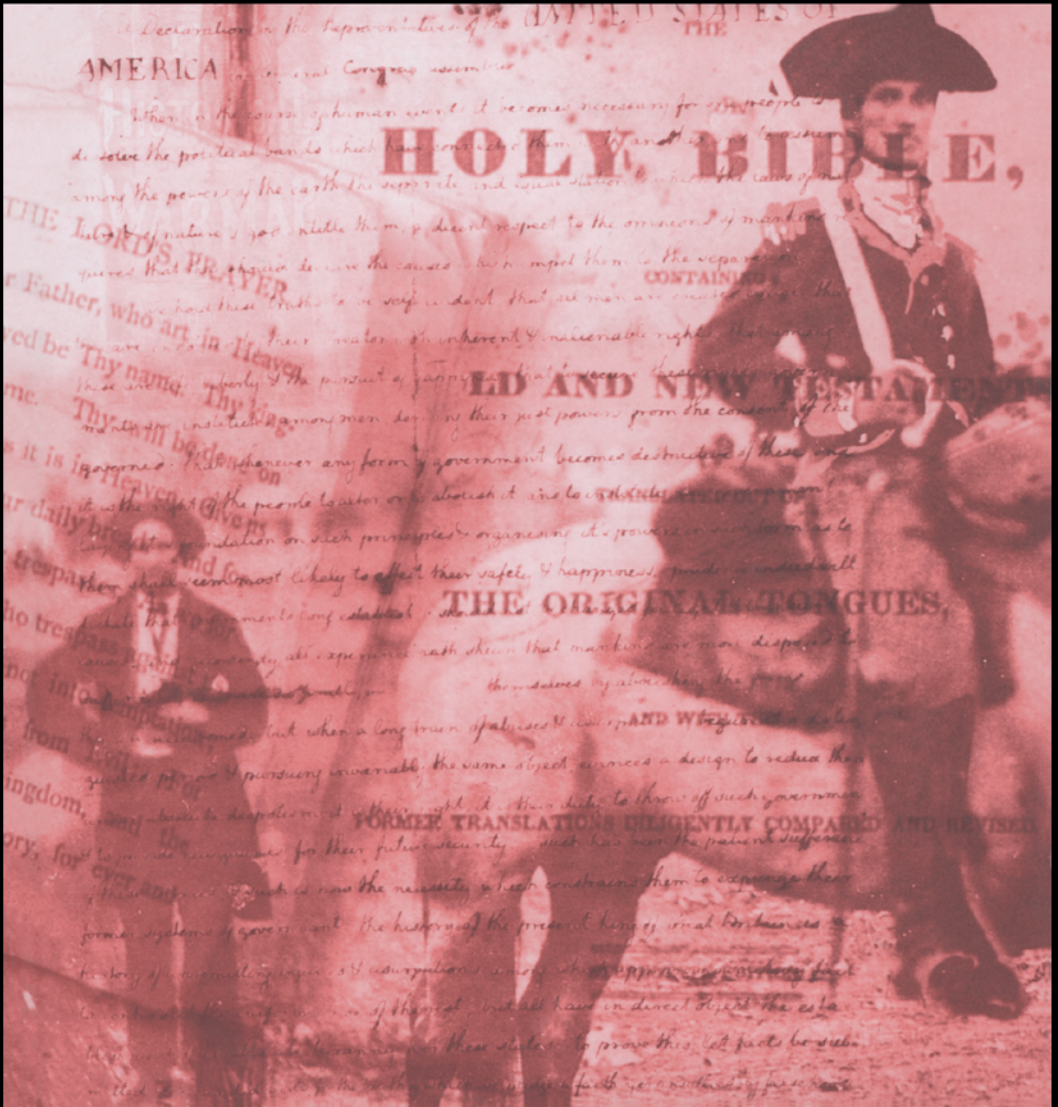


AMERICAN EXTREMISM

HISTORY, POLITICS AND THE MILITIA MOVEMENT



D. J. MULLOY

Also available as a printed book
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American Extremism

The American militia movement was propelled into widespread public prominence by the Oklahoma City bombing in 1995. This book uses the militia movement as a means to examine the complex relationship that exists between America's mainstream and extremist political culture. It focuses particularly on how the militia movement utilizes key aspects of American history to justify its extremist politics and activities. Drawing upon extremist literature, interviews with leading figures in the movement, and other primary sources, this book is a powerful exploration of America's domestic extremist movements.

American Extremism explains how at the heart of the politics practiced by the militia movement is an attempt to define the nature of "Americanism," and shows how militia members employ the myths, metaphors, and perceived historical lessons of the American Revolution, the constitutional settlement, and America's frontier experience to do so. Mulloy argues that militia members' search for the "authority of history" leads them to a position best characterized as "ahistorical historicism," in which political interests in the present are given greater weight than the demands of a historically accurate reading of the past.

With discussion of such recent events as the Oklahoma City bombing, Waco and the September 11th attacks alongside topical issues including militia conspiracy theories and the origins of Americans' right to keep and bear arms, this work provides the deepest understanding to date of the American militia movement. It will inform students and scholars of American History and American Politics alike.

D.J.Mulloy is a Research Fellow at the University of Illinois at Urbana-Champaign, where he also teaches about the history of political extremism. He has taught American Studies at the University of East Anglia and is the editor of *Homegrown Revolutionaries: An American Militia Reader*.

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American Extremism

History, politics and the militia
movement

D.J. Mulloy

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For Pamela and Esme Grace

Longing on a large scale is what makes history....

Most of our longings go unfulfilled. This is the word's wistful implication—the desire for something lost or fled or otherwise out of reach.

Don DeLillo, *Underworld*

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Preface

The United States and the world at large are still coming to terms with the terrorist attacks on the World Trade Center and the Pentagon on 11 September 2001. Yet, despite a widespread belief to the contrary, the United States has long had to deal with the consequences of terrorism on its shores. Between 1954 and 2000, for example, over 3,000 acts of terrorism took place in the U.S., and 79.7 percent of these were committed by American citizens as opposed to foreign nationals.¹ The worst act of domestic terrorism in U.S. history occurred on 19 April 1995, when a massive truck bomb exploded outside the Alfred P. Murrah Federal Building in Oklahoma City; 168 people, including nineteen children, were killed in the blast, and over 500 were injured.

The Oklahoma bombing cast a spotlight on to a new, and until then a largely unknown, political movement in the United States: the militia movement. This book is about that movement. More specifically, it uses the militia movement as a means to examine the complex relationship that exists between America's mainstream and extremist political culture. It argues that our understanding of the nature, ideology, and practices of right-wing groups such as the militias is enhanced when they are placed in the context of the dominant culture from which they emerge and which they seek to influence.

This book employs intellectual and cultural history to illuminate many of the issues raised by the militia movement. Rather than dismissing the militias as some kind of aberration of American culture, I take the view that it is more fruitful to see their deep roots within it. I therefore focus particularly on how militia members utilize certain aspects of American history to further their political and ideological goals—history is, after all, arguably the most comprehensive expression of a culture. Doing so is intended to provide a deeper understanding of the movement than has appeared to date.² Understanding, however, should not be confused with approval. We can seek to improve our understanding of groups such as the militias without endorsing either them or their ideas.

Three periods of American history are of particular importance to the militia movement: the American Revolution, the framing of the Constitution, and the settlement of the West. Accordingly, once initial chapters have provided an overview both of the origins, concerns, and activities of the militias, and of the principal theoretical work in the field, the bulk of the book is given over to a

detailed analysis of the militias' engagement with these three key periods. It is essential that the historical and political concerns of militia members are examined in detail. Only by doing so will we really understand what they believe and why they act in the way they do. Focusing on the historical and political concerns of militia members in this way isn't intended to suggest that religious, racist, or anti-Semitic ideas don't have a role to play within some militia groups and other elements of the wider "Patriot movement" of which the militias are a part. But the racist/religious elements of right-wing extremists have been extensively studied, while their historical and political concerns have not. This is a mistake. Even those groups that are racially/religiously motivated still relate to and employ ideas, values, and beliefs drawn from these three key periods of American history.

This book examines the militia movement during the first decade of its development, from 1994 to 2003. It draws on material from a wide variety of sources, including militia pamphlets, newsletters, flyers, essays, manuals, speeches, interviews, congressional testimony, and websites. Material from these sources is quoted extensively in the chapters that follow. There are two reasons for this: first, because much of it is not widely available; and, second, because if we want to come to terms with what militia members believe and why, it is necessary to consider in detail how they present themselves both to themselves and to the outside world. Although predominately focused on the militias, material from "militia support groups" and from other groups and individuals within the Patriot movement is also considered, particularly where those groups or individuals have a close connection with the militia movement.

The book is organized as follows: [Chapter 1](#) provides an account of the militias' membership, structure, and principal concerns, and identifies some of the explanations for their emergence in the United States during the mid-1990s, looking especially at events at Ruby Ridge in 1992, Waco in 1993, and the effects of the Brady Handgun Violence Prevention Act of 1993. [Chapter 1](#) also explores how the formation of the militia movement connects to broader trends in American society and politics, and considers the impact of the 11 September attacks on the movement. [Chapter 2](#) addresses the principal theoretical approaches to the study of right-wing extremism in American life. It considers how "extremism" is defined within these approaches, examines the predominant sociological and psychological explanations of the causes of extremism, and identifies what are said to be the central characteristics of extremist groups. It argues that there is an "orthodox approach" to the study of right-wing extremism in the United States, and that this has served to work against an examination of the mainstream's role in the creation and sustaining of those so defined.

How, in general terms, the militia movement relates to, understands, and invokes American history as a central part of its rhetorical and ideological concerns is the subject of [Chapter 3](#). This chapter contends that at the heart of the politics practiced by the militia movement is an attempt to define the nature of "Americanism," and that this is a process the wider American culture and polity are equally engaged in. Three subsequent chapters explore this understanding in

detail. [Chapter 4](#) considers the militias' engagement with the American Revolution. It focuses on three areas: first, the militias' depiction of the role played by citizen soldiers during the War of Independence; second, their employment of revolutionary-style rhetoric; and, third, their reliance on the Declaration of Independence as a "revolutionary" document. [Chapter 5](#) considers the extent to which the militias are justified in their republican reading of the constitutional settlement. Particular attention is given to the militias' account of the "limited republic" they claim was established in the Constitution, and to their case for an armed citizenry being an essential feature of the republic envisaged by the Founding Fathers. [Chapter 6](#) explores the militia movement's attempts to associate itself with ideas and values derived from America's frontier past. This is done in a number of ways. First, "frontier values" are used by militia members to express a belief in the desirability of independence, self-reliance and the need for self-government—to denote both freedom from government and the need for self-government. Second, western notions of "justified violence" are invoked. Third, the frontier West is employed because of its strong connection with American self-identity. [Chapter 7](#) forms the conclusion to *American Extremism*. Here, the militia movement's proclivity for conspiracy theories is considered in the light of the readings of American history discussed in the preceding chapters.

Why, one might ask, should we be interested in groups such as the militias, relatively small right-wing "extremist" groups with often limited public support? Let me suggest three initial reasons. First, if the militias were not responsible directly for the Oklahoma City bombing, there is little disputing that Timothy McVeigh and Terry Nichols held similar beliefs to many militia members. The bombing demonstrates the enormous harm that can be inflicted by just two individuals, and it is important to understand as much as possible about the groups with which they were associated. The size of a group is not, after all, necessarily a reflection of its significance. Second, as Michael Cox pointed out with respect to the far right of the late 1980s and early 1990s, right-wing extremists "have an impact at the local and even national levels" of politics in the United States. They "can and do help shape public opinion." Moreover, as Cox says, there is "no guarantee" such groups "will remain minorities for ever."³ Third—as I argue in more detail in [Chapter 2](#)—the analysis of groups seemingly on the fringes of a society can reveal much about the society from which they have emerged, and about the beliefs, values, and attitudes of that society. Although the number of militia groups has declined significantly since their peak in the mid- to late 1990s, the emergence and subsequent rise to prominence of the militia movement represents a remarkable period in the history of American extremism. The example provided by the militia movement is worth paying attention to. One of the principal aims of this book is to show how key aspects of American history are available to be used and abused by such groups. It is the militia movement now, but it could just as easily be other extremist groups in the future.

Many people contributed to the writing of this book and I am enormously grateful for all the help I received along the way. During the course of my research

I was fortunate to be able to undertake a research trip to the Wilcox Collection of Contemporary Political Movements, one of the largest collections of “extremist” political literature in the United States, which is housed in the Kenneth Spenser Research Library at the University of Kansas. My thanks go to the British Association of American Studies, the Arthur Miller Centre for American Studies at the University of East Anglia, and the Gilchrist Educational Trust for the grants which made that trip possible. I would like to thank the Wilcox Collection’s founder, Laird Wilcox, for sharing some of his expertise with me, and all the staff at the Kenneth Spenser Research Library for making my visit to Lawrence such a rewarding one. I am also grateful to the staff of the Anti-Defamation League, the Coalition for Human Dignity, the Southern Poverty Law Center, and the Montana Human Rights Network, as well as to the contributors to the *Militia Watchdog*, for the information and insights they provided. I would also like to express my thanks to the many militia members who took time to answer my enquiries or who met my request for resources, especially those in the Michigan Militia, the Militia of Montana, the Missouri 51st Militia, the Virginia Citizens Militia, and the New Jersey Militia. My thanks go also to my editor at Routledge, Craig Fowlie, and to the series editors Cas Mudde and Roger Eatwell, as well as to Zoë Botterill, Nicola Carr, Adam Fairclough, Eric Homberger, Nigel James, Jeffrey Kaplan, Richard King, Alex Meloy, Simon Middleton, David Newiert, Mark Pitcavage, Mark Potok, Glenn Reynolds, Lisa Williams, John Zvesper, and the anonymous reviewers who helped in various ways to shape this book. A special debt of thanks in this regard is due to Martin Durham, and particularly to Richard Crockatt. Finally, I would like to thank my family: my parents, Terry and Ann, for many years of love and support, and, above all, Pamela, for her patient understanding, encouragement, and love.

A version of [Chapter 3](#) first appeared in the *Journal of American Studies*. Reprinted here with permission of Cambridge University Press.

D.J.Mulloy

Series editors' preface

For much of the “short twentieth century”, history was characterized by the clash of great ideologies, internal violence, and major wars. Although most catastrophic events took place outside the Western world, Europe and the U.S. were not immune from the turmoil. Two world wars and a series of lesser conflicts led to countless horrors and losses. Moreover, for long periods Western democracy—especially in its European form—seemed in danger of eclipse by a series of radical forces, most notably communist and fascist.

Yet by the turn of the 1990s, liberal democracy appeared destined to become the universal governmental norm. Dictatorial Soviet communism had collapsed, to be replaced in most successor states by multi-party electoral politics. Chinese communism remained autocratic, but in the economic sphere it was moving rapidly towards greater freedoms and marketization. The main manifestations of fascism had gone down to catastrophic defeat in war. Neo-fascist parties were damned by omnipresent images of brutality and genocide, and exerted little appeal outside a fringe of ageing nostalgics and alienated youths.

In the Western World, political violence had disappeared, or was of minimal importance in terms of system stability. Where it lingered on as a regularly murderous phenomenon, for instance in Northern Ireland or Spain, it seemed a hangover from the past—a final flicker of the embers of old nationalist passions. It was easy to conclude that such tribal atavism was doomed in an increasingly interconnected “capitalist” world, characterized by growing forms of multi-level governance that were transcending the antagonism and parochialism of old borders.

However, as we move into the new millennium there are growing signs that extremism even in the West is far from dead—that we celebrated prematurely the universal victory of democracy. Perhaps the turn of the twenty-first century was an interregnum, rather than a turning point? In Western Europe there has been the rise of “extreme right” and “populist” parties such as Jean-Marie Le Pen’s Front National, which pose a radical challenge to existing elites—even to the liberal political system. In the U.S., the 1995 Oklahoma mass-bombing has not been followed by another major extreme right attack, but there is simmering resentment towards the allegedly over-powerful state among a miscellany of discontents, who appear even more dangerous than the militias which emerged in the 1990s. More

generally across the West, new forms of green politics, often linked by a growing hostility to globalization-Americanization, are taking on more violent forms (the issue of animal rights is also growing in importance in this context).

In the former Soviet space, there are clear signs of the revival of “communist” parties (which often masquerade as “socialists” or “social democrats”), whose allegiance to democracy is (in varying degrees) debatable. In Latin America, there remain notable extremist movements on the left, though these tend not to be communist. This trend may well grow both in response to globalization-Americanization and to the (partly linked) crises of many of these countries, such as Argentina. This in turn increases the threat to democracy from the extreme right, ranging in form from paramilitary groups to agromilitary conspiracies.

The rise of Islamic fundamentalism has been an even more notable feature of recent years. This is not simply a facet of Middle Eastern politics. It has had an impact within some former Soviet republics, where the old *nomenklatura* have used the Islamic threat to maintain autocratic rule. In countries such as Indonesia and India, Muslims and other ethnic groups have literally cut each other to pieces. More Al-Qaeda bombings of the 2002 Bali type, threaten economic ruin to Islamic countries which attract many Western tourists.

It is also important to note that growing Islamic Fundamentalism has had an impact within some Western countries. The terrorist attacks on the World Trade Center and elsewhere in the U.S. on September 11th 2001 are perhaps the most graphic illustration of this impact. But in democracies generally, the rise of religious and other forms of extremism poses vital questions about the limits of freedom, multiculturalism, and tolerance. This is especially the case in countries which have experienced notable Islamic immigration and/or which face the greatest threat of further terrorist attack.

Democracy may have become a near-universal shibboleth, but its exact connotations are being increasingly challenged and debated. As long as the “evil empire” of communism existed, Western democracy could in an important sense define itself by the “Other”—by what it was not. It did not have overt dictatorial rule, censorship, the gulags, and so on. But with the collapse of its great external foe, the spotlight has turned inward (although Islam is in some ways replacing communism as the “Other”). Is (liberal-Western) democracy truly democratic? Can it defend itself against terrorism and new threats without undermining the very nature of democracy?

These general opening comments provide the rationale for the *Routledge Studies in Extremism and Democracy*. In particular, there are three issues which we seek to probe in this series:

- Conceptions of democracy and extremism
- Forms of the new extremism in both the West and the wider world
- How democracies are responding to the new extremism.

In this provocative and well-researched book, D.J.Mulloy deals with all three issues in the context of the American militia movement which leapt to prominence in the 1990s. While much has been written on this movement, most notably after the Oklahoma Bombing of 1995, this book sheds important light on a much under-researched area: namely, the way in which the militia movement (re-) defines important events in American history. Secondly, in addition to an explicit discussion of the concept of extremism, his comparison of the ways in which the mainstream (“democrats”) and the “extremists” deal with (the same) history questions the clarity of the boundaries between the two camps. Thirdly, Mulloy critically discusses the ways in which the mainstream (including academia) deals with extremists, most notably by arguing that their ideology and arguments are false or even irrational—even though they might be as legitimate as, or remarkably similar to, those of the mainstream.

Clearly, this is in the first place a book about political extremism in the United States. As such, it complements the earlier books on this topic in this series, which focused especially on terrorism (Christopher Hewitt) and right-wing extremism and terrorism (George Michael), more generally. While both touched upon the militia movement, they did not deal with it in detail. More specifically, this book provides a very welcome and important addition to the existing literature on the militia movement. Firstly, because it focuses on a new aspect of the movement, i.e. the way in which the militias deal with important periods of American history. Secondly, because it studies the militia movement not in isolation, but specifically in comparison with the mainstream. Consequently, Mulloy does not overstate the alleged “particularity” (or even “uniqueness”) of the militia movement, which is so common in much of the existing literature, but instead underlines the extent to which it could be considered very much part of the mainstream American tradition.

However, this book is not just of interest to students of American history, politics, and extremism. Those studying the contemporary extreme right in Europe, most notably the more intellectual variant (like the *Nouvelle Droite* of Alain de Benoist *et al.*), will find many challenging insights and similarities. The militia movement’s struggle for the right interpretation of American history is in many ways similar to the struggle for cultural hegemony of the European “New Right” (not to be confused with the Anglo-American “New Right”, epitomized by Milton Friedman *et al.*). So far, the so-called “Gramscism of the right” has been studied (almost) exclusively within the European context. Although Mulloy does not explicitly refer to this literature, there should be various contact-points for students of European politics to profit from the insights of Mulloy’s study.

Roger Eatwell and Cas Mudde
Bath and Antwerp

1

Introducing the militia movement

The militia movement began to appear in the United States in early 1994, following the formation of the Militia of Montana and the Michigan Militia in February and April of that year. It grew extremely rapidly. In June 1995 the Southern Poverty Law Center's (SPLC) "Militia Task Force" reported the existence of "[a]t least 224 militias and their support groups" in "39 states," and by 1996 this had increased to "441 armed militias in all 50 states."¹ It is important to stress, however, that what emerged was not a "movement" in the conventional sense. There were no national leaders directing militia affairs, for example, nor even a national organization to which all militia members belonged. To understand the militia movement we are better to see it as a diverse, decentralized, and, to a large extent, localized collection of groups and individuals with certain shared concerns.

These concerns, broadly stated, center around three key themes: first, opposition to gun control and a strong belief in the Second Amendment, including the right of the people to bear arms against the state;² second, a profound distrust of the federal government, which, it is felt, is becoming increasingly intrusive, has overstepped its constitutional boundaries, and is attacking the personal freedoms and liberties of American citizens; and, third, although this is not a belief shared by all militia members, a fear that the United States itself is under threat from an international conspiracy attempting to institute a "New World Order" or "one world government" on the country under the auspices of the United Nations. More specific concerns of militia members might include those related to environmental issues, abortion rights, jury rights, gay rights, states' rights, affirmative action, educational standards, immigration policy, religious issues, the effect of international trade agreements such as the General Agreement on Tariffs and Trade (GATT) and the North American Free Trade Agreement (NAFTA), the "militarization" of American law enforcement, or the "legality" of federal income tax.³

The diversity of the militia movement is one of its most interesting features. Militia groups range from the extremely open to the intensely secretive. Some are predominately paramilitary in nature, others little more than constitutional discussion groups. Most militia members are law-abiding citizens; a small, but significant, number are criminals and terrorists. Some militias are composed of racists and anti-Semites; others welcome blacks, Latinos, and members of other

minority groups. And while some militias are essentially survivalist and have withdrawn from the world and its vices, others have embraced the technology of the Information Age and all the profits to be made from it. Classifying the movement becomes even more complicated when “militia support groups” are included. According to the SPLC, these are groups—such as the American Freedom Network, Police Against the New World Order, or the Outpost of Freedom which “promote the formation of militias or provide information and materials to them” but are not actually “full-fledged militias,” although, of course, they may evolve into being one.⁴

Despite such difficulties some attempts have been made to separate the movement into distinct “types” or “wings.” Using the example of the two earliest and most influential militias, the Militia of Montana and the Michigan Militia, Joshua Freilich, Nelson Pichardo Almanzar, and Craig Rivera have suggested, for instance, that the movement can be divided into “offensive” and “defensive” wings. For Freilich and his colleagues, the Michigan Militia provides a good example of the defensive wing of the movement, because although it “holds extreme characterizations of the threat posed by the federal government, it is concerned with maintaining the appearance of legitimacy.” It does not “openly encourage ‘offensive’ behavior against the government,” and employs “hierarchical, military-style organizational structures” as a means of preventing such behavior. “Members of this wing,” Freilich *et al.* write, “appear to be motivated by a desire to organize as a means of civil defense against attacks on their liberties; they are less concerned about the possibility of government infiltration of their movement.” In contrast, the “offensive” wing of the movement as represented by the Militia of Montana appears “highly motivated to attack the government in both preemptive actions and retaliation,” is not greatly worried “about public perception,” but *is* much concerned with the possibility of government infiltration. Accordingly, this wing’s preferred organizational structure is said to be that of “secret underground cells consisting of no more than seven to 14 people,” a structure seemingly modeled on former Ku Klux Klan leader Louis Beam’s notion of “leaderless resistance”—Beam himself, though, does not claim credit for the idea, tracing the concept’s origin, as Jeffrey Kaplan has pointed out, to a 1962 essay by one Colonel Ulius Louis Amoss.⁵

Robert Churchill also divides the militia movement into two distinct wings: a “New World Order resistance movement” on the one hand, and a “constitutional wing” on the other. He sees the former as including the Militia of Montana, and argues that this wing of the movement shares many of the millennial, racist, and anti-Semitic themes of far-right groups such as the Aryan Nations. “This wing of the movement,” Churchill writes, “has had some success in recruiting members in the Pacific Northwest and in Southeastern Michigan, regions with a long history of racial tension.” As far as Churchill is concerned the “constitutional wing” of the movement is “best represented by large, publicly organized militias” such as the Michigan Militia, the Ohio Unorganized Militia, the Indiana Citizens Volunteer Militia, and the Missouri 51 st Militia, which are distinguished by their

“disavowal of white supremacy and their insistence on public meetings.” Timothy Seul uses different terms for his system of categorization, dividing militia members into “Patriotic Liberals” and “Patriotic Reconstructionists,” but he is in general agreement with the distinctions made by Churchill and Freilich *et al.* Thus, for Seul the Patriotic Liberal (in the Tippecanoe County branch of the Indiana Citizens Volunteer Militia or the Ohio Unorganized Militia) and the Patriotic Reconstructionist (in the Kokomo branch of the Indiana Citizens Volunteer Militia or the Militia of Montana) both see the federal government as a threat to American rights, American liberties, and the American Constitution. But the former believes that the system can be reformed from within, through education and political participation, while the latter takes the view that such reform is “impossible,” and that violence is inevitable. The Patriotic Reconstructionist, unlike the Patriotic Liberal, Seul argues, has a “clear vision about how armed resistance might take place.” He also contends that, unlike the Patriotic Liberal, the Patriotic Reconstructionist views life in the present-day United States largely “through the lenses of conspiracy theories.”⁶

Such classifications are useful as far as they go, but things are not as straightforward as the key distinction, found in each of these approaches, between less violence-prone, “aboveground,” inclusive militias and secretive, more violence-prone, “underground” groups would suggest. Considerable areas of overlap exist with respect to how ideas, attitudes, activities, and people move between the defensive/offensive, New World Order resistance/constitutional, or Patriotic Liberal/Reconstructionist wings of the militia movement (not least, as we will see, when it comes to how militia members employ America’s past to legitimate their political concerns). Therefore, while being aware of, and paying attention to, differences of emphasis and approach between—and even within—militia groups, it is still analytically useful to think of these groups as belonging to a broader “movement,” albeit one with varying degrees of ideological and organizational coherence.

So who are militia members? Surveying the existing research, Michael Kimmel and Abby Ferber identify a number of the “demographic characteristics” of the movement. Militia members, they say, tend to come from rural areas and small towns, tend to be Christians—especially “fundamentalist Christians”—are predominantly (but not exclusively) white men, from “lower-middle-class” occupational backgrounds—“small farmers, shopkeepers, craftsmen, [and] skilled workers”—and are frequently military veterans. John George and Laird Wilcox suggest that if a group of militia members were selected at random “five categories” would be represented, in the following order of frequency:

- 1 People generally conservative in outlook, although not very ideological, who are worried about what they see as a repressive government imposing all manner of strictures on them, from unfair taxes to gun control.

4 INTRODUCING THE MILITIA MOVEMENT

- 2 Would-be adventurers—generally non-ideological weekend-warrior types who like to wear camouflage and play soldier in the woods. They watch movies with western and military themes and like to hunt and fish.
- 3 Libertarian conservatives who accept some government on the local or state level, but who oppose federal regulations of almost all kinds.
- 4 Anarcho-libertarians who consider virtually all government as repressive and overbearing. They refer to themselves as “freemen” or “sovereigns.”
- 5 Hardcore extremists who harbor an obsessive conviction that the United States, indeed the world, is in the grip of an all-powerful conspiracy.⁷

Testing a number of widespread hypotheses about militia members, researchers Sean O’Brien and Donald Haider-Markel have constructed a “preliminary statistical model” to help identify the “social, political, and demographic factors that explain why some states have relatively high levels of militia activity while others have none at all.” Some of the hypotheses they tested include whether militia members possess a below-average education; whether because of the antitax perspective of many militias there is a positive relationship between a state’s property-tax burden and militia activity; whether states that elect more Democrats to their legislatures have lower levels of militia activity because militia members tended to “despise liberal Democrats”; whether states with higher numbers of military veterans (especially Gulf War veterans, because, in contrast to the Vietnam War, the Gulf War “was fought by an all-volunteer force”) produce a greater number of militia members; whether militia members are more likely to be ardent gun owners; and whether, finally, militia members evidence a “willingness or capacity to partake in violent behavior.” Finding little support for the assumption that militia members were more likely to be Vietnam veterans or have a lower standard of education, O’Brien and Haider-Markel conclude that the “most significant predictors of militia activity are the number of ardent gun owners, the number of Gulf War veterans, the willingness/capacity to engage in violent behavior as measured by the amount of stolen explosives, and the percentage of Democratic representation.” These findings were broadly confirmed in a more extensive study by Joshua Freilich, who found that militias “are strongest in states which overall, on average, have higher levels of ardent gun owners, current military personnel, military veterans and law enforcement personnel,” and that a state’s property-tax burden was “unrelated” to the level of militia activity. O’Brien, Haider-Merkel, and Freilich point out, however, that much research into these aspects of the militia movement still needs to be done.⁸

If there are difficulties involved in identifying precisely who militia members are and where they come from, there are also major problems in determining the overall size of the movement. Indeed, as Steven Chermak says, in truth “reliable data on the movement’s size do not exist.” Between 1994 and 1996 estimates of the number of militia members ranged, for example, from 7,000 to 300,000, but when militia “supporters” or “potential supporters” were included the figure rose to somewhere between 5 and 12 million.⁹ Given that, during its initial stages at

least, new groups were being formed and others disappeared almost on a daily basis, and that anyone with a fax or a modem can claim to have formed a militia, the problems for those monitoring the movement are considerable. Moreover, government agencies are not permitted to keep track of political groups unless there is evidence that they are engaging in criminal activities, and the militias themselves obviously have a vested interest in overstating their own significance. During the mid-1990s militia leaders in Texas, Michigan, and Montana claimed, for instance, to have, respectively, 100,000, 15,000, and 10,000 members.¹⁰

According to Kenneth Stern, of the American Jewish Committee, the Oklahoma City bombing impacted on militia members in four different ways. Some people were driven away from the movement, some militias changed the name of their organizations to “Committees of Correspondence” or something similar, and some people were driven further “underground.” Because of “the flood of publicity they received,” overall, though, the “militias’ membership actually grew” following the destruction of the Alfred P. Murrah Federal Building. However, if this was the immediate impact of the bombing on the militias, over a longer period the actions of Timothy McVeigh and Terry Nichols have been viewed in more detrimental terms. Although neither McVeigh nor Nichols ever belonged to a militia group, recent research by Chermak confirms that the association between the movement and the bombing remains firmly fixed in the mind of the American public because of the decision by the media to use militias as part of the explanation for it. The media “framed militias as being outsiders threatening to mainstream values,” Chermak says. They were widely portrayed to be irrational, paranoid, extremist, and terroristic. This, combined with the investigative and lobbying efforts of “watchdog” agencies, the intervention of key policymakers and law enforcement officials, and several high-profile criminal cases involving militia members, made it much more difficult for the movement to recruit new members after 1996.¹¹

The movement was also damaged when the twenty-first century arrived without the “Y2K apocalypse” many militia members had been predicting. And for some observers the execution of Timothy McVeigh on 11 June 2001 brought the movement to a symbolic “close”—the SPLC reported that the number of “anti-government Patriot groups” had fallen from a peak of 858 in 1996 to 194 in the summer 2001 issue of its *Intelligence Report*.¹² The horrific events of 11 September 2001 appear to have halted the militias’ numerical decline, however. Journalists across the U.S. have reported, in the words of one account, “a quiet upsurge” in militia activity since the terrorist attacks. Predictably, perhaps, different militia groups have responded in different ways. Some, such as the Michigan Militia Corps-Wolverines, have offered their assistance to the government to help prevent any further attacks against the “homeland.” Some, such as the Militia of Montana, have taken the opportunity to increase sales of survival gear and renew concerns about international conspiracies. And others, such as the Militia of Georgia, have been warning about the threats to civil liberties from new government anti-terrorist legislation such as the USA Patriot Act of 2001.

The impact of the attacks of 9/11 on the militia movement provides a telling illustration of the ways in which the militias are responsive to the broader political and cultural climate in which they exist. All kinds of developments on such issues as the regulation of the environment, immigration, abortion, guns, taxation, or American foreign policy in the Middle East may help to revive the movement further in the future. And if the Gulf War of 1990–1 produced many militia recruits, who is to say that the “second” Gulf War won’t have a similar effect?¹³

Where and why? The location and causes of the militia movement

Militia groups can be found throughout America but they have their strongest presence in the western United States. As noted above, they also tend to be located in rural areas and in small towns rather than large cities. Unsurprisingly, then, those values most strongly associated with “the West”—self-sufficiency, independence, and a commonsense practicality among them—find frequent expression within the movement and seem to inform the hostile attitudes of militia members to the government “back East.” As Norman Olson, founder of the Michigan Militia and one of the movement’s most prominent early figures, put it to Senator Arlen Specter (R-PA) during hearings into the militias in 1995: “There are millions, 40 to 70 million Americans out there on the other side of the Alleghenys, and there is intelligent life west of the Alleghenys, sir, and I believe that you have to talk to those people out there.”¹⁴ Indeed, for many militia members government is not only metaphorically “remote,” it is also physically remote. This remoteness also causes difficulties for local law enforcement agencies who can find themselves outnumbered and inadequately resourced when they have to deal with problems caused by the militias and related groups.¹⁵

Joel Dyer argues that the rise of the militia movement in the 1990s has to be understood within the context of the “farm crisis” which struck rural regions during the 1980s. Driven by a “destructive combination” of Federal Reserve-dictated high interest rates, “low prices for farm products due to multinational food monopolies’ control of the market,” and reduced levels of government subsidies, many farms were forced into foreclosure. From 1980 to 1990, depending “on how you define the term ‘farm,’ rural America...lost between 700,000 and 1 million small- to medium-sized family farms,” he notes. This had an enormous impact, not just on farmers and their families, but on the whole rural economy. Dyer argues that the anger and stress caused by the crisis was either turned inwards, resulting in major increases in suicide, mental illness, and alcohol abuse, or was directed outwards, either to child and spousal abuse or into “antigovernment beliefs.” Long-held “rural myths that spoke of a tranquil and stable lifestyle have been replaced by paranoid conspiracy theories,” he says.

As a result, the rural sector of the nation is being transformed, not only into a part of the global economy but also into a wildfire of rage, fueled by its

perceived losses and blown by the winds of hate-filled rhetoric. Men and women who were once the backbone of America have been pushed into the ranks of this “anti[government]” phenomenon, some finding their way into the most violent layers of the movement.¹⁶

Michael Kimmel and Abby Ferber largely agree with Dyer’s analysis, but they see the continuing farm crisis as also a “gender crisis: a crisis of masculinity.” The men who join the militia movement, they argue, are looking for a means whereby both their and the American nation’s “manhood can be restored and revived.” In contrast, Robert Churchill suggests that the constitutional wing of the militias, at least, “derives most of its strength from communities situated within the rural-suburban fringe.” Rather than a rural crisis driving the movement, he argues that those on this “rural-suburban fringe” are the last generation to experience the process of suburbanization, and that this involves “a shift in political culture that is profoundly wrenching for those living through it.” Suburbanization, he says, “brings in its wake land use regulations, a rising tax burden and the bureaucratization of local government and law enforcement.” Moreover, in the perception of those experiencing these changes “government becomes anonymous, more demanding and more intrusive.”¹⁷

Manuel Castells also suggests that it would be a mistake to confine the appeal of militias to “disaffected farmers in the Midwest and West, supported by a miscellaneous cast of small town societies, from coffeeshop owners to traditionalist pastors.” He argues that the appearance of the militias, like the rise of other new social movements such as the Zapatistas in Mexico and the *Aum Shinrikyo* “cult” in Japan, is a consequence of the “interplay between technologically-induced globalization, the power of identity (gender, religious, national, ethnic, territorial, socio-biological), and the institutions of the state.” Faced with the effects of the information technology revolution and the restructuring of global capitalism, “people all over the world” are being forced, he says, to come to terms with “a loss of control” over their lives, environment, jobs, economies, governments, countries, and, ultimately, “the fate of the Earth.” And one of the ways of coming to terms with these developments is by joining a larger social movement. The militias, Castells concludes, are part of a “political insurgency that cuts across class lines and regional differentiation,” one that “relates to the social and political evolution of American society at large.”¹⁸

Militia members have themselves made considerable use of the new technologies available to them. Indeed, a striking feature of the militia movement, one which has been instrumental in its growth, has been its use of “alternative” forms of media such as the Internet, computer bulletin boards, fax networks, and short-wave radio. Kenneth Stern argues that the instant communication offered by the Internet in particular has “more than made up” for the militias’ “lack of an organized center,” allowing them “to expand faster” than any comparative group in U.S. history. The ease and speed with which information can pass over the Internet causes considerable concern to many in mainstream America, and the

Internet's anonymity is seen as fueling the conspiracism of many militia members. As the militias see it, however, access to these technologies has simply allowed them to circumvent the "biased" mainstream media and enabled them to "convey truth to the American people." Such technologies are seen as vital tools for recruitment and funding, although, as David Neiwert and others have pointed out, attendance at gun shows, Preparedness Expos, and simple "word of mouth" are also important recruiting tools for the movement.¹⁹

Perhaps the most controversial aspect of the militia movement's emergence in the United States is its relationship with the nation's racist and anti-Semitic right. As soon as the movement appeared, civil rights "watchdog" agencies and law enforcement agencies expressed concern that members of Christian Identity-influenced groups such as the Posse Comitatus and the Aryan Nations were infiltrating the militias in order "to present a 'patriotic' face to the public and the media" and to exploit the recruiting potential of issues such as gun control. (The June 1995 issue of the SPLC's *Intelligence Report* stated that of the 224 militia and militia support groups then identified by its "Militia Task Force" 45 had "ties to neo-Nazi and other white supremacist organizations.") The militias' adherence to conspiracy theories was a further cause of anxiety. As far as the Anti-Defamation League was concerned, for example, "History has shown that... obsessive conspiracy mongering often ultimately fingers Jews or other minorities as scapegoats for the nation's ills."²⁰

These kinds of charges are greatly resented by many militia members, who seek to portray themselves as the target of a deliberate campaign of demonization, and in this respect it is important to point out that militia members generally do not regard themselves as "extremists"; rather, they are the defenders of the American Constitution and of the "original" republic established by the nation's Founding Fathers.²¹ Yet there is also a clear awareness within the movement of the need to avoid being *seen* to be white supremacist or racist. Whether this is because those in the movement genuinely do not hold such beliefs or because they simply recognize the need to conceal them can be difficult to determine. Nonetheless, as a number of researchers, including Stephen Scheinberg and Martin Durham, have pointed out, it would be a mistake to view all militia members as racist or anti-Semitic, or to define the movement as a whole in such terms. Similar problems arise with respect to the militias' embrace of the Tenth Amendment and their advocacy of "states' rights." On the one hand, these beliefs might reflect a genuine desire for the decentralization of political power and consequent localized government. On the other hand, groups like the Coalition for Human Dignity, the Anti-Defamation League, and the American Jewish Committee are suspicious, because such attitudes have historically provided a "cover for bigotry"²²

Some of these concerns arise because of the apparent similarities between the militias and paramilitary-style groups from the 1960s like William Potter Gale's California Rangers and Robert DePugh's Minutemen, or more recent groups such as the Christian Patriots Defense League, the Covenant, Sword and the Arm of the Lord, and The Order. Indeed, for some observers the militia movement was

best regarded as the extreme right of the 1970s and 1980s “repackaged” for the 1990s. John George and Laird Wilcox point out, however, that none of the paramilitary groups from the 1970s and 1980s were “as open, as up front with their ideas, or as apparently popular as the current militia movement.” This is an important point because similarity is not sameness, and we must be alert to questions of difference and specificity if the far right in the United States is not to be treated as a monolithic and homogenous entity. As Leonard Weinberg reminds us, the “outstanding organizational attribute of the American radical right is its fragmentation.” There is a huge range of groups operating on America’s current right-wing fringe, including constitutionalists, sovereign citizens, tax protesters, radical anti-abortion activists, common law advocates, Second Amendment advocates, militia members, Christian Identity believers, Klan members, and neo-Nazis. Although collectively they are often said to form the “Patriot movement,” these groups and their members are not all the same. They do not all believe the same things or act in the same way.²³

However, even without a deliberate and well-coordinated plan by racists to exploit the militias, the ideological, organizational, and personal links that exist within the world of the extreme right, and particularly within the world of the Patriot movement, place “ordinary” militia members at risk of being drawn towards the more hardcore extremist element. Ken Toole, a state senator and project director of the Montana Human Rights Network, likened this process to a “funnel moving through space”:

At the front end, it’s picking up lots and lots of people by hitting on issues that have wide appeal, like gun control and environmental restrictions, which enrage many people here in the West. Then you go a little bit further into the funnel, and it’s about ideology, about the oppressiveness of the federal government. Then further in you get the belief systems. The conspiracy The Illuminati. The Freemasons. Then it’s about the anti-Semitic conspiracy Finally at the narrowest end of the funnel, you’ve drawn in the hard core, where you get someone like Tim McVeigh popping out.

The worry for Toole and others monitoring the far right was that the “bigger the front end of the funnel is, the bigger the number that get to the core.”²⁴

America in the 1990s: the paranoid decade?

The militia movement is frequently described in terms of its paramilitarism, anti-statism, and paranoia, but it is important to acknowledge that such practices and attitudes are not the sole preserve of those on the margins of American life. They can also be found within the political and cultural mainstream. This particularly seemed to be the case in the United States during the 1990s, and in order to understand groups like the militias we need to be mindful of their relationship with more general trends and developments in American society

James William Gibson traced the development of a “New War” paramilitary culture in the U.S. from the late 1960s to the early 1990s in his book *Warrior Dreams*. He saw the “vast proliferation of warrior fantasies” in this period (evident in everything from the *Rambo* films and the popular literature of Tom Clancy to the foreign policy strategies of the Reagan and Bush Sr. administrations in Nicaragua, Grenada, and Panama) as an attempt to reaffirm America’s national identity in the wake of its defeat in Vietnam and the social, cultural, and economic upheavals of the 1960s and 1970s; that is, “to reverse the previous 20 years of American history and take back all the symbolic territory that had been lost.”²⁵ Michael Sherry broadly agreed with the Gibson thesis but he argued that the appeal of paramilitarism must also be seen in relation to the ending of the cold war. The removal of communism as a unifying “external enemy” led many Americans, he said, “to reconceive war in a fundamental fashion—as something waged within America rather than as an international struggle.” Readily finding this attitude in an American political discourse that declared “war” on drugs or crime, Sherry regarded the paramilitarism of urban gangs and right-wing “lunatic fringe” groups as just “a more striking example” of the inward shift he identified.²⁶

The United States, in the post-Vietnam, post-Watergate era, has witnessed a considerable increase in the amount of mistrust and hostility directed towards the institutions of the state. A succession of individuals, groups, and movements—including the New Left, neo-conservative intellectuals, libertarians, the New Right, and the New Christian Right—have attacked the effectiveness, the efficiency, the morality, the very legitimacy of the federal government. During the 1980s Ronald Reagan famously promised to get government “off the backs” of the American people, and his campaign was taken up again by the Republican Party in the 1990s under the congressional leadership of Newt Gingrich. Gingrich’s “Contract With America” promised, in an “era of official evasion and posturing,” to “restore the bonds of trust between the people and their elected representatives” and to bring an end to government which was “too big, too intrusive, and too easy with the public’s money” In the November 1994 elections the Republicans won control of the House of Representatives for the first time in 40 years and of the Senate for only the fourth time since the Second World War. It was a result described at the time by Senator Phil Gramm (R-TX) as “not just as an anti-Clinton vote” but “an anti-government vote.” For many observers it was hardly surprising that groups like the militias were forming in such a political climate. As David Plotke commented in the Summer 1995 issue of *Dissent*:

After the bombing of the federal building in Oklahoma City, extremist anti-statism has been discovered by the national media. It deserves attention. But the paramilitary groups [connected with the bombing] represent the fringe of a broad popular mood that has flourished in the United States over the last two and a half decades.... Before the Contract [With America] a large and sympathetic audience existed for political attacks on the federal government.²⁷

Opinion poll evidence highlights the extent to which the American people have grown distrustful of the state. According to the research of Daniel Yankelovich, for example, in 1964 76 percent of Americans answered “always” or “most of the time” to the question “How much of the time can you trust the government to do what’s right?” By 1984 the figure was 44 percent, and in 1994, just as the militias were beginning to form, the figure reached 19 percent, a “new all time low.” Unsurprisingly, over the same period there has also been a marked decline in the number of citizens who participate in the electoral process: of the 196 million Americans eligible to vote in 1996, over 100 million did not, for instance.²⁸

In addition to feelings of mistrust and apathy, Michael Kelly has argued that during this period Americans were increasingly taking a paranoid view of their political leaders and institutions. “In its extreme form, paranoia is still the province of minority movements,” he wrote in 1995,

but the ethos of minority movements—antiestablishmentarian protest, the politics of rage—has become so deeply ingrained in the larger political culture that the paranoid style has become the cohering idea of a broad coalition plurality that draws adherents from every point on the political spectrum—a coalition of fusion paranoia.... [T]he paranoid view of government and of government’s allies has become received wisdom for many millions of Americans.

Examples of “fusion paranoia” included, Kelly said, the widespread belief among African Americans that the government “intentionally spreads narcotics into black communities”; the presidential campaigns of Ross Perot in 1992 and Pat Buchanan in 1996; the best-selling success of Pat Robertson’s book *The New World Order*; and the array of conspiratorial misdeeds—murder and drug-running included among them—that were routinely laid at the door of both Bill Clinton and his predecessor, George Bush Sr.²⁹

It is also worth noting that paranoia and conspiracism were prominent themes in American popular culture in the final decade of the twentieth century. Epitomized by the success of the television series *The X-Files*, in which the militias themselves made a number of appearances (in “Tunguska,” Special Agent “Fox” Mulder is given an anonymous warning about a “rightwing militia group” which is planning “the next Oklahoma City,” and in “The Pine Bluff Variant” he undertakes a “deep cover assignment” to prevent a militia group’s use of a mysterious bioweapon), the corruption, cover-ups, and conspiratorial misdeeds of the United States government were notable features of numerous films, including *Shadow Conspiracy* (George P. Cosmatos, 1996), *Murder at 1600* (Dwight Little, 1997), *Absolute Power* (Clint Eastwood, 1996), *Conspiracy Theory* (Richard Donner, 1997), and *Enemy of the State* (Tony Scott, 1998).³⁰

Gun control and the sieges of Ruby Ridge and Waco

In the broadest terms, the emergence of the militia movement in the 1990s appears to be connected to a sense that the United States was a nation in decline: politically economically, morally, spiritually.³¹ But it is also the case that the appearance of the militias and their subsequent growth cannot be explained without reference to three very specific events: the “siege” of Randy Weaver and his family at Ruby Ridge, Idaho, in August 1992; the disastrous “assault” on the Branch Davidian sect of David Koresh at Mount Carmel in Waco, Texas, in April 1993; and the successful passage, in the same year, of a piece of gun control legislation known as the “Brady Bill.” Although these events are now a decade or more old, no account of the militia movement is complete without some consideration, however brief, of each of them.

Gun control

The Brady Handgun Violence Prevention Act was signed into law by President Clinton on 30 November 1993. Its major effect was to institute a five-day waiting period for handgun purchases. This was to enable law enforcement officials to conduct a check on the criminal record of the prospective buyer and to provide a “cooling-off” period to prevent such guns being bought in the heat of anger or passion. The Brady Bill was followed by provisions in the Violent Crime Control Act of 1994 banning the sale or use of nineteen types of semi-automatic assault weapons and it placed a ten-bullet limit on gun clips. To many observers, particularly those outside the U.S., such measures might appear relatively minor, but for militia members and other pro-gun advocates they were seen as an attack on the fundamental constitutional right of American citizens “to keep and bear arms,” and as harbingers of more restrictions to come.

Ruby Ridge

Randy Weaver was a white supremacist/separatist³² who lived with his wife, children, and a family friend, Kevin Harris, in an isolated cabin high on Ruby Ridge in the Selkirk Mountains of northern Idaho.³³ He was arrested in January 1991 for selling two illegally sawn-off shotguns to an undercover informant of the Bureau of Alcohol Tobacco and Firearms (ATF) but he failed to appear for his February trial. Instead he retreated to his cabin. He announced that he would never surrender to the authorities. On 21 August 1992 six camouflaged and heavily armed members of the U.S. Marshals Service entered Weaver’s land to continue their surveillance of the property and its inhabitants. During their reconnaissance one of the Marshals disturbed the family’s dog. Weaver’s 14-year-old son, Sam, together with Harris, went to investigate the dog’s barking. They arrived on the scene just as it was being shot. A gun battle ensued. Sam was wounded in the arm

and then fatally shot in the back, and Marshal William F. Degan was shot and killed by Harris.

The Federal Bureau of Investigation (FBI) sent in its elite Hostage Rescue Team to take command of the resulting stand-off, as hundreds of agents from the FBI, ATF, U.S. Marshals Service, the Idaho State Police, and the National Guard surrounded Weaver's cabin. Helicopters and armored personnel carriers were also brought in. The following day, as he attempted to open the door to the shack where his son's body lay, Weaver was shot and wounded by FBI "sharp-shooter" Lon Horiuchi. Weaver's wife, Vicki, who stood watching from the cabin door with her 10-month-old daughter in her arms, was then shot and killed by a bullet to the head. The 11-day "siege" came to an end when Colonel James "Bo" Gritz, a retired Special Forces Officer and a leading figure in the Patriot movement, together with Jack McLamb, persuaded Weaver to surrender.

Harris and Weaver stood trial in April 1993 for the murder of Marshal Degan and other charges including conspiracy to subvert the United States government. The jury acquitted Harris on all counts and Weaver was convicted only on two minor charges of failing to appear for his original trial and for committing an offense while on release from a federal magistrate. The jury found Weaver had been entrapped by the ATF on the original shotgun charge. Also, during the trial the judge accused the FBI of having shown "a callous disregard for the rights of the defendants and the interests of justice," and subsequent investigations revealed that it had altered its own rules of engagement during the stand-off to allow agents to "shoot to kill" any armed adult who was outside of the cabin, irrespective of whether any federal agents' lives were in danger. In August 1995, Weaver's family received \$3.1 million in settlement of a civil damages claim they had brought against the federal government. Kevin Harris was awarded \$380,000 in a separate settlement. Lon Horiuchi was subsequently tried and acquitted of the murder of Vicki Weaver.

There are some direct connections between the events at Ruby Ridge and the formation of the militia movement. For example, before John Trochmann created the Militia of Montana he was the co-chairman of the United Citizens for Justice (UCJ), a Weaver support group which had been formed during the siege, and he used a UCJ mailing list to promote the establishment of his new organization.³⁴ Much has also been made of a meeting, known as Rocky Mountain Rendezvous, which took place in Estes Park, Colorado, two months after the end of the siege. Called by Pete Peters, a Christian Identity minister, in protest at the government's handling of events, the meeting was attended by over 150 far-right activists. Its significance is twofold: first, during the three-day meeting Larry Pratt of Gun Owners of America is said to have advocated the formation of "unorganized militias"; second, the meeting endorsed the concept of "leaderless resistance," an organizational strategy as we've seen, that would subsequently become a notable feature of some militia groups.³⁵

Important as these connections are, however, the symbolic significance of what happened to Randy Weaver and his family is of greater importance. Ruby Ridge

was seen to provide a clear example of oppressive government agencies at work. Not only did the government appear to have employed excessive force, but it seemed to be persecuting Weaver for his unorthodox religious and political beliefs as a white supremacist/separatist and as a Christian Identity adherent. The huge, high-tech, military-style operation mounted against Weaver, which had included round-the-clock movement-activated video-camera surveillance and photo-reconnaissance “flyovers” by F4 Air Force jets, seemed out of all proportion to the relatively minor charges Weaver faced.³⁶ It has also been alleged that the whole operation was a vendetta on the part of the ATF following Weaver’s refusal to act as an informer against the Aryan Nations based at nearby Hayden Lake. Weaver was thus portrayed as a man who just wanted to be left alone, who had moved to Idaho to “home school” his children without interference from the state, but whom the government was determined to persecute.

The events at Waco, Texas, in the spring of 1993 seemed to confirm all the fears and concerns associated with what happened at Ruby Ridge. They did so on a much greater scale, with even more tragic consequences.

Waco

On 28 February 1993 the ATF attempted to serve a search and arrest warrant on David Koresh, the leader of a religious sect called the Branch Davidians which was based at Mount Carmel, near Waco.³⁷ The sect, an offshoot of the Seventh Day Adventist Church, had first moved to Mount Carmel in 1935, and about 130 Davidians lived on the site in 1993. The ATF suspected that Koresh and his followers were involved in the manufacture and sale of illegal weapons and explosives. There were also concerns that children were being abused at the site and that it contained a drug-making laboratory. The secrecy of the planned operation had not been maintained, however, and when the ATF agents entered Mount Carmel, accompanied by three Texas National Guard helicopters, a gun battle erupted. It is disputed whether the Davidians or the federal agents fired first, but four ATF agents were killed and 20 more were wounded during the shooting. Five Davidians were also killed—two by the ATF and three by fellow Davidians—and five others were wounded.

Following the failure of the initial raid the FBI was called in to take control of events, under the direction—as at Ruby Ridge—of its Hostage Rescue Team. A stand-off lasting 51 days ensued, as over 700 officers from various government and law enforcement agencies surrounded the Davidians’ property. During this time unsuccessful negotiations to persuade the Branch Davidians to surrender peacefully took place. The “siege” was brought to an end on 19 April 1993, when armored tanks modified for demolition duty with battering rams began punching holes in the walls of the Davidian complex to inject CS gas, in the hope of “flushing” the Davidians out. Over 300 canisters of tear gas were pumped into the complex for over four hours. Finally, a fire broke out in which at least 74 men, women, and children were killed. The whole operation was broadcast live on

American television. In the immediate aftermath of the fire there was much speculation as to whether it had been caused by the CS gas or whether it had been started deliberately by the Davidians themselves, perhaps as part of a suicide pact. More conspiratorial explanations also abounded, but a report by Special Counsel John C. Danforth (discussed further on p. 16) concluded that it was the Davidians who burnt down the Mount Carmel complex.

In addition to Danforth's report, there were several other investigations and inquiries into the events at Waco, including a fire investigation, Congressional hearings in 1993 and 1995, a 1993 Department of Treasury report about the ATF's role in the affair, and a 1999 General Accounting Office report on the use of armed forces. In 1994 11 survivors from the fire stood trial in San Antonio for conspiracy to murder federal agents and other lesser offenses. Five were convicted of voluntary manslaughter, two were convicted of weapons charges (one for possession of a hand grenade and the other for the unregistered possession of a machine gun), and four were acquitted of all charges.

The government did not come out of the Waco affair well. As at Ruby Ridge, the sheer scale of the operation raised questions as to the nature of the policing tactics employed; and the original justifications for the raid proved to be largely spurious and have not withstood critical examination. There was no drug-making laboratory at the site. The allegations of child abuse, which reportedly swayed Attorney General Janet Reno to authorize the use of tear gas, could not be supported. And far from "stockpiling" weapons for a confrontation with the government, Koresh appeared to be trading them as part of a legitimate business. Although it is strongly denied by the ATF, the real motivation for the initial high-profile raid seems to have been congressional budget hearings scheduled for 10 March 1993. The Agency had been under threat since the Reagan administration had threatened to disband it during the 1980s, and it is suggested that it needed a high-profile "success" to improve its chances in the hearings.³⁸

For "many adherents of the radical right wing" in the United States, as Jeffrey Kaplan points out, however, "the Waco raid offered proof that the U.S. government had declared open season on its citizens." Indeed, both the Militia of Montana and the Michigan Militia claimed that the "attack" on the Branch Davidians served as a "wake-up call" for them. Linda Thompson, an Indianapolis lawyer and mother of three, described by Kaplan as "in a sense the mother of the militia movement," was particularly influential in spreading a conspiratorial interpretation of events. Her videos *Waco: The Big Lie* and *Waco II: The Big Lie Continues* contended, among other things, for example, that the FBI had deliberately started the fire which destroyed Mount Carmel; that federal agents had killed children during the siege; that "black helicopters" had fired on the Davidians; and that the federal government had conspired to lie and cover up what had really taken place. Timothy McVeigh, who visited Waco during the 51-day stand-off, where he sold "anti-government" pamphlets and bumper stickers, was one of the people influenced by this assessment of the situation. According to his biographers, watching *Waco: The Big Lie* helped to convince McVeigh that the "government's sole intention"

had been to “destroy the Davidians.” And of course the bombing of the Murrah Federal Building in Oklahoma City took place on the second anniversary of the ending of the Waco siege.³⁹

In general, though, militia members found—and continue to find—the events at Ruby Ridge and Waco significant, not because they are committed supporters of the Branch Davidians or Christian Identity adherents. For them, the significance is that, in both cases, these groups appeared to have been targeted because of their minority views. If the government was prepared to violate the rights of these groups, the militias’ reasoning went, what of those of other “minorities”? Where would it all end? Who would be next? Michigan Militia member Bob Clarke’s feelings are typical in this respect:

First the feds put that Reverend Moon character in jail for tax evasion, I thought that was a great idea. Then they went after that guy from India with all those limousines in Oregon, which was OK with me too. But I started getting worried when I learned about what happened to Randy Weaver. When the FBI killed all those people in Waco, I asked myself who they were going to come for next, the Baptists?

What’s more, in both cases issues of gun rights and gun ownership were absolutely central. Taken with the passage of the Brady Bill, it seemed to many militia members that there was indeed much to be concerned about. Simply put, as Kenneth Stern says, “Waco galvanized the militia movement.”⁴⁰

The whole Waco saga became news again in August 1999, when, after six years of denials by government and law enforcement officials, the founder of the FBI’s Hostage Rescue Team, Danny O.Coulson, admitted that the FBI *had* used pyrotechnic devices during the 19 April raid on Mount Carmel. The then Attorney General Janet Reno appointed former U.S. Senator John C. Danforth as Special Counsel to investigate. Danforth’s final report, published in November 2000, concluded that government agents did not start or spread the fire at Waco; did not direct gunfire at the Branch Davidian complex; did not improperly use the armed forces of the United States; and did not engage in a massive conspiracy and cover-up. The report laid responsibility for the tragedy squarely at the door of the Branch Davidians and their leader, David Koresh. Danforth criticized the FBI and Department of Justice officials who had failed to disclose the use of pyrotechnic tear gas rounds until August 1999, but overall he noted that “what is remarkable is the overwhelming evidence exonerating the government from the charges made against it, and the lack of any real evidence to support the charges of bad acts.”⁴¹

2

Approaching extremism

Theoretical perspectives on the far right in American history

Much of our understanding of the nature of “right-wing extremism” in the contemporary United States has its roots in the 1950s, in the attempt to account for the apparent “lapse” in the American political system represented by the rise of McCarthyism. Faced with the events of a “turbulent mid-century America” a number of scholars proposed a “new framework” to explain the rise of such discontent in a prosperous society. Collected together in *The New American Right* in 1955, they included the work of Daniel Bell, Talcott Parsons, Peter Viereck, and Herbert Hyman, but the driving forces behind this new framework were Richard Hofstadter’s essay “The Pseudo-Conservative Revolt” and Seymour Martin Lipset’s “The Sources of the Radical Right,” both of which employed concepts of status anxiety and status politics. In 1963 a revised edition of the book, under the new title *The Radical Right*, was published. The authors of the original essays were given the opportunity to reassess their theses in response to the emergence of a new right-wing group, the John Birch Society. In most respects the original framework was deemed sturdy enough to remain in place. What we might call an “orthodox approach” to the study of right-wing extremism in the United States was beginning to emerge. It was completed in 1964 with the publication of another Hofstadter essay, “The Paranoid Style in American Politics.”¹

There are two main strands to this orthodox approach. The first is concerned with causality. It aims to identify and explain the causes of political extremism, either on an individual basis (i.e. why is it that certain individuals join extremist groups?) or on a social basis (i.e. what are the underlying causes of such groups?). The most comprehensive account of this first strand is to be found in Seymour Martin Lipset and Earl Raab’s *The Politics of Unreason*, an examination of American extremism from the 1790s to the late 1960s.² The second strand is predominantly concerned with the identification of the principal characteristics of extremists, and is best represented by Hofstadter’s hugely influential “Paranoid Style” essay

The major impact the orthodox school has had on the understanding of right-wing extremism in the United States was clear during the 1980s when the “new framework” was readily put to work in relation to the New Right and the New Christian Right. The “paranoid style” was quickly identified within the various groups comprising these movements, and survey and opinion poll evidence was

brought forward to defend or challenge the existing causal explanations. It was a pattern repeated with the emergence of the religious, racial, and political right broadly known as the Patriot movement, with the result that by the 1990s what had begun as a thesis book, intended to supplement the study of electoral structure and interest-group politics, had, in some quarters, ossified into a standard and all-encompassing account of right-wing extremism in American life.³ How is extremism defined within the orthodox school of analysis? How has the concept of political extremism been applied? And what are the strengths and weaknesses of the orthodox approach? Before examining the militia movement, these questions need to be addressed.

Defining extremism

Extremism, according to Lipset and Raab,

basically describes that impulse which is inimical to a pluralism of interests and groups, inimical to a system of many nonsubmissive centers of power and areas of privacy. Extremism is antipluralism or...monism. And the operational heart of extremism is the repression of difference and dissent, the closing down of the market place of ideas.

This is a clear statement of the pluralistic emphasis underpinning the orthodox school of analysis. Similar definitions can be found in the work of all its members, and indeed beyond. Hofstadter, for example, although less explicit, was nonetheless clear on those he regarded as extremists: those, he said, who were “not susceptible to the normal political process of bargain and compromise.” A number of objections can be raised to this model: that it provides an inaccurate reflection of the actual operation of the political process; that its apparent normality—what Lipset and Raab regard as the “fixed spiritual center of the democratic political process”—is itself an ideological construction; and that it underestimates the role non-rationalistic or symbolic concerns play in political life. This, however, is not the place to mount a full-blown assault on the pluralistic model of U.S. politics. Suffice it to say, it is important to recognize the values embedded in the definition of extremism as “deviation from the political norm” such a model produces. Unfortunately, though, such recognition has not always been evident. This has tended to disguise the functional value to the political mainstream of such categorization in the first place. It has also prevented a thoroughgoing analysis of all aspects of political extremism.⁴

It follows from this pluralist starting point, for example, that it is the “ideological” nature of extremism which is most dangerous, and which must be resisted most fiercely—the “tendency to convert issues into ideologies,” as Daniel Bell, the high priest of non-ideological politics, described it. Indeed, these two concepts—extremism and ideology—are inextricably linked in the orthodox approach. “All extremists,” Edward Shils wrote, “are inevitably ideological.”⁵ The

problem was that this seemed to run counter to the values and design of the American political system. “The genius of American society,” argued Lipset and Raab, “is that it has legitimized ambiguity. The American ideology embraces contradictory values; the Constitution is a hot house of ambivalence; the political parties are amalgams of inconsistency.” The objection to extremists was, in part, then, a consequence of their attempt to impose “perfectionism” on the polity, their “rejection of politics in the name of some nonpolitical ‘truth.’” For Hofstadter, for instance, Barry Goldwater’s greatest political sin, the mark of his extremism, was his failure “to transform himself from a right-wing ideologue to a major-party leader in the American tradition.”⁶ Yet, as will be discussed below, objections to the “ideological” nature of extremism can serve to mask the complicity of “mainstream Americanism” in the formation and sustenance of extremists’ own world views.

For Lipset and Raab, “extremism means going beyond the limits of the normative procedures which define the democratic political process.” In these commonly employed terms, it is therefore the manner of their politics, rather than the content of their programs or their beliefs *per se*, that distinguishes extremist political actors from their mainstream counterparts. One area in particular where extremists are regarded as “going beyond the limits” is in their apparent willingness to engage in violence as a means of achieving their aims. “[T]he use of violence...is implicit and explicit in monistic political movements,” wrote Lipset and Raab—although, once again, the statement could just as easily have come from any of the other members of the orthodox school. Indeed, a propensity for violence is regarded as one of the “salient features,” not just of the American far right, but of right-wing extremists in general. As Michi Ebata, in a recent study of the problems caused by right-wing extremism in both established and emerging democracies, expressed it: “In contrast to mainstream norms and standards, violence is not unthinkable but is a ‘legitimate’ option and necessary strategy for the extreme right.”⁷

Tore Bjørge points out that it is a mistake, though, to assume that all right-wing extremists are violent. Bjørge agrees that an acceptance of violence as “a legitimate way of acting” can be one of the basic elements of a right-wing extremist orientation, but he argues that “violence and terrorism [*do*] *not follow automatically* from holding a right-wing extremist world view.” “Although many right-wing groups propagate violence and hate, what can account for the often noticeable gap between their extremely violent rhetoric and their actual behaviour in terms of violent acts?” he asks, seeing no simple correlation between word and deed in this respect. On the contrary, following the work of Ehud Sprinzak, Bjørge suggests that for violence to occur an extremist group “will normally have to go through a radicalization process whereby the enemies [they identify] are progressively delegitimized and demonized, and the threat [they feel] becomes perceived as acute.” The relationship between “ideology/rhetoric and actual violence” is a more complex one than we might first assume.⁸

We can also suggest that the distinction between the “style” and “content” of extremists’ beliefs is not an easy one either to make or to maintain. Consider two of the identifiable characteristics of the militia movement: A belief in the right to bear arms as part of a commitment to republicanism can lead to the stylistic decision to wear military-style uniforms and parade with weapons. For Norman Olson, former leader of the Michigan Militia, this was justified because “the uniform and the guns are a subconscious reminder to tyrants that we’ll not let them control us and destroy us. We will draw a line in the sand and we will stand.” Similarly, militia members’ identification with the American West might appear at first glance to be a stylistic expression, but it also has considerable “content” associated with it, including ideas of individualism, limited government, and a whole ideology of justified violence.⁹ Moreover, if extremists are believed to have a certain “style”—whether paranoid or not—and the identification of those stylistic elements provides a definition of extremism, what happens if that style is practiced equally by the mainstream? Or if extremists employ values and ideas associated with the political mainstream? Where does that leave the definition, analysis, and understanding of extremism? What is it that really distinguishes the two?

The clear demarcation between “mainstream America” and “extremist America” is very difficult, on several levels, to maintain. As James Aho points out in *The Politics of Righteousness*, his study of Idaho Christian patriotism, extremists are not categorizable simply by their resort to so-called extremist methods. Patriots, he says, “are preeminently political animals and they do not seem reluctant to employ any vehicle of influence that promises an end to America’s problems. This includes canvassing for candidates and holding political office themselves.” A similar point can be made in respect of the generally accepted classification of McCarthy and Goldwater as extremists. Both, it is worth remembering, were operating within mainstream institutions—Congress and the Republican Party. Certainly their appeal and influence could not be said to be confined to the fringes of American society and this suggests a greater compatibility between the extreme and the mainstream than is usually admitted.¹⁰ The argument here is more than that it is those with whom we disagree that are usually labeled “extremist.”¹¹ It is that the defining of extremists in this way actively prevents an examination of the shared characteristics of those doing the defining and those so defined.

Some other difficulties in defining right-wing extremism are worth considering. Michi Ebata notes, for example, that the term is used to describe

a wide range of phenomena from skinhead youths to football hooligans, neo-Nazis, white supremacists, militia groups, extremist fringe political parties, and more successful radical parties.... It can refer to an ideology, a form of observable behavior, various kinds of political activities, or personal attitudes and dispositions.

“As with any ‘ism,’ right-wing extremism is a broad concept that is not static or precise,” she writes. Ebata considers this to be acceptable provided it is actually acknowledged, since to suggest otherwise “would imply a coherence and simplicity that is not reflected in reality.” As a means of dealing with these kinds of problems, Roger Eatwell has proposed a fivefold classification of right-wing groups based on how they respond to developments on the political left and to wider changes at work in society. This produces a “reactionary right,” a “moderate right,” a “radical right,” a “new right,” and an “extreme right.” However, even this classification is not without its limitations. The position of American nativist groups is “contentious,” Ebata argues, for example, because although they evidence some attributes of the reactionary right they do not necessarily display “enough of them to qualify under this category.” “Many leading white supremacists in the United States were also onetime Birchers,” she points out, before asking, significantly “Where would militia groups now be placed?” Perhaps the best approach is that taken by Tore Bjørgo. He acknowledges that the notion of the “extreme right” is “problematic and somewhat elusive,” and that many researchers in the field are uncomfortable with it. But he suggests its continued use “both for the lack of a better alternative, and because it is sometimes useful to have a shorthand label which lumps together a relatively wide range of phenomena in order to focus on both their similarities and difference.”¹²

John George and Laird Wilcox identified three ways of defining extremism in their encyclopedic work *American Extremists*. The first is by means of a statistical measure. This, they explain, involves the framing of a “spectrum on a linear scale, as in a Gallup poll,” with the result that “beyond a certain point on each end of the spectrum lie the ‘extremists’;...the 2 percent, say on the far ‘left’ and far ‘right.’” They object to this, however, because they “don’t think the unpopularity of a particular belief is sufficient to prove its ‘extreme’ nature.” This is also why they resist the second definition, “a social definition agreed upon by collective fiat i.e., what is ‘extreme’ is what the masses collectively decide is ‘extreme.’” Such a “popularity contest” measure, they argue, “places excessive power in social and political elites, particularly in the opinion-molding sector.” What George and Wilcox prefer is “a behavioral model of ‘extremism’” which defines extremism “in terms of certain behaviors, particularly toward other human beings.” This third approach, they argue, best preserves the “integrity of individuals and the values of an open and democratic system,” helps “define our social responsibilities,” and protects “against the dangers inherent in the other models” they outline.¹³ Yet, as will be seen below, what is understood by this “behavioral model” is really only stylistic criteria in other garb, and George and Wilcox are forced to return to positing an extremist position against a mainstream alternative. Despite the problems associated with defining extremism from the mainstream perspective, this, it seems, is the only workable approach. The important thing is to acknowledge the significant implications this has for our understanding of extremist groups. Before considering these implications further, however, we need

to examine some of the issues related to the causes and style of political extremism in greater detail.

Status politics and status anxiety: questions of causation

In “The Pseudo-Conservative Revolt,” Richard Hofstadter attempted to explain the pseudo-conservative’s “serious and restless dissatisfaction with American life” utilizing the “socio-psychological” concept of status politics. Distinguishing it from interest politics’ concerns with material aims and needs, Hofstadter defined the term as “the clash of various projective rationalizations arising from status aspirations and other *personal* motives.” Seymour Martin Lipset, making a distinction between class and status politics, meanwhile, regarded it practiced by political movements of “individuals or groups who desire to maintain or improve their *social* status.” Hence, from the outset, Bell’s “new framework” was beset by problems of interpretative difference among its primary advocates. This was compounded when Hofstadter later suggested that “*cultural* politics” or “*projective* politics” might, in fact, be a better term for the process he was describing.¹⁴

First, “status politics” was used to denote the individual pathology of its adherents. “Pseudo-conservatism,” declared Hofstadter, was “a disorder in relation to authority, characterized by an inability to find other modes for human relationships than those of more or less complete domination or submission.” Second, the term was used more conventionally to describe people’s response to social strains—what Talcott Parsons, with respect to McCarthyism, saw as the “major structural changes” of the 1950s: America’s changing international position exemplified by the “loss” of China and the Korean War, and the new demands of “the industrial society par excellence.” “It is a generalization well established in social science,” he wrote, “that neither individuals nor societies can undergo major structural changes without the likelihood of producing a considerable element of ‘irrational’ behavior.” Indeed, Hofstadter himself had argued that the “new” pseudo-conservatism was simply “the old ultra-conservatism and the old isolationism heightened by the extraordinary pressures of the contemporary world.” The third use of status politics was in a cultural sense: as an expression of collective anxieties about the state of the world; what Daniel Bell called reactions to a “crisis in national style.” “It is the common concern with the protection of ‘traditional’ American values that characterizes ‘status politics,’” Lipset argued, seeing such concerns as being particularly prominent in times of prosperity when material aims were largely satisfied, a point Hofstadter was also in agreement with.¹⁵

In the *Politics of Unreason* Lipset, in collaboration with Earl Raab, went on to attempt a comprehensive causal explanation of right-wing extremism in American life. Employing historical analysis and contemporary survey evidence, they examined various extremists, including the anti-Masonic movement, the American Protective Association, the Ku Klux Klan, the Coughlin movement,

McCarthyism, the John Birch Society, and George Wallace. Such rightist movements, they argued, “have risen primarily in reaction against the displacement of power and status accompanying change,” representing the politics of “despair” and “backlash.” Lipset and Raab’s work demonstrates many of the strengths and weaknesses of the orthodox causal approach. Containing many insights, in the end it suffers from the attempt to explain too much.¹⁶

Claiming that the growth of the Ku Klux Klan during the 1920s represented a “classic chapter in the history of backlash movements...because the standard elements of such movements were so starkly revealed,” Lipset and Raab initially posited a three-stage explanation of extremism. In the first stage certain groups were said to suffer from “social strains” caused by the “deprivation or threatened deprivation of once-held power and/or status.” In the second stage a process of “ideological projection” occurs by which these groups try to explain “what is happening in a way that is satisfactory” to them. For Lipset and Raab, this is a process of “status substitution,” where the “cultural trappings of a group stand in for the group and become invested with special significance.” The third stage involves “backlash targetry,” whereby the extremists identify the people or groups from whom their ideological or cultural projections need to be protected or preserved. It is during this stage, in other words, that the corporealization of the extremists’ complaints takes place. In order to be a successful scapegoat, however, the chosen people or group must have an appeal to both the mass and elite elements of the extremists. This is because the key to the creation of a mass movement—which, for Lipset and Raab, should be the ultimate aim of any political group—is a “*mariage de convenance* between a displaced elite and an unstable mass.”¹⁷ European immigrants served this purpose for the Klan: they represented radicalism or socialism to business elites, and Catholicism to rural Protestants.

The elasticity of the concept of status politics was its main weakness. Not only could it be triggered by both real or threatened deprivation, it also seemed that it could be either power or status based. Moreover, different groups could be experiencing this deprivation at the same time. In the case of the Klan, it was said to be both a business elite concerned with the loss of actual *economic* power and a rural Protestant population concerned about declining *social* and *religious* dominance. Further, as Lipset and Raab’s analysis went on, it seemed that the concept of status deprivation explained not only prosperity-based displacement (as it had originally been employed to do) but also depression-based displacement. “There are groups,” they wrote, “which feel that they have never gained their proper share of power and status. And there are groups which feel that they are losing their power and status. There are, among the deprived, the ‘never-hads’ and the ‘once-hads.’”¹⁸

The variable and contingent explanation offered by the status-theory approach is also evident in Lipset and Raab’s discussion of the “politicalization” of extremists.

The three potential elements in a model of right-wing extremism—low democratic restraint, Quondam Complex, and economic conservatism—fuse together in *some* form and in *some* combination [they wrote] when the various populations subject to these elements are politicalized and mobilized under a unifying banner of preservatism. But it is a banner of status perservatism, not of economic preservatism, which must be flown if the mass low-income population is to be included. The social strain for such a population is *some* sense of status loss, felt as a corporate *or* anomic loss *or* absence of power, prestige, *or* way of life.

Status displacement, then, was taken to activate certain characteristics shared by certain susceptible members of society—an “available population,” primarily the lower-educated, lower-income, and lower-occupational strata. Indeed, according to Lipset and Raab this group has a low democratic commitment. That is, their commitment to the democratic and pluralist system is essentially “affective” in nature (“a loyalty to institutions, groups and systems”) rather than “cognitive as well as affective” (“an internalised conceptual commitment” as part of an integrated and rational system of belief), which the educated elite tend to evidence. One of the consequences of this is that in times of stress or status anxiety this former group will more readily abandon its fecklessly held democratic beliefs.¹⁹

The same stratum of society is also said to manifest the Quondam Complex, a term, Lipset and Raab suggested, which “simply describes the condition of those who have more of a stake in the past than in the present.” Those with the Complex, they argued, had a “preponderance of symbolic investment in the past, related to some past group identity which has declined in symbolic significance,” and this became operative under the threat of status displacement in the present. While we may be happy to agree with Lipset and Raab on the importance of symbolic politics and the role of the past in forming current identities, the wide and undifferentiated applicability of the Quondam Complex makes its explanatory potential very limited. According to them, for example, a group’s attachment to the past might be based on “an age group, an economic group, a regional group, an ethnic or religious group, [or] an identifiable style-of-life group,” but it could also be an individual psychological condition created by the “*absence* of attachment to any group.”²⁰

At the simplest level does not the mainstream also have a stake in the past and make constant appeals to it? And is not the extremists’ investment in the past—as with the mainstream’s—a consequence of their desire to improve the present? Within the orthodox school itself, America’s past was frequently invoked to justify the positions its members had taken. To support their definition of extremism as “antipluralism or monism,” for example, Lipset and Raab cite Thomas Jefferson, while both Bell and Bunzel invoked James Madison’s warnings on the dangers of “majority faction” in defense of their pluralistic interpretation of American politics.²¹

In his study of Idaho Christian patriotism, sociologist James Aho takes issue with both the individual and social causal explanations of Lipset and Raab. Based on what he calls semi-participant observation and survey data, Aho argues that the way extremists join groups is no different from the way people join any other political group. Stressing the importance of personal recruitment and existing social networks, he suggests potential recruits have to “weigh two considerations: the value to themselves of the collective goods advertised by the groups in question; and the value of selective private goods that might accrue from affiliation with those groups.” The former might include the “defense of constitutional liberties or traditional WASP [white Anglo-Saxon Protestant] privileges from ‘unAmericans,’ ‘perverts,’ and aliens,” while the latter might include “the pleasures of socializing with others who share one’s views” or “more worldly things like sexual gratification and money.” As for a wider causal explanation, Aho prefers a model of projective politics (in this case based on fundamentalist theology) in combination with a generational cycle.²² Several scholars, including Steve Bruce, Sara Diamond, Chip Berlet, Matthew N. Lyons, and Lane Crothers, have applied recent developments in social movement theory to right-wing groups (the militia movement among them). Drawing particularly on resource mobilization theory’s rejection of the collective behavior school’s understanding of social movements as driven by emotionality and irrationality, these scholars have sought to examine right-wing groups in more conventional political terms; to see them as “normal” political actors seeking to promote their interests by the rational mobilization of the various resources available to them: leadership skills, financial backing, manpower, technology, media interest, popular and elite support, and the prevailing political-economic context.²³

Surveying the existent socio-psychological approaches to extremism, George and Wilcox also express concern at what they see as the tendency towards psychological or sociological reductionism contained within them. Such approaches, they argue, can lead to the “dehumanizing” of extremists. Cautioning against the dangers of subjective analysis, they conclude that the “whole language of psychologizing about extremists...needs thoughtful reworking.” However, despite their commendable desire not to dismiss extremists in this manner, George and Wilcox’s own summary of “the most common motives” people have for becoming political extremists hardly seems to take this aspect of the causal approach much further. As they see it, for example, people join extremist groups for some of the following reasons: “To experience a sense of ‘moral superiority’ To exercise power over others.... To lose oneself in a movement.... Propaganda addiction.... Envy. Jealousy.... As a substitute for one-to-one relationships.”²⁴

It is important to recognize the tendency of this kind of research to marginalize the extremists under consideration. This is one of the principal consequences of the “population at risk” approach, as George and Wilcox call it. Under the terms of such analysis “extremists” are often reduced to being mere representatives of a certain psychological or cultural “type.” They are people who react “differently” to social stress or “lack” something such as democratic commitment. They have

a “defect” in relation to authority or “problems” with their Americanness. They become members of a “lower” occupational, educational, or socio-economic group, or are part of a “common substratum.” The problem is not that these explanations, either separately or *in toto*, are completely inaccurate. It is that, to a large extent, they do not take account of the extent to which the same might be said of members of the political mainstream. Nor do they consider the more complicated relationship which might exist between extremists and mainstream culture. In part, this is a consequence of the tendency of these explanatory frameworks to focus on extremists only in relation to other extremists—to trace “the connections and similarities (as well as major differences) among right-wing extremist tendencies in American history,” as Lipset and Raab described the purpose of their research.²⁵

Style: the characteristics of extremists

Richard Hofstadter had already made an attempt at classifying the style of the extreme right in his 1955 essay on “pseudo-conservatism.” The principal characteristics of what were to become “the paranoid style” he found embodied in McCarthyism: “angry conspiratorial accusations and extreme demands...a tendency towards paranoia...dense and massive irrationality.”²⁶ It was, however, “The Paranoid Style in American Politics” which most clearly articulated the chief characteristics of those on the extreme right. Indeed, the impact of Hofstadter’s classification was such that it became a template that could be laid over subsequent groups in order to test whether they matched the criteria he laid down.

From fear of the Illuminati in the late eighteenth century, to the anti-Catholic and anti-Masonic movements of the nineteenth century, and on into the twentieth-century extreme right of McCarthyism and the John Birch Society, the chief components of the style were clear: conspiratorial, Manichean, absolutist—if not apocalyptic—and paranoid. “The distinguishing thing about the paranoid style,” Hofstadter wrote,

is not that its exponents see conspiracies or plots here and there in history, but that they regard a “vast” or “gigantic” conspiracy as *the motive force* in historical events. History *is* a conspiracy, set in motion by demonic sources of almost transcendent power, and what is felt to be needed to defeat it is not the usual methods of political give-and-take, but an all-out crusade. The paranoid spokesman sees the fate of this conspiracy in apocalyptic terms—he traffics in the birth and death of whole worlds, whole political orders, whole systems of human values. He is always manning the barricades of civilization. He constantly lives at a turning point: it is now or never in organizing resistance to conspiracy. Time is forever just running out.²⁷

Extremists, then, were those who engaged in this style while mainstream political actors practiced the politics of bargain and compromise, coalition- and consensus-building, embracing the pluralistic model.

For Hofstadter, such characteristics were always present in a significant minority of the population. It required his theory of status politics to explain how they became activated. He wrote: “the paranoid disposition is mobilized into action chiefly by social conflicts that involve ultimate schemes of values and that bring fundamental fears and hatreds, rather than negotiable actions, into political action.” This “reservoir” of extremist values, together with frequent waves of status deprivation, explained the apparently “ineradicable” nature of political extremism in the United States noticed by so many commentators.²⁸

The same emphasis on absolutism and conspiratorialism could also be found in John Bunzel’s examination of the John Birch Society in *Anti-Politics in America*. Writing in clear defense of the pluralist position, Bunzel objected to the reductionism, absolutism, and conspiratorialism of these “extremists,” finding ample evidence in Robert Welch’s *Blue Book* to support him. Similarly, Alan Westin, examining the ideology and tactics of the Birchers in *The Radical Right*, focused almost exclusively upon their conspiratorial and absolutist aspects. And Lipset and Raab began their historical overview by describing “the typical stylistic themes ribbing the ideology of extremism.” These were identified as historical simplism (conspiratorialism), remedial simplism (absolutism), and historical moralism (Manicheism).²⁹ The style of the extreme right had apparently been settled.

Once the characteristics of extremism are identified, a self-defining and self-confirming tendency seems to take over; the very things that differentiate extremists from the pluralistic starting position are highlighted again and again. After all, once you know what you’re looking for it’s easier to categorize subsequent groups, and with this template firmly in place the paranoid style has been regularly applied to whatever far-right groups have subsequently emerged in the United States, often with little regard for the specific circumstances of their emergence or the specific nature of their aims and ideas. As noted at the outset of the chapter, many observers considered that the New Right and the New Christian Right could be understood by reference to the paranoid style (despite the fact that both were composed of various groups with differing interests and aims), and the disparate elements of the Patriot movement have been categorized by the same analytical token. It is an approach which has been particularly evident in respect of the militia movement, with academics, journalists, “watchdog” agencies, and others readily finding the paranoid style to be at work.³⁰ Indeed, the extensive and widespread application of Hofstadter’s thesis suggests that it has emerged from the Academy to become a stable, if often unexamined, part of American political and cultural discourse. Kenneth Stern speaks for many, it seems, when he argues: “The political historian Richard Hofstadter, writing in 1965, *explained* the basic ideological premises that empower America’s private armies of the 1990s.”³¹

While there has been some attempt by contemporary scholars to reassess the causal explanations of right-wing extremism, especially from social movement theorists, its principal characteristics are apparently fixed. George and Wilcox, for example, list 22 characteristics to assist in the identification of extremists. They include: “Character assassination.... Tendency to view opponents and critics as essentially evil.... Assumption of moral superiority over others.... Hypersensitivity and vigilance.... [A] tend[ency] to believe in far-reaching conspiracy theories.”³² The central components of simplism, absolutism, Manicheism and conspiratorialism remain firmly in place for the extremists they study, including the LaRouche Network, assorted neo-Nazis, the militia movement, and the Nation of Islam.

George and Wilcox want to provide readers with “A Handy Guide for Extremist Watchers.” But such guides are hardly likely to encourage any assessment of the relationship between American extremists and its mainstream culture. Quite the reverse: the intention is to mark out points of difference; to enable users to “spot” extremism at work. While George and Wilcox are keen to understand extremism rather than to simply dismiss it—“Each argument advanced, by an extremist or anyone else, has to be considered on its merits,” they say—they still evidence an unwillingness to examine extremism as something other than that to which opposition should be mounted. Such an adversarial approach, while understandable, does not necessarily further our understanding of extremist groups.³³

It is also worth noting that, despite their reservations about employing the “popularity”—based definition of extremism, George and Wilcox are forced to fall back on a version of it in their guide. Extremists are what the mainstream is not, and their guide is to assist “extremist watchers” in telling the difference.

In contrast to the extremists [they write] those in the mainstream: 1. Accept at least gradual change within the existing system. 2. Seldom impugn the motives or loyalty of opponents, questioning instead their judgement, reasoning, and sources of information. 3. Have a commitment to at least [some] democratic ideals, including basic civil liberties.³⁴

What they don’t ask is the extent to which the extremist style is practiced by the mainstream, or the degree to which extremists might also express mainstream values.

This is not to suggest that extremists don’t exhibit the kinds of characteristics identified by George and Wilcox, Hofstadter, and others. They often do. The militia movement can be categorized and safely dismissed in similar terms. The problem is that the dominance of the idea of “a paranoid style,” in particular, has tended to overwhelm consideration of any other elements of extremists’ ideological and rhetorical concerns. There is more to the militia movement—indeed more to right-wing extremism in general—than paranoia and conspiracy theorizing. Some of the core stylistic flourishes of the United States’ most

significant recent right-wing extremists, for example, are borrowed from, inspired by, and are similarly understood and employed within the political mainstream. The categorization of extremists in the terms outlined above obscures these connections. A better understanding of the nature of right-wing extremists like the militias will be achieved only if they are examined with keen regard to the dominant culture from which they come and which they seek to influence, if not, ultimately, to define.

A critique: towards an alternative approach

As with many, if not all, political concepts, extremism is difficult to define. It is a relativistic term, dependent upon the time and the setting in which it is employed. Many political movements start out being denounced as extremist only to become part of the established political order over time (the civil rights movement in the U.S. in the 1950s and 1960s or the Palestine Liberation Organization in the Middle East during the 1990s offer obvious examples). It is relativistic because it requires a “mainstream” to give it meaning. If extremism represents going to or beyond the “limits,” as it is commonly held to, then those “limits”—whatever they are—have to be agreed upon by someone or some other group. And it follows from this that “extremism” is a pejorative term—as Hofstadter acknowledged the paranoid style to be—for once you have agreed that there are or should be limits, then those limits need to be protected, and those who would overstep them resisted.³⁵

The standard definition of extremism has, not surprisingly, reflected the pluralistic tradition of the writers who were initially involved in setting its terms. As a result, those elements of extremism considered particularly hostile to this tradition have been given most prominence. George and Wilcox, among others, may raise objections to what they see as the “popularity school” of definition, but there appears to be no other workable alternative. When offering their own guide for extremist watchers they are forced to fall back on the distinction between the mainstream and the extreme. Although stating their preference for a “behavioral model of extremism,” in the end they can do little more than provide a stylistic list of the kinds of behavior they deem unacceptable—unacceptable presumably from some majoritarian position. This is not to criticize them unduly. They are merely reasserting a central and unavoidable point: that it is not possible to define extremism except by what the mainstream at any given time determines it to be. It is the contest between the two that reveals how such definitions are reached and where the limits are to be found.

The crucial factor is to consider the implications which follow from this recognition. The major problem with the “orthodox approach” is that it serves to prevent an examination of the mainstream’s role in the creation or sustaining of those defined as extremists; which is to say, if the only workable or acceptable definition of extremism is that which comes from the mainstream, this mainstream is unlikely to undertake an examination of itself in order to identify areas of commonality with those extremists. There is an internal demanding logic at work

requiring that those once so defined are kept at the margins, because if they are not, then the very utility of the term itself may be called into question, revealing, perhaps, its own constructed nature rather than its apparent naturalness. It is this barrier to self-analysis that needs addressing.

In other words, the objection of pluralist writers to the “ideological” nature of extremism is a consequence, at least in part, of the fact that the existence and demands of such extremists represent a challenge to the *ideological* formation and functioning of the pluralist system itself.³⁶ Moreover, just as the marginalized have to define themselves against the dominant, so the dominant need a margin in order to highlight what they are not, allowing them to define their Americanism against that of the extremists. The ideological nature of the dominant culture may only become manifest at times of crisis, particularly in foreign affairs, when an explicit appeal to Americanism is more acceptable, but it is part of a process going on all the time beneath the normal give and take of negotiable interests.

There is also another way of looking at the frequent reoccurrence of extremism in American life (its apparent ineradicability), one stressing that the pool of ideological resources employed by the extreme right exists not just on the margins, as the orthodox school would have us believe, but in the very fabric of America’s mainstream ideology. Such an approach might explain the persistence of the far right throughout the history of the United States in terms of the applicability of that history, together with America’s myths and core values, to the extreme right—because it sees such groups as being involved in the constant attempt to define and redefine the nature of “Americanism,” a process the wider American culture and polity are equally engaged in.

Many commentators—including key members of the orthodox approach such as Hofstadter, Shils, and Lipset—have noted that the concept of Americanism is fluid; that it is not enough to be born in the United States to be considered an American; that everyone has to assert or forge their “American” identity.³⁷ The only way this can be done is by reference to the values and practices regarded by a majority of the nation’s citizens as distinctly “American.” And this goes to the heart of the symbolic politics employed by the extreme right. People who join groups like the militias are trying to assert their right to define Americanism, and in doing so they employ the myths, metaphors, and perceived historical lessons of the American experience. As Hofstadter wrote, “people not only seek their interests but also express and even in a measure define themselves in politics;... political life acts as a sounding board for identities, values, fears, and aspirations.”³⁸ But although they define themselves against the culture in which they exist, extremists, on the whole, do not wish to function as isolated sects, quietly withdrawn from the dominant trends and activities of history. It is for this reason that “extremists” rarely regard themselves as such. Hence the study of them in isolation from this dominant culture ignores a vital part of the formation and expression of their “style.” This, then, is what the rest of this book is concerned with; not the causes of extremism, except in as much as these are related to the unsettled nature of American identity, but the practice of symbolic politics.

I do not want to suggest that the orthodox school, as I have called it, were totally unaware of any connections between the mainstream and the extreme. In *The Radical Right*, for example, Talcott Parsons noted a connection between the anti-statism of right-wing extremists and the individualism of the American ideology. And in *The Politics of Unreason* Lipset and Raab wrote that

right-wing groups typically have to appeal to the populace within the framework of values which are themselves a source of right-wing discontent in the first place: antielitism, individualism, and egalitarianism. These remain the supreme American political values. Commitment to these values is the American ideology.... It is perhaps the ultimate paradox that extremist movements in this country have been powerfully spawned by the same American characteristics that finally rejected them.

There was, however, a reluctance to undertake any detailed analysis of the relationship between America's mainstream and extreme cultures. Lipset and Raab did not pursue the points they made, assuming perhaps—although I would argue incorrectly—that this “rejection” was complete. On the whole, examinations of the ideological sustenance of extremism have been confined to beliefs and activities at the fringes of American society. Shils, for example, identifying the “deeper sources” of McCarthyism in concepts of hyperpatriotism, xenophobia, isolationism, fundamentalism, populism, and fear of revolution, was content to confine such traits to an unseemly “nativist tradition,” practiced, he said, in the “alleys and bars and back streets and [in] the hate filled hearts of the miserable creatures” who espoused it. And Hofstadter was only prepared to concede that conspiratorialism was not just the preserve of the far right but had also emerged in leftist populist movements.³⁹

In respect of more recent developments, Michael Cox has similarly argued that although America's right-wing extremists “are not exactly political fish swimming in friendly political waters...there is no insurmountable ideological wall separating them from a large swathe of their fellow white citizens.” The world view of these extremists, “combining a potent mix of religious fundamentalism, racist supremacism, muscular Americanism and a fetish for the ‘gun,’” is “shared in varying degrees, by many white Americans,” he says. Indeed, in terms echoing Michael Kelly's idea of “fusion paranoia,” numerous observers have detected an increasing congruity between the conspiratorialism of many extremist groups and the wider political culture. As Michael Barkun, writing in 1996, put it:

the gap between the worldview of conspiratorialists and the mainstream appeared virtually unbridgeable as little as five years ago. Beliefs once consigned to the outermost fringes of American political and religious life now seem less isolated and stigmatizing than they once did.

Once again, though, the “links” which have been identified are largely “negative,” built around ideas of fundamentalism, conspiratorialism, excessive patriotism, racism, and paranoia.⁴⁰ Despite the fact that they are absolutely central to how groups like the militias see themselves and the world around them, little attempt is made to explore what might be described as the more “positive” associations to be found between America’s extremist and mainstream culture: the ideas and beliefs drawn from the American Revolution, the period of the constitutional settlement, or the settling of the American West, for instance.⁴¹

In part, then, it is time to return to the initial project Hofstadter embarked upon. For Hofstadter saw the paranoid style as “above all, a way of seeing the world, and of expressing oneself.” It was an interpretative or ideological framework, and a rhetorical or expressive manner based on that framework. And it was based on his belief that there needed to be an approach to American politics and American history that acknowledged the non-rationalistic or symbolic elements involved in both. Hofstadter’s aversion to the irrationalism he discovered in the groups he studied, together with the pull of his own (and his colleagues’) pluralistic sympathies, seemed, however, to overwhelm this project.⁴² At the same time, an over-reliance on concepts of status politics and the utility of psychological explanations so in vogue at the time meant a neglect of the broader cultural trends affecting extremists. The need to isolate was too great. To open up the investigation of extremist groups in order to reveal what the dominant culture had in common with them was to invite an unwelcome bout of self-examination.

It is no accident that the extreme right has tended to be categorized as nativist; after all they are sincerely concerned with the conception of America. Our understanding of right-wing extremism, therefore, should be intimately connected to our understanding of Americanism itself. Yet little detailed investigation of these connections has taken place. Hofstadter urged an analysis of the “intellectual and rhetorical styles, of [the] symbolic gestures... the specialized ethos of various subgroups within the population,” but he applied the analytical spotlight in only one direction. He did not recognize that we could (and should) study such *subgroups*, not only because of what could be learnt of them from the perspective of the dominant culture, but also because of what they might reveal about the intellectual and rhetorical styles, the symbolic gestures, of the dominant culture itself. As George and Wilcox put it, although never following up on their insight: “While, by definition, extremists roam about the fringes of our culture, they also pay close attention to our culture. Agreeing with them little, nonetheless, we can learn a lot from them and their social and political concerns.”⁴³

Putting the alternative in place

The emergence of the militia movement in the United States during the 1990s provides a valuable opportunity to put this alternative approach into place. An examination of some of the key sources, traditions, and characteristics of the militias’ ideology will enable us to establish a clearer understanding of the

connections—as well as the tensions—between their “style” and that of mainstream America.⁴⁴ To reiterate: we will not be attempting an explanation of the causes of extremism (except perhaps tangentially), but rather an investigation into the ideational realm where much extremist activity takes place. As James Aho puts it:

Political drama is far more trenchant than textbook recitation in instilling messages of national, cultural, and racial identity. This is because drama represents a people’s legends and myths not just to the ear, but to all the senses. Communal theater was the schoolhouse of the ancients, and *right-wing extremism is nothing if not theater*.⁴⁵

The emphasis of the chapters that follow is on the militias’ engagement with America’s political culture and history, and with three areas of its history in particular—the period of the American Revolution, the drafting of the Constitution, and the settling of the American West. These (interrelated) periods are central to the militia movement’s ideological and rhetorical concerns. To a considerable extent, the militias’ understanding of these aspects of America’s past determines how they see themselves and the world in general. Not coincidentally, of course, they are also central to the ideology of Americanism. It is hoped that more will be learnt about both.

James Aho’s idea of a “dialectic of heroism” offers a useful heuristic to assist with this alternative approach. As outlined in *This Thing of Darkness*—his “sequel,” as he called it, to *The Politics of Righteousness*—Aho describes the dialectic of heroism as “comprising three moments.” In the first “an ideal is imagined,” such as “democracy, equality, peace, love, freedom, racial purity, [or] moral perfection.” In the second moment “the actuality of the real world is counterpoised to the ideal.” This, Aho says, “is the *Is* in opposition to the *Should Be*: inequality, tyranny, mistrust, cynicism, miscegenation, [or] corruption.” The contradiction between the *Is* and the *Should Be* then produces the third moment, requiring, in Hegel’s terms, the “realization of the ideal and the idealization of the real,” or, as Aho himself puts it, “persistent effort to embody [the] ideal in concrete.”⁴⁶

The usefulness of Aho’s dialectic lies in its applicability to mainstream political movements as much as to extremist groups. As we have seen, the intentionally pejorative “paranoid style” leaves little space for any kind of dialogue between the object of the label and those applying it. In contrast, the dialectic of heroism allows the views of extremists to be engaged with, not simply dismissed. We can “enter” the dialectic at any of its three moments, to argue, for example, that the *Should Be*, *Should Not Be*; that the *Is*, *Is Not*; or that the methods being employed to “realize the ideal” are inappropriate, misjudged, or unlikely to succeed.

Bearing this in mind, we begin by examining the militia movement's use of history, with their search—to employ Van Wyck Brooks's famous phrase—for a “usable past.”⁴⁷

3

Conversations with the dead The militia movement and American history

If one forgets the past, he will not be prepared for the future.

The Militia of Montana

YES! TODAY JUST AS YESTERDAY

The Michigan Militia

The past is important to the militia movement. Militia pamphlets, militia websites, and militia rhetoric abound with historical references and historical imagery. It is not a reverence for the past in the abstract that animates militia members, however; it is a reverence for a particular past and a particular period of American history. It is with the events, people, and documents of the nation's founding that militia members are predominantly concerned. It is the myths, metaphors, and perceived historical lessons associated with the Revolution, the drafting of the Constitution, and the settlement of the West that are of most importance to them.

Even a cursory perusal of militia movement publications reveals accounts of the Boston Tea Party or the battle of Lexington and Concord sitting alongside reproduced images of the Declaration of Independence and the Constitution, while seemingly endless quotations from the nation's Founding Fathers compete for space with heroic tales of the adventures of frontiersmen like Davy Crockett and his Tennessee Militia. Links to important "Historic Documents," including the Mayflower Compact, the Declaration of Independence, the Articles of Confederation, and the Constitution, are a common feature of militia websites. Through the establishment of Committees of Correspondence, Committees of Safety, and, of course, citizens' militias themselves, the modern militia movement has sought to echo the institutions of its revolutionary forefathers—even to the extent of communicating through the Paul Revere Bulletin Board.

The past is important to the militia movement for exactly the same reasons that it is important to other individuals and to other groups. Simply put, the past offers many benefits to those who seek to use it. Among these benefits, as David Lowenthal has pointed out, are "familiarity and recognition; reaffirmation and validation; individual and group identity; guidance; enrichment; and escape."¹ While Lowenthal readily acknowledges that these categories are not exhaustive,

they nonetheless provide a useful starting point for examining the militia movement's relationship with American history. Concerns with the legitimacy apparently to be conveyed through the past ("reaffirmation and validation" in Lowenthal's terms), with the guidance to be found in the past, and with issues of identity—individual, group, and national—are recurrent themes in the rhetorical and ideological uses of American history by the militia movement, just as they are with other political groups, extremist or otherwise.

Inheriting the past

The militia movement sees itself as firmly belonging to the mainstream of U.S. history. "I will never forget that I am an American, a citizen of the greatest nation on earth...dedicated to the principles which made my country free," declared members of the Northern Michigan Regional Militia in a 1994 pamphlet explaining their "Mission" and "Purpose," for example. Describing themselves as the "Michigan Minute Men," they argued they were "the inheritors of the task begun more than two centuries ago." Similarly, for the North Carolina Citizens Militia, "the truths and ideals represented in the Declaration of Independence, our Constitution and Bill of Rights express the core beliefs at the very heart and soul of America and her citizens."²

The militia movement's conception of this inheritance is often expressed in strikingly personal terms. It is as if a direct legacy of belief and principle has been passed down from the Revolutionary-era generation to present-day militia members. As one member of the North Carolina Citizens Militia put it: "The blood of *our* ancestors is flowing in *our* veins. The men who fought the American Revolution are *our* forefathers and *we* are their children."³ There is obviously a basic rhetorical advantage to be had in making such a claim. Beyond this, though, it points to the enormous sense of responsibility that frequently accompanies militia members' understanding of their relationship with America's past, and provides an insight into the intensity of belief apparently motivating them.

The attempt to associate, connect with, and utilize the foundational documents, events, principles, and beliefs of American life has been a constant feature of political struggle throughout America's history—prominent, for example, in the movements to extend suffrage to women in the early nineteenth century, in the labor and populist struggles of the late nineteenth century, in the civil rights campaigns of the mid-twentieth century, as well as in the "culture wars" of the late twentieth century. It is the fact that such documents and such events are so central to America's conception of itself which makes them so applicable in the first place. President Clinton demonstrated as much in his final State of the Union address, when he promised that the United States still had the opportunity to become "what our founders pledged us to be so long ago—one nation, under God, indivisible, with liberty and justice for all." Setting out how this promise would be realized, Clinton invoked exactly the same periods of American history relied upon by militia members—the Revolutionary War, the drafting of the

Constitution, and the settling of the West. Each generation of Americans owed some responsibility to and had some connection with these pivotal periods of American history, Clinton argued. Indeed, it was precisely because of this sense of connection and responsibility that Americans continued, he said, “to bask in the warm glow” of freedom and possibility established by their ancestors.⁴

Clinton’s tactic in this part of his address would be instantly recognizable to the historian David Harlan, who believes that history’s function is to provide a form of moral reflection, to act as means by which individuals, groups, and nations can decide who they are and what they believe in.” ‘We’ exist as ‘a people,’” Harlan writes, “only to the extent that we imagine ourselves possessing a common past that explains our common present—and that projects us into a common future.” In other words, choosing one’s ancestors and one’s past is a means of belonging. It is a way of finding one’s place in the world through time and memory, and also crucially—and this is something which is particularly applicable to the militia movement—it is a way of criticizing and challenging the way things are. History, as Harlan puts it, is a “conversation with the dead about what we should value and how we should live.” It is this conversation—a common enough one in American political discourse—that the militias are seeking to become part of.⁵

The role the past plays in creating and sustaining both our individual and our collective sense of identity is a prominent part of the militia movement’s engagement with American history. “Why are we in the Militia?” members of the Militia of Montana ask themselves rhetorically. “Because we are Americans,” comes the reply. But, they emphasize, “We are not Americans just because we live in a place called America. We are Americans because of the love we have for our country, its organic laws, and the men who died so we might live a free people.” There is a recognition in this, as many commentators have noted over many years, that “American identity” is a fluid concept; that it is not something automatically conveyed or bestowed upon citizens of the United States, but something which is constructed by those citizens. George W. Bush made exactly this point during his inaugural address.

America [he said] has never been united by blood or birth or soil. We are bound by ideals that move us beyond our backgrounds, lift us above our interests and teach us what it means to be citizens. Every child must be taught these principles. Every citizen must uphold them. And every immigrant, by embracing these ideals, makes our country more, not less, American.⁶

For militia members, it is the fact that they have made the effort to educate themselves about their nation’s past that they feel is important. They consider that it singles them out at a time when most U.S. citizens have forgotten their nation’s history, are neglecting it, or have not been taught it in the first place. (“Why are our American heritage and our Founding Fathers being discarded in our history books?” asked Clayton Douglas, publisher of the *Free American* in its April 1997

issue. “Who is responsible?”⁷) It is militia members’ own efforts at historical education which, they feel, allow them to lay claim to the nation’s Founding Fathers and to its founding documents.

If the militia movement’s attempts to identify and engage with the central events and documents of the American founding are hardly unique, as we shall see, the uses to which the movement puts the founding are distinctive. They are also controversial. Indeed, the militias’ efforts at employing American history have been severely criticized by many within the American mainstream. During a speech at Michigan State University in the aftermath of the Oklahoma City bombing, President Clinton expressed his outrage that militia members were attempting to “appropriate” America’s “sacred symbols for paranoid purposes.” Congressman Charles Schumer (D—NY), who chaired congressional hearings into the militia movement in November 1995, has written dismissively of “the Alice-in-Wonderland nature” of the militias’ political philosophies, suggesting they are often “little more than a bizarre pastiche of words and phrases appropriated from our Constitution and other organic and historic documents” where meaning is “twisted beyond all recognition.” And “watchdog” agencies such as the Anti-Defamation League (ADL) and the Southern Poverty Law Center SPLC have accused militia members of “infect[ing] the American body politic” by disguising themselves as “‘patriots’ committed to the ideals of the Founding Fathers.”⁸

The militias’ “conversation with the dead” is thus also, at the same time, a contest in the present with the living. The militias themselves are well aware of this. Indeed, their sense of being involved in a contest for access to and control of American history is a crucial part of how they both approach and rhetoricize the past.

Contesting the past

John Bodnar describes how “ordinary people” use history and political theory at the “vernacular level,” out of the control of or in defiance to the “official” custodians of the past. According to Bodnar, exponents of vernacular cultures tend to seek to protect values and restate “views of reality derived from firsthand experience in small-scale communities rather than the ‘imagined’ communities of a large nation.” They tend to “convey what social reality feels like rather than what it should be like,” “are more likely to honor pioneer ancestors than founding fathers,” and are “less interested than cultural leaders in exerting influence and control over others.”⁹ The case of the militia movement provides an interesting example of vernacular interests being pursued for the most part in the opposite way to that which Bodnar describes—albeit in this case the “ordinary people” are those belonging to “extremist” political groups. It is with the nation’s Founding Fathers and the “imagined community” of the nation-state that the militias are predominantly concerned, and they are certainly interested in “exerting influence and control over others” as they campaign, for example, for the “correct”

interpretation of the Second Amendment or to restore the Republic the Founding Fathers are said to have envisaged.

The militia movement's contestation of the past has two principal elements. First, militia members want to counter what they see as the malign influence of the nation's elites with regard to how the past is remembered and recalled. Second, they are concerned to influence the attitudes and understanding of the American people in general—"waking them up" to what is happening to their country.

The first of these elements is well illustrated in an article by Thomas DiLorenzo which appeared in the July/August 1995 issue of the *Justice Times*. A direct response to President Clinton's "sacred symbols" speech at Michigan State University, the article commences with what might be termed a Patriot parable encapsulating the contest that sections of the far right feel they are involved in. The parable begins with "Bill Clinton and Al Gore stopp[ing] off at Monticello en route to Washington for their inauguration" in 1994. During their tour, Gore points to "two portraits hanging in Mr Jefferson's home and ask[s] the guide, 'Who are those two guys?'" The guide, who is notably and emblematically transfigured into a "stunned historian," replies that the two portraits are of Jefferson and Madison. Amazingly the vice-president of the United States did not recognize two of his nation's Founding Fathers. For DiLorenzo, however, this was more than mere momentary forgetfulness on Gore's part. It was indicative of a deeper malady within the Clinton White House, a malady confirmed by the president's speech at Michigan State, which, DiLorenzo said, suggested that "Clinton is as unaware of the political philosophies of Jefferson and Madison as his running mate was of their likeness."

Quoting extensively from Jefferson and Madison—as well as from George Washington, Patrick Henry, and Thomas Paine—the remainder of the article sought to demonstrate just how little President Clinton understood the "political philosophies" of the Founding Fathers, and, conversely, how well people like DiLorenzo did understand them. The accuracy of DiLorenzo's claims, though, are less important for our present purposes than the desire they evidence to receive the sanctification of the Founding Fathers' legacy and to challenge what is seen as the dominant culture's control of that legacy. Turning Clinton's admonishment of the militia movement around, for example, DiLorenzo argued that the United States "was founded by people who loved country and nation, but despised governmental rulers," and that the Founders would regard "a centralized government like Mr Clinton's as the enemy of nation, community, family, of property, and civil order."¹⁰

A crucial part of this contest that militia members feel they are involved in concerns their depiction as "extremists." They are well aware that they are not recognized as the latter-day heirs of the Minutemen or as legitimate custodians of the nation's memory of the Founding Fathers. Clayton Douglas pursued this theme in the *Free American* during 1997. As Douglas saw it, "Americans who treasure their Constitution, their independence and rights" were "under attack" from "the government and liberal press," as well as from the "inflammatory rhetoric" of

organizations such as the ADL and the SPLC, who were intent on depicting militia members as “kooks, nuts and conspiracists.” For Douglas it was all sadly indicative of how much the United States had changed over the years.

In [the] olden days [he reminisced], groups of people who banded together to protect their country were hailed as heroes. (Remember the Alamo?) Today, Americans who never dreamed of committing a crime, are being targeted by the federal government for attending meetings, lectures or preparedness shows as dangerous terrorists.

What was needed, Douglas argued, was a “National Forum” whereby representatives of the government and its agencies could meet with knowledgeable members of the “Militia/Patriot/Constitutional community.” Douglas emphasized that this meeting must take place “IN FRONT OF LIVE TELEVISION AND [BE] BROADCAST NATIONALLY,” because this would allow Patriots to appeal directly to the American people. “All of America would be a witness.”¹¹ As well as providing a valuable means of generating publicity and attracting new recruits, Douglas’s call for a “National Forum” demonstrates the militias’ conviction that they have right on their side; that once their case is made to the American people it is thought to be overwhelming.

Again, militia members’ own historical knowledge is crucial in this respect. “Take the time to study American law, your United States Constitution, Bill of Rights, Declaration of Independence and the Common Law,” the prominent Patriot figure “Johnny Liberty” urged in the *Preparedness Journal* in early 1995, stressing that the “prioritizing of education in all areas of our lives [is] absolutely essential to any rediscovery of America and the restoration of a constitutional Republic.” This was important “Liberty” explained, ironically misquoting Santayana’s famous aphorism, because “One who refuses to learn from the past is condemned to repeat it.”¹² Education for militia members is thus both a road to personal enlightenment and the means to political empowerment. Armed with the readily accessible meanings of history (“the truth”), militia members believe they can challenge those in “official” control of America’s past.

This goes hand in hand with the militia movement’s use of what the former leader of the Michigan Militia, Norman Olson, referred to as “alternative sources of news”—the Internet, computer bulletin boards, videotapes, audio-tapes, and educational seminars. These sources of information were crucial to explaining the rapid growth of the militia movement during the 1990s, Olson informed Senator Feinstein (D-CA) during his testimony before the Senate Subcommittee on Terrorism in June 1995, with the result, he said, that “what you are seeing in America in the last three or four years is a phenomenon of informed Americans now waking up.”¹³

The militias feel that they also need to stir the nation from its apathetic neglect, as evidenced by a poem that appeared in the April 1995 newsletter of the Kentucky Riflemen Militia. Entitled “A Visitor from the Past,” and utilizing familiar lines

from *The Star Spangled Banner* for its organizing refrain, several layers of sleep and remembrance are employed as the poem's anonymous narrator recounts a dream he has had in which a soldier from the Revolutionary War appeared "walking through the mist with a flintlock in his hand." The soldier reminds the narrator that he and his comrades "fought a revolution" to secure the nation's liberty and provided the Constitution "as a shield from tyranny." It is a "legacy" he now sees being betrayed:

The freedom we secured for you we hoped you'd always keep
 but tyrants labored endlessly, while your parents were asleep.
 Your freedom is gone, your courage lost, you're no more than a slave.
 In this, the land of the free and the home of the brave.

Five stanzas follow. These detail "the tyrants'" efforts to destroy the republic through various measures, including gun control legislation, restrictions on home schooling, the legalization of abortion, the abandonment of the gold standard, the over-regulation of business, increasing the size of the national debt, repossessing farms, and the unwelcome spectacle of Americans "fighting other people's wars." In response to these "intolerable" conditions the "Sons of the Republic" are commanded to "arise and take a stand," and the poem concludes with the narrator's description of his own "awakening" as he questions how his fellow citizens will respond to this call from the past:

As I awoke he vanished in the mist from which he came. His words were true, we were not free, we have ourselves to blame. For even as tyrants trample each God-given right, we only watch and tremble too afraid to stand and fight.

What would be your answer if he called out from the grave? Is this still the land of the free and the home of the brave?¹⁴

Accessing the past

In the pages of the February 1997 issue of *Necessary Force*, the newsletter of the Missouri 51st Militia, Kay Sheil described how she felt "infuriated" when "lawyers, politicians and their ilk take the attitude that the people are just peons, and too simpleminded to understand law and justice...and we must have their great wisdom to decipher it for us." The implication, she argued, was that America's "heritage of individual liberty and self-government is only a farce," and that "we should be good little children and never question the intellect and advice of those chosen and ordained to care for us."¹⁵ For people like Sheil, the way to counter the influence of such "official" protectors of the past is to go directly to the nation's Founding Fathers—the original and most authoritative "cultural leaders" of all.

This is because, as far as Sheil and other militia members are concerned, the Founding Fathers “were able to articulate...things in a way that all could understand.” The lessons of the American founding are regarded as clear, the nation’s origins uncontentious. Hence militia members call for access to, and see themselves as acting upon, the *unmediated* utterances of the Founding Fathers in the belief that if they are allowed to “speak for themselves,” as the Militia of Montana put it, their very words will be enough to make the militias’ case for them.¹⁶ This “direct” communication between past and present is regarded as more accurate, more authentic, and more legitimate. It is a key component of the militia movement’s strategy of remembering and reconstructing America’s history.

“Recall the words of Thomas Jefferson,” militia members say. And, “Did you catch what George Washington said about you and me?” They invite their fellow citizens to “see what the Founding Fathers had to say about democracies,” and tell them that in order “to understand what the militia is” it would surely “be best to hear it from our founding forefathers.” *The Federalist Papers*, for example, “were written by the people who wrote the Constitution, and were created to interpret the Constitution”; therefore militia members ask: “Who could interpret the Constitution better than the one’s [*sic*] who wrote it?,” and they quote Madison on the supremacy of the states, or Hamilton on the absolute necessity of an arms-bearing citizenry. It is because of this strategy—this ostensibly direct access to the past—that militia members feel justified in regarding themselves as acting in the “memory of our illustrious forefathers, Patrick Henry, Thomas Paine, Paul Revere, George Washington, Thomas Jefferson, Benjamin Franklin, and others who gave their lives that we might be free.”¹⁷

Providing the Founding Fathers with an opportunity to “speak for themselves” is, of course, the principal claim made in support of the doctrine of original intent as being the best means of constitutional interpretation in the present. It is a doctrine with many mainstream supporters, including such prominent judges as Antonin Scalia, Robert Bork, and William Rehnquist. It is a doctrine the militia movement also endorses. Helen Johnson of the Ohio Militia is clear: “The Constitution of the United States of America is to be interpreted by the intent of it’s [*sic*] writers at the time it was written.” And for the Militia of Montana:

James Madison and the other framers of the Constitution knew that in the future that if our Constitution was not *interpreted in the context and according to the history in which it was drafted*, we would not have a proper understanding of the original intent of our founding fathers, or in the words of Madison, primary author and the supreme expert on the Constitution: “Do not separate text from historical background. If you do, you will have perverted and subverted the Constitution, which can only end in a distorted, bastardized form of illegitimate government.”¹⁸

In the October 1997 issue of *Necessary Force* Carolyn Hart used the death of former Supreme Court Justice William Brennan to outline her objections to those

who employed a less strict approach to constitutional interpretation. Although Brennan had been “eulogized” as someone “who had transformed the Constitution into a living document which could change according to the needs of American society,” Hart argued that he had actually done “irreparable damage to liberty because he interpreted the Constitution to fit his own views, allowing the federal government unprecedented power.” In contrast, militia members like Hart do not see themselves as interpreting the Constitution according to their “own views”; as far as they are concerned, they are merely reiterating the views of the Founding Fathers, from which they see no reason to deviate. As Bob Gurski, another member of the Missouri 51st Militia, put it, militia members are “not asking for anything new”; all they are asking for is “just what our founding fathers had promised in the Constitution of the United States.”¹⁹

Yet recovering the intentions of the Founding Fathers is not the straightforward task militia members would have it be. Employing the doctrine of original intent as a means of constitutional interpretation is a process fraught with historiographic, if not political or jurisprudential, difficulties.²⁰ It is a process where the search for a usable past meets the problem of the retrievability of the past. As Terence Ball and J.G.A. Pocock have reminded us, historical inquiry can pursue the “original intentions” of the Founding Fathers “to great effect but rarely with any finality,” because any attempt to go behind the printed word in search of the “intentions” it communicates entails a debate between “alternative readings and between alternative contexts in which the text is to be read.” The best we might get, they suggest, and only then provided that a sufficient degree of contextualization has been employed, is a “legitimate reading” of the past based on the historical evidence. For Ball and Pocock, this sense of historical indeterminacy means that where there is more than one “legitimate reading” of the intent of the Founding Fathers—as there may often be—any decision to “ascribe authority to one set of ‘original intentions’ instead of another,” although it may be based on historical “evidence,” is, in the end, “a judicial decision, rather than a historical statement.” And while it is “normal and proper” for jurists to make such a claim, “there are limits to their ability to claim *the authority of history* for what they pronounce because the point must be reached at which the historian is no longer their partner in the search for authority.”²¹

Of course it is worth remembering that it is not only Supreme Court justices who feel able to make authoritative pronouncements on the Founding Fathers’ intentions. Such declamations are part of the daily clamor of political, social, and cultural life in the United States. With varying degrees of historical sensitivity, but with the need for a usable past usually the predominating concern, politicians, journalists, cultural commentators, and historians alike announce what the “intentions” of the Founding Fathers were on a particular subject. In this environment, the militias’ is just another voice in the rhetorical din.

What Ball and Pocock are arguing for is a hermeneutical system that recognizes that the meaning(s) of an historical text is both rooted *in* time, and acquired and altered *over* time. In this way the twin historiographic evils of presentism and

relativism are held at bay: the past is subject to interpretation in the present, but is not endlessly malleable. Employing this method will, Ball and Pocock hope, make us more attuned to “the processes of conceptual change and consequent interpretation” by which eighteenth-century terms and language acquire twentieth- and now twenty-first-century meanings—the Second Amendment offering a particularly useful example of this in respect of the militia movement. Demands for a jurisprudence of original intent, they say, “cannot be a call for the abolition of interpretation; [they] must, rather, be a call for interpretation to be conducted according to certain rules.”²²

These “rules of interpretation” are wide-ranging and manifold. They are themselves the subject of political, judicial, cultural, and historical contestation. They are rules of cultural and political authority which raise questions beyond the scope of this chapter as to who, in what circumstances, and on what basis, should be allowed to speak for the past. Yet they also serve to determine the answers to a familiar set of questions, questions pertinent to the militias’ endeavors to remember and reconstruct the past, and questions which are no less significant for all their familiarity: Whom do we count among the Founding Fathers? Are the views of certain Founders to carry more weight than those of others? Are the Framers of the Constitution more important than its Ratifiers? On what historical evidence, and on what level of scholarship, do we rely in order to reconstruct the Founders’ intentions? These are basic questions which any proponent of original intent has to address, either explicitly (as one might expect of the professional historian) or implicitly in the actual practice of recovering meaning from the past (as tends more to be the case with non-professional historians, mainstream and extremist political actors alike).

Again, it is perhaps worth stressing that the militias answer these questions in a conventional manner. It is Madison, Jefferson, Hamilton, Adams, Washington, and Franklin who are predominantly identified as the most important Founding Fathers, although just as often a generic, “the Founding Fathers,” stands in their place. It is the intentions of these *Framers* with which we should be concerned, and the words of these Framers, whether in their published writings, public speeches, or “private” correspondence, that we should rely upon. Above all, militia members suggest, it is to Madison and to *The Federalist Papers* that we should look if we are to recover, for instance, what the Founding Fathers “had in mind for the new Republic they created”: to Madison as “the primary author and supreme expert on the Constitution”; and to *The Federalist Papers* because they “were written by the people who wrote the Constitution and were written to interpret the Constitution.”²³

Nor should this be surprising: these are the key symbolic figures and the key symbolic texts relied upon within mainstream America. They are part of the commonly accepted “rules” of constitutional interpretation. Madison may or may not have supported the doctrine of original intent, but he has nonetheless become the acknowledged “Father of the Constitution.” *The Federalist Papers* may have been written less as a reflective guide to the minds of the Framers and more as a

persuasive and highly partisan tool for use in the midst of a ferocious political battle, but this is not how they are treated now.²⁴ The militias share with Jack Rakove, to take but one prominent example, the view that “[w]e simply cannot understand how or why the Constitution took the form it did unless we make sense of Madison.” Some historians may rail, quite rightly, against the stifling conformity of the historical canon, but its existence and access to it play a central role in conferring the “authority of history” upon those who seek to influence our interpretation of the past.²⁵ It is therefore understandable that the militias should also want to be able to employ the canon, even if sometimes—as with the Militia of Montana’s quotation of Madison’s injunction not to “separate text from historical background”—their desire for the historical and cultural authority it conveys seems to overwhelm any concomitant need for historical accuracy.

The authority of history

The militia movement’s engagement with the American founding provides a revealing illustration of how groups of “ordinary” people are wrestling with and are attempting to resolve some of these historiographic problems. In the Militia of Montana’s call for the Constitution to be interpreted “in the context and according to the history in which it was drafted” there is, for example, an *implicit* acceptance of Ball and Pocock’s argument that the “words” of the Founding Fathers can only be properly understood when they are examined in time, and, seemingly, a recognition of the processes by which the meaning of those words can change over time, so that ideas once regarded as commonplace may become outmoded, anachronistic, even dangerous. This is evident, for example, in both the militia movement’s embrace of the “individual rights” model of the Second Amendment and in their stress on the importance of the right of revolution contained in the Declaration of Independence.²⁶

However, the implications of this apparent recognition—and it is an *apparent* recognition more than an actual one—are not fully appreciated by the militias. The complexity of historical understanding that it threatens to reveal is never completely grasped. There is considerable tension with the militias’ idea of the past being readily and easily accessible, for example. Whereas historians such as Ball and Pocock conclude that such contextualization may lead only to a range of possible meanings being located in the past, the militias prefer to find unassailable certainty—a Constitution that is quickly decipherable and Founding Fathers who are simply understood. Moreover, once they are recovered the militias seem to take the view that the Founding Fathers’ “intentions” should be inherently and overridingly authoritative, overcoming all other considerations. This is the militia movement’s own primary rule of constitutional interpretation. It is this sense of historical certitude that, in part at least, leads militia members to their much-criticized denunciations of conspiratorial manipulation or apathetic neglect. Because if the “promises” and “designs” of the Founding Fathers are so clear to

militia members, why, those militia members must feel entitled to ask, are they not as clear to their fellow Americans? What has intervened? Who is to blame?

Rather than producing an enhanced understanding of the processes by which meanings change over time, it is precisely the effect of “conceptual change and consequent interpretation” in relation to the American founding that, in many cases, the militias seem to be *objecting to* and are attempting to *resist*. It is these changes that, in their view, have created the need for the Constitution to be interpreted “in the context and according to the history in which it was drafted” in the first place. These are precisely the *mediated* influences militia members wish to circumvent. This, for example, is how Jon Roland of the Texas Constitutional Militia, one of the militia movement’s most prominent theorists, begins an essay on the “Declaration of Constitutional Principles”:

Whereas, during the course of history usurpers have attempted to misconstrue certain principles of constitutional republican government for their own ends, and that the original language of the Constitution for the United States did not anticipate all the ways it might be misinterpreted, we hereby set forth some of those principles with greater clarity using more modern language.

And members of the Ohio Unorganized Militia explained that they had decided to

form an organization to educate ourselves and our fellow countrymen concerning America’s history, the United States Constitution, principles of Constitutional government, and responsible citizenship, so that we might conceive and advocate solutions to a growing number of grave national problems *which have been created primarily by a departure from the aforementioned principles.*²⁷

Far from accepting conceptual change and shifting interpretations of the Constitution as a necessary and inevitable response to economic, social, and political change over time—to the process of history itself—many militia members seem to want to deny that history, preferring to see the Constitution in that pristine, frozen moment when its meaning was first fixed. Ironically, the impact of the forces of historical change on these militia members seems to have led not to a greater understanding of history but to an attempt to escape history. (Or rather to escape *part* of history, for the militias are nothing if not fierce in their determination to examine and find guidance, validation (or justification), and a sense of identity in the past.) It is this, rather than any of their historical claims in themselves, which, to a considerable degree, as we shall see, marks out militia members as “extremist.”

How, then, do militia members understand the nation’s Revolutionary origins? What do they believe the Founding Fathers “promised” them in the Constitution? How do they reconstruct the republic as it was “originally intended” to be? How

do they relate to the United States' frontier past? And where does their conspiracy theorizing fit into all this? It is to these questions, among others, that we turn in the chapters that follow.

4

A Revolutionary history

We've got to throw off the tyrants, as occurred first in 1776, and it's going to occur within the next twenty years.

Linda Thompson, Unorganized Militia of the United States

We're the George Washingtons of today.

Bob Fletcher, Militia of Montana

To live within a myth is to live within a subjective center of truth. To live outside it is to live within the sacred enclosure provided by another story. A person lives in one myth or lives in another, and there is no middle ground.

Catherine Albanese, *Sons of the Fathers*

This chapter examines in detail the part the American Revolution plays in the militia movement's rhetorical and ideological system, and considers the extent to which the militias seek to legitimate their concerns by invoking this period of American history. It is worth noting at the outset, then, that in seeking to align themselves with the American Revolution militia members are engaged in a familiar endeavor. The Revolution is central to America's conception of itself—to its sense of identity, to its ideals and political philosophy, and to notions of its national character. As Michael Kammen points out in *A Season of Youth: The American Revolution and the Historical Imagination*, America's Revolutionary tradition provides "the core, or axis of our collective nations of nationality." Throughout U.S. history many groups and causes—Southern secessionists and Northern abolitionists, women's rights advocates and anti-War protesters, Ku Klux Klan members and American Marxists, populist farmers and radical workers—have laid claim to the "sanctifying power of the Revolution," and especially to its "sacred text," the Declaration of Independence.¹ The militias are another in a long line. It is also worth remembering that the Revolution occupies a significant place within American popular and cultural imagination, its meaning recalled and reworked in poems, novels, paintings, films, songs, monuments, holidays, and parades. Indeed, the mythos of the Revolution is often as important as its history,

and, as we shall see, the militias move frequently between mythic and historical accounts of the period.

The American Revolution is, of course, also the subject of extensive and fierce historiographic debates, but it is not the purpose of this chapter to engage directly with these. We will not be retelling the story of the Revolution or undertaking a detailed analysis of the origins of the political philosophy of the Revolutionary generation. We will not be wrestling with the various changes the Revolution wrought in American life in the late eighteenth century and beyond, or, indeed, considering the extent to which it was a “revolution” at all.² Our aim here is to examine the Revolution from the perspective of the militia movement, to see what *use* militia members make of it, and to consider what is distinctive, or not, in that use. To do so we focus on three aspects of the Revolution which are central to the militias’ engagement with the period: first, their depiction of the role played by citizens’ militias during the War of Independence; second, their employment of Revolutionary-style rhetoric; and, third, their reliance on, and understanding of, the Declaration of Independence.

Citizen soldiers, militias, and the American War of Independence

As we get closer to the twenty-first century, and further from the birth of our country, with the passage of time we tend to forget all the sacrifices made by tens of thousands who died giving us this country, and who have died keeping it for us.

So begins “Colonel” James A. McKinzey’s column in the January 1997 issue of *Necessary Force*, the Missouri 51 st Militia’s newsletter. Following the Brady Act of 1993 and the “assault weapons ban” contained in the Violent Crime Control Act of 1994, McKinzey’s article was primarily intended to warn of the dangers of further gun control being introduced by the federal government, but it was consciously presented within the historicized framework of the Revolutionary War. McKinzey wrote:

Our forefathers took on the most powerful nation of that time with the support of only about 4% of the people in the American colonies. Those men did this for a lot of reasons, but the primary trigger for the revolution was the same as it is today: you don’t mess with a free man’s right to keep and bear arms. This was true when the Redcoats marched on Concord to take the powder and shot from the colonists on April 19, 1775. The Redcoats were met by only 70 farmers (MILITIA) at 4:00 am. By the next evening the number of militia had increased to about 20,000 men.

History can and does repeat itself. Bills like the Assault Weapons Ban and the Brady Act have pushed too many of us back into a corner, where

there is no more room to back up. Brady II, the expansion of the Brady Act, will if it passes be the bell to come out swinging. When you can't go right, left or back, the only way left is to bow down and let the heavy foot of tyranny squash you, or come out fighting. What choice will you make?

McKinzey's use of this framework was significant. It enabled him to call on ideas of heroic sacrifice, historical remembrance, and patriotism, and to connect these ideas with his belief in the importance of being able to keep and bear arms. The example of his Revolutionary forebears offered obvious guidance as to how militia members should act in the present. McKinzey's choice was clear. "Coming for my guns, powder or shot will get the same response from me as it did from our forefathers," he said. And he concluded the article with the following plea:

At this time I don't know when Brady II will come up in the 105th Congress. I *do* know that Mr. and Mrs. Clinton and Sarah Brady have already stated in many speeches that it will come up. If we are to defeat it, it will take *eternal vigilance*. If the saying is true that "Success is not measured by what you have accomplished, but by the distance you traveled to get there" then we have many miles to go before we sleep.

Please, do not go willfully into the night, without the ability to resist the dangers found there. *LIVE FREE OR DIE!*³

As this extract from *Necessary Force* suggests, the events of 19 April 1775 feature prominently in militia and other Patriot literature dealing with the role played by citizens' militias during the War of Independence. This is because the "Battle of Lexington and Concord" seems to offer modern-day Patriots a relatively straightforward yet immensely powerful symbolic story with which they can address the contemporary United States. However, before examining how they do so, first let us note that, as Robert Gross reminds us, the so-called "Battle of Lexington and Concord" was actually made up of three separate events: the initial assault at Lexington Common, a confrontation at Concord's North Bridge, and then what Gross describes as "a classic guerrilla action by ill-disciplined provincials, drawing on Indian fighting experience to harry the British retreat to Charlestown on the bloody Battle Road."⁴

The fatal nineteenth

The basic and familiar outlines of "the fatal nineteenth," as Thomas Paine described the events of 19 April 1775, are provided by the Texas Constitutional Militia: "On April 19, 1775, the American Revolution began with the battle of Lexington and Concord, when local militias resisted the attempt by British soldiers to seize their stocks of weapons." A similar summation can be found in the April/May 1999 issue of the Virginia Citizens Militia's *Southern Ranger*.

19 April 1775—Lexington, Mass. British troops march 21 miles from Boston to Concord to seize shot and powder stored by local militias in the area. The Lexington Militia makes a stand and as the British charge with bayonets, volleys are exchanged and the American Revolution begins.

And for the *Carolina Free Press*:

April 19th is a date that will forever remain a day of remembrance to all in America. In 1775 a rag-tag group of rebel British colonists took up weapons to defend their right to keep and bear arms against the army of their rulers. Initially overwhelmed and suffering losses, the people of the countryside came out in droves to repel the British troops all the way back to Boston.

Colonel “Bo” Gritz adds a little more detail in his *Center for Action* newsletter:

800 British Regulars were sent by order of General Gage to Concord, 18 miles from Boston, on the night of April 18, 1775 to disarm American citizens. Silversmith Paul Revere and William Dawes made their ride into history. Early the next morning the British fired on Americans gathered at Lexington Bridge [*sic*]. Eight of our founders died and the Redcoats pressed onto Concord where they were more properly met. The British were drilled to fight mechanical parade ground professionals skilled in the European school of war, not squirrel gun totting [*sic*] country people who hid behind cover and drove them back to Boston despite the arrival of 1,200 Redcoat reinforcements. The British suffered 73 killed, 174 wounded and 26 missing. Militia companies from 23 towns had come together in the name of freedom! Our forefathers were serious and the British withdrew from Boston a year later. The tyrant had finally pushed the people too far.⁵

For the militia movement, it is the connection between the role played by militia forces in the battles of Lexington and Concord, the defense of militia stocks, and the beginning of the American Revolution which are of most importance. It is this connection that modern militia members seek to exploit by linking themselves not only with the famed Minutemen but also with the origins of the American nation itself, and by suggesting that both are intimately bound up with the colonists’ defense of their right to keep and bear arms.

The “Battle of Lexington and Concord” also stands synecdochically for the actions of the militias throughout the Revolutionary War. Modern militia members see the War of Independence as a whole as a story of how citizen soldiers —“ordinary people,” “a rag-tag group of rebel British colonists,” or “gun-totting [*sic*] country people”—rose up in arms in defense of their liberties, and of how their knowledge of the land and their reliance on “irregular” guerrilla tactics enabled them to overcome overwhelming odds and defeat the most fearsome army

in the world. It is a romanticized story, of course, a mythic story, and the extent to which it accords with how historians have judged the role of citizens' militias in the Revolutionary War is considered further below (pp. 58–60). But in many respects this version of events is the story of the American Revolution as it is popularly remembered. It is the story of the Revolution many Americans tell themselves.

Paul Revere's "midnight ride," the raising of the Minutemen, and their actions at Lexington green and Concord's North Bridge, together with the image of thousands of New Englanders, young and old, harrying the British on their retreat back to Boston, giving them "ball for ball/From behind each fence and farm-yard wall," to quote Longfellow, are all part of American folklore. They are events recounted and celebrated in countless histories, poems, stories, films, and school textbooks, as well as in Fourth of July speeches and annual re-enactments. Visitors to Concord, for example, encounter Daniel Chester French's statue of "The Minute Man." The statue is inscribed with the opening stanza of Ralph Waldo Emerson's poem, "Hymn to Concord Monument," perhaps the most famous of all the accounts of 19 April 1775, which in the words of Michael Kammen has "achieved the most extraordinary immortality":

By the rude bridge that arched the flood,
Their flag to April's breeze unfurled,
Here once the embattled farmers stood,
And fired the shot heard round the world.

Unsurprisingly this is the image militia members conjure up most often when referring to 19 April. Indeed, images of French's statue are frequently used to illustrate militia publications, and are even offered for sale as patches to be sewn into militia uniforms.⁶

The militia movement has further attempted to associate itself with the militia of 1775 by calling for 19 April to be officially commemorated as "National Militia Day" or "Patriot's Day," and by organizing rallies and marches to celebrate the event. However, the importance attached to the date goes beyond its association with the American Revolution. Through a combination of coincidence and deliberate acts of "commemoration," 19 April has come to occupy a significant place within the Patriot calendar—an "important date for liberty and for tyranny," as Norman Olson, former leader of the Michigan Militia, described it.⁷

The most common connections are made with German troops entering the Warsaw Ghetto in 1944, the ending of the Waco "siege" in 1993, and the Oklahoma City bombing in 1995, but other events are also remembered, often those with particular local significance for the militia invoking them. Explaining why it had chosen 19 April for a rally of local militias, the Texas Constitutional Militia pointed out that, in addition to events at Concord, Warsaw, and Mount Carmel, the 19th was "also close to the anniversary of the battle of San Jacinto, where on April 21, 1836, the Texas Militia defeated the army of Mexico." For the

Virginia Citizens Militia, “celebrating” the 19th also allowed them to commemorate Virginia’s decision to secede from the Union on 17 April 1861, as well as the shootings of Sam and Vicki Weaver by “Federal Gestapo [*sic*] agents” on 19 April 1992. Even more contentiously, in a move hardly designed to help the Militia of Montana’s claims that it was not a racist or anti-Semitic organization, the March 1995 issue of *Taking Aim* noted that 19 April was the execution date of Richard Snell, a member of The Order who had murdered a Texas pawnbroker (whom he mistakenly took to be Jewish) and a black State Trooper. The Militia of Montana wanted its readers to write to the governor of Arkansas to prevent the execution, and it utilized the symbolism of the 19th to encourage them to do so. “If this date does not ring a bell for you then maybe this will jog your memory,” the feature read:

1. *April 19, 1775*; Lexington burned; 2. *April 19, 1943*; Warsaw burned; 3. *April 19, 1992*; The feds attempted to raid Randy Weaver. But had their plans thwarted when concerned citizens arrived on the scene with supplies for the Weaver family totally unaware of what was to take place; 4. *April 19, 1993*; The Branch Davidians burned; 5. *April 19, 1995*; Richard Snell will be executed—*UNLESS WE ACT NOW!!!*⁸

No doubt it was precisely these kinds of allusions and associations that President Clinton had in mind during his speech at Michigan State University in 1995, when he criticized the militia movement for comparing themselves “to the colonial militias who fought for the democracy you now rail against.” “How dare you suggest that we in the freest nation on earth live in tyranny!” the president declared. “How dare you call yourselves patriots and heroes!” In similar terms, former senator and one-time presidential candidate Gary Hart was careful to distinguish his case for reinvigorating the militia system from that of “nongovernment (and sometimes antigovernment) militias that have sprung up in the post-Cold War years.” “The ideal of citizen-soldiers collectively forming an army of the people is central to the notion of patriotism,” Hart argued, and he wanted to “rescue” this ideal from those who sought to “distort” it.⁹

In its 1995 *Beyond the Bombing* report the Anti-Defamation League (ADL) was particularly critical of the Militia of Montana’s attempt to link the events of 19 April 1775 and the attack on the Warsaw Ghetto with the execution of Snell. “By citing Lexington and Warsaw, M.O.M. [Militia of Montana] seems to compare today’s U.S. Government to colonial America’s British rulers and, outrageously, to the genocidal Nazi regime, while simultaneously agitating on behalf of a racist and anti-Semitic killer,” the report noted. Not only was it taken as evidence of the anti-Semitism of the militias, but in the initial aftermath of the Oklahoma City bombing there were those who suspected that the attack on the Murrah Federal Building might be an act of retribution for Snell’s execution.¹⁰

The reason militia members endeavor to associate themselves with one of the key symbolic events of the American founding in this way is their hope that the

heroic deeds of their would-be forebears will reflect back favorably on them, offering them some level of protection from criticism in the present. The implication they seek to establish is that to attack the militia movement—both in terms of what it does and what it believes in—is to attack America itself, and all that *it* is claimed to stand for. The difficulties the militias face in this respect are not so much the effort they make to identify themselves with the events of 19 April 1775, or even their attempt to establish some kind of credibility through that identification. It is the contexts in which they make their associations and the *uses* to which these are subsequently put that are problematic. Whether it be comparing present-day gun control measures with the tyranny of George III, campaigning for stays of execution on behalf of convicted racist killers, associating current law enforcement officials with the Nazi Gestapo, or connecting events at Waco with those in the Warsaw Ghetto in 1943, such distinctive uses of the past are not regarded as either appropriate or legitimate by many in wider American society. The battle of Lexington and Concord is not only evoked in the shorthand ways described above, however. The details of the events of 19 April are also important to modern Patriots. Let us consider two examples.

A nation of minutemen

A review of John R. Galvin's *The Minute Men, the First Fight: Myths and Realities of the American Revolution* appeared in the 28 February issue of the *Carolina Free Press* in 1997. The review began by commending Galvin for writing the book in "plain language" and for its being "easily read"—attributes of accessibility which, as we saw in [Chapter 3](#), are an important component of how the militias relate to and attempt to employ the past. Galvin's book was also said to be "marvelously alive with the drama of events leading up to and immediately following the running battle from Lexington and Concord between the colonial militia and the British regulars in April, 1775." Stressing another of the recurrent themes of the militias' engagement with American history—that of a "lost" or forgotten past—the anonymous reviewer emphasized what s/he saw as the centrality of the militia concept to American identity, although, notably, this was something the reviewer had to draw out her/himself, rather than it being "specifically noted" by the book's author:

Building on a concept largely lost to most Americans, the author understands that to effectively build for the future we must first understand the past. And while not specifically noted we rediscover that second perhaps only to the Swiss, the citizens militia is more of an American tradition than baseball, apple pie, or even republican government.

Interestingly, the *Carolina Free Press* reviewer went on to point out that Galvin related to the Minutemen primarily "through an understanding of [the] attitudes, culture and ideological motivations of the day." "[R]eflecting on the significance

of the book,” this meant that “we cannot go back and recover the culture, values, mores and simplicity of past times.” There thus appeared to be a recognition of the need for the kind of historical contextualization in approaching the past discussed in the previous chapter; a recognition that the “meanings” of the past are often rooted in, and specific to, the past. Yet no sooner was this potential avenue of recognition opened up than it was closed off again. There were more usual lessons to be learnt, more usual invocations to be made. “[I]t is clear that the problems faced by the colonial militia are little different than those of today,” the review concluded. “The minute men were there for their community in 1775, clearly better organized, trained and supported than the militia of today. Yet, they were there, and for all their inadequacies they remain a heroic model for today’s *[sic]* citizen soldiers.”¹¹

Donald Doyle, Information Officer for the Virginia Citizens Militia, sought to flesh out the events of 19 April 1775 for readers of the April/May 1999 issue of the *Southern Ranger*. This followed Doyle’s promotion of a film called *April Morning*, which he had been sending to militias and other Patriots around the country, and which one of the recipients, the *Liberty Letter*, described as “excellent...and very inspiring.”¹² Having undertaken some research at his local library, Doyle endeavored to provide a comprehensive account of the “70 militiamen [who] lined up at Lexington” and offered additional biographical information on those he considered to be the most significant or noteworthy protagonists, namely Captain John Parker, Reverend Jonas Clarke, William Diamond, Jonathan Harrington, James Hayward, Samuel Whittemore, Price Eastabrook, Benjamin Wellington, and the British major John Pitcairn.

Some of these protagonists are given short shrift. William Diamond is described as a “16 year old militia drummer,” Price Eastabrook as “a black man from Concord listed as wounded,” and Jonathan Harrington appears to have been included largely because Doyle’s research confirms the story depicted in the film (“fatally wounded, he crawled to his own doorstep and died in his wife’s lap, as in the movie,” Doyle notes). Others are given more extensive accounts. Captain John Parker’s background in the French and Indian War is provided, and Doyle is full of praise for this tall 46-year-old father of seven with “an aura of command” for leading “a fierce attack” on the British on their retreat to Boston. Similarly, the Reverend Jonas Clarke is described in detail as a 44-year-old Harvard Graduate, who had fathered twelve children and was the pastor of the Lexington Church of Christ. Explaining that Clarke was “heavily involved in the Patriot Movement,” Doyle relates how “Samuel Adams & John Hancock spent the night of the 18th at Clarke’s home,” where Paul Revere famously called to tell them that “*The Regulars are coming!!*,” and how, in addition to acting as the town’s library, Clarke also “insisted” that his house “serve as the town’s armory.”

The drama of the events of that “April morning,” as well as the bravery of some of the lesser-known militiamen involved in them, is emphasized in Doyle’s account of the parts played by James Hayward, Samuel Whittemore, and Benjamin Wellington:

James Hayward—25-years-old, after the skirmish at Concord he stopped to get a drink from a well when a British soldier yelled “You’re a dead man.” “And so are you,” said Hayward as both men fired almost simultaneously, both were killed.

Samuel Whittemore—80-years-old, crouched behind a stone wall, as 5 British soldiers came by he fired his musket, his pistol, killing 2 and getting off a 3rd shot before being shot in the cheekbone. The 2 remaining soldiers bayoneted him repeatedly. Whittemore lived to the age of 98. When asked about the incident he replied, “I would do it again.”...

Benjamin Wellington—walking toward Lexington in the early morning hours after hearing that The Regulars Are Coming was stopped by an advance British Patrol. He was disarmed and told to go home, instead he proceeded to the Lexington Church of Christ where he got another musket and formed up at Lexington Common.

The reader is not informed from which of the many available sources Doyle has put together these vignettes, but the most likely is Arthur Bernan Tourtellot’s *William Diamond’s Drum: The Beginning of the War of the American Revolution*.¹³ Tourtellot’s book not only confirms the basic details of Doyle’s descriptions of the various people involved, but also includes such dramatic events as Harrington’s death crawl, Wellington’s disarmament, and even Hayward’s fateful encounter with a British soldier at the well, events which are usually omitted from more academic accounts of the day. There are, though, still a number of minor inaccuracies in the account Doyle provides. According to Tourtellot, Parker was 45 not 46 at the time, Whittemore 78 not 80, and the “black man...listed as wounded” was a slave called Prince Eastabrook, not Price. But whatever the actual source, and such minor errors notwithstanding, it is important to remember that more is to be considered, and indeed more is revealed, when examining examples such as Doyle’s than is evident if we confine ourselves to questions of historical verisimilitude—with the extent to which militia versions of the past accord with the “official” historical record. After all, it is not for its contribution to American historiography that we are interested in what the militia movement does with American history

At the simplest level, there is obviously an attempt to cloak the modern militia movement in the heroic respectability offered by militiamen of the past (as members of the eighteenth-century “Patriot movement”). Explicit lessons for the militiamen of today are also clearly intended: lessons in the actions of young boys and old men fighting for what they believe in; lessons from men like Wellington, who, despite being “disarmed” by the authorities, finds another gun with which to carry on the fight; lessons from men like Whittemore, who would “do it again”; and lessons in the heroism and bravery of people willing to die for a good cause.

But there are other, more subtle, lessons to be learnt as well. As we saw in [Chapter 3](#), educating Americans about their history is very important to militia members, and Doyle’s research efforts provide evidence not only of *his* own

education, but also of his desire to pass that education on to others. In his account of Jonas Clarke, for example, Doyle makes the seemingly superfluous point that Clarke was “always encouraging people to read” and that his house served as Lexington’s library, yet such detail serves as a reminder to readers of the *Southern Ranger* of the importance of keeping *themselves* informed about their past. At the same time, this information also highlights the “expertise” Doyle is claiming to have in these matters. Similarly “Bo” Gritz’s detailed listing of the dead and wounded in his description of the battle of Lexington and Concord quoted earlier (p. 49), points to a specialist knowledge beyond the familiar outlines of the story. (It is also interesting to note that Gritz includes William Dawes in his account of Revere’s famous ride, since Robert Gross describes Dawes as the “‘forgotten’ express rider.”) In the view of militia members, it is precisely this kind of expertise which empowers them to do battle with the official guardians of America’s past.¹⁴

Additionally, and in common with the ambitions of many professional historians, accounts such as Doyle’s and Gritz’s (and others to be discussed on pp. 56–8) have the aim of “bringing the past alive,” of populating it with real and recognizable people. No doubt this is intended to make the militias’ specific political and historical “lessons” easier to take, but we should not discount the possibility that it also indicates a genuine interest in and engagement with the past. Robert Gross, describing his study of the Minutemen as part of the “new social history,” emphasized, for example, that he wanted the Minutemen to “emerge as real people, with hopes and fears, ambitions and doubts, ideals and interests.” He wanted to provide the “closest points of contact with men and women of the past” possible.¹⁵ This is not to suggest that militiamen like Donald Doyle and historians like Robert Gross are engaged in the same kind of project, or that their approaches to the study of history evidence comparable levels of rigor, scope, and sensitivity. But it is to argue that there are similarities in their desire to have close points of contact with the past in order to gain a greater understanding of American society and America’s heritage. In the rush to demonize militia members it is a similarity that is easy to ignore. One of the key differences between militia members like Doyle and historians like Gross is to be found, of course, in the subsequent use which is made of this history.

Writing in the *Southern Ranger* in 1997, Donald Doyle expressed the following views:

When we were younger and going to school, we all remember our history class and the lessons taught to us about the patriots of America’s past. Without a doubt, Samuel Adams, Thomas Jefferson and George Washington are patriots of the highest order. They gave us everything they had in leadership, honor, training, and commitment to the cause of making this country this great nation it is today. However, we have heard little about the common folk who were also great patriots in the struggle to make America what it is, even though their sacrifice to the cause was sometimes greater than the patriots we hear about on a regular basis. At times, they had made

the ultimate sacrifice for their country. Our hearts and thanks go out to all those throughout the past 250 years who went the extra mile to ensure their nation's future.

“One of the unsung heroes of this country,” Doyle explained, “was a man by the name of Daniel Morgan.” It is to Morgan's and to other stories of the Revolution that we now turn, as we discuss further how the modern militias seek to have contact with America's past, and particularly with those they consider to be their militia forebears.

A people at war: stories from the American Revolution

Doyle describes Daniel Morgan's history before the Revolutionary War as “sketchy.” We learn only that he was a shopkeeper from Virginia who “refused to sit out the fight for independence” after the British burnt down his store for refusing to pay his taxes. “Broke and penniless,” Doyle notes that “Morgan signed on to fight the British with several fellow Virginians (whose names have long been forgotten) in the fall of 1776.” Obviously part of the attraction of Morgan's story for the Virginia Citizens Militia is this local connection. If the names of Morgan's “fellow Virginians” have been long forgotten, Doyle feels that he can partly restore them to history through his account of their activities.

According to Doyle, Morgan begins his wartime adventures running weapons up to New York and New Jersey, but after the news of one particularly successful encounter between Morgan's men and the British Redcoats reaches George Washington, Washington, “in dire need of leaders for the revolution,” decides to make Morgan a colonel. Hence, in 1777 Morgan forms “a militia of several hundred ‘riflemen’” and, “armed with better rifles than most American and British forces,” ventures further forth into the fray. Morgan, Doyle writes, fought at Saratoga in 1777, at Valley Forge in the winter of 1777–8, at the battle of Monmouth in 1778 (where he “led over 600 of his own snipers and 1,000 New Jersey militia members”), and at Yorktown in 1781, “not to mention dozens of other engagements throughout the colonies during the war.” Indeed, according to Doyle, forces under the command of Daniel Morgan “never lost a single engagement with the enemy” throughout the entire Revolutionary War, with the result that by its end Morgan was promoted to brigadier general, and was among the conflict's “most revered leaders.”

For militia members like Doyle, Daniel Morgan's story provides another telling example of America's ability to “forget” its past—as one of the Revolution's most “revered leaders” is allowed to become one of its “unsung heroes”—and, in addition to its intrinsic historical interest, it is again intended to offer specific guidance for the militiamen (and potential militiamen) of today Doyle makes this explicit in his final paragraph:

Morgan is only one of the many patriots in the Revolutionary War. He witnessed the British's *[sic]* onslaught against the citizens firsthand, helped his fellow countrymen by getting involved in the fight for independence, and ended up becoming one of the war's most important "unsung heroes." We should all take his example and help our fellow countrymen, and do our duty to this country and the principles which it stands for. Become involved in the militia movement. If you already are, sign on other members and reach out to the communities to help them understand what we are about. Participate in the fight to educate citizens of America about what their government is doing to their way of life, their constitutional rights, and their future. Get involved, like Daniel Morgan, and we may help America back on the right path.¹⁶

A similar localist interest was demonstrated by the New Jersey Militia in a series of articles entitled "Cockpit of the Revolution: The War for Independence in New Jersey," which appeared in their newsletter during 1997, and which were largely drawn from Leonard Lundin's 1940 book of the same title. "Part III" of this series took as its backdrop Washington's retreat to Pennsylvania in 1776, at a time when "Revolutionary prestige" in New Jersey had "collapsed." Focusing on how "the irregular fighters" of New Jersey, in cooperation with the New Jersey militia and detachments of the Continental army, were trying to "make life miserable for the royal soldiers" in the area, the article's anonymous author offered particular details of the events of 11 December 1776, when "a company of militia drove off from Woodbridge, at the very center of the British lines, four hundred...cattle and two hundred sheep collected there for use of the royal army." The activities of the militia, in conjunction with the successful tactics of Washington (who "had outgeneralled *[sic]* Cornwallis" at the battles of Trenton and Princeton) "profoundly affected the spirit of the people in New Jersey," readers of the *New Jersey Militia Newsletter* were informed, and they now "eagerly joined in harrying the insolent invaders." Indeed, "Farmers who had taken the oath of allegiance to the King...now seized their muskets, joined in small parties with their neighbors, and assisted in driving the regulars from all exposed and outlying posts."¹⁷

The December 1997 issue of the *Patriot Report* featured a seasonal tale by Andrew Cline under the heading, "Do you remember Dec. 26, 1776?" "Tonight, Christmas evening with your belly full of holiday feast, your house comfortably heated and your freedom safe and secure, take a moment to thank a man who brought joy to his people one Christmas long ago: George Washington," Cline urged his readers.

It was 220 years ago this Christmas [Cline went on] that an as-yet unvictorious general from Virginia led a shivering, rag-tag collection of militia men from New Hampshire, Virginia, Pennsylvania, Massachusetts, and New York across a frozen Delaware River and into the unsuspecting

arms of three regiments of professional Hessian soldiers, the best fighting men in the world.

“Today Christmas draws forth images of rosy-cheeked St. Nicholas, dancing nutcrackers and sugarplums, and sometimes even the newborn baby Jesus,” Cline noted sardonically, but in America he felt that “it should spark one more image, that of Washington crossing the Delaware.” Proceeding to retell the story of Washington’s famous crossing of the Delaware and his resulting victory at Trenton (“the turning point in the young war”), Cline concluded by reiterating his call to “think about the men who, 220 years ago, spent their Christmas hiking barefoot through ice, sleet and snow.” Such remembrance, he decided, was “the least we can do for the men who risked their lives to give us liberty.”¹⁸

It is telling, if somewhat ironic, that Cline should invoke George Washington in this way—as the leader of a “rag-tag collection of militia men”—because although he had been a colonel with the Virginia militia, where he served largely on the Virginia frontier, as the commander of the Continental army Washington was fiercely critical of the militia system. In fact, from the outset of the war, as John Shy has pointed out, Washington had argued that the militia was “worse than useless, and that the creation of a European-style, long-service, tightly disciplined force was essential.” Only days before the crossing of the Delaware, on 20 December 1776, Washington had written to Congress to complain about the militias. “They come in, you cannot not tell how,” he said, “go, you cannot tell when, and act, you cannot tell where, consume your provisions, exhaust your stores, and leave you at last at a critical moment.”¹⁹ Cline, though, is attempting to incorporate one of the United States’ most revered historical figures into a wider Patriot narrative about the central role played by the militias during the Revolutionary War. In the view of Donald Doyle, for example, “The Militia groups and their leaders (George Washington, in particular) dominated the American war effort.” Or, as Norman Olson of the Michigan Militia put it: “It was the armed militia of the American colonies whose own efforts ultimately led to the establishment of the United States of America.”²⁰ The question that arises is whether the militia movement is entitled to claim the “authority of history” for such assessments.

Citizens’ militias and the Continental army

There was no American army when the Revolutionary War began—the Continental army was not created until June 1775—by necessity much of the early part of the conflict was conducted by the colonial militias. As Don Higginbotham notes, the militias “acquitted themselves surprisingly well” during these early stages, most notably at Lexington and Concord and Bunker Hill. Indeed, in many ways these battles represent the high point of the militias’ military contribution to the war. It is therefore unsurprising that the modern militia movement tends to focus on these early years, and in this regard Cline’s depiction of Washington as

a leader of the militias is partially correct: militiamen did make up a significant part of the Continental army between 1775 and 1776. Despite Washington's reservations concerning the militias' effectiveness, as John K. Mahon has written, "throughout 1776 there was an American army only because there was a militia system."²¹

However, the problems associated with the militias—their ill discipline, unpredictability, high rates of desertion, cowardice under fire, and unwillingness to serve with the Continental army for long periods—together with rapidly declining enthusiasm for a war which many Americans had expected to last only a short time, soon combined to lead to a much greater emphasis being placed on the role of the Continental army. Lawrence Cress points out that as early as the summer of 1776 "Congress was well on the way toward creating a military establishment that placed a premium on military expertise, avoided the use of militiamen whenever possible, and relied extensively on enlistment bonuses and bounties to fill the ranks of the chronically undermanned American army."²² This is not to suggest that the militias no longer had a part to play in the war, or that they were without success on the battlefield. Throughout the conflict militia forces could be found fighting alongside the regulars of the Continental army and, later, the French. (At Yorktown in 1781, for example, Washington's force was made up of 5,700 Continentals, 7,800 French soldiers, and 3,200 militiamen.)²³ But after 1776 it was the "professional" troops of the army which took the leading role, with the militias acting largely as adjuncts to the army's main efforts.

If the militias' military shortcomings were so evident and the relationship between the states' militias and the Continental army both fraught and complicated—at one point Washington lamented that he was unsure whether "ours was *one* army, or *thirteen*," or "a compound of *both*"²⁴—why wasn't a stronger Continental army formed? Why continue to use militia forces? Why not disband them altogether? The answer to such questions lies in part in the history of the militia as a colonial institution and in the attachment each of the states had to its militia forces. Simply put, the states were reluctant to concede too much power to the political center as represented by Congress and the Continental army. In addition to this provincialism, John Shy has also argued that militias played significant roles in the policing and political surveillance of their own communities, acting as both a mechanism of political conversion and an effective coercive instrument. Yet perhaps the most important reason for their attachment to the militias was that, as Charles Royster has pointed out, "the revolutionaries relied strongly on the *idea* of the citizen-soldier." The militias formed an integral part of the political philosophy of the Revolutionary generation. As Lawrence Cress puts it, they occupied a "position of primary importance in the ideological structure of American republicanism," which is to say that citizen soldiers were seen as the embodiment of public virtue. They were believed to be acting for the common good, in contrast to professional soldiers, who were regarded as acting for their own selfish or mercenary ends. One of the consequences of this belief was that proponents of a more powerful army were never able to overcome the widespread

suspicion of permanent military institutions that existed in American society at the time.²⁵

American victory in the war served only to reinforce this valorization of the citizen soldier. Despite the pre-eminent role played by the Continental army and the obvious shortcomings of the militias, success, perhaps inevitably, produced a celebration of the ideals with which the war had begun. The difficulties, complexities, and weaknesses that had accompanied it were carefully downplayed. Following the victory at Yorktown, Americans, Royster explains, “reclaimed the war from the army” in order to show that “the people had won the war together,” and this, significantly, became the “popular interpretation” of the war to be passed down through the generations. As Royster writes:

Perhaps in bequeathing to posterity not only a legacy of ideals and sacrifices but also a version of history, the revolutionaries assured themselves that they had not betrayed the ideals of 1775. They could then know that they had not simply founded another country like the many corrupt and enslaved nations around them, but had proven that at least one generation of Americans could attain virtue and be happy.... If the revolutionaries could read the 150 years of praise of their valor, virtue and wisdom since the deaths of John Adams and Thomas Jefferson, they would not be surprised, since they planned it and started it.²⁶

Nowhere is this version of the citizen soldiers’ role in the Revolutionary War more keenly “remembered” than within the nation’s gun culture. Indeed, it is a view frequently endorsed even by those who study that culture. John Bruce and Clyde Wilcox, for example, identify “the role of privately armed citizens in gaining independence from Britain” as one of the principal sources of America’s “enduring love affair with the gun,” and Robert Spitzer, describing America’s militia tradition, reiterates the popular interpretation of the war when he writes, without qualification, “As is well known, citizen-soldiers serving in state-based militias *fought and won* American independence against what was considered the finest standing army in the world.” Similarly, James William Gibson, in his highly acclaimed *Warrior Dreams: Violence and Manhood in Post-Vietnam America*, confidently asserts that the “revolutionary army was not an army in the modern sense but a militia of mobilized citizens.” As far as Gibson is concerned, “[t]hat a kind of paramilitary force won the Revolution is a fact of profound consequence: the story of independent gunmen defeating evil enemies and founding a new society became America’s creation myth.”²⁷

Thus, in many ways the militia movement is evoking a “mythic” history in its accounts of the activities of the militias during the Revolutionary War, it is not a history of the movement’s own invention. On the contrary, in their stories of citizen soldiers at war, militia members are calling forth and utilizing a widely recognizable version of events. As Gary Hart has written:

In Revolutionary America, the Minuteman—young, mobile, citizen-guerrilla—took on heroic qualities that eventually assumed mythic proportions.... He is Sergeant York, William Holden in *The Bridges of Toko-Ri*, and even Luke Skywalker. He does not belong to the army. He belongs to the ideal of America.²⁸

With this in mind, this section concludes with Texas militiaman Jon Roland's review of Roland Emmerich's controversial film *The Patriot* (2000), starring Mel Gibson. *The Patriot* has been widely praised within militia circles, with some militia members even proposing to attend cinemas dressed in Revolutionary-era costumes to deliver information and pamphlets about the modern militia movement.²⁹ Roland's review provides a good illustration of the way in which historical facts, myth, folklore, and the demands of political propaganda (not to mention inventive filmic analysis) can be interwoven as the militias attempt to utilize American history for their own ends.

The Patriot(s)

Jon Roland regards Benjamin Martin, the hero of *The Patriot*, played by Mel Gibson, as a "composite of various Patriots," including Daniel Morgan, Elijah Clark, Thomas Sumter, and Andrew Pickens, all of whom, he says, were "renowned freedom fighters," but he decides that the character most resembles Francis Marion, the famous "Swamp Fox" guerrilla fighter from the wetlands of South Carolina. This is because in Roland's view Marion's "heroism and military skills consisted mainly of commanding militia units in guerrilla tactics, [and of] taking advantage of forests and swamps for cover and evasion," skills that Benjamin Martin certainly displays prominently in the film. For Roland, however, to treat *The Patriot* as the story of any individual is to miss the point. "The central character of this epic is not just Benjamin Martin," he argues, "but the Militia."

The moral struggle of Martin is also the struggle of the Militia, at first conscious of its domestic duties, and reluctant to risk those under its protection with a forceful response to tyranny, but compelled to resort to force when it is unable to protect them in any other way.

Intriguingly, although he congratulates the film's producers for doing well in re-enacting the setting of the American War of Independence, Roland regards the film as "really an allegory of our own times." Indeed, it contains, he says, "some pointed references to recent events." For example, Roland agrees with other critics of the film that a scene in which Colonel Tavington (Jason Issacs) locks men, women, and children inside a church with orders for it to be burnt down is historically inaccurate—it is one of the scenes which attracted criticism for its depiction of the British as "snarling Nazi sadist[s] from a wartime propaganda film"—but this, he says, is because the film is not intended to be historically

accurate. The scene “does not represent a Revolutionary War event” at all. Rather, “[i]t represents the Davidian church in 1993. And Col. Tavington represents the modern paramilitary federal agency.” Roland argues that this is “revealed” in the meeting between General Cornwallis (Tom Wilkinson) and Tavington in which Cornwallis “accedes to Tavington’s proposal to operate ‘outside the chain of command,’ and offers him land in Ohio.” As far as Roland is concerned, this “kind of conspiracy” in which political leaders are afforded “deniability” while “conducting atrocities...didn’t happen during the American Revolution” but it “is happening in our own time.” He concludes:

Mel Gibson, Roland Emmerich, and the others behind this excellent movie, should be commended for giving us a deeper appreciation of the concept of the militia, and how all of us have a militia duty to defend one another. It has done a great deal to revive the militia spirit to defend our Constitution, for which so many noble patriots died.³⁰

In their examinations of the role played by citizens’ militias in the War of Independence, the militias thus evidence a keen, extensive, and, one could argue, genuine interest, in many different facets of America’s Revolutionary history. Indeed, to some extent, militia members appear to be engaged in similar endeavors to those undertaken by professional historians as they seek to educate both themselves and their fellow citizens about their nation’s past. This is demonstrated by their attempts to rescue particular aspects of American history from apparent neglect and forgetfulness; in their efforts to bring the past to “life” through both detailed narratives and evocative vignettes; and in their concern to celebrate the actions of America’s lesser-known revolutionaries, as well as its more famous Founding Fathers. But such comparisons can only be taken so far. Militia members are not interested in American history simply for the knowledge to be discovered there. They are interested in this history because of the purposes to which it can be put. The militias use the past to bolster their sense of identity, to confer significance on their activities, and to legitimate their concerns. They invoke the battles of Lexington and Concord and other events involving the colonial militias, in order to campaign for 19 April to be recognized as “National Militia Day,” to boost their own membership, and to resist any new gun control measures, for example. In short, in the hands of militia members America’s history becomes aligned with, and is made to serve, explicit political ends.

This is not to argue that the nation’s Revolutionary history is completely distorted in the process. But it does mean that the desire of militia members to find a set of lessons with specific application in the present or a telling example to confirm their own worst fears, opinions, or general outlook tends to predominate over any concerns they may have as to their faithfulness to the historical record. In other words, the political needs of the militias in the present generally outweigh the demands that a “legitimate reading” of the past might make upon them. We see this in Donald Doyle’s view that it was citizens’ militias who “dominated the

American war effort,” and even in Jon Roland’s reading of *The Patriot*, as he strives to locate “pointed references” to the Waco siege or present-day government conspiracies. As a consequence, to a large extent the militia movement’s accounts of the role played by citizens’ militias in the Revolutionary War more closely mirror the “mythic” or popular history of the Revolution rather than the understanding of professional historians working in the area. This tendency is also evident in the militia movement’s employment of Revolutionary-era style rhetoric.

The rhetoric of Revolutionary action

Appearing before the Senate Subcommittee on Terrorism, Technology and Government Information in June 1995, the then leader of the Ohio Unorganized Militia, J.J. Johnson, described the militia movement in the following terms: “What the Militia is now...is a mindset.... It is people sitting with ‘Don’t Tread on Me’ stamped across their foreheads. These are people drawing a line in the sand. That is what it is.” Earlier, during his opening statement, Johnson had explained to the inquiring senators what he thought was causing people to join the movement. “To put it bluntly,” he said, “some of the legislation that has been coming out of Washington, some of the executive actions that are taking place...these things started a revolution 200 years ago and got this country started, and people are seeing this.” Johnson was pleased, though, that the militias were getting the chance to air their views before Congress because “200 years ago the British didn’t get the hint until they saw dead redcoats out there.” “This time,” he suggested,

maybe we can get this out in the open and have things resolved because... with the increasing polarization between the tax-paying public out there and what goes on not only in here, but in certain state governments, the only thing standing between some of the current legislation being contemplated and armed conflict is time.

Helping to prevent such conflict, Johnson quickly added, was “one of the reasons I got in this movement.”³¹

By invoking the Spirit of ‘76, with his talk of drawing a “line in the sand,” and in his apparent threat of future armed confrontation, Johnson’s performance—and we should not forget that it was a performance—was typical in many respects of how the militia movement in general uses the Revolutionary period to present itself, both to itself and to the outside world. Revolutionary-style rhetoric and Revolutionary-era symbolism form an important part of the militias’ rhetorical and ideological system, and in this section we examine how this rhetoric and symbolism is employed. We begin with four examples of its use in militia literature. This is followed by a discussion of some of the concerns that have been expressed about its use from American law enforcement officials, politicians, and “watchdog” agencies. Finally, we consider the reasons why such rhetoric and

symbolism are employed, and why they form such a prominent part of the militias' world view.

Revolutionary rhetoric

The Patriot publication *Common Sense* utilized a range of Revolutionary-era symbolism on the front cover of one of its early 1994 issues. These included a scroll which read "The Culpepper Minute Men," while beneath it, poised between the legends "LIBERTY OR DEATH" and "DON'T TREAD ON ME," sat a coiled rattlesnake, apparently ready to strike. Having identified what it saw as the dangers being posed to Americans by the federal government—evidenced, *inter alia*, by the "persecution" of those who just wanted to "practice their religious beliefs in peace" at Waco; by the powers of the Federal Emergency Management Agency "to take over almost every aspect of each American's life"; in the inroads being made into Fourth Amendment protections against unreasonable search and seizures; and by moves being made towards the creation of a cashless society which would make the control of American citizens even easier—the paper's editorial elaborated on the cover's imagery. It asked:

What can we do, in the face of this Government at once both tyrannical and lawless? Can we restrain its actions? Should we attempt direct military action, against the strongest Army in the world? Or should we meekly submit, in the words of Samuel Adams, "to bend down and lick the hand which feeds us"?

The answer, it was argued, was to "resist." To do so would be in accordance with the nation's founding.

We must resist, if we are to stay loyal to the spirit of the Founding Fathers of this Nation and to the Declaration of Independence and the Constitution which they created to guarantee to us our God given natural rights, which no man or Government may deny us.

It is true that the Government is strong, but remember that the Continental Army, at its largest, consisted only of 20,000 men, out of a total population of 2.5 million people. In 1778, this Army consisted of 5,000 men, less than 2/10ths of a percent of the total population.

"The lesson to be learned here," the editorial's writer emphasized, was "that you can make a difference. People who get up, and take action, smart, disciplined, prudent action, will see results, and good results at that." Resistance, it was explained, could take many forms, and readers were urged to "look to our family, our friends, and our communities, either in our churches or in our neighborhoods," to "find out what skills each of us has," and to "work together to trade those skills." "We need to set up our own cashless societies, our own barter networks, and

unhook from the grid to become self-sufficient, away from the power company, the gas company and the water company.” And, above all, what was needed was to “re-create the Ready Militia, the originally-intended duty corresponding to our natural right to keep and bear arms as enumerated in the Second Amendment.”³²

A similar approach was taken by the Kentucky Riflemen Militia in the first issue of the *Kentucky Riflemen News*. In an article intended to encourage gun owners to resist any further attempts at gun control in the United States, the anonymous author began by asking, “What will you do when they come for your guns?... Will you quietly turn over your guns? Or will you force them to ‘Wacoize’ you?” Either way, it was reasoned, “you’ve lost,” because “if you turn over your guns you can’t defend yourself and your family against criminals and tyrants” and if “they Waco-ize you, you’re dead.” Again, as with the argument advanced in the pages of *Common Sense*, the answer lay with the example set by the nation’s Revolutionary heroes and in binding together with other like-minded individuals to form militias. The article urged fellow gun owners to “wake up to reality,” warning them that, “[a]s Benjamin Franklin put it, ‘We must all hang together, or assuredly we shall all hang separately.’ If you want to keep both your guns and your life, you need the help of other gun owners, and they need your help.” It went on:

Now is the time to make up your mind. Where are you going to draw the line, and what are you going to do if they cross it? In 1775 at Lexington, the Minutemen drew the line at letting General Gage take their gunpowder. They presented a united front, they resisted, and they drove Gage’s troops back to Boston.

When Janet Reno, the baby-burning Witch of Waco, sends her troops to take your guns, are you going to resist? If so, you and your friends had better get organized now, while you have the chance. It’ll be too late when they’re already battering down your door.

Remember, this country was born when free men decided they wouldn’t give up their guns. Don’t let it die now! Find some like-minded people. Get organized. Decide what’s the line you won’t let them cross. Be ready to face them down when they try to cross it. Don’t let a bunch of bullying bureaucrats and two-bit tyrants steal the freedom that your ancestors and mine fought to preserve for us. Preserve that freedom for your children and grand-children.³³

In the February 1995 issue of the *Patriot Report*, George Eaton took the view that the dangers posed to Americans by “Globalists” of the New World Order were comparable to those faced from communism during the cold war. America, Eaton argued, was in a “definite situation where our liberties are at risk.” “Are we going to accept the planned destruction of America?” he asked. “Are we going to accept slavery for ourselves and our children?” Eaton’s plans for combating these dangers were outlined in the final two paragraphs of his article. Reproduced in full below,

they illustrate how Eaton employs a whole array of Revolutionary language, symbolism, and imagery as he moves towards his rhetorical climax:

Our founding fathers could have submitted to tyranny. They could have handed in their weapons and paid whatever taxes they were dictated to give. Total submission could have saved a lot of bloodshed and hardships on both sides. But that is not the choice they made. They recognized tyranny as a ruthless, diabolical control over their lives. They recognized tyranny as an ungodly control of their religious beliefs and a threat to their economic viability. Our founding fathers believed that life, liberty and the pursuit of happiness were precious, worth fighting for. Those men and women chose to stand for divine principles and liberties that are given by God alone, not by governments. They fought, suffered hardship, bled and many died to give this nation a new birth of freedom. Now, with sworn enemies, both foreign and domestic, making their final moves to replace our Constitution and force us to join a one world government, are we to humbly submit to a New World Order? Are we going to fail to defend this nation from the same tyranny our forefathers fought against over 200 years ago? By the actions of millions of American citizens, who are joining U.S. Militias, the answer to that question is a resounding NO! We will not yield, we will not submit and we will not bow to any military force that tries to enforce unconstitutional laws! It is our duty as American citizens to recognize a threat to our sovereignty and to defend America from all enemies. This stance is not offensive, it is not terrorism, it is true patriotism. It is our duty as Americans to defend America!

We can take America back! If we join together—the Army, Navy, Marines, Air Force, Special Forces, National Guard, Police officer, Sheriffs and citizens' militias [—] united we can make a stand against aggressive internationalism and keep America independent. We are everywhere. The sleepers have awakened!³⁴

Writing in the *Carolina Free Press* in August 1997, “Joan,” of the North Carolina Citizens Militia, also demonstrated the appeal of this kind of rhetoric as she sought to “undo the misrepresentation” of the militia movement “created by the ‘powers that be’ and the news media who have been brought [*sic*] out by those ‘powers.’” She wanted to make “the people of the United States of America...realize that the militia is made up of just regular people.” The same ideas of making a stand, of being prepared to lay down one’s life, of the need to follow the example set by America’s Revolutionary forefathers, and of the importance of the “inheritance” to be passed down to the generations to come are evident. “The NC [North Carolina] Militia, as well as the entire militia movement, will not submit to lives of slavery and we are willing to die for our beliefs. We will fight to the last man or woman [*sic*] because we would rather die than live a life where there is no justice or freedom,” “Joan” explained.

The blood of our ancestors is flowing in our veins. The men who fought the American Revolution are our forefathers and we are their children. We have no less courage than our forefathers and like them we remain regular people standing vigilant and ready. Our God-given rights ARE being trampled on. There will come a day when we say “No more! DON’T TREAD ON US!!!”³⁵

“Words have consequences”

Law enforcement officials, “watchdog” groups, and some of America’s most prominent politicians have expressed considerable concern about the militia movement’s use of this kind of rhetoric—what the ADL called its “revolutionary posturing.” It is taken to provide clear evidence of the dangers the militias pose: of their apparent readiness to commit acts of violence, whether it be in response to specific pieces of legislation of which they disapprove (most obviously gun control laws) or in some more generalized future conflict with the federal government. “These groups urge people to take immediate action and arm themselves. History has demonstrated that individuals who subscribe to this ideology are capable of acting in a violent manner,” the Montana Human Rights Network pointed out in one of the first reports into the movement. And the ADL has described the “formula” the militias have “concocted”—their belief in menacing conspiracies, hatred of the government, and conviction that an armed show-down is coming—as “a prescription for disaster.”³⁶

There is also concern about the effect such language can have on the “marketplace of ideas,” especially when it is viewed in conjunction with the militias’ paramilitary-style training and their proclivity for stockpiling and parading with weapons. Even in the absence of actual violent activity, the militias’ rhetoric is seen as intimidating, both to private citizens and to public officials. This is particularly so at the grassroots level, where local authorities often lack the manpower and resources to combat the potential threat posed by the militias. John Bohlman, a county attorney from Montana, warned Congress about this during the June 1995 hearings into the movement. He explained how in his jurisdiction of Musselshell County there were only five sheriff’s officers for a population of 4,400, and he was worried that the militias would “spawn lawbreakers” who would be “immune from prosecution due to actual violent resistance by the lawbreakers’ militia associates or due to the threat of violence” which was being “readily projected” by groups such as the Militia of Montana and the North American Militia.³⁷

Critics of the militias within law enforcement, congressional, and watchdog circles all stress that they do not wish to restrict the First Amendment rights of militia members. Appearing before Congress in the immediate aftermath of the Oklahoma City bombing, FBI Director Louis Freeh emphasized that “Law enforcement is not concerned with a group simply because of its ideology or political philosophy.” But, he said, the FBI “cannot and should not...tolerate and ignore any individuals and groups which advocate violence.” This was the clear

dividing line, the point at which an individual's or group's freedom of speech ceased to be protected. Similarly, for Senator Arlen Specter (R-PA):

The decisions of the Supreme Court...have made it plain that there is a broad ambit of freedom of speech, and that has protected our country and led to the greatest country in the history of the world, but there is an ending point if there is violence or the imminent threat of violence.³⁸

Concluding its first report into the militia movement, the ADL saw this as the "crux of the problem presented by the rise of the militias." "The right to hold and promote one's views on the issues which are agitating the militias—such as gun control, the environment, and abortion—is inviolate under the Constitution," it argued, but there was no right "to use force or violence either to impose one's views on others or to resist laws properly enacted." In order to deal with this problem, all the major watchdog groups, including the ADL, the SPLC, and the American Jewish Committee (AJC), have argued for the introduction of federal anti-paramilitary training legislation which would make it an offense to undertake training with firearms or explosives where such training was used "in, or in furtherance of, a civil disorder." In the view of Kenneth Stern of the AJC, such legislation "would not infringe constitutionally protected conduct" because, although the militias have the right "to say what they will about government, and the right to own guns if they comply with applicable laws," they do not have the right "to take those guns, form a private army, and practice for war against the federal government."³⁹

While most observers of the movement readily agree that not all militia members engage in criminal or terrorist activities, and although neither Timothy McVeigh nor Terry Nichols was ever actually a member of a militia group, concerns about the effects of the militias' propaganda understandably took on a new sense of urgency following the Oklahoma City bombing. As Michigan Senator Carl Levin saw it, for instance, "Extreme hate rhetoric contributes to an incendiary atmosphere in which an unstable individual will take the rhetoric seriously and light a match or a fuse." President Clinton set out his position both on this and on the wider issues raised by the militia movement's Revolutionary-style rhetoric during a speech at Iowa State University in April 1995. "Words have consequences," he said.

To pretend that they do not is idle. Did Patrick Henry stand up and say, "Give me liberty or give me death," expecting it to fall on deaf ears and impact no one? Did Thomas Jefferson write, "We hold these truths to be self-evident, that all men are created equal, that they endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness," did he say that thinking the words would vanish in thin air and have no consequences? Of course not....

We know that words have consequences. And I say to you, even as we defend the right of people to speak freely and to say things with which we devoutly disagree, we must stand up and speak against reckless speech that can push fragile people over the edge, beyond the boundaries of civilized conduct, to take this country into a dark place.⁴⁰

Some of Jefferson's words which Clinton chose not to emphasize during this speech were those that Timothy McVeigh had on a T-shirt at the time of his arrest: "The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants." These words are taken from a letter written to William Stephens Smith in November 1787, which Jefferson wrote in reference to Shay's Rebellion, which had taken place earlier that same year. A more extensive (and more usually quoted) extract from the letter reads:

God forbid we should ever be 20 years without such a rebellion.... [W]hat country can preserve it's [*sic*] liberties if their rulers are not warned from time to time that their people preserve the spirit of resistance? Let them take arms.... What signify a few lives lost in a century or two? The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants. It is it's [*sic*] natural manure.

For Conor Cruise O'Brien, such views can be seen as "something very like a Jeffersonian charter for the most militant section of the modern American militias," and Jefferson's "fanatical" belief in liberty makes him an "unreliable ally" for President Clinton in his battle with the militias. "If President Clinton is relying on the authority of Thomas Jefferson to keep [America's] sacred symbols out of the clutches of paranoid paramilitaries the President can be refuted out of the mouth of the very authority he invokes," as O'Brien puts it.⁴¹

This is because, for O'Brien, the liberty Jefferson advocates is "a wild liberty, absolute, untrammelled, universal, the liberty of a great revolutionary manifesto: the Declaration of Independence." But this is not the Thomas Jefferson nor the Declaration of Independence celebrated in the official version of the American civil religion—the version Clinton was trying to invoke in his speech at Iowa. To quote O'Brien:

[W]hen we are talking about the American civil religion and its sacred symbols, the visionary in Jefferson, the champion of the French Revolution remains disturbingly—and subversively—alive and relevant. Jefferson does not fit into the modern American civil religion *as officially and semi-officially expounded*. That version of the ACR [American civil religion] involves, as James Smylie puts it, "divine sanction in the use of power and in the support of civil authority." ...But other versions of the ACR are extant in modern America, even if official America, and the textbooks written for it, take no cognizance of their existence.

In religion—in both its supernatural and political forms, and in America as well as in the Orient—the spirit bloweth where it listeth. The places and communities where it listeth to blow are seldom congenial either to urban sophisticates or to official establishments. At present the regions of America in which a revolutionary version of the American civil religion is most active are principally the wilder parts of the American Middle West and Northwest, from Oklahoma out to the State of Washington.

Out there, there are tens of thousands of Americans ready to fight the Federal Government in the cause of liberty. In Burkean terms, these people are intoxicated with “the wild *gas* of liberty.” In Jeffersonian terms, they are people who are prepared to refresh the tree of liberty with its “natural manure,” their own blood and of those that they identify as tyrants, including the agents of the Federal Government.⁴²

At the time he wrote these paragraphs O’Brien noted that as far as he knew “the present revolutionaries in and around the militia movement have not made much use of Jefferson personally, though they do of course claim descent from the American Revolution and from the Declaration of Independence.” He was certain, however, that as the militias developed they “would seek and...find legitimation for *their* revolution—including its excesses—in the writings of Thomas Jefferson.”⁴³ It is worth pointing out, therefore, that the militias—both when O’Brien was writing and subsequently—have not only made use of “Jefferson personally” (as we have already seen), but have also specifically employed his views on Shay’s rebels and the “spirit of resistance.”

Norman Olson included an extract from Jefferson’s letter to William Stephens Smith in a list of quotations he submitted to Congress as part of his testimony before the Senate Subcommittee on Terrorism, Technology and Government Information in June 1995, and it appears in a collection of “Quotations from the Founding Fathers and Other Notable Personalities” by the Texas Constitutional Militia. Indeed Jon Roland of the Texas Constitutional Militia concludes his essay on the “Constitution in Peril” (which concerns the attempts of officials in the federal and state governments to “overthrow the Constitution”) with the following:

Thomas Jefferson once suggested that we ought to have a revolution every 20 years, and that the Tree of Liberty needed to be occasionally watered with the blood of patriots. One has to wonder whether the blood of patriots will again have to be shed to get the people to take the Constitution seriously again.⁴⁴

Numerous militias also include Jefferson’s “Declaration on the Causes and Necessity of Taking Up Arms” in the section of their websites devoted to important historical documents, and an article in the May 1998 issue of the New Jersey Militia’s newsletter on “What to Do if the Police Come to Confiscate Your Militia Weapons” ends with another expression of Jefferson’s views on rebellion, in this

case from his more often cited letter to Abigail Adams in 1787 (as the New Jersey Militia correctly note, although they slightly misquote from it):

The spirit of resistance to government is so valuable in certain occasions, that I wish it to be kept alive. It will be often exercised wrong, but better so than not to be exercised at all. I like a little rebellion now and then. It is like a storm in the atmosphere.⁴⁵

We will be examining the militias' use of the Declaration of Independence in detail later in this chapter, and also considering how their assertion of a "right of revolution" can, as O'Brien suggests, have a "subversive" effect on the officially sanctioned versions of America's civil religion. Now, though, I want to consider an alternative way of reading the militias' Revolutionary rhetoric. I want to suggest that it should not necessarily be viewed as a direct incitement to violent activity; that it functions, in part at least, as an attempt to connect with the Revolutionary history of the United States, as a call for attention (to be taken seriously), and as an expression of what the militia members regard as their "patriotism." In short, I argue that we need to understand the role this violent rhetoric plays within the militias' ideological system.

First a note of caution. Let me be clear: It is not my intention to minimize the dangers posed by the militias; nor do I wish to downplay the concerns of civil rights watchdogs and others who monitor the movement. Some of the militias' rhetoric certainly contains cause for concern, and there are plenty of examples in recent U.S. history of extremist groups engaging in violent confrontations with the authorities for it to be a legitimate concern. This, however, should not prevent us from investigating the complexities involved in the militia movement's use of Revolutionary-style rhetoric, imagery, and symbolism. We need to be aware of the different role played by language in different contexts, and recognize that the militias are far from alone in applying the language of America's Revolutionary past in the way they do.

"Liberty or death": rhetorical strategies and patriotic postures

Militia members want to establish a connection with those they see as their Revolutionary predecessors. A flyer from the New Jersey Militia explains, for example, how Committees of Safety were "formed in this country in 1774 in response to Parliament's Coercive Acts which were intended to punish America," and how members of the New Jersey Militia have "come together to form the New Jersey Committee of Safety in order to call to the attention of our fellow citizens the peril in which we find ourselves today." But if the New Jersey Militia wants to bring this perilous situation to the attention of its fellow citizens by emulating the example of America's Founding Fathers in this way, it is also hoping to call attention to itself. As Jim McKinzey, Commander of the Missouri 51st Militia, explained in relation to the formation of militias: "We want the word 'militia' in

there because it makes people look at you. It makes people listen to what you have to say.” The same process is at work in respect of the militias’ military uniforms, paramilitary training, and penchant for parading with firearms. As Ray Southwell of the Michigan Militia informed the *Detroit Metro Times*, “People say ‘Why the camouflage and guns?’ And I say, ‘Without the camouflage and guns, no one would pay any attention.’”⁴⁶

A similar self-consciousness is at play in the militias’ Revolutionary rhetoric. Militia members are well aware that its use will get them noticed. It is employed precisely because of this. The threats of violent confrontation explicitly and implicitly contained in the militia movement’s literature and public pronouncements have the same function as the uniforms, guns, and marches—to a considerable extent they operate as a demand for attention and a call for recognition. A militia pamphlet entitled “Paul Revere Rides Again” seeks to remind us, for example (in a quotation attributed to the historian Henry Steele Commager), that “We should not forget that our tradition is one of protest and revolt and it is stultifying to celebrate the rebels of the past...when we silence the rebels of the present.”⁴⁷

As well as bolstering militia members’ sense of identity, there are two important audiences for this rhetoric: potential future militia members and those in positions of power in the political mainstream. With regard to the latter, we can see the militias’ Revolutionary language as a means to convince local, state and federal politicians, government officials, and law enforcement personnel to take them and their concerns seriously. (It is, perhaps, an indication of the lack of influence which militia members feel they have through the conventional channels of political activity that they attempt to “shortcut” them in this way) But the militias’ rhetoric is also aimed at potential militia members—those in the wider gun culture, libertarians, home-schoolers, and so on, who might be sympathetic to the militias’ concerns—and in this respect it functions as a call for recruitment to the movement, rather than necessarily being a call to immediate violent action. In the extracts from *Common Sense* and the *Kentucky Riflemen News* discussed earlier, for example, considerable emphasis was placed on the importance of finding “like-minded people” and “getting organized,” with exhortations for gun owners and others to “stand-up together” and “make a difference.”

Getting other people involved means making the issues at stake seem worth standing up for. In terms of James Aho’s dialectic of heroism, the militias’ talk of drawing “lines in the sand” provides an illustration of the lengths to which militia members are prepared to go to in order to make the “*Should Be*” the “*Is*.” It is a strategy with positive benefits, designed to reinforce militia members’ own sense of worthiness/heroism, because, as Aho points out, “the more formidable the contradiction between the real and the ideal the greater the psychological reward in reconciling it” (although greater too “the hazards of compromise and failure,” which suggests again the potential dangers involved).⁴⁸ What could be more formidable than expressing a willingness to take on the agencies of the state? What greater indication of seriousness and importance? The militias’ confrontational

rhetoric serves, in other words, to *dramatize* the heroic activities that militia members see themselves involved in. This dramatization is a key aspect of its use.

Central to both this heroic dialectic and the militias' Revolutionary rhetoric is the concept of patriotism. In *The Roots of American Loyalty* Merle Curti wrote that "Patriotism, though it has meant many things and been put to various, even contradictory uses, may nevertheless be defined as love of country, pride in it, and readiness to make sacrifices for what is considered its best interest." And of course the ultimate sacrifice, the ultimate declaration of one's love for one's country, is being prepared to give one's life for it. The militias' Revolutionary rhetoric is intended as a mark of their patriotism, and we need to understand militia members' expressions of their "willingness to die" within these terms, as, for example, when Linda Thompson declares:

I want my children to realize how important our Constitution, our representative form of government is. I'm willing to die for it. There is nothing I'm saying that wasn't said 200 years ago, more volatily [*sic*], more passionately and probably more eloquently than I'm able to do it. If you're going to be free you can't afford to take any kind of namby-pamby backward step. Either you want to be free or you don't. Or either you're willing to give your entire life for it or you're not.⁴⁹

Declarations of this kind are simply part of the *lingua franca* of American patriotism. Take, for example, Patrick Henry's "give me liberty or give me death" speech. Henry's sentiments are frequently employed by militia members, and extracts from his speech, if not the speech in its entirety, have been reproduced in numerous militia publications, websites, and even on bumper stickers.⁵⁰ As Stephen Olsen points out, Henry's words are "an intrinsic part" of American history "[D]eclaimed by school children as early as 1834," they have been "printed over and over again in American histories, readers, and speech anthologies." Indeed, during America's Bicentennial celebrations they were chosen as an epigram intended to symbolize "the spirit and dedication of the revolutionary movement" being commemorated. And surely the centrality of Henry's speech to the American political canon was one of the reasons why Clinton chose to invoke it, together with the Declaration of Independence, during his "words have consequences" speech at Iowa State University. Even those who have resisted what might be regarded as conventional notions of American patriotism have been prepared to use its language, concepts, and heroes in furtherance of their own particular aims. American Socialist Party and Communist Party presidential candidates such as Eugene Debs and Earl Browder, and black rights activist Malcolm X, have all employed Patrick Henry in this way, for example.⁵¹

Patriotism, of course, slides easily into nationalism. Yet, as Barbara Ehrenreich has argued, "In the American vernacular, there is no such thing as American nationalism." Nationalism, she says, "is a suspect category, an ism, like communism, and confined to other peoples—Serbs, Russians, Palestinians,

Tamils.” “Americans who love their country and profess a willingness to die for it are not nationalists but something nobler and more native to their land. They are ‘patriots.’” Ehrenreich suggests, however, that in some ways “this is a justifiable distinction” because

If all nations are “imaginary communities,” America is more imaginary than most. It has no *Volk*, only a conglomeration of ethnically and racially diverse peoples, and it has no feudal warrior tradition to serve as a model for an imaginary lineage the average citizen might imagine himself or herself a part of.⁵²

In the United States the Revolutionary War stands in place of this feudal warrior tradition. It was during this period that the central themes and symbols, the very language of American patriotism and of the American civil religion as a whole, were initially set. The militia movement’s Revolutionary rhetoric can thus be seen as an attempt to connect with this foundational period, as militia members trace their own “imaginary lineage” back to the Founding Fathers. This is evident throughout the militia movement’s literature, with its almost constant emphasis on the importance of remaining loyal to the nation’s ancestors and on preserving America’s “Liberties” and “Freedoms” for the benefit of its children and grandchildren.

Ehrenreich has another interesting point to make on the relationship between patriotism and nationalism in this context. “Nationalism, in contemporary usage, is un-American and prone to irrational and bloody excess, while patriotism, which is quintessentially American, is clear headed and virtuous,” she writes, and herein lies the danger, because “[b]y convincing ourselves that our nationalism is unique among nationalisms, we do not have to acknowledge its primitive and bloody side.”⁵³ This is not the place to undertake a full-blown investigation into the “exceptionalist” thesis of American history but Ehrenreich’s insight suggests that one of the reasons why so many in mainstream America object so strongly to the militias’ use of America’s Revolutionary past is that militia members *do* articulate its “primitive and bloody side.” In doing so perhaps they provide an unwelcome reminder of this aspect of America’s nationalistic/patriotic identity.

This may be particularly so because it is largely only during periods of crisis—the First and Second World Wars, or the Great Depression, for example—that explicit invocations of the more sacrificial aspects of American patriotism are deemed acceptable. Indeed, calling on the Founding Fathers or the American Revolution even in general terms can be controversial when the situation in which they are invoked is not recognized as an appropriate one. Ronald Reagan discovered this during the 1980s when he sought to encourage support for the Contras in Nicaragua by comparing them to the “freedom fighters” who led the American Revolution. A graphic illustration of the controversy this caused occurred in 1986 when a former Vietnam veteran Charles J. Litkey left his Congressional Medal of Honor at the Vietnam War Memorial in protest at

Reagan's policies. In a note accompanying the medal Litkey accused Reagan of insulting "every American patriot when you referred to these killers of children, old men and women as 'freedom fighters,' comparable to the founding fathers of our country."⁵⁴

On the one hand, then, the militias are employing and exploiting a language of patriotism/nationalism which is available to all within America society; and in this they are engaged in a familiar and common enough strategy. As Staughton Lynd, writing in 1968, pointed out: "American Revolutionary rhetoric has been as popular with uneducated poor men as with articulate spokesmen, with Marxists as with non-Marxists, with Negroes as with whites." Or, to quote Stephen Jaffe:

The Founding Fathers seem to surface whenever Americans debate the meaning of racial and sexual equality, the rights of individuals to control their own lives, the threat of "big government," and other issues that matter to them...as if they are always lurking around the corner, waiting for the outbreak of the next heated argument.⁵⁵

But on the other hand, the militias are employing this strategy at a time and in a way which is deemed unacceptable and inappropriate by many within the mainstream of American society, and particularly by its "official" guardians. The picture the militias paint of the United States—with government officials viewed as "two-bit tyrants," with the events at Waco seen as a sinister portent of the widespread attempts at citizen disarmament to come, and with "globalist" plans believed to be afoot to exert a "ruthless, diabolical control" over the lives of all the American people—is one that is far from recognizable to most Americans. The kind of crisis situation that might be said to justify the militia movement's invocation of the Spirit of '76 and its talk of drawing "lines in the sand" is simply not believed to exist.

This tension between the understanding of America's past being employed by the militias and that regarded as acceptable within the mainstream of American society is evident throughout the militia movement's use of American history. We find it again as we move on to examine the document that provides the philosophical framework and much of the rationale for the militias' Revolutionary rhetoric—the Declaration of Independence.

A sacred text: the militia movement and the Declaration of Independence

In a speech at Springfield, Illinois, in 1857, Abraham Lincoln claimed that the Declaration of Independence was intended

to set up a standard maxim for free society, which would be familiar to all, and revered by all; constantly looked to, constantly labored for, and even

though never perfectly attained, constantly spreading and deepening its influence, and augmenting the happiness and value of life to all people of all colors everywhere.

“The assertion that ‘all men are created equal,’” he explained, “was of no practical use in effecting our separation from Great Britain; and it was placed in the Declaration not for that, but for future use.” It would act as “a stumbling block to all those who in after times might seek to turn a free people back into the hateful paths of despotism.” More than a hundred years later, on 28 August 1963, during the March on Washington for Jobs and Freedom, Martin Luther King stood before the Lincoln Memorial to deliver perhaps his most famous speech. “When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence,” he stated,

they were signing a promissory note to which every American was to fall heir. This note was the promise that all men, yes black men as well as white men, would be guaranteed the unalienable rights of life, liberty, and the pursuit of happiness.

But, King said, “instead of honoring this sacred obligation, America has given the Negro people a bad check; a check which has come back marked ‘insufficient funds.’”⁵⁶

This is the Declaration of Independence as it is generally recalled and understood within American society: a “sacred text” that offers a “moral standard by which the day-to-day policies and practices of the nation [can] be judged.”⁵⁷ This is the version of the Declaration celebrated in America’s civil religion, one that rests on the “self-evident truths,” contained in the document’s preamble, that “all men are created equal” and are “endowed by their Creator” with “unalienable rights” of “Life, Liberty and the pursuit of Happiness.” Yet, as Stephen Lucas, amongst others, has pointed out, the expression of the Declaration in the kind of “universal terms” adopted by Lincoln or King would have “astonished the men who passed and signed the Declaration of Independence.” Indeed, for Lucas the “original purpose” of the document has become almost completely divorced from the events of 1776, with the result that there is now an “enormous gulf between what we have made of the Declaration and what it was—and was meant to be—in its own time.” This is because what the Declaration was meant to be was a justification for America’s separation from Britain based on what Carl Becker described as a “frank assertion” of the people’s right of revolution against tyrannical authority.⁵⁸

It is in the opening three sentences of the preamble to the Declaration of Independence that the core of the philosophy of government which Thomas Jefferson and the other drafters of the Declaration sought to establish can be found.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.

These three sentences are made up of five propositions, and the modern reputation of the Declaration depends on reading them separately, in isolation from one another. Stephen Lucas explains, though, that “they are meant to be read together and have been meticulously written to achieve a specific rhetorical objective.” The first three propositions—that all men are created equal; that they are endowed by their creator with certain unalienable rights; that among these rights are life, liberty, and the pursuit of happiness—lead into the fourth—that to secure these rights governments are instituted among men—which, in turn, leads into the fifth, and it is this fifth proposition, “proclaiming the right of revolution when a government becomes destructive of the people’s unalienable rights, that is most crucial in the overall argument of the Declaration.”⁵⁹

Although the exercise of this right of revolution was subject to important conditions (discussed on pp. 83–5), the belief that such a right existed went largely uncontested in the eighteenth century. The real question the Declaration had to address was the practical one of whether the colonists’ complaints against George III were legitimate. Hence it was the section of the Declaration in which the colonists set out their indictment of the King which was most significant at the time—the very section which is generally most neglected now. “When Jefferson said he articulated an American mind in the Declaration, he was probably referring to [the] much disputed list [of grievances] rather than to the preamble (on which later generations would fix their attention),” writes Garry Wills in *Inventing America*.⁶⁰

What is interesting about the militias’ engagement with the Declaration of Independence is not that they should try to align themselves with the document or attempt to employ it for their own political ends. From the 1820s onwards numerous groups and causes have pursued a similar course.⁶¹ What is interesting is that they have sought, in the main, to return the Declaration to its “original” revolutionary purpose. In doing so they have challenged how the document is remembered and regarded within the dominant culture. This is not to say that militia members are unaware of the basis on which the modern reputation of the Declaration rests—how could they be, given that the emphasis on “equality” has become such a central part of how the document is remembered in the present?—and the document is certainly revered as both “sacred” and central to American identity.⁶² But it is this other aspect of the Declaration—its role as a revolutionary

manifesto—to which militia members attach most significance. The remainder of this chapter examines how they do so, and considers the implications, both for the militias and for those in the political mainstream.

“To alter or to abolish”

In an article on the “Price of Freedom” for the September 1994 issue of *Patriot’s Alert*, Dan Gonzales of the Lee County Militia in Florida invoked both the “sacredness” of the Declaration of Independence and its centrality to American identity, as he sought to encourage “UNDERSTANDING, KNOWLEDGE, AND ACTION” from his readers. “Our country is unique,” he explained. “It is unlike any other nation. It’s [*sic*] inception came about when fifty-six men signed their names to the Declaration of Independence, creating not only a political document, but instituting a spiritual manifesto as well.” For Gonzales, though, the essence of the Declaration was not to be found in its commonly invoked assertion that “all men are created equal”; it was to be found in its justification of a “right of rebellion” for American citizens:

This document justified morally a rebellion against a political tradition—the “divine right of kings.” The big question was, “Are men’s rights God-given or given by governments to their subjects?” The Declaration of Independence proclaimed that all men have certain “inalienable rights,” which means that those rights came from God.

The colonists were, in effect, rebelling against a tyrannical monarch who used oppressive force and abuse, and had complete control to do what he wanted to do. Their “declaration” stated, “when a long train of abuses and usurpations pursuing invariably the same object evinces a design to reduce them to absolute Despotism, it is their right, it is their duty, to throw off such a Government, and to provide new Guards for their future security.” This basically means that when a ruler demonstrates cruel or unjust use of power, and oppression to reduce the colonists to virtual slaves, they had the right and duty to throw off this ruler... [*sic*] and throw off they did, pledging to each other, “our lives, our fortunes, and our sacred honor.”

Gonzales expanded on the “price of freedom” by providing an extensive biographical account of the fifty-six signers of the Declaration, offering details, *inter alia*, of their ages, occupations, religious beliefs, subsequent careers, and progeny “They came from all walks of life,” he explained. “Twenty-three were lawyers, twelve were physicians, two were manufacturers, one was a politician, one a printer and one a minister.” Particular emphasis was given to the hardships the men endured. Readers were informed how William Floyd “was exiled from his homeland for seven years and almost ruined financially,” how Francis Lewis “had his home plundered and burned,” and how Thomas Nelson, Jr. of Virginia, having given “his fortune to help finance the war,” died “in poverty at age fifty-

one.” The article then concluded with the “immortal words of Patrick Henry” For Gonzales, these “were not idle words, for upon affixing their signatures, the [Declaration’s] signers were in reality choosing liberty or death [because] if the revolution failed they would be hanged as traitors.”⁶³

Dan Gonzales is not alone in his interest in the fate of the men who signed the Declaration. “What Happened to Them?” asked the Michigan Militia Corps in the 23 June issue of its *Weekly Update* in 1997. “Have you ever wondered what happened to the 56 men who signed the Declaration of Independence?” Like Gonzales, the anonymous author of this article was also interested in “what kind of men” the signers were and in the sacrifices they made, and having fleshed out some of their biographical details he comes to the conclusion that the signers “were not wild-eyed, rabble-rousing ruffians.” On the contrary they were “soft-spoken men of means and education.” “They had security,” he says, “but they valued liberty more,” and so, “standing tall, straight, and unwavering,” they pledged to support the Declaration in order to give “us an independent America.” The question for the Michigan Militia was: “HAVE WE KEPT IT?”⁶⁴

Apart from reflecting the general interest in what Garry Wills calls the “cult of the signers,” focusing on them in this way serves a number of useful functions for militia members.⁶⁵ Of course, it is intended to suggest that militia members are comparable to the men who “stood up” in 1776 and implies that people in the present should be prepared to undertake similar sacrifices. But it also has the effect of “democratizing” the Declaration. This is useful because, while there is an acknowledgement that Jefferson was the primary (if not sole) author of the Declaration and the militias want to venerate men like him as founts of wisdom who should be guiding the nation, they also need America to belong to “ordinary people” like themselves—and, as Gonzales would have it, the signers “came from all walks of life.” It is also a strategy that accords with the militias’ aim of bringing American history “back to life,” both for militia members themselves and for their fellow citizens. By answering the question of what happened to the men who signed the Declaration of Independence, militia members are, as they see it, rescuing both the signers and the Declaration from the dead weight of the past. The Declaration becomes part of the Revolutionary War again, a document people were willing to fight and die for, rather than just a widely cheered national treasure; and in this way militia members hope to invest “real” meaning back into it. We see the same strategy at work when militia members seek to remind Americans that the Fourth of July is more than just a holiday: when the August 1997 issue of *Necessary Force* asks its readers “Are We Celebrating Independence, Or Just Celebrating?,” for example; or when the July 1999 issue of the *Free American* contains a facsimile of the Declaration of Independence alongside the injunction “Before you light a firecracker read this and think about why we honor the Fourth of July.”⁶⁶

The July 1997 issue of the *Carolina Free Press* explored these issues in an article on “The Spirit of Freedom: Re-Igniting the Flickering Flame.” It began with the following epigraph:

(This day) [*sic*] will be the most memorable epoch [*sic*] in the history of America. I am apt to believe that it will be celebrated by succeeding generations as the great anniversary festival.

(John Adams on America's Declaration of Independence)

The problem, particularly for an article hoping to encourage accurate remembrance and understanding of the Fourth of July, is that in the letter to his wife from which this extract is taken Adams was referring to 2 July 1776, and to the resolution of Congress on that day which established America's independence, rather than to the Declaration of Independence that followed it.⁶⁷ Nonetheless, for the article's author,

As we celebrate the birth of our nation we should once again take time to understand just what could motivate a people to break the binds of their long established government. And with it the moral and religious grounds to justify such a break.

"Thomas Jefferson," the article said, had "penned the sacred words of the Declaration of Independence that summed up the beliefs of the rebels in America" and these beliefs "would always be the standard for future Americans." The opening three sentences of the Declaration's preamble were then reproduced in order to illustrate exactly what these beliefs were.

Justifications for rebellion were "found throughout the writings of the time," the article's author continued, quoting from John "Dickerson" (though presumably they are referring to John Dickinson, author of the famous *Letters from a Farmer in Pennsylvania to the Inhabitants of the British Colonies* [1768]) in terms intended to indicate how the right to rebellion is claimed from a "higher source" than "Kings or parliaments."⁶⁸ This is followed by an extract from "A Political Catechism" of Francis Hopkinson, another of the signers of the Declaration of Independence, which concerns itself with the distinctions between offensive and defensive wars (the latter being defined as "to take up arms in opposition to the invasions of usurped power and bravely suffer present hardships and encounter present dangers, to secure the rights of humanity and the blessings of freedom, to generations yet unborn"), before the article ends with a further reminder that,

As we each muse upon this day of delivery, we should carefully consider the oath that birthed this nation, our liberty, and the high price that is charged for it. "...with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor."

These, then, are some of the ways the militias attempt to assert their right of revolution. The question that follows is this: Why do they think it is appropriate to do so in the present-day United States?

Facts submitted to a candid world

The Declaration of Independence gives excellent insight as to why people feel the need to group together and participate in militia/patriot organizations. This document *speaks for itself* once again as it did over 200 years ago when flagrant injustice continued out of control by oppressive public servants.

So proclaimed Militia of Montana leader John Trochmann in his appearance before the Senate in June 1995. Americans were joining militia and other “patriot organizations,” he said, because “the high office of the Presidency has been turned into a position of dictatorial oppression...leaving Congress stripped of its authority”; because of the increasing and threatening powers of the United Nations, and the government’s willingness to allow the American military to be “ordered and controlled by foreigners”; because of the events at Ruby Ridge and Waco; and because the “twisted, slanted, biased media of America who take their signals from a few private covert special interest groups” were “bent on destroying what is left of the American way.”⁶⁹

These complaints were expanded upon, however, in an “updated” version of the Declaration of Independence which Trochmann asked to be “entered into the permanent record as a partial support document to our statements.” Significantly, it was the “grievances section” of the Declaration that the Militia of Montana had updated; it was this part of the Declaration which apparently “spoke for itself once again as it did over 200 years ago.”

The colonists’ original indictment of George III is introduced by the following sentences in the Declaration of Independence:

The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

These are some of the “Facts” the Militia of Montana wished to be “submitted to a candid world” in 1995:

He has refused his Assent to Laws, the most wholesome and necessary for the public good. [1995—*By increasing Police Powers, militarizing local Police; never carrying out Honest Inquests on Government Corruption.*]

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them. [1995—*Vetos and Presidential Orders.*]...

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance. [1995—

Establishing Federal Armies of Abuse under dozens of Enforcement Agencies. Such as the ATF, DEA [Drug Enforcement Administration], BLM [Bureau of Land Management], IRS [Internal Revenue Service], MJTF [Multi-Jurisdictional Task Force]; FINCEN [Financial Crimes Enforcement Network], USFS [United States Forestry Service] to name a few.]

He has kept among us, in times of peace, Standing Armies without the consent of our legislature. *[1995—Expanding United Nations Forces with training bases; Foreign equipment storage; Permanent Foreign military bases; Foreign, including Russian cooperative training.]...*

For Quartering large bodies of armed troops among us. *[1995—Foreign materials and Equipment: Honest Representatives being lied to by the Executive Branch and the U.N. Executives with regard to this equipment.]*

For protecting them, by a mock trial, from punishment for any Murders which they should commit on the Inhabitants of these States. *[1995—Iran-Contra cover-up; Drugs, Murders; 1980 October Surprise Cover-up; White Water Cover-up; Inslaw theft Cover-up; Noriega Connections to Government Cover-up; Murder of Panamanian Citizens; WACO Cover-up.]*

For cutting off our Trade with all parts of the world. *[1995—Aligning with Nations into a World Government. Disalignment from those that would NOT become a “New World Slave State.”]*

For imposing Taxes on us without our Consent. *[1995—Executive Orders giving Tax Dollars (Billions) away with no representation. Mexican bailout and the war in Iraq.]...*

He has abdicated Government here, by declaring us out of his Protection and waging War against us. *[1995—WACO, Weaver, New Orleans, Chicago: All areas of Federal Force abuses.]*

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people. *[1995—WACO.]*

He is at this time transporting large Armies of foreign Mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of Cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation. *[1995—The Out of Control expansion of Police at all levels, while Crime declines three years in a row. The Creation of “Ethnic” forces, hiring Foreign Enforcement, for Prison Guards, the passage of a Bill for 2500 “hit men” for Janet Reno’s Office.]...*

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions. *[1995—Covert Instigators and Provocateurs in Los Angeles Riots (Creation of Crisis); Assisting in International chaos.]*

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms. Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which

may define a Tyrant, is unfit to be the ruler of a free people. [1995—*All Requests for Redress are Denied, except at the Whim or Pleasure of the Oppressive State.*]...⁷⁰

Similarly, for David Wayne in the *Preparedness Journal*, “Nearly 220 years have passed since the signing of the Declaration of Independence,” and although “[m]uch has changed since 1776...the complaints that gave birth to this fabulous document are as real today as ever.” Indeed, for Wayne, as for the Militia of Montana, “The grievances expressed by the American colonists at that time seem line for line the same complaints that encumber patriots today.” He identifies some of the “present day parallels” with the “‘train of abuses’ cited by the original colonists” as follows: “many cities and states in the U.S. today refuse to make it easier or even legal for people to arm and protect themselves from violent criminals,” and this corresponds with the colonists’ complaint that George III had “refused to Assent to Laws, the most wholesome and necessary for the public good.” The existence of government agencies such as the “OSHA [Occupational Health and Safety Administration], EPA [Environmental Protection Agency], BLM, not to mention the ATF, FBI, IRS, etc. etc.” is made comparable with the erecting of a “multitude of New Offices” and sending “swarms of Officers to harass our people.” And the killing of Posse Comitatus member Gordon Kahl in 1983 and the deaths at Ruby Ridge and Waco represent evidence of the way in which the government protects its agents for “any Murders that they should commit on the Inhabitants of these States,” as the corresponding charge in the Declaration against the “armed troops” of George III reads.

For Wayne, “Concerned and vigilant Americans have at every stage of these transgressions petitioned for readdress [*sic*] peaceably and lawfully only to be answered by repeated injury” as “elected officials and their bureaucratic lackies [*sic*] continue to consolidate their power.” “As each legislative session passes,” he says, “it becomes more apparent that they see themselves as our Master, and we their slaves,” before citing Patrick Henry’s advice to delegates at the Virginia Ratifying Convention: “Guard with jealous attention the public liberty. Suspect everyone who approaches that jewel. Unfortunately, nothing will preserve it but downright force. When you give up that force you are inevitably ruined.”⁷¹

It is not necessary to examine these grievances point by point and line by line. Suffice it to say (as discussed in [Chapter 3](#)), they represent the militias’ reading of recent history as a catalogue of betrayals of America’s founding principles. It will be more fruitful to consider the militias’ complaints in the context of the conditions laid down for the legitimate exercise of the right of revolution within the Declaration of Independence. For if the militias are to claim the “authority” of the Declaration for the case they are making they must be able to satisfy these conditions.

“Light and transient causes”

The drafters of the Declaration of Independence were careful to lay out the specific circumstances in which the right of revolution contained in the document’s preamble could be invoked; the people did not have the right “to alter or to abolish” governments for any cause that took their fancy. As Pauline Maier has written:

English and American defenders of “revolution principles”...were never at home with anarchy. From the beginning they explained at length the preconditions of legitimate popular resistance and revolution, which became increasingly elaborate and emphatic in the eighteenth century. Resistance and revolution could not be provoked by magistrates’ casual errors or private immoralities, nor could force be used except as last resort, after all “peaceful means of redress” had been exhausted. Legitimate opposition had to answer acts of misrule so serious and so protracted that they aroused the “Body of the People,” which was itself understood as a restraining factor since the people were hesitant to act. Only after a “long train of Abuses, Prevarications, and Artifices, all tending the same way,” and making their “design visible to the People,” Locke wrote, would the people “rouze themselves, and endeavour to put the rule into such hands, which may secure to them the ends for which Government was at first erected.”⁷²

It was these ideas, Maier says, that Jefferson restated in the fourth, fifth, and sixth sentences of the Declaration’s preamble:

Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is [the right of the People], it is their duty to throw off such Government, and to provide new Guards for their future security. Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their Former Systems of Government.

The problem for militia members is that on all these counts their case for invoking the Declaration seems unsustainable. To begin with, as Stephen Lucas points out, the right of revolution “could not be invoked by a handful of individuals; nor could it be invoked by private causes,” and the militias—whatever their total membership might be—can hardly be said to represent the required “Body of the People.” Moreover, exercising the right of revolution could only be justified by serious attacks on “the people”—the breaking of the social compact—not for “light and transient causes.” The militias’ complaints are numerous

(encompassing the increase of presidential power, the growth and militarization of government law enforcement agencies, apparent plans for a new “World Government,” and countless cover-ups and scandals), but even putting the more outlandish of the militias’ conspiratorial complaints to one side it is doubtful that most Americans would agree with them that they have been suffering from a “long train of abuses and usurpations” evincing a “design to reduce them under absolute Despotism.” As Richard Abanes has written:

Only persons who are woefully ignorant of our history would think for a moment that today’s legislative irritations and federal abuses of authority are in any way comparable to the sufferings our colonial forebears endured. It is almost an insult to the memory of America’s founders to suggest otherwise.⁷³

Once again, it is the uses to which militia members seek to put their understanding of America’s past that prevent them from claiming the “authority of history” for the case they are making.

Further, as Glenn Reynolds has argued, at the heart of the political theory employed by the framers of the Declaration for distinguishing between “legitimate revolutions—such as the American Revolution—and mere ‘rebellions’ or ‘insurrections’ was the notion of ‘representation.’” “Those who were not represented lacked the citizen’s duty of loyalty,” Reynolds writes, but this is not the situation in which the modern militia movement finds itself. As Reynolds says, while there might be “plenty to complain about with regard to the expansion of government in the last half-century just about all of it was with the acquiescence—if not the outright endorsement—of the electorate.” Finally (but relatedly), for the militias to successfully assert the legitimacy of their right of revolution they must also show that they are doing so only as a matter of last resort, having exhausted all recourse offered to them through the political process. This is far from being the case. “As the militia movement says, the framers did believe in the right of revolution,” notes Reynolds. “But they believed that such strong medicine was a last resort against tyranny. Today’s militia members would be better advised to organize a new political party, or to work at increasing voter turnout.” Senator Fred Thompson (R-TN) made exactly this point during the 1995 hearings into the militia movement. He told Ohio Militia leader J.J. Johnson:

You talked about...our Revolution.... But you know, we couldn’t vote King George out of office. The difference between us and other countries is that we do have a democratic society and one in which huge numbers of people don’t even bother to vote, but we have an opportunity to change just about all of the things that you listed that are a problem.⁷⁴

If the militias’ claims regarding the exercise of the right of revolution contained in the Declaration of Independence cannot be justified, this does not mean the

document ceases to be useful to them. Because of their concern to educate Americans about their past and their feeling that they are involved in a contest with the nation's elites for access to and control of that past, the *existence* of this right or, more importantly, the *assertion* of its existence is just as significant. Indeed, it is worth reiterating some points made previously with respect to the militias' Revolutionary rhetoric. This is because the militias' employment of the Declaration in the ways described above does not necessarily mean they are actively preparing to overthrow the government. It is a mistake to take these claims at face value, as if every militia member were willing to employ violence to achieve his or her political aims. Once again, language games are being played. Through the militias' engagement with the Declaration of Independence attempts are being made to claim significance and to establish a sense of connection with the past. Self-dramatization is at work and, as before, a demand to be taken seriously. To quote Bob Nichols of the Missouri 51 st Militia:

If there is a Second American Revolution, the militia will be right smack in the middle of it. But I think militia groups have inspired more political action and have made people more aware of the loss of our freedoms. Hopefully the Second American Revolution will be a bloodless coup, a return to Constitutional limitations on government power because of the demands of the people of this country.

Or as Norman Olson, voicing a commonly held militia view, has expressed it:

There are three ways to control the government. Number one, through the political process. Number two, by a threat. Number three, by revolution. There are only three ways. I don't want to go to number three, but there must be a threat.⁷⁵

Bearing these points in mind, this section concludes with a discussion of the Declaration of Independence as a "living" and "contested" document.

Contested meanings

Brian Levin of the SPLC objected strongly to the militias' attempt to "give a veneer of credibility to their cause" by employing the Declaration of Independence. Asked whether the Declaration conferred any rights to individuals, including a right of revolution, Levin replied:

No. The Declaration of Independence confers no rights or privileges to any citizen today. It is a very important document historically, in the sense that it effected our dissolution from the Crown.... But the Constitution, not the

Declaration of Independence, is the document from which all laws and rights in this country receive their validity.

Levin saw the militias' claim to overthrow the government as "more of a philosophical claim than a legal one," but "even in the philosophical realm" he regarded it as "an illegitimate claim." This was because "[t]he remedy to the grievances found in the Declaration of Independence is the Constitution. The Constitution is the lawful framework in which the grievances listed in the Declaration were remedied."⁷⁶

To some extent this is a bizarre claim to make, since, as Garry Wills has written, "everyone agrees that the right of revolution antecedes and outranks the Constitution," but it reflects the fact that for many in mainstream America the existence of this right, and its potential availability to those considered political extremists, is a cause for considerable concern.⁷⁷ Perhaps this should not come as any surprise. As Pauline Maier has pointed out: "Revolutionary documents are always uncomfortable for established governments." Indeed, in her discussion of the construction of the Jefferson Memorial during the presidency of Franklin Roosevelt, Maier provides an excellent example of the extent to which mainstream America has had difficulty with the Declaration of Independence's right of revolution. She recounts how the Commission charged with determining the inscription to adorn the panel of the monument dedicated to the Declaration eliminated the passage on the people's right to alter or abolish their government when it failed to protect their rights, despite this having been "essential to the meaning of the Declaration as Jefferson understood it down to the final weeks of his life." As a result, for the millions of Americans who visit the Memorial each year the opening sentence of the Declaration's preamble leads to only three self-evident truths: "that all men are created equal, that they have certain inalienable rights, including the rights to life, liberty, and the pursuit of happiness, and that governments are created to protect those rights." These are the lines "most Americans remember," Maier says, adding, somewhat ruefully, that "indeed, memories tend to fade after 'life, liberty, and the pursuit of happiness.'"⁷⁸

In one important respect, though, Levin is correct. The Declaration of Independence is not a constitutional document. It confers no rights utilizable in a courtroom. It is not subject to the rigors of legal scrutiny.⁷⁹ But then this, of course, is part of its appeal. The vagueness of some of the Declaration's central themes—its "glittering generalities," as Staughton Lynd described them—coupled with its imperviousness to legal scrutiny is why so many groups have been able to lay claim to it. Maier also reminds us that the Declaration contains assertions of important "natural rights" which are otherwise absent from the nation's constitutional documents:

[B]ecause the Constitution and the Bill of Rights were unembellished by assertions of men's original equality or their unalienable rights or the fundamental power of the people or their right to change or replace their

government, individuals who found it useful to cite those old revolutionary principles on behalf of some cause or another in national politics had to turn to the Declaration of Independence. *It was all they had.*

It was these factors, together with the document's "sacralization," which, she says, made the Declaration "a powerful text to enlist on behalf of any cause that might conceivably claim its authority."⁸⁰

In the *Intellectual Origins of American Radicalism* Staughton Lynd wrote:

Politically as personally, recourse to the past can be a means of retrogression and escape; but it can also be the first step in a process of liberation.... With or without the help of historians...Americans concerned to change society around them have made appropriate use of the past as a source of forgotten alternatives, for encouragement to endure.

Lynd had in mind the "appropriate use" of the Declaration of Independence and other aspects of America's Revolutionary past by radicals of the left. But this past is available to others as well. The militias have made *their* own use of it. In doing so they provide an unwelcome reminder of one of America's "forgotten alternatives": the right of revolution they claim to have "found" in the Declaration of Independence. They also provide a telling illustration of the Declaration's "capacity to convince and inspire living Americans." This is significant because, as Pauline Maier says,

The ultimate authority of the Declaration...rests, as it always has, less in law than in the minds of the people, and its meaning changes as new groups and causes claim its mantle, constantly reopening the issue of what the nation's "founding principles" demand.⁸¹

Conclusion: a continuing inspiration?

Writing in 1975, Richard Brown observed how America's then "current revolutionaries" no longer identified with the American Revolution. Members of the white New Left and the black militant movements found "their models," he said, "not in Samuel Adams, Thomas Jefferson and George Washington, but in a galaxy of present-day heroes including Mao Tse Tung, Che Guevara, Malcolm X, George Jackson, and the slain members of the Symbionese Liberation Army." This was seen to be a matter of profound consequence:

That current revolutionaries, unlike previous American dissidents, no longer identify with the American Revolution may be one of the most important developments in our contemporary intellectual history. It may suggest that

the long-range era of the American Revolution has at last come to an end, for, despite the bicentennial observance, it seems that our Revolution now has little impact as an inspiration for dissent and reform whether peaceable or violent.⁸²

It would not be possible to make a similar statement today in respect of the militia movement. The American Revolution is a source of considerable and continuing inspiration for these particular dissidents. From simple association and casual allusion through to sophisticated storytelling and complex understanding, militia members are deeply engaged with this aspect of America's past, whether as a means to bolster their sense of identity, to establish their political legitimacy, or to challenge the way its meanings are recalled and remembered in the wider nation.

The militias *are* often able to invoke the "authority of history" for their understanding of this aspect of America's past—as with their claims regarding a right of revolution contained in the Declaration of Independence, for instance—but just as often this "authority" slips away when it comes to the application of the principles and ideas discovered there—their use of the Declaration of Independence again comes to mind. And while at times the militias are clearly acting in accordance with how the Revolution is remembered within the American mainstream—even if it is frequently a mythic history that is being recalled, as in their notion that America was a "nation of Minutemen" during the Revolutionary War⁸³—at others they move into areas which are deemed either inappropriate or unacceptable, particularly in their embrace of Revolutionary-style rhetoric and imagery. Throughout, though, militia members demonstrate that, for them at least, the American Revolution remains a period of history to be both celebrated and contested.

5

A republican tradition

The reconstructions of our past are always a kind of betrayal.

Juan Goytisolo

In the January 1995 issue of its newsletter, *E Pluribus Unum*, beneath drawings of the Statue of Liberty and the Liberty Bell, the Ohio Unorganized Militia published an article by Helen Johnson entitled, “America...Representative Republic or Democracy?” Replete with quotations from James Madison, Alexander Hamilton, Samuel Adams, and Elbridge Gerry, Johnson argued:

The word *Democracy* is not found in *The Declaration of Independence*, *The Bill of Rights*, *The U.S. Constitution*, or any state’s Constitution. Our Founding Fathers created a Representative Republic. They well understood the nature of these two distinctly different types of government and meticulously worked to create for themselves and their posterity a form of government that they hoped would forever prevent the tyranny of democracy.¹

This assertion of the United States as republican in origin stands at the heart of the militia movement’s ideological system, linking together its reverence for the Constitution, its determination to keep and bear arms, its profound suspicion of the federal government, and even, to some extent, its proclivity for conspiratorial thinking. The militia movement’s employment of republicanism enables it to make sense of the present, suggesting how far America has traveled from its republican origins, and serves as a guide for the future, pointing the direction in which America should be heading if it is to remain true to those origins.

In the view of the militia movement the U.S. began as a republic and it is to republicanism that the nation needs to return. Johnson concludes her article, for example, by calling on fellow Patriots to take part in a “long overdue...campaign to Restore the Republic” (“God’s speed, my friends,” she says, “our Constitution hangs in the balance!”). The Kentucky Riflemen Militia, the Missouri 51st Militia, and the Michigan Militia all see themselves as part of “the patriot struggle...to return the United States to the constitutional republicanism our forefathers

envisioned,” and the Texas Constitutional Militia describes “the code of ethics variously known as constitutionalism, republicanism, liberal-humanism or democratic libertarianism” as “the body of political belief...on which the Constitution of the United States was founded.”²

Republicanism, then, provides a positive image of what the militias want America *to be* in the future, but, as their calls for “restoration” and “return” suggest, it is an image drawn from their understanding of what America *was* in the past. American history and, in particular, the events, figures, and documents of the nation’s founding are what the militia movement relies upon in making its case for a returning the country to republican principles.

This chapter examines how the militia movement employs republicanism as a key component of its world view, explores the ways it seeks to remember and reconstruct the past as a means of legitimating itself and its political concerns, and considers the extent to which the militias are justified in their republican reading of the constitutional settlement and American history. Particular consideration is given to the militias’ account of the “limited republic” they claim was established in the Constitution, and to their case for an armed citizenry being an essential feature of the republic envisaged by the Founding Fathers.

In making their claims about the centrality of republicanism to the founding of the United States the militias are impinging, albeit inadvertently, upon one of the most significant and complex debates of recent American historiography, and before examining the militia members’ understanding and employment of republicanism it is worth summarizing some aspects of this debate.³ Let us begin by noting that, beyond the point at which a republic becomes what a monarchy is not, the nature of republicanism has been highly contested. What is a republic? What are its essential characteristics? How should a republican government function? What is an individual’s role in a republican society? Answering such questions has been no easy task for historians (or for those they have studied). Daniel Rodgers has shown, for example, how Gordon Wood and J.G.A.Pocock, two of the leading initial proponents of a republican interpretation of the American founding, differed greatly in their understanding of what republicanism actually meant. At the heart of Wood’s republicanism “was the preeminence of the public good,” Rodgers explains, while “not *public*, but *civic* was the key term in Pocock’s construct.” And if both agreed on the importance of virtue within republican thought, for Wood virtue entailed “self-denial,” whereas for Pocock it required “public self-activity.”⁴

According to Rodgers, republicanism’s appeal, at least during the first phase of its historiographic development, is best understood in terms of its being a response to the dominant liberal/Lockean interpretation of the American founding to be found in Louis Hartz’s highly influential *The Liberal Tradition in America*. But, he points out, with the exception of Pocock, “it was a rare writer...who doubted that liberalism ultimately swept up the nation’s economic, political, and cultural life.” For advocates of the republican approach the aim, Rodgers says, “was to stay the hand of the Hartzian moment, not to deny it.” For Gordon Wood,

America's shift into "modernity" took place with the constitutional settlement itself—with the establishment of what he called the "American science of politics"—whereas for subsequent historians such as Drew McCoy, Lance Banning, and Steven Watts the republican experiment continued on into the Jefferson or even the Jackson administrations, before it finally succumbed to the demands of liberalism, commercialism, and the market economy.⁵

Starting in the early 1980s, however, historians began expanding republicanism's reach into the nineteenth century and beyond, as the concept became useful in understanding the rhetoric of labor, women's, populist, and other movements.⁶ At the same time, the relationship between republicanism and liberalism within the American founding underwent something of a transformation. Gone was the oppositional approach of the past. For Robert Shalope, writing in 1982, for example, there was no "neat or smooth march into modernity. Instead liberal and classical ideas existed in contest tension. They shaped and influenced each other until the end result was a bastardized form of each." Other writers have also argued that the influence of religious thought (in its various forms) should not be neglected, and according to Rodgers such "polyglotism"—exemplified in Robert Bellah *et al.*'s *Habits of the Heart*, which identifies republicanism, along with America's biblical and individualist traditions, as one of the three "central strands" of American culture—became the chief characteristic of the republican paradigm in the 1990s.⁷

Given this complex and contested history, I do not argue that a fully developed philosophy of republicanism is to be found by reviewing militia literature. Indeed, it would be surprising if this were to be the case. After all, militia members are not professional philosophers or professional historians. The militias' case for republicanism is wholly derivative. It is unapologetically and unashamedly reactionary. But if we would not go to the militia movement for a new or comprehensive formulation of republicanism this does not mean its views should be simply dismissed. An examination of militia texts reveals how elements of republican thought—often key elements—are employed by the militias in furtherance of their political agenda, and as a means of sustaining their identity, cohesion, and sense of legitimacy. It shows how a "disembodied republican language" is made tangible and usable in the service of contemporary political interests. This, then, is an inquiry in the spirit of Daniel Rodgers's hope that republicanism's use as an explanatory concept can be enhanced when it is tied to "processes of persuasion and argument, the making and sustaining of collective identities and identifying rhetorics," to find "something more than the clatter and fault lines of taxonomic intellectual history."⁸

Before examining the militias' understanding and reconstruction of republicanism in detail, however, it is first necessary to ask the following questions: Where, in the view of the militia movement, did the republic go? What happened to it? And why hasn't it endured?

The lost republic

It is not to the Jefferson or Jackson administrations, and certainly not to the period of the constitutional settlement, to which the militia movement looks in order to answer the question of when republicanism ceased to be the guiding influence upon American government. For the militias, as for other elements of the Patriot right, the decline of republicanism's influence began much later, during the 1930s under the presidency of Franklin Roosevelt, and it has continued ever since, sustained by a combination of governmental conspiracy and the apathy of the American people.

Norman Olson, appearing before the Senate Judiciary Subcommittee on Terrorism in June 1995, outlined the Michigan Militia's argument in this respect. The 1930s were clearly identified as the pivotal period:

The limited democracy our Founding Fathers designed, carefully structured after the principles of a constitutional republic with tight reins placed on easily corruptible federal government, began to disappear in the 1930s with the creation of Social Security, the illegal taxation on income, and banking reform leading to a federal reserve bank with the subsequent destruction of our monetary system of a gold and silver based economy.

It is an assessment shared by the Stark County Unit of the Ohio Unorganized Militia, for whom the beginnings of America's transformation from a republican idyll of "limited" or "minimal" government to the present situation of an expansive and interventionist state operating in an era of global interdependency can also be traced back to Roosevelt's New Deal:

Our Forefathers promised us minimal government with no direct Federal taxes. Federal revenues were to be provided by trade, tariffs and state funding. The only responsibilities of the REPUBLIC were to be NATIONAL DEFENSE AND COMMERCE (minting GOLD and SILVER for a trade standard). EVERYTHING ELSE WAS TO BE UP TO THE STATES! Where did we go wrong?

The New Deal?

The Great American Society?

The Welfare State?

Legislative vomit machine?

GATT and NAFTA [?]

TRILATERAL COMMISSION [?]

UN TAKEOVER [?]

DISINTEGRATION OF RIGHTS

1st Amendment

2nd Amendment
 4th Amendment
 5th Amendment
 10th Amendment

UNREPRESENTATIVE CONGRESS AND SENATE

20–1 Against Crime Bill (passed)
 10–1 Against NAFTA (passed)
 30–1 Against GATT (passed)⁹

The militias may have correctly identified the advent of greater governmental intervention in American life with the New Deal, but there is no attempt within the movement to understand the social and economic forces necessitating that intervention. Nor do they consider the complex reasons why the size and responsibilities of central government continued to grow thereafter. The current situation of an extensive and interventionist federal government is simply contrasted with their recollections of an imagined republican past based on what the Founding Fathers are believed to have “promised.” Even conventional conservative strategies of blaming America’s modern-day ailment of “big government” on the failings of Democratic liberalism are not shared by the militias, who move swiftly, as the Stark County Militia’s inclusion of the Trilateral Commission and the United Nations in its account of the republic’s decline suggests, to a more conspiratorial explanation in which all of America’s political elites come to be indicted.

For militia members and other Patriots, the attack on America’s republican origins signaled by the apparently ever-increasing size and power of the federal government, the decreasing power of the states’ governments, and the undermining of individual rights has gone hand in hand with a propaganda campaign on the part of these elites, who, in conjunction with the “liberal news media,” have succeeded in “re-defining America” as a democracy, so “making the majority of the public believe something that is not true.” “Evidence” for this is found in an Army Field Training Manual issued by the War Department in 1928 in which the United States was defined as a republic and democracies were characterized in the following terms:

- A government of the masses.
- Authority derived through mass meeting or any form of ‘direct’ expression.
- Results in mobocracy.
- Attitude toward property is communistic—negating property rights.
- Attitude toward law is that the will of the majority shall regulate, whether it is based upon deliberation or governed by passion, prejudice, and impulse, without restraint or regard to consequences.
- Results in demagogism, license, agitation, discontent, anarchy.¹⁰

For Helen Johnson of the Ohio Militia, this 1928 Manual confirms that prior to the New Deal “our nation was still defined as a Representative Republic and the original repugnance to a democracy was still espoused.” When she looks at the 1952 edition of the same Army Manual, however, she finds America reclassified as a democracy Johnson concludes: “Something *significantly changed* in our national mindset by 1952. What was once despised as tyrannical government, was now embraced as our own.” “Make no mistake,” she writes,

this move from Republic to Democracy did not occur without a massive propaganda campaign. A campaign launched in our public schools—already tainted by the Communist influence of UNESCO—and reinforced in Army training manuals. Democratic tenets, preached from pulpits in churches that had incorporated themselves as entities of the state in exchange for favorable tax treatment. Embodied in political campaign platforms and hailed by newscasters—Democracy has become the standard bearer of a “free people.”

To paraphrase Hitler—*The bigger the lie, the more likely the people are to believe it*. So, when next you hear Mr. Clinton boast of his efforts to spread democracy throughout the world remember the warnings of our Founding Fathers—Democracy equals Tyranny! Yes, Mr. Clinton, as with many before him, have [*sic*] hidden the BIG LIE in plain sight. The lie that has enabled our treasonous politicians to adopt “*a bastardized form of illegitimate government.*”¹¹

The 1928 Army Field Training Manual relied on by the militias defined a republic in the following terms:

- Authority is derived through the election by the people of public officials best fitted to represent them.
- Attitude toward property is respect for laws and individual rights, and a sensible economic procedure.
- Attitude toward law is the administration of justice in accord with fixed principles and established evidence, with a strict regard to consequences.
- A greater number of citizens and extent of territory may be brought within its compass.
- Avoids the dangerous extreme of either tyranny or mobocracy.
- Results in statesmanship, liberty, reason, justice, contentment, and progress.

But if a republic is merely the system of representative government so described, then the militias’ objections to American democracy as the “tyrannical rule of the majority over the minority, regardless of morality, justice, or logic,” are quickly dispensed with.¹² After all, the United States is far from being a pure democracy where governmental authority “is derived through mass meeting or any other form

of ‘direct’ expression.” We can content ourselves with the simple linguistic explanation that through usage over time the words “republic” and “democracy” have become synonymous, and argue that the militia movement is suffering under some basic semantic misapprehension.

This, though, is not sufficient, because while some militia members do employ republicanism in this simplistic way, others are well aware that the terms “democracy and republic are not exclusive of one another”; and that, as “Spooky” of the Virginia Citizens Militia explains in a pamphlet on the subject, democracy is now the general term for a government controlled by the people. “England is a democracy, under a queen who has little actual power; the United States, a republic, is also a democracy, under a President, as [are] France and Switzerland, and [the] free countries of South America,” he writes, because in all these countries “the people choose the men who exercise the authority the people themselves confer.” Similarly, for Jon Roland of the Texas Constitutional Militia, “[a] democracy is a republic if the legislative functions of government, other than the ratification of constitutional amendments, is [*sic*] exercised exclusively through representatives elected by its citizens rather than directly.”¹³

What the militias are really objecting to when the term “democracy” is used to describe the American political system is that in their view it acts as a “veil” disguising the fact that this system is not the one envisaged by the Founding Fathers. It is not what was “intended,” not what was “promised,” not what the Founding Fathers “designed.” This is why Johnson complains that the word “democracy” is not found in the Declaration of Independence, the Bill of Rights, or the Constitution. The militias want to return to this original system, and they use the term “republic” both to describe it and to distinguish it from the current system of government. Republicanism for the militias involves much more than the embrace of a representational system of government: it involves ideas of limited government, constitutionalism, federalism, individual rights, virtue, armed citizens, and the active participation by the people in their own government. It is a republicanism based on these ideas to which the militias want the nation to return.

It is not, however, just the conspiracies of political elites or their propaganda which, in the view of militia members, are to blame for the republic’s decline. The people themselves also have to take responsibility. They too have neglected the nation’s republican heritage. “Too many of the People have failed to do their duty to preserve, protect and defend the Federal and State Constitutions and to *participate* in the process of republican government,” argues Jon Roland, who lists the people’s failures in this regard as follows:

- 1 They have too often delegated to judges, superiors, or legal advisors their duty to independently interpret and apply the Federal and State Constitutions and the laws pursuant thereto to all official acts in which they may be involved.
- 2 They have accepted bribes from government to buy their votes, instead of insisting that elected officials uphold the Constitutions and exercise their

responsibilities for the good of the nation as a whole, and thereby laid the foundation for corruption throughout government and society.

3 They have failed to demand complete, accurate, and timely information on candidates for office and the issues, thereby compelling candidates to become excessively dependent on contributions from special interests.

4 They have failed to become involved in the electoral process to bring forward persons of competence and integrity to become candidates for public office.¹⁴

In its manual, *Enemies: Foreign and Domestic*, the Militia of Montana represents this neglect pictorially, employing the ancient idea of a republican cycle. In this cycle,

The people go from CHAINS to spiritual faith.
 From SPIRITUAL FAITH to courage.
 From COURAGE to liberty.
 From LIBERTY to abundance.
 From ABUNDANCE to selfishness.
 From SELFISHNESS to complacency.
 From COMPLACENCY to apathy.
 From APATHY to dependency.
 From DEPENDENCY back again to bondage.

This is represented as a clock face intended to suggest the history of the American nation—the period from courage to liberty depicts Paul Revere racing on his horse through the countryside, and the Liberty Bell represents the period from liberty to abundance—and the question for the Militia of Montana is: “How far along the way is America?” Their answer is somewhere between complacency and apathy. One hand of the clock points to a man lying back in an armchair, hands behind his head, legs crossed, contentedly smoking a cigar, while the other points to a man asleep in a chair, a newspaper covering his face and with a television prominently displayed in the corner of the room (a reminder of the role the Militia of Montana feels the media play in the whole process).

The militias thus regard themselves as the custodians of a republicanism which, despite being the “true” history and intended legacy of America’s founding, has either been neglected by most of their fellow citizens or deliberately conspired against by the elites who control the American government. Consequently, they see it as their duty to (re-)educate Americans as to their “true” past and to remind them of their republican heritage. In its own rendering of Pocock’s “Machiavellian moment,” for example, the Militia of Montana argues that “It’s Not Too Late To Stop The Clock.”¹⁵ It is the militias’ presentation of themselves as the custodians of America’s republican past that we now need to consider.

Reconstructing republicanism: basic principles

“Between 1787 and 1791,” writes Jon Roland, one of the principal theorists of the militia movement, in an essay on “The Social Contract and Constitutional Republics,”

the Framers of the U.S. Constitution established a system of government upon principles that had been discussed and partially implemented in many countries over the course of several centuries, but never in such a pure and complete design, which we call a constitutional republic.¹⁶

For Roland, as for the militia movement as a whole, it is this period of the drafting and ratification of the Constitution, together with its subsequent amendment to include the Bill of Rights, which determined, and should continue to determine, our understanding of the nature of republicanism in the United States.

Before examining the militias’ case for a limited republic, and the need for an armed citizenry it is worth quoting at some length from Roland’s account of these “principles” and of the system of government they are said to have produced. This is because not only does Roland’s essay describe the essential features of a constitutional republic as most militia members would recognize them, but, to a considerable extent—as he discusses the nature of social contract theory the “fundamental natural rights” of life, liberty and property, the guiding principle of popular sovereignty, and the need to avoid “excessive concentrations of power” through a system of separation of powers and checks and balances—Roland also seems to be describing a political system which most *Americans* would recognize as their own (both in terms of its original design and its current operation). It is important to acknowledge the extent to which such basic ideas of American political thought are drawn upon and expressed by militia members as part of their campaign to return the nation to republican principles.

This is not to say that the militias’ account of the American founding is in all respects an accurate reconstruction of what the Framers intended. Even if such a reconstruction were possible, in several important areas, as discussed below, the militias’ understanding of the political system established during this period seems to come closer to the attitudes and arguments of Anti-Federalist objectors to the Constitution rather than to its Federalist advocates. Nor is it to say that the militias’ case for operating the nation’s political system in the late twentieth and early twenty-first century in accordance with principles derived from the late eighteenth century is necessarily shared by the majority of their fellow citizens. Nonetheless, if the full complexity of the militias’ case for restoring the republic is to be appreciated, then their account of the founding must be examined not only in respect of how it *differs* from that of mainstream America, but also as to how it is the *same*. With this in mind, let us see what Roland has to say about the system of republicanism established by the Founding Fathers between 1787 and 1791.

“The fundamental basis for government and law in this system,” Roland argues, is the concept of the social contract, according to which human beings “begin as individuals in a state of nature, and create a society by establishing a contract whereby they agree to live together in harmony for their mutual benefit, after which they are said to live in a state of society.” This contract involves the retaining of certain natural rights—the most important being the right to life, liberty, and property—the acceptance of restrictions of certain liberties, the assumption of certain duties,¹⁷ and the “pooling” together of certain powers to be exercised collectively by government acting as an agent for “society as a whole.” No government, Roland explains, is entitled to exercise powers not expressly delegated to it, or to act against the basic laws of the nation established by its constitution. And while it is “possible in principle” for a constitution to consist “entirely of a body of unwritten practices, traditions...court decisions, and long established statutes,” in practice the rights of the people and the “basic order” of society will not be “secure against confusion or corruption” unless the constitution is “primarily based on a written document which prescribes the structure, procedures, and delegated powers of government...the retained rights of the people, and which is strictly interpreted according to the original intent of the framers” of that document.

Continuing in a Madisonian vein, Roland also points out that, although constitutional procedures “may allow for the direct adoption of legislation by vote of the people,” this is not a preferred system of government because it tends to be “impractical and potentially dangerous, especially to the rights of minorities.” Therefore, it is “generally best” that most legislation require approval “by a body of elected representatives rather than by direct popular vote, and that any such legislation be subject to judicial review, whereby legislation not consistent with the constitution can be voided.” This form of government, Roland explains, is called “a republic, as distinct from democracy,” and “if it operates under a well-designed constitution” it is called “a constitutional republic.” And such, of course, was the form of government designed by the Founding Fathers. One of the main advantages of having a written constitution is that the people do not have to rely on a government’s own interpretation and assessment of their natural rights. The constitution’s framers can make these rights “more specific” and “expand them into...the right of speech and publication, the right to assemble peacefully, the right to keep and bear arms, the right to travel over public roadways, and so forth.”

For Roland, however, it is not sufficient simply to have a system of representative government and a written constitution—even one in which the rights of the people are clearly articulated in a Bill of Rights. Power, he says, must also be distributed within the political system so as to avoid its “unbalanced or excessive” concentration in any one particular area. Sustaining the social contract itself, Roland argues, depends in large part on this. Fortunately, however:

The framers of the U.S. Constitution addressed the problem of avoiding unbalanced or excessive concentrations of power in government by adopting

a constitution in which legislative, executive, and judicial powers [were] largely divided among separate branches with each having some power to check the abuses of the other. Legislative powers were further divided between two legislative bodies. Some powers were delegated to the central national government, others were reserved to the component states or the people.

Thus, with this description of the separation of powers and federalism, Roland appears, albeit in his own particular style, to complete a reconstruction of the American founding derived from such familiar political ideas that most Americans would probably agree with him that these were indeed the “principles” on which the nation’s system of government was based. It does not, however, complete the militias’ account of the constitutional settlement or of the republican system they claim was established by the Founding Fathers. We need to examine much more closely the militias’ understanding of the *limited* powers they regard as having been “delegated” to the federal government by the Constitution and, conversely, the *extensive* powers they feel were originally intended to have been “reserved” to the states within the federal system. Roland again expresses a commonly held militia belief in this respect when he writes that “[m]uch of the abuse” of the Constitution which has occurred in recent years has arisen because of “the assumption by the national or central government of powers not delegated to it under the Constitution, and the erosion of the powers of the States with respect to that central government.” We also need to examine the militias’ emphasis on the participatory nature of republican government, and particularly their argument that an armed citizenry is essential to the successful functioning of a republican society.

The limited republic

In the June 1997 issue of *Necessary Force*, Kay Sheil reminded her readers that the Founding Fathers were not only “very much aware of their recent experience of tyranny” but also “had the wisdom of the greatest minds of western civilization and the history of the world to guide them” as they set out to create a new system of government for their “new nation.” One of the “major lessons of history that they understood especially well,” she said, “was the natural inclination of any type of government to become tyrannical.” As a result, the Founding Fathers were careful to restrict and limit the role of government within the new political system:

They gave us a republic governed by and for the people, where the rights of the individual were of paramount importance. With our Constitution, they gave us a central government with limited power. Then they used their collective wisdom to enumerate the basic rights of the individual and charged our government with protecting those rights.

This belief in limited government is fundamental to the militia movement's conception of republicanism, and when expressed in such broad terms is hardly problematic. As President Clinton informed the *Detroit Free Press* in 1995:

suspicion of Government and the desire to limit Government power is at the core of what created the United States in the first place.... Our whole system was set up basically to guard against the abuses of Government power which the original Americans had lived under, under monarchies.¹⁸

It becomes more problematic, however, when the militias' understanding and assessment of the nature of the limited government the Founding Fathers are said to have intended for the nation are examined in detail. For, as militia members see it, the Founding Fathers created a limited republic in two interrelated senses. First, they strictly limited the powers of government, especially the federal government, and explicitly and clearly set those powers out in the Constitution; and, second, they strictly limited the powers of the central government in relation to those of the states.

“Commerce and defense”

For the Stark County Unit of the Ohio Unorganized Militia, as we have already seen, central government was to be limited to “NATIONAL DEFENSE AND COMMERCE...EVERYTHING ELSE WAS TO BE UP TO THE STATES!” Clark Simmons of the Missouri 51 st Militia makes the same case in an article on “The Importance of the Constitution” in the June 1997 issue of *Necessary Force*:

In order to prevent future tyranny by the government of the United States *almost all political power was vested in the several states*. The federal government was designed to defend the nation, to deal with foreign affairs, to act as arbitrator between the several states and to maintain an infrastructure.

This also prevents tyranny by the state government, argues Simmons, because if a state enacts laws that are too restrictive “the people have the option of picking up and going to a state that is more to their liking, lock, stock and barrel.” Under these arrangements, he contends, the United States “became the most powerful and prosperous [nation] in history,” but the “corruption of the Constitution in recent years has cost the U.S. both power and prosperity.” And it is for “these reasons...that those of us who have studied the issue are adamant in our demands to return to adherence to the Constitution of the United States—because it works for us!” “The federal government,” the Michigan Militia Corps contends simply, “was intended to perform 18 powers (see Article I Section 8 of the Federal Constitution) and all other powers were to be left to the states and the people.”¹⁹

With the powers of government restricted to those evidently so clearly enumerated in the Constitution, it is an easy task to refer back to the Constitution in order to determine just what the federal government should and should not be doing. Carolyn Hart demonstrated this in the October 1997 issue of *Necessary Force*. “What effect would a return to constitutional government have on the issues that the politicians spend so much time wrangling about?” she asked. “Most of them,” she replied, “would disappear.” On the funding of the National Endowment for the Arts (NEA), for example: “Nowhere in the Constitution does it state that the federal government has the power to take taxpayers’ money and redistribute it to an art program.” The question of the “tobacco settlement” “would not even exist...because government has no constitutional mandate to provide health care for Americans.” And, “[I]f the federal government was restrained by constitutional limitations, there would be no need for welfare reform because there would be no welfare programs.” Nor would the federal government have “any part in education,” as schools “would be financed and run by taxpayers at the local level.” As for the “War on Drugs”:

The Constitution provides that the federal government has criminal jurisdiction over counterfeiting and piracies and felonies committed on the high seas [in Article I Section 8, 10]. All other crimes are to be dealt with by the states and localities. It is not the province [*sic*] of government to prohibit drug use or to violate the Bill of Rights using the proliferation of drugs as an excuse.

For Hart, these issues represent “only a few of many examples of areas where the federal government has overstepped its constitutional boundaries.” “A return to the Constitution, impossible and even laughable as it may seem to some, would eliminate most of the political problems and much of the budget of the federal government,” she concludes, adding that such a return is “the only viable way to restore sanity to the United States.”²⁰

Relying on the doctrine of original intent in this way has a pleasing clarity to recommend it (all the answers having already been provided), but it is open to some substantial and commonly expressed objections: that it ignores the extent to which some of the most important clauses of the Constitution are vaguely or ambiguously drafted; that it treats the Constitution as an unyielding straitjacket rather than a flexible framework within which the inevitable forces of societal change—political, social, and economic forces—are allowed room to play;²¹ that, as a result, the Constitution is reduced to a role outside of history; and that the very notion of original intent is, in any event, a mere chimera. As Leonard Levy, writing in relation to cases concerning original intent being brought before the Supreme Court, puts it:

If we could ascertain original intent...cases would not arise concerning that intent. They arise because the intent is and likely will remain uncertain; they

arise because the Framers either had no discernible intent to govern the issue or their intent cannot control it because the problem before the court would have been so alien to the Framers that only the spirit of some principle implied by them can be of assistance.²²

Yet no matter how well founded such objections are, the doctrine of original intent remains a widely accepted mode of constitutional interpretation, and little is to be gained from taking issue with Hart or other militia members over whether or not the Framers would have approved of funding the NEA or the War on Drugs.

Instead, let us concentrate on the second, interrelated, aspect of the militia movement's conception of limited government. For it is not just the militias' belief that the federal government's powers should be strictly circumscribed that characterizes their understanding of what the Founding Fathers attempted to achieve when they drafted the Constitution. There is a concomitant assertion that all the powers not explicitly delegated to the federal government "were to be left to the states and the people," that "almost all political power was vested in the several states." This, the militias claim, was the federalism envisaged by the Founding Fathers. To quote Kay Sheil:

[The Constitution] provides for central government with certain enumerated powers with all other power given to the states or to the people, or a loosely knit organization with a weak central government answerable to the states. The original intent of our forefathers was that the people of the U.S. be self-governing, with the people of each state deciding how their state should be governed.²³

It is important that these two aspects of the militias' understanding of republicanism are taken together because the militias are not arguing—to return to the issues identified by Carolyn Hart—that funding the NEA, the provision of welfare and education, or the War on Drugs are inappropriate areas *per se* for government to be concerned with; they are arguing that they are inappropriate areas for the *federal government* to be concerned with. States' governments, it seems, could quite legitimately pursue these policies, or any others they chose to—provided, of course, they were compatible with the "retained rights" of the people. As Sheil and her colleagues in the Missouri 51st Militia explain, returning America to republican principles would mean that "people would be governing themselves in the states. And you might have some states that are very socialistic as opposed to other states that are totally the opposite, but that would be the choice of the people within the state."²⁴

The supremacy of the states

The presumed primacy of the states within the federal system is a fundamental part of militia members' understanding of the limited republic they believe was designed for the nation. It is an understanding they justify by their reading of the Tenth Amendment to the Constitution, which declares: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." Making the federal government abide by this Amendment is a goal almost as important to the militias as ensuring that it respects the provisions of the Second Amendment. The editor of the Kansas Second Amendment Militia's newsletter, *The Musket*, made this clear in the January/February issue of 1995:

You may be asking "What's this Tenth Amendment stuff have to do with our right to keep and bear arms?" In a word EVERYTHING. As you will read in these pages the federal government has ventured into territory not given to it in our Constitution. In doing so it has taken power from the people. By returning the power to the states, we can return the power to the people. We can and will have the ability to influence our state government. We do not in practice have much to say at the federal level.

Not even "the great election of 94" was able to change the editor's mind in this respect, because, he said,

Our new "conservative" leadership is only conservative when compared to the Democrats. They do not support a return to the God-fearing, Constitutional Republic we once were.... They are financially and intellectually tied to the same forces that have attempted to bring ruin to our great country.

In the same issue of *The Musket*, under the headline "America's Last Chance to Avoid a Rebellion: The 10th Amendment," Walter Williams is quoted making the argument that "[w]ere it not for the Tenth Amendment our founders would never [have] ratified the Constitution. They correctly feared the development and consolidation of a powerful and meddlesome federal government." Again, the desire to be seen as acting with the perceived endorsement of the nation's Founders is evident, and predictably it is Madison, as the "Father of the Constitution," who is called upon to support the historical analysis being made:

In "The Federalist Papers" [No. 45] James Madison explained Washington's role: "The powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the state governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation and foreign

commerce.... The powers reserved to the states will extend to all the objects which in the ordinary course of affairs concern the lives and liberties, and properties of the people, and the internal order, improvement and prosperity of the state.”

As Williams sees it, “[t]he meaning of the 10th Amendment is clear.” The current system of federalism in which “the powers of the federal government are ‘numerous and indefinite’ and the powers of the states are ‘few’” is a consequence of a “power-hungry Congress and derelict Supreme Court” having “allowed Madison’s vision to be stood on its head.” In a second article on the same subject Williams hammers the point home. “It’s high time,” he writes, “Washington gets the clear CONSTITUTIONAL message that the federal government is a CREATURE OF THE STATES—not the other way around.”²⁵

There is no disputing the militias’ claim that there has been a tremendous amount of centralization within the federal system since it was first “designed,” but in seeing the “original” federal system as a “loosely knit organization with a weak central government answerable to the states,” or as one where the central government was intended to be a “CREATURE OF THE STATES,” militia members appear to be describing less the political arrangements contained in the Constitution than those contained in the Articles of Confederation which preceded the Constitution. Moreover, by insisting on the primacy of the states in this way, the militias are not, as they claim, expressing Madison’s and the other Framers’ “vision” of what was necessary to ensure the successful functioning of a republican system of government; rather, they are expressing what the Framers’ Anti-Federalist *opponents* considered to be an essential element of republican thought.

Which founding? Whose republicanism?

The Articles of Confederation were ratified by the original thirteen states in 1781. Under them the states were sovereign and possessed the extensive political powers the militia movement would like the existing state governments to have. Article II of the Articles declared: “Each State retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this confederation expressly delegated to the United States in Congress assembled.” Congress, as the national government of the confederation (no executive or judicial branch of government having been created), was severely circumscribed in the powers it could exercise under the Articles—namely to declare wars, establish an army and navy, establish treaties with foreign nations, coin money, run a postal system, and regulate weights and measures. Significantly, although this was also one of their major weaknesses rather than a source of strength, the Articles did not provide Congress with the power to levy taxes, so that it was entirely dependent on the voluntary provision of funds from the state legislatures.

If we recall the Stark County Militia’s account of the Founding Fathers’ promises of “minimal government with no direct Federal taxes,” with “Federal

revenues...to be provided by trade, tariffs and state funding,” and with the national government restricted to providing for the nation’s defense and commerce, then the congruity between the militias’ preferred system of national-state relations and those contained in the Articles of Confederation becomes apparent. And to the Stark County Militia’s list answering the question of “Where did we go wrong?,” it seems that long before the New Deal, the period of the drafting of the Constitution itself would have to be added.

The Anti-Federalists campaigned against the new federal arrangements of the Constitution for precisely the reason that they *did* see them as a move in the wrong direction: as a betrayal of the republican principles for which the Revolution had been fought and as an invitation to future tyranny.²⁶ As Herbert Storing has written, federalism for the Anti-Federalists meant “the states [were] primary, that they [were] equal, and that they possess[ed] the main weight of political power.” This was the case under the Articles of Confederation, the Anti-Federalists argued, but it was definitely not the case under the new Constitution. “Instead of thirteen republics under a Federal head,” Richard Henry Lee, for example, saw the Constitution as “clearly designed to make us one consolidated government,” while for Luther Martin the proposed government “was not in reality a *federal* but a *national* government, not founded on the principles of the *preservation*, but the *abolition or consolidation of all State governments.*”²⁷

“No claim was more crucial to [the Anti-Federalists’] entire case,” writes Jack Rakove, “than that ratification of the Constitution could lead only to the ‘annihilation’ of the states.” The “inevitability of consolidation,” in the Anti-Federalists’ view, rested, as Rakove explains, on three propositions: first, “that two sovereign authorities could not coexist within one polity” (expressed as the political axiom *imperium in imperio*); second, that “a stable republic could operate only over a ‘contracted territory’”; and, third, that “the innate human craving for power would exploit any opportunity to exercise domination.”²⁸ While no doubt the militias would be happy to support all three of these propositions—and they certainly share the Anti-Federalist suspicion of man’s craving for power, particularly as it pertains to the seemingly malign activities of America’s political elites—it is the similarities between the second of these propositions—the Anti-Federalist defense of the small republic—and the militias’ understanding of the limited republic the Founding Fathers are said to have promised them that are most revealing.

Small republics

The Anti-Federalists argued that a republican government could only be sustained over a relatively small area containing a relatively small and homogenous population.²⁹ “Brutus,” one of the leading Anti-Federalist spokesmen, thought this had been demonstrated by the “greatest and wisest men who have ever thought or wrote on the science of government” and by the “experience of mankind” throughout history. Relying on the commonly accepted wisdom of Montesquieu,

Richard Henry Lee expressed the basic Anti-Federalist position that “so extensive a territory as the United States including such a variety of climates, productions, interests; and so great difference of manners, habits, and customs” could not be “governed in freedom” except in a confederation of states. Kay Sheil of the Missouri 51st Militia makes the same argument in support of her “loosely knit” reading of American federalism. “One of the most common things visitors from Europe say about the U.S.,” she says, “is how large it is,” and this is “one of the reasons this country does not need a central government deciding all the issues for the states.” Not only the size of the country Sheil argues, but also the existence of different climates and terrain mean that “what we need in Missouri is not necessarily what is needed in California, Hawaii or Maine.”³⁰

There is also agreement between the militias and the Anti-Federalists that the best way to reflect these differences is for close and continuous contact between the people and their representatives, and that this is only really possible within a “federal system” in which the states are powerful political entities. For “A [Pennsylvania] Farmer,” under such a system, which he calls “a federal republic,” the people’s representatives will be genuinely responsible to the people because they “will know and be known by the citizens, will have a common interest with them...must bear a part of all the burdens which they may lay upon the people... and may be dismissed by them at pleasure.” For Rick Hawkins and Jackie Wittig of the Missouri 51st Militia these are precisely the advantages they see in having powerful state legislatures. “You have more direct control when your state representative lives three blocks away,” says Hawkins. “If he does something that you really think is wrong, you can just walk up the street and tell him.” “You can have a relationship with [your state representative],” agrees Wittig, explaining how that relationship works in practice for the “51st”:

When we go down to Jefferson City which is the Capitol of our State...when we go down there to lobby for Second Amendment rights, we go into every representatives’ office and talk with them personally They know us. When they see us coming they say to my husband, “Hi Chuck, how ya doing?” They know him. “Hi Jim, Hi Kay” [they say].

It is a relationship the militias do not see being possible in the same way with their national representatives, who, Wittig complains, are “supposed to decide [on issues] based on what their constituency wants from them,” although they rarely do.³¹

As far as the Anti-Federalists were concerned, republican government meant localized government. They preferred frequent elections, short terms of office, and rotation in office. Even more significantly in terms of the connection between their political thought and that of the militia movement, they regarded the jury and the militia as two important institutions through which the people could actively participate in their own government as opposed to relying on their representatives alone to conduct the business of politics for them.³² The militia as a republican

institution is discussed in the following section (pp. 120–4), but it is worth pausing here to note the importance which both the Anti-Federalists and the militias attach to jury service as a “duty” of citizenship, as well as their shared belief that juries should be judging both law and fact in cases before them, giving, that is, a “general verdict.” For “The Federal Farmer,” for example:

Juries are constantly and frequently drawn from the body of the people... and by holding the jury’s right to return a general verdict in all cases sacred, we secure to the people at large, their just and rightful controul [*sic*] in the judicial department. If the conduct of judges shall be severe and arbitrary, and tend to subvert the laws...the jury may check them, by deciding against their opinions and determinations.

Jon Roland of the Texas Constitutional Militia similarly sees it as the duty of jurors “to not only follow the instructions of the judge to bring a verdict on the ‘facts’ in a case, but to rule on all issues before the court, overriding the judge if necessary” Nor is he alone in this. It is a commonly expressed desire of militia members and of the wider Patriot movement.³³

Just as a literal and figurative fear of the remoteness of government now haunts the militia movement, so it also haunted the Anti-Federalists. The new national government, the Anti-Federalists argued, was simply too far removed from the people to be responsive to their concerns. As a consequence they predicted that the people “will have no confidence in their legislature, suspect them of ambitious views, be jealous of every measure they adopt, and will not support the laws they pass.” The dreaded specter of a standing army, the very bane of republican government, would soon be stalking the land, the Anti-Federalists said, enforcing laws “at the point of the bayonet.” Evidencing the kind of fevered speculation and rhetorical excess for which the militia movement is now renowned, the Anti-Federalists saw a national government “one thousand miles distant” from the people as a likely location for all manner of conspiracy and treachery. Secure in the “ten mile square” of the new Capital, “Cato,” to cite but one instance, predicted that “the president and the great officers of state” would soon succumb to the vices of a monarchy: “*ambition with idleness—baseness with pride—the thirst of riches without labour—aversion to truth—flattery—treason—perfidy—violation of engagements—contempt of civil duties*” and “*above all, the perpetual ridicule of virtue.*” “[Y]ou,” he warned the people,

risque much, by indispensably placing trusts of the greatest magnitude, into the hands of individuals, whose ambition for power, and aggrandizement will oppress and grind them—where from the vast extent of your territory, and the complication of interests, the science of government will become intricate and perplexed, and too misterious for you to understand and observe; and by which you are to be conducted into a monarchy, either limited or despotic.³⁴

A belief in the desirability and efficacy of localized government is as central a tenet of faith to the militias as it was to the Anti-Federalists. For all the militia members' rhetorical struggles against the institutions of the state and their employment of national symbols and national imagery they see themselves primarily in local terms. "[T]he militia, like citizenship, is fundamentally local," argues Roland. "We are first and foremost citizens of our local community...it is the local community that is the basis of the social contract." "[I]t was set up this way," explains Rick Hawkins:

Your county government should have far more influence on your daily life than your state. Your state should have more than the federal [government]. I mean it's tiered like that, and that way you can decide if you want to live under [particular] laws. There's *[sic]* a lot of...counties in Arkansas where there's no alcohol. If you want to live in an environment like that, you can go and seek one out, and live there, and *that's the way it's supposed to be.*³⁵

Given this preference for local institutions and local government, the shift in power away from the local level and towards not just national, but increasingly *supra*-national, bodies is understandably a cause of great concern for the militia movement. The Michigan Militia Corps, for example, claims that it formed in response not only to the "centralization of power in this country" but also in "the world." "International treaties are now beginning to effect *[sic]* our own laws and this is [an] unpleasant prospect. We simply want local government with little interference by a 'we know what's best for you' federal or global government," it says, seeing it as its task to "restore the Federal and state governments to their *historical, limited and constitutional function.*" "If I were President," the then leader of the Michigan Militia, Norman Olson, told a television interviewer in October 1994,

I would give the government back to the people...I would dissipate and decentralize government as quickly as I could. I would abide by the Tenth Amendment to our Constitution that gives powers back to the states and I would get it down to the county and the township, down to the people making decisions. What's happening now is that you're seeing centralized, consolidated power going up, up, up. We're trying to empower the people to make decisions for themselves.³⁶

These are, in the main, all perfectly reasonable arguments to make in support of localized power and the primacy of the states within a "federal system." They are the arguments one would expect to hear from people advocating decentralized government, and are worthy of serious consideration on that basis. It is important to acknowledge this rather than rushing to dismiss all talk of "states' rights" as a surreptitious call for racism and bigotry. Unfortunately for the militias, however, the Founders on whom they would like to base their historical analysis rejected

these arguments by preferring the Virginia Plan to the New Jersey Plan at the Constitutional Convention and by replacing the Articles of Confederation with the Constitution of the United States. Against the backdrop of the “critical period” of the 1780s, with the weaknesses of the state legislatures graphically demonstrated by Shay’s Rebellion, it was the Federalists, not the Anti-Federalists, who held sway over what form the nation’s new “federal system” would take, and, the militias’ claims to the contrary notwithstanding, the supremacy of an array of small republics within that system was not part of their “design.”

An extended republic

By 1787 Federalists such as Madison and Hamilton had become thorough nationalists, “intent on subordinating the states as far as possible to the sovereignty of the central government.”³⁷ The Federalists were—as militia members correctly point out—concerned to protect the people against the potential dangers of “an interested and overbearing majority” but they argued this would only be possible within an “extended republic.” “To secure the public good and private rights against the danger of [majority] faction, and at the same time to preserve the spirit and the form of popular government, is...the great object to which our inquiries are directed,” Madison wrote in *Federalist* 10.³⁸

The Federalists refuted the Anti-Federalist case for the small republic by means of three arguments. First, they argued that the citizenry would have confidence in the new national government because it would be better administered and more effective than the states’ governments. As Hamilton put it in *Federalist* 17:

It is a known fact in human nature that its affections are commonly weak in proportion to the distance or diffusiveness of the object. Upon the same principle that a man is more attached to his family than to his neighborhood, to his neighborhood than to the community at large, the people of each State would be apt to feel a stronger bias towards their local governments than towards the government of the Union; *unless the force of that principle should be destroyed by a much better administration of the latter.*

Second, the Federalists argued that enlarging the sphere of the republic would be “more favorable to the election of proper guardians of the public weal”:

[A]s each representative will be chosen by a greater number of citizens in the large than in the small republic, it will be more difficult for unworthy candidates to practice with success the vicious arts by which elections are too often carried [wrote Madison]; and the suffrages of the people being more free, will be more likely to center on men who possess the most attractive merit and the most diffusive and established characters.

Rather than the “mirror theory” of representation favored by the Anti-Federalists (and militia members), in which legislators were to closely reflect the interests and make-up of their constituents, the Federalists stressed the importance of the “filtering” aspect of representation, which, they argued, would lead legislators to look beyond their own particular interests to the broader common good. Third, the Federalists argued that only with the diversity of interests offered by an extended commercial republic would it be possible to prevent the tyranny of the majority taking hold. “Extend the sphere,” said Madison,

and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength and to act in unison with each other.

As Storing writes, the Federalists saw the kind of homogenous republic the Anti-Federalists were arguing for as possible only under “the primitive, harsh conditions of a pre-commercial society, which no man—certainly no American—would choose to endure,” and which, in any event, no longer described America (even) in the 1780s.³⁹

This, then, was the republic envisaged by the Federalists, but by basing it on the extended sphere and the filtering effects of representation, and by insisting “on a sharp distinction between a ‘democracy’ and a ‘republic,’” the Federalists, and Madison in particular, were redrawing the “conceptual map” of republicanism in a radically new way. Indeed, for Gordon Wood, they had “turn[ed] all the old assumptions about republicanism around.” One of the interesting features of this process was the way Madison used *The Federalist Papers* to characterize the Anti-Federalists as defenders of a system of direct or pure democracy, when, as we have seen, what they were actually defending was “the sovereignty of the several state republics”—and acting thereby as “good republicans.”⁴⁰

It is worth considering this in respect of Helen Johnson’s call on behalf of the Ohio Unorganized Militia to “see what the Founding Fathers had to say about democracies.” Having employed Madison’s purported injunction not to “separate text from historical background,” Johnson cites the following quotations in support of her case for America having been established as a “Representative republic”:

“The evils we experience flow from the excess of democracy The people do not want (for) virtue; but are the dupes of pretended patriots.” ... Eldridge Gerry [*sic*]

“It has been observed that a pure democracy if it were practicable would be the most perfect government. Experience has proved that no position is more false than this. The ancient democracies in which the people themselves deliberated never possessed one good feature of government.

Their very character was tyranny; their figure deformity.” ...Alexander Hamilton

“We are a Republican Government. Real liberty is never found in despotism or in extremes of democracy.” “Remember, Democracy never lasts long. It soon wastes, exhausts and murders itself!” ...Samuel Adams

“...democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security, or the rights of property; and have in general been as short in their lives as they have been violent in their deaths.” ...James Madison⁴¹

Johnson makes no attempt to properly contextualize these quotations; to see them within a complex and fiercely contested political debate of the late eighteenth century. On the contrary, as far as Johnson is concerned the views of Anti-Federalists like Elbridge Gerry and Samuel Adams—although it was actually John Adams and not Samuel Adams, who thought that democracy “soon wastes, exhausts and murders itself!”—are the same as those of Federalists such as Madison and Hamilton. They are simply the views of “*the Founding Fathers.*” And while both groups may have agreed on the unsuitability of a system of direct democracy for their new government—Madison’s claims to the contrary notwithstanding—beyond this, as we have been discussing, their views as to what kind of republic would constitute the best system of government for America could hardly have been more different.

Before exploring the implications of militia members’ failure to engage completely with the complexities of the past in this way, however, it is first necessary to consider the Federalists’ proposed design for the federal system a little further. This is because, as Jack Rakove has pointed out, if the Federalists were to refute the arguments of Anti-Federalists for the small republic, it was not sufficient for them to show how the new federal system would work in *theory*. They also had to show how it would work in *practice*. This, Rakove explains, is what Hamilton and Madison attempted to do in essays 23–9, 30–6, and 41–6 of *The Federalist Papers*, which dealt, respectively, with issues of national defense, revenue raising, and the distribution of legislative powers within the new federal system. What emerges, as Madison indicated in *Federalist* 39, is a complex model of federalism. “The proposed Constitution,” Madison argued, “was in strictness, neither a national nor a federal Constitution, but a composition of both.”

In its foundation it is federal, not national; in the sources from which the ordinary powers of the government are drawn, it is partly federal and partly national; in the operation of these powers, it is national, not federal; in the extent of them, again, it is federal, not national; and finally, in the authoritative mode of introducing amendments, it is neither wholly federal nor wholly national.⁴²

It is not necessary here to go into detail over how exactly the powers between the national and states' governments were distributed, but it is important to recognize that the federal system established by the Constitution contained many ambiguities and many generalities. It was expected that these would be worked out over time. By employing general terms and phrases the drafters of the Constitution "ensured the metamorphic nature of the federal system," writes Joseph Zimmerman. "The broad grants of power to the Congress enable it to serve as the architect responsible for redesigning aspects of the federal system on a continuing basis." In the 1780s, and despite the supremacy of laws clause in the Constitution (Article VI, Section 2), which makes it clear that ultimate power is to reside with the national and not the states' governments, it *was* widely assumed that the powers reserved to the states would exceed those of the national government. The militias are correct to a certain extent to point to the Tenth Amendment in this respect; it was included in the Bill of Rights to reassure the Anti-Federalists that this was in fact the case. However, as Zimmerman also points out, national—state relations were "not frozen" by the Tenth Amendment. The ratification of the Fourteenth and Fifteenth Amendments, together with an expansive interpretation of the powers delegated to Congress by the Supreme Court, has allowed Congress, quite legitimately "to encroach upon many of the traditionally reserved powers of the States."⁴³

The key point—one militia members and other Patriots seem to have most difficulty in coming to terms with—is that these changes have taken place *within* the federal system as it was designed by the Founding Fathers, and, to a greater or lesser extent, with the consent of the American people.⁴⁴ It was the Constitution that provided the institutional framework for the way in which federalism would develop in the U.S. in the future, and only by placing the federal system and the Constitution back *into* history can we understand how the concentration of power in the national government which has occurred since 1789 has taken place. Yet this aspect of the system is either ignored by the militias in their rush to assert the pre-eminence of how things were originally "intended" to be, or is rejected in preference to more conspiratorial explanations. Rakove puts the matter well:

Within the language of the Constitution...there was indeterminacy enough to confirm that both Federalist and Anti-Federalist were right in predicting how tempered or potent a government the Convention had proposed.... Whether the politics of the American republic would prove more "federal" or "national"—more oriented toward the statehouses of an expanding society or toward the drafty Capitol soon to be built in the federal district—was a function neither of the language of the Constitution nor of any grand principles that the framers implanted in their regime but of the various ways in which Americans weighed the advantages and disadvantages of pursuing their interests within the compound federal structure the Constitution both created and acknowledged....

[T]he intentions that ultimately mattered most were those not of the framers and ratifiers of 1787–88 but of the people themselves, both dispersed

and united in congeries of interests, all seeking to mobilize one institution or another in the pursuit of happiness. The Constitution created a new framework within which their choices could be made, and the Supreme Court under Chief Justice Marshall enlarged it further by giving the necessary-and-proper clause and the supremacy clause expansive interpretations. But only politics (in the broadest sense) could determine how energy would flow within the complex array of institutions the American constitutionalists had inherited and only partly reformed. It took the better part of a century, civil war, and the transformation of the national economy to begin to convert the Union from a confederation into a polity more resembling a modern nation-state.⁴⁵

The Anti-Federalist legacy

Writing in the *Wall Street Journal* in June 1995 in response to what he saw as the “unprecedented” assault on the national government from both the Newt Gingrich-led Republican Party and the “wilder shores of unreason” represented by the militia movement, Arthur Schlesinger, Jr. made the case that historically it has been the national government which has been best able to rival the powers of America’s “great corporate interests” and protect the rights of minorities. Employing clear Federalist arguments, Schlesinger contended that the national government had proved itself to be more honest and more efficient than the state governments, and that it was “a delusion to say that because state government is closer to the people it is therefore more responsive to their needs and concerns.” On the contrary, local government is simply “the government of the locally powerful,” he said, and had the “states’ rights creed triumphed we would still have slavery in the U.S.”⁴⁶

Schlesinger may well be right in this assessment, but, as Saul Cornell points out in *The Other Founders: Anti-Federalism and the Dissenting Tradition in America, 1788–1828*, throughout their history Americans have also shown “a remarkable faith in the abilities of state and local governments,” and he attributes this to the legacy of the Anti-Federalists. “Ratification of the Constitution did not... eliminate Anti-Federalist ideas,” he says, and as a result “localism continues to be a powerful force in American life.” Indeed, as Cornell—following Herbert Storing—sees it, the structure of American government may have been created by the Federalists but the “spirit of American politics has more often been inspired by the Anti-Federalists,” and the “struggle” between the two “continues to define the nature of political life” in the United States.⁴⁷

In *The Other Founders* Cornell discusses how interest in the Anti-Federalists has “exploded” in America in recent years. And, far from being restricted to the work of historians, political theorists, or legal scholars, he finds that this interest has “spilled over into popular political culture.” “References to the Anti-Federalists occur on the Internet,” for example, and he claims that the Anti-Federalists “have been invoked by the self-styled citizen militia organizations whose suspicion of government further illustrates the paranoid style of American

politics.” The problem with this, as we have seen, is that, while the militias *should* invoke the Anti-Federalists, particularly to support their arguments for the kind of limited republic they want America to be, on the whole they do *not*—or at least not in any coherent way.⁴⁸

References to individual Anti-Federalists can certainly be found within militia literature, but when these occur it is usually as part of a discussion of the views of “the Founding Fathers” in general—as with Helen Johnson’s employment of Elbridge Gerry and Samuel Adams—and not of the Anti-Federalists as a distinct grouping with a distinct political philosophy. The reason for this (as was made clear in [Chapter 3](#)), is that it is with the “*dominant tradition*” of the American founding that militia members want to be associated, not its “*dissenting tradition*.” It is the sanctification of the Founding Fathers as these are generally recognized within the American mainstream that militia members want to receive, and while the Anti-Federalists may have an increasing legitimacy in scholarly circles this has not yet been transmitted to wider American culture. In short, militia members identify themselves with the “winners” in the struggle over the Constitution as opposed to the “losers.” Hence, not surprisingly, it is Madison and Hamilton—the authors of *The Federalist Papers*, the men “who wrote the Constitution”—whom they invoke to support their claims, rather than “The Federal Farmer,” “Brutus,” or “Cato”. This (mis)identification process is also evident in the militia movement’s case for an arms-bearing citizenry being an essential feature of the republic established by the Founding Fathers.

Resisting tyranny: militias and the Second Amendment

A well regulated Militia, being necessary to the security of a free State,
the right of the people to keep and bear Arms, shall not be infringed.

The Second Amendment

In an article for the August 1997 issue of *Necessary Force*, Rick Hawkins of the Missouri 51st Militia sought to explain “The Truth about the Second Amendment.” Expressing his concern that future gun control legislation would restrict the “right” of Americans to own assault weapons, Hawkins complained:

I don’t know how many times I’ve heard some liberal puke arrogantly proclaiming that “You can’t hunt deer with an AK47.” Then some well-meaning patriot type tries to explain how an AK47 is really just a 30–30, and it’s really not that powerful, blah, blah, blah! WRONG ANSWER! The correct response would be to say, as politely as possible, without slapping the fool, “You know the Second Amendment has nothing to do with hunting deer, or hunting anything else, for that matter.” You are not guaranteed the right to hunt, or even the right to self-defense. You are guaranteed the RIGHT to serve in the militia and to do so, you must have a weapon of

minimum military specifications. The founding fathers knew that any form of government, no matter how well conceived, could become corrupt, and that standing armies could become the pawns of that corrupt government.

An armed citizenry was the best and only way to ensure that the people could maintain the ability to retake the government if it should become necessary. Any other response to the misguided liberal is futile, as well as incorrect. You have to stay with what the Constitution says, and what it means. Remind them that it is a Bill of Rights, not a Bill of Needs and Wants.

A T-shirt sold by the Militia of Montana captures the same attitude rather more succinctly. Mimicking Bill Clinton's 1992 presidential campaign slogan, it reads: "The Second Amendment ain't about duck huntin'...or target shootin'...It's about FREEDOM Stupid!"⁴⁹

For the militia movement (as for other Patriots), the Second Amendment offers the means by which the American people can protect themselves from governmental tyranny, and this is a position derived from—or is justified by—their understanding of the republicanism "designed" for the American nation. As militia members see it, the institution of the militia is a vital component of the constitutional system established by the Founding Fathers. Militias are "the best protection against tyranny," they say, a "constitutional safety net," forming "an important part of the check and balances in our American system." They are "the mighty keystone of this great republic"; they have an essential "oversight duty"; and serve "as a check to federal tyranny or the tyranny of any other government." "Like it or not," militia members declare,

the founders of our government believed that power should remain in the hands of the people to stop the usurpation of power by government. For this expressed reason they believed in the militia system where all citizens should keep and bear arms.... [T]he only reason a civilian, or "unorganized," militia exists is in order to keep government in check in order that the government may remain in the hands of the people.

In sum, "the modern militia is exactly what our Constitution created it to be: the vehicle of last resort to stand between tyranny and freedom."⁵⁰

Unsurprisingly, the "words" of the Founding Fathers play a prominent role in the presentation of the militias' case. Typical of the militia movement's use of the Founding Fathers, for example, is this extract from the Militia of Montana's website:

The Founders of our Nation and the Framers of the Constitution were well aware of the dangers of the tyranny and treason of a run-away governmental bureaucracy and had a very PRIMARY reason for the inclusion of the Second Amendment to the Constitution. Let's let them speak for themselves:

“Firearms stand next in importance to the Constitution itself. They are the American people’s liberty teeth and keystone under independence. From the hour the Pilgrims landed, to the present day, events, occurrences and tendencies prove that to ensure peace, security and happiness, the rifle and pistol are equally indispensable. The very atmosphere of firearms everywhere restrains evil interference—they deserve a place of honor with all that’s good.”—George Washington, Commanding General of the Continental Army, Father of Our Country and First President of the United States, in his address to 2nd Session of 1st Congress.

“The strongest reason for the people to retain the right to keep and bear arms is, as a last resort, to protect themselves against tyranny in Government.”—Thomas Jefferson, Author of The Declaration of Independence, and President of the United States.

“The highest number to which a standing army can be carried in any country does not exceed one hundredth part of the souls, or one twenty-fifth part of the number able to bear arms [*sic*]. This portion [*sic*] would not yield, in the United States, an army of more than twenty-five or thirty thousand men. To these would be opposed a militia amounting to near half a million citizens with arms in their hands, officered by men chosen from among themselves, fighting for their common liberties and united and conducted by governments possessing their affections and confidence. It may well be doubted whether a militia thus circumstanced could ever be conquered by such a proportion of regular troops.... Besides the advantage of being armed, which the Americans possess over the people of almost every other nation, the existence of subordinate governments, to which the people are attached and by which militia officers are appointed, forms a barrier against the enterprises of ambition, more insurmountable than any which a simple government of any form can admit of.... The governments of Europe are afraid to trust the people with arms [*sic*]. If they did, the people would surely shake off the yoke of tyranny, as America did [*sic*]. Let us not insult the free and gallant citizens of America with the suspicion that they would be less able to defend the rights of which they would be in actual possession than the debased subjects of arbitrary power would be to rescue theirs from the hands of their oppressors.”—James Madison, principal author of the Constitution, principal writer of The Federalist Papers, President of the United States, Mainstream Revolutionary and Militant.

“What, Sir, is the use of a militia? It is to prevent the establishment of a standing army, the bane of liberty.... Whenever Governments [*sic*] mean to invade the rights and liberties of the people, they always attempt to destroy the militia, in order to raise an army upon their ruins.”—Rep. Elbridge Gerry of Massachusetts, spoken during floor debate over the Second Amendment, I Annals of Congress at 750, August 17, 1789.⁵¹

Not only does the Militia of Montana's employment of these Founding Fathers typify the militias' arguments in respect of the Second Amendment and the importance of militias in resisting tyranny, it also provides another, telling illustration of the extent to which the militias seek to identify themselves with the "dominant tradition" of American history. This is clear from the inclusion of Washington, Jefferson, and Madison in the Militia of Montana's list of "supportive" Founders, and particularly in the descriptions applied to them. Washington is the "Father of Our Country and First President of the United States," Jefferson "The Author of the Declaration of Independence," and, most revealingly of all, Madison the "principal author of the Constitution, principal writer of *The Federalist Papers* [and] *Mainstream Revolutionary and Militant*." Indeed, the Militia of Montana's desire to receive the approbation of these Founders seemingly overwhelms the demands of historical accuracy—Madison's "words" from *Federalist* 46 are compressed and misquoted slightly, and those attributed to Washington and Jefferson are simply invented.⁵²

This is not to suggest that all, or even most, of the militias' quotations in this context are fabricated. The words of Elbridge Gerry are rendered almost faithfully, and some of the views of other Founders (more or less) accurately reproduced by the militias include the following: Richard Henry Lee, "A militia, when properly formed, are in fact the people themselves...and include all men capable of bearing arms"; George Mason, "I ask, sir, what is the militia? It is the whole people, except for a few public officials," and "to disarm the people...is the best and most effectual way to enslave them"; Patrick Henry, "The great object is that every man be armed.... Everyone who is able may have a gun"; and Tench Coxe:

The power of the sword, say the minority of Pennsylvania is in the hands of Congress. My friends and countrymen, it is not so, for the powers of the sword are in the hands of the yeomanry of America from sixteen to sixty. The militia of these free commonwealths, entitled and accustomed to their arms, when compared with any possible army must be tremendous and irresistible. Who are the militia? Are they not ourselves? Is it feared, then, that we shall turn our arms each man against his own bosom? Congress has no power to disarm the militia. Their swords, and every other terrible implement of the soldier, are the birth right of an American.... [T]he unlimited power of the sword is not in the hands of either the federal or state governments, but, where I trust in God it ever will remain, in the hands of the people.⁵³

Yet what is noticeable about these quotations—and these are the quotations, in addition to those invoked by the Militia of Montana, most commonly found in militia publications and on militia websites on this issue—is that, with the exception of Coxe, it is the views of leading Anti-Federalists that predominate. This again raises the question as to whether, irrespective of their attempts to connect with the Federalist Framers, it is with the republicanism of the Anti-

Federalist objectors to the Constitution that the militias are more closely in accord; whether it is these Founders that militia members should, in fact, be claiming for their inspiration.

Significantly, such issues are also at the heart of recent academic debates concerning the correct interpretation of the Second Amendment. Questions about the meanings to be attached to the words of Madison, Coxe, Gerry, Mason *et al.*, and the extent to which the Second Amendment was intended to provide a means for resisting governmental tyranny—what has been called the “insurrectionary theory” of the Second Amendment—have been the subject of fierce dispute among both historians and legal scholars. But before considering these specific issues, particularly as they pertain to the militias’ understanding of the republicanism “intended” for the American nation, it is first necessary to examine the debate over the interpretation of the Second Amendment in more general terms.

Interpreting the Second Amendment

Despite being the subject of huge popular and political controversy (or perhaps because of this), until relatively recently the Second Amendment was one of the most neglected areas of constitutional scholarship. Today, as Glenn Reynolds notes, however, although there is “still very little caselaw...there is now a great deal of scholarship.”⁵⁴ Two competing interpretations of the Second Amendment predominate, the “collective” or “states’ rights” interpretation and the “individual rights” interpretation. In the collective rights model, American citizens have no individual right to bear arms; such a right, it is argued, belongs *only* to those in the state militias since the purpose of the Amendment was to reassure the states that through the maintenance of “well regulated” militias they would be able to protect themselves from any threat posed by the new national government’s standing army. In contrast, advocates of the individual rights interpretation contend that the Second Amendment protects the rights of *all* individuals to keep and bear arms (subject to certain conditions), not just those in the state militias; that it is the “right of the people.” This, it is argued, is in accordance with how the First, Fourth, Ninth, and Tenth Amendments are interpreted.⁵⁵

To a certain extent the term “individual rights model” is something of a misnomer, because its proponents do not really deny that the “militia” was an important part of the Second Amendment as it was originally conceived. Rather, like Reynolds, they argue that the Amendment’s purpose is “twofold: to allow individuals to protect themselves and their families, and to ensure a body of armed citizenry *from which a militia could be drawn.*” It is presumably for this reason that Reynolds prefers the epithet “Standard Model” when describing his approach to the Second Amendment—although, of course, this also has certain rhetorical and argumentative advantages to recommend it, since it casts the collective rights model as the “non-standard” or “abnormal” approach. However, while Reynolds regards Standard Model scholars as dominating the academic literature on the Second Amendment “almost completely,” he acknowledges that such views “are

much less represented in the more popular media, where the ‘states’ rights’ view still seems to be dominant.” Indeed, he suggests that this may well be one of the reasons for the growth of the contemporary militia movement, with individuals having organized militias as a response to the argument that the Second Amendment only protects the right to belong to a militia. Although Reynolds himself offers no evidence to support this view, it is apparently confirmed by Kay Sheil of the Missouri 51st Militia, for whom, in the “legal climate today...they say an ‘individual’ isn’t supposed to have a weapon, they say it’s a ‘group right’ Well, *we’re a group*, so we’re protected by the Constitution.” The views of leading individual rights theorists, including Reynolds himself, are also directly cited by militia members.⁵⁶

Whether the modern militia movement is “protected” by the Constitution is addressed in detail below (pp. 128–33); for now let us return to the issue of the purpose of the Second Amendment. According to David Williams, “[v]irtually all modern Second Amendment theorists agree that one purpose of the provision was to make resistance to the federal government possible.” The “two camps” only disagree, he says, “over who possesses the right, state militias or the mass of individuals,” adding that “[t]he individual rights view accepts that revolution was the main reason for the Amendment but argues that self-defense was a secondary aim.” To this extent, at the very least, therefore, militia members are correct: the Second Amendment isn’t about duck hunting or target shooting. The “recreational and sporting uses” arguments so often cited in the gun control debate are simply “not relevant” when it comes to interpreting the Second Amendment. The question of whether the Second Amendment also provides Americans with a right of self-defense—an interpretation the militias endorse, of course—is somewhat more contentious. Williams, for example, does not see this as even a “secondary aim” of the Amendment, but he argues that this shouldn’t detract from the “underlying consensus” concerning the Amendment’s purpose, a consensus to which, it is worth emphasizing, the modern militia movement clearly belongs.⁵⁷

In part, the dispute between the collective and individual rights theorists over who exactly was intended to resist the dangers of governmental tyranny is a consequence of the way the Second Amendment is worded—its textual ambiguity actively invites competing interpretations. Sanford Levinson, for example, describes it as “one of the worst drafted of all [the Constitution’s] provisions.”⁵⁸ This, he says, is because it contains an opening clause “that seems to set out its purpose,” a feature notably absent from any of the Constitution’s other amendments. Advocates of the collective rights approach read this “preamble”—“A well regulated Militia, being necessary to the security of a free State”—restrictively, as determining how the rest of the Amendment should be read. Advocates of the individual rights approach, on the other hand, emphasize the second part of the Amendment—“the right of the people to keep and bear Arms, shall not be infringed.” Reading the Amendment’s two clauses disjunctively, they do not see the preamble as a constraint on how the rest of the Amendment is to be read.

The Supreme Court might have been expected to resolve this ambiguity, but unfortunately this has not been the case. The Supreme Court has analyzed the Second Amendment directly only four times in its history and only once in the twentieth century, and none of its decisions offers a definitive interpretation of the extent of the right of U.S. citizens to keep and bear arms. The most recent decision is the 1939 case of *United States v. Miller*, in which Jack Miller and an accomplice were charged with transporting an unregistered sawed-off shotgun in interstate commerce in violation of the National Firearms Act of 1934. The defendants challenged their indictment on Second Amendment grounds before the District Court and won. The case then went to the Supreme Court on the question only of whether a sawed-off shotgun was a “militia weapon” and thus protected by the Second Amendment. The Supreme Court reversed the first decision and referred the case back to the District Court for further fact-finding proceedings. It held:

In the absence of any evidence tending to show that possession or use of a “shotgun having a barrel of less than eighteen inches in length” at this time has some reasonable relationship to the preservation or efficiency of a well regulated militia, we cannot say that the Second Amendment guarantees the right to keep and bear such an instrument. Certainly it is not within judicial notice that this weapon is any part of the ordinary military equipment or that its use could contribute to the common defense.⁵⁹

In the words of one commentator, the Court’s decision offered “a little something for everyone,” with the result that partisans on all sides of the gun rights debate cite *Miller* as authority for their views regarding the proper interpretation of the Second Amendment. For Ehrman and Henigan, for example, the Supreme Court “made it clear that the only purpose of the second amendment [*sic*] was to ensure the effectiveness of state militias.” Yet as Glenn Reynolds sees it “*Miller* cannot plausibly be read to support the states’ rights position” because if the Second Amendment protected only the right of states to have militias no fact finding would have been necessary. The Court, Reynolds says, “would only have to ask one question: ‘Is Mr. Miller a state?’ And if the answer was no (as, of course, it was) the case would then have been dismissed for lack of standing.”⁶⁰

Since *Miller*, although perhaps for understandable reasons given the contentious and politically explosive nature of the issues involved, the Supreme Court has shied away from the Second Amendment, preferring “to regard the constitutionality of gun restrictions through the lens of other constitutional provisions.”⁶¹ Because of this, and given the Amendment’s inherent textual uncertainty, the debate over its “correct” meaning has proceeded largely—as the militia movement demonstrates—on the basis of historical argumentation.

Militias, virtue, and the republican roots of the right to bear arms

When it comes to the question of identifying the intellectual and historical antecedents of the Second Amendment, there is, again, broad agreement between the collective and individual rights theorists. Whether tracing its roots through the Florentine political tradition and Machiavelli or the radical English Whig tradition of James Harrington, John Trenchard, and Thomas Gordon, both sides accept that the Second Amendment has to be understood, at least in part, in terms of republicanism.⁶² In particular, there is no dispute that an armed citizenry was, as militia members contend, an essential component of eighteenth-century republican thought. The reason for this, in Gordon Wood's memorable phrase, is that republics were seen to be states of "fragile beauty"⁶³ Which is to say, that because of man's ceaseless craving for power it was believed that republics were in constant danger from both external enemies and internal corruption (recall the Militia of Montana's invocation of the "republican cycle" discussed earlier, or Rick Hawkins's argument that "any form of government no matter how well conceived could become corrupt"), and citizens' militias were regarded as vital in resisting these dangers.

Indeed, the militia movement's engagement with republicanism helps to explain why it reacts to any attempt at gun control with horror. After all, it was a commonplace of eighteenth-century republicanism that only tyrannical governments would attempt to disarm their people. Voicing such concerns—and linking them to the sacrifices made by America's Revolutionary generation—the U.S. Militia take the view that although "foreign governments may disarm their subjects, we will not go down that road." "We will not disarm," they declare.

We will not disarm and see our freedoms stripped away. The lessons of history are numerous, clear, and bloody A disarmed population inevitably becomes an enslaved population. A disarmed population is without power, reduced to childlike obedience to and dependence upon the organs of a parental state. A disarmed population will lose either piecemeal or in one sweeping act those basic rights for which the citizens of America risked their lives and fortunes over 200 years ago.

As militia members see it, the right to bear arms allows Americans "to back up our other Bill of Rights."⁶⁴ Lose this right, they contend, and, sooner or later, they will lose all their rights.

Republican endorsement of citizens' militias went beyond the frequently expressed concern that standing armies might become the pawns of corrupt governments, and issues of who ultimately controlled the means of force in society, however. The ownership of arms was central to the very idea of republican citizenship. Arms, it was argued, provided the means by which a citizen could both maintain his independence and—as with jury service—actively participate

in his own governance. In classical as well as early modern republican thought, writes J.G.A.Pocock, arms were the “*ultimo ratio* whereby the citizen exposes his life to the defense of the state and at the same time ensures that the decision to expose it cannot be taken without him.” It was the possession of arms, he says, which made “a man a full citizen, capable of, and required to display, the multiple versatility and self-development which is the crown (and prerequisite) of citizenship.”⁶⁵

Access to arms would not create a republican citizen in itself, though. The key to citizenship—indeed the key to the successful functioning of republican society as a whole—was to be found in the concept of virtue. Virtue, Gordon Wood explains, “was truly the lifeblood of the republic”:

A republic was such a delicate polity precisely because it demanded an extraordinary moral character in the people. Every state in which the people participated needed a degree of virtue; but a republic which rested solely on the people absolutely required it.

Wood defines virtue as the “willingness of the individual to sacrifice his private interests for the good of the community”—that is, to serve the common good—and the ultimate sacrifice an individual could make, of course, was to lay down his life in defense of the republic.⁶⁶ This is particularly worth noting since it adds a republican dimension to the apparent readiness of militia members to sacrifice themselves in emulation of their Revolutionary forefathers discussed in [Chapter 3](#). Significantly, militias were seen as institutions in which citizens could be trained in virtue—where virtue would not only be inculcated and nurtured, but also exercised in the act of resisting the republic’s enemies.

Modern militia members are well aware of these aspects of republicanism: that militias were intended to provide a means for citizens to actively participate in the republican polity and had a crucial role in instilling virtue in those citizens. For Jon Roland, for example, “a Militia system serves not only to prepare people to resist invasion or cope with disasters, but to bind people together into communities for *all kinds of civic activities*.” “In this age,” he says,

in which too many people don’t know their own next door neighbors, it is time to break down the barriers of anonymity and rebuild the community spirit on which our society depends. Able-bodied citizens should be expected to perform regular civic duties in much the same way they perform jury duty. The Constitutional framework for doing that is the Militia.

Republican language and republican ideas also clearly inform the Militia of Montana’s presentation of itself as an “anti-corruption group” on its website:

The Militia is not an “Anti-Government” group, but an “*Anti-Corruption In Government*” group. The Militia is “We The People” enforcing the God

given rights that every human being should have. Militia members do not walk around carrying guns and wearing army fatigues, looking for someone to shoot. A Militia member is a person who has sworn to uphold the Constitution and all laws which do not conflict with the Constitution, a Citizen who *is willing to give his/her life in the defense against foreign or domestic invasion of Family, Home, Neighbors and Country*. A Militia member is not your enemy, but on the contrary, a protector of the Constitutional Rights of everyone in the United States of America.⁶⁷

Another example of this awareness is provided by the chaplain of the Missouri 51st Militia, Larry Watson. Between April and October 1997, in a series of seven articles for *Necessary Force*, Watson shared “the comments of our founding fathers,” who, he explained, had frequently “expressed their concern for the need of a virtuous and moral citizenry.” Examining such figures as John Adams, Samuel Adams, James Madison, George Mason, George Washington, and Noah Webster, Watson sought to demonstrate how their words could, and should, provide guidance for America in the present. This guidance was sorely needed in Watson’s view because “those whom we elected are serving their own selfish desires instead of the best interests of their constituents.” “Our nation is at great risk,” he contended. (Tellingly, although Watson identifies George Mason as someone who “disliked the idea of a strong federal government, as he feared that it would usurp the sovereignty of the individual states,” and as the “Father of the Bill of Rights,” at no point during the series of articles does he identify Mason as a prominent Anti-Federalist.)⁶⁸

Providing a notable illustration of the intermingling of two of the three key American traditions identified by Robert Bellah *et al.*, Watson’s understanding of virtue was presented within a clear religious framework. “God needs a virtuous, moral dedicated people,” Watson suggested. “If mankind is to be free, as God desires us to be, then each of us must live the lives that a righteous God will be willing to bless and protect.” For Watson, this was simply what the Founding Fathers themselves had believed, and he explained that, “[a]ccording to Madison, our nation will fail unless we maintain a strong level of faith in and obedience to the real founder of our nation Almighty God”; and that “Noah Webster has advised us that as a nation we must be a moral and religious people to continue to enjoy the freedom we have had in the past.”⁶⁹

However, as with the Militia of Montana’s depiction of itself as an “anti-corruption” group, Watson’s application of the concept of virtue could hardly be said to be motivated by a disinterested commitment to the common good. On the contrary, it was allied to his and his colleagues’ own particular interests. It was employed especially as a way of encouraging people to join and form militias. Having quoted from George Washington’s first inaugural speech that “the preservation of the sacred fire of liberty and the destiny of the republican model of government are justly considered as deeply, perhaps finally, staked on the experiment entrusted to the hands of the American people,” Watson wrote:

*Did you catch what Washington said about you and me? He said the destiny of our nation is in the hands of the American people, not the president, not the congress, not the Supreme Court, not anyone else—just us!!! And you thought you didn't count for much! I never dreamed I would be involved in anything like this, but here I am.... Please join us. If you are an inactive member of the 51st, come join us.... If you live in some other area, then contact your local militia and get involved.*⁷⁰

Further, as discussed below (pp. 128–33), there is no recognition in this that for a republican society to work the people as a whole must have virtue; that it is not enough for militia members themselves to live and act virtuously.

In his article on “The Embarrassing Second Amendment,” Sanford Levinson asked scholars to “consider the possibility...that the ultimate ‘checking value’ in a republican polity is the ability of an armed populace, presumptively motivated by a shared commitment to the common good, to resist governmental tyranny.”⁷¹ It is a suggestion the militia movement would obviously endorse, and in broad terms it is a point generally accepted by both the individual and collective rights theorists of the Second Amendment. However, whether for Levinson or the militia movement, establishing an armed citizenry as a central tenet of eighteenth-century republicanism goes only part of the way. The crucial question remains of the extent to which this republican belief was translated—if at all—into the Second Amendment, thereby making it part of the new constitutional system America’s Founding Fathers were creating. This is a subject of much greater dispute.

Federalism, Anti-Federalism, and the insurrectionary theory of the Second Amendment

Garry Wills rejects the idea that the Second Amendment empowers “the people” to resist and overthrow the government if it becomes tyrannical; in other words, that it provides a constitutional right of “insurrection.” He does so for a number of reasons. First, he argues that the quotations relied on by the advocates of this approach—including Levinson, Reynolds, and Williams—“come from the Antifederalists, who were not the framers of the Constitution but opponents of it.” (These, of course, are the same quotations from Patrick Henry, George Mason, Elbridge Gerry, and Richard Henry Lee relied on by the militia movement outlined at the beginning of this section on pp. 116–17.) As Wills see it,

the Antifederalists lost the debate over the Constitution.... To keep quoting these men as the framers, is to commit the fundamental interpretative error Jefferson criticized in 1800, when he said that we should ascribe to the Constitution “a meaning to be found in the explanations of those who advocated not those who opposed it.”

Further, Wills argues that these quotations from the Anti-Federalists have nothing to do with the Second Amendment because they come from the ratification debates. They are expressions, he says, of the Anti-Federalists' fears about standing armies and refer only to the military clauses in the Constitution (Article I, Section 8, Clauses 12, 15, and 16, and Article II, Section 2, Clause 1).⁷²

Wills also objects to the insurrectionary theory of the Second Amendment because he says there are five places in the Constitution itself that forbid such armed resistance, namely the "treason clause" (Article III, Section 3, Clause 1); the "guarantee clause" (Article IV, Section 4); the "extradition clause" (Article IV, Section 2, Clause 2); and the powers of Congress both to proscribe the training of militias (Article I, Section 8, Clause 16) and to call them forth "to suppress insurrections" (Article I, Section 8, Clause 15). Taken together, Wills writes, these provisions "make it overwhelmingly clear that the Constitution was framed to forbid, prevent and punish insurrection against its own laws—as, indeed, any Constitution that claims legitimate authority must do." Advocates of the insurrectionary theory of the Second Amendment have confused "the right of insurrection under (within) the Constitution with the right of revolution (which would overthrow the Constitution)," he argues. "A people can overthrow a government it considers unjust. But it is absurd to think that it does so by virtue of that unjust government's own authority."⁷³

Of course, proponents of the insurrectionary theory have their own array of reasons for rejecting Wills's analysis. For one, although they accept that the dispute between the Federalists and the Anti-Federalists centered on the military clauses of the Constitution, and particularly on the Anti-Federalists' fears over standing armies, they do not see this as meaning that the Founders in general rejected the insurrectionary purpose behind the Second Amendment. Quite the reverse. They argue that the Founders were in such agreement as to the purpose of the Amendment that no such discussion was necessary. It is the "unanimity in the contemporary understanding of the Second Amendment [between the Federalists and the Anti-Federalists]," which, David Vandercoy says, "helps explain the relative absence of recorded debate over it"—"unanimity" which was the product of "their shared philosophical and historical heritage," that is, the eighteenth-century republican tradition outlined above. Similarly, David Williams notes that Elbridge Gerry was the only person to offer an explanation of the purpose of the Second Amendment during the Congressional debates, when he said, "This declaration of rights, I take it, is intended to secure the people against the mal-administration of the Government." "No one contradicted him or suggested a different, liberal purpose for the provision," says Williams.⁷⁴

This shared understanding, it is argued, is what Madison evidences in *Federalist* 46 when he refers to the "advantage of being armed, which the Americans possess over the people of almost every other nation." Indeed, for Robert Shalope it is important to recognize that when Madison drafted the Bill of Rights "he did not do so in a vacuum. Instead, he composed [it] in an environment permeated by the emergent republican ideology and with the aid of innumerable suggestions from

his countrymen.” Williams points especially to the Virginia legislature’s draft amendment for the right to bear arms in this respect. Written by George Mason, it provided the basis for Madison’s draft of the Second Amendment, he says, seeing it as providing clear support for his insurrectionary interpretation of the Amendment which eventually emerged. It reads:

That the people have a right to keep and bear arms; that a well-regulated militia, composed of the body of the people trained to arms, is the proper, natural and safe defence of a free state; that standing armies, in time of peace, are dangerous to liberty, and therefore ought to be avoided.⁷⁵

Wills’s response to this is to argue that Madison’s proposals for the Second Amendment were intended merely to “accommodate” his Anti-Federalist critics, to “sweet-talk” them because he was secure in the knowledge that the Amendment would have no impact “in real life” on the military arrangements set out in the Constitution.⁷⁶

Advocates of the insurrectionary model of the Second Amendment do not rely on the Anti-Federalists or Madison alone, however. They have other allies to support them, including such prominent figures as Tench Coxe, Yale president Timothy Dwight, legal scholar Thomas Cooley, and especially Supreme Court Justice Joseph Story and his highly influential *Commentaries on the Constitution*, first published in 1833. Story—who is also cited extensively by militia members—is a particular favorite because, to quote Shalope, he “summed up the relationship between armed citizens and the militia as clearly as it was ever stated” and, just as importantly, in Levinson’s view, because he was “certainly no friend of Anti-Federalism.”⁷⁷

It is noticeable that an argument not made by any of the “academic insurrectionists” in this context, one which would draw on Herbert Storing and Saul Cornell’s understanding of the American founding as a “dialogue” between the Federalists and Anti-Federalists, is that the Second Amendment was a specific Anti-Federalist legacy to the United States. Williams, who seems to equate the Federalists predominantly with Lockean liberalism and the Anti-Federalists with republicanism, comes closest to such a position when he argues that

[t]he Second Amendment, perhaps more than any other provision of the Constitution, is grounded in the republican tradition. We must therefore look principally to republicanism for illumination of the historical meaning of this particular Amendment—even if one gives a liberal reading to the rest of the document.⁷⁸

Perhaps, like those in the militia movement, such a direct association with the “losers” in the constitutional struggle is simply not considered desirable.

As for Wills’s contention that it is absurd to think that the Second Amendment provides Americans with a right to overthrow the Constitution, Williams responds

by arguing that the “apparent commonsensicality” of what he refers to as Wills’s “inconsistency claim” is misleading because it assumes “that government and constitution are the same thing, so that a revolt against one is necessarily a revolt against the other.” In fact, he says, “the two are conceptually quite distinct.... Therefore, a constitution could conceptually protect a conservative revolution—a right to protect the preexisting constitutional order against government officials who would subvert it.” Implicit in Wills’s argument, Williams says, is the idea that government itself is the “only conceivable defender of the Constitution, that... only officeholders can protect it.” But this, he contends, citing Alexander Hamilton’s *Federalist* 33, is inconsistent with the Anglo-American legal tradition, which “has endorsed the idea that sometimes the people, rather than the government, may best represent the Constitution.”⁷⁹ And this, of course, is why the Second Amendment, with its protection of the people’s right to keep and bear arms “in readiness for revolution,” is so important.

However, as Williams explains, a number of conditions are attached to the exercise of this insurrectionary right:

First, the revolution must arise from a *genuine* constitutional grievance—for example, the government must be engaged in a sustained attack on the constitution, and the revolution must respond to that attack. Second, the long-term goal of the revolution must be the *restoration of the preexisting constitutional order*, not the substitution of some new form of government.⁸⁰

In practice, of course, as with their use of the Declaration of Independence, the militias are not able to satisfy the first of these conditions, but it is interesting to note that they *do* present themselves—whether consciously or not—as acting in accordance with the second. As we have seen, the militias believe they are campaigning to “restore the Republic” or are part of a struggle “to return the United States to the constitutional republicanism our forefathers envisioned.”

Unfortunately for the militias, though, once beyond the rhetorical level this is not an easy condition to satisfy either. This is because, according to Williams, a number of further limits follow from it: first, he says, “the constitution must, implicitly or explicitly, prescribe governing rules for the conduct of the revolution”; and, second, “the revolution must follow those rules.” In other words, groups such as the militias who might wish to exercise this right have to act “within the dictates of a constitutional tradition imposed on them by the past.” In respect of the Second Amendment, this means the militias not only have to show that they are acting on behalf of the “Body of the People” and as a “last resort,” they also have to satisfy the “additional” demands of the republican tradition in which the Amendment was conceived. In short, they have to show that they belong to “a civic republican citizenry, characterized by a high degree of civic virtue and homogeneity and organized into a universal militia.”⁸¹

The question of whether the militia movement does (or can) satisfy these conditions is examined in the following section (pp. 128–33), and we will leave

aside the issue of how realistic it is to expect an armed citizenry to resist the depredations of the heavily armed modern state.⁸² Before ending the current discussion, though, it is important to recognize how the militias' case for a Second Amendment right of insurrection serves again—as with their employment of the Declaration of Independence—to provide many in mainstream America with an unwelcome reminder of the revolutionary nature of their nation's past, and raises uncomfortable questions as to how that past relates to America's present. It is a point Williams captures powerfully:

However limited its significance as a practical matter, recognition of a constitutional right to revolution would be important as a symbol of the continuing importance of revolutionary principles, such as the legitimacy of direct political action to prompt rapid political change. Popular recognition of a natural right of revolution is easy to distance from present circumstances—an abstract acknowledgement only that all people have a right to resist tyranny. By contrast, recognition of a constitutional right of revolution is an assertion that Americans all presently have a legal, affirmative right to overthrow unconstitutional government, and that right is part of what constitutes them as a nation.

That recognition might help to restore the idea of revolution to the American political vocabulary.... [The] posing of revolution and constitution as polar opposites—order and disorder, stability and change, governmental regularity and popular clamor—has artificially delimited the possibilities for American political expression.... [W]hen some argue that revolutionaries possess only a natural right to revolution, the implication is clear: by preaching revolution, they have exiled themselves from the constitutional homeland. As a result, one need not respond to their arguments as constitutional claims, only as abstract assertions of natural justice. Several decades ago, Communists bore the brunt of this charge; today, right-wing revolutionaries do. In both cases, the charge converted a whiff of revolutionary sympathy into an odor of constitutional heresy.⁸³

As far as Williams is concerned, then, the militia movement provides “a surprisingly sophisticated and elaborate theory of the Second Amendment that tracks much of the thinking of the Framers.” He does not suggest that the movement gets everything right, however. On the contrary, in some respects Williams argues that the militia movement is fundamentally mistaken in its understanding of the Second Amendment and of the role of citizens' militias in republican society. Indeed, despite the enormous dispute surrounding its interpretation, there is, as Randy Barnett says, “no controversy” that the modern militias “are not the ‘well regulated militia’ spoken of in the Second Amendment.”⁸⁴ Why is this the case?

Well-regulated militias and republican society

According to Jon Roland, in his essay “Reviving the Ready Militia,” “Just as militias are essentially local, so also are they *essentially independent of established authorities*, since the militia may have to challenge or bypass those authorities if they abuse their authority or fail to perform their lawful duties.” The Second Amendment’s reference to the militia being “well regulated” “did not mean ‘regulated by some official,’” he explains. “It meant ‘well-trained and disciplined.’ A militia can and should be *self-regulated*.” This is because, in Roland’s view, the right to keep and bear arms is not really a constitutional right at all; it is a “natural right” which the Second Amendment merely codifies. Similarly, for Norman Olson, citizens’ militias are

historic lawful entities predating all federal and state constitutions. Such militias are “grandfathered” into the very system of government they created as [is] clearly revealed in both the Constitution of the United States and that of Michigan. These constitutions grant no right to form militias, but merely recognize the existing natural right of all people to defend and protect themselves.... [T]o remain able to oppose a rebellious and disobedient government, the *citizen militia must not be connected in any way with that government* lest the body politic lose its fearful countenance as the only sure threat to a government bent on converting free people into slaves.

Meanwhile, for the Kentucky Rifleman Militia “[a] well-regulated militia means *self-disciplined* men and women with spotless reputations, exemplary integrity, and Godly behavior.”⁸⁵

The problem with these characterizations of militias as “essentially independent of established authorities” is that they run counter to the accepted wisdom of eighteenth-century republicanism, which considered the state’s involvement in the regulation of militias to be vital for the successful functioning of republican society. As Williams describes: “In republican thought, the militia had to be a body summoned, trained and organized by the state. Without state sponsorship, the militia might not be ‘well regulated,’ nor could members gain experience in self-sacrificing service to the state.” These matters could not be left to private individuals and groups to arrange for the simple reason that there was no guarantee they *would* be undertaken. Moreover, as Williams goes on,

it was critical that the militia be somehow universal; otherwise force would belong only to a slice of the population. But the state alone was truly universal and could constitute the militia as a universal organization. Without state supervision, the militia might be only a number of partial bodies—private armies asserting their private wills.⁸⁶

And this, he says, is something the modern militia movement also gets wrong.

As Williams sees it, militia writers (like Roland and Olson) are thus correct when they state that a militia must be “organized,” but they are wrong to believe that it can be anything less than universal. Contemporary militia members are not alone in misunderstanding this aspect of the Second Amendment, however. According to Williams, it is a mistake shared also by the individual and states’ rights theorists. All three groupings, he argues, fail to grasp the real significance of the right of revolution which comes with the right to bear arms, which is that such a revolution had to be “made by the Body of the People for the good of the whole.” An attempt to resist or overthrow the government by any lesser group would be seen as an illegitimate rebellion—“resistance by a faction for its own interests.” Hence the necessity for universality in militia membership. “In the colonial and revolutionary periods, the militia was the organized manifestation of the People Armed,” Williams says, and “only the universal militia, the People itself, had the right to stage a revolution against government.” Quoting his position at more length:

A universal militia...is a very particular, and for the Framers, a very important concept. It is the same as neither the National Guard nor the totality of private gun-owners. For the Framers, only a universal militia could reliably protect the common good by force of arms because only a universal militia encompasses the People as a body. Neither the states’ rights, nor the individual rights view takes this requirement of universality seriously enough: *force must reside in the hands of the whole*. Without a universal militia, the Second Amendment is hollow. A modern militia *must* include all the citizenry.⁸⁷

The militias are themselves alert to the dangers of being seen as a mere “slice of the population” or a “private army.” Roland advised potential militia organizers on just this as part of his essay on “Reviving the Ready Militia”:

Of course, a militia unit that is not called up by any official, but by its own members, does not have the authority to compel participation through some kind of sanction, such as the imposition of a fine. Therefore it will be composed of volunteers, who may not represent a cross-section of the general population. In this situation, the militia members *must make a special effort to avoid having the militia unit take on the attributes of a private association*, such as by always calling up the militia using public notices, and allowing responsible citizens to participate. It must also avoid any suggestion of partisan or sectarian bias, and limit itself to constitutional actions.

To do this, a militia unit should always refer to itself as the “(state/county) militia,” i.e. Kansas Militia, 1st Shawnee Volunteers, and not adopt a name that would suggest some kind of private association.

And “No. 1” in N.Scott Stevens’s “Suggestions for Budding Patriots, Constitutionals and Militia Participants” on behalf of the New Hampshire-based White Mountain Militia was: “Understand and obey the law regarding militia and weapons. *Do not allow yourself to become or be characterized as a ‘private army.’*”⁸⁸

It is important to stress that it is not lack of awareness—or, as Williams seems to suggest, lack of understanding—which leads militia members to downplay the importance of universality and the necessity of the state’s involvement in their assessments of the militias’ place within republicanism. To quote the U.S. Militia on the issue of universality, for example:

The Militia must be universal in composition. A select militia begs the question: who is to do the selection and on what grounds is the selection to be made? A regime plotting to overthrow the Constitution would, for example, select a militia on the basis of loyalty to that regime. Only a universal militia can avoid the risks associated with selection and provide the necessary broad base of protection that is the Militia’s objective.⁸⁹

Rather, it is precisely because militia members *do* understand that militias should “represent a cross-section of the population,” or that they should be “connected with the government,” that they go to such lengths to establish the opposite. The reason militia members argue that the state shouldn’t be involved in the regulation of militias is because they don’t *want* the state to be involved. And the reason they don’t stress the need for universality in the composition of militias is because, quite clearly, they can’t *establish* that universality. We can see this as another example of what might be termed the militia movement’s *ahistorical historicism*, by which militia members’ political interests in the present, in the end, outweigh the demands that an historically accurate reading of the past places upon them.

Recognizing this also helps to explain why militia members are so determined to see the right to bear arms as a “natural right.” For example, the first points made by Jon Roland in an essay on the “Legal Theory of the Right to Keep and Bear Arms” are:

1 The Second Amendment to the U.S. Constitution does not establish the right to keep and bear arms. None of the provisions of the Constitution establish any “natural” rights. They recognize such rights, but the repeal of such provisions would not end such rights. Such rights were considered by many of the Framers as obvious or “self-evident,” but they were immersed in the prevailing republican thought of the day, as expressed in the writings of Locke, Montesquieu, Rousseau, Madison, Hamilton, and others, which discussed “natural rights” in some detail. Others argued that at least some of the rights needed to be made explicit in the Bill of Rights to avoid having future generations with less understanding of republican theory weaken in their defense of those rights. That has turned out to have been a good idea.

2 The right to keep and bear arms is a natural right of individuals under the theory of democratic government. This was clearly the understanding and intent of the Framers of the U.S. Constitution and was a long-established principle of English common law at the time the Constitution was adopted, which is considered to be a part of constitutional law for purposes of interpreting the written Constitution.⁹⁰

With his references to the “prevailing republican thought of the day” and the “long-established principle of English common law,” Roland evidences at least a passing awareness of the historical and intellectual context from which the Second Amendment emerged (although it is interesting to note that it is such well-known and “respectable” figures as Locke, Montesquieu, Rousseau, Madison, and Hamilton who are invoked in this respect, rather than any of the leading Anti-Federalists, or such lesser-known figures as James Harrington, John Trenchard, or Thomas Gordon). But in his desire to establish the right to bear arms as something “more” than a constitutional right it is his current political concerns that predominate; which is to say that by arguing that the right to bear arms is a natural right Roland is attempting to “protect” the Second Amendment from the rigors of constitutional interpretation, change, and development, to remove it from the scrutiny of Supreme Court justices and constitutional scholars—after all, as he says, natural rights cannot be “repealed.” (And, if—as a “constitutional right”—the right to bear arms is to be interpreted in the present, then of course it must be in accordance with the “original intentions” of the Founding Fathers, who anticipated that “future generations” would have “less understanding of republican theory.”)

What, then, of Williams’s contention that the Second Amendment is “hollow”? The reason he argues this is that for him “[t]he historical, revolutionary Second Amendment cannot have any contemporary meaning if it presupposes historical conditions that have disappeared,” and as far as he is concerned those conditions *have* disappeared: there is no longer a universal militia, or any guarantee that arms-bearers will be virtuous. Moreover, there is no “modern analogue” which might replace a universal militia as a “manifestation of revolutionary Peoplehood” so as to make the Amendment meaningful in the contemporary United States. “In a sense,” Williams argues,

the Second Amendment is a fragment of a language that we no longer speak: it depends on the notion of a civic republican People, but we have become too liberal and individualistic to support such a concept. As American beliefs, demographics, and epistemology change, certain forms of sociopolitical organization close as options. A Second Amendment revolution is one that has closed; it is part of the American heritage that can have no more lived meaning.⁹¹

Wendy Brown makes the same point—albeit absent Williams’s detailed examination of the Second Amendment—when she asks, “What does it mean to make appeals to a republican political order when we do not have one, when our citizenry is not republican in character, values, or practices?” Directly challenging Sanford Levinson’s vision of an armed citizenry rising up to resist government abuses on behalf of the community it makes claims to represent as “at best nostalgic, and at worst dangerously naïve,” she argues:

Levinson may be partly right in the historical argument, but the history is now largely irrelevant, not merely to our present condition, but to the prospects for reviving citizenship, public life, meaningful freedom, or political community in the United States.... [W]e do not have a republican political order; we are not a republican citizenry; we do not have republican institutions, values, virtues, or arrangements of power. And we cannot generate a republican order merely by interpreting our Constitution through a republican hermeneutic scheme.⁹²

These are powerful arguments, but there are powerful arguments that can be made in response. For Glenn Reynolds, for example, the problem with Williams’s analysis in particular is that it proves too much. “If the failure of universality and public-spiritedness means that the Second Amendment’s rights are now *passé*, then it is hard to see why the jury system should not go too,” he writes.

Yet we still take the right of trial quite seriously, even if the citizenry is not very good at meeting its obligations. And efforts to address this problem tend to revolve around ways of making citizens show up for jury duty, rather than abolishing the jury. There seems no good reason to treat militia service differently.⁹³

For Reynolds, in other words, if one wants American politics and American society to be informed by some version of neo-republicanism—as Williams, Brown, Levinson, and Reynolds himself all do, because of its promise of an active, participatory citizenry concerned with the protection of the common good, as opposed to the atomistic, individualistic liberal tradition they see around them—then the answer is more republicanism—making the militia system work—rather than its abandonment.

Equally, although I have focused in this chapter on the right of citizens’ militias to keep and bear arms within the republican tradition (because this is what the militia movement itself focuses on), we should not forget that there are other, alternative, interpretations of the Second Amendment which—Williams’s criticisms to the contrary notwithstanding—would grant militia members the right to bear arms as individuals, even if they are not a “well regulated Militia” within the terms of the Second Amendment. Further, and perhaps most importantly of all, we should not forget that in many respects the militias’ arguments have a

considerable degree of historical legitimacy to recommend them, which is to say that those areas where the militias are mistaken should not detract from those they get right. This is important because, as David Williams writes, although the militias' claims that they are "protecting and exercising the right of the people to make a revolution against tyrannical government" have been met with "scorn and derision," the militias' detractors "have usually rejected these ideas before examining them with any care."⁹⁴

Conclusion: a republican legacy?

In 1987, in an article on "The Republican Thesis and the *Ideologia Americana*," J.G.A. Pocock suggested that, despite the considerable debate it had engendered, all he had been arguing in *The Machiavellian Moment* was that republican values had been "present in the American mixture from the start" and that the "language of republicanism" provided "liberalism with one of its modes of self-criticism and self-doubt." Two years earlier, reviewing some of the work that both Pocock's *Machiavellian Moment* and Gordon Wood's *Creation of the American Republic* had helped produce, Linda Kerber noted how the question of republicanism's influence was no longer confined to the period of the American founding. It was now evident, she said, that a "resilient republican language, which had absorbed, or fused with, major liberal ingredients continued to be central to American political discourse" long after the period of the constitutional settlement. Sean Wilentz and Daniel Walker Howe, in particular, she said, had shown how republicanism remained available for social critics to utilize as "an authentic alternative throughout the nineteenth and into the twentieth centuries when... capitalism and free trade no longer seemed quite as promising as they had appeared in the halcyon days of the early republic."⁹⁵

The emergence of the militia movement in America during the 1990s suggests that republicanism's appeal can now also be extended into the late twentieth and early twenty-first century. But rather than regarding it as providing an "authentic alternative" to the dominant Lockean/liberal tradition (albeit one with shared or "fused" elements) or as a "mode of self-criticism," for the militias, republicanism—or at least their particular construction of it—is the American tradition. As far as militia members are concerned, republicanism represents the body of belief on which the American political system was founded, even though it has been betrayed and neglected through a combination of governmental conspiracy and apathetic neglect.

What is particularly notable about the militias' understanding of the American founding, however, is that in certain key respects, with its emphasis on the pre-eminent position of the states within the federal system and on the importance of a participatory arms-bearing citizenry, it seems much closer to the position taken by the Anti-Federalist objectors to the Constitution rather than its Federalist proponents. The irony, of course, is that the Anti-Federalists are increasingly moving to the center of mainstream academic and political discourse and the

militias could build a good case for the kind of republic they would like the United States to be by explicitly drawing on their ideas. When Jon Roland criticizes the current operation of the American electoral system because candidates for public office are “excessively dependent on [the] contributions [of] special interests,” or when the U.S. Militia objects to the attitude that there is now “no problem too big for government to solve” on the basis that “[w]hile government continues to grow...the benefits of governance are diminishing everyday,” they could very well be countering Federalist arguments that the practice of the “vicious arts” of politics will be more difficult in an extended republic or that national governments are better administered and more efficient than those in the states, for example.⁹⁶

Nonetheless, if, for the reasons outlined above, militia members don’t want to identify themselves with the Anti-Federalists we still need to acknowledge the importance republicanism has for them. We need to understand that when they speak of “tyranny,” “corruption,” and “virtue” or of “state sovereignty,” “citizen soldiers,” and “participation” they are consciously employing a republican vocabulary. Within these words a whole ideological position is contained. Through these words an understanding of American history and American political philosophy is being expressed.

6

A frontier nation

What is distinctively “American” is not necessarily the amount or kind of violence that characterizes our history but the mythic significance we have assigned to the kinds of violence we have actually experienced, the forms of symbolic violence we imagine or invent, and the political uses to which we put that symbolism.

Richard Slotkin, *Gunfighter Nation*

During an interview for *60 Minutes* in the aftermath of the Oklahoma City bombing, the following exchange between Steve Kroft and President Clinton took place:

Kroft: Mr. President, do you think that we are a violent nation, that violence is part of the American way of life?

The President: Well we’ve always had a fair amount of violence. But organized, systematic violence that leads to large numbers of deaths has not been very much in evidence in American history except from time to time. That is, we’re a nation—we’re still a kind of frontier nation. We’re a nation that believes, indeed, enshrines in our Constitution the right to keep and bear arms. A lot of us, including the President, like to hunt and fish and do things like that. And then, of course, the number of guns in our country is far greater than any other.

Thus did Clinton connect the militia movement, widely seen as being responsible for the bombing, with America’s frontiering experience, raising once again the issue of the frontier’s impact on American society and American identity, particularly with respect to its apparent legacy of violence.¹

It was an appropriate connection to make, although not necessarily for the reasons Clinton chose, because “frontierism” forms an important part of the militia movement’s ideological system. Indeed, although militias can be found throughout America, they have their strongest presence in the western United States. In the Anti-Defamation League’s *Behind the Bombing* report, for example, militias were found to be most active in Montana, Texas, California, and Michigan,

followed by Idaho, Arizona, Missouri, Colorado, and Florida.² This western dominance notwithstanding, however, I do not wish to enter into a discussion of geographical determinism. I do not want to argue that there is something distinct about America's western regions which makes them more susceptible to outbreaks of political extremism. This chapter is concerned with the militias' *employment* of "frontierism." It explores how militia members incorporate values and attitudes associated with the American West into their ideological and rhetorical structures, and how they utilize these values and attitudes for the purposes of their particular political agenda.

America's frontiering experience speaks to and for the whole nation. Ideas of the West, as well as ideas drawn from the West, resonate as much east of the Mississippi or Missouri Rivers as they do in Texas or Montana. Both are key components in constructions of American identity and of American character: they form a central part of the ideology of Americanism. Ronald Reagan, a president more adroit than most in exploiting such constructions, made this clear during his second inaugural address. "A settler pushes West and sings his song," he declared. "It is the American sound: it is hopeful, big-hearted, idealistic, daring, decent and fair. That's our heritage, that's our song. We sing it still."³ If the militias sing with a western inflection, they are still singing to the United States at large. The tune is readily comprehensible outside of the western lands in which they are most conspicuous. Therefore, although this chapter focuses predominantly on the views of three western-based militias—the Missouri 51st Militia, the Militia of Montana, and the Texas Constitutional Militia (TCM), each representing three very different areas of the West—this is simply because the ideas and language of "frontierism" are more clearly expressed by these groups, and it is easier to analyze its usage by considering these prominent examples.

The term "frontierism" is used here to describe the values and characteristics which have been identified as part of or are treated as belonging to America's frontier or western tradition; in other words, to refer to the ideological traits associated with the frontier. These are manifold. They have included democracy, individualism, egalitarianism, liberty, freedom, mobility (both social and geographic), idealism, optimism, practicality, self-reliance, materialism, energy, violence, lawlessness, and anti-intellectualism. More particularly, frontierism is also used to indicate that phrases like "the frontier" and "the West" have active, communicative functions in various American discourses. As President Clinton's comments on *60 Minutes* illustrate, for many Americans the frontier has not remained rooted in its nineteenth- or eighteenth-century past. Or consider George W. Bush's call for Osama bin Laden to be brought to frontier justice: "There's an old poster out West, as I recall. It said 'Wanted: Dead or Alive.'"⁴ Finally, frontierism consciously conflates three principal uses of "the frontier": as a term used to refer to the characteristic features of a specific period of American history, one declared to have come to an end in the 1890s according to its most important historian, Frederick Jackson Turner; as a synonym for the values of the western

region of the United States; and as a representation of the imaginary landscapes of the Wild West.

There is another issue—perhaps the most persistent of all—that needs to be addressed when approaching America’s frontiering experience. This is the issue of authenticity, and it is usually raised in adversarial and dualistic terms as a contest of fact versus fiction, of truth versus legend, or of history versus myth. As a spokesman for the “authenticity” school we can cite historian Clyde Milner’s call for the need “to supplant widespread distortions with informed insight” as the “first, best purpose for any historical writing.” The “mythic” school, on the other hand, is perhaps most memorably represented by the newspaper editor in John Ford’s film *The Man Who Shot Liberty Valence* (1962), who, upon being questioned by Ransom Stodard (James Stewart) as to whether he will reveal the “truth” about Stodard’s past, replies: “No Sir! This the West, sir. When the legend becomes fact, print the legend.”⁵

One of the problems of trying to maintain such rigid dichotomies is that it is often difficult to separate the historic from the mythic West: even in the process of being distinguished they constantly overlap and inform each other. Historians like Turner and Walter Prescott Webb, for example, have had just as important a role in creating the “mythic West” as more recognizable “myth-makers” such as poets, novelists, filmmakers, and politicians. Further, many of the most “symbolic” or “legendary” aspects of the frontier are based on some version of historical “truth.” Rather than becoming embroiled in the frequently simplistic debate concerning the accuracy of the uses to which the frontier has been put, perhaps we should be more concerned with examining what those uses have been. After all, what actually occurred on the frontier is often less important in ideological terms than what is *believed* to have occurred, and what those experiences are taken to mean for the United States.

The term “frontierism” allows us to incorporate the symbolic and mythic resonance of America’s westering experience as these are expressed both by the militias and those in the mainstream. This resonance is a vital part of the frontier’s contribution to the American ideology. As Robert Athearn concludes in his study of the mythic West in the twentieth century:

The mythic West...is more than an emotion or a state of mind, more than a fantasy floating around the American mentality on gossamer wings—ethereal, hard to define, impossible to corner. It is real. It is not only the westerner but also the American at large who, knowingly or not, lives in two worlds: the day-to-day scene and the make-believe or fantasized world that has, for a great many people, actual substance. And there is no real conflict between the two.... Agreed, the factual frontier is gone, but the possibilities, the promise that it held, are very much alive in the national mind. This quality may be fugitive, buried deep in one’s conscience, but it is there, and this is the place where dreams are manufactured.

The pioneering process not only spawned many distinctive American traits; it has also provided the United States with some of its most compelling myths: of an agrarian republic; of a mercantilist empire; of manifest destiny; of the outlaw and the gunfighter; and of the triumph of civilization over savagery.⁶ Indeed, myth often provides the context in which frontierism is employed. For example, militia members attempting to associate themselves with one line of mythic development—as “defenders of civilization” or “stout yeomen”—generally find themselves portrayed by the mainstream media as more appropriately belonging to another—that of the “barbarous savage” or “atavistic primitive.”

As with so many other elements of America’s understanding of the frontier, part of this symbolic burden can be traced back to the work of Frederick Jackson Turner. Turner’s work contained a succession of images of the frontiersman as idealist and materialist, innovator and conformist, individualist and cooperator, and as a builder of civilization engaged in the very process of abandoning it. Turner never really attempted to incorporate these images into a unified system, but this is both a strength and a weakness. Analytically open to severe criticism, it enabled “The Turner Thesis” to maintain its relevancy; its very vagueness allowing it to serve numerous interpretative needs while always remaining fundamentally connected to the issue of American self-definition.⁷ The tensions within the frontier’s mythic and ideological traits—between civilization and savagery, between individualism and collectivism, between the embrace of law and order and its rejection, between progress and the allure of primitivism—have never been completely resolved, and just as cultural forms such as the western film and novel articulate and attempt (temporarily) to work through these tensions—thereby keeping them “alive” in the process—so the militia movement’s employment of frontierism reflects the concept’s continuing relevance within American political discourse.

Different aspects of frontierism are valued for different reasons in different spheres, of course. While “official” versions of the history of the West celebrate the process of nation-building or the spread of law and order along the frontier, “vernacular” versions of this history often applaud the exploits of outlaws such as Billy the Kid and Jesse James, turning them into American heroes. Groups like the militias both express and exploit such tensions. Exploring the fissures that exist within frontierism, they illuminate aspects of American history often neglected by the custodians of its official memory, but which remain nonetheless vital within vernacular or cultural memory.⁸

The frontier today, then, is as much a contested concept as it was once a contested space. It is fought over in memoirs, tourist guides, songs, films, novels, political rhetoric, and academic treatise—both in terms of what it meant in the past, and for what it means now in the present. The militia movement’s employment of frontierism makes it another participant in this contest. Frontierism is employed by militia members in three main ways. First, it is used to express a belief in the desirability of independence, self-reliance, and individualism; to denote both freedom from government and the need for self-government. Second

(but relatedly), western notions of justified violence are invoked by militia members. In particular, militia members utilize concepts of vigilantism, the “homestead ethic,” and the “Code of the West” as part of their understanding of the importance of being able to resist government through the force of arms. Third (and more broadly), frontierism is employed because of its associations with American self-identity—the frontier is inextricably bound up with what it is to be American, and militia members are always anxious to assert their “Americanness.”

Going West: militias, independence, and the American frontier

Independence, self-reliance, freedom, and individualism are some of the values that have been attributed to America’s frontier experience. Although not confined to the West, they have their closest associations and strongest expressions in ideas of frontierism. Young men were urged to “Go West” to begin their lives again, to prove themselves, to find the space to succeed absent from congested eastern cities. Homesteaders were exhorted to “Go West” to farm the land that would support both themselves and the nation. The West was seen as a place where a man—and it was usually seen as a man—could live free from the restraints of government and the constraints of society, where he could succeed or fail on his own merits, testing himself against the forces of nature.⁹ Henry David Thoreau expressed a seemingly common nineteenth-century view, for example, when he noted that “Eastward I go only by force; but Westward I go free.”¹⁰ Government, it was understood, was minimal in the West. People were free to go about their business, free from interference, released from deference, and in this freedom they somehow became more American.

Or at least this is how it is popularly remembered. Historians have argued that the truth of the westering process was somewhat different: that, far from leaving citizens to their own devices, government was a vital and constant presence in the settling of the American West; that it explored and mapped the territory, fought off the original inhabitants (almost to extinction), and sought to defend the new; that it gave and sold plots of land to the settlers and to the corporations that accompanied them, and then enabled those settlers to reach the area through massive subsidies and land grants to the railroads. Militias and others may rail against federal encroachment and increasing governmental regulation, employing a language of independence and individualism, but the federal government has always been, as it remains, the major landowner and regulator in the West. Indeed, “[m]ore than any other region,” Richard White points out, “the West has been historically a dependency of the federal government.”¹¹

Yet the desire for the myth to be true persists. Militia members are tapping into a set of beliefs existing widely in the minds of Americans, and the research and arguments of historians do little to dispel the myth. Indeed, for David Emmons the tension between the mythic and actual West has created one of the major dynamics of western development as westerners (and others) endeavor to recreate

conditions once thought to have existed.¹² Kay Sheil of the Missouri 51 st Militia expresses this desire, as well as demonstrating the importance of the frontier as a foundational event in American history to stand alongside the Revolutionary War and the constitutional settlement, when she states:

I have great respect and admiration for the men who drafted our Constitution and Bill of Rights but I am *inspired* by the common people who made such sacrifices to get to this country and who went into the wilderness and created homes and raised families. When you think about all they faced and what they did with just their hands, a few animals, and crude tools it's awesome.¹³

The role played by government and capitalism in opening up the West may be absent, but Sheil is recounting a central and immediately identifiable American narrative. The values contained within it continue to inform how many Americans view themselves.

An expression of these values can be found in the activities of the Militia of Montana, which, the Anti-Defamation League notes, has deliberately played “on [Montana’s] history as an independent outpost of freedom” in making its case against what it sees as the increasing encroachment of the federal government into the lives of American citizens, as part of its campaign to return the United States to being a constitutional republic. For Bob Fletcher, for instance, conditions in Montana provide a significant contrast to those back East:

In the cities people are much more dependent on government for their services. If the electricity fails they're screwed. Here we light a candle. If we have to eat we go shoot a deer. You can't do that in a high rise in Manhattan. They're socialized to accept government gradually taking over their lives and a few more restrictions here and there make no impact.

Life in the rural West is clearly regarded as having political implications by Fletcher, producing in its inhabitants an attitude towards government greatly different to that of urban easterners, and which reflects the continued appeal of ideas of self-reliance, independence, and freedom in those areas. Indeed, the Militia of Montana has made environmental regulation and land management two of its major concerns.¹⁴

It is as much a mental as a physical or geographical space that Fletcher is invoking, one representing the ideal for militia members of a world in which “people live as freely as possible with little government intervention.”¹⁵ The following notice of a property for sale in Tennessee sent out to subscribers of the Militia of Montana’s mailing list evidences the allure of this independent and self-sufficient living for the movement’s members:

For sale by owner: Rugged three story log home in west Tennessee. Located on 104 secluded, rustic acres....

Land consists of twenty four acres of pasture and tillable/tilled bottomland. Rest of acreage is timber with winding trails. Crossing the bottomland are two year-round unpolluted, crystal clear spring-fed creeks with potential for water power. Wildlife aplenty.

Outbuildings consist of 24×16 foot block building, blacksmith shop, three large animal shelters, corncrib, 16×32 lean-to, chicken-coop and hay mow.¹⁶

If this advert is indicative of the kind of frontier values prized by militia members, it is also suggestive of a wider American belief in the transformative qualities of the land and nature (evident in such divergent expressions as Thoreau's *Walden* and Robert Bly's Iron John groups). And although it may well be an environment which, with the passing of the frontier, has largely vanished in the real world, it is one kept alive imaginatively in cultural invocations of the West. It is part of the Daniel Boone legend, with Boone moving deeper into an ever-receding wilderness at the first sign of smoke from his neighbor's fires, and is a common theme of the western film. The values of self-sufficiency, independence, and the real "freedom" of nature are what Kevin Costner's Lieutenant Dunbar learns in *Dances With Wolves* (Kevin Costner, 1990) or what Billy Crystal and his urban friends are taught by the old cowboy Curley (Jack Palance) in *City Slickers* (Ron Underwood, 1991), for example.

Crucially, the idyll represented by America's frontier past, where, in Crevecoeur's words, men could live "beyond the reach of government which to some measure leaves them to themselves,"¹⁷ contrasts sharply in the militia movement's view with the increasingly intrusive and burdensome activities of the modern state. For many militia members there is simply too much intervention by the federal government in the economic and social spheres of American life: in such policy areas as abortion, busing, business and environmental regulation, and, perhaps most significantly of all, gun ownership (the right to bear arms is an important issue in and of itself for militia members, but it is also connected to the broader "interference" of government in the lives of its citizens).

The leader of the Missouri 51st Militia, "Colonel" James A. McKinzey, reflected on the trend towards increased government regulation in American life in the May 1997 issue of *Necessary Force*. He wrote:

We live in a country of laws, rules and regulations. In order to have a civilized society, laws are a necessary fact of life. But thanks to Congress, we have so many laws on our books that the books are kept in their own building.

If you run out of things to do some weekend, go to your public library and pull out and read some of the laws we have in the United States Code. This will fill up the next ten years of your life. It is safe for me to say that no group of judges can know even half of the laws we have in this country

A Missouri Conservation Agent told me two years ago that Missouri has so many laws on the book that deal only with conservation, he could arrest anyone in the woods and there will be a law to cover whatever it was the person was doing.

In order for all men to be free and equal, laws must be kept to a minimal number.

Rulers, leaders and presidents cannot understand this concept. When people are given the freedom to live as men, there is peace. But when you load them down with laws that are unfair, unjust or just plain stupid, unrest happens.

“Chuck” Wittig, also of the Missouri 51st Militia, gave an example of how “unfair, unjust or just plain stupid” he thought such laws could be during an interview for the *MacNeil/Lehrer Newshour*.

I own a small farm. Part of my farm is wet through the springtime, and under this federal Wetlands Act, it’s considered a wetland. It’s a mud puddle...no self respecting duck would land in it but...if I get caught plowing that field, if I get caught farming that field, or changing anything that would drain the water away from it, they can confiscate my farm because it’s protected, because it’s supposedly protected. It’s a glorified mud puddle. It is not wetland.¹⁸

For the militia movement, then, far from being free to live off and work their own land, modern Americans are increasingly being told what to do, when and how to do it. The contrast between this “regulation” and images of America drawn from the nineteenth-century West provide valuable fuel for the militias’ ideological fires. It also reflects their ahistorical approach to the past; that is, their tendency to abstract “examples” and “lessons” from American history and then apply them rather indiscriminately to the present. There is little, if any, questioning of the appropriateness or applicability of their nineteenth-century conceptions to conditions existent in late twentieth- and early twenty-first-century American life.

Yet in themselves such demands for “deregulation” or “limited government” hardly mark militia members out as “extremists,” and the employment of frontierism is a common enough practice in American politics, where politicians often strive to exploit its symbolic power. The so-called “Sagebrush Rebellion” of the late 1970s and early 1980s or the presidencies of Lyndon Johnson, Ronald Reagan, and George W. Bush amply demonstrate this.¹⁹ What distinguishes the militias’ frontierist associations are the specific contexts in which they are made and the further uses to which they are put. In particular, militia members assert a connection with the violent traditions of America’s western history, extending their use of the frontier until it provides support for their belief in the necessity and efficacy of an arms-bearing citizenry. As with their use of Revolutionary-style

rhetoric (discussed in [Chapter 4](#)), it is this aspect of the militias' embrace of frontierism that causes the movement the most difficulties, seeming to move it beyond the pale of mainstream political discourse.

Of course, the violence of frontier-era America is legendary (in both senses of the term). But it is important to recognize that alongside the popular image of bar-room brawls and six-gun showdowns, of an essentially personalized violence, there were also a whole range of social and political conflicts (land wars, incorporation battles, racial and ethnic conflicts) which together produced a complex and interrelated philosophy of justified violence. It is this philosophy that militia members tend to express. The following sections focus on three of its aspects: the ideology of vigilantism, the homestead ethic, and the doctrine of no duty to retreat as part of the Code of the West. Militia members' employment of this violent rhetoric, drawing as it does upon western history and western myth, is both more complex and more "legitimate" than has been hitherto acknowledged. The attitudes and beliefs expressed within it can be seen, at least in part, as "authentic" expressions of frontierism.

Fighting talk: militias and the ideology of vigilantism

Vigilantism, simply described, is the process by which people take the law into their own hands with the paradoxical aim of upholding the law. Vigilantism can be undertaken by individuals or groups but it is the extra-legal organization of vigilante movements that is of most relevance here. Practiced throughout the United States, vigilantism predominated in the western states and, according to its leading historian, Richard Maxwell Brown, was an "almost constant factor in American life" until 1900. (The most significant vigilante movements of the nineteenth century were to be found in California, Texas, Kansas, and Montana.) The "American vigilante tradition" should be seen as "indigenous," says Brown, an American response to an American problem: the lack of law and order on the frontier. Indeed, for most western historians it was a combination of the West's remoteness from authority and the region's dominant ethos of individualism that produced vigilantism. In this formulation pioneers outpaced the institutions of a settled community life, including organized systems of law enforcement, and were forced to take the law into their own hands to create stability and protect their communities from crime. Yet, as Roger McGrath's study of the mining towns of Aurora and Bodie in the Trans-Sierra country shows, this was not always the case. Both of these towns had well-established community structures and well-organized law enforcement. Vigilantism was undertaken in Aurora and Bodie not because of the absence of such institutional support but simply because it *worked*; it provided a quick and effective solution to a variety of social problems.²⁰

The organized nature of vigilante movements distinguished them from lynch mobs and other more spontaneous expressions of group discontent. That vigilantes were disciplined and regulated was vital to their self-conception as defenders of the rule of law and social mores. For Lew Callaway, chief justice of the Montana

Supreme Court between 1922 and 1935, for example, the vigilantes of Montana were “well-nigh universally commended” for their actions: “The exigency seemed great,” he wrote. “Was law and order, so recently established in a vast region, to cease, and was all which had been gained to be lost? It must not be forgotten that the Vigilantes were patriots whose only purpose was to make their world a safe place for honest men.”²¹

Nor should the individualism of the vigilantes be overstated. Vigilantism was also an expression of collective community action. Indeed, for Frederick Jackson Turner this collectivism placed vigilantism on a par with some of the most romantic and pastoral activities the frontier had to offer:

One of the things that impressed all early travellers in the United States was the capacity for extra-legal, voluntary association.... [The] power of the newly arrived pioneers to join together for a common end *without the intervention of governmental institutions* was one of their marked characteristics. The log rolling, the house raising, the husking bee, the apple paring, and the squatters’ associations whereby they protected themselves against the speculators in securing title to their clearings on the public domain, the camp meeting, the vigilantes, the cattle raisers’ associations, the “gentlemen’s agreements” are a few of the indications of this attitude.

The collective nature of vigilantism—as well as its effectiveness—is also captured in Robert Dykstra’s account of the cattle towns of Wichita, Ellsworth, Caldwell, and Dodge City. “Legend implies that the Cattle town people found themselves almost at the mercy of armed visitors, but such was not really the case,” Dykstra writes. “Responsible vigilante action always remained a decisive deterrent to any attempted terrorism by transients,” especially because the “Kansas Code” empowered mayors to “call upon all male inhabitants between the ages of 18 and 50 to aid in enforcing the law.”²²

Dykstra’s reference to the Kansas Code hints at the links between vigilante committees, the western posse, and republican conceptions of the militia discussed in [Chapter 5](#). Within each organization the citizens of a community were able—and were expected—to come together for the defense of that community. Taken with its enshrinement in the Constitution, it is arguable that the very idea of a militia has been kept alive in the American mind because of its association with western institutions. Republican conceptions of the militia were predicated on “vigilance,” with members ever watchful for the external enemies or internal corruption that might threaten the fragile state, and this doctrine of vigilance, as Richard Brown says, “suffused” America during the nineteenth century, providing “a powerful intellectual foundation” for the vigilante movements of the West.²³

Justifications for vigilantism did not rest on the idea of vigilance alone, however. A powerful ideology of vigilantism arose in order to legitimate vigilantes’ actions. As Brown explains, this ideology comprised three elements: self-preservation, the right of revolution, and popular sovereignty. Hence not only are there links to be

made with the militias' understanding of republicanism, there are also clear connections here with the militias' engagement with America's Revolutionary history.

To vigilantes self-preservation was the "first law of nature," and thus vigilantism was necessary to preserve the community against outlaw activity. By the same token, although vigilante action was a blow against legal authority, it was justified by the right of revolution, which, in analogy to the intolerable conditions that inspired revolution against the British in 1776, justified vigilante bands, which likewise were seen as being like "revolutionary tribunals." By the related doctrine of popular sovereignty vigilantes as well as Americans at large saw the people as being above the law.... To its adherents, vigilantism was but a case of the people exercising their sovereign power, in the interests of self-preservation against the disorderly.²⁴

Each of these conceptions of vigilantism finds expression within the militia movement. Militias see themselves as vigilant organizations, watching for and defending themselves, and the nation as a whole, against foreign or domestic enemies; regard vigilantism as an effective means of resisting crime and lawlessness; and praise it as a valuable expression of collective community welfare.

A vigilant safeguard

Appearing before the Senate Judiciary Subcommittee on Terrorism, Technology and Government Information in June 1995, John Trochmann and Bob Fletcher of the Militia of Montana characterized the militia movement as a "giant neighborhood watch" standing guard against "oppressive public servants" who were threatening the Constitution. Trochmann informed the senators that "America has nothing to fear from Patriots maintaining Vigilance," she should, however, fear those that would 'outlaw' vigilance." This idea of vigilance recurs throughout the militia movement. For Mike McKinzey of the Missouri 51st Militia, for example, "The price of freedom is eternal vigilance, and we have not been vigilant." The Idaho-based U.S. Militia perceives its role in the same terms:

In a most general sense, the Militia is charged with providing a constant, vigilant safeguard for the most basic social contracts. In the American context, the Militia is charged with protecting and defending, by force of arms if necessary, the Constitution of the United States against both invasion and subjugation by a foreign nation and against usurpation of power by domestic institutions charged with day-to-day governance.²⁵

The militias thus see and portray themselves as concerned and watchful citizens, ever alert for enemies who might threaten the United States. They regard themselves as *defensive* organizations, acting to defend the Constitution (both national and state) against those who would undermine them. The self-characterization of the militia movement as defensive in nature is very significant. As we have seen in previous chapters, the militias are very much conservative revolutionaries—if indeed they can be considered revolutionaries at all. Crucially, they have identified the government itself as one of these potential “enemies.”

All three elements of the ideology of vigilantism are to be found in a series of articles on the “Law of Necessity” produced by Gerry Earley for the Missouri 51st’s newsletter, *Necessary Force*. In this extract from the May 1997 issue Earley objects to the increasing level of government interference in society and seeks to justify militia members taking the law into their own hands. He does so within a clear framework of frontierist values:

Unfortunately...in America today...we do not have a “rule of law,” but a tyranny. Under the present system, whoever is in a position to give orders to the *largest number of hired gunmen* is the man whose view of what is “legal” prevails. So long as no one with more *hired gunmen* opposes him, he can order children bused, protect those involved in murdering the unborn or refuse to hear important key cases.

But we must also remember this: to defy a tyrant, to refuse to obey his edicts, to arrest him or his agents, *while it may be “illegal,” is not contrary to the law of our land in the truest sense of that phrase*. Indeed, it is in harmony with that *higher law* to which we are all subject, the higher law under which obedience to tyrants, and collaboration with their agents, are in themselves crimes, as we ruled at the Nuremberg trials.

Abraham Lincoln wrote that “The people are the rightful masters of both Congress and the Courts, not to overthrow the Constitution but, to overthrow the men who pervert the Constitution.”

To date, writing Congressional representatives, voting and taking cases to court have not overthrown the men who pervert the Constitution. You may then ask, “How can we overthrow the men who pervert the Constitution?” Fortunately, God has given us the necessary means. He has given us four weapons.

The first weapon is “The Law of Necessity,” which may be invoked when imminent peril exists. Second is the Posse Comitatus law, found in 18USC1385. Third, we have the militia as guaranteed in the Second Amendment. The fourth weapon, and perhaps the most powerful, is prayer.

Through this cascade of imagery the militias are thus cast into a righteous conflict against a corrupt system of “hired gunmen” in the interest of a “higher law” sanctified by a key western figure, Abraham Lincoln—“the very flower of frontier training and ideals,” as Frederick Jackson Turner described him.²⁶

The constitutional status of the militia was addressed in [Chapter 5](#), and the spiritual power of prayer is beyond the scope of this enquiry, but in Earley's case for the Law of Necessity and the Posse Comitatus there is a clear statement of the ideology of vigilantism. As Earley sees it, under the Law of Necessity "the rights of another person, or persons, may be invaded, either by an individual or a community, when imminent peril or danger exists." In these circumstances the individual or community in question would merely be exercising their right of self-preservation. The Posse Comitatus law, on the other hand, provides citizens with "the lawful right, under natural law, to act in the name of the sheriff to protect local jurisdiction when the sheriff refuses to perform his lawful duty."²⁷ In other words, militia members may be breaking the law, but they are doing so in order to preserve it, to uphold the Constitution. It is a classic formulation of vigilantism, and in both cases is justified according to the interests of the people as "the masters of both Congress and the Courts."

Crises, crime, and community welfare

It would be a mistake to regard militia members as being concerned solely with the federal government's abuse of constitutional rights. Combined with this, and reflecting a further application of vigilantism, is their focus on more localized issues of crime, disorder, and community welfare. The Stark County Unit of the Ohio Unorganized Militia evidences these interrelated concerns on its website when it states:

We are a group of people concerned about our community and the well being of its residents. We seek to uphold the rights and freedoms originally guaranteed by the Constitution. Through vigilance, research and investigation we expose the corruption and deceit that is [sic] gradually destroying the sovereign rights and freedoms of "We the People."

Acting in this capacity, militias move closer to the more commonly held view of a vigilante movement as a group concerned with the inability of the state to protect its citizens in times of crisis. As members of the Lee County Florida Militia see it, for example, "when danger threatens you cannot rely on others, whether that be the police or the military to protect you, you must be able to protect yourself, and your own homes and community." Objecting to the characterization of militias as survivalist organizations, concerned predominantly with the stockpiling of food and weapons, during his appearance on the *MacNeil/Lehrer Newshour* Jim McKinzey similarly declared:

I think there is a far greater chance that a tornado is going to come through and devastate my neighborhood where I'm going to have to defend my house against looters, and I'm going to have to feed my family because we can't

get to the grocery store. Now, if that's sinister, I'm sorry, but I'm still going to continue to do it.²⁸

At first glance, such roles might appear to shift militia members away from the political concerns more generally motivating them; it is perhaps more accurate to see in such activities an encapsulation of some of the movement's wider values, including those of self-reliance, independence, and self-preservation. They also point to the militias' belief in the efficacy of arms in solving political and social problems.

It is no coincidence, therefore, that the Missouri 51st Militia decided to take up the case of Larry Gates as one of its key local concerns. As described in *Necessary Force*, in December 1996, while monitoring his short-wave radio, Larry Gates heard details of a police chase involving two "fugitives" wanted for the murder of a local man called Don Coulter. The police had lost the suspects, who were driving in the direction of Gates's store, so he and his two sons decided to block the road, using a car and Gates's firetruck, in the hope of preventing their escape. As the fugitives' Thunderbird approached their roadblock, however, "Gates realized that it was going too fast to stop, even if the driver wanted to." The car was heading directly for his sons, and "believing that [their] lives were in danger, Gates fired one round from a 12-gauge shotgun at the Thunderbird." The car "shot through the roadblock," but Gates radioed the Sheriff's Department to tell them the direction the suspects were heading.

The fugitives were subsequently caught and charged with the murder of Coulter, but instead of "receiving a medal" for his vigilante actions, Gates found himself "charged with the unlawful use of a weapon." For the "51st" this was both unacceptable and an affront to the region's rural values.

Gates [they wrote in their March 1997 newsletter] is an honest and sincere man who was doing his duty as he saw it as a citizen in defense of his home, family and neighborhood. In rural areas, if the neighbor's barn is on fire, all the neighbors become firefighters. If a neighbor is being attacked, the other neighbors come to his defense.

As a result of this, the "51 st" decided it would publicize the case of Larry Gates (who wasn't himself a militia member) and raise funds for his defense. Their efforts included holding a shooting competition. The promotion for the shoot in June 1997 made it clear why they wanted to support Gates: "Come and join the fun! Help support Larry Gates, *a man who defended his community*."²⁹ Again, this may be a very localized issue, but it fits in with the wider militia belief system, and serves as an example of out-of-touch government and law enforcement agencies.

The Missouri 51st Militia's endorsement of Gates's actions combines an understanding of vigilantism as a means of personal self-defense with a more collective concern for the welfare of the local community—something closer to

Turner's characterization of vigilantism on the nineteenth-century frontier. The following extract from the U.S. Militia's *Minuteman Magazine* also illustrates the importance militias seem to attach to such ideas:

While the primary objective of the Militia is to stand against foreign invasion or violent usurpation of power, a secondary, and less well understood objective is to promote and strengthen the bonds of civil society.... But just what is civil society and why ought we be so concerned with its renewal?

...The associations that we form with others are what constitute civil society

There is an amazing variety of such associations: families, churches, schools, clubs, fraternal societies, condominium associations, neighborhood groups, and the myriad forms of commercial society, such as partnerships, corporations, labor unions, and trade associations. What these all share in common is their natural, voluntary nature. The associations of civil society are freely entered into by those participating in them for their mutual benefit and for the benefit of others. Civilization is quite literally based upon civil society....

In its most advanced stage, government virtually annihilates civil society, creating a mass of atomized individuals.... [C]itizens, deprived of any connectedness with their fellow citizens except through the all-powerful state, became isolated, amoral, and cynical individualists...

Community emerges not because anyone plans it, certainly not because the state creates it, but because it must. To fulfill our needs and desires, we must associate with others.

All of this is at risk to the growth of political society. Every tax dollar extracted from productive Americans, every regulation imposed against efficient industries, every court order that politicizes private associations. All of this is like the *Exxon Valdez* crashing upon the reefs of Prince William Sound.

There is no single greater threat to liberty and American values than the destruction of civil society. Government has spread like a disease to the point that it now threatens the very host upon which it feeds. The Militia must seek to create a new, vibrant civil society. The alternative, creeping totalitarianism, is simply unacceptable to free men and a threat to civilization itself.³⁰

The apparent operation of these principles in practice is evident in the following examples.

One of the lessons of the Oklahoma City bombing for the Lee County Militia of Florida was that it took the National Guard "around six hours to arrive to assist in the search for the injured," and during this time local law enforcement "was forced to beg for volunteers on radio and television." "It would have been nice," the Lee County Militia said, if those in charge "had been able to call one telephone

number and received all the help they needed,” seeing the militia as an organization able to fulfill this role. Kay Sheil of the Missouri 51st Militia makes the same case, arguing that “When disasters happen here in the U.S. it usually takes the feds days and often weeks...to respond but ordinary citizens are usually providing aid within hours.” The Missouri 51st Militia, Sheil says, has assisted in the sandbagging of local rivers to prevent flooding and has made its “Patrick Henry” radio tower available to the state’s emergency services for use in the event of some local disaster.³¹

This, then, is the militia movement acting in and for the community, and for all its Revolutionary rhetoric and conspiracism, it is important to recognize this as an important part of the way militia members conceive of themselves. It is a point that has been neglected because it runs counter to the more usual formulation of militia members as archetypal “rugged” or “hyper-real” individualists. At the local level, in particular, this element of collectivism can be a useful way of attracting new recruits, whether it be by sandbagging rivers, helping out at street fairs, adopting a local highway, or even having “toy drives” for local school children.³² It is a collectivism fully compatible with the western tradition of the posse, as Kay Sheil (evoking Dykstra’s account of the Kansas Code) strives to make clear:

Most of the states have laws regarding citizen militias under which able bodied citizens between a certain age...can be called by the proper authorities, such as the state governor or the local sheriff, to serve their community in time of need. In the past, citizens were called upon often to protect and aid their community. In Missouri, as in other states west of the Mississippi River, it is often called a posse but it amounts to the same thing. Of course, in the past 50 to 30 years this option has been used less and less but it doesn’t mean it hasn’t been beneficial to communities or won’t be again, especially in rural areas....

[T]he Missouri 51st Militia has reported to the local sheriffs in our area as well as the governor that we are ready to serve at their request. We are not a private army and we understand we are bound by law. As of this time, we have not been contacted but we will be ready if such a call comes.³³

The TCM uses its “Q&A” on the nature of militias and their role in American history to show how the concept hasn’t lost any of its relevance since the “frontier era.”

Q: That may be the way things once were, back when this country was founded and during the frontier era, but does the concept of the militia still have any relevance today?

A: *As much as it ever did.* This country still faces threats from foreign enemies. Maybe not invasions on the ground from a foreign army, but terrorists, guerrillas, and criminal gangs, either foreign or domestic, are a growing threat. Urban riots are always possible and looters are a

potential threat following natural or manmade disasters. The police can't be everywhere, and rising crime means that everyone must be prepared to act on his own or in cooperation with other citizens until the professionals can assume control of the situation. Everyone must also be prepared to perform emergency services until emergency professionals can take over, sometimes under circumstances in which they must be prepared to use armed force.³⁴

The militia's continuing "relevance" also seemed clear to Chris Simcox, owner and editor of the *Tombstone Tumbleweed* in Tombstone, Arizona, when he announced the formation of a "Civil Homeland Defense" militia in a page-one article in his newspaper on 24 October 2002. "Enough is Enough! A Public Call to Arms! Citizens Border Patrol Militia Now Forming!" the article's headline proclaimed. By patrolling its stretch of the "porous" Arizona-Mexico border, Simcox's militia intended to protect the residents of Cochise County, and the United States as a whole, from the dangers posed by illegal immigrants, drug dealers, criminals, and, following the events of 11 September 2001, terrorists. The failure of the government to protect the nation's borders effectively meant that responsible citizens now had no choice but to take matters into their own hands. "Political discussions are over," Simcox explained. "Writing letters and protesting, whining, and years of endless complaining are over. A year has passed since 9/11. Our Government is paralyzed about the issues on the border."

Trading heavily on Tombstone's frontier past, Simcox expanded on his "idea of a militia" in the 31 October issue of the *Tombstone Tumbleweed*:

My idea of a militia is the citizenry organized locally to begin the vigil of cutting off the border from invasion of any kind. *Vigilant: alertly watchful, especially to avoid danger.* The group of citizens I envision to be a vigilance committee, a committee of vigilantes, are those who understand we are being burdened with the responsibility of the Government that we so trust to uphold at least the preamble of the Constitution. It is time to protect and serve, and the service begins with those who are directly affected by the invasion. The vigil begins here in Cochise County

The first meeting of the Civil Homeland Defense Corps (CHDC) took place in a Tombstone café on 26 October 2002, and according to the *Los Angeles Times* the organization had 600 members by December—although for at least one of these, bed-and-breakfast owner and ex-Marine Greg Moore, membership seemed to be more of a symbolic matter than a practical one: "I don't really believe the militia will make that much difference," he told the newspaper. "But we have to make a statement to the government." However, despite Simcox's best efforts to paint the CHDC as a respectable and responsible citizens' group (all of its members are required to undergo background checks and to have concealed weapons and first aid training before going out on patrol) its activities have been severely criticized

by Arizona politicians, law enforcement officials, civil rights groups, and other Tombstone residents for being, variously, illegal, racist, likely to lead to bloodshed, or a threat to the town's tourist trade.³⁵

Two final examples of the use of vigilantism by the militia movement illustrate how stories of the Old(er) West are applied to the modern West. The first, which also takes place in the Tombstone area, tells of the activities of a posse acting with a sheriff, the second of vigilantes acting against a sheriff.

Tales from the West

According to Gerry Earley of the Missouri 51st Militia, the “essence of our whole freedom was demonstrated by the way [a sheriff's posse] handled itself during a crisis that occurred in [Bisbee, Arizona], south of Tombstone near the Mexican border,” during 1917. Earley recounts how a group of “outsiders” were seen entering town armed with explosives and intent on blowing up the town's copper mine in order to hinder the war effort. These outsiders, he says, could have easily overpowered the local sheriff, Phelps Dodge, but, realizing the “imminent danger which his community faced,” Dodge “immediately formed a posse of every able-bodied man, including boys of high-school age who could handle a gun,” and these “thousand enlistees” were “now ready to enforce The Law of Necessity.”

This enforcement [Earley continues] was accomplished by groups of posse numbering 25 to 30 men. Each group rode out on horseback to search for, find and capture the invaders. When this “seek and find” maneuver was completed successfully the prisoners were taken to a ballpark located in Warren, Arizona, a suburb of Bisbee.

Meanwhile, Sheriff Dodge made arrangements for some empty railroad cars to be brought in on a siding that runs close to the ballpark. When this was done the prisoners were loaded inside. Thereupon, the cars were sealed and the posse members rode “shotgun” on top of the cars as the train proceeded to haul the prisoners over the New Mexico state line to an army camp. The camp was located fifty miles inside the state, at Columbus, New Mexico. The posse then signed its prisoners over to the military for safekeeping.

So far so good, we might say, an exemplary case of the effectiveness of vigilantism in protecting the community's welfare. Unfortunately, however, the prisoners later charged H.E. Wooten, the man who headed the posse, with kidnapping. For Earley, it is at this point that the case becomes analogous with that of Larry Gates. This is because at trial Wooten's counsel successfully argued that Wooten had acted in justifiable self-defense because of the imminent peril his community faced. “From this it can be seen,” Earley points out, “that whether one person deals with another, a neighborhood, a community or a mob, self-defense is justified under the proper circumstances.” Gates, too, Earley says, found himself in a situation of

“imminent peril” and acted in accordance with the Law of Necessity. “I hope that all of you can see the relationship between what occurred in Bisbee and what happened in Larry Gates’ case,” Earley concludes, matching the lessons of the past, retold in a classic western tale, to the present.³⁶

A different slant on these events is given by Patricia Nelson Limerick in *The Legacy of Conquest*. Rather than a community under threat from nameless “outsiders,” Limerick explains how the vigilante action Earley describes was actually precipitated by Bisbee’s copper miners going out on strike for higher wages. Included among these strikers were around a hundred members of the Industrial Workers of the World (IWW), and, although company managers, owners, and local officials briefly tolerated the strike, on 12 July 1917 they decided to take “extraordinary action.” The strike leaders and IWW members, together with merchants and lawyers who “sympathized with the strike,” were indeed rounded up by vigilantes and deported to an army post in Columbus, New Mexico. The understanding, Limerick says, was that “[i]ndividuals could return to Bisbee... if they gave up the union and the strike and went back to work.” Yet the interesting thing in terms of the lesson Earley draws from these events on behalf of those in the militia movement is that this “massive assault on civil liberties,” as Limerick describes it, was widely supported. Despite investigations and lawsuits, the vigilantes suffered no penalties. The Supreme Court deferred to states’ rights and the local courts released the vigilantes, leaving company officials and the Bisbee middle class to “appear as patriots who had saved an important industry from the threat of a seditious rebellion.” Newspapers across the United States supported the deportations “by a margin of two to one,” Limerick notes, and President Woodrow Wilson “saw no reason to reverse the direction of a national opinion that cast the Wobblies as the villains and not the victims of the incident.” In other words, there was clear mainstream endorsement of the practice and ideology of vigilantism, and Earley’s account, if lacking in historical detail, nonetheless seems to be in accordance with the general “national opinion” on the subject.³⁷

For the Texas Constitutional Militia (TCM), events in Athens, Tennessee, during 1946 provide their example of the effectiveness of the militia acting as vigilantes. The TCM website contains an account of how a group of veterans returning to Athens after the war discovered that “the sheriff was stealing the local election.” As a result, the veterans took up arms and “laid siege to the court house,” exchanging gunfire with the sheriff and his deputies until he surrendered and “an honest count” of the votes could take place. For the TCM, the story provides a useful model for dealing with “official abuse and corruption” as “gutsy citizens” re-established the rule of law in “Mckinon County [*sic*].” Their account of the incident concludes:

The Battle of Athens clearly shows: how Americans can and should lawfully use armed force; why the Rule of Law requires unrestricted access to firearms; how civilians with military-type firearms can beat the forces of “law and order.” Dictators believe that public order is more important than

the Rule of Law. However, *Americans reject this idea....* Law-abiding Mckinon Countians [*sic*] won the Battle of Athens because they were not hamstrung by “gun control.” Mckinon Countians showed us when citizens can and should use armed force to support the Rule of Law. We are all in their debt.³⁸

The homestead ethic

Being able to protect your own home, family, and property is absolutely central to militia members. We have already seen that one of the movement’s major concerns is how increased government regulation is restricting the freedom of people to run their own businesses and farms, but this is combined with a much more direct fear of “oppressive” government. Militia newsletters and mailing lists are filled with accounts of law enforcement agencies raiding people’s homes, in what is seen as a challenge to the basic right of peaceful property ownership. For Norman Olson, former leader of the Michigan Militia, for example, “One’s property is as dear to him as one’s life. People came [from] all over this world so that they could own property. Property is very dear to Americans.” And Kay Sheil, explaining the continued relevance of the Bill of Rights, places great emphasis on both the right to own property and being able to defend it:

The basic premise [of the Bill of Rights] is that each individual has natural rights with which to pursue liberty and happiness. The great thinkers throughout history all realized that to do these things, the individual must have the right to own property, be safe in that property, be able to speak his mind without fear and follow his own religious beliefs. To do these things they realized that the individual must necessarily be able to defend himself and his property.³⁹

Of course, in most nations a person’s home is “very dear to him.” The point to be made is that such an idea has increased symbolic importance in rural areas and the West, because of the homestead ideal.

The intellectual origins of the homestead system are rooted in republican conceptions of the relationship between the land, the yeoman farmer, and the state, but it is in America’s frontiering experience that many Americans find the dramatic and compelling narratives which demonstrate the importance of property ownership and the sanctity of the home. And those “common people,” as Kay Sheil described them, “who went into the wilderness and created homes and raised families” developed a “homestead ethic” that legitimated the violent defense of their homes and families. According to Richard Brown this “grass roots doctrine” had three key beliefs:

[T]he right to have and to hold a family size farm; the right to enjoy a homestead unencumbered by a ruinous economic burden such as onerous

mortgage or oppressive taxes; and the right to peacefully occupy the homestead without fear of violence (such as that by Indians or outlaws) to person or property.

Despite the fact that the federal government was the driving force behind the homestead system—through various legislative initiatives beginning with the Homestead Act of 1862—is values of self-reliance and independence that are once again celebrated in the “homestead ethic.” (Interestingly, Jonathan Raban has characterized, what he incorrectly calls the “leading figures” of the militia movement—“Bo” Gritz, the Trochmann brothers, Randy Weaver, and Timothy McVeigh—as being “like the bad-blood descendants of the homesteaders.” He suggests that a lingering resentment of government exists in places like Montana because the original homesteaders were “suckered” by the government into moving to “unfarmable” land.⁴⁰)

In part, the sieges at Waco and Ruby Ridge are so portentous for militia members because they are seen as attacks on people in their *homes*; and the actions of Randy Weaver and the Branch Davidians in resisting the ATF or FBI are simply regarded as people defending themselves and their property. When the Anti-Defamation League dismisses as “inflammatory language” Rod Scott’s declaration that “Any armed agent of the United States Government who comes to my home or any militia member’s home to take a gun, to steal property to violate my freedom, will be met with deadly force,” it is ignoring the complex expression of values contained within such rhetoric.⁴¹ In cultural terms, for example, endorsement of the homestead ethic can be found in numerous westerns, notably *Dodge City* (Michael Curtiz, 1939), *Shane* (George Stevens, 1953), *The Magnificent Seven* (John Sturges, 1960), and *The Outlaw Josey Wales* (Clint Eastwood, 1976)—although in the first three cases it is through the agency of the skilled gunfighter, rather than the actions of the homesteaders themselves, that the ethic is asserted.

In August 1997 the Militia of Montana received a warning from the Michigan Militia about attempts by the Department of Justice to “incite a Constitutional militia into compromising positions by claiming engagement in so-called ‘illegal criminal activities.’” The report described a “100 man raid” on a Michigan Militia member in Calhoun County as part of a local grand jury investigation:

The next event did come on Wednesday, August 13th, at 7.30 AM in the form of a BATF [Bureau of Alcohol, Tobacco and Firearms], MJTF [Multi-Jurisdictional Task Force] unconstitutional raid on one lone, God fearing, law abiding patriot by around 100 gun toting officers (hoping something would happen)... The confrontational assault with God’s Grace ended peacefully after the “authorities” trespassed onto private property and produced an illegal “search warrant” naming a non-existent machine gun (A.K.A. WACO) as the basis for this fraudulent raid. Raid members then gleefully proceeded to TRASH the house and land, even going so far as desecrating and threatening to DIG UP his wife’s grave in a nearby

cemetery, while other MALE personnel lecherously [*sic*] searched at least one of the two females (mother and daughter) present in the house. Charges are being filed.

The report is notable for the charged language it employs to stress the violation of the sanctity of the home which is seen as having taken place. It is also a typical expression of the fears that exist within the militia movement of “oppressive” law enforcement agencies acting with little regard for citizens’ rights. (The intended incitement by the Department of Justice is given as the reason why the Michigan Militia did not react to the raid. The Michigan Militia, it stressed, “is a dedicated DEFENSIVE militia, and will NEVER fire the first shot, despite their continuous, obviously intentional prodding.”)⁴²

A stand-off between the police and Shirley Allen, a 51-year-old woman in Roby, Illinois, also activated the Militia of Montana’s neighborhood watch concerns. According to the Militia of Montana, the confrontation began when the woman ordered officers off her property with a shotgun after they had tried to serve her with a court order requiring her to submit to a “psychiatric evaluation.” For an unnamed eyewitness, however, “Every person...who knew Ms. Allen stated that she is not crazy, but just wants to be left alone.” “Is this what happens when you want to be left alone?” another unidentified witness is quoted as asking.⁴³ The Militia of Montana has even made use of the work of the American Civil Liberties Union (ACLU), reposting its report of a raid by sixty federal law enforcement officers on welfare recipients in an apartment complex in Vallejo, Sacramento, which resulted in a class action suit by the residents against the various agencies involved. For Randy Trochmann, the lesson to be drawn from such raids is simple enough: “And still, they wonder,” he says, “why people are forming militia organizations.”⁴⁴

On its website, under the heading “If Not Us, Who? If Not Now, When?,” the Stark County Unit of the Ohio Unorganized Militia listed some of the reasons it had identified for people joining the militia movement. Included within the list is a clear statement of the homestead ethic:

* American homes are violated every week by law enforcement officers who have little regard for the law. They barge in without proper warrants or identification, in the middle of the night. The troops and tanks follow if you are confused, scared, wish to maintain your Constitutional rights, or are reluctant to allow the destruction and confiscation of your property.

* Local farmers are losing their land due to high taxes imposed upon them. Their problem is our problem too. What kind of prices do you think we’ll pay if the government corners the market?...

* United we stand—divided we fall. America has fallen. It’s fallen to its lowest level in American history. *When will you take a stand?* What is your country worth to you?

In this final exhortation to “take a stand” we also find an expression of what Richard Brown sees as another “characteristically American approach to life,” a western value that “reigned mainly in the frontier states west of the Appalachian Mountains,” but one which has become “crucial to American identity”—the doctrine of no duty to retreat.⁴⁵

No duty to retreat: the militia movement and the Code of the West

According to Brown, the old English common law notion of self-defense, which required retreating “to the wall at your back” when faced by a threatening foe, was totally inappropriate for the conditions faced by Americans in the West: the remoteness of government; the constant danger from Indians and outlaws; and the wide availability of weaponry, in particular. As a result, he says, a doctrine of no duty to retreat developed. This meant that when faced with danger a man was justified in standing his ground and facing down his foe. A product of western conditions it may have been, but, as Brown shows, the doctrine was sanctified by the eastern establishment, becoming part of federal law as a result of the Supreme Court’s decision in *Brown v. United States* (1921), the leading opinion of which was given by Oliver Wendell Holmes.

The impact of this transition from duty to retreat to standing one’s ground was not confined to the law of homicide, however. As Brown sees it, “it is not in the nature of America to approve retreat. Standing one’s ground is an attitude that has deeply permeated our foreign relations and our military habits as well as the peaceful pursuits of daily life.” Brown finds the doctrine to be at work in the approaches of numerous presidents: in Polk’s “uncompromising policy” towards Mexico; in Lincoln’s decision to resupply Fort Sumter; in Truman’s attitude to the Korean War; in Kennedy’s “pay any price, bear any burden” speech; in Johnson’s employment of the Texas Rangers’ motto that “courage is a man who keeps on coming” during the Vietnam War; in the entire Reagan presidency; and in George Bush Sr.’s proclamation of a “line drawn in the sand” during the first Gulf War.⁴⁶ Culturally, the values of bravery, fearlessness, honor, heroism, and masculinity contained within the doctrine can also be found in various mainstream westerns, including *They Died with Their Boots On* (Raoul Walsh, 1941), *My Darling Clementine* (John Ford, 1947), *Rio Bravo* (Howard Hawks, 1959), *The Alamo* (John Wayne, 1960), *The Wild Bunch* (Sam Peckinpah, 1967), and *Wyatt Earp* (Lawrence Kasdan, 1994).

The rhetoric of no duty to retreat is also invoked throughout the militia movement, where it resonates with the idea of drawing “lines in the sand” in accordance with the example set by the nation’s Revolutionary Founding Fathers. This complex interaction of values and beliefs can be found, for example, in Jim McKinzey’s views on the need to resist any further attempts at gun control coming from the Clinton White House. For McKinzey, “Bills like the Assault Weapons Ban and the Brady Act have pushed too many of us back into a corner, where there

is no more room to back up,” and any “expansion of the Brady Act” will be “the bell to come out swinging.” As McKinzy puts it, “When you can’t go right, left or back, the only way left is to bow down and let the heavy foot of tyranny squash you, or come out fighting.” In [Chapter 4](#) McKinzy’s views were discussed within the framework provided by the American War of Independence, but we can now see how, at the same time, values connected with the American West were also being expressed, including those associated with self-preservation, the importance of popular sovereignty, and the necessity of “eternal vigilance.” For those like former President Clinton who regard gun ownership simply as a means of hunting or personal protection, the political and symbolic implications the issue carries for groups like the militias are missed. Such complexities go unrecognized. The issue of gun rights encompasses and encapsulates many militia members’ concerns. It is for this reason that, in the ideology of the militia movement, gun ownership exists as the point at which a stand must be made, when “enough is enough,” where a choice must be made between whether one lives free or dies.⁴⁷

The Code of the West

The doctrine of no duty to retreat formed part of what has been termed the Code of the West. In the West, explained Walter Prescott Webb, “[e]ach man had to make his own law because there was no other to make it. He had to defend himself and protect his rights by his force of personality, and skill at arms.” And in these conditions “men worked out an extra-legal code or custom” to guide their actions. For Webb, the code was simple. It demanded, he said, “what Roosevelt called a square deal; it demanded fair play.” In what was intended to be a warning about the dangers of McCarthyism, President Eisenhower expressed his own belief in this code in a speech to the Anti-Defamation League in 1953:

I was raised in a little town of which most of you have never heard. But in the West it is a famous place. We had as our marshal for a long time a man named Wild Bill Hickok. If you don’t know anything about him, read your westerns more. Now that town had a code, and I was raised as a boy to prize that code.

It was: meet anyone face to face with whom you disagree. You could not sneak up on him from behind, or do any damage to him, without suffering the penalty of an outraged citizenry. If you met him face to face and took the same risks he did, you could get away with almost anything as long as the bullet was in the front.

And today, although none of you has the great fortune, I think, of being from Abilene, Kansas, you live after all by that same code in your ideals and in the respect you give to certain qualities.⁴⁸

Embodied in noble gunfighters like Wild Bill Hickok, the Code of the West reclaims violence for the civilized side of the civilization/savagery trope, justifying and legitimizing actions undertaken in its name.

Expressions of this code can also be found within the militia movement, particularly in respect of its dealings with law enforcement agencies, and as part of its desire to be seen as an organized and disciplined movement. During the Republic of Texas stand-off in 1997, for example, the Militia of Montana issued a policy statement outlining the reasons why it would not be rushing to defend its fellow Patriots. The reasons given were that Richard McLaren, the leader of the Republic of Texas, was “the aggressor not the attacked”; that the federal government was not involved in the stand-off, which was being left to the State of Texas to handle; that the military was “not on the scene with troops and military armament”; and that law enforcement had “not drawn blood.” In its own version of the Code of the West, the Militia of Montana’s emphasis was very much on self-defense and “fair play.” The policy statement went on:

The Militia of Montana’s position remains as it was with the Freemen of Montana. As long as there is (1) no military intervention, including their equipment; (2) and as long as law enforcement does not draw first blood, the Militia of Montana will observe only and will not become involved.⁴⁹

Of course, other reasons for the Militia of Montana’s reluctance to become involved may well have included the fact that they were not actually in any position to aid the Republic of Texas, and that any call for its widespread defense would have exposed their lack of personnel or their inability to prevent the law enforcement agencies from handling the situation in the way they determined. Nonetheless, the statement is interesting because far from a movement brimming with hostility, ready to fight the state at the slightest opportunity, it suggests one with a set of internal rules for guiding its actions in particular situations. There is an attempt to gain legitimacy through such self-restraint.

The Missouri 51 st Militia also regards itself as having had a positive effect in confrontations between the law enforcement agencies and members of the Patriot movement. It claims, for example, that “the FBI made it a point to talk with us” during the eighty-one-day stand-off with the Freemen in Jordan, Montana, in 1996, in order to “get an understanding of where we, the militia, stood.” According to Jim McKinzey, it was “made...perfectly clear where we stood: No MILITARY TANKS, AIRCRAFT OR GASSING. If fired upon, defend yourself, but do not kill, burn or gas women and children as you did before.” “[W]e had some pretty frank conversations,” McKinzey recalls, “and I always made it clear to them that if the FBI was fired upon by the Freemen then the FBI had a right to defend themselves, but that we expected *more* out of our federal agents than for them to fire *first*.”⁵⁰ In the view of the “51st,” then, the FBI was perfectly entitled to defend itself provided it acted in accordance with this code of “fair play,” so that the

would-be combatants met each other, in Eisenhower's terms, "face to face and took the same risks."

This contrasts with some of the mainstream media portrayals of militia members as belonging to an essentially lawless, uncontrollable, and anarchistic movement—"a twisted remnant of America's frontier past," as the *Christian Science Monitor* described them. Militia members have been portrayed this way in several films, including *The Patriot* (Dean Semler, 1997), *The Postman* (Kevin Costner, 1997), and *Militia* (Jay Andrews, 1999). (Indeed, as if to emphasize the point, the fictional militia in Jay Andrews's film uses a bar called the "Cowboy Palace Saloon" as a base for its operations.) Mike Thorp, in *U.S. News and World Report*, opened an account of the militias in Montana with the following paragraphs:

In 1938, Lee Simpson shot three people at his ranch in central Montana. Two were young men he thought had been stealing his cattle, one a deputy sent later to arrest him. After a trial, he was sentenced to death. On the gallows, just before he became one of the last men publicly hanged in America, he was asked if he had any final words. "Not that I know of," Simpson said.

The same willingness to take the law into one's hands is again loose in the West, especially in Montana, where there is rising resentment against government. This sentiment, of course, is shared by many Americans, but recently some Montanans have begun seeking frontier justice under the rubric of Revolutionary War-era law.

As Thorp saw it, ideas of vigilantism, lawlessness, and "frontier justice" were the most appropriate way to introduce the militias to his readers, but he is careful to taint them with "illegitimacy." With the "willingness to take the law into one's own hands" said to be "again *loose* in the West," the implications are of wildness and unpredictability, invoking the savagery side of the civilization/savagery myth. Similarly, the *New York Times*, discussing why Montana has become home to extremists like the militias or the Unabomber, Theodore Kaczynski, did so under the headline "The Mad, Bad, Way-Out West." It was "no coincidence" that such people were being drawn to the state, the paper argued, because it has been "a haven for outlaws and, in response, a center of vigilantism" since the 1850s.⁵¹

The problem the militia movement encounters in its attempts to gain legitimacy through renewed versions of the Code of the West or its other frontierist values is that—as with other aspects of its use of American history—the *application* of these codes and values is almost completely self-determined, subject to alteration and reinterpretation largely at will. It is all very well to draft codes of conduct and extensive bylaws but the militias themselves are subject to no external authority, and, what's more, they fail to command wider community support. Militia members may be drawing from deep value structures within American culture and American history in making their case for justified violence, but its legitimate application is denied them by the culture at large. The appropriateness of the

militias' case for justified violence in the circumstances in which it is invoked (i.e. against the state) is simply not acknowledged by the majority of mainstream American society.

Remembering the Alamo: militias and the history of Texas

The final aspect of the militia movement's employment of frontierism is the most straightforward. Using examples from militia and other Patriot groups in Texas, three explicit attempts to connect with and to gain legitimacy from America's frontierist past are considered.

In the "Historical Notes" pages of its website the TCM sets out what it sees as the history of the militia in the state. Tracing its lineage in an heroic account of the West, a straight line is drawn from the Texas Revolution, the heroes of the Alamo, and the Texas Rangers, through the War with Mexico, the Civil War, Theodore Roosevelt's Rough Riders, and the Spanish-American War, until we arrive at the somewhat quotidian formation of the Texas Constitutional Militia on an "unfinished portion of Hwy 151, in front of Sea World, in San Antonio, Bexar County" in 1994. The section in full reads:

The most important previous activity of the Texas Militia was the Texas Revolution in 1836. The original purpose of that effort was to bring the government of Mexico into compliance with its 1824 Constitution, and that is the purpose for which the defenders of the Alamo died. Texas declared independence while the Alamo was under attack during March, 1836, and on April 21, 1836, led by Sam Houston, it defeated the Army of Mexico under the command of Gen. Santa Ana, dictator of Mexico, at the Battle of San Jacinto, near the present city of Houston. This overwhelming victory, and the capture of Gen. Santa Ana, won independence for Texas.

Following the War of Independence, some militia units reorganized into what was later to be known as the Texas Rangers, which was a private, volunteer effort for several years before becoming an official organization. After Texas joined the Union in 1845, Texas militia units distinguished themselves in the War with Mexico, which led to defining the Rio Grande River the agreed border with Mexico, and the cession of most of what was to become California, Arizona, and New Mexico, from Mexico to the United States. In 1861 Texas joined the other Confederate States in seceding from the Union, and Texas militias played a role in the Civil War, until it ended in 1865.

Texas militiamen joined Theodore Roosevelt's Rough Riders, a volunteer militia, and fought with him during the Spanish-American War in 1898. Some of the training of the Rough Riders took place in San Pedro Park, in the north central part of San Antonio, near the present site of San Antonio College. When a muster of the Militia proposed to train there on April 19, 1994, they were threatened with arrest, even though the charter of San Pedro

Park forbids exclusion of activities of that kind. This threat led to a change of the meeting site to Highway 151.⁵²

One can even see in the authorities' denial of the use of San Pedro Park to the TCM a mini-lesson in the uses of the past by the militia movement—a past denied them by the official guardians of American history but claimed by the militias in any event.

The Republic of Texas drew on this same history in an attempt to encourage people to join its group (although ironically its leader, Richard McLaren, is a native of Missouri). A whole cluster of western values were again consciously invoked:

We get a special sense of self-esteem when we recall our history back to when our land was its own independent nation. A wistful dream comes on us that Texas could return to that status and we could be our own people once again, owing nobody or any nation anything. A quiet type of patriotism arises in Texans, honoring those who died at the Alamo to achieve our independence, and those who gave their lives at San Jacinto.

We wonder if we let those heroes of Texas down when they fought so hard and lost their lives to give us independence and we later turned our back on freedom and that independence to become subjects of the United States. Those heroes of Texas past would not be happy with the state of affairs of their land, if they could see what we have become and what we have done to those freedoms. Remnants of those ideals of men like James Bowie, Stephen Austin, Sam Houston and Davy Crockett, still remain with us. Our part time legislature (which meets once every two years) is only one of those reminders of their feelings towards freedom. Our early Texas fathers felt strongly against having too many laws which curtail freedoms.

The Republic of Texas is looking for some real Texan statesmen of such character as we have not seen since James Bowie. The Republic of Texas needs solid sovereign citizens of every community who will spread the news and message to the people of Texas, who, thanks to a biased, government-controlled news media, stay uninformed. We need men and women who, like Stephen E Austin, can no longer tolerate the multitude of laws, statutes, injustices, and extortions of the current government. Austin fought against the Santa Ana-controlled Mexican government; became a political prisoner for his beliefs in Mexico City; just to end the injustices of the government against the people of Texas. Does Texas still have statesmen who will stand up for what is right and against injustice? Can you help spread the message of the reformation of the Republic of Texas? Can we as a people and a nation, once again, show the world that kind of resolve and personal fortitude for freedom? If you are interested in the Republic of Texas call or write.⁵³

Another direct attempt by the TCM to connect with America's frontier past can be found in its use of a biography of Davy Crockett. Significantly, Crockett is identified as "a political representative of the frontier." As the TCM see it:

History's immortals sometimes offer a glimpse of their greatness in events other than those that granted them immortality. Tennessee militia colonel David Crockett, perhaps best known for his role in the 1836 defense of the Alamo, also served three terms in the United States Congress between 1827 and 1835. Nationally known during his lifetime as a political representative of the frontier, Crockett apparently came by that reputation honestly, inasmuch as he was not above listening to his constituents. The following excerpt from an 1884 biography by Edward S. Ellis, "The Life of Colonel David Crockett," reveals how his own rural electorate taught him the importance of adhering to the Constitution and the perils of ignoring its restrictions.

This "following excerpt" from Ellis's biography reveals Crockett out canvassing for votes when he meets a man called Horatio Bunce. Bunce informs Crockett that he no longer feels he can support him because Crockett voted for the appropriation of \$20,000 to the residents of Georgetown after a fire had left them homeless. Bunce's explanation that Congress didn't have the powers to appropriate the money leads Crockett to make a speech to his constituents explaining the errors of his ways:

"I have given you," continued Crockett, "an imperfect account of what he [Bunce] said. Long before he was through, I was convinced that I had done wrong. He wound up by saying: 'So you see, Colonel, you have violated the Constitution in what I consider a vital point. It is a precedent fraught with danger to the country, for when Congress once begins to stretch its power beyond the limits of the Constitution, there is no limit to it, and no security for the people. I have no doubt you acted honestly, but that does not make it any better, except as far as you are personally concerned, and you see that I cannot vote for you.'"

I tell you I felt streaked. I saw if I should have opposition, and this man should go to talking, he would set others to talking, and in that district I was a gone fawn-skin. I could not answer him, and the fact is, I was so fully convinced that he was right, I did not want to. But I must satisfy him, and I said to him: "Well, my friend, you hit the nail upon the head when you said I had not sense enough to understand the Constitution. I intended to be guided by it, and thought I had studied it fully I have heard many speeches in Congress about the powers of Congress, but what you have said here at

your plow has got more hard, sound sense in it than all the fine speeches I ever heard. If I had ever taken the view of it that you have, I would have put my head into the fire before I would have given that vote; and if you will forgive me and vote for me again, if I ever vote for another unconstitutional law I wish I may be shot.”⁵⁴

That Davy Crockett should encounter a proto-member of the militia in the 1830s is, of course, very convenient for modern-day propagandists of the movement, but the apocryphal nature of the tale is perhaps less significant than the desire it evidences to identify with and to receive legitimation from this key figure in America’s frontiering past. It serves as a telling final indication of the importance attached to frontierism within the militia movement.

Conclusion: the Weird West?

In a 1997 article for the *Western Historical Quarterly*, Richard White criticized what he reductively and dismissively called the “current weirdness in the West” to be found in the militias, the Aryan Nations, the Freemen, the county independence movement, the “wilder fringes” of the Wise Use movement, and some conservative Republicans.

This conservative West [he argued] sees its genealogy not in the *history* of federal development in the region but instead in terms of a set of archetypes: the isolate, armed male, the courageous homesteading family, the poor but industrious immigrant. It is no wonder that the regional icon is John Wayne. His career was about individualism; it was about make-believe. The region’s story of itself—its individualism, its self-reliance, its rough justice and ability to settle its own problems—is equally iconic; *it is also by and large make-believe.*

What was needed, White contended, was a more sophisticated context than that represented by the Old West, one acknowledging the “*real* and complicated history of the region, the sweeping changes it is now undergoing, and the centrality of the persisting federal role within it.”⁵⁵

These are all important points, but by placing himself squarely within the historical “authenticity” school of western analysis White fails to recognize the “reality” in the fictions he objects to and the continuing appeal of the “myths” he derides—not only for the extreme right and the West, but for mainstream America and the nation as a whole. Frontierism is a complex ideological system, and the militia movement’s employment of it should not be so readily dismissed. President Clinton, for example, may be broadly correct when he states, “This is a freedom loving democracy because the rule of law has reigned for over 200 years now, not because vigilantes took the law into their own hands,” but vigilantism and the values expressed through it as part of a western philosophy of justified violence,

including self-reliance, individualism, collectivism, popular sovereignty, the right of revolution, and self-preservation, continue to speak to and for Americans, telling them who they are and how they came to be.⁵⁶

This is not to suggest that the militias' understanding and employment of frontierism are identical in all respects to mainstream America's. The complex, and to some extent competing, constellation of values, beliefs, and attitudes contained within frontierism precludes such straightforward symmetry. It is to suggest, however, that militia members draw upon western history and mythology in a way which is recognizable to, and at times difficult to distinguish from, that of mainstream America. It is to argue that the "weirdness" in the West, if that is what it amounts to, cannot be confined to the militia movement.

What distinguishes the militias' and the mainstream's employment of frontierism, is not, then, so much the values themselves as the context in which they are raised. Vigilantism, the homestead ethic, and the doctrine of no duty to retreat, for example, were all seen as legitimate responses to circumstances in which the state was unable to protect its citizens, functioning in the (perceived) absence of government in extraordinary situations. What the militia movement has done is to turn these particular expressions of frontierism *against* government in circumstances that for most Americans are simply unjustified. It is symptomatic, as we have seen, of their approach to American history in general.

7

Conclusion

History and conspiracy

Historians are interested in ideas not only because they influence societies, but because they reveal the societies which give rise to them. Hence the philosophical truth of the ideas is irrelevant to the historian's purpose.

Christopher Hill, *The World Turned Upside Down*

The history of the United States is of fundamental importance to the militia movement. To ignore how militia members relate to and attempt to understand America's past is to fail to understand the militia movement itself. Only by considering how militia members engage with the periods of the American Revolution, the drafting of the Constitution, and the settling of the West can we come to terms with why they believe what they do; and only by understanding what they believe will we come to terms with how they act. In the broadest sense, militia members are concerned with how the ideals, principles, and values they have identified in these periods of American history have determined, and should continue to determine, what it means to be American—hence the reason why these three periods are so prominent in the militias' (re)constructions of America's past: because these are the periods of history which point to the origins of the United States, and which are therefore central to any attempt to determine the nature of American identity.

Militia members, then, are firm believers in what David Harlan calls “the redemptive power of the past,” by which he means the ability of the past to help us think about what we should value and how we should live. Discussing the difficulties of creating an “ideologically neutral theory of historical knowledge,” Harlan notes how

we will never have a set of objective principles for evaluating historical accounts because our every attempt to define who we *have been* is so densely and irretrievably interwoven with our hopelessly subjective attempts to define both who we *are* and who we wish to *become*. We choose who we are by choosing who we have been; we choose moral exemplars from the

past in order to govern our behavior in the present and guide our movement into the future.

But if Harlan is right that history at its best is a form of moral reflection, and that historians would do well to get away from their “reactionary obsession with the validity of history’s truth claims,” this can only take us so far in respect of the extremist/mainstream dichotomy with which we began this book.¹ In this context it is clearly necessary to make some assessment of the validity of the militias’ historical claims, not least because their use of history is so readily dismissed as illegitimate—an “appropriation” for “paranoid purposes,” as President Clinton described it.²

For many within America’s political and cultural mainstream, militia members simply employ “outlandish versions of American history...to justify their activities.” They “distort” America’s key traditions. They resort to “fake history”; rely “on two-hundred-year-old quotes taken out of context and on shoddy historical analysis”; and, as a result, “twist” the meaning of the Constitution and the nation’s other historic documents “beyond all recognition.”³ These kinds of criticisms call to mind Eric Hobsbawm’s concerns about the “politico-ideological abuse” of the past, which he sees as an almost inevitable result of its use in the service of “identity history.” “History,” Hobsbawm contends, “is the raw material for nationalist or ethnic or fundamentalist ideologies, as poppies are the raw material for heroin addiction. The past is an essential element, perhaps *the* essential element, in these ideologies. If there is no suitable past it can always be invented.”⁴

However, one of the most interesting features of the militias’ engagement with America’s past is the extent to which it doesn’t have to be distorted, much less “invented,” to be of service to them. As we have seen, not only can militia members claim the “authority of history” for many of their principal claims, at times they offer a “legitimate reading” of America’s history which runs counter to how that history is celebrated within “official versions” of the American civil religion. This is most notable in their assertion of the existence of a right of revolution as part of the Declaration of Independence or in their “insurrectionary” assessment of the Second Amendment, but it can also be seen in their invocation of western ideas of justified violence. In this, militia members reveal the tensions and fissures that exist in all our attempts to reconstruct the past.⁵

The conventionality of the militias’ historical understanding is particularly evident in their attempts to connect with America’s “mythic history.” Whether it is their image of Revolutionary America as a nation of Minutemen, their portrayal of the Founding Fathers as a group of enlightened (and homogenous) demigods, or their effusive praise of rugged frontiersmen like Davy Crockett and the heroes of the Alamo, militia members are calling on some of the most “compelling metaphors” of the American experience.⁶ The importance of this aspect of the past is underestimated by Hobsbawm, and those like him, with their aim of establishing the absolute “centrality of the distinction between verifiable historical fact and

fiction” as part of the historian’s function as “mythslayer.” One of the major contributions of the relatively new discipline of collective memory studies, for example, has been to show how history and myth, fact and fiction, are inextricably linked when it comes to how individuals, groups, and nations recall and relate to past events and their significance.⁷

It is also important not to ignore the extent to which militia members exhibit a genuine interest in and enthusiasm for these key aspects of U.S. history. The desire of many militia members to educate both themselves and the nation as a whole about what they see as the neglected, forgotten, or “lost” aspects of America’s past—as well as their desire to bring the past “alive”—cannot be explained solely in terms of a self-serving commitment to their political interests in the present (important as these undoubtedly are). Nor should we fail to acknowledge the extent to which militia members are often forced to grapple with difficult historiographic and constitutional issues. These include specific issues pertaining to the debates surrounding republicanism, federalism, or the right to keep and bear arms, but they also encompass wider questions (similar to those raised by Harlan) about how the past relates, or should relate, to the present and of how meaning is recovered from the past—whether it is possible to recover the “original intentions” of the Founding Fathers or whether the past can ever “speak for itself,” for instance.

Above all, we need to recognize that the militia movement’s relationship with American history is a complex one. For example, although, in the main, militia members want to receive the sanctification of the nation’s Founding Fathers, they are also concerned to establish a sense of connection with some of America’s lesser-known historical figures: with “ordinary” Americans like James Hayward, Samuel Whittemore, or Benjamin Wellington, who fought the British at Lexington and Concord; with the “forgotten” signatories of the Declaration of Independence, who too pledged their “lives, liberty and sacred honor” so that America might be free; or with the vigilantes who faithfully defended their communities in Bisbee, Arizona, or at the “Battle of Athens” in Tennessee. The reason for this concern is that the militias need America to belong to “ordinary Americans” as much as to its more famous founders, because by extension the nation then belongs to those in the militia movement as well. It is a process illustrative of the contest militia members feel they are involved in with the nation’s elites for access to, and control of, America’s past. In similar terms, we also need to acknowledge the importance of the interaction between the militias’ local interests and their identification with the “imagined community” of the nation-state.

In short, it is essential that we are alert to the particularities of the militias’ engagement with America’s past. After all, what is distinctive about the militias’ approach to the American Revolution, the constitutional settlement, or frontier-era American society is not so much that these periods of American history are employed in the service of contemporary political interests—such an approach is common enough among mainstream political groups and institutions, although one might hope that it is less common (or at least less explicit) in the work of professional historians working in these areas. Rather, it is the *particular* political

uses to which these past periods are put, the *particular* associations that are made, and the *particular* contexts in which they are raised that mark the militias out.⁸

This distinctiveness is evidenced by militia members' attempts to connect the events of 19 April 1775 with those in the Warsaw Ghetto in 1945, and in their deployment of both as means to denounce the actions of current law enforcement officials. It is evidenced in their attempts to utilize Federalists James Madison and Alexander Hamilton in support of their arguments for the primacy of the states within the federal system, even though these arguments might be better supported by the views of Anti-Federalists like Elbridge Gerry or Richard Henry Lee. And it is further evidenced in their attempts to invoke the right of revolution in the Declaration of Independence or the right of insurrection in the Second Amendment as a means of "resisting tyranny" in circumstances that cannot support such invocations—when the militias obviously do not represent the "body of the people," when they are not acting as a "last resort," and where "serious attacks" on the Constitution have not taken place.

Perhaps the underlying factor distinguishing the militia movement's approach to American history from that of mainstream political actors in general and professional historians in particular is that the militias have great difficulty in reconciling the United States they see around them in the present with their understanding of the United States which they regard as "originally intended" to have been created. For all their grappling with complex historiographic problems, the militias, in this respect, are much like the symbolically named Jefferson Smith (Jimmy Stewart) in Frank Capra's *Mr. Smith Goes to Washington* (1941)—wide-eyed innocents, inspired and awed by the legacy of the Founding Fathers but increasingly confronted by corrupt politicians who no longer play by the established rules. Which is to say that as far as many militia members are concerned there was "perfection" in the principles and ideals on which American society was founded, and in the system of government originally put in place. They see no reason why America should stray from these golden beginnings.

Leaving aside the question of whether such "original intentions" can ever really be recovered (or if indeed they can even be said to exist), one result of this attitude is the militia movement's often simplistic comparisons between conditions as they are now and those that were "supposed" to be in the past, comparisons which ignore, or at least downplay, the historical developments that have occurred to take the United States from one position to the other. Many of the changes militia members object so strongly to—government's increasing involvement in the everyday affairs of the people, a shift in power to the federal government at the expense of the states, America's extensive engagement in international affairs, and so on—have taken place *within* the political and institutional system designed by the Founding Fathers (not against it) and with the quiet acceptance, if not the outright consent, of the American people as a whole. In other words, the militias appear unable to reconcile themselves to the effects of what Terence Ball and J.G.A. Pocock describe as "the processes of conceptual change and consequent interpretation" by which the meanings of the past can—perhaps *must*—change

over time.⁹ The militias' efforts to "protect" the Second Amendment from the scrutiny of the Supreme Court provide a telling illustration of their difficulties in this respect.

Discussing the beliefs of the Know Nothings and their heirs that America was a "unique civilization" and Americans a "chosen people," David Bennett makes the point that if such attitudes seem "conventional, part of the received truths of generations," this "should not be surprising."

The Americans of the Right [he explained] were never monarchists, dreaming of a new aristocracy of the estates. They were not fascists, plotting to overthrow the nation's institutions and replace them with some sinister new order. They were, instead, *Americanists par excellence*. Their ideal society was the one they had been *taught to believe existed in their own country*.

Much the same can be said of members of the militia movement. They too are believers in America as an "ideal society." They too see themselves as "citizens of the greatest nation on earth," as belonging to a country "unlike any other" in the world. "I don't know why you are here," Brian Farley declared during a speech on the steps of the Kansas Statehouse in Topeka, Kansas, on 2 July 1994, "but let me tell you why I am here":

I'm here because I believe in our Constitution. I have always believed in our Constitution, and I will always believe in our Constitution.... When it comes to the Rights of Man [*sic*], I am a true believer. And like the true believers of old, I will pledge my life, my fortune, and my sacred honor to defend our liberty.

Indeed, this is their major problem: militia members *believe too much*.¹⁰ This overabundance of belief, particularly in the "perfection" of the Founding Fathers' original conceptions, not only tends to undermine crucial parts of their historical understanding, but also helps us to answer a question first raised in [Chapter 3](#): Where does the militia movement's conspiracy theorizing fit into all this?

The conspiratorial turn

The embrace of conspiracy theories by militia members is the most well-known and most thoroughly documented aspect of their ideological and rhetorical concerns. The militia movement is "premised" on conspiracy theories, argues Daniel Pipes. They form the "bedrock of militia belief," says the Anti-Defamation League, its "*raison d'être*"; and for Joel Dyer they are "the driving force" behind the movement. These conspiratorial beliefs were summarized by the Southern Poverty Law Center in their 1996 report, *False Patriots: The Threat of Antigovernment Extremists*:

The conspiracy theories that dominate Patriot propaganda all have as a central theme the notion that the U.S. government, in collusion with international powers, is intent on disarming Americans and creating one world government. Built on half-truths, exaggerations and outright lies, and accompanied by misleading photographs, articles throughout Patriot literature promote these myths:

- Black helicopters are being used to spy on law-abiding citizens.
- Salt mines in Detroit are ready to house thousands of Russian troops.
- Hong Kong police officers are being trained in Montana to disarm Americans.
- The government has developed fuel air bombs that can supposedly instantly vaporize human flesh.
- Laser weapons are trained on Patriots by federal agents.
- Markings on the backs of road signs are coded directions to guide invading United Nations forces.
- Surveillance cameras are hidden on the top of street light posts.
- Concentration camps are being built to house Patriot resisters.
- Crematoriums are in place in Minneapolis, Indianapolis, Kansas City and Oklahoma City.
- The eye above the pyramid on the back of U.S. dollar bills is the sign of the Illuminati, the secret sect founded in 1776 in Bavaria that is allegedly plotting a world take over.¹¹

The appeal of conspiracy theories is thought to be easily understood: they offer certainty in an uncertain world (somewhat ironically, one might say, given their usually highly convoluted nature). They are a means for militia members “to see the world in which everything [makes] perfect sense, in which there [is] an answer for every question, in which...[there are] just good guys and bad guys,” says Kenneth Stern. “Conspiracies rescue overstressed minds and emotions from the complexities of real life issues,” agrees Richard Abanes. “They offer simple answers and easy targets for people’s anger.”¹² For many observers of the militia movement the dangers of conspiracy theorizing are equally clear. As noted in [Chapter 1](#), for the Anti-Defamation League, for example, history has shown that the kind of “obsessive conspiracy mongering” employed by the militias “often ultimately fingers Jews or other minorities as scapegoats for the nation’s ills.” This fear is echoed by Stern, who argues that the conspiracy theories underlining the movement are rooted in the infamous anti-Semitic forgery *The Protocols of the Learned Elders of Zion*. Militia leaders may be “careful to talk about ‘international bankers’ or the ‘Federal Reserve’ or the ‘Trilateral Commission’ or ‘eastern elites’ when it comes to their claims of ‘unseen hands’...forcing Americans into a One World Government that will serve foreign interests,” Stern explains. But these are just “code phrases, carefully picked by the leadership to

pull people into the movement without greeting them with anti-Semitism,” and the militias’ position is “identical” to that posited in the *Protocols*: that “Jews are secretly plotting to run the world.”¹³

The problem with Stern’s analysis, as Martin Durham has shown, is that many militia members and other Patriots believe in the idea of a United Nations or bankers’ conspiracy “without necessarily holding an anti-Semitic notion of its composition or purpose,” while others don’t seem to “believe in an all-encompassing theory at all” and are only “concerned with a particular issue.” “It is clearly not the case,” Durham writes, “that Patriot conspiracy theory is always undisguised or even disguised anti-Semitism.” The attraction of militia members to *The Protocols of the Learned Elders of Zion* and other conspiratorial texts might be explained, it seems, more by the conspiratorialism they contain—and which they have a reputation for—rather than by their anti-Semitism per se; in the militias’ “enthusiasm for conspiracism itself,” as Durham puts it.¹⁴

Peter Knight also makes the point that while fears about a New World Order conspiracy “can easily shade into tedious and vicious scapegoating, which often contains a barely concealed anti-Semitic strain... there are many more attracted to this conspiratorial line of thinking who are not fully paid up members of a militia.” Such conspiracy theories, he says, “make sense in the current age of rapid globalization,” where governments are “increasingly vulnerable to global economic forces and organizations over which they have little control.” In other words, expressions of concern over a United Nations “take-over” might simply be a reflection of anxiety about “a *lack* of national sovereignty in the face of an aggressive world.” Acknowledging this, Knight argues, helps to explain why, since the 1960s, conspiratorial discourse (in all its many and varied forms) has become so popular in the mainstream, as well as on the fringes of American society, and in its entertainment culture as much as in its popular politics.

Conspiracy theories [he writes] have come to express doubt about the legitimacy of authority in an age when less than a quarter of Americans trust the government... Narratives of conspiracy now capture a sense of uncertainty about how historical events unfold, about who gets to tell the official version of events, and even about whether a causally coherent account is still possible. They speak to current doubts about who or what to blame for complex and interconnected events. In the era of transnational corporations and a globalized economy, conspiracy-minded stories and rumours in the USA also voice suspicions about who—if anyone—is in control of the national economic destiny and *what it means to be American*.

Rather than condemning or dismissing those who believe in conspiratorial explanations—as he sees Daniel Pipes, Robert Robins, and Jerrold Post doing, for example—Knight argues that it is important that we pay attention to the “rhetorical function of conspiracy thinking.”¹⁵

Knight is right, of course, not least because (their increasing prevalence notwithstanding) subscribing to conspiracy theories is a practice almost instantly delegitimizing when it comes to the question of how those theories will be received within the mainstream of American society. “Have you ever noticed what happens when a charge of conspiracy is introduced into any discussion?” Theodore Roszak has one of the characters ask in his conspiratorial novel *Flicker*, “Automatically, everything one says is discredited. Why? Because no right-thinking person believes in such a thing. Only charlatans or cranks...invoke conspiratorial rumours. The word alone is enough to mark you as a suspect.”¹⁶ But then this shouldn’t be surprising. For, as we saw in [Chapter 2](#), a belief in conspiracy theories is generally accepted as one of the distinguishing features of political extremism, a belief epitomizing the users’ rejection of the normal pluralist process of bargain and compromise. The problem that follows, however—one symptomatic of the limitations of the orthodox model’s approach to political extremism as a whole—is that, as Knight recognizes, as soon as conspiratorial beliefs are discovered any attempt at further understanding tends to stop. There is little incentive to look beyond such obvious “marks of extremism,” no need to go deeper into what groups like the militias believe, or why The movement is already discredited. It has fallen into the “psychological and emotional” trap of conspiratorialism. The explanatory framework offered by Richard Hofstadter and others can be safely applied. The “conspiracy-ridden activists” of the militia movement are swiftly reduced to being yet more practitioners of the paranoid style of American politics.¹⁷

I want to suggest an alternative way to think about the militia movement’s conspiracism. Before doing so, though, and before examining the particular function conspiracy theories play within the militias’ ideological and rhetorical system, it is first necessary to make some general points on the subject. For one, it is important to note that there is nothing new about conspiracy theories in American politics. Real and imagined conspiracies both have a long history in the United States. Nor, despite the fact that it is regarded as a prime indicator of extremism, can a belief in conspiracies be confined to the fringes of American society. As Richard Curry and Thomas Brown point out in their 1972 book on the subject:

Anticonspiratorial rhetoric has been a factor in major-party politics throughout most of our history. The passage of the Alien and Sedition Acts during the 1790s, the enactment of the Espionage Act during World War I, the Palmer raids during the Red Scare of 1919–1920, and the evacuation of Japanese Americans from the West Coast during World War II clearly show that fears of conspiracy have had their greatest impact in American society at the level of national politics. From George Washington to Richard Nixon, American presidents have uttered grim warnings against conspiracies. Fears of subversion are very much part of the mainstream of politics.¹⁸

Significantly, for David Brion Davis, the longstanding existence of conspiracy theories in American history has to be understood with regard to that “murky but irrepressible question: ‘What is the American identity?’” The unsettled nature of American identity—the idea that it is a “state of mind” and therefore susceptible to being lost, discarded, or subverted—has led many Americans, he argues, to actively search for “subversive enemies and to construct terrifying dangers from fragmentary and highly circumstantial evidence.” Introducing an extract from Bernard Bailyn’s *The Ideological Origins of the American Revolution*, which first established how important the notion of conspiracy was to America’s Revolutionary generation, Davis notes how he was “struck by the far-reaching implications of the belief that the nation’s liberty, its very existence, had depended on the exposure of a conspiratorial plot.” “Is it possible,” he asks, “that the circumstances of the Revolution conditioned Americans to think of resistance to a dark subversive force as the essential ingredient of their national identity?”

Perhaps so, since Davis also notes how a common feature of conspiracy theories in the United States has been “the fear of betraying the priceless heritage won by the Founding Fathers.” Indeed—and this is obviously something which is particularly applicable to the militia movement—he argues that a way to understand the actions of those who discover “a national conspiracy” and attempt to resist it, is by seeing them as “re-enact[ing] the primal drama of patriotism.” Such actions are related, for Davis, to the notion of American exceptionalism, to the idea that America has “a special mission” in the world. There is, he says, “a striking correlation between fears of conspiracy and American aspirations to national greatness.”¹⁹

These general points all certainly help to explain militia members’ proclivity for conspiracy theories, and given the fact that militia members immerse themselves in the thoughts of eighteenth-century Americans, who, as Gordon Wood says, believed in “conspiratorial explanations of complex events [as] normal, necessary and rational,” it is perhaps understandable that they too should be so inclined towards conspiracism. Republics, after all, are fragile polities, subject to all manner of internal and external dangers for which good citizens are required to keep a constant and vigilant watch. (Wood no doubt would reject such a suggestion, though, because for him conspiracy theories are “so out of place” in the modern United States that they “can be accounted for only as mental aberrations, as a paranoid style symptomatic of psychological disturbance.”²⁰) Conspiracy theories, though, also play a very specific role within the ideological and rhetorical system of the militia movement: they fill the gap in historical understanding outlined at the beginning of this chapter.

Because militia members are not prepared to answer the question “Where did things begin to go wrong?” by looking at the constitutional settlement itself; because they do not regard the political and institutional system the Constitution established as providing a framework through which change could occur over time, the militias are almost compelled to fall back on accusations of conspiratorial manipulation or apathetic neglect in order to explain how the “Should Be” they

understand existed in the past became the “Is” they have to deal with in the present. Critics of the militias get it the wrong way round. Conspiracy theories are certainly important for the movement, but it is not “premised” on them; nor do they represent the “driving force” behind it. The militias’ conspiracism is a product of their view of history, not vice versa. It is the militias’ approach to American history which offers the principal explanation for how they see and react to the world.

Finally let us note that there are potentially serious consequences in all this. Building on the work of Ehud Sprinzak, Jeffrey Kaplan has argued, for example, that one of the preconditions for the transformation of dissenting but essentially law-abiding groups into those willing to resort to violence to achieve their aims is a process of “mutual” or “reciprocal delegitimization” between the dissenting group and the dominant culture, so that

not only is the nascent dissident group engaged in a process of stripping the regime of its claim to legitimacy, but either simultaneously or more often as a precondition for the radicalization of the right-wing group, the dominant culture on both state and non-state levels have [*sic*] anathematized the discourse of the radical right. The resulting marginalization of right wing discourse leaves the adherent with only two options: to withdraw into the milieu of the radical right, or to resort to the “propaganda of the deed” to make his beliefs felt.²¹

The militia movement, finding itself portrayed as merely another incarnation of the “paranoid style” in American politics or as an expression of America’s racist right operating in disguise, may, in other words, be pushed towards the very members of the anti-Semitic and white supremacist right which watchdog groups like the Anti-Defamation League or the Southern Poverty Law Center are warning against, or indeed towards a violent confrontation with a state which it feels is ignoring or misrepresenting it. For this reason, if not for the other reasons I have suggested in the course of this study, it is vital that we pay close attention to what groups like the militias do with American history.

Notes

Preface

- 1 Christopher Hewitt, *Understanding Terrorism in America: From the Klan to Al Qaeda* (New York: Routledge, 2003), 12–15. On the widespread implications of the 11 September attacks, see Richard Crockatt, *America Embattled: September 11, Anti-Americanism and the Global Order* (London: Routledge, 2003).
- 2 There have been a number of attempts to obtain a fuller understanding of the militia movement in recent years. See also Steven M. Chermak, *Searching for a Demon: The Media Construction of the Militia Movement* (Boston: Northeastern University Press, 2002); Lane Crothers, “The Cultural Foundations of the Modern Militia Movement,” *New Political Science* 24, no. 2 (2002):221–34; and Joshua D. Freilich, *American Militias: State-Level Variations on Militia Activities* (New York: LFB Scholarly Publishing, 2003).
- 3 Michael Cox, “Beyond the Fringe: The Extreme Right in the United States of America,” in *The Extreme Right in Europe and the USA*, ed. Paul Hainsworth (London: Pinter, 1992), 286–7.

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Introducing the militia movement

- 1 Klanwatch, “Over 200 Militias and Support Groups Operate Nationwide,” *Intelligence Report* 78 (June 1995):1–2; the Southern Poverty Law Center, *False Patriots: The Threat of Antigovernment Extremists* (Montgomery, Alabama: SPLC, 1996), 5.
- 2 The Second Amendment reads: “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”
- 3 On the militia movement in general, see David H. Bennett, *The Party of Fear: The American Far Right from Nativism to the Militia Movement*, 2nd edition (New York: Vintage Books, 1995), 409–74; Morris Dees and James Corcoran, *Gathering Storm: America’s Militia Threat* (New York: Harper Perennial, 1996); Kenneth S. Stern, *A Force Upon the Plain: The American Militia Movement and the Politics of Hate* (Norman: University of Oklahoma Press, 1997); Richard Abanes, *American Militias: Rebellion, Racism and Religion* (Downers Grove, Illinois: InterVarsity Press, 1996);

- Robert L.Snow, *Terrorists Among Us: The Militia Threat* (Cambridge, Massachusetts: Perseus Publishing, 2002); and D.J. Mulloy, ed., *Homegrown Revolutionaries: An American Militia Reader* (Norwich: Arthur Miller Centre for American Studies, University of East Anglia, 1999).
- 4 Klanwatch, "Over 200 Militias," 2.
 - 5 Joshua D.Freilich, Nelson A.Pichardo Almanzar, and Craig J.Rivera, "How Social Movement Organizations Explicitly and Implicitly Promote Deviant Behavior," *Justice Quarterly* 16, no. 3 (September 1999):673–5; Jeffrey Kaplan, "Louis Beam," in *Encyclopaedia of White Power: A Sourcebook on the Radical Racist Right*, ed. Jeffrey Kaplan (Walnut Creek, California: Altamira Press, 2000), 21. On the Michigan Militia and the Militia of Montana in general, see Marc Cooper, "Montana's Mother of all Militias," *The Nation*, 22 May 1995:714–21; Mack Mariani, "The Michigan Militia: Political Engagement or Political Alienation?" *Terrorism and Political Violence* 10, no. 4 (Winter 1998):122–48; and David A.Neiwert, *In God's Country: The Patriot Movement and the Pacific Northwest* (Pullman, Washington: Washington State University Press, 1999).
 - 6 Robert H.Churchill, "'The Highest and Holiest Duty of Freemen': Revolutionary Libertarianism in American History" (Ph.D. dissertation, Rutgers University, 2001), 17–19; Timothy M.Seul, "Militia Minds: Inside America's Contemporary Militia Movement" (Ph.D. dissertation, Purdue University, 1997), 135–6 and 142.
 - 7 Michael Kimmel and Abby L.Ferber, "'White Men Are This Nation': Right-Wing Militias and the Restoration of American Masculinity," *Rural Sociology* 65, no 4 (2000):588–92; John George and Laird Wilcox, *American Extremists: Militias, Supremacists, Klansmen, Communists, and Others* (Amherst, New York: Prometheus Books, 1996), 249.
 - 8 Sean P.O'Brien and Donald P.Haider-Markel, "Fueling the Fire: Social and Political Correlates of Citizen Militia Activity," *Social Science Quarterly* 79, no. 2 (June 1998): 456–65; Joshua D.Freilich, *American Militias: State-Level Variations on Militia Activities* (New York: LFB Scholarly Publishing, 2003), 109, 113.
 - 9 Steven M.Chermak, *Searching for a Demon: The Media Construction of the Militia Movement* (Boston: Northeastern University Press, 2002), 58, 222–4. George and Wilcox suggest the figure of 7,000; the Anti-Defamation League thought 15,000 in a 1995 report; for Marc Cooper it was closer to 100,000; and Glenn Reynolds noted reports of up to 300,000. Morris Dees, Richard Abanes, and *Time* magazine are among those supportive of the 5–12 million figure for the broader outline of the movement. George and Wilcox, *American Extremists*, 260; the Anti-Defamation League, *Beyond the Bombing: The Militia Menace Grows* (New York: ADL, 1995), 1; Cooper, "Montana's Mother of all Militias," 714; Glenn Reynolds, "Up in Arms about a Revolting Movement," *Chicago Tribune*, 30 January 1995:11; Dees and Corcoran, *Gathering Storm*, 32; Abanes, *American Militias*, 2; and Jill Smolowe, "Enemies of the State," *Time*, 8 May 1995:25.
 - 10 Quoted in George and Wilcox, *American Extremists*, 256.
 - 11 Stern, *A Force Upon the Plain*, 209; Chermak, *Searching for a Demon*, especially 70–2 and 220–32.
 - 12 On the militias' preparations for Y2K (year 2000), see Norman Olson, "Prepare to Resist Martial Law," press release, 3 May 1999; Norman Olson, "The Militia and Y2K" (1999); and the Virginia Citizens Militia, "Y2K Policy Statement," 6 March 1999, in Mulloy, *Homegrown Revolutionaries*, 453–62. On the execution of

- McVeigh and the “end” of the militia movement, see, for example, Paul M. Weyrich, “McVeigh Brought Down a Movement,” *Los Angeles Times*, 12 June 2001:21; and the Southern Poverty Law Center, “Memories of ‘Patriotism’: As the Oklahoma City Bomber Faces Death, a Movement Fades,” *Intelligence Report* 102 (Summer 2001): 6–8. It is important to stress, however, that although the SPLC took the view that “this particular expression of the American radical right is almost certainly fizzling,” this did not mean that “radical antigovernment sentiment” was “going away.” On the contrary, as far as the SPLC was concerned, “Antigovernment ideology has been with the United States since its founding, and it is certain to remain a permanent fixture in our culture. The only question is precisely what form the antigovernment extremist right will take in the decades to come.”
- 13 Dan Laidman, “A Kinder, Gentler Militia?,” *Salon*, 4 July 2002, www.archive.salon.com/news/feature/2002/07/04/militias/index.np.html; Craig Welch, “Militia Activity on Rise: Militia Groups See a Revival,” *Seattle Times*, 16 October 2001:A1; Ellen Barry, “Taking Arms: Militias Turn Fight Away from the US as Its Enemy,” *Boston Globe*, 22 September 2001:A3; Jane O. Hansen, “September 11th Attacks ‘a Boon’ to Militia,” *Atlanta Journal-Constitution*, 25 November 2001, www.rickcross.com/reference/militia/militia55.html (accessed 24 April 2003). For a contrary view of the impact of the 11 September attacks on the militia movement, see Kevin Johnson, “Sept. 11 Attacks Helping Put Militia Movement in Retreat,” *USA Today*, 24 June 2002:5A. On these issues, see also Freilich, *American Militias*, 20–1; Chermak, *Searching for a Demon*, 211–16; and Daniel Levitas, *The Terrorist Next Door: The Militia Movement and the Radical Right* (New York: St. Martin’s Press, 2002), especially 323–42.
 - 14 Norman Olson, Senate Committee on the Judiciary, *The Militia Movement in the United States: Hearing before the Subcommittee on Terrorism, Technology and Government Information*, 104th Cong., 1st sess., 15 June 1995, 99.
 - 15 This was one of the principal issues raised by local law enforcement officials during the hearings into the militia movement following the Oklahoma City bombing. See, for example, the testimony of Patrick Sullivan, Sheriff of Littleton, Colorado, and Nickolas Murnion, County Attorney for Jordan, Montana. House Committee on the Judiciary, *Nature and Threat of Violent Anti-Government Groups in America: Hearing before the Subcommittee on Crime*, 104th Cong., 1st sess., 2 November 1995, 141–57. The adverse impact of the militia movement on “grassroots democracy” in the United States is also a major concern of monitoring agencies such as the Anti-Defamation League, the Southern Poverty Law Center, the American Jewish Committee, and the Montana Human Rights Network.
 - 16 Joel Dyer, *Harvest of Rage: Why the Oklahoma City Bombing Is Only the Beginning* (Boulder, Colorado: Westview Press, 1997), 2–3, 14–20, and 25–6. See also Catherine McNicol Stock, *Rural Radicals: From Bacon’s Rebellion to the Oklahoma City Bombing* (New York: Penguin, 1997); Osha Grey Davidson, *Broken Heartland: The Rise of America’s Rural Ghetto* (Iowa City: University of Iowa Press, 1996); and Philip Melling, *Fundamentalism in America: Millennialism, Identity and Militant Religion* (Edinburgh: Edinburgh University Press, 1999), 135–67.
 - 17 Kimmel and Ferber, “White Men,” 585, 601; Churchill, “Revolutionary Libertarianism,” 295–6. Further discussion of Dyer’s “economic dislocation” theory can be found in Freilich, *American Militias*, especially, 61–5 and 87–99.

- 18 Manuel Castells, *The Information Age, Economy, Society and Culture: Volume II, The Power of Identity* (Oxford: Blackwell Publishers, 1997), 2, 69, and 95–6. See also Freilich, *American Militias*, 68–9.
- 19 Stern, *A Force Upon the Plain*, 22; Norman Olson, *The Militia Movement in the United States*, 108; Neiwert, *God's Country*, 32–3 and 159–61. See also Snow, *Terrorists Among Us*, 68–9.
- 20 Klanwatch, “Racist Extremists Exploit Nationwide Militia Movement,” *Intelligence Report* 76 (December 1994):1, 4; Klanwatch, “Over 200 Militias,” 1; the Anti-Defamation League, *Vigilante Justice: Militias and “Common Law Courts” Wage War Against the Government* (New York: ADL 1997), 22–5. Adherents of the theology of Christian Identity believe that white “Aryans” are the direct descendants of the “lost tribes” of Israel, while Jews are children of Satan, and blacks and other minorities are “mud people.” See Michael Barkun, *Religion and the Racist Right: The Origins of the Christian Identity Movement* (Chapel Hill: University of North Carolina Press, 1994).
- 21 For the objections of militia members to their “demonization,” see, for example, Jack McLamb, “Now is the Time for Militias,” *Aid & Abet Police Newsletter: Constitutional Issues for Lawmen* 2, no. 8 (April 1995):1–3; J.J. Johnson, “A Heartfelt Invitation to Black Americans,” *Media Bypass* (November 1995):8; and Dan Kilbane, “View From the Foxhole,” *Necessary Force* (June 1997):15. On the portrayal of the militia movement by the media, politicians, government agencies, and “watchdog” groups, see also Chermak, *Searching for a Demon*; Mack Tanner, “Extreme Prejudice: How the Media Misrepresent the Militia Movement,” *Reason* (July 1995):42–50; Barbara Dority, “Is the Extremist Right Entirely Wrong?” *The Humanist* 55 (November/December 1995):12–15; and Mulloy, *Homegrown Revolutionaries*, 357–64.
- 22 Stephen Scheinberg, “Right-Wing Extremism in the United States,” in *The Extreme Right: Freedom and Security at Risk*, ed. Aurel Braun (Boulder, Colorado: Westview Press, 1997), 62; Martin Durham, “Preparing for Armageddon: Citizen Militias, the Patriot Movement and the Oklahoma City Bombing,” *Terrorism and Political Violence* 8, no. 1 (Spring 1996):66; Stern, *A Force Upon the Plain*, 219. See also the Coalition of Human Dignity, *The American Militia Movement: Against the New World Order* (Portland, Oregon: CHD, 1995), 4. The Tenth Amendment reads: “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”
- 23 James Ridgeway and Leonard Zeskind, “Revolution U.S.A.,” *Village Voice*, 2 May 1995:23–6; George and Wilcox, *American Extremists*, 249; Leonard Weinberg, “The American Radical Right in Comparative Perspective,” in *The Revival of Right-Wing Extremism in the Nineties*, ed. Peter H. Merkl and Leonard Weinberg (London: Frank Cass & Co. Ltd., 1997), 248. On the diversity of the patriot movement, see Martin Durham, *The Christian Right, the Far Right and the Boundaries of American Conservatism* (Manchester: Manchester University Press, 2000), especially xi–xii.
- 24 Quoted in Stern, *A Force Upon the Plain*, 107.
- 25 James William Gibson, *Warrior Dreams: Violence and Manhood in Post Vietnam America* (New York: Hill & Wang, 1994), 14. On the application of Gibson’s thesis to the militia movement, see, for example, Peter Doskoch, “The Mind of the Militias,” *Psychology Today* (July/August 1995):13; Garry Wills, “The New

- Revolutionaries,” *New York Review of Books*, 10 August 1995:50–1; Scheinberg, “Right-Wing Extremism,” 62–3; and Freilich, *American Militias*, 66–8 and 134–5.
- 26 Michael Sherry, *In the Shadow of War: The United States since the 1930s* (New Haven: Yale University Press, 1995), 453. On the impact of the ending of the cold war on the militias, see also Bennett, *The Party of Fear*, 469–75; and Churchill, “Revolutionary Libertarianism,” 16–17.
- 27 David Plotke, “Against Government: The Contract with America,” *Dissent* (Summer 1995):350–2; Phil Gramm, quoted in “Loud and Clear,” *Time*, 11 November 1994: 30. On the importance of this political context, see also Melling, *Fundamentalism in America*, 139–40.
- 28 Daniel Yankelovich, quoted in Seymour Martin Lipset, *American Exceptionalism: A Double-Edged Sword* (New York: W.W.Norton & Co., 1996), 282; Gavin Esler, *The United States of Anger: The People and the American Dream* (London: Penguin, 1998), 209.
- 29 Michael Kelly, “The Road to Paranoia,” *New Yorker*, 19 June 1995:63–5.
- 30 On America’s popular conspiracy culture in this period, see Peter Knight, *Conspiracy Culture: From the Kennedy Assassination to the X-Files* (London: Routledge, 2000). On the depiction of the militia movement within American popular culture, see Chermak, *Searching for a Demon*, 175–210.
- 31 During this period millions of Americans, not just those in the militia movement, saw the United States as a nation in decline. *The State of Disunion* survey undertaken by Gallup in 1996 for the University of Virginia Post-Modernity Project reported, for example, that half the population felt this way, with a further one in five believing it was in “strong decline.” Quoted in Esler, *United States of Anger*, 13.
- 32 Daniel Levitas objects strongly to the characterization of Weaver as a “white separatist,” a practice, he explains, which originated with Weaver’s defense attorney, Garry Spence, during his trial. “The separatist label was an utter falsehood,” Levitas writes. “Weaver and his wife fervently believed in the superiority of white, Anglo-Saxon Christians—the true people of Israel—over Satanic Jews and subhuman blacks.” Levitas, *The Terrorist Next Door*, 303.
- 33 Various accounts of the events at Ruby Ridge are available. See, for example, Alan W. Bock, *Ambush at Ruby Ridge: How Government Agents Set Randy Weaver Up and Took His Family Down* (Irvine: Dickens Press, 1995); Jess Walter, *Every Knee Shall Bow: The Truth and Tragedy of Ruby Ridge and the Randy Weaver Family* (New York: Regan Books, 1995); and Randy Weaver and Sara Weaver, *The Federal Siege at Ruby Ridge* (Marion, Montana: Ruby Ridge, Inc., 1998), 50–67.
- 34 Stern, *A Force Upon the Plain*, 4.
- 35 See, for example, Dees and Corcoran, *Gathering Storm*, 50–69; Dyer, *Harvest of Rage*, 81–4; Levitas, *The Terrorist Next Door*, 303. For a contrasting view on the importance of this meeting in the formation of the militia movement, see Durham, *American Conservatism*, 71–83. Durham points out that the militias which emerged in the mid-1990s were both organizationally and compositionally different from those advocated at the Estes Park meeting, and that there was also “an extended gap” between the two events.
- 36 The scale of the surveillance directed at Weaver is described by James Aho as “historically unprecedented.” James A.Aho, *This Thing of Darkness: A Sociology of the Enemy* (Seattle: University of Washington Press, 1994), 59.

- 37 On the events at Waco, see Dick J.Reavis, *The Ashes of Waco: An Investigation* (New York: Simon & Schuster, 1995); James Tarbor and Eugene Gallagher, *Why Waco?: Cults and the Battle for Religious Freedom in America* (Berkeley: University of California Press, 1995); James R.Lewis, ed., *From the Ashes: Making Sense of Waco* (Lanham, Maryland: Rowman & Littlefield, 1994); and Stuart A.Wright, ed., *Armageddon in Waco: Critical Perspectives on the Branch Davidian Conflict* (Chicago: University of Chicago Press, 1995).
- 38 On these issues, see Reavis, *Ashes of Waco*, 32–3; and Tarbor and Gallagher, *Why Waco?*, 100–3.
- 39 Jeffrey Kaplan, “A Guide to the Radical Right,” 112, no. 23 *Christian Century*, 2 August 1995:741; Dan Herbeck and Lou Michael, *American Terrorist: Timothy McVeigh and the Oklahoma City Bombing* (New York: Regan Books, 2001), 139.
- 40 Bob Clarke, quoted in Tanner, “Extreme Prejudice,” 44; Stern, *A Force Upon the Plain*, 63.
- 41 John C.Danforth, *Final Report to the Deputy Attorney General Concerning the 1993 Confrontation at the Mt. Carmel Complex, Waco, Texas* (Washington, D.C.: US Government Printing Office, 2000), i.

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Approaching extremism: theoretical perspectives on the far right in American history

- 1 Edward A.Shils, *The Torment of Secrecy: The Background and Consequences of American Security Policies* (Glencoe, Illinois: The Free Press, 1956), 9; Daniel Bell, “Interpretations of American Politics,” in *The Radical Right: The New American Right, Expanded and Updated*, ed. Daniel Bell (New York: Doubleday & Co, 1963), 47–8; Richard Hofstadter, “The Paranoid Style in American Politics,” in *The Paranoid Style in American Politics and other Essays* (London: Jonathan Cape, 1965), 3–40.
- 2 Seymour Martin Lipset and Earl Raab, *The Politics of Unreason: Right-Wing Extremism in America, 1790–1970* (London: Heinemann, 1971).
- 3 On the New Right and New Christian Right, see, for example, Thomas J.McIntyre, *The Fear Brokers* (New York: Pilgrim Press, 1979); Alan Crawford, *Thunder on the Right: The “New Right” and the Politics of Resentment* (New York: Pantheon Books, 1980); Phillip O.Finch, *God, Guts and Guns: A Close Look at the Radical Right* (New York: Seaview-Putnam, 1982); and David H.Bennett, *The Party of Fear: From Nativist Movements to the New Right in American History* (Chapel Hill: University of North Carolina Press, 1988). For a summary of the causal approach, see Robert C.Lieman and Robert Wuthnow, eds., *The New Christian Right: Mobilization and Legitimation* (Hawthorne, New York: Aldine Publishing Co., 1983). On the Patriot movement, see, for example, George Johnson, *Architects of Fear: Conspiracy Theories and Paranoia in American Politics* (Los Angeles: Tarcher Inc., 1983); James Coates, *Armed and Dangerous: The Rise of the Survivalist Right* (New York: Hill & Wang, 1987, 1995); Kevin Flynn and Gary Gerhardt, *The Silent Brotherhood: Inside America’s Racist Underground* (New York: The Free Press, 1989); James Corcoran, *Bitter Harvest: The Birth of Paramilitary Terrorism in the Heartland* (New York: Penguin, 1990, 1995); and Michael Cox, “Beyond the Fringe: The

- Extreme Right in the United States of America,” in *The Extreme Right in Europe and the USA*, ed. Paul Hainsworth (London: Pinter, 1992), 286–309.
- 4 Lipset and Raab, *The Politics of Unreason*, 4–6; Hofstadter, “Paranoid Style,” 39. Notable and important exceptions to this include Leo P. Ribuffo, *The Old Christian Right: The Protestant Far Right from the Great Depression to the Cold War* (Philadelphia: Temple University Press, 1983); Sara Diamond, *Roads to Dominion: Right-Wing Movements and Political Power in the United States* (New York: The Guilford Press, 1995); Chip Berlet and Matthew N. Lyons, *Right-Wing Populism in America: Too Close for Comfort* (New York: The Guilford Press, 2000); and Robert H. Churchill, “The Highest and Holiest Duty of Freemen’: Revolutionary Libertarianism in American History” (Ph.D. dissertation, Rutgers University, 2001).
 - 5 Bell, “Interpretations,” 70; Shils, *Torment*, 234. In part, this attitude was a consequence of the time at which the orthodox school came together and of the personal experiences of many members of the school. Following the turmoil of the 1930s and 1940s, it was widely hoped that America was entering a “consensus period” of history. Having lived through the rise of Nazi Germany, it is hardly surprising that many scholars were wary of the dangers posed by ideological systems and of the ties of such systems to political extremism. Ribuffo, for example, notes the significant presence of members of the orthodox school in the anti-Fascist “Brown Scare” of the 1930s and 1940s. *The Old Christian Right*, 237–57.
 - 6 Lipset and Raab, *The Politics of Unreason*, 20; Shils, *Torment*, 16; John H. Bunzel, *Anti-Politics in America: Reflections on the Anti-Political Temper and Its Distortions of the Democratic Process* (New York: Alfred A. Knopf, 1967), 3; Hofstadter, “Goldwater and Pseudo-Conservative Politics,” *Paranoid*, 116.
 - 7 Lipset and Raab, *The Politics of Unreason*, 5, 17; Michi Ebata, “Right-Wing Extremism: In Search of a Definition,” in *The Extreme Right: Freedom and Security at Risk*, ed. Aurel Braun (Boulder, Colorado: Westview Press, 1997), 17. See also John George and Laird Wilcox, *American Extremists: Militias, Supremacists, Klansmen, Communists, and Others* (Amherst, New York: Prometheus Books, 1996), 56–61.
 - 8 Tore Bjørgo, “Introduction: Terror from the Extreme Right,” *Terrorism and Political Violence* 7, no. 1 (Spring 1995):2–5, emphasis added. See Ehud Sprinzak, “Right-Wing Terrorism in Comparative Perspective: The Case of Split Delegitimization,” *Terrorism and Political Violence* 7, no. 1 (Spring 1995):17–43.
 - 9 Interview with Norman Olson, *The Devil’s Advocate*, Channel 4 (UK), broadcast 18 October 1994. These ideas are discussed further in Chapters 4 and 6, respectively.
 - 10 James A. Aho, *The Politics of Righteousness: Idaho Christian Patriotism* (Seattle: University of Washington Press, 1995), 154–5. These issues are explored, for example, in Ribuffo, *The Old Christian Right*; Diamond, *Roads to Dominion*; Berlet and Lyons, *Right-Wing Populism*.
 - 11 In this respect it is important to recognize, as Aurel Braun points out, that “much of the salient analysis has come not just from the left but from that part of the left that believed threats to freedom and security emanated exclusively from the political right.” “Introduction,” *The Extreme Right*, ed. Braun, 3.
 - 12 Ebata, “In Search of a Definition,” 12–13, 20; Roger Eatwell and Noël O’ Sullivan, *The Nature of the Right: American and European Politics since 1789* (London: Pinter, 1989), especially 62–76; Bjørgo, “Introduction,” 2. Martin Durham suggests that the term “extreme right” be confined to those on the right “committed to white

- supremacism and/or anti-Semitism.” For “non-racist conspiracists” he suggests the term “radical right,” and when discussing both groupings together (and for the many variations in between) he prefers “far right.” Martin Durham, *The Christian Right, the Far Right and the Boundaries of American Conservatism* (Manchester: Manchester University Press, 2000), xii-xiii.
- 13 George and Wilcox, *American Extremists*, 11.
 - 14 Hofstadter, “Pseudo-Conservative,” 84, emphasis added; Seymour Martin Lipset, “The Sources of the ‘Radical Right,’” 308–9, emphasis added; Hofstadter, “Pseudo-Conservatism Revisited: A Postscript,” *Radical Right*, ed. Bell, 99–100, emphasis added.
 - 15 Hofstadter, “Pseudo-Conservative,” 80, 89; Talcott Parsons, “Social Strains in America,” *Radical Right*, 211, 217; Daniel Bell, “The Dispossessed,” *Radical Right*, 16; Lipset, “Radical Right,” 315. Hofstadter borrowed the term “pseudo-conservatism” from Theodore Adorno, Else Frenkel Brunswick, Daniel J. Levinson, and R. Nevitt Sanford, *The Authoritarian Personality* (New York: Harper & Row, 1950).
 - 16 Lipset and Raab, *The Politics of Unreason*, 3. It is because Lipset and Raab’s approach was so comprehensive and because it typifies the interpretative line taken by the orthodox school of analysis during this period that I devote most of this section to them. Additional criticisms of Lipset and Raab’s approach can be found in Michael Paul Rogin, *The Intellectuals and McCarthy: The Radical Specter* (Cambridge: MIT Press, 1967); Ribuffo, *Old Christian Right*, 237–50; Steve Bruce, *The Rise and Fall of the New Christian Right: Conservative Protestant Politics in America 1978–1988* (Oxford: Clarendon Press, 1988), 10–15; Ebata, “In Search of a Definition,” 24–6; Bennett, *Party of Fear*, 310–15; George and Wilcox, *American Extremists*, 19, 68; Berlet and Lyons, *Right-Wing Populism*, 14–15; and Joshua D. Freilich, *American Militias: State-Level Variations on Militia Activities* (New York: LFB Scholarly Publishing, 2003), 42–61.
 - 17 *Ibid.*, 43, 131–2. The criteria by which Lipset and Raab judge political “success” for these groups reflects the pluralist underpinning of their work, for they measure it in terms of extremists becoming “durable political movements or...viable national political parties” (59, *passim*). This, however, may not be the primary intention of such extremists; many may well be content to play a “watchdog” function in the political arena.
 - 18 *Ibid.*, 23.
 - 19 *Ibid.*, 429, 496–7, 505–8, emphasis added.
 - 20 *Ibid.*, 460–6, emphasis added.
 - 21 “Thomas Jefferson stated these premises simply,” Lipset and Raab assert, when he said,

If there be any among us who would wish to dissolve this Union or change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it.

The Politics of Unreason, 6; Bell, “Interpretations,” 72; Bunzel, *Anti-Politics*, 263

- 22 Aho, *Righteousness*, 185–226.

- 23 See Bruce, *New Christian Right*, 20–4; Diamond, *Roads to Dominion*, 3–5; Berlet and Lyons, *Right-Wing Populism*, 13–15; Lane Crothers, “The Cultural Foundations of the Modern Militia Movement,” *New Political Science* 24, no. 2 (2002):222–3 and 229–31. An excellent overview of social movement research in this area is provided in Freilich’s *American Militias*, 31–61, although Freilich’s own research casts doubts on the applicability of resource mobilization theory to the militia movement. Diamond adapts a “political process” model for her research. For a useful introduction to this and social movement research in general, see Donatella Della Porta and Mario Diani, *Social Movements: An Introduction* (Oxford: Blackwell Publishers, 1999). For a good overview of social movement research on conservative rather than extremist right-wing groups, see Clarence Y H.Lo, “Counter-movements and Conservative Movements in the Contemporary U.S.,” *Annual Review of Sociology* 8 (1982):107–34.
- 24 George and Wilcox, *American Extremists*, 69–70, 88.
- 25 Hofstadter, “Pseudo-Conservatism Revisited,” 100; Parsons, “Social Strains,” 233; Lipset and Raab, *The Politics of Unreason*, xx.
- 26 Hofstadter, “Pseudo-Conservative,” 81.
- 27 Hofstadter, “Paranoid Style,” 29–30.
- 28 *Ibid.*, 6, 39. See also George and Wilcox, *American Extremists*, 15–17; and Braun, “Introduction,” 5.
- 29 Bunzel, *Anti-Politics*, 32–90; Alan Westin, “The John Birch Society: ‘Radical Right’ and ‘Extreme Left’ in the Political Context of Post World War II,” *Radical Right*, 243; Lipset and Raab, *The Politics of Unreason*, 7, 8–11.
- 30 On the application of the paranoid style to the militia movement, see, for example, Michael Barkun, “Religion, Militias and Oklahoma City: The Mind of Conspiratorialists,” *Terrorism and Political Violence* 8, no. 1 (Spring 1996):50; Peter H. Merkl, “Introduction,” in *The Revival of Right-Wing Extremism in the Nineties*, ed. Peter H. Merkl and Leonard Weinberg (London: Frank Cass & Co. Ltd., 1997), 11; Michael Kimmel and Abby L.Ferber, “‘White Men Are This Nation’: Right-Wing Militias and the Restoration of American Masculinity,” *Rural Sociology* 65, no 4. (2000):594; Robert S. Robins and Jerrold M.Post, *Political Paranoia: The Psychopolitics of Hatred* (New Haven: Yale University Press, 1997); Jill Smolowe, “Enemies of the State,” *Time*, 8 May 1995:22–31; Tom Morgan, Mark Hosenball, Michael Isikoff, Melinda Liu, Vern E.Smith, Sherry Keene-Osborn, and Leslie Jorgensen, “The View from the Far Right,” *Newsweek*, 1 May 1995:28–30; Marc Cooper, “Montana’s Mother of All Militias,” *The Nation*, 22 May 1995:714–21; the Anti-Defamation League, *Vigilante Justice: Militias and “Common Law Courts” Wage War Against the Government* (New York: ADL, 1997), 22–3; Daniel Pipes, *Conspiracy: How the Paranoid Style Flourishes and Where It Comes From* (New York: The Free Press, 1997); Damian Thompson, *The End of Time: Faith and Fear in the Shadow of the Millennium*, revised edition (London: Vintage, 1999), 302–7.
- 31 Kenneth S.Stern, *A Force Upon the Plain: The American Militia Movement and the Politics of Hate* (Norman: University of Oklahoma, 1997), 141, emphasis added.
- 32 George and Wilcox, *American Extremists*, 56–61.
- 33 *Ibid.*, 71.
- 34 *Ibid.*, 422.
- 35 Hofstadter, “Paranoid Style,” 5. Robert Churchill refers to this as the “discourse of containment.” Churchill, “Revolutionary Libertarianism,” 263–8. See also

Christopher Hewitt, *Understanding Terrorism in America: From the Klan to Al Qaeda* (New York: Routledge, 2003), 19–21.

- 36 On this, see, for example, Ribuffo, *Old Christian Right*, 240–1; Berlet and Lyons, *Right-Wing Populism*, 14–15 and 351; Churchill, “Revolutionary Libertarianism,” 263–4. See also Steven M. Chermak’s discussion of how mainstream social control institutions construct notions of extremism as a means of maintaining their power and status in society in *Searching for a Demon: The Media Construction of the Militia Movement* (Boston: Northeastern University Press, 2002).
- 37 For Leonard Weinberg, this is one of the key elements which distinguishes the American right from its European counterparts. “America has been a nation of immigrants,” he writes,

and this fact has had important consequences in affecting the meaning of nationality. In general, one becomes a German or a Greek by birth while, given the nature of the situation, becoming an American has come to be associated with the adoption of a set of beliefs and various forms of personal conduct.... For McCarthy, unlike Enoch Powell in Britain, for example, one could be authentically American irrespective of background so long as one possessed the appropriate outlook.

Leonard Weinberg, “The American Radical Right in Comparative Perspective,” in *The Revival of Right-Wing Extremism in the Nineties*,

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- 38 Hofstadter, *Paranoid*, ix.
- 39 Parsons, “Social Strains,” 232–3; Lipset and Raab, *The Politics of Unreason*, 30; Shils, *Torment*, 15; Hofstadter, *Paranoid*, xi.
- 40 Cox, “Beyond the Fringe,” 287; Barkun, “Religion, Militias and Oklahoma City,” 61. Similar criticisms might be leveled at Ribuffo, Diamond, and Berlet and Lyons in this respect. Examining “right-wing populist movements from colonial times to the present,” Berlet and Lyons focus, for example, on how “aggressive White supremacy, demagogic appeals, demonization, conspiracist scapegoating, antisemitism, hatred of the Left, militaristic nationalism, an apocalyptic style, and millennialist themes have repeatedly been at the center of our political conflicts, not on the fringe.” Berlet and Lyons, *Right-Wing Populism*, 17.
- 41 This is not to suggest that such connections have gone unnoticed, only that they have not been pursued in any great detail. “By presenting themselves as representatives of patriotism and constitutional fidelity, open to all races and religions, the militias link themselves to core American values (in a manner not unlike that of the Ku Klux Klan of the 1920s),” writes Michael Barkun, for example. Indeed, in terms similar to Ken Toole’s idea of “the funnel,” Barkun argues that the militias themselves act as “‘bridge’ phenomena...link[ing] mainstream and fringe.” “By espousing mainstream values, they make themselves attractive to individuals unlikely to join contemporary Klans, Christian Identity churches or neo-Nazi organisations,” he argues. “Religion, Militias and Oklahoma City,” 61. See also Martin Durham, “Preparing for Armageddon: Citizen Militias, the Patriot Movement and the Oklahoma City Bombing,” *Terrorism and Political Violence* 8, no. 1 (Spring 1996): 65–79; Richard Abanes, *American Militias: Rebellion, Racism and Religion* (Downers Grove, Illinois: InterVarsity Press, 1996), especially 23–7; and Manuel

- Castells, *The Information Age, Economy, Society and Culture: Volume II, The Power of Identity* (Oxford: Blackwell Publishers, 1997), 71. More extensive considerations of the militia movement's engagement with US history and "core American values" can be found in Timothy M.Seul, "Militia Minds: Inside America's Contemporary Militia Movement" (Ph.D. dissertation, Purdue University, 1997); Churchill, "Revolutionary Libertarianism"; Joshua D.Freilich, Jeremy A.Pienik, and Gregory J.Howard, "Toward Comparative Studies of the U.S. Militia Movement," *International Journal of Comparative Sociology* 42, 1–2 (2001):163–210; and Lane Crothers, "The Cultural Foundations of the Modern Militia Movement," 221–34.
- 42 Hofstadter, "Paranoid Style," 4, 6. Hofstadter's aversion is evident in his warning that "[a] distorted style is...a possible signal that may alert us to a distorted judgement, just as in art an ugly style is a cue to fundamental defects of taste."
- 43 Hofstadter, *Paranoid*, x; George and Wilcox, *American Extremists*, 7. See also Ribuffo, *Old Christian Right*, xii.
- 44 This is one of the areas Tore Bjørgo suggests for the study of right-wing extremists. "Introduction," 5.
- 45 Aho, *Righteousness*, 3, emphasis added.
- 46 James A.Aho, *This Thing of Darkness: A Sociology of the Enemy* (Seattle: University of Washington Press, 1994), 25–6.
- 47 Van Wyck Brooks, "On Creating a Usable Past," *The Dial*, 11 April 1918:337–41.

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Conversations with the dead: the militia movement and American history

- 1 David Lowenthal, *The Past is a Foreign Country* (Cambridge: Cambridge University Press, 1985), 38.
- 2 The Northern Michigan Regional Militia, "Manual 1–1, Background, Mission, Purpose and Organization," 19 May 1994; North Carolina Citizens Militia, "Statement of Purpose," www.netpath.net/jeffr/nccm.htm (accessed 11 June 1999).
- 3 "Joan," "The N.C.Militia—just Regular People," *Carolina Free Press* 3, no. 6 (23 August 1997):3, emphasis added.
- 4 President Clinton, "State of the Union Address," 28 January 2000, www.newsunlimited.co.uk/international/story/0,3604,1298000,00.html.
- 5 David Harlan, *The Degradation of American History* (Chicago: University of Chicago Press, 1997), xviii, 196.
- 6 The Militia of Montana, "Back to Basics: Re-Assuming Our Responsibilities," *Taking Aim* 1, no. 6 (August 1994):7; George W.Bush, "Inaugural Address," 21 January 2001, <www.nytimes.com/2001/01/21/politics/21.BTEX.html>.
- 7 Clayton R.Douglas, "The Free American Joins the Demand for a National Forum," *Free American* (April 1997):25.
- 8 President Clinton, "Remarks at the Michigan State University Commencement Ceremony," 5 May 1995, *The Weekly Compilation of Presidential Documents* 31, no. 17 (1995):773; Charles E.Schumer, foreword to Thomas Halpern and Brian Levin, *The Limits of Dissent: The Constitutional Status of Armed Civilian Militias* (Amherst, Massachusetts: Aletheia Press, 1996), xi; the Anti-Defamation League, *Vigilante Justice: Militias and "Common Law Courts" Wage War Against the Government* (New York: ADL, 1997), 3. See also the Southern Poverty Law Center,

- False Patriots: The Threat of Antigovernment Extremists* (Montgomery, Alabama: SPLC, 1996).
- 9 John Bodnar, *Remaking America: Public Memory, Commemoration and Patriotism in the Twentieth Century* (Princeton: Princeton University Press, 1992), 13–20, *passim*. Bodnar uses the term “ordinary people” to distinguish them from the “cultural leaders,” the “government officials, editors, lawyers, clerics, teachers, military officers,” and so on, who, he argues, play the key role in the determination of America’s public memory. See also Benedict Anderson, *Imagined Communities: Reflections on the Origins and Spread of Nationalism*, revised edition (London: Verso, 1991).
 - 10 Thomas DiLorenzo, “America was Founded by Radical Anti-Government Conservatives,” *Justice Times* 26, no. 4 (July/August 1995):1–3.
 - 11 Clayton R. Douglas, “The Second Secret War for American Independence,” *Free American* (October 1997):4; Douglas, “National Forum,” 25. Douglas attributed the idea for a National Forum to Sheila Reynolds of the Patriot publication *Resurrection News*.
 - 12 Johnny Liberty [John Van Hove], “Restoring the Constitutional Republic,” *Preparedness Journal* (January/February 1995):5. Santayana wrote: “Those who cannot remember the past are condemned to repeat it.” See Lowenthal, *The Past*, 47.
 - 13 Norman Olson, Senate Committee on the Judiciary, *The Militia Movement in the United States: Hearing before the Subcommittee on Terrorism, Technology and Government Information*, 104th Cong., 1st sess., 15 June 1995, 108.
 - 14 The Kentucky Riflemen Militia, “A Visitor from the Past,” *Kentucky Riflemen Militia News* (April 1995):15.
 - 15 Kay Sheil, “The Greedy Bullies of the Playground,” *Necessary Force* (February 1997): 4.
 - 16 Kay Sheil, “A Document For All Time,” *Necessary Force* (June 1997): 3; Militia of Montana, “Homepage,” www.nidlink.com/%7EBobhard/mom.html (accessed 4 October 2000).
 - 17 Brian Farley, “America Wake Up!,” in *Common Sense*, “Liberty or Death: Don’t Tread on Me” (Kansas City, Missouri: A Group of Concerned Citizens, 1994):7; Larry Watson, “A Charge to All,” *Necessary Force* (August 1997):8; Helen Johnson, “America...Representative Republic or Democracy?,” *E Pluribus Unum* 2, no. 1 (January 1995):1; Kenneth Maue, Michigan Militia, “What is the Militia?,” www.logoplex.com/resources.mom/whomom.html (accessed 9 August 1998); Militia of Montana, “Homepage”; American Freedom Network, “Are You Aware that?,” flyer, n.d.
 - 18 Johnson, “Representative,” 1; Militia of Montana, “Homepage,” emphasis added. The same purported quote from Madison also appears in Johnson’s article [“Representative,”] for *E Pluribus Unum*; in *The Spotlight* [“The Militias Have Always Been a Part of the Founding Fathers’ Grand Design” (December 1997):B-12]; and the *Kentucky Rifleman Newsletter* 1, no. 1 (1995):5.
 - 19 Carolyn Hart, “Why the Constitution?,” *Necessary Force* (October 1997):1; Bob Gurski, “The Path Widens,” *Necessary Force* (February 1997):5.
 - 20 For Leonard Levy, for example,

The more one looks at a jurisprudence of original intent, the more it seems politically motivated as a disguise for political objectives. The more one scrutinizes it, the more it seems a pose for reasoning from unquestioned subjective assumptions to foregone subjective conclusions.

Original Intent and the Framers' Constitution (New York: Macmillan, 1988), 394

- 21 Terence Ball and J.G.A.Pocock, eds., *Conceptual Change and the Constitution* (Lawrence, Kansas: University Press of Kansas, 1988), 8–9, emphasis added. For criticisms of Ball and Pocock's approach, see Harlan, *The Degradation of American History*, 3–31.
- 22 Ball and Pocock, *Conceptual Change*, 9.
- 23 Jon Roland, "Reviving the Ready Militia," *Common Sense*, 4–5.
- 24 On the debate over whether Madison was in favor of original intent, see Levy, *Original Intent*, 1–29; and Jack N.Rakove, *Original Meanings: Politics and Ideas in the Making of the Constitution* (New York: Alfred A.Knopf, 1996), 339–45.
- 25 J.Rakove, *Original Meanings*, xi. See, for example, Saul Cornell, "Moving Beyond the Canon of Traditional Constitutional History," *Law and History Review* 12, no. 1 (Spring 1994):1–28.
- 26 These issues are addressed in Chapters 4 and 5, respectively.
- 27 Jon Roland, "Declaration of Constitutional Principles," www.constitution.org/mil/tx/mil—ustx.htm (accessed 20 July 2001); the Ohio Unorganized Militia, "Statement of Principle and Mission," www.home.megalinx.net/eplurib/home.htm, emphasis added (accessed 12 June 1998).

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A Revolutionary history

- 1 Michael Kammen, *A Season of Youth: The American Revolution and the Historical Imagination* (New York: Alfred A.Knopf, 1978), 7; Edmund S.Morgan, "Conflict and Consensus in the American Revolution," in *Essays on the American Revolution*, ed. Stephen G.Kurtz and James H.Hutson (Chapel Hill: University of North Carolina Press, 1973), 290; Pauline Maier, *American Scripture: How America Declared Its Independence from Britain* (London: Pimlico, 1999), see especially 175–89.
- 2 On these issues, see, for example, Theodore Draper, *A Struggle for Power: The American Revolution* (New York: Times Books, 1996); Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge: Harvard University Press, 1967); Gordon S.Wood, *The Radicalism of the American Revolution* (New York: Vintage Books, 1993).
- 3 James A.McKinzey, "H.Q.Bunker," *Necessary Force* (January 1997):2, emphasis in original. McKinzey's chronology is somewhat adrift in this account. The figure of 20,000 militia members that he gives accords better with the numbers who penned the British army inside Boston in the days following the events at Lexington and Concord. And the 4 percent which McKinzey presents as the number of Americans who "supported" the Revolution is presumably intended to be a reference to those who were actively involved in fighting the war. See John Shy, *A People Numerous*

- and Armed: Reflections on the Military Struggle for American Independence*, revised edition (Ann Arbor: University of Michigan Press, 1990), 126.
- 4 Robert Gross, *The Minutemen and Their World* (New York: Hill & Wang, 1976), 114.
 - 5 Thomas Paine, *Common Sense*, ed. Isaac Kramnick (London: Penguin Books, 1776, 1986), 92; Texas Constitutional Militia, "Alamo Area Militia Day, Leadership Conference, April 19 1994," www.constitution.org/mil/tx/mil—ustx.htm (accessed 20 July 2001); Virginia Citizens Militia, n.t., *Southern Ranger* (April/May 1999):8–9; "April 19th again Brings Media Spotlight to Militia," *Carolina Free Press*, electronic version, 3 no. 4 (30 April 1997, www.ncmilitia.org); James "Bo" Gritz, "The Colonel's Corner: One Nation Under God," *Center for Action Monthly Newsletter* 3, no. 12 (July 1994): 1. Robert Gross confirms Gritz's figures on the dead, missing, and wounded. See Gross, *Minutemen*, 130.
 - 6 Henry Wadsworth Longfellow, "Paul Revere's Ride," *The Poetical Works of Longfellow* (London: Oxford University Press, 1904, 1961); Kammen, *Season of Youth*, 28; Ralph Waldo Emerson, "Hymn at Concord Monument," *Collected Poems*, ed. Carl Bode (New York: Library of America, 1994), 125. According to Jan E. Dizard *et al.*, "Every school child in the United States is taught how 'ordinary Americans' defeated the better armed and better trained British." Jan E. Dizard, Stephen P. Andrews, and Robert Merrill Muth, eds, *Guns in America: A Reader* (New York: New York University Press, 1999), 3. For an interesting discussion of the militias' use of the symbol of the minutemen as "neither victimizer nor victim," see Robert H. Churchill, "'The Highest and Holiest Duty of Freeman': Revolutionary Libertarianism in American History" (Ph.D. dissertation, Rutgers University, 2001), 317–18. On the importance of the American Revolution to militia members in general terms, see also Lane Crothers, "The Cultural Foundations of the Modern Militia Movement," *New Political Science* 24, no. 2 (2002):221–34; Robert L. Snow, *Terrorists Among Us: The Militia Threat* (Cambridge, Massachusetts: Perseus Publishing, 2002), 28–30; Mack Mariani, "The Michigan Militia: Political Engagement or Political Alienation?" *Terrorism and Political Violence* 10, no. 4 (Winter 1998):127–8; and Martin Durham, "Preparing for Armageddon: Citizens Militias, the Patriot Movement and the Oklahoma City Bombing," *Terrorism and Political Violence* 8, no. 1 (Spring 1996):68–9.
 - 7 See, for example, "Patriot's Day Rally Draws 300," *Kansas City Star*, 19 April 1995: B–5; Interview with Norman Olson, *The Devil's Advocate*, Channel 4 (UK), broadcast 18 October 1994.
 - 8 Texas Constitutional Militia, "Alamo Area Militia Day"; Virginia Citizens Militia, n.t., *Southern Ranger* (April/May 1999):8–9; Militia of Montana, "Richard Snell Update," *Taking Aim* 2, no. 1 (March 1995):7. It is an indication of some of the oft-neglected complexities of this area that the Militia of Montana should employ the Warsaw Ghetto uprising in positive terms while campaigning on behalf of an anti-Semitic killer. For details of the Warsaw Ghetto uprising, see Yisrael Gutman, *The Jews of Warsaw, 1939–1943: Ghetto, Underground, Revolt* (Brighton, Sussex: Harvester Press, 1982), 364–400; and Richard C. Lukas, *The Forgotten Holocaust: The Poles Under German Occupation, 1939–1944* (Lexington, Kentucky: University Press of Kentucky, 1986), 178–81.
 - 9 President Clinton, "Remarks at the Michigan State University Commencement Ceremony," 5 May 1995, *The Weekly Compilation of Presidential Documents* 31,

- no. 17 (1995):773; Gary Hart, *The Minutemen: Restoring an Army of the People* (New York: The Free Press, 1998), 22.
- 10 The Anti-Defamation League, *Beyond the Bombing: The Militia Menace Grows* (New York: ADL, 1995), 22. See also Kenneth S. Stern, *A Force Upon the Plain: The American Militia Movement and the Politics of Hate* (Norman: University of Oklahoma Press, 1997), 57.
 - 11 “Book Review,” *Carolina Free Press*, electronic version, 3, no. 2 (28 February 1997), www.ncmilitia.org. See John R. Galvin, *The Minute Men, the First Fight: Myths and Realities of the American Revolution* (Washington, D.C.: Brassey’s, 1967, 1996).
 - 12 Virginia Citizens Militia, n.t., *Southern Ranger* (April/May 1999):8–9; “Along the Patriot Lines,” *Liberty Letter* 4, no. 5 (July 1998):6. The *Liberty Letter* encouraged “all our readers to support them for their action” by contacting the Virginia Citizens Militia directly.
 - 13 Arthur Bernan Tourtellot, *William Diamond’s Drum: The Beginning of the War of the American Revolution* (London: Hutchinson, 1960).
 - 14 Tourtellot confirms that Clarke’s house “contained the town’s most extensive library, which he made freely available to all who wanted to borrow books.” *Diamond’s Drum*, 36–7; Gross, *Minutemen*, 115. On militia members’ attempts to legitimize both themselves and their activities by telling stories about the Revolution, see also Timothy M. Seul, “Militia Minds: Inside America’s Contemporary Militia Movement” (Ph.D. dissertation, Purdue University, 1997), 70, 108–9.
 - 15 Gross, *Minutemen*, viii.
 - 16 Virginia Citizens Militia, n.t., *Southern Ranger* (May/June 1997):14–15. The fullest account of Daniel Morgan’s life is Don Higginbotham’s *Daniel Morgan: Revolutionary Rifleman* (Chapel Hill: University of North Carolina Press, 1961). Higginbotham confirms the broad strokes of Doyle’s narrative, including Morgan’s “sketchy” early history and financial difficulties (although as a farmer rather than a shopkeeper), his skills as a military leader, and his involvement in some of the key engagements of the War. But there are also some interesting and revealing errors and omissions. For example, Morgan was not involved at Yorktown—presumably Doyle just wants to associate both him, and by extension the Virginia Citizens Militia, more closely with America’s victory in the Revolutionary War—and no mention is made of Morgan’s part in Benedict Arnold’s campaign in Quebec in 1775, during which he was taken prisoner. This is despite the fact that it was Morgan’s conduct during the campaign which seems to have persuaded Congress, at Washington’s behest, to give Morgan command of the rifle corps on his release. With this in mind, and although Doyle describes Morgan as forming a militia in 1777, it is as well to remember that Morgan was an officer in the Continental army. This is not to say that he did not command militia troops. He did; and nowhere more effectively than in the Battle of Cowpens, which Higginbotham describes as Morgan’s “greatest personal triumph” [ix]—a point which makes it all the more surprising that details of it are entirely absent from Doyle’s article.
 - 17 The New Jersey Militia, “Cockpit of the Revolution: The War for Independence in New Jersey, Part III,” *New Jersey Militia Newsletter* 2, no. 12 (June 1997):5. See Leonard Lundin, *Cockpit of the Revolution: The War for Independence in New Jersey* (Princeton: Princeton University Press, 1940).

- 18 Andrew Cline, "Do you remember Dec. 26, 1776?," *Patriot Report* (December 1997): 6.
- 19 Shy, *A People*, 126–7; Washington, quoted in John K. Mahon, *History of the Militia and the National Guard* (New York: Macmillan, 1983), 37. Shy suggests that Washington and the other American leaders urged the creation of a regular army in part because "they felt the need to be seen as cultivated, honorable, respectable men, not savages leading other savages in a howling wilderness."
- 20 Correspondence with author, 6 August 1997; Senate Committee on the Judiciary, *The Militia Movement in the United States: Hearing before the Subcommittee on Terrorism, Technology and Government Information*, 104th Cong., 1st sess., 15 June 1995, 94.
- 21 Don Higginbotham, *The War of American Independence* (New York: Macmillan, 1971), 57; Mahon, *Militia*, 38.
- 22 Lawrence Cress, *Citizens in Arms: The Army and the Militia in American Society to the War of 1812* (Chapel Hill: University of North Carolina Press, 1982), 58. On the decline of the *rage militaire*, see Charles Royster, *A Revolutionary People at War: The Continental Army and American Character, 1775–1783* (Chapel Hill: University of North Carolina Press, 1979), 25–53. On the weaknesses of the militias, see Shy, *A People*, 151–2, 173–9; Royster, 37–40, 325–7; and Cress, 58–60.
- 23 Mahon, *Militia*, 41.
- 24 Quoted in Higginbotham, *Independence*, 81.
- 25 Shy, *A People*, 174–7, 237–9; Royster, *A Revolutionary People*, 38–9, emphasis added; Cress, *Citizens in Arms*, 51. The place of militias within American republican thought is addressed in detail in [Chapter 5](#).
- 26 Royster, *A Revolutionary People*, 351–66. However, as Royster points out, in bequeathing America this "version of history" the Revolutionary generation "entailed on their heirs an ideal of virtue and achievement that those heirs could never equal."
- 27 John M. Bruce and Clyde Wilcox, eds., *The Changing Politics of Gun Control* (New York: Rowman & Littlefield Publishers, Inc., 1998), 1–2; Robert Spitzer, *The Politics of Gun Control*, 2nd edition (New York: Seven Bridges Press, 1998), 10, emphasis added; James William Gibson, *Warrior Dreams: Violence and Manhood in Post-Vietnam America* (New York: Hill & Wang, 1994), 17–18.
- 28 Hart, *Minutemen*, 77. For criticisms of this "mythic" version of events, see Garry Wills, *A Necessary Evil: A History of the American Distrust of Government* (New York: Simon & Schuster, 1999), especially 25–41; and Michael A. Bellesiles, *Arming America: The Origins of a National Gun Culture* (New York: Alfred A. Knopf, 2000), especially 3–16, 172–207.
- 29 Internal militia correspondence obtained by author, 6 June 2000.
- 30 Jon Roland, "The Patriot," Militia of Montana e-mail, mom-l@montana.com, 30 June 2000. *Braveheart* (1995) is another Mel Gibson film popular on the Patriot circuit. See, for example, "'Bravehearts' needed for Today's Fight: History Shows Us that Those with Grit and Determination Are Capable of Overcoming Long Odds to Win their Rights against Tyrants." Reprinted in *Wake-Up Call America* (November/December 1996):28. For criticisms of the historical accuracy of *The Patriot*, see Philip French, "It's History, but Not as We Know it," *Observer*, 16 July 2000, 8.

- 31 J.J.Johnson, *Hearing: The Militia Movement in the United States*, 15 June 1995, 102–3.
- 32 “Editorial, Don’t Tread on Me!” *Common Sense*, “Liberty or Death: Don’t Tread on Me” (Kansas City, Missouri: A Group of Concerned Citizens, 1994):1.
- 33 The Kentucky Riflemen Militia, “What Will You Do?,” *Kentucky Riflemen News* 1 (1995):4. “Line in the Sand” is also the title of the Texas Constitutional Militia’s Newsletter.
- 34 George Eaton, “Old Invasion Plans Paralel [*sic*] Globalist Agenda,” *Patriot Report* (February 1995):7.
- 35 “Joan,” “The N.C.Militia—Just Regular People,” *Carolina Free Press*, electronic version, 3, no. 6 (23 August 1997), www.ncmilitia.org.
- 36 The Anti-Defamation League, *Armed & Dangerous: Militias Take Aim at the Federal Government* (New York: ADL, 1994), 3, 25; Montana Human Rights Network, *A Season of Discontent: Militias, Constitutionals and the Far Right in Montana* (Helena, Montana: MHRN, 1994), 19.
- 37 American Jewish Committee, *Militias: A Growing Danger* (New York: AJC, 1995), 6; John Bohlman, *Hearing: The Militia Movement in the United States*, 15 June 1995, 71–3. See also the testimony of Richard Romley, County Attorney for Maricopa County, Arizona, during these hearings, 67–9.
- 38 Louis Freeh, *Senate Committee on the Judiciary, Terrorism in the United States: The Nature and Extent of the Threat and Possible Legislative Responses: Hearings before the Committee of the Judiciary*, 104th Cong., 1st sess., 27 April and 24 May 1995, 30; Arlen Specter, *Hearing: The Militia Movement in the United States*, 15 June 1995, 2.
- 39 The Anti-Defamation League, *Armed & Dangerous*, 26–7; Stern, *A Force Upon the Plain*, 237. “Civil disorder” is defined in the ADL’s model statute as “any public disturbance involving acts of violence by assemblages of three or more persons, which causes an immediate danger of or results in damage or injury to the property or person of any other individual.” Twenty-four states have such laws, but in the view of watchdog groups they are not vigorously enforced. The SPLC would also like to see a federal antimilitia law which would “ban all private military organizations except those authorized by the state.” See Morris Dees and James Corcoran, *Gathering Storm: America’s Militia Threat* (New York: HarperPerennial, 1996), 222. For a useful study of the problems involved in securing the passage of anti-paramilitary legislation, see Donald P.Haider-Markel and Sean P.O’Brien, “Creating a ‘Well Regulated Militia’: Policy Responses to Paramilitary Groups in American States,” *Political Research Quarterly* 50, no. 3 (September 1997):551–65.
- 40 Carl Levin, *Hearing: The Militia Movement in the United States*, 15 June 1995, 44; President Clinton, “Remarks to Students at Iowa State University,” 25 April 1995, *The Weekly Compilation of Presidential Documents* 31, no. 17 (1995):711.
- 41 “To William Stephens Smith, November 13, 1787,” *The Papers of Thomas Jefferson*, Vol. 12, ed. Julian P.Boyd (Princeton: Princeton University Press, 1953), 356; Conor Cruise O’Brien, *The Long Affair: Thomas Jefferson and the French Revolution, 1785–1800* (London: Sinclair-Stevenson, 1996), 307, 309.
- 42 *Ibid.*, 308, 312, footnote omitted. For a defense of Jefferson’s views on rebellion, see Garry Wills, *Inventing America: Jefferson’s Declaration of Independence* (London: Athlone Press, 1978), 30; and *Necessary Evil*, 205.

- 43 O'Brien, *Long Affair*, 313. O'Brien later added his awareness of McVeigh's familiarity with Jefferson's views on Shay's Rebellion by way of an interpolation.
- 44 *Hearing: The Militia Movement in the United States*, 15 June 1995, 122; Texas Constitutional Militia, www.constitution.org/mil/tx/mil—ustx.htm (accessed 20 July 2001); Jon Roland, "Constitution in Peril," 1994, www.constitution.org/mil/tx/mil—ustx/con.peril.htm (accessed 20 July 2001).
- 45 See the Michigan Militia, www.mmc.cns.net/(accessed 9 June 1998); and the Ohio Unorganized Militia, at www.home.megalinx.net/eplurib/home.htm (accessed 12 June 1998). Jefferson's views appear at the end of Howard J.Fezell's article, "What to Do if the Police Come to Confiscate Your Militia Weapons," *New Jersey Militia Newsletter* 3, no. 11 (May 1998):2. The correct quote reads: "The spirit of resistance to government is so valuable *on* certain occasions, that I wish it *always* to be kept alive. It will *often* be exercised *when* wrong, but better so than not to be exercised at all. I like a little rebellion now and then. It is like a storm in the Atmosphere." "To Abigail Adams, February 12, 1787," *The Papers of Thomas Jefferson*, Vol. 11, 48.
- 46 New Jersey Militia, "The New Jersey Committee of Safety," flyer, n.d.; Jim McKinzey, interview with author, tape recording, Kansas City, Missouri, 22 March 1998; Beth Hawkins, "Patriot Games," *Detroit Metro Times*, 12 October 1994, in *Militias in America 1995: A Book of Readings & Resources*, ed. Don Hazen, Larry Smith, and Christine Triano (San Francisco: Institute for Alternative Journalism, 1995), 7.
- 47 Pamphlet, "Paul Revere Rides Again: Death to the New World Order," March 1995.
- 48 James A.Aho, *This Thing of Darkness: A Sociology of the Enemy* (Seattle: University of Washington Press, 1994), 25. See also Seul, "Militia Minds," 96–7. The danger, as Michi Ebata has pointed out, is that even if groups do not actually practice violence themselves they may nonetheless appear to justify such action through the rhetoric they employ. "Right-Wing Extremism: In Search of a Definition," *The Extreme Right: Freedom and Security at Risk*, ed. Aurel Braun (Boulder, Colorado: Westview Press, 1997), 17.
- 49 Merle Curti, *The Roots of American Loyalty* (New York: Columbia University Press, 1946), viii; Linda Thompson, interview, *The Vision Thing*, Channel 4 (UK), 1995, transcript obtained by author.
- 50 Linda Thompson's American Justice Foundation sold the bumper stickers for \$2 each. "Sales Brochure," n.d. On the use of Patrick Henry's speech, see, for example, the Ohio Unorganized Militia, "Documents: An Historic Time-Line," www.home.megalinx.net/eplurib/home.htm (accessed 12 June 1998); Don Gonzales, "Price of Freedom," *Patriot's Alert* 1, no. 2 (September 1994):5; and "Patrick Henry's Call to Arms," *Wake-Up Call America* (January/February 1997):7.
- 51 Steven T.Olsen, "Patrick Henry's 'Liberty or Death' Speech: A Study in Disputed Authorship," *American Rhetoric: Context and Criticism*, ed. Thomas W.Benson (Carbondale and Edwardsville: Southern Illinois University Press, 1989), 19. Ironically, Olsen contends that Henry is not even the author of the speech attributed to him. He argues that it is the work of St. George Tucker and, further, that it was composed somewhere between 1805 and 1815. As such, Olsen says, it should be "analyzed, interpreted, and criticized as a piece of early nationalistic-period rhetoric, not as a piece of American revolutionary rhetoric." On Debs, see Staughton Lynd, *Intellectual Origins of American Radicalism* (London: Faber & Faber, 1968), 6. On Browder and Malcom X, see Steven H.Jaffe, *Who Were the Founding Fathers? Two*

- Hundred Years of Reinventing American History* (New York: Henry Holt & Company, 1996), 141, 172.
- 52 Barbara Ehrenreich, *Blood Rites: Origins and History of the Passions of War* (London: Virago, 1997), 216–17. On recent debates concerning the nature of American patriotism, see Martha C. Nussbaum, *For Love of Country: Debating the Limits of Patriotism* (Boston: Beacon Press, 1996); and John Bodnar, ed., *Bonds of Affection: Americans Define Their Patriotism* (Princeton: Princeton University Press, 1996).
 - 53 Ehrenreich, *Blood Rites*, 217.
 - 54 See, for example, Ronald Reagan, *An American Life* (London: Arrow Books, 1991), 476–81; Thomas B. Allen, *Offerings At The Wall: Artefacts from the Vietnam Veterans Memorial Collection* (Atlanta: Turner Publishing, Inc., 1995), 70–1.
 - 55 Lynd, *Intellectual Origins*, 6; Jaffe, *Founding*, 182.
 - 56 “Speech at Springfield Illinois, June 26, 1857,” *The Collected Works of Abraham Lincoln*, Vol. 2, ed. Roy P. Baser (New Brunswick: Rutgers University Press, 1953), 406; Martin Luther King, quoted in Jaffe, *Founding*, 168. On the civil rights movement’s use of the Lincoln Memorial and Lincoln’s memory as a political weapon, see Scott A. Sandage, “A Marble House Divided: The Lincoln Memorial, the Civil Rights Movement and the Politics of Memory, 1939–1963,” *Journal of American History* 80, no. 1 (June 1993):135–67.
 - 57 Maier, *American Scripture*, 154.
 - 58 Stephen E. Lucas, “Justifying America: The Declaration of Independence as a Rhetorical Document,” in Benson, ed., *American Rhetoric*, 68; Carl L. Becker, *The Declaration of Independence: A Study in the History of Political Ideas* (New York: Vintage Books, 1922, 1942), 8.
 - 59 Lucas, “Justifying America,” 88–91.
 - 60 See Maier, *American Scripture*, 105–23; Lucas, “Justifying America,” 91–110; and Wills, *Inventing America*, 64, 89–90. This runs against the earlier argument of Becker, who saw the grievances of the colonists as “subordinate” to the “philosophy of government” expressed in the document. *Declaration*, 203–5.
 - 61 See Philip S. Foner, ed., *We, the Other People: Alternative Declarations of Independence by Labor Groups, Farmers, Woman’s Rights Advocates, Socialists, and Blacks, 1829–1975* (Urbana: University of Illinois Press, 1976).
 - 62 The Michigan Militia Corps, for example, answers charges of racism in the militia movement in the following way on its website: “Racism? None. We welcome all people who wish to help us in our goal. The Declaration of Independence says clearly that ALL men are created equal, and we firmly believe that.” And the Ohio Unorganized Militia describes the “unalienable rights” of the Declaration of Independence as the “enabling principle of the United States of America and the premise for the Constitution which created our government.” Michigan Militia Corps, “Thanks for Checking us Out,” www.mmc.cns.net/ (accessed 9 June 1998). Ohio Unorganized Militia, “Statement of Principle and Mission,” www.home.mehalinx.net/elpurib/home.htm (accessed 12 June 1998).
 - 63 Dan Gonzales, “Price of Freedom,” *Patriot’s Alert* 1, no. 2 (September 1994). Gonzales notes that the source for much of his article was Ezra Taft Benson’s *This Nation Shall Endure* (Salt Lake City: Deseret Book Co., 1977).

- 64 Michigan Militia Corps, "What Happened to Them?" *Weekly Updates*, Internet edition, 4, no. 22 (23 June 1997), www.militia.gen.mi.us/update/4-22-f.txt. See also "That We Might Be FREE...", *Patriot Report* (December 1994):12.
- 65 As Wills explains:

The notion that putting one's name to the Declaration was an act of individual courage is a bit of genial mythologizing in the general air of inflation that was to occur all around this document. The men who signed—and even the men who voted and did not sign—were all known revolutionaries.

Wills, *Inventing America*, 339–41

- 66 Missouri 51st Militia, "Are We Celebrating Independence, Or Just Celebrating?," *Necessary Force* (August 1997):6; n.t. *Free American* (July 1999):12–14.
- 67 "The Spirit of Freedom: Re-Igniting the Flickering Flame," *Carolina Free Press*, electronic version 3, no. 5 (2 July 1997), www.ncmilitia.org. The extract from John Adams should read: "The second of July 1776 will be the most memorable epocha in the history of America." Quoted in Charles Warren, "Fourth of July Myths," *William and Mary Quarterly* 3, no. 3, 3rd series (July 1945):237–72.
- 68 In some ways Dickinson is an odd choice because he was very much a moderate amongst the revolutionaries, although perhaps it is this moderation (assuming the author is aware of it) that the article's author is hoping to play on.
- 69 *Hearing: The Militia Movement in the United States*, 15 June 1995, 83–4, emphasis added.
- 70 *Ibid.*, 86–8.
- 71 David Wayne, "The Rise of Citizen Militias," *Preparedness Journal* (July/August 1995): 9. J.J. Johnson of the Ohio Militia has similarly said that "[i]t all started when I read the Declaration of Independence and I realized that the grievances they had against the king were the same as we've got today." Quoted in Stern, *A Force Upon the Plain*, 152.
- 72 Maier, *American Scripture*, 136–7, footnote omitted.
- 73 Lucas, "Justifying America," 78; Richard Abanes, *American Militias: Rebellion, Racism and Religion* (Downers Grove, Illinois: InterVarsity Press, 1996), 70. See also Churchill, "Revolutionary Libertarianism," 21–3, 316, 341.
- 74 Glenn Harlan Reynolds, "Up in Arms about a Revolting Movement," *Chicago Tribune*, 30 January 1995: section 1, 11; Fred Thompson, *Hearing: The Militia Movement in the United States*, 15 June 1995, 103.
- 75 Bob Nichols, "Introducing the 'Heart' of the Militia," *Necessary Force* (March 1998): 11; Olson, *The Devil's Advocate*, 18 October 1994.
- 76 Thomas Halpern and Brian Levin, *The Limits of Dissent: The Constitutional Status of Armed Civilian Militias* (Amherst, Massachusetts: Aletheia Press, 1996), 104.
- 77 Wills, *Necessary Evil*, 217–18, emphasis added. Usually, it is the *exercising* of the right of revolution, as opposed to its existence, which is denied. As Henry David Thoreau wrote in his 1849 essay "Civil Disobedience": "All men recognize the right of revolution; that is the right to refuse allegiance to, and to resist, the government, when its tyranny or its inefficiency are great and unendurable. But almost all say that such is not the case now." Henry David Thoreau, *Walden and Civil Disobedience* (London: Penguin, 1983), 389.

- 78 Maier, *American Scripture*, 209–14.
- 79 See Wills, *Inventing America*, xxv. Wills suggests that one of the dangers of the myth of the Declaration as America's "mystical founding document" is that it leads to the "downgrading" of the Constitution, "the actual charter that gives us our law." He also sees it, in part, as accounting for the belief in America's "exceptionalism." It has "led us to think of ourselves as a nation apart, with a special destiny, the hope of all those outside America's shores," he says, and this "messianic sense" in turn leads to "our willingness to redeem men in blood." These latter tendencies, as we have seen, are certainly evident in the militia movement's relationship with the Declaration.
- 80 Lynd, *Intellectual Origins*, 5; Maier, *American Scripture*, 196–7, emphasis added.
- 81 Lynd, *Intellectual Origins*, 9–10; Maier, *American Scripture*, 208, 214. See also Churchill, "Revolutionary Libertarianism," 21, 340.
- 82 Richard Brown, *Strains of Violence: Historical Studies of American Violence and Vigilantism* (New York: Oxford University Press, 1975), 65–6. This is not to say that the American Revolution failed to have any influence on these groups. See, for example, James Miller, *Democracy Is in the Streets: From Port Huron to the Siege of Chicago* (New York: Simon & Schuster, 1987), 51, 78.
- 83 The phrase is Daniel Boorstin's. See *The Americans Volume One: The Colonial Experience* (London: Penguin Books, 1958, 1965), 378.

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A republican tradition

- 1 Helen Johnson, "America...Representative Republic or Democracy," *E Pluribus Unum* 2, no. 1 (January 1995):1, emphasis in original.
- 2 The Kentucky Riflemen Militia, "Do Not Fear," *Kentucky Riflemen Militia News* (October 1995):3; Missouri 51st Militia, "Code of Conduct," www.tfs.net/personal/sbarnett/51stweb.htm (accessed 6 October 2000); the Michigan Militia Corps, "Manual 1–1, Background, Mission, Purpose and Organization," 19 May 1994; Press Release quoted in *Common Sense*, "Join or Die" (Kansas City, Missouri: A Group of Concerned Citizens, 1994):1. The Michigan Militia's "Manual" appears to have provided the blueprint for the Kentucky Riflemen and Missouri 51st Militia.
- 3 The debate was initiated by three books: Bernard Bailyn's *The Ideological Origins of the American Revolution* (Cambridge: Harvard University Press, 1967); Gordon S.Wood's *The Creation of the American Republic* (Chapel Hill: University of North Carolina Press, 1969); and J.G.A.Pocock's *The Machiavellian Moment* (Princeton: Princeton University Press, 1975). For a discussion of the origins of the debate and the various directions it subsequently took, see Robert E.Shalope, "Toward a Republican Synthesis: The Emergence of an Understanding of Republicanism in American Historiography," *William and Mary Quarterly* 29 (January 1972):49–80; idem, "Republicanism and Early American Historiography," *William and Mary Quarterly* 39 (April 1982):334–56; Joyce Appleby, "Republicanism and Ideology," *American Quarterly* 37 (Fall 1985):461–73; and, especially, Daniel T.Rodgers, "Republicanism: The Career of a Concept," *Journal of American History* 79, no. 1 (June 1992):11–38.
- 4 Rodgers, "Republicanism," 18–19.

- 5 *Ibid.*, 24; Wood, *Creation*, viii, 593–615. See also Louis Hartz, *The Liberal Tradition in America: An Interpretation of American Political Thought since the Revolution* (New York: Harcourt, Brace & World, 1955); Lance Banning, *The Jeffersonian Persuasion: Evolution of a Party Ideology* (Ithaca: Cornell University Press, 1978); Drew R. McCoy, *The Elusive Republic: Political Economy in Jeffersonian America* (Chapel Hill: University of North Carolina Press, 1980); and Steven Watts, *The Republic Reborn: War and the Making of Liberal America, 1790–1820* (Baltimore: Johns Hopkins University Press, 1987).
- 6 See, for example, Sean Wilentz, *Chants Democratic: New York City and the Rise of the American Working Class, 1788–1850* (New York: Oxford University Press, 1984); Linda Kerber, *Women of the Republic: Intellect and Ideology in Revolutionary America* (Chapel Hill: University of North Carolina Press, 1980); Steven Hahn, *The Roots of Southern Populism: Yeoman Farmers and the Transformation of the Georgia Upcountry, 1850–1890* (New York: Oxford University Press, 1983).
- 7 Shalope, “Republicanism and Early American Historiography,” 350; Rodgers, “Republicanism,” 35–6; and Robert N. Bellah, Richard Madsen, William M. Sullivan, Ann Swidler, and Steven M. Tipton, *Habits of the Heart: Individualism and Commitment in American Life* (Berkeley: University of California Press, 1985, 1996), 28. See also John Patrick Diggins, *The Lost Soul of American Politics: Virtue, Self-Interest and the Foundations of Liberalism* (New York: Basic Books Inc., 1984); James T. Kloppenberg, “The Virtues of Liberalism: Christianity, Republicanism, and Ethics in Early American Political Discourse,” *Journal of American History* 74 (June 1987):9–33.
- 8 The phrase “disembodied republic language” is Robert Shalope’s (“Republicanism and Early American Historiography,” 349); Rodgers, “Republicanism,” 38.
- 9 Senate Committee on the Judiciary, *The Militia Movement in the United States: Hearing before the Subcommittee on Terrorism, Technology and Government Information*, 104th Cong., 1st sess., 15 June 1995, 118; The Stark County Unit of the Ohio Unorganized Militia, “Wake Up America!,” members.aol.com/starkmil/wake.htm (accessed 12 June 1998). It was Woodrow Wilson in 1913, not Roosevelt, who established the Federal Reserve, but Olson’s argument may have been based, in part, on “Dr.” Eugene Schroder’s *Constitution: Fact or Fiction*, which attempts to document the means by which the Constitution was subverted by Roosevelt during the New Deal. See Eugene Schroder and Micki Nellis, *Constitution: Fact or Fiction* (Cleburne, Texas: Buffalo Creek Press, 1995), 2.
- 10 George Eaton, “America is a Republic, Not a Democracy,” *Patriot Report* (July 1995):6. See also Johnson, “America,” *E Pluribus Unum*, 5; Militia of Montana, *Enemies: Foreign and Domestic*, 6; *Kentucky Rifleman News* 1 (1995):5. A possible source for this is Merle Curti’s *The Growth of American Thought* (New York: Harper & Brothers, 1943), which includes (p. 696) a discussion of the Army Training Manual in question (identified as No. 2000–25).
- 11 Johnson, “America,” 5.
- 12 Spooky, Virginia Citizens Militia, “Democracy Vs. Republic,” pamphlet, n.d.
- 13 Kay Sheil, Missouri 51st Militia, correspondence with author, 15 July 1997; Spooky, “Democracy Vs. Republic”; Jon Roland, “Declaration of Constitutional Principles,” www.constitution.org/mil/tx/conspin.htm (accessed 20 July 2001).

- 14 Jon Roland, "Statement of Grievances and Demands for Redress," www.constitution.org/mil/tx/CS—greivred.txt (accessed 20 July 2001), emphasis added. The document also contains its own share of conspiracy theorizing, with Roland asserting, for example, that federal officials have betrayed their "republican form of government" and "established a criminal Secret Government, involving a conspiracy of key officials in all branches and levels of government."
- 15 Militia of Montana, *Enemies: Foreign and Domestic*, 189.
- 16 Jon Roland, "The Social Contract and Constitutional Republics," 1994 www.constitution.org/mil/tx/socialcon.txt (accessed 20 July 2001).
- 17 These duties include "the duty to avoid infringing on the rights of other members, to obey just laws, to comply with and help to enforce just contracts, to serve on juries, and to defend the community." The militia is seen as a key institution in respect of this latter duty, and it is important to recognize the extent to which the militia movement advocates the creation of "militias" as part of a wider philosophical approach to government.
- 18 Kay Sheil, "A Document for All Time," *Necessary Force* (June 1997):3; President Clinton, "Interview with Laurie Montgomery of the *Detroit Free Press*" 4 May 1995, *The Weekly Compilation of Presidential Documents* 31, no. 17 (1995):762.
- 19 Clark Simmons, "The Importance of the Constitution," *Necessary Force* (June 1997): 7, emphasis added; Michigan Militia Corps, "Thanks for Checking Us Out," www.mmc.cns.net/home.htm (accessed 9 June 1998).
- 20 Carolyn Hart, "Why the Constitution?," *Necessary Force* (October 1997):1–2.
- 21 As Chief Justice Marshall put it, laying down the doctrine of implied powers in *McCulloch v. Maryland* (1819): "Let the end be legitimate, let it be within the scope of the Constitution, and all means which are not prohibited, but consistent with the letter and spirit of the Constitution are constitutional."
- 22 Leonard Levy, *Original Intent and the Framers' Constitution* (New York: Macmillan, 1988), 389. See also Jack Rakove, *Original Meanings: Politics and Ideas in the Making of the Constitution* (New York: Alfred A. Knopf, 1996).
- 23 Correspondence with author, 15 July 1995.
- 24 Interview with author. Tape recording, Kansas City, Missouri, 22 March 1998. This may be more than a little disingenuous, of course, since it is difficult to imagine that militia members would serenely accept such a situation.
- 25 Kansas Second Amendment Militia, "From the Editor," *The Musket* 2, no. 1 (January/February 1995):2; Walter Williams, "States Rights Update," *The Musket* 2, no. 1 (January/February 1995):3–4.
- 26 This is not to suggest that the Anti-Federalists were a homogenous political grouping, completely united in their opposition to the Constitution. What follows is intended to be a "legitimate reading," albeit in summary form, of the Anti-Federalists' attitudes towards national-state relations. It is not a detailed investigation of the whole and varied Anti-Federalist position(s) existent during the period of the constitutional settlement. On this, see Herbert J. Storing, ed., *The Complete Anti-Federalist*, 7 vols. (Chicago: University of Chicago Press, 1981); and Saul Cornell, *The Other Founders: Anti-Federalism and the Dissenting Tradition in America, 1788–1828* (Chapel Hill: University of North Carolina Press, 1999). On the connections between the Anti-Federalists and the militia movement, see Joshua D. Freilich, Jeremy A. Pienik, and Gregory J. Howard, "Toward Comparative Studies of the U.S. Militia Movement," *International Journal of Comparative Sociology* 42

- (1–2, 2001):168; Philip Melling, *Fundamentalism in America: Millennialism, Identity and Militant Religion* (Edinburgh: Edinburgh University Press, 1999), 139; and, especially, Timothy M. Seul, “Militia Minds: Inside America’s Contemporary Militia Movement” (Ph.D. dissertation, Purdue University, 1997), 11–42.
- 27 Storing, *The Complete Anti-Federalist, Vol. 1: What the Anti-Federalists Were For*, 9; Richard Henry Lee, quoted in Wood, *Creation*, 526; “Mr. Martin’s Information to the General Assembly of the State of Maryland,” 1788, in *The Complete Anti-Federalist, Vol. 2: Objections of Non-Signers of the Constitution and Major Series of Essays at the Outset*, ed. Storing, 45.
- 28 Rakove, *Original Meanings*, 182–3.
- 29 It should be noted that Storing does not see the Anti-Federalists as republicans. They are liberals, he says, “in the decisive sense that they see the end of government as the security of individual liberty, not the promotion of virtue or the fostering of some organic common good.” Storing, *Vol. 1*, 83, n. 7. For a contrasting view, see Terence Ball, “A Republic—If You Can Keep It,” *Conceptual Change and the Constitution*, ed. Terence Ball and J.G.A. Pocock (Lawrence, Kansas: University Press of Kansas, 1988), 144.
- 30 Brutus, “To the Citizens of the State of New York,” 18 October 1787, Essays of Brutus, *New York Journal*, in *The Complete Anti-Federalist, Vol. 2*, ed. Storing, 368; Richard Henry Lee, quoted in Wood, *Creation*, 499; Kay Sheil, correspondence with author, 16 July 1997.
- 31 A [Pennsylvania] Farmer, “The Fallacies of the Freeman Detected by a Farmer,” 16 April 1788, [Philadelphia] *Freeman’s Journal*, in *The Complete Anti-Federalist, Vol. 3: Pennsylvania*, ed. Storing, 184; Hawkins and Wittig, interview with author, 22 March 1998.
- 32 In their distrust of “distant governmental, even representational authority,” the Anti-Federalists, says Gordon Wood, were expressing a “cardinal principle of radical Whiggism”—a “suspicion of all bodies set above the people”—a principle compatible with Americans’ own experience of a “long tradition of extra-legislative action” by the people “out-of-doors.” Wood, *Creation*, 319–28, 519–20.
- 33 The Federal Farmer, “Letters from the Federal Farmer,” 18 January 1788, in *The Complete Anti-Federalist, Vol. 2*, 320; Roland, “The Social Contract and Constitutional Republics,” 1994. Empowering juries in this way is a goal of the Fully Informed Jury Association, the County Supremacy Movement, Posse Comitatus groups, Common Law advocates, Freemen, and many constitutionalists, for example.
- 34 Brutus, “To the Citizens of New York,” 18 October 1787, *The Complete Anti-Federalist, Vol. 2*, ed. Storing, 371; James Lincoln, quoted in Wood, *Creation*, 521; Cato, “To the Citizens of the State of New York,” Letters of Cato, *New York Journal*, September 1787–January 1788, *The Complete Anti-Federalist, Vol. 2*, ed. Storing, 111, 114–15. For an interesting assessment of the Anti-Federalist small republic as Foucault’s panopticon “carried to its final stage,” see Seul, “Militia Minds,” 27–9.
- 35 Jon Roland, “Reviving the Ready Militia,” in *Common Sense*, “Liberty or Death: Don’t Tread on Me” (Kansas City Missouri: A Group of Concerned Citizens, 1994): 4–5; Hawkins, interview with author, 22 March 1998, emphasis added.
- 36 Michigan Militia, “Thanks for Checking Us Out,” emphasis added; interview with Norman Olson, *The Devil’s Advocate*, Channel 4 (UK), 18 October 1994.
- 37 Wood, *Creation*, 473. Just as the views of the Anti-Federalists cannot be considered to be monolithic, neither, of course, can those of the Federalists. Yet the status of

Madison as the “father of the Constitution” and *The Federalist Papers* as one of the nation’s canonical political texts is hardly open to dispute. I employ Madison and Hamilton as exemplars of Federalist thinking not only because that is how they are generally regarded, but also because it is their views that the militias want to be able to rely on. This is not to suggest, though, that Madison and Hamilton shared a common political and philosophical vision; nor, further, that Madison or Hamilton’s positions remained unchanged once the Constitution had been drafted.

- 38 James Madison, Alexander Hamilton, and John Jay, *The Federalist Papers*, ed. Isaac Kramnick (London: Penguin, 1788, 1987). *Federalist* 10, 123.
- 39 Hamilton, in Storing, ed., *The Complete Anti-Federalist, Vol. 1*, 41–2, emphasis his, from *Federalist* 17, 157; Madison, *Federalist* 10, 127; Storing, *The Complete Anti-Federalist, Vol. 1*, 45. See also *Federalist* 9, 35 and 39.
- 40 Ball, “A Republic,” 143–4; Wood, *Creation*, 504.
- 41 Johnson, “America,” 1.
- 42 Rakove, *Original Meanings*, 162, 188–93; *Federalist* 39, 259. “Each passing decade,” Rakove writes, “taught Madison just how acute the analysis of *Federalist* 39 had been, and how hard it was to defend against the simpler catechisms of national supremacy and state sovereignty.”
- 43 Joseph F. Zimmerman, *Contemporary American Federalism: The Growth of National Power* (Leicester: Leicester University Press, 1992), 10, 34, 55. See also *Federalist* 45. For a discussion of the differences between Hamilton and Madison in this respect, see Rakove, *Original Meanings*, 200–1. Madison, says Rakove, had a much better grasp of “just how provincial American governance would remain” after the ratification of the Constitution.
- 44 On this, see also William Chaloupka, “The County Supremacy and Militia Movements: Federalism as an Issue on the Radical Right,” *Publius: The Journal of Federalism* 26, no. 3 (Summer 1996):161–75; and Scott W. Reed, “The County Supremacy Movement: Mendacious Myth Marketing,” *Idaho Law Review* 30 (1993–4): 525–53.
- 45 Rakove, *Original Meanings*, 201–2.
- 46 Arthur Schlesinger, Jr., “In Defense of Government,” *Wall Street Journal*, 7 June 1995:23.
- 47 Cornell, *The Other Founders*, 1. In Storing’s words, “If...the foundation of the American polity was laid by the Federalists, the Anti-Federalist reservations echo through American history; and it is in the dialogue, not merely in the Federalist victory, that the country’s principles are to be discovered.” *The Complete Anti-Federalist, Vol. 1*, 72.
- 48 *Ibid.*, 3–8 and 303–7. Cornell offers no primary sources to support his claim; he cites only David C. Williams’s article “The Militia Movement and the Second Amendment Revolution: Conjuring with the People,” *Cornell Law Review* 81 (1996): 879–952. But Williams makes no case for the militias employing the Anti-Federalists in any systematic way. This is also a mistake made by Seul in his discussion of the militias’ relationship with the Anti-Federalists. See “Militia Minds,” 11–42.
- 49 Rick Hawkins, “The Truth about the Second Amendment,” *Necessary Force* (August 1997):4; Militia of Montana, “Information and Intel. Update Video,” pamphlet, 19 August 1994, ellipses in original. The T-shirt is illustrated with a drawing of a Revolutionary-era militiaman on its front.

- 50 Robert Pummer, "The Best Protection Against Tyranny is the Right to Bear Arms," *Citizens Information Network Cooperative Fax*, n.d., 2; J.J. Johnson, *Hearing: The Militia Movement in the United States*, 15 June 1995, 104; "Bill to Outlaw Citizens Militias in Congress," *Patriot Report* (June 1995):3; US Militia, "We Will Not Disarm," *Minutemen Magazine* (Fall 1997): www.ipser.com/usmilitia/minuteman/1997fall/disarm.htm (accessed 6 June 1998); idem, "The Role of the Militia in Late-Twentieth-Century America," *Minuteman Magazine* (Fall 1996): www.ipser.com/usmilitia/minuteman/1996fall/role.htm (accessed 6 June 1998); Virginia Citizens Militia, "Militia—a Constitutional Check and Balance," information packet, n.d., 4; Michigan Militia Corps, "Manual 1–1, Background, Mission, Purpose and Organization," 19 May 1994; David Wayne, "The Rise of Citizens Militias," *Preparedness Journal* (July/August 1995):9.
- 51 Militia of Montana, "Homepage," www.nidlink.com/%7Ebobhard/mom.html (accessed 7 May 1997).
- 52 Both of the quotations, though, have a long history within the nation's gun culture. See John George and Laird Wilcox, "Fake Quotes and Fabricated Documents: A Common Extremist Tactic," *American Extremists: Militias, Supremacists, Klansmen, Communists, and Others* (Amherst, New York: Prometheus Books, 1996), 418.
- 53 Of course, the accurate quotation of the Founding Fathers does not in itself mean that their words are properly understood.
- 54 Glenn Harlan Reynolds, "A Critical Guide to the Second Amendment," *Tennessee Law Review* 62, no. 3 (Spring 1995):463. The growth of interest in the Second Amendment was spurred by two articles, Don B. Kates, Jr.'s "Handgun Prohibition and the Original Meaning of the Second Amendment," *Michigan Law Review* 82 (1983):211–43; and later Sanford Levinson's "The Embarrassing Second Amendment," *Yale Law Journal* 99 (1989–90):637–59. Levinson suggested that the absence of elite discussion of the Amendment was "derived from a mixture of sheer opposition to the idea of private ownership of guns and the perhaps subconscious fear that altogether plausible, perhaps 'winning,' interpretations of the Second Amendment would present real hurdles to those supporting prohibitory regulation." Hence the title of his article.
- 55 On the collective rights model, see, for example, Keith A. Ehrman and Dennis A. Henigan, "The Second Amendment in the Twentieth Century: Have You Seen Your Militia Lately?," *University of Dayton Law Review* 15, no. 1 (1989):5–58; Lawrence Delbert Cress, "An Armed Community: The Origins and Meaning of the Right to Bear Arms," *Journal of American History* 71, no. 1 (June 1984):22–42; Thomas Halpern and Brian Levin, *The Limits of Dissent: The Constitutional Status of Armed Civilian Militias* (Amherst, Massachusetts: Aletheia Press, 1996), especially, 72–90; and Garry Wills, *A Necessary Evil: A History of American Distrust of Government* (New York: Simon & Schuster, 1999), especially 207–21. On the "individual rights" interpretation of the Amendment, see, for example, Robert E. Shalope, "The Ideological Origins of the Second Amendment," *Journal of American History* 69, no. 3 (December 1982): 599–614; Stephen P. Halbrook, *That Every Man Be Armed: The Evolution of a Constitutional Right* (Albuquerque: University of New Mexico Press, 1984); David E. Vandercoy, "The History of the Second Amendment," *Valparaiso University Law Review* 28 (1994):1,007–39; and Joyce Lee Malcolm,

- To Keep and Bear Arms: The Origins of an Anglo-American Right* (Cambridge: Harvard University Press, 1994).
- 56 Reynolds, "A Critical Guide," 475, 507; Sheil, interview with author, 22 March 1998. Jon Roland cited Stephen Halbrook's *That Every Man Be Armed* in his essay "Reviving the Ready Militia" (*Common Sense*, "Liberty or Death" (1994), 4); the Ohio Unorganized Militia cited Halbrook, Akil Amar, and Joyce Lee Malcolm (n.a., "Handgun Control, Inc. Attempts to Mythologize Second Amendment History," *E Pluribus Unum* 2, no. 1 (January 1995):8–9); and the Missouri 51st Militia recommended at least one of Glenn Reynolds's articles to its members (internal correspondence obtained by author, 13 April 1999). For an interesting assessment of the rhetorical and discursive strategies employed in the gun control debate, see Andrew Jay McClurg, "The Rhetoric of Gun Control," *American University Law Review* 42 (1992):53–113.
- 57 Williams, "Second Amendment Revolution," 893–94, footnotes omitted; Reynolds, "A Critical Guide," 480. Robert Spitzer argues that the Second Amendment is "superfluous" in terms of offering legal protection "for personal defense or defense of the home" because such principles are to be found in the common law, which "supersedes even constitutional guidelines." *The Politics of Gun Control*, 2nd edition (New York: Seven Bridges Press, 1998), 38. For a contrary view, see Nelson Lund, "The Second Amendment, Political Liberty, and the Right to Self-Preservation," *Alabama Law Review* 39, no. 1 (1987):103–30.
- 58 Levinson, "Embarrassing," 644.
- 59 *United States v. Miller*, 307 U.S. 174 (1939), 178. The other three cases are *Miller v. Texas*, 153 U.S. 535 (1894), *Presser v. Illinois*, 116 U.S. 252 (1886), and *United States v. Cruikshank* 92 U.S. 542 (1875).
- 60 McClurg, "The Rhetoric of Gun Control," 100–1; Ehrman and Henigan, "The Second Amendment in the Twentieth Century," 41; Reynolds, "A Critical Guide," 500.
- 61 Karen O'Connor and Graham Barron, "Madison's Mistake? Judicial Construction of the Second Amendment," *The Changing Politics of Gun Control*, ed. John M. Bruce and Clyde Wilcox (Lanham, Maryland: Rowman & Littlefield Publishing Inc., 1998), 86.
- 62 Good summaries of the role the right to bear arms played in the republican tradition are provided by David C. Williams's "Civic Republicanism and the Citizen Militia: The Terrifying Second Amendment," *Yale Law Journal* 101 (1991–2): especially 567–86; and Shalope's "Ideological Origins," *passim*.
- 63 Wood, *Creation*, 66.
- 64 See Shalope, "Ideological Origins," 608; US Militia, "We Will Not Disarm"; Jim McKinzey, Missouri 51st Militia, interview with author, 22 March 1998.
- 65 Quoted in Linda K. Kerber, "The Republican Ideology of the Revolutionary Generation," *American Quarterly* 37 (1985):487–8, n. 32. Kerber points out that because "the ability to bear arms in defense of the republic" was the "*sine qua non* of citizenship" this effectively prevented women from having "an active role...in the republic." The gendered nature of this aspect of republican thought is also a concern of Wendy Brown in "Guns, Cowboys, Philadelphia Mayors and Civic Republicanism: On Sanford Levinson's The Embarrassing Second Amendment," *Yale Law Journal* 99 (1989):661, 665–6.

- 66 Wood, *Creation*, 68. As well as the use of arms, the ownership of land and property was also considered vital for the maintenance of a citizen's independence.
- 67 Jon Roland, Press Release, n.t., *Common Sense*, "Join or Die" (1994):2, emphasis added; Militia of Montana, "Homepage," emphasis added.
- 68 Larry Watson, "A Charge to All (Part Four)," *Necessary Force* (August 1997):8; Larry Watson, "A Charge to All (Part Two)," *Necessary Force* (May 1997):6.
- 69 Watson, "A Charge to All (Part Two)," 6; "A Charge to All (Part Four)," 8; "A Charge to All (Part Five)," *Necessary Force* (September 1997):9.
- 70 Watson, "A Charge to All (Part Four)," 8.
- 71 Levinson, "Embarrassing," 648.
- 72 Wills, *A Necessary Evil*, 112–22, 208–9. For Wills's specific criticisms of the militia movement and its approach to history see pp. 25–41 of *A Necessary Evil*, and also his article "The New Revolutionaries," *New York Review of Books*, 10 August 1995, 50–5.
- 73 Wills, *A Necessary Evil*, 209, 215–16. See also Halpern and Levin, *Limits of Dissent*, 79–83.
- 74 Vandercoy, "The History of the Second Amendment," 1,022, n. 123; Williams, "Civic Republicanism," 582.
- 75 Shalope, "Ideological Origins," 608–9; Williams, "Second Amendment Revolution," 893. Shalope points also to the bills of rights in such states such as Pennsylvania, New Hampshire, New York and Maryland to support this argument. Joyce Malcolm also takes the view that the disappearance of the "shared understandings upon which [the Second Amendment] was based" has laid it open to competing interpretations in the present. *To Keep and Bear Arms*, 136.
- 76 Garry Wills, "To Keep and Bear Arms," *New York Review of Books*, 21 September 1995, 72. With regard to *Federalist* 46, Wills argues (p. 70) that Madison is talking about the "pre-government right of resistance," not the Second Amendment. For Reynolds's, Levinson's, and Williams's responses, see "To Keep and Bear Arms: An Exchange," *New York Review of Books*, 16 November 1995, 61–4.
- 77 For Story,

The right of the citizens to keep and bear arms has justly been considered, as the palladium of the liberties of a republic; since it offers a strong moral check against the usurpation and arbitrary power of rulers; and will generally, even if these are successful in the first instance, enable the people to resist and triumph over them.

See Shalope, "Ideological Origins," 612; Levinson, "Embarrassing," 649. On this use of Coxe and Story, Garry Wills notes that the former was not "known as a constitutional scholar" and the latter—"who was an important constitutional interpreter"—was "hardly infallible." *A Necessary Evil*, 214–15.

- 78 Williams, "Civic Republicanism," 552–3, footnote omitted.
- 79 David C. Williams, "The Constitutional Right to 'Conservative Revolution,'" *Harvard Civil Rights-Civil Liberties Law Review* 32 (Summer 1997):414, 416, 427–9. The extract from *Federalist* 33 reads:

If the Federal Government should overpass the just bounds of its authority, and make tyrannical use of its powers; the people whose creature it is must appeal to the standard they have formed, and take such measures to redress the injury done to the constitution, as the exigency may suggest and prudence justify.

- 80 *Ibid.*, 439, emphasis added.
- 81 *Ibid.*, 415, 439–40. These conditions are “so severe,” Williams argues, “that few if any real-world revolutions could satisfy them.”
- 82 This is itself the subject of fierce debate. See Brown, “Guns, Cowboys, Philadelphia Mayors,” 664–5; Levinson, “Embarrassing,” 656–7; Reynolds, “A Critical Guide,” 482–3; Wills, *A Necessary Evil*, 219–20; Colonel Charles J. Dunlap, “Revolt of the Masses: Armed Civilians and the Insurrectionary Theory of the Second Amendment,” *Tennessee Law Review* 62, no. 3 (Spring 1995):643–77; and Wayne La Pierre, *Guns, Crime and Freedom* (Washington, D.C.: Regnery Publishing, Inc., 1994), 19–21.
- 83 Williams, “Conservative Revolution,” 445–6.
- 84 Williams, “Second Amendment Revolution,” 904; Randy E. Barnett, “Foreword: Guns, Militias and Oklahoma City,” *Tennessee Law Review* 62, no. 3 (Spring 1995): 452–3.
- 85 Roland, “Reviving the Ready Militia,” 4, emphasis added; Norman Olson, “The Militia Movement—From Where I Stand,” n.p., n.d., 5, emphasis added, copy supplied by Olson, 10 March 1999; Kentucky Rifleman Militia, “Do Not Fear,” *Kentucky Riflemen Militia Newsletter* (October 1995):2, emphasis added.
- 86 Williams, “Civic Republicanism,” 585.
- 87 Williams, “Second Amendment Revolution,” 896–7 and 905–6. Michael Bellesiles argues that throughout American history the state has been woeful in respect of its duties in arming and training the militia. But this does not, of course, undermine the philosophical and political rationale for an arms-bearing citizenry as Garry Wills, for one, seems to suggest. See Michael Bellesiles, *Arming America: The Origins of a National Gun Culture* (New York: Alfred A. Knopf, 2000), especially, 93–103, 239–46, 261–97; and Wills, *A Necessary Evil*, 26–41. One of the most frequently made arguments in the gun control debate is that the National Guard is the modern-day equivalent of the states’ militias. Joyce Malcolm agrees with Williams, however, that “[t]he argument that today’s National Guardsmen, members of a select militia, would constitute the *only* persons entitled to keep and bear arms has no historical foundation.” *To Keep and Bear Arms*, 163, footnote omitted.
- 88 Roland, “Reviving the Ready Militia,” 4, emphasis added; N. Scott Stevens, White Mountain Militia, Lebanon, New Hampshire, “Suggestions for Budding Patriots, Constitutionalists and Militia Participants,” n.p., February 1995, emphasis in original.
- 89 US Militia, “The Role of the Militia in Late-Twentieth-Century America,” 5. As Williams sees it, “militia writers...fail to reach the logical conclusion” that a “modern Second Amendment militia *must* be organized by the state to be universal,” that “it may not rest on the private decisions of individuals to enlist.” “Second Amendment Revolution,” 900.
- 90 Jon Roland, “Legal Theory of the Right to Keep and Bear Arms,” 1994, www.constitution.org/mil/tx/leglrkba.txt (accessed 20 July 2001).

- 91 Williams, "Second Amendment Revolution," 885, 921–2. This, of course, assumes that Americans once were "a People" in the sense required by civic republicanism, but for Williams this is itself highly questionable. As he sees it, "the People" exist only in theoretical abstraction. "The Second Amendment...conjures with the idea of a People," he writes (pp. 908–9), "it simply presumes that a People exists, because that presumption is necessary for the provision to make sense in its own terms. It does not, however, seriously examine whether a People actually does exist in America."
- 92 Brown, "Guns, Cowboys, Philadelphia Mayors," 663, 665.
- 93 Reynolds, "A Critical Guide," 486–7.
- 94 Williams, "Second Amendment Revolution," 880.
- 95 J.G.A.Pocock, "Between Gog and Magog: The Republican Thesis and the *Ideologia Americana*," *Journal of the History of Ideas* (1987):343; Kerber, "Republican Ideology," 492–3.
- 96 Jon Roland, "Statement of Grievances and Demands for Redress"; US Militia, "The Role of the Militia in the Post-Political Society," 5. For the US Militia, "[t]his trend leads inexorably to a widening gap between what government must promise to remain in business and what it actually delivers. Which leads in turn to cynicism among voters." See Cornell, *The Other Founders*, especially 1–15.

6

A frontier nation

- 1 President Clinton, interview for *60 Minutes*, CBS Television, 23 April 1995, *The Weekly Compilation of Presidential Documents* 31, no. 17 (1995):693. The issue of the violent legacy of the frontier had last been widely addressed in response to the social and political unrest of the 1960s. See "The Complete Official Report to the National Commission on the Causes and Prevention of Violence" (June 1969), in *Violence in America: Historical and Comparative Perspectives*, ed. Hugh Davis Graham and Ted Robert Gurr (New York: New American Library, 1969); and Richard Hofstadter and Michael Williams, eds., *American Violence: A Documentary History* (New York: Alfred A. Knopf, 1970).
- 2 Anti-Defamation League, *Behind the Bombing: The Militia Menace Grows* (New York: The ADL, 1995), 5.
- 3 Quoted in Davis W.Houck and Amos Kiewe, eds., *Actor, Ideologue, Politician: The Public Speeches of Ronald Reagan* (Westport, Connecticut: Greenwood Press, 1993), 272.
- 4 Quoted in James Wolcott, "Round up the Cattle!," *Vanity Fair* (June 2003): 58.
- 5 Clyde A.Milner, "America Only More So," in *The Oxford History of the American West*, ed. Clyde A.Milner II, Carol A.O'Connor, and Martha A.Sandweiss (New York: Oxford University Press, 1994), 7.
- 6 Robert Athearn, *The Mythic West in Twentieth Century America* (Lawrence, Kansas: University Press of Kansas, 1986), 274. See also Henry Nash Smith, *Virgin Land: The American West as Symbol and Myth* (Cambridge: Harvard University Press, 1950, 1970); Richard Slotkin, *Regeneration Through Violence: The Mythology of the American Frontier, 1600–1800* (Middletown, Connecticut: Wesleyan University

- Press, 1973); and idem, *Gunfighter Nation: The Myth of the Frontier in Twentieth Century America* (New York: Atheneum, 1992).
- 7 Frederick Jackson Turner, "The Significance of the Frontier in American History" (1893), in *The Frontier in American History* (New York: Holt, Rinehart & Winston, Inc., 1920, 1962), 1–38.
 - 8 See John Bodnar, *Remaking America: Public Memory, Commemoration and Patriotism in Twentieth Century America* (Princeton: Princeton University Press, 1992); and T.J.Stiles, *Jesse James: Last Rebel of the Civil War* (New York: Alfred A.Knopf, 2002).
 - 9 There is a strong association between notions of masculinity and ideas of the American West. For Walter Prescott Webb, for example, "[n]ot only was the Old West a man's country, but it was also a young man's country." *The Great Plains* (New York: Grosset & Dunlap, 1931), 248. For a contrasting view, see Glenda Riley *The Female Frontier: A Comparative View of Women on the Prairie and the Plains* (Lawrence, Kansas: University Press of Kansas, 1988).
 - 10 Quoted in Ray A.Billington, *America's Frontier Heritage* (New York: Holt, Rinehart & Winston, 1966), 28. For the complete essay, see "Walking," in *The Portable Thoreau*, ed. Carl Bode (New York: Penguin Books, 1947, 1982), 592–630.
 - 11 Richard White, *It's Your Misfortune and None of My Own: A New History of the American West* (Norman: University of Oklahoma Press, 1991), 58. See also Carl Abbot, "The Federal Presence," in Milner *et al.*, eds., *Oxford History*, 469–500.
 - 12 David Emmons, "Constructed Province: History and the Making of the Last American West," *Western Historical Quarterly* 25 (1994):437–59. For Emmons this goes some way to explain the tradition of radicalism in the region. Westerners, he says, "were a people determined to restore a measure of similitude to myth and reality and...so great was the incongruity between the two, a certain radicalism—as well as anger—attached to the effort." The Greenback movement, the single tax movement, Populism, Coxe's Army, the Industrial Workers of the World, the Non-partisan League and the Farm Labor Party, argues Emmons, all "had their origins or their greatest influences and success in the West" because of this. "Constructed Province," 455. See also Richard Slotkin's discussion of "progressives and populists" in *Gunfighter Nation*, 22–6.
 - 13 Correspondence with author, 23 August 1997, emphasis added.
 - 14 The Anti-Defamation League, *Armed and Dangerous: Militias Take Aim at the Federal Government* (New York: ADL, 1994), 17; Fletcher, quoted in John Carlin, "Militias: Paranoia with Firepower," *Independent on Sunday*, 30 April 1995, 18. On the Militia of Montana's environmental and land management concerns, see, for example, "New BLM Rules Threatens American Freedom," *Taking Aim* 3, no. 10 (January 1997):1–2; and "Congress, Clinton Clash Over New Federal Land Use Scheme," *Taking Aim* 4, no. 3 (June 1997):1–6.
 - 15 This was how Linda Thompson, "Adjunct General" of the Unorganized Militia of the United States, described the aim of the militia movement in an interview for *The Vision Thing*, Channel 4 Television (UK), 1995. Transcript obtained by author. On the "mystification and fetishization" of the land by militia members, see also Timothy M. Seul, "Militia Minds: Inside America's Contemporary Militia Movement" (Ph.D. dissertation, Purdue University, 1997), 71–2, 187–9.
 - 16 Sent by the Militia of Montana, nox2128@montana.com, 3 September 1997.

- 17 J.Hector St. John De Crevecoeur, *Letters From An American Farmer* (London: Everyman Library, 1782, 1971), 46.
- 18 James A.McKinzey, "HQ, Bunker," *Necessary Force* (May 1997):2; Wittig, *The MacNeil/Lehrer Newshour*, 26 April 1995, transcript obtained by author.
- 19 See, for example, R.McGreggor Cawley, *Federal Land, Western Anger: The Sagebrush Rebellion and Environmental Politics* (Lawrence, Kansas: University Press of Kansas, 1993). On the Wise Use movement of western businesses, politicians, and farmers, which used anti-government rhetoric in a way very similar to the militia movement during the 1990s, see James Ridgeway and Jeffrey St. Clair, "This Land Is Our Land: The Wild West Backlash Against Federal Government," *Village Voice*, 20 June 1995, 16–17.
- 20 Richard Maxwell Brown, *Strain of Violence: Historical Studies of American Violence and Vigilantism* (New York: Oxford University Press, 1975), 96; Roger D.McGrath, *Gunfighters, Highwaymen and Vigilantes: Violence on the Frontier* (Los Angeles: University of California Press, 1984). See also Joe B.Frantz, "The Frontier Tradition: An Invitation to Violence," in Graham and Gurr, eds., *Violence in America*, 119–43.
- 21 Lew L.Callaway, *Montana's Righteous Hangmen: The Vigilantes in Action*, ed. Lew Callaway, Jr. (Norman: University of Oklahoma Press, 1982), 109. See also Thomas J. Dimsdale, *The Vigilantes of Montana or Popular Justice in the Rocky Mountains* (Norman: University of Oklahoma Press, 1953).
- 22 Turner, *Frontier*, 343, emphasis added; Robert R.Dykstra, *The Cattle Towns* (New York: Alfred A.Knopf, 1968), 116. Other attempts to tackle the problem of law and order in the cattle towns would not have met with militia approval: They included restrictions on the carrying of firearms within town limits.
- 23 Brown, *Strain of Violence*, 114.
- 24 Brown, "Violence," in Milner *et al.*, eds., *Oxford History*, 394. For a more critical assessment of America's vigilante tradition, see Catherine McNicol Stock, *Rural Radicals: From Bacon's Rebellion to the Oklahoma City Bombing* (New York: Penguin, 1997), 87–142.
- 25 Senate Committee on the Judiciary, *The Militia Movement in the United States: Hearing before the Subcommittee on Terrorism, Technology and Government Information*, 104th Cong, 1st sess., 15 June 1995, 83–4; Mike McKinzey, "The Forgotten Ninth," *Necessary Force* (April 1997):8; US Militia, "The Role of the Militia in Late-Twentieth-Century America," *Minuteman Magazine* (Fall 1996), www.ipser.com/usmilitia/minuteman/1996fall/role.htm.
- 26 Gerry Earley "Law of the Land," *Necessary Force* (May 1997):4, emphasis added; Turner, *Frontier*, 217. Earley suggests that the more "regular" means of political dissent have been exhausted by the militias, but there is little evidence that there has been any attempt on the part of the militia movement as a whole to engage in such practices.
- 27 Gerry Earley, "The Law of Necessity," *Necessary Force* (June 1997): 4.
- 28 The Stark County Unit of the Ohio Unorganized Militia, "What is the Stark County Unit of the Ohio Unorganized Militia?," members.aol.com/starkmil/scoum.htm (accessed 12 June 1998), emphasis added; the Lee County Militia, "What Is the Militia?," www.tntonline.com/personal/namerepus/militia.htm (accessed 27 November 1997); McKinzey, the *MacNeil/Lehrer Newshour*, 26 April 1995. E.D.Hirsch Jr., Joseph F.Kett, and James Trefil define "vigilantes" in *The Dictionary*

- of Cultural Literacy: What Every American Needs to Know*, 2nd edn (Boston: Houghton Mifflin Company, 1993), as “[v]olunteer citizens who organize to suppress crime where official police forces are weak or non-existent.” It is a wholly laudatory definition in a mainstream bestseller.
- 29 Missouri 51st Militia, “Talley Bend Man Charged for Stopping Fugitives,” *Necessary Force* (March 1997):1; “Larry Gates Update,” *Necessary Force* (May 1997):1, emphasis added.
 - 30 US Militia, “Strengthening the Bonds of Civil Society,” *Minutemen Magazine* (Winter 1997), www.ipser.com/usmilitia/minuteman/1997winter/bonds.htm (accessed 6 June 1998). A republican emphasis on the importance of a healthy and active civil society can also be seen in this extract, of course, evidencing again the extent to which the militias’ ideological concerns are interlinked and reinforce each other.
 - 31 Lee County Militia, “What Is the Militia?”; Sheil, correspondence with author, 24 July 1997. See also the Lee County Militia’s account of its “policing” of a local street fair in “Combat Report,” at www.tntonline.com/personal./namerumpus/ combat.htm (accessed 27 November 1997).
 - 32 For militia members as exemplars of American individualism, see, for example, Lane Crothers “The Cultural Foundations of the Modern Militia Movement,” *New Political Science* 24, no. 2 (2002):232–3; and Seul, “Militia Minds,” 71–2. On community action as a recruiting strategy see also Steven M. Chermak, *Searching for a Demon: The Media Construction of the Militia Movement* (Boston: Northeastern University Press, 2002), 49–50.
 - 33 Correspondence with author, 24 July 1997.
 - 34 Texas Constitutional Militia, “Militia Q&A,” www.constitution.org/mil/mil—qna.txt (accessed 20 July 2001).
 - 35 “Enough is Enough! A Public Call to Arms! Citizens Border Patrol Militia Now Forming!,” *Tombstone Tumbleweed*, 24 October, 2002, 1; “Enough is Enough!,” *Tombstone Tumbleweed*, 31 October 2002, 1; “Is There Evidence to Support the Need for a Border Militia?,” *Tombstone Tumbleweed*, 14 November 2002, 1; “Is the Message Clear Enough? Mr. President, Are You Listening?,” *Tombstone Tumbleweed*, 21 November 2002. The *Tombstone Tumbleweed* is available at www.tombstonetumbleweed.com/index.asp. Tom Gorman, “Up in Arms at Mexico Border,” *Los Angeles Times*, 8 December 2002, www.latimes.com/news/nationworld/nation/la-na-militia8dec08.story. See also Miriam Davidson, “Vigilantes Hunt Down Immigrants,” *Arizona Republic*, 8 December 2002, www.arizonarepublic.com/viewpoints/articles/1208davidson08.html. On the militia movement’s call for renewed “vigilance” against “foreign enemies” in general in the wake of the 11 September attacks on the United States, see Dan Laidman, “A Kinder, Gentler Militia?,” *Salon*, 4 July 2002, www.archive.salon.com/news/feature/2002/07/04/militias/index.np.html.
 - 36 Gerry Earley, “The Law of Necessity,” *Necessary Force* (July 1997):5.
 - 37 Patricia Nelson Limerick, *The Legacy of Conquest The Unbroken Past of the American West* (New York: W.W.Norton, 1987), 120–2.
 - 38 Texas Constitutional Militia, “The Battle of Athens,” www.constitution.org/mil—ustx.htm (accessed 19 July 2001). See also Lee County Florida Militia, “Amendment II in Action: The Battle of Athens,” *Patriot’s Alert* (May/June 1995), www.tntonline.com/personal/namerepus/militia.htm (accessed 27 November 1997).

- The source for the story appears to be the Second Amendment group Jews for the Preservation of Firearms Ownership.
- 39 Interview with Norman Olson, *The Devil's Advocate*, Channel 4 (UK), 18 October 1994; Kay Sheil, "A Document for All Time," *Necessary Force* (June 1997):3.
 - 40 Brown, "Violence," *Oxford History*, 394; Jonathan Raban, *Bad Land: An American Romance* (London: Picador, 1996), 274–300. For an analysis of the causes of the militia movement in terms of the recent crisis in American farming, see Joel Dyer, *Harvest of Rage: Why the Oklahoma City Bombing Is Only the Beginning* (Boulder, Colorado: Westview Press, 1997). For a longer perspective, see Catherine McNicol Stock, *Rural Radicals*.
 - 41 Quoted in Anti-Defamation League, *Behind the Bombing*, 27. Scott is a captain in the Brown County group of the Ohio Unorganized Militia.
 - 42 Militia of Montana, "North America Militia Raid Alert," nox2128@montana.com. Email, 26 August 1997.
 - 43 Militia of Montana, "Roby Illinois Stand-off," nox2128@montana.com. Email, 26 September 1997. The event became known as the "Stand-off at Roby Ridge," and the Militia of Montana organized a meeting at the State Capitol to protest the police's handling of the siege, which had included firing tear gas into the woman's home and cutting off her water and electricity. Allen's case was also picked up by other militias. See, for example, Clayton R. Douglas, "Roby Ridge: The Saga of Shirley Ann Allen," *Free American* (December 1997):5–9. A detailed account of these events can be found in Robert L. Snow, *Terrorists Among Us: The Militia Threat* (Cambridge, Massachusetts: Perseus Publishing, 2002), 191–201.
 - 44 Militia of Montana, "ACLU News 09–22–97: Surprise Raid on Welfare," nox2128@montana.com. Email, 27 September 1997.
 - 45 Stark County Unit of the Ohio Unorganized Militia, "If Not Us, Who? If Not Now, When?," members.aol.com/starkmil/why.htm (accessed 12 June 1998), emphasis added; Richard Brown, *No Duty to Retreat: Violence and Values in American History and Society* (New York: Oxford University Press, 1991), 3–6.
 - 46 Brown, *No Duty to Retreat*, 6, 162–72.
 - 47 James A. McKinzey, "H.Q. Bunker," *Necessary Force* (January 1997):2. The phrase "Enough is Enough" adorns Militia of Montana baseball caps. As part of its campaign to celebrate 19 April as "National Militia Day," the Texas Constitutional Militia encouraged participants in a march it had organized to carry protest signs reading "Remember the Alamo," "Remember Lexington and Concord," "Remember Ruby Ridge," and "Remember Mount Carmel." Each of these events might be seen as an example of the doctrine of no duty to retreat in practice. See Texas Constitutional Militia, "National Militia Day Proclamation," www.constituion.org/mil/tx/mil—ustx.htm (accessed 10 October 1998).
 - 48 Webb, *Great Plains*, 466–7; "Remarks upon Receiving the America's Democratic Legacy Award at a B'nai B'rith Dinner in Honor of the 40th Anniversary of the Anti-Defamation League," *Public Papers of the Presidents: Dwight D. Eisenhower, 1953* (Washington, D.C.: United States Government Printing Office, 1958–61), 797–8.
 - 49 Militia of Montana, "The Militia of Montana's Position Concerning Richard McLaren," 6 February 1997, www.nidlink.com/%7Ebobhard/mom/html. The Republic of Texas is, in fact, the name of three Patriot groups, each claiming that Texas was illegally annexed to the United States in 1845. In 1997 one of the groups, led by Richard McLaren, took two hostages as part of its campaign to have Texas

- recognized as an independent nation. The stand-off ended after seven days when Republic of Texas members surrendered to the authorities.
- 50 James A. McKinzey, "HQ Bunker," *Necessary Force* (June 1997):2; and interview with author, tape recording, Kansas City, Missouri, 22 March 1998. "The Freeman Siege" began on 25 March 1996 in Jordan, Montana, when the FBI arrested two Freeman leaders, Leroy Schweitzer and Dan Peterson, on charges including theft, fraud, and the intimidation of government officials. The "siege" ended peacefully on 13 June 1996. See David A. Neiwert, *In God's Country: The Patriot Movement and the Pacific Northwest* (Pullman, Washington: Washington State University Press, 1999), 236–60. On the "secret contact" between the FBI and the militias during the Freeman stand-off and other "crises," see "The Secret FBI-Militia Alliance," *U.S. News and World Report*, 12 May 1997, 40–1.
- 51 "Anti Government Ire Targets Local Officials," *Christian Science Monitor*, 22 August 1997; Mike Thorp, "The Rise of Citizen Militias," *U.S. News and World Report*, 15 August 1994, 34; Timothy Egan, "The Mad, Bad, Way-Out West," *New York Times*, reprinted in the *Guardian*, 9 April 1996, 10. See also Chermak, *Searching for a Demon*, 202–9.
- 52 Texas Constitutional Militia, "Historical Notes," www.constitution.org/mil/tx/mil—ustx.htm (accessed 10 October 1998). According to the account,

The modern activation of the Texas Constitutional Militia began with the muster called by Jon Roland, for April 19, 1994, at 6:00 AM, on the unfinished portion of Hwy 151, in front of Sea World, in San Antonio, Bexar County. From that beginning it spread rapidly to the rest of the state.

- 53 Republic of Texas, "Introduction," www.karen.republic.net/robertk/ (accessed 13 June 1997). There is some dispute within the militia movement as to whether the Republic of Texas is a militia at all. The Militia of Montana, for example, regards it as one, but the Missouri 51st Militia does not.
- 54 Texas Constitutional Militia, "Crockett," www.constitution.org/mil/tmp.htm (accessed 10 October 1998).
- 55 Richard White, "The Current Weirdness in the West," *Western Historical Quarterly* 28 (Spring, 1997):5–16, emphasis added. White undertakes no detailed analysis of the militia movement's ideology, apparently content in his view (p. 8) that "[t]he extreme Right simply hates government."
- 56 Clinton, interview, *60 Minutes*, 691.

7

Conclusion: history and conspiracy

- 1 David Harlan, *The Degradation of American History* (Chicago: Chicago University Press, 1997), xxiii, 92, xxxiii. For a view on the limits of history as a form of moral reflection, see Richard J. Evans, *In Defence of History* (London: Granta, 1997), especially 45–74.
- 2 President Clinton, "Remarks at the Michigan State University Commencement Ceremony," East Lansing, Michigan, 5 May 1995, *The Weekly Compilation of Presidential Documents* 31, no. 17 (1995):773.

- 3 The Anti-Defamation League, *Vigilante Justice: Militias and "Common Law Courts" Wage War Against the Government* (New York: ADL, 1997), 1; Robert S. Robins and Jerrold M. Post, *Political Paranoia: The Psychopolitics of Hatred* (New Haven: Yale University Press, 1997), 212; Garry Wills, *A Necessary Evil: A History of the American Distrust of Government* (New York: Simon & Schuster, 1999), 41; Kenneth S. Stern, *A Force Upon the Plain: The American Militia Movement and the Politics of Hate* (Norman: University of Oklahoma Press, 1997), 112; and Charles E. Schumer, foreword to Thomas Halpern and Brian Levin, *The Limits of Dissent: The Constitutional Status of Armed Civilian Militias* (Amherst, Massachusetts: Aletheia Press, 1996), xi.
- 4 Eric Hobsbawm, "Outside and Inside History," *On History* (London: Abacus, 1997), 6–7. See also "Identity History Is Not Enough," *ibid.*, 351–66.
- 5 On militia members' "legitimate" use of the past within a tradition of Revolutionary Libertarianism, see Robert H. Churchill, "'The Highest and Holiest Duty of Freemen': Revolutionary Libertarianism in American History" (Ph.D. dissertation, Rutgers University, 2001), especially 340–1.
- 6 The phrase is Richard Slotkin's. For Slotkin, "A mythology is a complex of narratives that dramatize the world vision and historical sense of a people or culture, reducing centuries of experience into a constellation of compelling metaphors." *Regeneration Through Violence: The Mythology of the American Frontier, 1600–1800* (Middletown, Connecticut: Wesleyan University Press, 1973), 6.
- 7 Hobsbawm, "Identity History Is Not Enough," 360, 363. For specific applications of the collective memory approach, see the essays in David Thelen, ed., *Memory and American History* (Bloomington: Indiana University Press, 1990); Michael Schudson, *Watergate in American Memory: How We Remember, Forget, and Reconstruct the Past* (New York: Basic Books, 1992); Barry Schwartz, "Iconography and Collective Memory: Lincoln's Image in the American Mind," *Sociological Quarterly* 32, no. 3 (1991):301–19; and Edward T. Linenthal, *The Unfinished Bombing: Oklahoma City in American Memory* (New York: Oxford University Press, 2001).
- 8 I am not suggesting that militia members don't also just get their history wrong. They clearly do, and these mistakes, misunderstandings, and misquotations have been pointed out throughout this book. I am suggesting, however, that these errors are best understood within the argumentative frameworks of which they are a part.
- 9 Terence Ball and J.G.A. Pocock, eds., *Conceptual Change and the Constitution* (Lawrence, Kansas: University Press of Kansas, 1988), 9.
- 10 David H. Bennett, *The Party of Fear: The American Far Right from Nativism to the Militia Movement*, 2nd edition (New York: Vintage Books, 1995), 7–8, emphasis added; Northern Michigan Regional Militia, "Manual 1–1, Background, Mission, Purpose and Organization," 19 May 1994; Dan Gonzales, "Price of Freedom," *Patriot's Alert* 1, no. 2 (September 1994); Brian Farley, "America Wake Up!," *Common Sense*, "Liberty or Death: Don't Tread on Me" (Kansas City, Missouri: A Group of Concerned Citizens, 1994):8. On this, see also Timothy M. Seul, "Militia Minds: Inside America's Contemporary Militia Movement" (Ph.D. dissertation, Purdue University, 1997), 192–205; and Lane Crothers, "The Cultural Foundations of the Modern Militia Movement," *New Political Science* 24, no. 2 (2002):232–4. Seul notes (p. 59), for example, that "contrary to action motivated by hate, it is action

- motivated by obsessive love of their country” which seems to motivate many militia members.
- 11 Daniel Pipes, *Conspiracy: How the Paranoid Style Flourishes and Where It Comes From* (New York: The Free Press, 1997), 1; Anti-Defamation League, *Vigilante Justice*, 22, 25; Joel Dyer, *Harvest of Rage: Why the Oklahoma City Bombing Is Only the Beginning* (Boulder, Colorado: Westview Press, 1997), 76; Southern Poverty Law Center, “It’s a Plot: Conspiracy Theories Fuel the Movement,” *False Patriots: The Threat of Antigovernment Extremists* (Montgomery, Alabama: SPLC, 1996), 9–10.
 - 12 Stern, *Force Upon the Plain*, 138. Richard Abanes, *American Militias: Rebellion, Racism and Religion* (Downers Grove, Illinois: InterVarsity Press, 1996), 100.
 - 13 Anti-Defamation League, *Vigilante Justice*, 25; Stern, *Force Upon the Plain*, 247. A comprehensive study of the Protocols is provided by Norman Cohn’s *Warrant for Genocide: The Myth of the Jewish World Conspiracy and the Protocols of the Elders of Zion* (London: Serif, 1996).
 - 14 Martin Durham, *The Christian Right, the Far Right and the Boundaries of American Conservatism* (Manchester: Manchester University Press, 2000), 135–8.
 - 15 Peter Knight, *Conspiracy Culture: From the Kennedy Assassination to the X-Files* (London: Routledge, 2000), 38–9, 3–4 and 13–14, emphasis added. Conspiracy, Knight suggests, “has become the default assumption in an age which has learned to distrust everything and everyone.” See also Robert Goldberg, *Enemies Within: The Culture of Conspiracy in Modern America* (New Haven: Yale University Press, 2001).
 - 16 Theodore Roszak, *Flicker* (London: Bantam, 1992), 543.
 - 17 Abanes, *American Militias*, 98; Anti-Defamation League, *Vigilante Justice*, 22. Steven M. Chermak discusses how “the coupling of militia members and conspiracy thinking” by the news media, community leaders, law enforcement officials, politicians, and popular entertainment shows “contributed significantly to the isolation of militias by portraying their beliefs as irrational,” driving them further away from the mainstream and deeper underground, in *Searching for a Demon: The Media Construction of the Militia Movement* (Boston: Northeastern University Press, 2002), 80, 190–1 and 233–4.
 - 18 Richard O. Curry and Thomas M. Brown, eds., *Conspiracy: The Fear of Subversion in American History* (New York: Holt, Rinehart & Winston, Inc., 1972), x. The fear of conspiracy becomes “most intense,” Curry and Brown note (p. vii), during “periods of national crisis.”
 - 19 David Brion Davis, ed., *The Fear of Conspiracy: Images of Un-American Subversion from the Revolution to the Present* (Ithaca: Cornell University Press, 1971), xviii–xxii, 23. As Bailyn saw it, the “peculiar inheritance” of the Revolutionary leaders’ thought “prepared” them to view the events of the 1760s and 1770s in a conspiratorial way. “They saw about them with increasing clarity,” he wrote, “not merely mistaken, or even evil policies violating the principles upon which freedom rested, but what appeared to be evidence of nothing less than a deliberate assault launched surreptitiously by plotters against liberty both in England and America.” Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge: Harvard University Press, 1967), 95. See also 94–159; and idem, *The Origins of American Politics* (New York: Vintage Books, 1968). On how conspiracy theories were compatible with how “the most enlightened minds of the day” thought in the

- eighteenth century, see Gordon S. Wood, "Conspiracy and the Paranoid Style: Causality and Deceit in the Eighteenth Century," *William and Mary Quarterly* 39 (1982):401–41.
- 20 Wood, "Conspiracy and the Paranoid Style," 421, 441. On the employment of the conspiratorial Whig view of history by the militia movement, see also Churchill, "Revolutionary Libertarianism," 297–300.
- 21 Jeffrey Kaplan, "Right Wing Violence in North America," *Terrorism and Political Violence* 7, no. 1 (Spring 1995):75. See also Ehud Sprinzak, "Right-Wing Terrorism in Comparative Perspective: The Case of Split Delegitimization," *Terrorism and Political Violence* 7, no. 1 (Spring 1995):17–43.

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