

Friends, I'm privileged to have a former general manager of KPFK with us, Jim Lafferty. He's the executive director emeritus of the National Lawyer's Guild in Los Angeles. That's the organization that protects protestors from interference by the police during their protests, helps groups secure march and rally permits, defends those arrested in protest. Jim Lafferty is also the longtime host of the Lawyers Guild Show on KPFK, now heard at its new time: Wednesday at 2pm. I also happen to know that James Lafferty is president of the board of the Office of the Americas, and a great friend for many many decades. Welcome, Jim Lafferty.

Jim: Good morning, Blase. So nice to be with you.

Blase: Well, it's really our pleasure because this is such a critical moment, Jim. I know you're very much aware of that. Today in the Los Angeles Times, we see the California section saying "Guerilla tactics in the Bay Area and beyond..." and they're speaking about a radical group bringing violence and vandalism to anti-Trump movement events. I thought we might talk about this history and our experience of say 50 years with provocateur actions of various types and under various names. Do you have some thoughts on that?

Jim: Yes, I do. It's truly sad. In the 50 years that I've been doing this kind of work - through Vietnam, the civil rights movement, the woman's movement, gay rights movement, you name it - there's never been as consistent and as powerful and large an outpouring of the American people into the streets in protest of what the new Trump administration has been doing in just its short three weeks in office. And to see that movement, which has been peaceful and powerful, infiltrated either by provocateur police officers or by wrong headed people who don't understand what brings about social change, is worrisome because we started off with the most powerful social and political protest movement that the country has ever seen. We don't need, nor is it advantageous - in fact, it's disadvantageous to the movement - to have anyone try to capture that movement or turn those peaceful protests for their own purposes into acts of violence or acts of property damage. All that does is turn off people who were joining the movement. Indeed, you and I know that in many of the protests so far, a sizable percentage of the people protesting in the streets have never before protested. That's a wonderful, healthy sign. They are not people who are going to want to be part and continue to come to protests if they have to fear being caught up with other people who are satisfying their own egos or their own notion that they are somehow "revolutionaries" and conduct some silly act of violence, which the press invariably picks up on and often smears the entire protest with. You know, a hundred thousand people can be marching peacefully in the street, and somebody throws a rock through a window of a Bank of America, and what's the

headline? So it's worrisome, though not unexpected. It's something that we all have to discourage as much as we can.

Blase: There's an old axiom: the road to hell is paved with good intentions. But some of the people may have good intentions - that doesn't mean that they're tactics are functional or working for good. It looks to most people who observe it as opportunism - it says "we're a very small group, but we're going to draw the attention of these 500,000 or 750,000 people in our direction so on the front page tomorrow you'll see US -- we're the ones you're going to see, and the other 750,000, we don't really care about them, we just want to take advantage of them.

I was thinking of this during the Women's March, and so many other marches during the last half-hundred years that you mention. It has been a regular thing. For example, during Vietnam, some people would come out and burn a flag, and then right next to there someone would have a hammer and sickle - and guess what you see in the newspaper the following morning? The flag burning and the hammer and sickle. The hundred thousand people in the streets were all tarred with that, thought it represented on hundredth of one percent of the crowd.

Jim: I think we have to be clear that, as the Supreme Court has understood and ruled, one has the right to burn the American flag. I support that right. That doesn't mean that it's an effective tactic for advancing the cause of a political movement. One has to differentiate between what one has a right to do - one doesn't have the right to burn down a building, for example - but one has a right to burn an American flag, one has a right to carry a sign that someone may find offensive. That's a part of the freedoms that we are clinging to, and I support that. But one has to make a distinction between the right to do that and the efficacy of it.

People talk about why the war in Vietnam ended. And people who have been to one or two protests and haven't won the day yet don't understand the length of time it takes and the years of protest that must take place before there is a victory. We were in the streets for years building a larger and larger movement against the war in Vietnam, and there were some acts of violence during that movement, but it was essentially a massive peaceful movement. There was civil disobedience, which was also peaceful. The kinds of tactics that Martin Luther King and others had to engage in, often to good effect. The efficacy of that - peaceful protest - is attested to if one reads the memoirs of a Nixon or Johnson or McNamara. All of these guys claimed they watched football games when the protestors were in the streets. But they all acknowledged in their memoirs that it was this mass of protests - which had even reached into the

military, finally - that made it impossible for any congress or any president of either party to continue the war in Vietnam. And that's true for victories the women's movement, the labor movement and many other movements won. So again, if one is serious about winning the day, then one ought to learn from history and understand that massive numbers of people in the streets *peacefully*, whether in civil disobedience actions or simply parading down the street and listening to speeches at rallies, when done consistently, can lead to growth in numbers that will finally force the government to give in to the will of the people.

Blase: Jim, it seems there are two kinds of people at the actions we're discussing. That is elements coming directly from the police, often dressed in costume, and then there are what seem to be very fundamentalist people who allegedly from the left, but very sectarian, very fundamentalist, and having a background in religion, I often think of it as religious fundamentalism that leads people to do things that the vast majority do not appreciate. It reminds me of having a family picnic, and having someone arrive who throws manure all over the food or something. And we're supposed to appreciate that? When there are children there, and undocumented people there, workers who may get picked up as a result of it - we don't get the joke, is what I'm trying to say.

Jim: Yes, it's very interested that you say that. Our old friend, now deceased, Don White, who was a dear friend of ours, one of the great activists in our community and one of the great advocates of non-violent protest - Don and I were legal observing at a big protest in San Diego, thousands of people, at the convention center there, and all of a sudden at the end of this peaceful march a number of people all dressed with masks on would climb the fence and throw bottles a light things up, and Don and I walked over with other organizers and said, "Hey, this is billed as a legal peaceful protest, you see there are children here and babies in buggies, stop what you're doing, it's not what we had in mind, and finally they did stop, and Don said, Hey Jim, let's follow them just for fun. I've got a hunch."

So we followed them for several blocks, they wandered for several blocks, and got into a police van and came back out in full uniform. So sometimes it is simply police provocateurs trying to ruin the demonstration. Other times it's well intentioned people who feel that the only way to save the day and advance the cause, or to satisfy their own understandable anger, is to break a window or destroy a building. As well intentioned as they may be - they may not be cops - that fundamentalism that you speak of is not a thinking fundamentalism, it is an irrational fundamentalism, because it will not advance the cause that they believe in, and then we at the Lawyers Guild - and we represent everyone, even if we don't agree with their tactics we will try to help and defend you. But putting on our political hat, we have opinions, and our

opinion is that violence in the movement simply isn't what advances the movement. It's the government that is exercising the violence. It is the imperialists who are exercising the violence.

If you're protesting a wall people out of this country, which is a violent act because it has terrible affects on peoples' lives and people can die as a result, these stupid attacks that they did in Yemen, where young children were killed and some of our own military personnel were killed -- we condemn that violence. It is the peaceful mass movement of people of every stripe in America that we saw so vividly and powerfully since inauguration day, it s already having an impact in this country. We know for a fact that it has already stopped him from issuing some executive orders that would have been terrible. We're going to have more coming down the pike, and we have to stay strong, we have to stay in the streets, but we have to win more people to our cause and not frighten away people who would otherwise want to join our cause. That's why we say the best tactic to use, the appropriate tactic to use, is massive peaceful action. Oh, you can engage in civil disobedience, peaceful civil disobedience. But violence doesn't help anyone.

Blase: You know, if the groups involved are interested in history, in authentic revolutions, I have never seen a revolutionary group interfere with a peaceful demonstration. And I'm talking now about the FMLN in El Salvador, where there were peaceful demonstrations all the way up into the 90s calling for peace and supporting the peace accords. The FMLN never interfered; as a matter of fact, they praised the people who demonstrated non-violently. The same was true in Nicaragua with the FSLN. The very same thing happened. There were peaceful demonstrations in Nicaragua until the 1979 victory, and they were never interfered with by rebels who were involved in changing the government. So I don't think these people are in touch with history.

Jim: That's a powerful point. They were engaged in civil wars! Those countries were under the gun and under the bombs, supplied by the United States, of course. There were military elements of the movement, which quite rightly were fighting fire with fire. It's all they could do. But they understood that there was a role for the peaceful protest moment as well. But we're not engaged in a civil war in this country at this point. We're not manning barricades as yet. Heaven help us, that day may come. But it has not arrived yet! Don't think you can break a few windows and win the day. You're right, the Sandanistas understood that, the difference between the peaceful movement on the streets and the guerilla movement in the hills. Neither of the two should come together, they understood that.

Blase: It was so obvious there. And to many people's surprise, the FMLN is in charge in El Salvador today, and the Sandanistas are in charge of Nicaragua. So there were two successful civil wars of liberation. They were respectful of anyone. Take for example Brian Willson, who just left for Nicaragua again. Totally non-violent protestor. They said to him on this trip - "You gave your legs for our revolution in Nicaragua. We're giving you Nicaragua. We'd love you to come here and live for the rest of your life. We will take care of it.

Jim: You're absolutely right.

Blase: There's an element I want to talk about. Destruction of property and civil disobedience are illegal, and the people who understand demonstrations over the years have known that and have fought always for segregation in the good sense of the word. If you're going to be involved, let's say with the Catonsville Nine, you're going to be involved in burning this paper, these files, you will not be anywhere near anyone else. It will be the nine of you, and no one else. You're not going to bring people who didn't expect it into this action. We're going to burn paper, and we're going to ask is it better to burn paper or to burn people with napalm? That's the question, and it was repeated hundreds of times in this country, and there were no injuries because it was carefully thought out, it was entirely segregated from other peace activities. If you intend to risk arrest, do it in a way that does not put others who do not intend to risk arrest. Yes, there was a Boston tea party, there's been a long history of destruction of property, which is civil disobedience, and we have to avoid drawing people into that by surprise, which is unfair.

Jim: It's unfair to the people, and it also turns what might be a very effective civil disobedience action less effective, because you draw somebody in who doesn't know the rules to that particular act of civil disobedience. As you point out, it's one thing to burn draft documents during a war, it's another thing to be burning down some grocery store. You must be sure that the target is what people have agreed to advance, and your other point - that you want others who are not prepared to do that, who can't do it, immigrants at risk of arrest and deportation, or for any other reason don't want to risk arrest but do want to participate in lawful and peaceful protest - we've had countless examples of peaceful protest taking place and as part of those demonstrations, but separate and planned separately, people participating in civil disobedience, and it's a one two punch that can be very effective. The point is to be honest about it, not to try to undo what some group has planned on doing, and to go on with the will of the people who are out there in the streets. If they've planned one kind of march, and it's unfair for other to try to turn that into another event that wasn't planned.

Blase: This is why we're asking you to assist us. We're surprised at some of the good work that some of the commercial media has done during this time. Certainly not all of it, but sometimes you hear things that are very worthwhile in the media in the wake of the Trump election. But you won't get it every day, and you won't get it as clearly as you get it on Pacifica Radio.

Jim: The election of Trump and the appointment of the cronies that he's appointed - I don't want to minimize it, it is definitely a dangerous time in the US and has moved us in the direction of that dead end called fascism - but we're not there yet. That's the point. As the courts have proven, they are still functioning. They knocked down, the district courts and the 9th circuit, his order barring people from entering the country, and I think he's going to be afraid to even bother to appeal to the Supreme Court, now four to four, where he's almost certainly going to lose as well. That's where we're at at the moment, and that's why I want to caution people who get carried away with their emotions and engage in some act of violence, I urge them not to do that because it's not effective for their cause. It disrupts others and undermines this amazing, powerful movement. I expected there would be protests in the streets when Trump was elected, but I'll be honest, I did not expect the American people to rise up in the numbers that they have and as consistently as they have. That march in LA on the 21st, police acknowledged 750,000 people! That was extraordinary!

Blase: My grandchildren were there, my wife was there, my daughter was there, her family was there. It was overwhelming. Fortunately I didn't see any provocateur actions.

Jim: That's what say to friends who out of their displaced passion and understandable anger, want to engage in some violent act in their frustration. No, no, my friend, you'll wind up in jail, you'll put a black mark on the movement, you'll discourage people from joining in the cause that you support. Just help bring more people into the streets when these protests are called. That's what we need. That's what will win the day. It's won it many times in our country's history.

Blase: It's a matter of solidarity, Jim. Are you in solidarity when you come in a rain on someone else's parade? Are you in solidarity, or are you really saying they're all a bunch of useful idiots, being sectarian about it, thinking you are going to "bring the revolution on." Friends, this is not the 19th Century, in case you don't know it. There have been a couple of centuries in between. The whole world is different. The whole world is awake. The whole world knows what we have been doing. And here we have this court speaking in typical, you might say dull, legalistic fashion, saying the government has pointed to NO evidence that any alien from any of the countries named in the order has

perpetrated a terrorist attack on the United States. Rather than present evidence to explain the need for the executive order, the government took the position that it would not review its decision at all.

Jim: Of course, ridiculous. Well, let's be frank: we have a man of poor mental health sitting in the White House with awful people around him who are trying to use him as best they can for their own purposes, their own racist purposes, their own economic, xenophobic purposes - and all that stands between us and fascism, us and a kind of country that we would not recognize anymore - is us. What's the best way to defend speech rights under this administration? Well, speech! What's the best way to defend the right to assemble and protest? Assemble and protest! When we turn out in the streets in growing numbers, it's more powerful, there's nothing they can do to stop this if we continue to do this with backbone, and refuse to back down.

We don't know yet - we can hope for the best but expect the worst with Trump - he's already talking about thousands of more troops for Afghanistan, threatening Mexico and China with military action. It's an astonishing thing. That means, friends, that we're going to need the right to protest more than ever. And there are states, as you know Blase, all over this country, republican controlled states, that are trying to pass laws to restrict the right to protest. It's all well and good to say that those laws will be held unconstitutional, we hope, by the courts, but they are, in some cases, pushing law that would make that which is today a misdemeanor a felony. And again, the best way to protest that is to protest. The best way to keep that from happening is to say we are not afraid, and protest. As long as the people continue to demonstrate their courage and their anger in appropriate, strong, massive protest in the streets, we can continue to have whatever freedom we have left in this country. And it's always a fragile thing.

Blase: Well, friends, think about what we've been through with the public relations that we've lived with. We went through this horrible war in Vietnam, three to five million people killed, and on to Laos and Cambodia, you talking about the worst bombing in history, more bombing than all of WWII, destroying the innocent countries but losing the war. I don't know that we've won anything since in the years that followed. We got to Iraq in 1991, dropped 88,000 tons of bombs, killing women and children. One third of the people killed in Afghanistan are children. This is a horrible crime against humanity, and we're supposed to coexist with this? To act as though this is normal? This has destroyed our young people, hundreds of thousands of men and women coming home to this country very sick because they've been put into totally unnatural situations and have been made instruments in this war. 400,000 coming home with PTSD. This is a horrible tragedy for our country. And the cost of bombing

Iraq is that we don't have a right to medical care, we have a very faulty medical care system, and the costs of being in Afghanistan is the fact that our students can't go to college now. That's the cost. The cost is foul air and destructive fossil fuels and the failure to rapidly develop green energy technologies.

We are so happy about the intervention of the district court, which is just below the Supreme Court. The law is vitally important to us at this time, and the National Lawyers Guild are so important. We hope they will continue to do what they have the power to do. They could indict the president. Think of it, in the past week we've gone through what impeachment is, what the 25th amendment where the president himself can say that he can't continue or his cabinet can do that, or the congress can do that. He can be set aside for inability to do his job. In addition to that, there is indictment for criminal acts, for felonies. People have listed many possible felonies that have been committed. That he's guilty of. These have to go before a court, and if they are felonies, he has no protection beyond any other citizen.

And it was so amazing at the airport when the lawyers went to airports and walked among this awful rush of people being told conflicting things about their status. Throwing families into an uproar. Disrupting countries that have never done a terrorist act here. Most of our terror attacks are domestic right wing attacks. People can create a problem where it should not be created, and that certainly happened with the Japanese in WWII, our most patriotic people, they couldn't find any of them guilty of anything, and they put them in concentration camps. Do we have to repeat the past? Is that going to make America great again? I don't think so. To repeat the past is not to respect the past. It's to disrespect the past. The only way to reverence the past is to change the horrors of the past, and our longstanding racism, our longstanding maldistribution of resources and services.

Jim, thank you so much for being on World Focus today.