

THE ARPAIO PARDON: YOU'RE NOT THE AUDIENCE

In the wake of yet another deranged speech from the president – and his seeming promise to pardon Joe Arpaio – the pundit class has taken to explaining how outrageous an Arpaio pardon would be. Such analysis often focuses on what it would symbolize: which is usually described as some proof that Trump doesn't respect judges, the law, or by others as yet more evidence Trump coddles racists.

I don't disagree with any of that analysis. But I think it misunderstands the audience for the pardon.

As things move forward, Trump will increasingly retain support among his base – who are, to a significant degree, the racists who marched in Charlottesville and the racists who elected him by 10 points in South Carolina over a Christian Conservative candidate. Trump will manage to hold onto power to the extent that his base can sufficiently scare people – more moderate Republican voters, Republican politicians, counter-protestors – such that they won't act against Trump. But the formula by which that base succeeds will depend on Trump's other, more respectable, base: cops.

As I pointed out repeatedly during the election, while some dissidents objected, the National Fraternal Order of Police and many other police groups stood by Trump, even after the Access Hollywood video made it clear the candidate endorsed sexual assault. Trump continues to feed this base, with repeated tributes to cops' roles in keeping "us" "safe."

Meanwhile, Brennan Center's Mike German has started to track a disturbing trend. I believe he, like me, thinks the FBI is generally adequate at infiltrating white supremacist groups to disrupt the most outrageous attacks.

But what law enforcement is *not* doing is policing right wing violence at protests the same way it polices left protests.

There have been a number of protests over the last six months where the police – and this is in Portland, Oregon, two in Berkeley, California, one in Sacramento, California, one in Huntington Beach, California – where these protests were well-advertised within the far right movement as, “Come and beat somebody up.” And yet the police response wasn’t adequate enough to prevent these running street battles. In fact, it appeared the police were standing back and allowing these street battles to go on, which only meant the next rally people were going to be better prepared to commit more violence. And it conditioned these groups that have been hyper-violent in the past, these far right groups, to come expecting the police would let you commit acts of violence.

In Portland, Oregon, the police actually let the people from the militia groups participate in arresting their political opponents. That was also true in Huntington Beach, where it’s almost like the police are sanctioning them to apprehend people and bring them to the police, which is extraordinarily dangerous to give these groups the idea that they have the authority to put hands on people, much less put hands on their political opponents.

So I wasn’t surprised to see the violence getting out of hand, and I think we as a nation have to have a serious conversation with our local law enforcement and with the federal government. I’m sure the FBI was aware of any number of people coming to this protest who were subjects of domestic

terrorism investigations. Why was there not a more robust response?

Particularly since we see over-policing of non-violent protests by groups like Occupy, Black Lives Matter, Standing Rock anti-pipeline protests, not to mention just regular political conventions. The Republican National Convention, you have troops there just to manage the crowds. So I don't understand why in these latest series of events, where groups that have a history of violence and are advocating that they're going to bring people to be violent, somehow the police seem to be caught off guard.

As he explains what I laid out above. Trump can retain power – which will increasingly require grabbing authoritarian powers – by enabling his street thugs to beat up the government's opponents.

If you look at the ways authoritarian governments obtain police powers, this is exactly how they do it. They sort of turn a blind eye to street thuggery and allow people to commit political violence against opponents of the government. That street violence becomes unbearable for the public, who demand that the government do something about it so the government can justify stopping protests altogether. And, of course, what the government is really interested in is stopping protests against government policies. We're seeing that kind of thing, where there are a number of bills in state legislatures that would remove civil liability from people who run over protesters in the street. That's taken on a very disturbing aspect with the latest murder in Charlottesville.

So while feeding his explicitly racist base with hateful rhetoric is important, it's even more important to ensure that the cops remain with him, even as he fosters violence.

There is no better way to do that than to convey to police that they can target brown people, that they can ignore all federal checks on their power, with impunity (this is probably one key reason why Trump has given up his efforts to oust Sessions, because on policing they remain in perfect accord).

There is no better way to keep the support of cops who support Trump because he encourages their abuses than by pardoning Arpaio for the most spectacular case of such abuses.

You're not the audience for this pardon. The cops are.