

"Don't Tread on Me": Defiance and Compliance as Supporting American Values

Amy Cooter, University of Michigan

'If they're gonna to lump us all together, if they're gonna call us all terrorists when we're tryin' to do the right thing, I don't know why we should keep tryin' so hard.'
- 36 year old Curtis

Curtis' annoyance is the result of an experience militia members had in the summer of 2009 with a film crew from Holland. The crew had contacted militia leaders and asked to come out and get footage for a show where the host participated in various subcultures' activities to understand them and explain them to their audience. The crew had most recently finished filming with a government military unit in Columbia that was trying to track the guerilla group Revolutionary Armed Forces of Colombia (commonly called FARC), and had plans to film a pornography production company's newest sex toys in Los Angeles. Militia leaders were amused by the show's wide range, and agreed to have the crew out for a two-day camping and training event.

Once on site and when not filming, the two male cameramen alternated between chain-smoking, target shooting (with militia member supervision), and driving one member's all-terrain vehicle (ATV) around the field. The two female crew members—the host of the show and a producer—also shot several dozen rounds of ammunition, but spent most of their downtime flirting with several of the male members. Each of the women also rode the ATV, but only while clinging tightly to its owner. They both touched, hugged, laughed with, and posed for pictures with several of the members, and both excitedly accepted free "Michigan Militia" t-shirts and camouflage clothing from one member who usually sells these items after purchasing them either online or at a local Salvation Army. I wrote in my fieldnotes that both women exhibited very clear body language differences in their interactions with the militia men compared to their interactions with the male crew members, with whom the women had worked and traveled for quite some time. The women's overt attempts at creating intimacy with militia men were, in my estimation, a conscious attempt to use their sexuality to garner trust with the militia members. At no point did the women appear to be unnerved or uncomfortable, and the host talked to me about being 'a little disappointed that [militia members] were such normal guys.' Both women kissed the cheeks of several militia men before they departed to the airport at the end of the second day of training.

When the show aired and was posted on the internet, footage the crew had shot while at militia training was interspersed with footage of obviously racist groups in Europe. Curious to learn more about the content, I paid \$30 to a fellow graduate student who was from Holland to translate and transcribe the Dutch portions of the half hour show. I shared the transcript with militia members on their largest, private online forum, at their request.

The host of the show said the militia had been very dangerous to be around, saying, "I just think it is really scary." The show played ominous music as a militia member told the host it was her turn to shoot. In contrast to her obvious excitement while at training, the implication was that militia members had forced the host to shoot against her will, and that it had been an

intimidating experience for her. Despite talking with members and with me about how 'normal' militia members were in person, in the report, she further said, "Militias [...] are nearly always right-wing organizations with strong anti-government sentiments. Often they are also neo-Nazis and fascist characters."

Militia members were very frustrated by this stereotyped portrayal and felt betrayed, especially given how well they believed they had gotten along with the crew in person. Curtis' articulation of these feelings at the beginning of this paper accurately captures the general sentiment of other members who read the show's transcript. Curtis' militia unit and others continued to allow media at various training activities, but they tended to be less welcoming toward them after this experience¹. I did not witness militia members trusting other media persons with their ATVs or giving them clothing in any future interactions, for example, and members were obviously more guarded in conversations with other journalists.

The militia's angry response to the Dutch film crew's overly negative portrayal of their group and its aims is emblematic of a behavioral trend I observed during my fieldwork: members become hostile and relatively closed off after a negative interaction with authority. Authoritative agents include reporters or other media representatives², like the crew from Holland, who produce and disseminate knowledge to the general public. Most commonly, however, law enforcement actors or other government officials are the authority figures to whom militia members respond. Government agents represent the authority of the government as whole, and they were especially salient to militia members during various efforts to monitor or control militia activity that occurred during my fieldwork.

In contrast to some portrayals, militia members are not overtly opposed to authority, nor are they anarchists. Members want a well-defined social structure headed by a strong (but limited) government. Militia members' support of authority is not uniform, however, and is strongly shaped by their understanding of Americanism. That is, militia members believe citizens should be able to rely on authority in times of need, but should otherwise be left alone to pursue their interests without undue surveillance, interference, or persecution. They also believe that government must be constantly monitored and critiqued to ensure that it operates within the boundaries of the Constitution and this idealized understanding of the role of authority.

To better understand the militia's relationship to authority, this paper analyzes Michigan members' responses to several efforts to monitor or control the militia movement that occurred during my fieldwork. These interventions occurred in a context of increased national security that resulted from the terror attacks of 2001. I analyze the militia's relationship to authority through theories of crime and social deviance. I argue that Lawrence Sherman's Defiance Theory (1993) is especially useful for understanding members' response to perceived government control because it explains why authorities' attempts to suppress militia activity may sometimes *increase* it. Members defy authority when they believe it to be acting illegitimately, but comply when they believe authority to be legitimate. Moving beyond Sherman's theory, militia members define legitimacy in nationalistic terms, and understand acts of both compliance and defiance as affirming their sense of national identity.

¹ Notably, the Dutch film crew was not members' first experience with the media, but was the first time I observed a crew engaging so flirtatiously and receive such a warm welcome in response.

² Some members also saw me as an authority figure because of my place as researcher and asked my opinion on social issues in this context. I was careful to answer honestly while trying to avoid language they were likely to find inflammatory. I also made efforts to ensure that militia members remained the relative authority on all things related to firearms and related legislation, so as to avoid jeopardizing their position as knowledgeable informants in my research process.

UNDERSTANDING THE MILITIA'S RESPONSE TO INTERVENTION: FROM SOCIAL MOVEMENTS TO SOCIAL DEVIANCE

Social Movements Perspectives

Social movement scholars have mixed perspectives regarding the impact of government intervention on the behavior on other social movement groups. Some authors argue that state repression leads to a suppressive effect on social movements (e.g., Boykoff 2006; Davenport 2010). Others suggest that repression can shift movement actors' violent behavior into non-violent protest (Lichbach 1987), making the movement much easier to manage or ignore.

Another set of researchers (e.g., della Porta 2006) suggests that the relationship between repression and movement behavior depends on a complex interplay of individual and societal level factors. Sociologist Rudd Koopmans (1997), for instance, differentiates between two different kinds of government repression in his study of the extreme right in Germany: situational and institutional. He finds that when law enforcement officers (LEOs) act to contain a protest through force, the protest activity tends to escalate, meaning that situational repression tends to enhance mobilization. In contrast, when institutional constraints such as bans of certain groups or activities, or legal actions including trials take place, movement action is suppressed. It might thus be argued that Koopmans' groups of interest perceived a certain justification or legitimacy in legislative action, but not in forcible police action.

Another third set of social movement scholars similar argues that repressive efforts uniformly *increase* mobilization or even radicalize moderate movement actors into violent action. Political scientists James Walsh and James Piazza (2010), for example, argue that when a State infringes on "physical integrity rights"—those related to preventing government torture or political imprisonment—the State will face greater terrorist action. Sociologists Karl-Dieter Opp and Wolfgang Roehl (1990) suggest that radicalization happens after the State applies repressive efforts that are perceived as "unjustified."

How determinations of "justification" or "legitimacy" happen within a movement are left relatively unanswered in the social movements literature. Particularly given the contradictory findings in that literature, I suggest it is useful to turn to criminological theories of behavior. These theories typically address social deviance of individuals as they defy authority but can offer insights into group-level processes as well.

Theories of Crime and Deviance

To be clear, the vast majority of militia members that I observed in Michigan are law abiding citizens. Militia participation is nonetheless a non-normative form of political activity in the U.S. in the sense that it is rare and involves unusual, embodied enactment of belief, and people might be prone to reject it as a legitimate political expression. Militia participation may thus be considered a socially deviant behavior or expression of threatened ideals. It is understandable in a post-9/11 State with increased security that law enforcement would at least want to monitor militia activity in light of other acts of violence allegedly committed by militia members in the past (e.g., D'Oro 2012; Williams 2011). Theories drawn from the criminology literature help explain why efforts to monitor and control militia members may sometimes backfire, however.

Control Theory

Traditional criminological Social Control Theories argue that efforts to control criminal or deviant behavior through threats of punishment (e.g., incarceration or other sanctions) should

typically reduce the likelihood of the behavior (Matza 1969; Reckless 1973). This would seem to be the principle under which law enforcement agencies have generally interacted with militia units and other similar groups. The 1992 conflict at Ruby Ridge, Idaho and the stand-off a year later in Waco, Texas, for example, clearly show law enforcement actors who took an aggressive, controlling, and punitive stance over an initially small conflict, which then ballooned into national headlines and multiple civilian deaths. More recent events where various militia units have been infiltrated and observed by undercover officers (e.g., Karoub and Householder 2010) show a slightly different approach, but nonetheless reflect a government agency assessing a group to determine what level of control might be necessary or appropriate to constrain potentially deviant behavior³.

Labeling Theory

In contrast to the social control approach, traditional Labeling Theories suggest that once a person is labeled as a social deviant by society or one of its agents, that person may internalize that deviant identity and thus participate in more, or amplified, deviant behaviors (Lemert 1951; Paternoster and Iovanni 1989). Labeling theory would suggest that the more law enforcement agents act in a controlling way toward militia members—through increased firearms legislation, perhaps—the more deviant behaviors we would expect from members. That is, the more law enforcement treats militia members like deviants or criminals, the more likely militia members may be to participate in future problematic activities. This is not to say that law enforcement should not take action if they suspect militia members of criminal activity. Rather, the labeling scenario becomes problematic in instances where militia members are acting lawfully but nonetheless perceive law enforcement agents as treating them criminally.

Situations where militia members responded negatively to such perceived labeling were surprisingly common in the 1990s, and often occurred during what should have been routine traffic stops. On these occasions, reactionary individuals within the militia movement understood the traffic stop as a labeling act because they believed they were in accordance with the law, or denied the authority of the law to set regulations regarding license plates or safety belt usage, for example. Reactionary individuals interpreted the interaction with law enforcement as confrontational, and, in some cases, resisted arrest, assaulted the officer, or fled the scene and led officers to caches of illegal weapons or explosives that might have been used in a dangerous standoff scenario (Pitcavage 1997).

Defiance Theory

Criminologist Lawrence Sherman's (1993) Defiance Theory bridges this gap between the approaches of control and labeling theories and provides an explanation of both compliance with and rebellion against authority. Sherman suggested that defiance occurs following four necessary conditions:

1. The offender defines a criminal sanction as unfair under one of two independently sufficient conditions:

³ It is worth noting that this law enforcement tactic is certainly not limited to the militia movement or even groups on the political right. The FBI is well-known to have infiltrated various segments of the Civil Rights Movement through the program known as COINTELPRO (Earl 2003), and is suspected to have similarly investigated environmental groups and Occupy Wall Street (Associated Press 2011; CBS News 2009b).

- a. The sanctioning agent behaves with disrespect for the offender, or for the group to which the offender belongs, regardless of how fair the sanction is on substantive grounds.
- b. The sanction is substantively arbitrary, discriminatory, excessive, undeserved, or otherwise objectively unjust.
2. The offender is poorly bonded to or alienated from the sanctioning agent or the community the agent represents.
3. The offender defines the sanction as stigmatizing and rejecting a person, not a lawbreaking act.
4. The offender denies or refuses to acknowledge the shame the sanction has actually caused him to suffer (ibid.: 460-461).

In other words, when an individual who does not feel integrated into a society believes they have been unfairly sanctioned by that society, they understand the sanction as a rejection of them as a person, rather than a rejection of some particular act they committed. Instead of experiencing shame and changing their subsequent behavior to match societal standards, the person denies they have experienced shame as a result of sanctioning and then acts in defiance of the societal standard instead.

Sherman correctly observes that the idea of defiance is embedded in the American mythos. The American Revolution is the story of colonists defying a burdensome monarch. The "Don't Tread on Me" Gadsden flag was a Revolutionary-era symbol of defiance and has experienced renewed interest in recent years for the same purpose, including among militia members.

Similar sentiments are still seen in high school sports teams (particularly in the South) that still use "rebel" mascots and Confederate flags to represent individuality and rebellion, despite facing extensive criticism for referencing systems of racial oppression. The ideas are reminiscent of the "culture of honor" (Nisbett and Cohen 1996) that dictates how a certain segment of American men understand their masculinity, national identity, and personal integrity to be interrelated. More broadly, ideas of individualism and defying authority are synonymous with constructions of Americans as entrepreneurs and self-sustaining world-leaders, however mythological those constructions may be.

THE MILITIA AND LAW ENFORCEMENT

Since the 9/11 terror attacks, law enforcement in the United States has changed. Police are more militarized, with local police agencies having increasingly more (and more deadly) equipment previously reserved for military or rare SWAT units (Kraska and Kappeler 1997; Moomaw 2010). At the national level, the FBI tripled the number of intelligence analysts (FBI 2011), the Department of Homeland Security (DHS) was formed to assist different intelligence agencies in sharing information, and these agencies have vastly increased the monitoring of various private communications (e.g., Brasch 2005). The Patriot Act was similarly implemented following the attacks with the overt goal of expanding law enforcement power in the War on Terror. Both DHS and the Patriot Act have faced criticism in the intervening years for various encroachments on individual citizens' liberties because the Act has been used to commit widespread wiretapping of citizens' telephone conversations, to monitor individuals' internet activity, and even to request library patrons' records (e.g., Graves 2010; Lichtblau 2008; Ryan 2008).

Despite ongoing public conversations about problems with the Act, there is evidence that Americans' tolerance of government intrusion in their personal lives in the name of national security has increased. Research from the Pew Center (2011), for example, indicates that 42% of Americans believed the Patriot Act was “necessary” for security in 2011, which is an increase from 33% in 2004. The same study revealed that slightly fewer Americans saw the Act as a threat to civil liberties in 2011 than in 2004 (34% vs. 39%).

Militia members understand national security and individual liberty to be intimately connected, and perhaps believe this more strongly than most Americans. Without unflinching protection of individual liberty, they believe the national character of the U.S. would be changed such that concerns about physical security would be pointless. When authoritative agents push the boundaries of individual liberty with attempts to monitor or control the militia movement, militia members' response is shaped by the perceived legitimacy of those actions. They evaluate legitimacy by the degree to which authoritative actions conform to their vision of Americanism.

During my fieldwork, I observed that LEOs variously treated militia members (and others) as confidants, suspects, criminals, and terrorists, each of which I analyze below. Each subsequent category holds a greater degree of suspicion, hostility, criminality, and perceived threat than the previous category. Confidants are people with whom information may be shared; suspects are people who cannot be trusted, but who have not yet been tied to a crime; criminals are people who have committed an illegal and socially problematic act; terrorists are a specific and more dangerous kind of criminal.

Treating Militia Members Like Confidants

Militia members have a hyper-awareness of LEOs' interest in their activities. After some casual chatting at the very first militia meeting I attended in March 2008, 47 year old Adam told me, 'I don't care that the FBI watches us. I don't.' I had not asked him a question about law enforcement or any related topic, and took his statement as an assumption that I might be an undercover officer, in which case he wanted to make it clear to me that he was unperturbed by my presence. Vincent, a government employee who was listening in, agreed and said that several months back he had trouble getting one of his children, Clay, to do his homework, and had posted a reference to "Agent Clay: Operation Homework " on www.michiganmilitia.com. Vincent said it still made him laugh to fantasize about the LEOs reading that line and trying to discern whether the message meant something sinister.

SMVM leaders occasionally left other messages to LEOs through the website, such as, "Nothing down here, Jim!"—the name of an FBI agent with whom some leaders frequently spoke—to demonstrate they knew they were being monitored. Vincent said that Jim had indicated he appreciated how much information SMVM listed on the website and wished all groups were so easy to monitor. Vincent believed that Jim was not opposed to the militia, but was just trying to do his job. In return, Vincent said that Jim notified different militia units about concerns the FBI had that might be of interest to them. Jim had recently told Vincent that the FBI expected to 'See a large rise in racist groups attempting to infiltrate groups like the militia.' Regardless of Jim's real feelings for the militia, or motives for communicating with leaders, what is important is how militia members perceived these interactions. Members clearly saw themselves as cooperating with law enforcement and were understanding of, if bemused by, LEOs' desire to monitor their activities. They joked about being watched even while appreciating information that Jim gave them. They believed themselves to be partners, to some extent, with law enforcement efforts to maintain civilian safety.

The perception that law enforcement was openly communicating them made leaders more comfortable cooperating with LEOs in other circumstances. One member claims he drove on his own time to the Detroit FBI field office to go through pictures of members in various units around the state so agents might know which individuals were most likely to be 'trouble;' he proudly pulled out an FBI agent's business card and showed it to me during my interview with him. Other members routinely called law enforcement contacts in their areas if new visitors at meetings raised suspicions. I was present at one meeting where leaders had received a 12 page letter from a disturbed individual who requested that the militia help defend her from Tom Cruise and other Hollywood figures she believed were somehow planning to harm her. I witnessed leaders Google the address for the sheriff's station nearest the letter sender's return address and prepare an envelope to send the sheriff a copy of the letter, 'Just so he knows what's going on in his neighborhood.'

This relatively positive relationship with LEOs also carried over to in-person interactions, particularly when undercover officers attended public meetings. When the undercover officers were particularly poor at being undercover, leaders openly said things like:

'And to law enforcement present tonight, welcome! Thank you for your service. We're glad to have you. Come talk to us after the meeting, we have some materials 'specially for you.'

Statements like this were not paranoia, nor mere speculation. When it was eventually revealed that an undercover FBI agent who was responsible for initiating the arrests of some militia members in another unit first did undercover work within SMVM, leaders identified him on their forum more than a year before his name was released to the public⁴.

Despite the welcoming message leaders gave them, I never saw a suspected undercover officer stay to speak with militia members after the meetings. Instead, they routinely left quite early, well before the end of the meeting, as if to avoid one-on-one interactions. Militia leaders were never surprised by this, but sometimes expressed disappointment at not having the opportunity to try convincing the officers of the common goals about protecting the community and nation they believed the militia shares with law enforcement. In these circumstances, members were not coopting or replacing law enforcement authority (Carlson 2012), but were instead attempting to compliment and strengthen it.

Militia members actively sought out opportunities to interact and share information with LEOs when they were operating under what they perceived to be a mutually cooperative framework. Militia members understood law enforcement interactions to be legitimate in these scenarios in that LEOs treated militia members respectfully and as sources of information, rather than as a source of suspicion. In this context, militia members had little against which to rebel.

⁴ After some time, I too became able to identify likely undercover officers at militia events. They were usually two middle-aged, white men whom no one remembered seeing previously and who did not return to future events. In contrast to members' work clothes or casual tee-shirts, they wore plain, dark tee-shirts, khakis or dark slacks, waist-length jackets even when the weather was not cool enough to merit one (presumably to cover a sidearm tucked at the small of their back, or carried in an over-the-shoulder holster), and radios exposed at their belts. They typically arrived 20 minutes after the function's published start time and thereby avoided small-talk interactions with members. They never ordered any food or drink if the meeting was held at a restaurant and never asked questions, while almost all other first-time attendees did both. They sat where they could observe the entire room, and made frequent eye contact with each other, but rarely with anyone else.

They neither felt they were being controlled, nor felt they were being labeled by the government, and thus continued to act cooperatively.

Treating Members Like Suspects

A slightly greater degree of suspicion from law enforcement was evident in two internet-related events. Neither event was overtly directed at militia members, but members believed *all* American citizens were being treated like suspects who must be watched for possible criminal action in both incidents. They responded to both incidents in the context of acting on behalf of informed citizens who were concerned about everyone's right to free speech, and who sometimes feel especially targeted for their views opposing government action.

First, in the fall of 2011, President Obama's administration started a website called AttackWatch.com, where people could "report" attacks or "smears" about Obama and his administration. The website was intended to be a source of information for the administration, so they could engage in fact checking and better fight public misinformation regarding various proposed policies (see Figure 21). However, the site was widely ridiculed by conservative commentators. The campaign soon changed the image of the site to be less mysterious, and changed its content to be a place where people could sign up to receive more information about the administration.

The second event occurred in early 2012, when DHS released a list of more than two hundred words whose usage they monitored on the internet. If used, especially in combination, DHS might monitor the writer, or even place them on a watch list (Department of Homeland Security 2011). The words covered several categories and included things ranging from "militia," "nationalist," and "terrorism," to "cloud," "ice," and "vaccine."

Militia members had a strong negative response to both the Attack Watch website and the list of keywords. Some members described the website a "*Stazi*-style snitch link," and understood it as a "socialist" attempt to control the populous as well as free speech. Their acts of speaking out against the site and Obama's perceived intent behind it were in direct contrast to what they believed the site was intended to accomplish. Members similarly understood the broad list of DHS keywords to be an ineffective attempt to control free speech, and many of them immediately wrote a dozen or more words from the list on their Facebook pages or unit websites. "Militia" was, of course, always the first entry. Members believed they and other Americans were being treated like people who might engage in criminal behavior if only given the opportunity, and who must accordingly be closely monitored.

Militia members engaged in *more* of the behavior that government officials were monitoring and apparently trying to discourage, rather than less. If the government really was trying to control or constrain this type of behavior, the effort failed, as would Control Theory's applicability to this scenario. Militia members were not directly labeled or targeted by these government actions, so Labeling Theory similarly fails to explain their behavior. Defiance Theory, however, allows us to understand how members directly defy perceived efforts to control free speech by engaging in the very behavior they believed the government was trying to control. In accordance with their understanding of American identity, members rejected government behavior as illegitimate in these scenarios because they believed it to be an infringement on the fundamental right of free speech. Members were acting in the spirit of the Founding Fathers and following Thomas Jefferson's famous instruction, "If a law is unjust, a man is not only right to disobey it, he is obligated to do so."

Treating Militia Members Like Criminals

The next framework for LEOs' interactions with militias was the most common one during my fieldwork. Instead of people who might become criminals, militia members were sometimes treated as though they had already broken a law or participated in dangerous behavior. I first observed militia members being treated like criminals as the 2008 Presidential Election approached. Much was at stake during this election for political conservatives. Republican George Bush was ending his second term in office, and there was general disapproval among the American public regarding his performance on many issues, especially the war in the Middle East. President Bush's final approval rating was 22%, according to a CBS News poll (2009a). This was the lowest ever for a President, and many people seemed to expect a Democrat with very different policy views to be elected as a result of this general dissatisfaction.

This expectation made political conservatives rather anxious, and militia members were no exception. At the first meeting I attended in March 2008, SMVM discussed plans for a "Post-Election Public Readiness Meeting" for November 5th, the day following the Presidential Election. This was to be a special meeting, the first of its kind, according to leaders. It was held instead of their usual monthly meeting, though both types of meeting are open to the public. The purpose, according to 41 year old Lloyd, was to 'Talk about things that threaten your right to bear arms, and as a result of that, your right to live and exist as a free American.'

In mid-October 2008, leaders began to heavily advertise the event to other militia units, to friends and family, and to interested people visiting their websites. One leader managed to post an advertisement in some low-circulation, local newspapers. Leaders reserved a meeting hall in a more central location than their usual space, and made sure they had enough room to accommodate up to 100 people. Their main flier⁵ read:

"On November 4th a decision will be made on the future of this nation. Are we still a Republic? A socialist welfare State? Or a militarized police State? How stands the Republic? How stands this State? What are you prepared for on November 5th?"

Representatives from several different law enforcement agencies visited militia members around the state, nearly simultaneously, a few days before the election. Thirty-six year old Edward, a member from the western part of the state claimed that officers from three different agencies pulled him over on the interstate to have a conversation with him. He understood this interaction as follows.

"Yeah, they wanted to see if we were planning anything and if we were pissed off if Obama got elected and stuff. You know, it's not that. Obviously, I think a *lot* of people are pissed off, but I don't think it's like, you know, those yahoos down South plannin' on killin' Obama. Yeah. Ok. That's gonna happen [rolls eyes]. I think people are still in fear that that's what we wanna do, [that] we're anti-government, like we wanna assassinate people."

Edward is referring to the highly publicized arrest, just days prior to the 2008 election, of two young men with neo-Nazi affiliations who apparently made a plan to assassinate Barack Obama and kill other African Americans (Associated Press 2008). Law enforcement was

⁵ For readability, I have inserted punctuation and corrected capitalization not in the original text.

undoubtedly on high alert after this and other similar threats, and wanted to ensure there were no similar plans from Michigan militia members. They also perhaps wanted to intimidate any members who were particularly upset by Obama's expected election victory into either revealing their feelings or suppressing any violent urges, in accordance with control theory's predictions. Some members reported having been visited by LEOs at work. Vincent, for example, joked that he had a 'Nice, 45 minute, paid break' as FBI agents took a hostile tone with him. Agents reportedly said, 'We know you're involved in the militia,' to which Vincent said he laughed and replied, 'You'd better know that! I'm all over the [michiganmilitia.com] website, and I have a militia sign hung up in the elevator [that we just rode in]!' Vincent thus reports having used humor to downplay the potential aggressiveness in the interaction and try to maintain power in the conversation.

Thirty-nine year old Cliff similarly tried to maintain control of the interaction that a different law enforcement agency initiated with him. They called him, saying they had been unable to find him at his home. Cliff said he replied, 'That's the way I like it!' before giving the caller a specific time and place outside his home they could meet if they were still interested in speaking with him. In other words, Cliff did not appreciate LEOs showing up at his home unannounced and was glad their efforts to find him had been temporarily frustrated. Rather than mutually establishing an alternate meet-up location, Cliff gave a single time and place as the only option for an in-person conversation, which was again intended to maintain a degree of control in the interaction.

Several days later at the post-election meeting, one of the members who believed he had a cooperative relationship with the FBI before these interactions was still visibly irritated and told me that he had angrily called his primary FBI contact and asked why she was 'Stirring up a hornet's nest.' He and other members were clearly offended that agents did not trust them as much as they had previously believed when LEOs were treating them like confidants. Despite past openness and cooperation with law enforcement, it is clear that these members felt that law enforcement had mishandled pre-election concerns and trespassed on personal boundaries that were important to militia members. They did not appreciate being treated like criminals, rather than responsible citizens who would willingly cooperate with law enforcement, and responded with hostility as a result of this perceived betrayal.

Militia members retained this resentment for the next Presidential Election in 2012⁶. Members again planned a large, public, post-election meeting and widely advertised it. Members did not experience direct efforts at government intervention during this election cycle, but some were very clearly still upset regarding LEOs' interactions with them prior to the 2008 election. Elias, the member who served as the primary organizer of the event, told me he was still 'Annoyed at how [law enforcement] handled the last election,' as he sarcastically said LEOs, 'Had done so well to discover information we publicly posted all over the internet.'

In 2012, Elias christened the post-election meeting "MilitiApocalypse" and designed a flyer with that read, "311 MiLiTiApocalypse: The Day America Will Change Forever". Smaller text notes that "311" refers to November 7, 2012, which is the day of the meeting, as well as the 311th day of the year. Instead of listing the meeting location on the flyer or website as they typically do, the flyer includes instructions to contact the group or watch the website for more details.

⁶ Several units similarly hosed a 2010 midterm election meeting, but this one had fewer first-time attendees, and topics of conversation revolved around militia training and activities, rather than political themes as was the case with both Presidential Election meetings.

Elias gleefully noted that the yellow-orange picture he chose for the background was ambiguous,

'Is it a sunrise? Is it a sunset? Is it an atomic bomb going off? Who knows? And what about "311?" It sounds like it should mean something, right? Like 911 or 411?'

Elias was sure that at least one FBI agent would be assigned the task of deciphering the message to discern the meeting's "real" purpose, and said he wished he could know how long it would take them to realize what the "311" meant, despite being printed on the page. Other SMVM leaders were at first resistant to the plan of such a potentially scary-looking flyer, but Elias' articulation of his annoyance with LEOs' previous interactions with the group quickly won them over. In this case, the flyer and its intentionally mysterious message were a blatant attempt to waste LEOs' time and resources because of the perceived disrespect they had given members during the run-up to the previous Presidential Election.

Members of another group took a somewhat more direct approach to defying law enforcement categorizations of militia members as criminals. In June 2012, LEOs detained and questioned members of a Michigan militia unit that had just experienced renewed interest after a period of relative inactivity. The group's leader, who goes by the codename Blackjack, was detained as he was getting off a flight, while other members were simultaneously approached at home or at work. Blackjack wrote an account of his interaction with law enforcement that was widely posted to militia forums and a few blogs of sympathetic groups around the country.

Blackjack said the FBI "Wanted to know if I wanted to talk about my group." The casual inquiry belied the nature of the forced conversation, which, for Blackjack, took place in a secluded area of the airport with several armed officers. According to his account, he spoke briefly with those officials, attesting to his commitment to the militia, but later expressed frustration with how LEOs had approached the situation:

"All that said, for those federals reading this, should you decide to arrest us or 'NDAA'⁷ us, for the charge of loving our Constitution and country, have the decency to leave the neighborhoods we live in alone. Leave our wives, children and other family members alone. Approach us calmly, reasonably, and without dynamic raid teams. They are unnecessary. Doing so might just help you start to rebuild the older, more honorable title of 'peace officer' and heal the scars the last 40 years of 'law enforcement' have wrought among us ('us' meaning the citizenry). All dynamic raids do is provide a testosterone 'buzz' for those 'tactical types' [in law enforcement] that see all of us, and I mean every single one of us, as 'the enemy.'"

Other militia members similarly expressed frustration that LEOs had again simultaneously detained members of Blackjack's group in a way that felt hostile, that communicated suspicion of the group, and that felt almost like a military operation. They did not object to LEOs' desire to speak with this group's members, merely the manner in which they had approached members as suspects rather than law abiding citizens. The forced nature of this interaction made Blackjack

⁷ This refers to the National Defense Authorization Act which allows for individuals to be indefinitely detained without being charged with a crime or put on trial.

and others believe that law enforcement was likely to be hostile to them in the future, to the extent of arresting them merely for their militia participation.

In each of the above three scenarios where LEOs treated militia members like criminals, members responded defiantly. The government's efforts to exert authority and control on the movement failed as members engaged in more militia activity. Members certainly believed they had been labeled "criminal," in accordance with Labeling Theory, but rejected the label, rather than internalizing it, because of the legality of their behavior.

Instead, and in accordance with Defiance Theory, members rejected the negative label and acted in ways that reinforced their militia identities. Members confronted by LEOs prior to the 2008 election used sarcastic humor and constrained meeting opportunities to maintain control in interactions with law enforcement, while insisting on the value of their militia participation. Members who were still frustrated about their treatment during that election planned a meeting to look intentionally dangerous and scary, with the overt goal of creating a hassle and spitefully wasting law enforcement resources—a clear enactment of the "Don't Tread on Me" version of patriotic defiance. Blackjack took a more direct approach to communicating his displeasure with being treated like a criminal, and tried to educate LEOs on how to better interact with militia units. Blackjack's taking the role of instructor defies the position of authority that law enforcement established in their interaction with him, while reinforcing the validity of his militia participation.

Treating Militia Members (and Veterans) Like Terrorists

The most hostile framework LEOs applied to militia members during my time in the field was that of militias as terrorists. This framework is more hostile than assuming militia members are mere criminals because it implies that they are involved in especially violent and dangerous behavior intended to harm the country and its citizens, rather than vaguely criminal activity that may or may not be targeting private individuals, rather than government agents or institutions. Predictably (through the lens of Defiance Theory), militia members responded very poorly to this categorization.

The "terrorist" categorization was made evident in a ten-page report on "rightwing extremism" from DHS in April 2009. The report's introduction says it is intended for law enforcement, "So they may effectively deter, prevent, preempt, or respond to terrorist attacks" (Department of Homeland Security 2009:2), and is marked "For official use only." It was leaked to the media, however, and soon found its way across the internet. The report compared the contemporary socio-political climate to that of the 1990s, and suggested that increases in so-called extremist activity during both time frames could be attributed to an economic decline alongside increasing global competition and proposed firearms legislation.

Although the report differentiated between groups that are primarily "hate-oriented" like white supremacist groups and those that are primarily "anti-government groups" in its early pages, there is slippage throughout the document between these categories. In most places, militias seem to be categorized as anti-government groups, but some passages specifically reference only "violent," "extreme," or "radical" militia groups, while other passages seem to refer to all militia groups without differentiating among them.

There was one primary predictive claim in the report that militias understood to apply to them:

"The possible passage of new restrictions on firearms and the return of military veterans facing significant challenges reintegrating into their communities could lead to the potential emergence of terrorist groups or lone wolf extremists capable of carrying out violent attacks. [... Returning veterans] possess combat skills and experience that are attractive to rightwing extremists. [DHS] is concerned that rightwing extremists will attempt to recruit and radicalize returning veterans in order to boost their violent capabilities" (*ibid.*:2, 3-4).

The implications of this claim are rather vague: returning veterans may join rightwing groups, some of which have the potential to be violent. Several Republican Congresspersons called for an official withdrawal of the report, or even for Homeland Security secretary Janet Napolitano's resignation or dismissal (Fox News 2009). They noted that a DHS report on leftwing extremism released three months prior included specific groups and specific threats, while the rightwing acknowledged that DHS, "Has no specific information that domestic rightwing* terrorists are currently planning acts of violence" (DHS 2003:3)

This claims about veterans in the report deeply offended many militia members and returning veterans alike. Pete Hegseth, chairman of the organization called Vets for Freedom, for example, was widely quoted as saying:

"If anything, veterans have an allegiance to this country greater than the average citizen. Veterans have learned where their allegiances lie and are less prone to extremism. Something's wrong with the editing process, or [DHS officials] just don't understand veterans. The report demonstrates a true lack of understanding of who veterans are" (Fox News 2009).

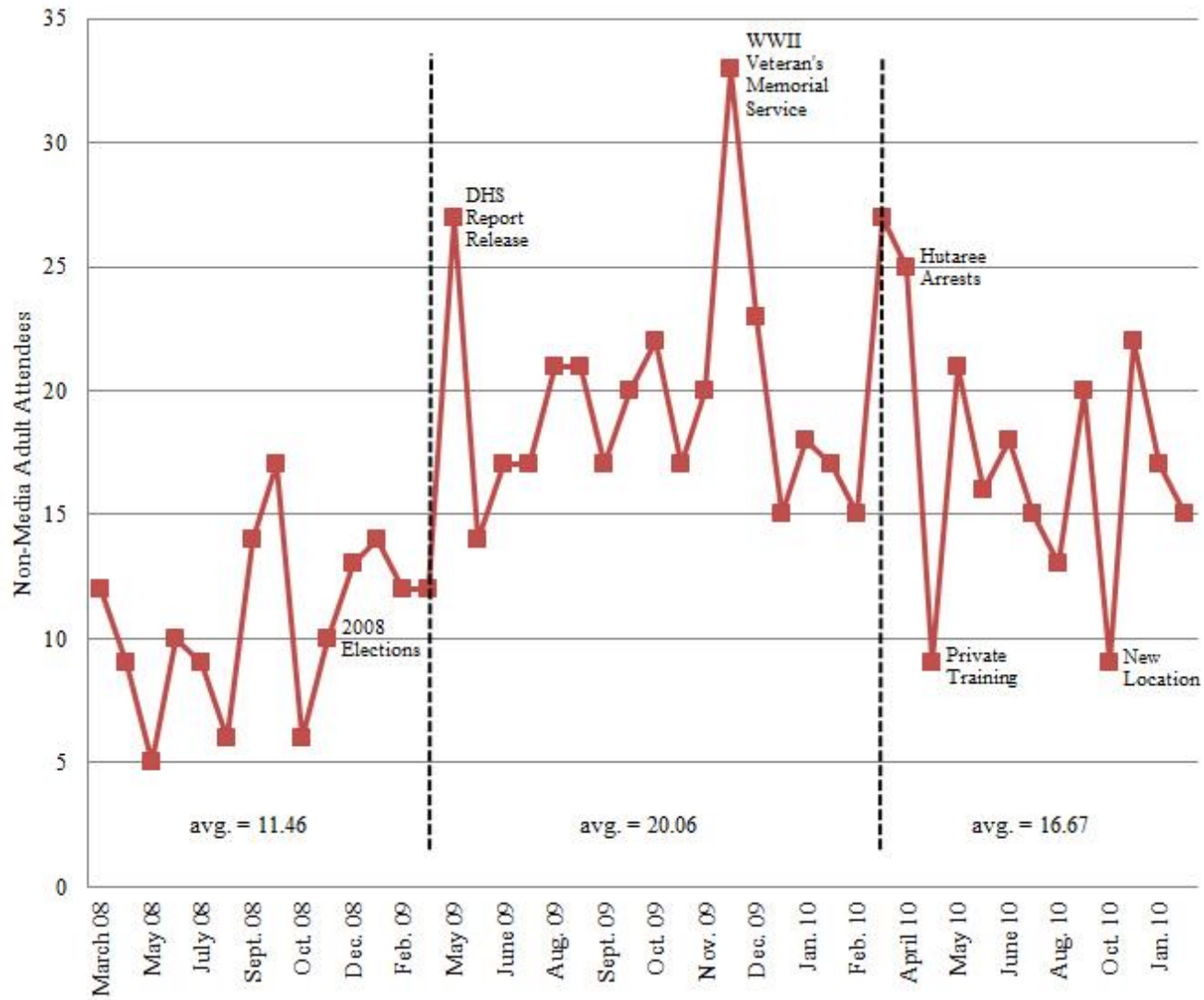
Militia members, many of whom have military experience themselves, and all of whom honor combat veterans as national heroes, described the report as calling veterans 'suspected terrorists.' Militia members prioritize serving their country, uphold a traditional view of national identity that lauds service and honor, and see themselves as super citizens who work more diligently than most Americans to uphold the country's values and security. Members found it incredibly offensive to be labeled as the very problem they see themselves as fighting, and respond accordingly. As Emmet, a recent returning veteran in his twenties who joined the militia after the report's release, told me at his second training in June 2009,

'I mean, here I am, I *honorably* served my country. I risked my life in the sand over there! I come back home and those fuckers call *me* a terrorist? I was *fighting* terrorism. It was "The War on Terror!" You bet I'm pissed!'

Emmet and other veterans returning from the War on Terror, as well as veterans from earlier skirmishes, sought out the Michigan militia⁸ after feeling betrayed by the DHS report. They most often took very active roles and used their military knowledge to dramatically expand the number of available activities during trainings. Trainings were no longer dominated by target practice alone; members engaged much more in varied activities like navigating advanced

⁸ Militias in other states with whom I and Michigan leaders had contacts reported their own increases in returning veteran attendance following the report's release.

Figure 23. SMVM Attendance Before and After DHS Report



compass courses across different terrains, self-defense training, and technical lessons on different firearms.

The presence of more veterans also meant that militia membership and attendance experienced substantial growth in the immediate aftermath of the DHS report. Figure 23 shows non-media adult attendance at SMVM events (both meetings and trainings) I attended from March 2008 to March 2010⁹. Units around the state experienced a very similar pattern; SMVM's attendance is generally larger and more consistent than other units', and thus is the best to explore graphically. The vertical lines on the graph (at March 2009 and March 2010) separate the 12-month periods surrounding the DHS report's release.

The first SMVM event following the report in April 2009 shows an immediate, large jump in attendance relative to all other events in the preceding 12 months. Attendance at events in the 12 months following the report was elevated relative to the preceding time frame, with all events having more attendance than all but three (21%) of the preceding year's events¹⁰. The November 2009 training had an especially high attendance, as this was the event immediately following the death of the WWII veteran on whose property many militia units trained; more units than usual attended to participate in his memorial service.

Observing this increase in participation during 2009, Vincent, who has been an active member since the militia's inception in the early 90s remarked, "Man, this is what the militia should have looked like 15 years ago!" Vincent's remark is particularly compelling since militia membership in the 1990s is estimated to have been between 10,000 and 20,000 in Michigan alone (Churchill 2009). Vincent has witnessed the fluctuations in militia attendance since 1994, and for him to be impressed by this surge is striking. Vincent believed that interest and participation in the militia finally matched his vision of what it should have been at its inception. He later joked on the forum that another member should change the name of one of their information brochures to, "How to Recruit National Guardsmen," thus referring to the notion that militia participation had increased as a direct result of the DHS report. He continued,

"Oh, wait Jan Napolitano has already done that for us....The tighter they [government officials] squeeze, the more patriots will slip through their fingers."

In Vincent's view, the more the government treats veterans and other people who are loyal to an originalist understanding of the nation like criminals, the more likely those people are to seek out groups like the militia with the intention of undermining the government's efforts. Attendance increases after the DHS report indicate that there is at least some truth to this claim.

The authors of the 2009 DHS report explicitly referred to a control theory approach when explaining the decrease in militia prevalence in the late 1990s.

"Following the 1995 bombing of the Alfred P. Murrah federal building in Oklahoma City, the militia movement declined in total membership and in the

⁹ I do not include myself in the attendance counts. The graph does not include attendance at special election meetings SMVM hosted in November 2008 and November 2010 on this graph. While these two meetings were similar to each other, they are both anomalous relative to all other SMVM gatherings during my fieldwork. Attendance at both these events was abnormally large because of the greater publicity SMVM leaders raised for these events, and because several other militia units participated in each event to express their solidarity. Neither election meeting resulted in a single new member for SMVM or other units in attendance.

¹⁰ It is also worth noting that no substantial bump in attendance happened following either the November 2008 Presidential Election, or the January 2009 inauguration of Barack Obama.

number of organized groups because many members distanced themselves from the movement *as a result of the intense scrutiny militias received after the bombing*. Militia membership continued to decline after the turn of the millennium *as a result of law enforcement disruptions of multiple terrorist plots linked to violent rightwing extremists, new legislation banning paramilitary training, and militia frustration that the 'revolution' never materialized*" (9; *emphasis added*).

DHS credits law enforcement attention and new legislation with undermining the militia movement by essentially scaring off its membership through threats of legal action. The control approach fails to explain why militias might grow stronger as a result of law enforcement interactions, such as the DHS report itself. Additionally, despite attributing some of the decrease in militia activity in the 1990s to firearms legislation, the report also warns that such legislation now may result in backlash. It says:

"The possible passage of new restrictions on firearms and the return of military veterans facing significant challenges reintegrating into their communities could lead to the potential emergence of terrorist groups or lone wolf extremists capable of carrying out violent attacks" (*ibid.*:2).

Control theory cannot account for these contradictory expectations resulting from firearms legislation.

Labeling Theory helps explain the resentment that members like Bruce felt after the report. Bruch said:

"So when it comes out that the Department of Homeland Security lumps us as "terrorists" or prone to [being] terrorists because of being veterans, combat veterans or police or anything else, let me just say this: my oath stands just as well today as it did when I was 17 in 1962 and took it [while in the military] to protect and defend the Constitution."

Bruce did not indicate that annoyance at being called a potential terrorist redoubled his interest in the militia, but did say that he planned to continue his militia activity until he was physically unable to do so. Labeling Theory does not, however, adequately address the *new* militia sympathizers and participants who developed an interest in the group only after the DHS report.

It is again most useful to understand militia members and returning veterans with shared ideological perspectives as acting in defiance of the DHS report. They understood the report as trying to limit their involvement in the militia, and as misrepresenting the militia and its goals. Instead of internalizing a label or being afraid of government monitoring, new members joined the group to spite the report and its authors. Members' understanding of what it means to be a good citizen again shaped their interpretation of authoritative action and shaped their behavioral response.

When Militia Members Really Are Criminals: The Hutaree Arrests

Militia members took defiant action in response to being treated like suspects, criminals, and terrorists when there was no evidence they were engaged in illegal or dangerous behavior. In contrast, members supported law enforcement intervention when members of the Hutaree militia in southern Michigan were arrested in March 2010. In this case, members judged there to be sufficient evidence to justify the arrests.

"Hutaree" is a word that members of that militia made up to mean "Christian Warriors;" unlike other units in the state, this one had explicit religious overtones. Members understood their unit leader to also be their spiritual leader, and all of them attended the same church. Members from several other militia units told me early in my fieldwork that they found the Hutaree's emphasis on a particular understanding of religion off-putting.

They additionally warned me that the Hutaree could be dangerous, as they had independently witnessed members practicing unsafe firearms practices. For example, Hutaree members who attended SMVM training needed to be told repeatedly to observe the safety rule of always treating a firearm as though it is loaded as they carelessly swung their empty rifles' barrels in trajectories that crossed other people's bodies. One Hutaree member did this to such an extent that a Vietnam veteran at the training told the man he was only allowed to participate in training exercises with a stick, rather than a rifle, as he took the rifle from the man's hands. This story has been told to much laughter (e.g., "What caliber was the stick?!") during various militia gatherings at least half a dozen times during my fieldwork, including several times before the Hutaree arrests occurred.

Militia members from at least two different units, including SMVM, contacted the FBI over their concerns about the Hutaree (Baldas 2012; Higgins 2010). The FBI placed an informant and, later, an undercover officer within the ranks of the Hutaree. It is unclear what the undercover officer witnessed in March 2010 to trigger the arrests. Militia rumor has it that the Hutaree leader showed the agent an assembled bomb in the woods near their training facility, but this was never confirmed in media reports of the trial.

Nine Hutaree members were charged with a variety of offenses including plotting to use "weapons of mass destruction" and "seditious conspiracy"—a very serious charge of planning to overthrow the government. The State alleged that Hutaree members were planning to murder a police officer, then murder and injure other officers, perhaps with an improvised explosive device, at the first officer's funeral. The defendants' lawyers argued that Hutaree members discussed violent action, but said that it was protected speech under the First Amendment. They further insisted that there was no evidence members were really planning to harm anyone.

On March 26, 2012, exactly two years after the Hutaree members were arrested, the judge ordered the immediate release of the defendants. She ruled that the prosecution had failed to support the State's charges, and that there was not enough evidence to demonstrate Hutaree members had a specific plan for harm. Two defendants who pled guilty to weapons charges and one defendant who pled guilty at the beginning of the proceedings were sentenced to time served.

Upon first glance at Figure 23, it might be tempting to conclude that the Hutaree arrests had a suppressant effect on militia activity. However, I argue that this is not the case. The April 2010 SMVM event immediately following the arrests had only slightly lower attendance than the previous month, with more attendees than were present at all but three (17%) of the events during the time frame of the DHS report's release. Further, the two events with low attendance following the arrests were both trainings that occurred under slightly unusual circumstances. The

first, in May 2010, became the first and only training that SMVM made entirely private: they explicitly disallowed the media¹¹ and did not publicly post the training location. Only members on the private forum were made aware that this training was taking place on private property three hours north of their usual location. The driving distance also created difficulties for some members who wanted to attend, but were unable to make the trip on relatively short notice.

The second unusual training in October 2010 also occurred at a different location. This time, SMVM leaders were unable to book the campground at their usual state park. They instead reserved a camping area at a different state park, which was again a farther distance to travel for many members. Additionally, this particular training was intended to be the start of the Junior Militia Corps, which is designed to more fully integrate members' children in militia activities. All this training's planned events revolved around things in which children could be involved. This may not have been something that members without children wanted to travel an additional distance to do.

The relevant characteristic of the graph is that attendance following the arrests is still elevated compared to the time frame prior to the DHS report. Thus, it would seem that the Hutaree arrests had no impact on militia attendance. Although the arrests could be understood as a form of government crackdown on the militia as a whole—a form of government control—members were not intimidated into decreasing their activity as Control Theory would predict. The arrests specifically targeted a group from whom other units in the state separated themselves, long before the arrests occurred. Members who were not breaking the law did not generalize the government's response onto their own militia activity, nor did they internalize a "criminal" label because of the behavior of another group.

In the case of the Hutaree, *supporting* law enforcement action amounted to supporting the militia's vision of American identity. The authorities' actions were justified and in accordance with militia members' understanding of law enforcement powers to protect citizens and prevent harm. Militias also want law enforcement to prevent rogue militias from engaging in dangerous activity to avoid a further disparaging of the public image of militias that would happen following a successful violent event. Members thus had no reason to act defiantly because they endorsed this effort. Just as was the case when law enforcement treated militia members like confidants, members could interpret the actions of law enforcement as conforming to their understanding of how authority should interact with the US citizenry and supported their actions.

PATRIOTISM, DEFIANCE AND COMPLIANCE

Militia members' understanding of nationalism premised on individual liberty and their understanding of militia participation as a duty of citizenship certainly make ideas of a righteous, patriotic defiance resonate with them. In terms of the rest of Sherman's (1993) typology of defiance, members do not always feel alienated from society as a whole, but do feel alienated from the government (as the sanctioning agent), and from LEOs as official extensions of the government. Members believe certain government interventions with them to be a form of sanction because the interactions indicate that the government either assumes militia members are criminal or at least socially deviant, or uses such interactions to label the militia as deviant in the public eye.

Members reject sanctions for both of Sherman's suggested reasons. In some circumstances, members believe government interactions to be completely unwarranted, as they did with the DHS report. In other circumstances, members understand the government's interest

¹¹ Notably, members still welcomed my attendance.

in interacting with the militia movement, but feel disrespected by the process, as they did when LEOs behaved hostilely toward them prior to the 2008 Presidential Election. As 36 year old Dale said when Blackjack and his group were detained and questioned in the summer of 2012,

"[LEOs] should leave us alone because we aren't doing shit! If they have cause for alarm, in the sense that there are illegal things being done, by all means, do what you have to do. We shouldn't have to be subject to questioning at the behest of the federal government. We're private citizens exercising our 1st and 2nd Amendment rights by being in the militia, it's not subject to the blessings and permissions of the FBI or any other bureaucracy. Let's not forget that."

Dale notes that if there is evidence of illegal behavior within the movement or a specific group, forced, formal questioning might be appropriate, but with a lack of evidence, he wants to be left alone to enact his rights. Dale and other members see hostile interactions as an effort to mark the militia as a whole as socially problematic, rather than as an effort to explore a particular suspected act.

When militia members are sanctioned via hostile interactions or reports that label them suspects, criminals, terrorists without evidence, members do not experience shame; they instead become angry and uncooperative. Members defiantly reinvest in their militia member identity as they invoke both the legality of their actions and their loyalty to the nation. Members participate in additional militia activities, and become less open with law enforcement. In some circumstances, members, like Elias, intentionally make the group's activities look more threatening than they are with the goal of wasting LEOs' time, thus possibly distracting from real threats within the movement or elsewhere. In other circumstances, people who sympathize with militia ideology join the movement in droves out of frustration. The more hostile law enforcements' categorization of militias is, the more defiant their reaction.

In contrast, in scenarios where members perceived government interventions to be justified, as was the case with the Hutaree arrests, members do not become defiant. They do not understand the legitimate arrest of a particular group as an assault on the militia movement as a whole because they believe that any person or group who desires to act violently defies the core principles related to individual freedom that the militia is supposed to uphold and protect. This is why the Hutaree arrests had no overall impact on militia participation.

Social movements theories of repression do not capture these behavioral outcomes. The militia showed a mixture of increased and decreased activity in response to similar authoritative actions. Their pattern of response is exactly the opposite of what Koopman's observed regarding situational (police) repression increasing movement activity, but institutional (legal) repression lessening activity. When LEOs interacted with militia members directly in a hostile manner just prior to the 2008 elections, they were annoyed, but their activity did not escalate. In contrast, when legalistic efforts were applied in an attempt to control the movement with a 2009 Department of Homeland Security (DHS) report, the militia grew dramatically. After the 2010 arrests of Hutaree militia members—another legal intervention with potentially hostile overtones—there was no effect on militia size.

Defiance Theory, through a lens of ideal nationalism explains these trends and also helps explain why militia members respond negatively to exaggerated media and other reports of their activities. Journalists or researchers may, alongside law enforcement actors, take Sherman's (1993) role of "sanctioning agents" who represent a community that is hostile to the movement

when they negatively report on militia activities. Members become frustrated when they feel that reporters or others inaccurately represent their activities, as was the case following the Dutch film crew's inflammatory report, discussed at the beginning of this paper. Similarly, in May 2010, following the arrests of one Michigan unit and the subsequent media coverage that portrayed the entire militia movement as dangerous and socially problematic, SMVM's training where media representatives were explicitly banned was intended to give members a break from being interviewed so they could better focus on desired training activities, and also helped members avoid negative coverage linked to their group in the immediate aftermath of the news of the arrests. Other units continued the trend of disallowing media for varying periods of time. The negative coverage, which did not clearly differentiate between the arrested unit and other militia units, had the effect of making Michigan units more closed to outsiders and more difficult to monitor as members once again embraced their militia identities and acted in defiance of the media reports.

Perhaps even more strikingly, members from several different units sent Mark Potok, director of the Southern Poverty Law Center (SPLC), a "Thank You" card in March 2010 following the SPLC's release of the newest list of active militias. The yearly list is intended to undermine militia activity by drawing attention to it; alongside ongoing militia reports on their "Hatewatch" list, the SPLC strongly implies that militias are uniformly involved in dangerous and socially problematic behavior. Michigan militia members reject that public knowledge of their activities is a shame-inducing act, however, because they insist on its legality and, in their view, necessity, for maintaining a free America. They acted defiantly once again by sending the card. The outside of the card read "You really shouldn't have,..." while the inside read "but I'm so glad you did." Members added a handwritten note that read, "Thank you SPLC for the wonderful list of militias to network with. We hereby declare you militia recruiter of the year." It was signed by more than two dozen members by the end of the day, each of whom saw signing the card as an opportunity to reframe what was intended to be a shame-inducing act into something positive for the group that contradicted the SPLC's intent.

In both scenarios, militia members were frustrated by public portrayals of their group as criminal and dangerous, and once again reinforced their militia identities as they defied attempts to control their behavior and their image. Members banned outsiders for varying lengths of time, depending on the unit, in response to the media reports, and thus became more difficult to access and monitor, as the reports suggested was necessary. In response to the newest SPLC list, members thanked its authors for a useful tool to help grow the movement, and thus directly defied the list's intent to undermine the movement.

What Sherman's Theory of Defiance does not capture is how members interpret the legitimacy of authorities' actions through the lens of Americanness. Militia members' express their commitment to the nation through acts of both defiance and compliance. Their response depends on the degree to which authorities' actions conform with members' vision of authorities serving the needs of the people and upholding the law.

When authorities treat militia members like confidants or when they engage in investigations that are justified based on evidence of dangerous behavior, members are compliant and support those actions. When authorities treat members like suspects, criminals, or terrorists with no concrete evidence of problematic behavior, members are likely to become defiant, with their degree of defiance increasing as the hostility of the label increases. That is, when members were treated like suspects with no direct confrontation, they post more material online in defiance of a perceived attempt to control Free Speech on the internet, for example. When

members are treated like criminals, they create hassles to waste law enforcement resources. When members are treated like terrorists, their reaction is most extreme; in the wake of the DHS report, members not only became uncooperative, but doubled the size of the militia in Michigan.

In the context of increased attention to legitimacy as defined by commitment to national identity, Defiance Theory would predict that we would see greater militia activity during times when the political environment is hostile to such groups. Although most militia members dislike both major political parties, Democrats tend to be further from their ideal Libertarian standard than are Republicans, particularly on the issue gun control. Militias experienced substantial growth during the last two Democratic administrations of Bill Clinton and Barack Obama and were relatively quiet during the intervening Republican administration of George W. Bush. The rise of administrations is intimately tied with a variety of national and global socioeconomic and political changes, so it is overly simplistic to attribute militia activity to having a Democrat in the Presidential seat alone. However, those administrations represent a collective of policies and political attitudes that are hostile to political conservatism and to militias in particular.

We might also expect to see an increase in militia activity when public discussions concern specific proposed restrictions to gun rights or firearms availability. Conversations like this happen periodically, particularly following mass shooting incidents, of which there have been several in the last few years. I did not witness membership surges that corresponded to such public discourse during my fieldwork, but that could be because such discourse is typically short-lived and without any real political backing.

Existing members do discuss such news coverage amongst themselves and renew promises to fight firearms legislation through protests, contacting their representatives, and purchasing more firearms. In the event that such legislation becomes likely (during President Obama's second term, for example), I would not, however, be surprised to see protests alongside a growth in membership. Militia members do not oppose firearms restrictions for the mentally ill or felons, but believe that legislation typically only impacts law-abiding citizens, rather than criminals who obtain and possess weapons illegally. Members worry they would be unable to protect themselves and their families if legislative efforts left firearms only in the hands of criminals.

Militia members understand their militia participation as a concrete way to learn how to protect themselves, their families, and their communities in the event of a disaster. They understand themselves to be patriots who should be working alongside LEOs to protect the nation and individual freedoms as laid out in the Constitution. They greatly resent any implication that they instead work to undermine the safety of the country or its citizens. Members enjoy feeling like trusted informants and are more likely to cooperate with LEOs when they are approached in this manner. Members become hostile, uncooperative, and even disruptive when they are treated like suspects without cause, as Defiance Theory with a lens of Americanness predicts. Sometimes members like Trevor, in his late 60s, anticipate unwarranted law enforcement harassment based on previous control-based interventions the government has directed at the movement:

"And do not send an innocent cop, male or female, to come and try to confinscate [*sic.*] my gun. If you want to confinscate it, I'm puttin' you on notice, Obama, *you* come to my door and *you* try to do it! Because that's the day you and I will meet our maker."

Seemingly cooperative interactions can, in contrast, dispel these tensions, as Blackjack noted following his detention at the airport. Militia members welcome contacts from LEOs that are cooperative, or at least respectful, and that do not immediately treat militias like criminal organizations. Members want to believe that the government and its agents act justly, legally, and in accordance with their nationalistic value of freedom and equality. They believe that respectful interactions with law enforcement can rebuild trust that has been destroyed in past interactions, and are hopeful that LEOs have learned lessons from this past, which left civilians dead and law enforcement agencies reprimanded by Congressional panels.

In a post-9/11 world, many Americans might find that compliance with authority and with all law enforcement actions—no matter how intrusive—are necessary for a secure nation (Pew Research Center 2011). For militia members, however, *defiance* of law enforcement action that is seemingly unwarranted or hostile is necessary to maintain a national character that is worth fighting for and that conforms to the mythologized history of the country. Militia members understand hostile interactions not just as a threat to individual members or the militia as a whole, but also to the essence of the rights included with U.S. citizenship. In this context, it is members' perceived *duty* to be defiant of what they understand to be improper law enforcement actions, and members will continue to act in the spirit of the independent, defiant message of the Gadsden flag.

REFERENCES

- Associated Press. 2008. "ATF: Plot by skinheads to kill Obama is foiled." *msnbc.com*. Retrieved October 29, 2012. (http://www.msnbc.msn.com/id/27405681/ns/politics-decision_08/t/atf-plot-skinheads-kill-obama-foiled/).
- Associated Press. 2011. "Police reportedly went undercover at Occupy LA." *the Guardian*. Retrieved October 26, 2012. (<http://www.guardian.co.uk/world/2011/dec/03/occupy-la-undercover-detectives-raid>).
- Baldas, Tresa. 2012. "In Hutaree trial, defense says key witness given special treatment." *Detroit Free Press*, February 14. Retrieved March 8, 2012. (<http://www.freep.com/article/20120214/NEWS01/120214051>).
- Boykoff, Jules. 2006. *The Suppression of Dissent: How the State and Mass Media Squelch US American Social Movements*. New York: Routledge.
- Brasch, Walter M. 2005. "Fool's Gold in the Nation's Data-Mining Programs." *Social Science Computer Review* 23(4):401–428.
- Carlson, Jennifer D. 2012. "'I Don't Dial 911' American Gun Politics and the Problem of Policing." *British Journal of Criminology* 52(6):1113–1132.
- CBS News. 2009a. "Bush's Final Approval Rating: 22 Percent." *CBS News*. Retrieved October 29, 2012. (http://www.cbsnews.com/8301-500160_162-4728399.html).
- CBS News. 2009b. "FBI Tracks Ecoterrorists." *CBS News*. Retrieved October 26, 2012. (http://www.cbsnews.com/8301-18560_162-263478.html).
- Churchill, Robert H. 2009. *To Shake Their Guns in the Tyrant's Face: Libertarian Political Violence and the Origins of the Militia Movement*. Ann Arbor, MI: The University of Michigan Press.
- Davenport, Christian. 2010. *Media Bias, Perspective, and State Repression*. New York: Cambridge University Press.
- Department of Homeland Security. 2009. "Rightwing Extremism: Current Economic and Political Climate Fueling Resurgence in Radicalization and Recruitment." Retrieved April 15, 2009. (<http://www.wnd.com/images/dhs-rightwing-extremism.pdf>).
- Department of Homeland Security. 2011. "Analyst's Desktop Binder." Retrieved April 1, 2012. (<http://www.scribd.com/doc/82701103/Analyst-Desktop-Binder-REDACTED>).
- Earl, Jennifer. 2003. "Tanks, Tear Gas, and Taxes: Toward a Theory of Movement Repression." *Sociological Theory* 21(1):44–68.
- FBI. 2011. "Intelligence Analysts: Central to the Mission." *FBI*. Retrieved October 24, 2012. (http://www.fbi.gov/news/stories/2011/august/intelligence_081811/intelligence_081811).

- Fox News. 2009. "Napolitano Apologizes for Offending Veterans After DHS Eyes Them for 'Rightwing Extremism'." Retrieved April 20, 2009. (<http://www.foxnews.com/politics/2009/04/16/napolitano-apologizes-offending-veterans-dhs-eyes-rightwing-extremism/>).
- Graves, Lucia. 2010. "FBI Wants More Power To Track Internet Activity, Civil Rights Community Cries Foul." *Huffington Post*. Retrieved October 26, 2012. (http://www.huffingtonpost.com/2010/08/05/fbi-wants-more-power-to-t_n_672227.html).
- Higgins, Lee. 2010. "Militia group gave FBI information on Hutaree two years ago, e-mails show." *AnnArbor.com*, April 15. Retrieved April 15, 2010. (<http://annarbor.com/news/militia-group-provided-fbi-information-on-hutaree-two-years-ago-emails-show/>).
- Karoub, Jeff, and Mike Householder. 2010. "FBI created ruse in arresting Hutaree militia: Memorial service lured members away from guns." *The Plain Dealer - cleveland.com*. Retrieved October 26, 2012. (http://www.cleveland.com/nation/index.ssf/2010/04/fbi_created_ruse_in_arresting.html).
- Koopmans, Ruud. 1997. "Dynamics of Repression and Mobilization: The German Extreme Right in The 1990s." *Mobilization: An International Quarterly* 2(2):149–164.
- Kraska, Peter B., and Victor E. Kappeler. 1997. "Militarizing American Police: The Rise and Normalization of Paramilitary Units." *Social Problems* 44(1):1–18.
- Lemert, Edwin M. 1951. *Social Pathology*. Boston, MA: McGraw-Hill.
- Lichbach, Mark Irving. 1987. "Deterrence or Escalation? The Puzzle of Aggregate Studies of Repression and Dissent." *The Journal of Conflict Resolution* 31(2):266–297.
- Lichtblau, Eric. 2008. "F.B.I., Using Patriot Act, Demands Library's Records." *The New York Times*, August 26. Retrieved October 24, 2012. (<http://www.nytimes.com/2005/08/26/politics/26patriot.html>).
- Matza, David. 1969. *Becoming Deviant*. Upper Saddle River, NJ: Prentice Hall.
- Moomaw, Graham. 2010. "SWAT team statistics spark questions about tactics." *The Sentinel*, May 26. Retrieved October 23, 2012. (<http://www.thesentinel.com/pgs/SWAT-team-tactics-Prince-George-s-County>).
- Nisbett, Richard E., and Dov Cohen. 1996. *Culture Of Honor: The Psychology Of Violence In The South*. Boulder, CO: Westview Press.
- Opp, Karl-Dieter, and Wolfgang Roehl. 1990. "Repression, Micromobilization, and Political Protest." *Social Forces* 69(2):521–547.

- Paternoster, Raymond, and Leeann Iovanni. 1989. "The Labeling perspective and delinquency: An elaboration of the theory and an assessment of the evidence." *Justice Quarterly* 6(3):359–394.
- Pew Research Center. 2011. "Public Remains Divided Over the Patriot Act." Retrieved October 23, 2012. (<http://pewresearch.org/pubs/1893/poll-patriot-act-renewal>).
- Pitcavage, Mark. 1997. "Flashpoint America: Surviving a Traffic Stop Confrontation with an Anti-Government Extremist." *The Militia Watchdog*. Retrieved October 27, 2012. (<http://www.adl.org/mwd/trafstop.asp>).
- della Porta, Donatella. 2006. *Social Movements, Political Violence, and the State: A Comparative Analysis of Italy and Germany*. New York: Cambridge University Press.
- Reckless, Walter. 1973. *The Crime Problem*. 4th ed. New York: Appleton.
- Ryan, Jason. 2008. "Secret Wiretap Warrants Double Since 9/11." *ABC News*. Retrieved October 23, 2012. (<http://abcnews.go.com/TheLaw/DOJ/story?id=4761476#.UIc318VG-So>).
- Sherman, Lawrence W. 1993. "Defiance, Deterrence, and Irrelevance: A Theory of the Criminal Sanction." *Journal of Research in Crime and Delinquency* 30(4):445–473.
- Walsh, James I., and James A. Piazza. 2010. "Why Respecting Physical Integrity Rights Reduces Terrorism." *Comparative Political Studies* 43(5):551–577.