Judging from his recent statements, Republican presidential nominee Donald Trump seems to be making plans for post-election violence if he’s defeated. At the beginning of August he warned, “I’m afraid the election’s going to be rigged.” He went on to issue a seeming call for supporters to intimidate Democrats at the polls, telling his supporters to go with their friends and family to “watch.” (“And when I say watch, you know what I’m talking about, right?”) Ultimately he declared that if Hillary Clinton “gets to pick her judges, nothing you can do folks. Although the Second Amendment people—maybe there is. I don’t know.”

While Trump claimed he was merely suggesting an electoral remedy, where gun rights advocates become a pivotal voting block, the more obvious interpretation—the one understood by many listeners—was that Trump was seeding the idea in followers’ minds of an armed revolutionary struggle, or an assassination, to overthrow a democratically elected president. It’s likely that at least one constituency is already thinking the same way. When it comes to Trump’s so-called “Second Amendment people,” the prime candidates for the role are the members of the heavily armed, Hard Right “Patriot movement.”

For example, the next month, NPR talked to one Georgia man who was already making plans to join a militia. His reason? “Should martial law, civil war—whatever—break out in this country, they will uphold the Constitution and rebuild our loss...The war that’s going to break out if Hillary Clinton’s elected, if that happens. Your patriots are going to overthrow the government.”

The Patriot movement is a political tradition that dates back many decades. In the 1990s, when its “armed wing” expanded rapidly, it became well known as the militia movement. It gained infamy in 1995 when two of its participants bombed the Alfred P. Murrah Federal Building in Oklahoma City, killing 168 (including 19 children in a daycare center on site). In more recent years, Patriot movement activists have repeatedly made headlines for anti-government actions. In 2014, members converged on rancher Cliven Bundy’s Nevada ranch to hold off federal employees at gunpoint and stop them from seizing his cattle for non-payment of grazing fees. In January 2016, Bundy’s sons were among the group of paramilitaries who took over the headquarters of the remote Malheur National Wildlife Refuge outside of Burns, Oregon, for 41 days. Originally demanding freedom for two local ranchers who had been imprisoned for arson, their main demand soon became that the federally owned refuge be transferred to county authorities that would allow it to be used for ranching with few or no environmental restrictions.

The Patriot movement is rooted in an idiosyncratic reading of the U.S. Constitution, which they claim prohibits almost the entire structure of the current U.S. federal government. They desire a completely unrestrained capitalist system on domestic matters, and denounce even the mildest state interventions in markets as “Marxism.” Federal ownership of most public land and any regulation of private firearms are also considered to be a violation of the Constitution.
The same holds for federal agencies that engage in almost any kind of regulation, including in economics, environmentalism, workers’ rights, health and safety, or civil rights for oppressed groups. The Patriot movement is saturated with anti-immigrant xenophobia and Islamophobia, and is driven by conspiracy theories concerning federal overreach, sleeper ISIS cells, and plans for a New World Order. (One popular claim is that the federal government is using Agenda 21—a non-binding United Nations white paper that promotes environmental sustainability—and environmental politics to drive rural people off the land and into the cities, where they will be disarmed and put in detention camps, so that the United Nations or China can invade.)

These conspiracy theories, which serve as the theoretical basis of the movement’s politics, provide easy explanations for complex problems. The basic narrative framework is based on centuries-old ideas and appeals to people across cultures; it casts participants as the heroes in a story in which good and evil are pitted against each other, sometimes in an apocalyptic battle.

One of the most interesting aspects of the movement is that, despite the fact that many of its tactics and talking points come from the White supremacist movement, it presents itself in a way that seems to avoid its racist background. One of the early Patriot movement groups, Posse Comitatus, was founded in 1971 on the West Coast as a vehicle for White supremacism and antisemitism. And yet, explains Daniel Levitas, author of the most comprehensive account of the group, The Terrorist Next Door: The Militia Movement and the Radical Right, the Posse (as it was called) didn’t look or sound like other White supremacist organizations. “Unlike most other right-wing groups that shared similar beliefs,” Levitas wrote, “the Posse succeeded at joining its conspiracy theories, bigotry, and zest for violence to more mainstream issues, such as banking, land-use planning, environmental regulations, property rights, gun ownership, and race.”

Writing about the Patriot movement of the late 1990s, which had inherited many aspects of the Posse’s organizational model, researcher David Neiwert wrote in his book, In God’s Country: The Patriot Movement and the Pacific Northwest, that the movement “disguises the racial and anti-democratic implications of its agenda and emphasizes, instead, its populist appeal across a broad range of issues, all wrapped in the bright colors of American nationalism.”

One of the other curious elements of the Patriot movement is that it waxes and wanes in phases; in particular it has flourished under Democratic presidencies. The militia movement coincided with Bill Clinton’s tenure, but soon after George W. Bush came into office, it faded. The current generation emerged with Barack Obama’s election. Apparently Democrats better fit the movement’s Manchurian Candidate-style narratives about the president being a secret Communist agent who is about to betray the nation and is more likely to push for gun control—a core issue for the movement.

Trump isn’t exactly the movement’s ideal candidate; Ted Cruz did more to court Patriots, many of whom supported him in the primary. But quite a number of Trump’s views—his toxic combination of bellicose patriotism, xenophobia and Islamophobia; implicit White nationalism; protectionist but pro-capitalist politics; as well as his thinly veiled threats of violence and penchant for wild conspiracy theories—all hit the same notes as the Patriot movement. And if Trump loses, and Hillary Clinton takes office, the movement could adopt a revolutionary stance. The Patriot milieu is flush with heavily armed followers who are already trained in military tactics. It would only take a small number of them to go underground and start an armed struggle, with the hope of igniting a larger uprising.

The Patriot movement waxes and wanes in phases; in particular it has flourished under Democratic presidencies.
his own beliefs about the law, which combined an idiosyncratic reading of the Constitution, the Bible, and Anglo-Saxon common law. The most important claim of Posse Comitatus was that county sheriffs could decide which laws were constitutional—something that would allow them to ignore federal laws at a time when civil rights and environmental protection legislation were being passed. (This fixation on fighting the federal government is what helped it gain such wide appeal.) Gale’s primary concept on sheriffs’ authority eventually

Then, as today, veterans were targets of recruitment by the movement—treated as objects of special veneration who could provide military training to other participants.

included the notion that sheriffs could reject Constitutional Amendments as well—especially the 14th, which would strip citizenship from many people of color.

Posse Comitatus also advocated setting up fake courts as part of the prefigurative legal system it envisioned. These “common law courts,” composed of movement adherents, claimed they had the legal right to try and sentence standing officials, typically for treason. In effect, they were kangaroo courts, which hold their trials in absentia (who would show up to one?), and have only been known to pass out guilty verdicts. The threatened punishments have ranged from issuing fines to execution. This idiosyncratic reading of constitutional law later became the Sovereign Citizen movement.

A significant, more intellectual, part of the movement was the Hard Right anti-Communist John Birch Society, founded in 1958. The group promoted conspiracy theories that were based on old antisemitic tropes but which no longer named Jews as the agents of conspiracy. For example, they claimed the United States was controlled by a secret cabal of Communists who planned to implement an authoritarian New World Order. Still in existence today, the John Birch Society continues to promote Patriot movement staples such as the authority of the county sheriff to judge the constitutionality of laws and advocate the transfer of federally owned lands.

The Posse Comitatus experienced a revival during the 1980s farm crisis. An increase in interest rates by the Federal Reserve—from single digits to an average of 15.3 percent, and often higher—as well as changes in the international agricultural industry, led to widespread foreclosures of small farms, especially in the Midwest. A protest movement, led by the American Agriculture Movement, arose in response. Their tactics included “tractorcades,” where thousands of farmers would drive tractors into urban areas as demonstrations, and “penny auctions,” where they tried to sabotage auctions of foreclosed farms. While the farm crisis affected thousands of farmers, a portion of the protesters were drawn to the Posse Comitatus politics, which claimed that an international conspiracy of Jewish bankers (who supposedly controlled the Federal Reserve) had dispossessed farmers of their land. By then the name “Christian Patriots”—a label which “said who they were with” and “in their own words,” Levitas writes—had come into common use for the movement.

The 1990s militia movement, which formed the second wave of the Patriot movement, called for the formation of locally based militias to fend off looming tyranny—usually conceived of as a coming invasion by the United Nations, or domination by a secret cabal of elites. Although still present, those who openly espoused racist and antisemitic ideas were now a minority in the movement. The tactics and political goals remained the same, although the ideas of the John Birch Society had now become more prominent than the Christian Identity beliefs that animated the earlier movement. This second wave brought a mixture of different groups together, including White separatists, gun rights activists, right-wing tax protesters, anti-abortion activists, and Sovereign Citizens.

Starting in 1994, the militia movement expanded rapidly. Opposition to the Brady Bill, a 1993 gun control law, helped catalyze the movement. But many adherents were inspired by two incidents widely seen as evidence of federal government overreach or even tyranny. Then, as today, veterans were targets of recruitment by the movement—treated as objects of special veneration who could provide military training to other participants. The first was Ruby Ridge, a 1992 standoff between the FBI and the Weaver family, White separatists and Christian Identity followers in Idaho. During the 11-day standoff, two members of the family and one FBI agent were killed. The second was the 1993 siege of the compound of the Branch Davidian sect in Waco, Texas, where a total of 84 people died in a botched raid by the Federal Bureau of Alcohol, Tobacco and Firearms (ATF), which was followed by a standoff that lasted almost two months. Timothy McVeigh’s 1995 Oklahoma City bombing was retaliation for these incidents, as he made clear in a letter just before his execution. One side effect was that, even as the federal government amped up its infiltration of militia groups, it also apparently adopted a very hands-off policy in dealing with majority-White, Hard Right groups in order to avoid a repeat of these two tragedies, and the reaction that resulted. This practice has affected standoffs in recent years.

At its height, the militia movement had 20,000–60,000 active members, and perhaps five million people who agreed with its basic worldview. It was able to attract supporters in Washington, D.C., including U.S. Representatives Steve Stockman (R-TX) and Helen Chenoweth-Hage (R-ID). There were also state and local legislators like Colorado State Representative and Senator Charlie Duke. Gary Johnson, the 2016 Libertarian Party presidential candidate, even had a disturbing meeting with the militias in 1995 when he was New Mexico’s governor. Occurring about a week after the Oklahoma City bombing, Johnson emerged to call them “very
patriotic” and say he shared their views about federal government overreach. But after George W. Bush’s 2000 election win—and then, even more so after 9/11—the movement, which has always been strongest in opposition to a Democratic administration, declined.

In late 2008, with the election of Barack Obama, the movement sprang back to life with a third wave. New organizations emerged, but they still promoted the doctrines that the county sheriff should interpret the Constitution; that most of the federal government was unconstitutional; and that it was essential to form paramilitaries and a parallel legal apparatus, such as movement-controlled court systems, in order to replace the current structure of government. After 2008 it became rare to find open, ideological White supremacist (or separatist) views among those in leadership positions. Islamophobia also largely supplanted antisemitism, with Muslims replacing Jews in recycled demonizing narratives.

THE NEW WAVE

While organized militias, which were popular in the 1990s, are still around, they are no longer the central organizing force of the movement. Since 2008, Patriot movement activists who engage in armed organizing, or other actions that overstep the law, usually fall into five main groups. The Oath Keepers are a membership-based organization of current and former police, military, and first responders who swear to “defend the Constitution.” (Others can join as associate members.) Oath Keepers swear not to enforce 10 hypothetical orders—mostly derived from staple right-wing conspiracy theories about how the U.S. government will disarm civilians and herd them into concentration camps to facilitate a foreign invasion. The organization attempts to operate within the law while also being armed, and to portray themselves as a cross between a veterans’ group and a community service organization. They were present at the Bundy Ranch standoff; sent members to Ferguson, Missouri, during protests against police killings; tried to recruit at Occupy Wall Street events; and offered to guard Kentucky County Clerk Kim Davis when she refused to register same-sex marriages.17

Founded in 2009 by Stewart Rhodes, who had been an aide to former U.S. Representative Ron Paul (R-TX), the Oath Keepers are estimated to have just over 2,000 members (they claim a membership of 40,000). Rhodes, a graduate of Yale Law School, illustrates how cross-class this movement is, despite the stereotype of it being mostly poor, rural, and uneducated White people.

An affiliated group, the Constitutional Sheriffs and Peace Officers Association (CSPOA), is led by former Arizona county sheriff Richard Mack, who is also on the board of directors of the Oath Keepers. Mack became a hero of the Hard Right in the 1990s when he won a Supreme Court ruling that backed his argument that local law enforcement does not need to enforce the provision of the Brady Act, which required them to perform gun sale background checks.18 Like Posse Comitatus, Mack believes sheriffs can refuse to enforce federal laws, and decide whether amendments are constitutional. He has worked with Randy Weaver, the White separatist whose family was killed at Ruby Ridge, and previously worked for the radical group Gun Owners of America. The CSPOA refuses to make its membership list public, but it may include dozens of county sheriffs (they claim 400), in addition to other members.

One of those in the CSPOA’s orbit is Milwaukee County Sheriff David Clarke, whom the group named their “Sheriff of the Year” in 2013. A speaker at the 2016 Republican National Convention and a frequent commentator on Fox News, he has called Black Lives Matter “purveyors of hate” and “black slime,” and tweeted, “Before long, Black Lives Matter will join forces with ISIS to being down our legal constituted republic” (sic). He has also made comments that imply he would welcome an armed revolutionary movement against gun seizures.19

The Three Percenters were co-founded in 2008 by Mike Vanderboegh, a 1990s militia activist, as a more decentralized version of the militias, which many believe are heavily infiltrated by law enforcement. Anyone can independently declare themself a Three Percent- er, although there are organized local and national groups as well. This model of “leaderless resistance” creates a more difficult political milieu to infiltrate than standing, membership-based organi-
zations, and illegal actions can then be taken with a greater level of anonymity. The name refers to the mythical portion of American colonialists who were said to have taken up arms against the British during the American Revolution. Three Percenters swear that they will forcefully resist new gun regulations—a promise that brings to mind Trump’s unnamed “Second Amendment people.” In general they have a similar ideology to the Oath Keepers, although with a greater focus on Islamophobia, and they tend to attract the more violent members of the movement. (Some Three Percenters are reported to have also joined the Soldiers of Odin, an anti-immigrant vigilante patrol group founded by Finnish neo-Nazis and recently active in the United States as well.)

Another grouping, the Sovereign Citizens, also follow the crank legal theories first developed by Posse Comitatus. They believe most federal laws do not apply to them. The growth of a new wave of Sovereigns, as they are called, may have been spurred by the economic crisis starting in 2008; some have attempted to declare ownership of houses that underwent foreclosures. There are an estimated 100,000 “hardcore” Sovereigns, and 200,000 additional sympathizers. While there is clearly a large audience for these ideas, organized groups only play a minor role. Many websites and videos promote these fake legal theories, while individuals—known as “gurus”—who spread their own versions of Sovereign Citizen ideas go on speaking tours to cultivate followers.

Their tactics vary. Some file false liens against political opponents, engage in tax scams and fraud. Some set up their own courts and declare themselves judges. (At least two fake courts, overseen by self-proclaimed judges and targeting federal employees, were initiated by those connected to the Malheur occupation.) Some, like Scott Roeder, who assassinated abortion provider Dr. George Tiller, refuse to put valid license plates on their cars. Others have killed law enforcement officers, including Joseph and Jerry Kane, who in 2010 killed two police officers in West Memphis, Arkansas, before dying in a shootout. Despite the movement’s origins in the racist Right, today there are also a number of Black sovereigns. Veteran Gavin Long, the sniper who killed three police officers and wounded three others during a July 2016 Black Lives Matter march in Baton Rouge, Louisiana, was part of a group influenced by Sovereign Citizen ideology.

The size of these various wings of the movement is difficult to estimate. If based on the self-reporting of the CSPOA and the Oath Keepers, and on social media membership of Three Percenter group, it would appear that they represent a combined total of 130,000 activists—but this number is doubtlessly wildly inflated. It’s likely that their real numbers are between a quarter and a tenth of this. The movement is spread across the United States; in certain Western states, it has the character of a mass movement with some level of popular support, including in Oregon, Washington, Idaho, Utah, and Arizona. (For a detailed analysis of the Oregon movement, see the Political Research Associates and Rural Organizing Project report Up in Arms: A Guide to Oregon’s Patriot Movement.)

THE MOVEMENT TODAY

According to the Southern Poverty Law Center, this third wave peaked in 2011, before declining over the next several years. But when rancher Cliven Bundy staged his Nevada standoff in April 2014, over his longstanding financial dispute over grazing fees with the Bureau of Land Management, the movement swelled to his defense. When federal authorities came to seize Bundy’s cattle, Bundy called in his Patriot movement allies, which included armed Oath Keepers and Three Percenters. After a brief armed standoff, federal agents retreated—apparently following the government’s playbook instituted after Waco and Ruby Ridge.

For almost two years, there were no arrests and Bundy continued to not pay his grazing fees. Perhaps for the first time in the movement’s history, it appeared that the armed Patriot movement strategy—of deploying paramilitaries to stop the federal government from enforcing laws they opposed—had succeeded. This victory, achieved without casualties, inspired a sudden upsurge in movement activity and made the Bundys into movement icons.

For years, Republicans have attempted to transfer federally owned lands—which account for almost 50 percent of the land in 11 Western states—to state or county governments, effectively privatizing them in order to circumvent regulations on logging, mining, ranching, and development. Between the Bundy Ranch and Malheur wildlife refuge incidents, Patriot movement activists formed armed camps to support miners who were in conflict with federal agencies on at least two occasions. The first was in April 2015—the anniversary of the Bundy ranch standoff—at the Sugar Pine Mine in Josephine County, Oregon, and the second was at the White Hope Mine in Lincoln, Montana, in August 2015. Neither of these events garnered
much national attention.

Then on January 2, 2016, Patriot movement activists held a march in a remote Oregon town to protest an unusual prison sentence for two local ranchers who had been convicted under the 1996 Terrorism Act for starting fires on federal land where they had grazing rights. At the end of the march, a small group of armed activists from other states—including Cliven Bundy’s sons Ammon and Ryan Bundy, as well as well-known Islamophobic organizer Jon Ritzheimer—occupied the headquarters of the Malheur National Wildlife Refuge, where one of the fires had burned. They demanded the ranchers be freed, and the refuge be transferred to county control. They occupied the refuge for 41 days and engaged in an intense, unsuccessful struggle to win local community support for their efforts. One militant was killed when he refused to surrender at a police checkpoint. Those involved in the earlier Nevada standoff, including Cliven Bundy, were then also arrested. Twenty-six people were originally arrested for the Malheur Refuge occupation, and seven went to trial in September 2016; as of October 17, the trials are ongoing. The Bundy Ranch standoff trials are slated to begin in February 2017.

THE PATRIOT MOVEMENT AND THE REPUBLICAN PARTY

In the past, the Patriot movement’s politics were considered extreme even by fellow conservatives. Today—coming on the tail of the armed takeover of federal property—it’s an increasingly popular grassroots movement in rural areas of several Western states where there are high levels of federal land ownership. The Republican Party mainstream is moving into alignment with the politics, if not the tactics, of the Patriot movement. Some elected officials are open sympathizers, such as Nevada State Representative Michele Fiore, who helped negotiate the surrender of the last of the Malheur Refuge occupiers. When hardline Patriot movement activists ran in the May 2016 Republican primary in Oregon—the state where the Malheur takeover occurred—almost none advanced to the November election. However, members of the movement did move into the state’s Republican Party apparatus itself. Many Patriots had run for positions as Precinct Committee People, the lowest level officials in the party. At the state’s June 2016 party convention, a number of them took seats in the party infrastructure. One of them, Joseph Rice, then the state’s most prominent Oath Keeper, became a delegate to the July 2016 Republican National Convention in Cleveland. On the convention floor he unveiled a small banner emblazoned with “Free the Bundys.”

While the tactics of the Patriot movement are not yet mainstream, the Republican Party platform has embraced the guiding conspiracy theories of the movement, noting that, “We emphatically reject U.N. Agenda 21 as erosive of U.S. sovereignty, and we oppose any form of Global Tax.” A new plank now also calls for the immediate transfer of federal land to state governments. The Patriot movement’s xenophobic scapegoating and Islamophobia, taboo in mainstream circles even a year ago, have become part of mainstream political discourse.

If Trump is elected, it’s possible that the Patriot movement’s most militant tendencies might subside as supporters see their politics represented on a national level—along the lines of what happened with George W. Bush’s win in 2000. (Alternately, it could expand if he provides a warm ideological home for them, possibly turning a blind eye to, or even encouraging, illegal actions—although politicians often became more moderate once they are actually in power.)

If Trump fails to become president, some Patriot movement activists may turn to an armed struggle approach: the “second American Revolution” they’ve long threatened to carry out. For years, the movement’s tactics have largely been in support of what they call “defensive” positions, such as defending Cliven Bundy’s ranch from perceived federal intrusion. By contrast, the Malheur refuge occupation seemed to be a shift towards an “offensive” position—where they proactively took over federal property, even though the occupiers avoided pointing weapons at authorities.

With that shift has come escalated rhetoric. Movement propagandists have claimed that the death of refuge occupier Robert “LaVoy” Finicum was an assassination by law enforcement, giving the movement a modern martyr. As Trump has sown the rhetorical seeds to legitimiz revolutionary action, there is the possibility that escalated tactics could follow. If Hillary Clinton is elected, and her victory is portrayed by rightwing media as a stolen election, and she does promote further gun control measures—especially by executive orders or nominating a Supreme Court justice who supports them—armed revolt, by at least some members of this movement, would certainly be among the plausible outcomes.

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10. Levitas, The Terrorist Next Door, 108. When the head of Gale’s church, Wesley Swift, died, the position was taken by Richard Butler. He moved the church to Idaho and renamed it Aryan Nations, and the church became a major player the 1980s and 1990s neo-Nazi scene.

11. For threats of execution, see Neiwert, In God’s Country, 102, 175, 198, 223; for threats of kidnapping, see Levitas, The Terrorist Next Door, 305.


