Sovereign citizen movement

The sovereign citizen movement is a loose grouping of American litigants, commentators, and financial scheme promoters, classified as an "extremist anti-government group" by the United States Federal Bureau of Investigation.\[1\]

Self-described sovereign citizens take the position that they are answerable only to common law and are not subject to any statutes or proceedings at the federal, states or municipal levels, or that they do not recognize U.S. currency and that they are "free of any legal constraints."\[2][3][4]

They especially reject most forms of taxation as illegitimate.\[5\] Participants in the movement argue this concept in opposition to "federal citizens" who, they say, have unknowingly forfeited their rights by accepting some aspect of federal law.\[6\]

In a 2010 publication, the Southern Poverty Law Center (SPLC) estimated that approximately 100,000 Americans are "hard-core sovereign believers" and another 200,000 are "just starting out by testing sovereign techniques for resisting everything from speeding tickets to drug charges."\[7\]

History

The concept of a sovereign citizen originated in the Posse Comitatus movement as a teaching of Christian Identity minister William P. Gale. The concept has influenced the tax protester movement, the Christian Patriot movement, and the redemption movement—the last of which includes claims that the U.S. government uses its citizens as collateral against foreign debt.\[6\]

Gale identified the Fourteenth Amendment to the United States Constitution as the act that converted sovereign citizens into federal citizens by agreeing to a contract to accept benefits from the federal government. Other commentators have identified other acts, including the Uniform Commercial Code,\[8\] the Emergency Banking Act,\[8\] the Zone Improvement Plan,\[9\] and the alleged suppression of the Titles of Nobility Amendment.\[10\]

Many of those in the movement consider the term "sovereign citizen" an oxymoron, preferring to view themselves as sovereign individuals "seeking the Truth".\[11\]

Theories about sovereign citizens

Sovereign-citizen leader Richard McDonald has established State Citizen Service Centers around the United States. Writing in American Scientific Affiliation, Dennis L. Feucht describes McDonald's theory, which claims that there are two classes of citizens in America: the "original citizens of the states" (or "States citizens") and "U.S. citizens." McDonald asserts that U.S. citizens or "Fourteenth Amendment citizens" have civil rights, legislated to give the freed black slaves after the Civil War rights comparable to the unalienable constitutional rights of white state citizens. The benefits of U.S. citizenship are received by consent in exchange for freedom. State citizens consequently take steps to revoke and rescind their U.S. citizenship and reassert their de jure common-law state citizen status. This involves removing one's self from federal jurisdiction and relinquishing any evidence of consent to U.S. citizenship, such as a Social Security number, driver's license, car registration, use of ZIP codes, marriage license, voter registration, and birth certificate. Also included is refusal to pay state and federal income taxes because citizens not under U.S. jurisdiction are not required to pay them. Only residents (resident aliens) of the states, not its citizens, are income-taxable, state citizens argue. And as a state citizen land owner, one can bring forward the original land patent and file it with the county for absolute or allodial property rights. Such allodial ownership is held "without recognizing any superior to whom any duty is due on account thereof" (Black's Law Dictionary). Superiors include those who levy property taxes or who hold
mortgages or liens against the property.[12]

Critics of sovereign citizen theory assert that sovereign citizens fail to sufficiently examine the context of the case laws from which they cite, and ignore adverse evidence, such as Federalist No. 15, where Alexander Hamilton expressed the view that the Constitution placed everyone personally under federal authority.

**Incidents involving members**

Convicted Oklahoma City bombing conspirator Terry Nichols was a member of the sovereign citizen movement, having asserted individual sovereignty in at least three court cases.[13]

In 2010, two police officers in West Memphis, Arkansas were shot and killed by Joseph T. Kane after Kane and his father were the subject of a traffic stop. Kane and his father were later identified as members of the sovereign citizen movement.[14][15]

In March 2011, a central figure in the sovereign citizen movement named Samuel Lynn Davis pleaded guilty to 31 counts of money laundering in Federal district court in Nevada. Davis was snared in a sting operation after he agreed to launder more than $1.29 million in what he believed to be illicit funds. Davis accepted $73,782 fees to launder the money, not realizing he was dealing with Federal law enforcement agents.[16] In October 2011, Davis was sentenced to four years and nine months in Federal prison, and was ordered to pay over $95,000 in restitution.[17]

In September 2010, David Russell Myrland, an associate of a Sovereign Citizens group, sent emails and placed telephone calls to various officials of the City of Kirkland, Washington, telling them to "keep their doors unlocked", that they were going to be arrested, and that they "should not resist".[18] Myrland also reportedly threatened federal judges and the chief prosecutor of King County, Washington.[19] Myrland's threat to arrest the mayor of Kirkland came about after he was arrested by police. His vehicle had been impounded after he was found driving with a suspended license and expired vehicle-license tabs. An unloaded gun with ammunition nearby had been found on the seat of the car.[20] Although he was not a law enforcement officer, Myrland had claimed that he had the authority to form a group of private citizens to arrest felons in public office "as permitted by RCW 9A.16.020" (the state statute governing lawful use of force).[21] On December 2, 2011, Myrland was sentenced to three years and four months in federal prison after pleading guilty in connection with the threats he made, including the threat to forcibly arrest the mayor of Kirkland, Washington.[18] Myrland is scheduled for release from Federal prison on December 20, 2013.[22]

On February 1, 2012, Timothy Garrison, an accountant from Mount Vernon, Washington was sentenced to three and a half years in federal prison after having pleaded guilty to tax fraud. He admitted to having filed about 50 falsified tax returns. Federal prosecutors contended that Garrison's actions cost the Internal Revenue Service over 2.4 million dollars in tax revenues. Prosecutors also stated that the sixty year old accountant had described himself as a "sovereign citizen" beyond the reach of state and federal law. Garrison had previously served time in federal prison in the 1980s in connection with fraud against investors in a cattle ranch.[23] Garrison is scheduled for release from Federal prison on July 16, 2014.[24] On June 18, 2012, Francis Schaeffer Cox, who had asserted that he was a sovereign citizen, was found guilty in the United States District Court in Anchorage, Alaska, of several felony charges including conspiracy to commit murder.[25][26]

On June 20, 2012, Anson Chi was arrested by federal authorities for allegedly trying to blow up a natural gas pipe line in a residential area of Plano, Texas.[27]
Legal status of theories

Variations of the argument that an individual is "sovereign" have been rejected by the courts, especially in tax cases such as Johnson v. Commissioner,[28] Wikoff v. Commissioner,[29] United States v. Hart,[30] Risner v. Commissioner,[31] Maxwell v. Snow,[32] Rowe v. Internal Revenue Serv.,[33] Heitman v. Idaho State Tax Commission,[34] Cobin v. Commissioner,[35] Glavin v. United States,[36] and United States v. Greenstreet.[37] The Internal Revenue Service has included "true born" as the basis for an "inaccurate" citizen in its list of frivolous claims that may result in a $5000 penalty when used as the basis for an inaccurate tax return.[38]

References

[3] Also, see generally Kevin Johnson, "Anti-government 'Sovereign Movement' on the rise in U.S.", March 30, 2012, USA Today, at (http://www.usatoday.com/news/nation/story/2012-03-30/anti-government-militia-groups-freeman/53873496/1?csp=24&knd=IONWsfzux9uHXgTezS5WButCvo+an+=iL2w8C8iGAu18L1gGyVRKAOczyCQy9672f4b-5147a-408-a767-4ad66535f2e2_mD50Galgj0aSegJkkJElv3EZD4pzoQyPBUIBaQZyPPh8No3Q/6yzEmxwhdIEG).
Sovereign citizen movement


[28] 37 T.C.M. (CCH) 189, T.C. Memo 1978-32 (1978) (Phyllis Johnson's argument that she was not subject to the federal income tax because she was an 'individual sovereign citizen' was rejected by the Court), at (http://scholar.google.com/scholar_case?q=memo+1978-32&hl=en&as_sdt=4,192&case=9585876962061565923&scilh=0).

[29] 37 T.C.M. (CCH) 1539, T.C. Memo 1978-372 (1978) (argument by Austin Wikoff that he was not subject to the federal income tax because he was an 'individual sovereign citizen' was rejected by the Court), at (http://scholar.google.com/scholar_case?q=memo+1978-372&hl=en&as_sdt=4,192&case=7008586957096578494&scilh=0).

[30] 701 F.2d 749 (8th Cir. 1983) (per curiam) (Douglas Hart's argument -- in response to lawsuit against him for filing false lien notices against IRS personnel, that the U.S. District Court had no jurisdiction over him because he was a "sovereign citizen" -- was rejected by the District Court and the United States Court of Appeals for the Eighth Circuit), at (http://scholar.google.com/scholar_case?q=701+F.2d+749&hl=en&as_sdt=4,113,128&case=939251179265781878&scilh=0).

[31] Docket # 18494-95, 71 T.C.M. (CCH) 2210, T.C. Memo 1996-82, United States Tax Court (February 26, 1996) (Gregg Risner's argument that he was not subject to federal income tax because he was a "Self-governing Free Born Sovereign Citizen" was rejected by the Court as being a "frivolous protest" of the tax laws), at (http://scholar.google.com/scholar_case?q=1996-82&hl=en&as_sdt=4,192&case=1361781136585506634&scilh=0).

[32] 409 F.3d 354 (D.C. Cir. 2005) (Lawrence Maxwell's arguments -- that he was not subject to U.S. federal law because he was a "sovereign citizen of the Union State of Texas," that the United States was not a republican form of government and therefore must be abolished as unconstitutional, that the Secretary of the Treasury's jurisdiction was limited to the District of Columbia, and that he was not a citizen of the United States -- were rejected by the Court as being frivolous), at (http://scholar.google.com/scholar_case?q=409+F.3d+354&hl=en&as_sdt=4,130,192&case=15464772622202031639&scilh=0).

[33] Case no. 06-27-P-S, U.S. District Court for the District of Maine (May 9, 2006) (Heather Rowe's argument -- that she was not subject to federal income tax because she was not a "party to any social compact or contract," because the IRS had no jurisdiction over her or her property, because she was "not found within the territorial limited jurisdiction of the US," because she was a "sovereign Citizen of the State of Maine," and because she was "not a U.S. Citizen as described in 26 U.S.C. 865(g)(1)(A)..." -- was rejected by the Court and was ruled to be "frivolous"), at (http://scholar.google.com/scholar_case?q=sovereign+"Rowe"&hl=en&as_sdt=4,145&as_ylo=2006&as_yhi=2006&case=1479537413933402175&scilh=0).

[34] Case no. CV-07-209-E-BLW, U.S. District Court for the District of Idaho (June 29, 2007).

[35] Docket # 16905-05L, T.C. Memo 2009-88, United States Tax Court (April 28, 2009) (John Cobin's arguments -- that he had the ability to opt out of liability for federal income tax because he was white, that he was a "sovereign citizen of Oregon," that he was a "non-resident alien of the United States", and that his sovereign status made his body real property -- were rejected by the Court and were ruled to be "frivolous tax-protester type arguments"), at (http://scholar.google.com/scholar_case?q=2009-88&hl=en&as_sdt=4,130,192&case=4550806128621306932&scilh=0).

[36] Case no. 10-MC-6-SLC, U.S. District Court for the Western District of Wisconsin (June 4, 2010) (John Glavin's argument -- that he was not subject to an Internal Revenue Service summons because, as a sovereign citizen, he was not a citizen of the United States -- was rejected by the Court), at (http://scholar.google.com/scholar_case?q=Glavin+"sovereign+citizen"&hl=en&as_sdt=3,44&case=994820229890386105&scilh=0).

[37] 912 F.Supp. 224 (N.D. Tex. 1996) (Gale Greenstreet's arguments -- that he was of "Freeman Character" and "of the White Preamble Citizenship and not one of the 14th Amendment legislated enfranchised De Facto colored races", that he was a "white Preamble natural sovereign Common Law De Jure Citizen of the Republic/State of Texas", and that he was a sovereign, not subject to the jurisdiction of the United States District Court -- were "entirely frivolous"), at (http://scholar.google.com/scholar_case?q=912+F.+Supp.+224&hl=en&as_sdt=3,44&case=1128233193138037302&scilh=0).

External links

- SPLC Video Informing Law Enforcement on the Dangers of "Sovereign Citizens" (http://www.youtube.com/watch?v=d_y-gLm9Hrw)
- 60 Minutes documentary about Sovereign citizens (http://www.cbsnews.com/stories/2011/05/15/60minutes/main20062666.shtml)
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The FBI considers sovereign-citizen extremists as comprising a domestic terrorist movement, which, scattered across the United States, has existed for decades, with well-known members, such as Terry Nichols, who helped plan the Oklahoma City, Oklahoma, bombing. Sovereign citizens do not represent an anarchist group, nor are they a militia, although they sometimes use or buy illegal weapons. Rather, they operate as individuals without established leadership and only come together in loosely affiliated groups to train, help each other with paperwork, or socialize and talk about their ideology. They may refer to themselves as “constitutionalists” or “freemen,” which is not necessarily a connection to a specific group, but, rather, an indication that they

They could be dismissed as a nuisance, a loose network of individuals living in the United States who call themselves “sovereign citizens” and believe that federal, state, and local governments operate illegally. Some of their actions, although quirky, are not crimes. The offenses they do commit seem minor: They do not pay their taxes and regularly create false license plates, driver’s licenses, and even currency.

However, a closer look at sovereign citizens’ more severe crimes, from financial scams to impersonating or threatening law enforcement officials, gives reason for concern. If someone challenges (e.g., a standard traffic stop for false license plates) their ideology, the behavior of these sovereign-citizen extremists quickly can escalate to violence. Since 2000, lone-offender sovereign-citizen extremists have killed six law enforcement officers. In 2010, two Arkansas police officers stopped sovereign-citizen extremists Jerry Kane and his 16-year-old son Joseph during a routine traffic stop on Interstate 40. Joseph Kane jumped out of the vehicle and opened fire with an AK-47 assault rifle, killing both officers.

The sovereign-citizen threat likely will grow as the nationwide movement is fueled by the Internet, the economic downturn, and seminars held across the country that spread their ideology and show people how they can tap into funds and eliminate debt through fraudulent methods. As sovereign citizens’ numbers grow, so do the chances of contact with law enforcement and, thus, the risks that incidents will end in violence. Law enforcement and judicial officials must understand the sovereign-citizen movement, be able to identify indicators, and know how to protect themselves from the group’s threatening tactics.

Ideology and Motivation

The FBI considers sovereign-citizen extremists as comprising a domestic terrorist movement, which, scattered across the United States, has existed for decades, with well-known members, such as Terry Nichols, who helped plan the Oklahoma City, Oklahoma, bombing. Sovereign citizens do not represent an anarchist group, nor are they a militia, although they sometimes use or buy illegal weapons. Rather, they operate as individuals without established leadership and only come together in loosely affiliated groups to train, help each other with paperwork, or socialize and talk about their ideology. They may refer to themselves as “constitutionalists” or “freemen,” which is not necessarily a connection to a specific group, but, rather, an indication that they

The FBI considers sovereign-citizen extremists as comprising a domestic terrorist movement...
are free from government control. They follow their own set of laws. While the philosophies and conspiracy theories can vary from person to person, their core beliefs are the same: The government operates outside of its jurisdiction. Because of this belief, they do not recognize federal, state, or local laws, policies, or regulations.¹

One prevalent sovereign-citizen theory is the Redemption Theory, which claims the U.S. government went bankrupt when it abandoned the gold standard basis for currency in 1933 and began using citizens as collateral in trade agreements with foreign governments.² These beliefs can provide a gateway to illegal activity because such individuals believe the U.S. government does not act in the best interests of the American people. By announcing themselves as sovereign citizens, they are emancipated from the responsibilities of being a U.S. citizen, including paying taxes, possessing a state driver’s license, or obeying the law.

Illegal Activity

The Redemption Theory belief leads to their most prevalent method to defraud banks, credit institutions, and the U.S. government: the Redemption Scheme. Sovereign citizens believe that when the U.S. government removed itself from the gold standard, it rendered U.S. currency as a valueless credit note, exchanging one credit document (such as a dollar bill) for another. They assert that the U.S. government now uses citizens as collateral, issuing social security numbers and birth certificates to register people in trade agreements with other countries. Each citizen has a monetary net worth, which they believe is kept in a U.S. Treasury Direct account, valued from $630,000 to more than $3 million. These accounts, they claim, are in a third-party’s name, a “strawman,” that they can access, which they commonly refer to as “freeing money from the strawman.” In essence, it is extorting money from the U.S. Treasury Department. Sovereign citizens file legitimate IRS and Uniform Commercial Code forms for illegitimate purposes, believing that doing so correctly will compel the U.S. Treasury to fulfill its debts, such as credit card debts, taxes, and mortgages.³

At a minimum, these activities create a voluminous influx of documents that clog the courts and other government agencies. But, the idea behind the Redemption Theory also leads sovereign citizens to find criminal sources of income as they travel the country, teach fraudulent tactics to others for a fee, and participate in white collar crimes. The latter offenses include mail, bank, mortgage, and wire fraud; money laundering; tax violations; and illegal firearms sales and purchases.

At seminars, sovereign citizens charge participants a fee in exchange for information on Redemption Theory schemes and other methods to avoid paying taxes, sometimes even selling materials, such as CDs or DVDs. They also sell fraudulent documents—including drivers’ licenses, passports, diplomat identification, vehicle registrations, concealed firearms permits, law enforcement credentials, and insurance forms—to other sovereign citizens and illegal immigrants and charge fees for “consultant services” to prepare sovereign-citizen paperwork. Several recent incidents highlight their activities.

- In Sacramento, California, two sovereign-citizen extremists were convicted of running a fraudulent insurance scheme, operating a company completely outside of state insurance regulatory authorities. The men sold “lifetime memberships” to customers and promised to pay any accident claims against members. The company collected millions of dollars, but paid only small auto insurance claims and ignored large ones.⁴
- In Kansas City, Missouri, three sovereign-citizen extremists were convicted in a phony diplomatic credential scandal. They charged customers between $450 and $2,000 for a diplomatic identification card that bestowed “sovereign status,” supposedly to enjoy diplomatic immunity from paying taxes and from stops and arrests by law enforcement.⁵
- In Las Vegas, Nevada, four men affiliated with the sovereign-citizen extremist movement were arrested by the Nevada Joint Terrorism Task Force on federal money laundering, tax evasion, and weapons charges. The undercover investigation revealed that two of the suspects allegedly laundered more than a million dollars and collected fees for their services.⁶

One example of a white collar crime that escalated into a standoff includes a New Hampshire husband and wife convicted of federal income tax evasion, failure to honor federal payroll taxes, and other conspiracy fraud charges. Elaine A. and Edward L. Brown, both sovereign-citizen extremists in their 60s, never appeared at their 2007 trial or at sentencing. In protest, they barricaded themselves in their home during the summer and fall of 2007, receiving supporters, issuing militant and threatening statements, and stockpiling weapons and explosives. They were charged with weapons offenses after their arrest in October 2007 when law enforcement discovered pipe bombs, improvised explosive devices made of gun powder cans with nails and screws taped to the outside, and a large cache of handguns and rifles that included .50-caliber rifles.⁷

However, even when sovereign citizens go to prison for crimes, they continue criminal activity behind bars. Inmates provide a new population for them to sway to adopt the sovereign-citizen ideology; they then can train these inmates to help them defraud banks, credit institutions, and the U.S. government.
It is important to realize sovereign citizens’ tactics to harass and intimidate law enforcement, court, and government officials, as well as financial institution employees.

Indicators

Sovereign citizens often produce documents that contain peculiar or out-of-place language. In some cases, they speak their own language or will write only in certain colors, such as in red crayon. Several indicators can help identify these individuals.

- References to the Bible, The Constitution of the United States, U.S. Supreme Court decisions, or treaties with foreign governments
- Personal names spelled in all capital letters or interspersed with colons (e.g., JOHN SMITH or Smith: John)
- Signatures followed by the words “under duress,” “Sovereign Living Soul” (SLS), or a copyright symbol (©)
- Personal seals, stamps, or thumb prints in red ink
- The words “accepted for value”

They also carry fraudulent drivers’ licenses to indicate their view that law enforcement does not have the authority to stop their vehicle or may write “No Liability Accepted” above their signature on a driver’s license to signify that they do not accept it as a legitimate identification document.

Intimidation, Obstruction, and Protection

It is important to realize sovereign citizens’ tactics to harass and intimidate law enforcement, court, and government officials, as well as financial institution employees. Methods can range from refusing to cooperate with requests, demanding an oath of office or proof of jurisdiction, filming interactions with law enforcement that they later post on the Internet, and filing frivolous lawsuits or liens against real property. They convene their own special courts that issue fake but realistic-looking indictments, warrants, and other documents. They also can use real government documents, including suspicious activity reports, in an attempt to damage the credit or financial history of specific individuals.

While these efforts may seem obviously fraudulent, it is important to address these actions, which can have devastating outcomes for the individuals they target. The sovereign citizens’ efforts also can be a gateway for them to harass, terrorize, and target others in hopes of changing behaviors that they perceive as threatening.

The Court Security Improvement Act of 2007 is one protection for officials who the sovereign citizens could target. The provisions under Title 18 created a new criminal offense for false liens against the real or personal property of officers or federal government employees, including judges and prosecutors. It also created as a new crime the disclosure of personal, identifying information to intimidate or incite violence against these individuals.

Conclusion

Although the sovereign-citizen movement does not always rise to violence, its members’ illegal activities and past violent—including fatal—incidents against law enforcement make it a group that should be approached with knowledge and caution. It is important that law enforcement be aware of sovereign citizens’ tactics so agencies can warn the public of potential scams, spot illegal activity and understand its potential severity, and be prepared for and protect against violent behavior or backlash through intimidation and harassment.

Endnotes

1 U.S. Department of Justice, Federal Bureau of Investigation, Domestic Terrorism Operations Unit and Domestic Terrorism Analysis Unit, Sovereign Citizen Danger to Law Enforcement (Washington, DC, 2010).


3 U.S. Department of Justice, Federal Bureau of Investigation, Domestic Terrorism Analysis Unit, Sovereign Citizen Extremist Movement (Washington, DC, 2011).


5 U.S. Attorney’s Office, Western District of Missouri, “Three Men Sentenced for Conspiracy to Use


8 The authors wish to stress that the majority of individuals who carry or refer to these resources are law-abiding citizens. However, in some instances, possession of these items may serve as one indicator of a sovereign-citizen extremist.

9 Sovereign Citizens: An Introduction for Law Enforcement.


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Domestic terrorism—Americans attacking Americans because of U.S.-based extremist ideologies—comes in many forms in our post 9/11 world. To help educate the public, we’ve previously outlined two separate domestic terror threats—eco-terrorists/animal rights extremists and lone offenders.

Today, we look at a third threat—the “sovereign citizen” extremist movement. Sovereign citizens are anti-government extremists who believe that even though they physically reside in this country, they are separate or “sovereign” from the United States. As a result, they believe they don’t have to answer to any government authority, including courts, taxing entities, motor vehicle departments, or law enforcement.

This causes all kinds of problems—and crimes. For example, many sovereign citizens don’t pay their taxes. They hold illegal courts that issue warrants for judges and police officers. They clog up the court system with frivolous lawsuits and liens against public officials to harass them. And they use fake money orders, personal checks, and the like at government agencies, banks, and businesses.

That’s just the beginning. Not every action taken in the name of the sovereign citizen ideology is a crime, but the list of illegal actions committed by these groups, cells, and individuals is extensive (and puts them squarely on our radar). In addition to the above, sovereign citizens:

- Commit murder and physical assault;
- Threaten judges, law enforcement professionals, and government personnel;
- Impersonate police officers and diplomats;
- Use fake currency, passports, license plates, and driver’s licenses; and
- Engineer various white-collar scams, including mortgage fraud and so-called “redemption” schemes.

Sovereign citizens are often confused with extremists from the militia movement. But while sovereign citizens sometimes use or buy illegal weapons, guns are secondary to their anti-government, anti-tax beliefs. On the other hand, guns and paramilitary training are paramount to militia groups.

During the past year, we’ve had a number of investigative successes involving sovereign citizens. A few recent cases:

- In Sacramento, two sovereign citizens were convicted of running a fraudulent insurance scheme. Operating outside state insurance regulatory guidelines, the men set up their own company and sold “lifetime memberships” to customers, promising to pay any accident claims against their “members.” The company collected millions of dollars, but paid out very few claims. More
- In Kansas City, three sovereign citizens were convicted of taking part in a conspiracy using phony diplomatic credentials. They charged customers between $450 and $2,000 for a diplomatic identification card, which would bestow upon the holder “sovereign” status—meaning they would enjoy diplomatic immunity from paying taxes and from being stopped or arrested by law enforcement. More
- In Las Vegas, four men affiliated with the sovereign citizen movement were arrested by the Nevada Joint Terrorism Task Force on federal money laundering, tax evasion, and weapons charges. The investigation involved an undercover operation, with two of the suspects allegedly laundering more than a million dollars from what they believed was a bank fraud scheme. More

You can help. First, “be crime smart”—don’t fall for the bogus claims and scams of sovereign citizens. And second, if you have information on any suspicious activities or crimes, please contact us.

Resources:
- Lone Offenders
- Eco-terrorists and animal rights extremists
Anarchist extremism
- Treasury Inspector General for Tax Administration: Fact Sheet on Sovereign Citizen Movement

FBI.gov is an official site of the U.S. Federal Government, U.S. Department of Justice
Police in Vienna separate “Fight Against the Right” and PEGIDA (“Patriotic Europeans Against the Islamisation of the Occident”) activists during a February 2015 demonstration.
Right-Wing Extremism and Terrorism in Europe

Current Developments and Issues for the Future

BY DANIEL KOEHLER

Europe has experienced a revival of militant right-wing extremist groups, networks, and incidents in recent years, with a surge of anti-immigration and Islamophobic violence, as well as anti-government attacks and assaults on political opponents, ethnic minorities, and homosexuals. Although not as significant as in Europe, the United States has also seen an upsurge in political violence considered to be “right-wing extremist” in nature (for example, white supremacist, neo-Nazi, racist, or anti-government sovereign citizen). For the international audience, only a few of these incidents gained broad media attention; right-wing extremist attacks are seen mostly as isolated events when compared with other attacks, such as those by Islamist extremist terrorists. In Germany, a right-wing terrorist group calling itself the National Socialist Underground was discovered in 2011. Despite having assassinated at least 10 people and committed 2 bombings over the course of almost 14 years, it had gone undetected. That same year, Anders Behring Breivik killed 77 people in a bomb attack in Oslo and a mass shooting in Utøya, Norway. In the United States, white supremacist Michael Page shot and killed six people and wounded four others in an attack against a Wisconsin Sikh temple in August 2012. Only one day after Charles Kurzman had argued in the New York Times that right-wing terrorism might be the most severe security threat in the United States, Dylann Roof killed nine people in his shooting rampage at the Emanuel African Methodist Episcopal Church in Charleston, South Carolina, on June 17, 2015. Similar events have been recorded in many Western European countries, as well as in Russia and Eastern Europe. However, the public debate has not ascribed the same level of

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importance to the threat from the extreme right as it has regularly with Islamist extremism.

Nevertheless, statistics clearly show the significant risk posed by violent right-wing extremists in Western countries. In the United States, for example, the Combating Terrorism Center’s Arie Perliger counted 4,420 violent incidents perpetrated by right-wing extremists between 1990 and 2012, causing 670 fatalities and 3,053 injured persons. After three peaks in 2001, 2004, and 2008, with each wave surpassing the previous one, the general trend is again upwards. Professor Christopher Hewitt’s valuable studies about terrorism in the United States also show that “white racist/rightist” terrorism accounts for 31.2 percent of the incidents and 51.6 percent of terrorism-related fatalities between 1954 and 2000, making it the number one threat of “revolutionary left-wing” or “black militant” terrorism. In both the United States and Canada, a widespread lack of coherent analysis about the threat posed by extreme right-wing militants stands in stark contrast to the level of concern about such individuals expressed by police officials and other law enforcement agencies. As a means of comparison, Islamist and right-wing extremists have caused 45 and 48 casualties in the United States, respectively, since the September 11, 2001 attacks.

In Europe, academic and official statistics—including the University of Bergen’s Terrorism in Western Europe: Events Data (TWEED) and Europol’s annual European Union Terrorism Situation and Trend Report (TE-SAT)—show a number of right-wing attacks since World War II. TWEED registered 648 right-wing terrorist attacks between 1950 and 2004 (approximately 6 percent of a total of 10,239 attacks), while TE-SAT registered nine such attacks between 2006 and 2013, though only two were in Western Europe. TWEED also reveals three main waves of attacks: France in the early 1960s, Italy in the 1970s, and Germany in the early 1990s. These three nations also dominate the aggregate country share of casualties.

Regarding the TE-SAT statistics, it is important to note that the national definitions and selection criteria vary significantly and that the vast majority of violent crimes committed by individuals or groups motivated by an extreme right-wing agenda are not categorized as terrorism by Europol, based on the national legal frameworks. Although all available national and international statistics in Europe and North America show increasing trends in extreme right-wing violence/terrorism, the basic phenomenon is by no means new: both Europe and the United States have experienced significant extreme right-wing attacks and waves of violence during the past several decades.

Despite this, only a very small number of academic studies have thus far focused on this form of political violence, which has created a dangerous level of ignorance and a worrying lack of expertise regarding the threat assessment of the far-right. This article will provide an introduction to the current situation regarding right-wing violence in Western Europe, with a focus on its tactical and strategic aspects, and review related implications for security in Europe and the United States. This article argues that this specific form of political violence bears a number of unique characteristics that make it harder for security agencies to detect and appropriately react to, especially because the comparison with Islamist extremism has created political and tactical biases that hinder the adaptations needed to address
this threat. An in-depth case study of Germany is provided to illustrate what that threat could look like and to reveal the potentially devastating consequences for a nation’s security that may result. It is necessary, however, to see this form of organized violence in the context of the wider far-right movement in Europe, and the West, as right-wing groups typically are very well connected across borders, display significant collective learning, and to some extent see each other as inspiration for their own tactics and modes of operation. As only a brief overview is within the scope of this article, another goal is to raise awareness about the lack of knowledge and understanding regarding extreme right-wing violence, which poses a severe threat to internal security in many Western countries.

The Far-Right: Interplay of International and National Affairs

Throughout the last decade, Europe has seen a major surge of electoral successes for nationalist and far-right parties. Currently, 39 European countries have nationalist and extreme right-wing parties represented in their parliaments (excluding Turkey and Russia). While in many cases these parties have gained only minor influence or nominal representation, they have seen major—and unexpected—successes in a number of other countries, including France (National Front), Sweden (Sweden Democrats), Greece (Golden Dawn), Poland (Law and Justice), the Netherlands (Party for Freedom), and Denmark (Danish People’s Party). It is especially noteworthy that far-right parties seem to have gained strong support as a result of the ongoing refugee crisis as well as Islamist-motivated terrorist attacks. These external events directed against a specific country have been shown to increase electoral support for extreme right-wing parties and may be linked to peaks of right-wing terrorism and violence. Bold and rhetorically violent anti-immigration and Euro-skeptic platforms of right-wing parties arguably might also increase support for more violent actions by small clandestine groups. After the Paris terror attacks of January 7 and November 13, 2015, the extreme right-wing party the National Front scored the highest results in local French elections, winning approximately 30 percent of the national vote in December 2015 (compared with 11 percent in the 2010 election). Although it was ultimately defeated in the final round of voting, this defeat did not denote a decrease in voter support. Rather, it was merely a result of the tactics employed by the opposition parties, which utilized special characteristics of the French electoral system. After the 9/11 attacks, anti-Muslim hate crimes and right-wing terrorism (it should be noted the relationship between the two is heavily debated) jumped 1,600 percent in the United States. Following the London bombings in July 2005, police reported a six-fold increase in the rate of right-wing violence against Muslims. In the aftermath of the Charlie Hebdo attacks in January 2015, similar incidents rose by 281 percent in France.

As such, possible links and supportive collaboration, if not outright institutionalized cooperation, between clandestine or extra-parliamentary groups and established political parties from the right-wing spectrum must be taken into account when considering right-wing terrorism and political violence. Though a highly under-researched topic, a few studies have looked at this intersection and found mixed results. For example, while Paul Wilkinson, the former director of the University of St. Andrews’ Centre for the Study
of Terrorism and Political Violence, found no clear correlation between electoral results of extreme right-wing political parties and violence from small right-wing groups, he did affirm that the ambivalent standpoint of far-right parties toward violence, as well as their racist and xenophobic propaganda, were conducive to right-wing terrorism. In other words, right-wing parties and movements do have an influence on levels of everyday and general xenophobia and racism that are, in turn, intensified and made explicit in smaller, more extremist groups. In addition, more nuanced studies showed a significant rise in right-wing-motivated arson attacks following verbal shifts in the mainstream political debate toward more xenophobic language. While not the focus of this article, it is reasonable to deduce from the existing research that right-wing terrorism and violence cannot be completely separated from far-right parties and mass movements, although the specific relationships between the two remain unclear.

Decades of Right-Wing Extremism in the West

Right-wing extremism has motivated some of the deadliest acts of domestic terrorism in a number of Western countries. The following examples represent only a very small selection of more widely known attacks committed by far-right extremists in recent decades. In August 1980, two members of a splinter cell of the Italian right-wing terrorist group New Order bombed the Bologna train station, killing 85 and wounding more than 200. That same year, the deadliest terrorist attack in post-World War II Germany—the bombing of the Munich Oktoberfest by at least one neo-Nazi—left 13 people dead and another 2,011 wounded. Another devastating attack was carried out on April 19, 1995 by Timothy McVeigh and two accomplices, who used a car bomb to attack the Alfred P. Murrah Federal Building in Oklahoma City. Planned by McVeigh, who was inspired by the right-wing extremist novel *The Turner Diaries*, the bombing killed 168 and wounded more than 600. It is one of the deadliest terrorist attacks in the history of the United States.

In 2009, Ian Davison, a British neo-Nazi and white supremacist, and his son were arrested for planning chemical weapons attacks using homemade ricin as part of the right-wing terrorist organization Aryan Strike Force. Authorities uncovered the plot, and Davison was sentenced to 10 years in prison. He is currently the only British citizen arrested for and convicted of manufacturing a chemical weapon. Two years later, on July 22, 2011, Anders Behring Breivik, a right-wing extremist, detonated a car bomb in Oslo city center, killing 8, and then drove to the island of Utøya to continue his attack, killing a further 69 people, many of them children, in a mass shooting. Seventy-seven people in total were killed during the rampage. Prior to carrying out the attack, Breivik had published a manifesto that laid out his ideology, which was based on Christian fundamentalism and cultural racism.

These examples demonstrate that the West has a long history of violent acts perpetrated by extreme right-wing actors. Since 2012, the refugee crisis across Europe has contributed to an upsurge in support for right-wing parties and violent networks. Xenophobic and anti-immigration crimes and social movements have increased in almost all European countries. Thus a major question for researchers, policymakers, and law enforcement personnel in Europe and North America is whether extreme right-wing terrorism and violence
RIGHT-WING EXTREMISM AND TERRORISM IN EUROPE

display unique tactical or strategic characteristics that make it harder to detect and counter.

The Nature of Right-Wing Violence and Terrorism

Defining the Threat

One problematic issue connected to identifying and adequately classifying right-wing terrorism is the lack of clarity among the different concepts used to describe this form of political violence. In fact, many incidents of right-wing terrorism have been analyzed under the concept of “hate crime,” which does share a number of similar characteristics with terrorism. A hate crime—defined as “a criminal act that is motivated by a bias toward the victim or victims real or perceived identity group”—can include, for example, the desire to “terrorize a broader group” or to create a specific intimidation, including through hate speech, which has been described as simply another manifestation of terrorism. The similarities between hate crimes and terrorism have led some scholars to call the former a “close cousin” of terrorism because “the target of an offense is selected because of his or her group identity, not because of his or her individual behaviour, and because the effect of both is to wreak terror on a greater number of people than those directly affected by violence.” Other scholars have disagreed, however, and argued that the two are in fact distinct forms of violence more akin to “distant relatives” than close cousins based on key differences such as the lack of planning and the spontaneous nature of hate crimes, the downward nature of hate crimes (minority group as target), and the lack of publicity. Reviewing the similarities and differences between hate crimes and terrorism, Mills et al. maintain that

“hate crimes attack society at large by attacking its norms, targeting dearly held values of equality, liberty, and basic human rights.” Such a conception of hate crimes aligns them with the “upward” nature of terrorism, refuting claims that hate crimes are only a “downward crime.” Not attempting to solve this conceptual debate here, it is still reasonable to assume that there is a relationship between “hate crimes” and “terrorism,” both in their effects (that is, creating fear) and in the way their perpetrators operate. It is also reasonable to assume that the step from committing hate crimes to committing terrorism is much smaller and easier to take than that from “ordinary crime” (or no criminal activity) to terrorism. Hate crimes seem to provide a bridge and an ideological testing phase for catalyzing potential motivations for violent action (for example, hate, fear, aggression, power) with the ideological call to act.

Case Studies

In order to assess the tactical and strategic dimensions of right-wing political violence and terrorism, it is critical to find a suitable empirical database. Those countries with the largest and most violent right-wing movements, in addition to having adequate statistics and a minimum of good quality research, are the United States, Germany, and Russia. Without the need to recapitulate the history and structure of the violent extreme right-wing movements in these countries, this section focuses on some key strategic lessons learned for policymakers and law enforcement personnel regarding the character of right-wing terrorist violence.
Numerous high-quality assessments have been possible in recent years as a result of detailed databases on domestic extremism and terrorism compiled from a variety of projects. These include the Terrorism and Extremist Violence in the United States (TEVUS) database at the National Consortium for the Study of Terrorism and the Responses to Terrorism (START); the Global Terrorism Database (GTD); the U.S. Extremist Crime Database (ECDB); the American Terrorism Study (ATS); and the Profiles of Perpetrators of Terrorism in the United States (PPT-US) database.

One of the core findings regarding the characteristics of right-wing violence based on the U.S. sample is that the extreme right has not just developed strategic concepts based on small-unit or lone-actor tactics (for example, “leaderless resistance”), but has also shown a strong use of these tactics in practice. Whether or not this is due to a lack of organizational skills, many studies have shown that lone-actor terrorism is the most prominent tactic for the American extreme right. Perliger’s dataset, for example, shows that 54 percent of 4,420 incidents between 1990 and 2012 were committed by single perpetrators and 20 percent by 2-person groups. The Southern Poverty Law Center, examining 63 incidents between April 2009 and February 2015, found that 74 percent of the attacks were carried out by lone-actors. In analyzing 198 lone-actor attacks, sociologist Ramón Spaaij found that right-wing actors constituted the second-largest category (17 percent), following only attacks in which the perpetrator’s ideological conviction remains unknown. A similar study of 119 lone-actors found that 34 percent had an extreme right-wing background; a subsequent, more detailed analysis of 111 European and American lone-actor terrorists showed that right-wing attackers represented the largest group (39 percent), ahead of even al Qaeda-inspired perpetrators (34 percent).

It thus appears that, although far from exclusively right-wing, lone-actor terrorism is a highly preferred tactic of right-wing violence. A number of studies have looked at the special characteristics of far-right lone-actor attacks and homicides, both in relation to non-right-wing homicides and to organized right-wing extremist groups. In the first case, the major findings reveal that far-right lone-actor attacks have significantly decreased since the early 2000s (with a total of 96 homicides between 1990 and 2008), have been perpetrated by individuals much more likely to display mental health issues (40 percent), and targeted mostly strangers. Lone-actors also seem to target government and military installations more frequently and are older on average than other domestic extremists who are part of an organized group. Compared with other lone-actor terrorists (Islamist extremist or single issue), right-wing terrorists are significantly more likely to have previous military experience, work in construction, and interact face to face with a wider network, and are less likely to receive help or be part of any command and control structure.

These studies of lone-actors have revealed profiles of right-wing extremists that are seemingly detached (but not uninfluenced) by right-wing groups, perhaps because of mental health issues and a tendency to focus on government-related targets, both of which would increase the risks of detection and interference by government authorities for organized right-wing groups. This picture, however, does not fit into a conscious strategy of “leaderless resistance” by the far-right; rather, it is more likely...
a concept designed to fit a certain type of activist who would act alone anyway and to label the occurring violence as part of a “master plan.”

Russia
One key lesson learned from the Russian case is how the government’s weak response to the rise of more militant right-wing groups in the early 2000s provided political opportunities for formal organizations to interact and join forces with violent skinhead groups and local community-based movements.45 As in other countries, the Russian far-right is not homogenous, and consists of many different groups and styles. According to Martin Laryš and Mírslav Mareš, the most important of these are unorganized individuals, short-term local mass movements evolving around ethnic conflicts, violent youth gangs, and uniformed paramilitary structures (including terrorist groups).46 These groups appear to be united by their common use of Russian nationalism and imperialism. One particularly worrying trend is the potential for large numbers of Russian military veterans with combat experience in Chechnya, Ukraine, or Georgia to be incorporated into highly militant right-wing underground cells.

Research on the Russian extreme right has provided valuable insights into different types of right-wing crimes and group structures, such as ad hoc hate crimes, large-scale mass pogroms organized by right-wing organizations around individual conflicts, and organized violence (including paramilitary branches of existing extremist organizations, violent street gangs, terrorist groups).47 Terrorist incidents—such as the bomb attack on the Cherkizovsky Market in Moscow in 2006, the attempted bombing of a McDonald’s restaurant in 2005, attacks on police stations and railways, or the live broadcast of executions—show the escalation of violence and the radicalization process of the Russian far-right, which can be compared with the situation in Germany since 2011.48 It is worth noting that strategic concepts behind these acts of violence have been framed as “counter-state terror” with the goal “to destabilise the state system and to induce panic in society, which according to theorists of counter-state terror, will lead to a neo-Nazi revolution.”49 This approach is similar to what has been called a “strategy of tension” used by Italian, Belgian, and German right-wing terrorists.50

Germany
The Federal Office for the Protection of the Constitution (Bundesamt für Verfassungsschutz [BfV]), the German domestic intelligence service, estimated that there were 21,000 far-right extremist activists in 2014, including approximately 7,200 from the subcultural milieu (for example, “skinheads”), 5,600 neo-Nazis, and an estimated 6,850 members of far-right parties.51 Of these 21,000 extremists, German authorities regard a full 50 percent (10,500) as “violence oriented,” meaning they are prepared to use violence to advance their political goals.52 Although the number of activists has decreased slightly over the last few years—from an estimated 22,150 in 2012—the number of right-wing-motivated crimes certainly has not. In 2014, German authorities counted 1,029 violent hate crimes (“right-wing politically motivated”), including more than 900 cases of criminal assault, an increase of 22.9 percent and 23.3 percent, respectively, from the previous year.53 This surge occurred even before 2015, when the largest numbers of refugees arrived in
Germany. In 2014, 26 violent attacks on mosques were perpetrated by right-wing extremists—a number dwarfed by the explosive increase in violent right-wing attacks against refugee homes in recent years.\textsuperscript{54} While authorities counted 58 of these incidents in 2013\textsuperscript{55}, right-wing extremists attacked refugee homes 175 times in 2014. In 2015, the Federal Criminal Police (Bundeskriminalamt [BKA]) counted 901 violent acts against refugee shelters by individuals with a right-wing background, out of 1,005 total attacks.\textsuperscript{56} Ninety-four of these attacks were arson, compared with just six arson attacks in 2014. This increase reflects a strong radicalization within the German far-right, especially in regard to the open use of violence, resembling the wave of arson attacks against refugee homes in the early 1990s following German reunification.

Although the German far-right movement historically has been extremely violent—officially, 69 right-wing attacks between 1990 and 2015 caused 75 casualties, though civil society watchdogs counted up to 184 deaths—this widespread use of non-clandestine political violence can be seen as extraordinary.\textsuperscript{57} Currently, there are no extensive and detailed statistics regarding the level of right-wing extremist violence and terrorism directed against Muslim persons or institutions, but the rise of the new European “Counter-Jihad” Movement (ECJM) is indicative of the growing importance of Islamophobic violence perpetrated by the extreme right.\textsuperscript{58} Based on cultural nationalism, ECJM has identified Islam and Muslim immigration as major threats to Europe.\textsuperscript{59} In recent years, a number of right-wing terrorist cells that had planned to attack mosques, Salafist preachers, and refugee shelters have been detected in Germany.

A recent project to build a database on right-wing terrorism and strategic political violence has produced a number of important insights about the characteristics of German far-right terrorists since 1963.\textsuperscript{60} Analysis of qualitative and quantitative data reveals that, since 1971, 91 right-wing terrorist actors (groups and individuals that could be identified) have carried out 123 attacks (including both successful and unsuccessful attempts) using explosives; 2,173 arson attacks; 229 murders; 12 kidnappings; 56 cases of extortion; and 174 armed robberies. This database allows for additional strategic analysis, largely supporting the findings from other countries. Of the 91 identifiable German right-wing terrorist actors, approximately 70 percent are either small cells with 2-3 members, small groups of 4-9 members, or lone-actors.

These actors utilize mainly small-unit tactics (for example, explosives, targeted assassinations, arson, and, on occasion, hostage-taking and kidnapping) against government representatives, Jews, leftists, and “foreigners.” Throughout the last 50 years, bombings have been the main tactic of choice, especially since 1990. In earlier decades, assassinations were also used widely, but the last 20 years have seen a significant decrease in the employment of this tactic. Prior to 2000, government representatives (for example, police officers, politicians, and military personnel) made up approximately half of the intended targets. Since then, however, the groups and individuals targeted by right-wing extremists have varied more widely. The vast majority of German right-wing terrorist actors (approximately 72 percent) are active for no longer than a year before they are either killed, detected and arrested by the authorities, or disbanded. If an actor survives for more than a year, however,
the chances of long-term activity rapidly increase, with approximately 14 percent remaining active for between 1 and 5 years and 13 percent for more than 5 years. These long-term clandestine cells are also much more likely to conduct attacks without being detected and to develop highly professional tactics to avoid arrest.

Another common characteristic of right-wing terrorism in general, as well as in Germany, is the lack of public communication regarding attacks (for example, claiming responsibility through letters, statements, and communiqués). In Germany, only about 24 percent of perpetrators actually send out any form of claim or note. One possible reason for this may be their desire to employ a “strategy of tension” in connection with their attacks, that is, to produce chaos and insecurity among the population in order to increase electoral support for (right-wing) “law and order” parties. This strategy could also be used to demonstrate the weakness and powerlessness of the targeted government. Another theory

The ongoing conflict in Syria has spurred the largest wave of refugees seeking shelter in Europe since World War II.
brought forward more recently argues that the use of terrorism by right-wing extremists is a natural consequence of extreme-right ideologies and therefore does not require any communicated explanation. Many right-wing attacks might be self-explanatory (e.g., a bomb attack against a synagogue or a mosque motivated by anti-Semitism or Islamophobia) and can achieve the result of terrorizing the targeted victim group even without any communication. A third approach to explaining this lack of strategic communication draws on right-wing extremist tactical concepts such as leaderless resistance, in which public statements are seen as a risk factor for detection.

Collective Right-Wing Anti-Immigration Violence

In addition to organized right-wing clandestine cells and groups, another highly problematic development became evident in recent years across Europe: anti-immigration mass movements and collective radicalization towards violence.

Between 1991 and 1994, authorities counted 1,499 right wing-motivated arson attacks against refugee shelters in Germany. Between 1990 and 1995, the 295 individuals convicted in these attacks, which account for about 60 percent of the incidents, displayed a very atypical perpetrator pattern at that time. Sixty-three percent of the perpetrators had not been previously convicted of any crime and only 21 percent were known to be active in a right-wing party or skinhead group. Approximately 68 percent of the perpetrators were intoxicated during the attack, and in 60 percent of the cases documented by courts there was almost no time invested in planning or preparing the attack. These characteristics make it extremely challenging for intelligence and law enforcement officials to detect and counter such attacks. Further, while the organizational characteristics of these attacks certainly did not fit the typical picture of “terrorism” in Germany at that time, the perpetrators’ intent did. In the majority of cases, the relationship between victim and perpetrator was irrelevant; the main motive was to achieve a high media impact to convey a message against the government and a large hated group of immigrants.

Although the quality of the political message and signal was not sophisticated or embedded in a long-term, group-based strategy, the combination of violent protest against immigration and the attempt to force refugees to leave the country through fear shows the terrorist quality of large and spontaneously acting groups based in a joint understanding and unity, guided by right-wing extremist ideology. The violent potential of a large and infuriated crowd has become especially visible in the second wave of right-wing violence against refugee homes that started in 2013. Again, the upsurge in violence appears to have been caused by a widespread negative public debate about immigration, as was the case in the first wave of attacks in the early 1990s. Since the outbreak of conflicts in Syria, Iraq, North Africa, and the Middle East in the aftermath of 2011’s “Arab Spring,” the number of refugees and asylum seekers in Germany has steadily risen to an estimated 1.5 million in 2015. The number of violent attacks against housing installations for refugees has mirrored this increase. This time, however, right-wing extremists have diversified their violent tactics to include arson attacks against designated (but uninhabited) refugee homes, direct threats against politicians, violent clashes with the police tasked to protect the refugees, and
the use of car bombs and explosives. Still, the twofold objective of the attacks was to protest against the government’s immigration policies and to either force refugees out of certain areas or threaten them not to come in the first place.

Although no statistical evaluations or scientific studies about this second wave of large-scale violence against refugee homes exist thus far, the initial data suggests that there are at least some similarities to the first wave. For example, in one analysis, out of 148 perpetrators identified by the authorities, only 41 (27.7 percent) had been convicted of previous crimes; the majority were not active in any organized right-wing group. 70 Different, however, seems to be the role of alcohol. Only 32 perpetrators (21.6 percent) were intoxicated during the attacks, compared to a full 68 percent in the early 1990s. This picture was supported by a subsequent police analysis of 228 perpetrators. 71 Of these, just 14 people had committed two or more of the attacks, and alcohol was only rarely involved. 72 Although about 50 percent of the perpetrators were known to the police due to previous crimes, only one-third had committed right-wing crimes of any sort before attacking a refugee home. 73

Focusing exclusively on the arson attacks, another internal study conducted by the BKA shows a clear radicalization and escalation of the violence used, which shifted from targeting uninhabited to inhabited buildings in 40 of the 61 cases. The majority of the perpetrators in these attacks were not part of an organized right-wing group. 74 An additional study by the German newspaper Die Zeit, which examined only attacks carried out against refugee shelters between January and November 2015 (a total of 222 incidents) that seriously harmed or endangered refugees, found that authorities were able to identify the perpetrators and gather enough evidence to charge or convict them in only 5 percent of the cases. 75 The same study also reveals that almost half of the 93 arson attacks against refugee shelters within the same timeframe were directed at inhabited buildings, signifying a continuing escalation of violent tactics.

Parties such as the National Democratic Party of Germany and The Third Way have been involved in organizing protest groups online (typically via Facebook) and stirring up anti-refugee sentiments with falsified statistics of immigrants’ crimes or claims of specific events witnessed by friends and colleagues, such as incidents of rape or child abduction by refugees. 76 Parties like The Third Way have also published guidebooks on how to organize large-scale protests, and have officially registered demonstrations that, in the majority of cases, devolved into violent action or took place shortly before arson attacks. 77 In this way, right-wing parties, although not proven to be directly involved in the attacks, have contributed to a rise in levels of hostility throughout Germany and provided the opportunity for right-wing-motivated violence. In addition, right-wing political parties have tried to gain support from the rather new phenomenon of right-wing populist protest movements such as PEGIDA (Patriotic Europeans against the Islamization of the Occident) and its franchises across Germany. 78 Though some attacks have been carried out by organized neo-Nazis who took part in anti-immigration rallies, most of these violent acts were seemingly perpetrated by individuals with no ties to the formal extreme right-wing movement, but whose motivations mirrored those deeply embedded in right-wing anti-immigration protest movements. It is known that in some instances
militant right-wing extremists have co-organized or participated in these demonstrations, thereby creating a direct, but completely non-institutional, link between organized, militant, and experienced neo-Nazis and otherwise “normal” citizens (that is, citizens not previously known for right-wing extremist involvement) protesting primarily against immigration and refugee policies. The Bavarian franchise of PEGIDA, for example, was organized by two neo-Nazis who were sentenced to prison on terrorism charges in 2003. In addition, the organizers and speakers at the PEGIDA franchises in Düsseldorf, Duisburg, and Thuringia are mostly hard-core right-wing extremists.

Although the aspects of spontaneity, large crowds without hierarchy or organization, and intoxication are atypical for the type of political violence usually associated with terrorism, this right-wing collective violence displays other essential characteristics that place it into that very category. One of the first goals of right-wing collective violence is to directly challenge the government’s monopoly of force. Second, these collective attacks create terror and fear in a wide target group beyond the victims of the attack itself. Third, these acts of violence, especially arson, are carried out with a strong motivation to send a signal or create a public symbol of resistance for a wide audience. Fourth, this type of tactic allows the perpetrator to strategically attack and hide immediately afterward in the large crowd of bystanders or to escape from the location altogether. In this way, collective right-wing violence is akin to core terrorist tactics, although less coordinated and strategic. Right-wing

January 2015 PEGIDA demonstration in Dresden, Germany. One protester (left) holds sign appealing to Russian President Vladimir Putin: “Putin! Help us, save us from the corrupt, enemy-of-the-people BRD [Federal Republic of Germany] regime and from America and Israel!”
organizations, parties, and groups have been careful not to directly coordinate or lead these attacks, but rather to stir up the climate of panic, fear, hate, and urgency to act among the local population.

Similar waves of arson attacks against refugee shelters carried out by members of large protest movements have also occurred in Sweden, Finland, and other European countries. The formation of violent vigilante groups as part of anti-immigration movements across Europe, with the proclaimed goal of "protecting" European citizens against criminal immigrants is a very recent and completely new development, and poses the risk of collaboration between highly organized and experienced clandestine cells and individuals from mass movements who have no previous criminal records but are ready to commit violence.

A comparable movement in the United States, the sovereign citizen movement, is composed of a highly diverse and loosely connected network of individuals and groups who reject U.S. laws, taxation, currency, and the government’s legitimacy, especially regarding the control of firearms. Frequent overlap in the membership of more militant and violent militias and white supremacists has resulted in a number of violent attacks by both individuals and groups, as well as clashes with law enforcement agencies. For example, Timothy McVeigh’s accomplice in the Oklahoma City bombing, Terry Nichols, was a member of the sovereign citizen movement. There also have been a number of violent standoffs between sovereign citizen members and federal law enforcement agencies (for example, the “Bundy standoffs” in 2014 and 2016), and the murders of a number of police officers have been attributed members of the network. As a result of increased lethal violence directed against the U.S. government by sovereign citizen members, including the murders of six police officers and at least three planned terrorist attacks since 2010, the FBI has labeled the network as a “domestic terrorist movement.”

Although European anti-immigration mass movements like PEGIDA are still very different from the highly armed and often extremely violent sovereign citizens, they do share a number of important characteristics, signaling a new strategic and tactical era in the militant extreme right. By diversifying further and moving away from a reliance on lone-actor attacks (although not returning to the large-scale, paramilitary organizations of the 1980s and 1990s), this new type of fluid network, centered around shared opposition to the democratic government and immigration, can mobilize large numbers of activists from mainstream society and create something I would call “hive” terrorism: terrorist acts or violent hate crimes committed by a spontaneously formed crowd that quickly disbands after the incident. Western European law enforcement agencies are currently struggling to understand this new threat and formulate adequate responses. It is comparable to neither an Islamist extremist terror attack in regard to detectable communication, structures, and preparation, nor to the other end of the typology, the neo-Nazi lone-actor.

Conclusion

Right-wing terrorism has operated both traditionally and tactically using very small groups, cells, and lone-actors to target mainly government representatives and minorities with explosives and targeted assassinations. These attacks, which usually do not attempt to inflict indiscriminate mass casualties (a tactic which
nevertheless seems to be gaining increased prominence), have only very rarely been accompanied by some form of public communication (that is, the public claiming of the attack). This indicates that right-wing terrorists do not need or want to communicate their course of action to a potential audience. One reason for this is that right-wing attacks are often self-explanatory (for example, bombing a mosque can successfully generate fear and terror within the target group even without someone claiming the attack). As Professor Mark Hamm points out, right-wing political violence can, in fact, be both hate crime and terrorism. This also implies that terrorist violence is inherently part of the right-wing extremist ideology and is not perceived by the perpetrators as something in need of explanation. In addition, this raises the danger that the intent and nature of an attack will be misjudged as unplanned, erratic, spontaneous, or as an isolated incident. The findings above, however, suggest otherwise. Right-wing terrorism is a highly dangerous form of political violence and a significant threat because it tactically and strategically aims to blend in with the surrounding societies in order to minimize repression and countermeasures and to maximize the effects regarding the main goal: winning a long-term war against their enemies (that is, democratic governments and foreigners).

Another development caused by the massive influx of refugees that poses potential risks to Western societies is the spread of anti-immigration, right-wing, populist mass movements across Europe, which have displayed a steady process of radicalization toward the use of violence. In addition, the boundaries between large-scale anti-immigration protest movements and organized militant groups have been increasingly blurred. As the characteristics of the perpetrators of xenophobic arson attacks show, security agencies will be facing a different type of threat: spontaneous and rarely planned, violent and often lethal attacks against refugee homes, mosques, police, or left-wing activists, carried out by individuals or small groups without previous criminal records or even history of involvement in organized far-right groups.

In sum, the key lessons for law enforcement personnel and policymakers are:

1. Right-wing terrorism is a unique form of political violence with fluid boundaries between hate crime and organized terrorism. In general, right-wing terrorism does not aim for individual and concentrated high-effect results, but rather for long-term, low-intensity “warfare” against their enemies. The effects of creating horror and fear in their target group, however, are similar to other forms of terrorism.

2. Lone-actor tactics have declined in recent years, although they still dominate the militant right-wing movement. A distinct type of collective “hive” terrorism has developed in Europe, embedded in and carried out by large-scale, right-wing, anti-immigration and anti-government movements, with the peripheral involvement of organized and more militant right-wing organizations. Having created manuals and guidebooks on how to organize these protest movements and use online social media platforms to stir up hatred, this structure could become a blueprint for the United States as well. The high number of attacks currently being committed in the wake of these movements
in Western Europe could potentially become more dangerous if transferred to the better-armed sovereign citizen movement or other networks in the United States.

3. Law enforcement personnel cannot hope that focusing on the detection of communication and group structures before an event will bring adequate results. Biographical backgrounds may increasingly involve individuals without previous connection to an extremist movement, and small groups could form spontaneously during or shortly after protests and rallies in order to carry out arson attacks, shootings, or other terrorist attacks.

4. While it is not to be expected that the refugee situation will escalate to the level of significance in the United States that it has in Europe, the situation in countries like Germany, France, Sweden, and Denmark have taught neo-Nazis and other organized right-wing extremists how to evade government crackdown and detection before attacks. Even small numbers of refugees could potentially be used to catalyze similar protest movements on platforms already established in the United States.

5. A last potential threat from organized clandestine or open violence can be reciprocal violence between right-wing extremist groups and those opposed to them. Violent clashes between right-wing populists and Salafists in Germany, for example, have led to further radicalization on both sides. Recent clashes in Anaheim, California between Ku Klux Klan members and opponents are another example of this mechanism. 88

In sum, right-wing terrorism or racist political violence remains one of the most dangerous threats to Western democracies, especially because these extremist groups have developed and used violent tactics designed to be overlooked and misinterpreted by security agencies. White supremacists, sovereign citizen members, neo-Nazis, and other right-wing extremist groups widely deploy a very dynamic and flexible form of collective or “hive” terrorism that does not provide traditional angles for security agencies to identify hierarchies, long-term plots, or group structures. The lethal and terrorizing effect remains intact, however. In addition, the corroding effect against democratic societies and community resilience can be much higher in cases of right-wing terrorism than compared with other forms because the underestimation by the authorities essentially proves right the suspicion of minorities and other at-risk groups that they are without equal protection. PRISM
Notes


3. Ibid, 87.


based on racism, white supremacism, militant nationalism, anti-government activism and/or collective degradation of ethnic groups or minorities.


31 Deloughery, King, and Asal (2012).

32 Colleen Mills, Joshua Freilich, and Steven Chermak, "Extreme Hatred: Revisiting the Hate Crime and Terrorism Relationship to Determine Whether They Are 'Close Cousins' or 'Distant Relatives,' Crime & Delinquency (2015), <http://cad.sagepub.com/content/early/2015/12/18/0011128715620626. abstract>.


35 Arie Perliger (2012), 86.


41 Jeff Gruenewald, Steven Chermak, and Joshua Freilich, "Distinguishing "Loner" Attacks from Other Domestic Extremist Violence," Criminology & Public Policy 12, no. 1, (2013).

42 Ibid, 80.


44 Paul Gill, 107.

45 Mihai Varga, "How political opportunities strengthen the far right: understanding the rise in far-right militancy in Russia," Europe-Asia Studies 60, no. 4, (2008).


47 For example, approximately 450 right-wing motivated killings between 2004 and 2010; See: Martin Laryš and Miroslav Mareš (2011).

48 Martin Laryš and Miroslav Mareš (2011), 146-150.

49 Ibid.


52 Ibid.


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59 Ibid.

60 For example: Daniel Koehler, "Rechtsterrorismus in der Bundesrepublik Deutschland. Ein Profil.” Kriminalistik 3 (2015).


63 Jeffrey Kaplan, "Leaderless resistance,” Terrorism and Political Violence 9, no.3 (1997).


66 Ibid, 177-207.

67 Ibid, 211.

68 Ibid, 48-49.


72 Ibid.

73 Ibid.


77 Von Patrick Gensing, "Protests against refugees: ‘anti-asylum initiatives' - vom Netz auf die Straße” [Translation: "Protests against refugees: ‘anti-asylum initiatives' - from the network to the road”], tagesschau.de, August 10, 2015, <http://www.tagesschau.de/inland/hetze-fluechtlinge-neonazis-101.html> and HOAXmap, <http://hoaxmap.org/>, which documents claims, posted online by far-right groups, that asylum seekers perpetrated incidents of rape, theft, assault, and so on, and which have been definitively disproven, either by the police or press.


“This is not the Sweden we want to see,” The Local, October 20 2015, <http://www.thelocal.se/20150102/fourth-asylum-home-set-on-fire-in-west-sweden>.


For a list of incidents see: <http://www.deathandtaxes.com/>.


Photos

