is necessary, but there are practical and philosophical limits to what can be done. Are armed fortresses necessary to protect democracy from itself? Should 24-hour Secret

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<sup>16</sup> Brian Michael Jenkins, "Capitol Rioters and Threats to Lawmakers Could Distort the Political Landscape for Years," *NBC News THINK*, January 25, 2021 (as of February 1, 2021: <https://www.nbcnews.com/think/opinion/capitol-rioters-threats-lawmakers-could-distort-political-landscape-years-nca1255602>).

<sup>17</sup> Porter Garrison, "Officials: Man Who Traveled from Colorado to DC with Assault Rifle Charged with Threatening Pelosi," *Denver7*, January 10, 2021 (as of February 1, 2021: <https://www.thedenverchannel.com/news/local-news/officials-man-who-traveled-from-colorado-to-dc-with-assault-rifle-charged-with-threatening-pelosi>).

Service protection be offered to all members of Congress, as well as at the state level for governors and legislators? Can politicians go entirely virtual, operating from undisclosed locations? Do we risk disconnecting government from the citizenry?

Tougher laws against incitement and communicating threats may be necessary. More policing by social media platforms may be required. but how much control is possible while maintaining First Amendment rights?

## Are New Domestic Terrorism Laws Needed?

A number of analysts have indicated that the takeover of the Capitol building meets the definition of *terrorism*. Federal prosecutors may or may not decide to add the terrorism enhancement to the criminal charges facing those involved. You may note, however, that I have avoided using the terms *terrorism* and *terrorist* as they apply to domestic crime. This avoidance is deliberate, but not for political reasons.

The term used by the U.S. government is *domestic violent extremists*, or DVEs. The operative word is *violent*, which falls in the category of ordinary crime, like assault, kidnapping, or murder, for which there already are criminal statutes. *Domestic* refers to location, and without violence extremist beliefs are not a crime. Hate speech might be considered to be a nonviolent expression of extremism, although it often involves threats.

*Terrorism* is a pejorative. Affixing a terrorist label to one's foes offers political advantage. In the 1970s, national governments and nongovernmental organizations battled about the definition of *terrorism*, and it took years to achieve a rough international consensus based on specific acts, such as airline hijacking, or target categories, such as diplomats.

We can expand the definition of *terrorism* to include whatever crimes we want, but doing so will make the term increasingly meaningless.

Many have argued for a domestic terrorism statute, not as enhancement that increases a potential sentence but as a stand-alone crime. I am wary. In part, these initiatives reflect a popular view that ordinary criminal statutes do not adequately reflect the heinous nature of a deed. In part, they reflect a desire to draw greater attention to the threat.

In my view, neither of these is a valid reason to justify new laws. The only justifications for a new terrorism statute would be to improve the odds of preventing attacks by facilitating intelligence collection and criminal investigations or to assist prosecutions, thereby removing dangerous actors from society and deterring others, all while not creating other complications.

I believe that intelligence operations and decisions to open investigations can be achieved by adjustments in the Attorney General's guidelines, combined with congressional oversight.

Hate crimes are included in the federal criminal code, also as an enhancement. These are crimes committed on the basis of the victim's race, color, religion, national origin or motivated by a person's ethnicity, sexual orientation, gender, gender identity, or disability. *Hate speech* is another expression of extremism, but owing to First Amendment concerns, hate speech is not in the federal criminal code.

Congress could legislate new laws or increase the penalties for illegally entering federal buildings or disrupting government operations. These need not contain the word *terrorism*.

Timothy McVeigh was not prosecuted for terrorism. He was charged, convicted, and executed for murdering eight federal law enforcement officers—a capital crime.<sup>18</sup>

What many mean by a new domestic terrorism statute is a domestic version of the material-support provision of the Patriot Act, which criminalizes providing material support to a designated foreign terrorist organization. Prosecutors have interpreted this broadly, and the courts have gone along.

The problem with a domestic version of a material-support provision is that it requires designating domestic terrorist groups—and therein lies the trouble. There are hundreds of extremist groups on both ends of the political spectrum, along with other issue-oriented groups that conceivably might be labeled terrorist organizations. And *organization* in the domestic context is a slippery term. Some “organizations” are definable groups. Others are mindsets. Some are large. Others are little more than a website.

The emotive and propaganda power of the term *terrorism* will raise the political stakes. Battle lines will be drawn as each side proposes its preferred list. One can envision congressional horse-trading. The end result is not likely to be a coherent list of terrorist groups. The immediate consequence is that the effort could completely distract us from the problem.<sup>19</sup> My advice is to avoid the term as much as possible and base prosecutions on ordinary criminal offenses.

## Future Tactics

Public revulsion over the Capitol building takeover, denunciations by politicians who were once viewed as supportive, and the deterrent effects of rigorous prosecution may combine to reduce the ranks of the extremists. With popular participation declining, the diehards may move from street brawls to more surreptitious operations.

Scenarios drawn from past attacks and plots include mass shootings by lone gunmen, such as the 2011 attack in Oslo, Norway, which also involved a large bomb, and the 2019 shooting at a mosque in Christchurch, New Zealand.

We can envision assassination attempts like the assassination of President Kennedy in 1963, the shooting of President Reagan in 1981, the 2011 shooting of Representative Gabby Giffords in Tucson, Arizona, and the 2017 shooting of Republican House members at baseball practice in Alexandria, Virginia.

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<sup>18</sup> Timothy McVeigh was charged with “conspiracy to detonate a weapon of mass destruction,” “use of a weapon of mass destruction,” “destruction by explosives resulting in death,” and “first-degree murder” (specifically, the murder of eight law enforcement officers during the attack).

<sup>19</sup> To avoid the political complications that inevitably would arise in designating domestic terrorist groups, some federal officials suggest relying on the earlier version of the material-support provision, 18 U.S.C. § 2339A, which addresses material support for crimes that entered the U.S. criminal code when the United States signed international conventions prohibiting certain crimes, such as airline hijacking. To ensure that hijackers, for example, would not be granted asylum, some of the conventions called for extradition or prosecution. Material support for tactics or target sets covered by these conventions is also illegal. However, the conventions that are part of the federal criminal code address only a limited range of terrorist activity.

The scenarios contemplated by those arrested for plotting the kidnapping of the governor of Michigan included taking over the state house in Lansing and holding hostages, including the governor. Armed takeovers of government buildings to seize hostages, create government crises, and perhaps make demands must be considered part of the potential terrorist playbook. There have been a number of dramatic hostage incidents in the United States, including in Washington, D.C.

The arsenal displayed at some of the right-wing protests suggests a predilection toward shootings rather than bombings, which were the favored tactic of domestic terrorist groups in the 1970s; however, bombings cannot be excluded. Until 9/11, the 1995 bombing of the federal building in Oklahoma City was the deadliest domestic terrorist attack the country had seen. Although mass casualties were not the intent of the recent Nashville bomber, and his motives are still not entirely clear, the event reminds us that large-scale bombings remain a threat.<sup>20</sup>

Suspected pipe bombs were placed at the headquarters of the Republican and Democratic National Committees on January 5;<sup>21</sup> on January 27, the FBI arrested a suspected extremist with pipe bombs who might have been targeting California's governor and social media companies who had blocked his accounts. Pipe bombs suggest a continuing terrorist campaign.

## We Face a More Difficult Challenge

For the past 20 years, homegrown jihadists have been a principal concern of authorities. Efforts to disrupt terrorist networks, prevent terrorist recruitment, thwart terrorist plots, and deter attacks through prosecutions of those who plotted or carried out attacks have largely been successful.<sup>22</sup> Shutting down domestic violent extremists may prove more difficult, for a variety of reasons.<sup>23</sup>

The homegrown jihadists have never had a supportive constituency. With deep roots in American history and society, today's domestic extremists may have a sympathetic underground.

Domestic violent extremists are better organized than the homegrown jihadists. Recent actions have given them opportunities to network, build contacts, and coalesce.

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<sup>20</sup> Natalie Allison and Adam Tamburin, "Retracing the Key Moments After the Christmas Morning Bombing in Nashville," *Tennessean*, January 10, 2021 (as of February 1, 2021: <https://www.tennessean.com/in-depth/news/local/2021/01/10/timeline-christmas-morning-bombing-nashville/6578915002/>).

<sup>21</sup> Michael Balsamo, "FBI: Pipe Bombs at RNC, DNC Were Planted Night Before Riot," ABC News, January 29, 2021 (as of February 1, 2021: <https://abcnews.go.com/Politics/wireStory/fbi-pipe-bombs-rnc-dnc-planted-night-riot-75566629>).

<sup>22</sup> Brian Michael Jenkins, *Paths to Destruction: A Group Portrait of America's Jihadists—Comparing Jihadist Travelers with Domestic Plotters*, Santa Monica, Calif.: RAND Corporation, RR-3195-RC, 2020 (as of February 1, 2021: [https://www.rand.org/pubs/research\\_reports/RR3195.html](https://www.rand.org/pubs/research_reports/RR3195.html)).

<sup>23</sup> Some of these points are discussed in greater detail in Brian Michael Jenkins, "Domestic Violent Extremists Will Be Harder to Combat Than Homegrown Jihadists," *The Hill*, January 31, 2021 (as of February 1, 2021: <https://thehill.com/opinion/national-security/536637-domestic-violent-extremists-will-be-harder-to-combat-than-homegrown>).

The nation has not been galvanized. Fortunately, there has been no follow-on 9/11-scale attack to bring the country together in a fervent national effort. Rather than being a catalyst for unity, the events of January 6 seem to be a source of continuing division.

Right-wing extremists are better armed than the jihadists. Jihadists have been able to acquire firearms, but they did not match the personal arsenals on display at far-right protests.

Many right-wing extremists have military or police training, which adds to their skills in planning operations and avoiding arrest. We may have an insider problem.

Preventing radicalization will provoke outrage and raise civil liberty concerns. The idea that domestic extremists may be the subjects of *thought control* and thus require a form of “deprogramming” has already provoked angry complaints. The environment for domestic intelligence collection will be less permissive, and prosecutions may be more difficult.

Historically, the American political system has been adept at co-opting issues and addressing underlying grievances, thereby separating violent extremists from larger potential constituencies. A majority of Americans of all races believe that systemic racism against Black Americans is a problem that should be addressed, although perceptions vary greatly according to race.<sup>24</sup> Recognition is important to getting something done, although real progress is required.

Co-option is harder with far-right extremists. Government cannot compromise with those whose views are antithetical to unalienable rights and American values. However, a strategy aimed at reducing reservoirs of potential recruits for far-right extremists should not be ignored.

Beneath the anger, there are some legitimate and understandable complaints. Segments of our population and regions of our country have been left behind by technological developments, globalization, and insufficient investment in physical and human infrastructure. Education has not equipped them—or their children—to compete in the new economies. They have been marginalized, dismissed, and disparaged. Drug addiction, drink, and suicide are killing off middle-aged and younger white men who do not have college educations.<sup>25</sup> The system has failed them. Their despair does not entirely explain the rise of domestic extremists, but those who have been left behind are part of their constituency.

The challenges are daunting, but the situation is not hopeless. Continuing violence may attract some, but it will alienate many. The FBI ultimately cracked the Ku Klux Klan without a domestic terrorism statute. Recent arrests and revelations suggest that the bureau already has informants inside the extremist constellations. A new strategy will be required. I am confident that our democracy will prevail.

## A Final Observation

Let me conclude with a personal observation. I am ferociously nonpartisan. However, any realistic appreciation of the situation cannot ignore the current political environment.

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<sup>24</sup> “Most Americans Agree That Institutional Racism Is Real and That Change Is Needed,” Ipsos, September 2, 2020 (as of February 1, 2021: <https://www.ipsos.com/en-us/most-americans-agree-institutional-racism-real-and-change-needed>).

<sup>25</sup> Anne Case and Angus Deaton, *Deaths of Despair and the Future of Capitalism*, Princeton, N.J.: Princeton University Press, 2020.

We, the people, elect you to represent our interests. Given this vast and diverse country, those interests are equally diverse and often conflicting. Addressing them requires calm discourse, thoughtful deliberation, and creative political compromise.

How you conduct yourselves sets the tone—whether it is one of divisive bellicose rhetoric or instructive civil discourse, the choice is yours. It will determine the course of our nation.