
Domestic Terrorism in the 1980's

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The United Freedom Front ... the Armed Forces of the National Liberation ... the Armed Resistance Unit ... the EPB-Macheteros. These are some of the names that have become synonymous with terrorist activity in the United States and Puerto Rico during the 1980's. These groups are domestic; they are not funded, directed, controlled, or supported by foreign sources. They, and other groups of similar philosophies and ideologies, are responsible for more than 125 terrorist incidents and numerous other terrorist-related acts since 1980. Bombings, armed robberies, murders, and arsons are some of the criminal acts that have been attributed to them.

The 1980's followed 2 turbulent decades when domestic terrorist and extremist political activity in the United States reached levels not previously recorded in American history. The 1960's, for example, were dominated by violence generated by racial hatred, campus unrest, and urban disorders. The 1970's were dominated by antiwar and anti-imperialist attitudes which resulted in a wave of terrorist bombings. Many of the issues and values that impacted on these times changed little and once again have become factors in the 1980's. Although the majority of the in-

dividuals responsible for the post-1980 terrorism were not directly responsible for the violence of the 1960's and 1970's, many can trace either their group's beginnings or their own individual involvement in a movement to this period.

Perspectives

At the beginning of the 1980's there was a certain attitude among law enforcement about the threat of terrorism in the United States. This was based upon the most recent activity, or lack of activity, by the various domestic terrorist factions.

The early-to-mid-1970's were marked by the bombing attacks by such leftist groups as the Weathermen or Weather Underground Organization and the New World Liberation Front. By the end of the decade, however, these activities had become sporadic at best (six terrorist incidents in 1978, one in 1979, and none in 1980). Most of those responsible for the terrorism from these elements were either in custody or they had disappeared and their locations and activities were unknown. Once regarded as a most serious domestic security threat, the "white left," because of a lack of identifiable terrorist activity,

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distributed nationally from Hayden Lake by members of the group. Aryan Nations members maintain contacts with other far right groups. Symbols, such as double lightning bolts and swastikas, which were used by Hitler's Nazi regime, are often worn by members of the Aryan Nations and other right-wing neo-Nazi extremist groups.

Many followers of the Identity religion live on compounds in isolated areas. Bible readings are conducted and religious instructions are held. Paramilitary and survivalist training also occurs, however, and weapons and foodstuffs are often stored in preparation for the racial and social upheavals that, according to Identity doctrine, will precede the Second Coming of Christ. Some of the groups that are located on compounds include the Aryan Nations in Idaho; the Covenant, the Sword, the Arm of the Lord in Arkansas; and Elohim City in Oklahoma. Another group, the National Alliance, a less religious-oriented organization than the others, is also located on a compound in West Virginia. A several-day Aryan Nations Congress has been held at the Aryan Nations compound for all but one of the past several years. It is attended by members of a number of far right groups.

In addition to racist views, many right-wing groups also espouse anti-government sentiments. They refer to the Government as the Zionist Occupation Government or ZOG because they view it as being controlled by Jewish interests. Members of these groups engage in paramilitary and survivalist training, believing that the United States is headed toward a moral or economic collapse or a communist takeover.

The most violent far right group active during the 1980's has been the

Order, an offshoot of the Aryan Nations. Another name for the group is Bruders Schweigen or Silent Brotherhood. This group was founded by Robert Mathews, who was an Aryan Nations member. Order members were also members of other right-wing organizations and had become disenchanted with their respective groups' lack of action to further the cause. Among the groups represented in the Order were the National Alliance; various chapters of the Ku Klux Klan; and the Covenant, the Sword, the Arm of the Lord.

The Order was loosely based on a book, *The Turner Diaries*, written by National Alliance leader William Pierce under the pseudonym Andrew Macdonald. It is a futuristic account of racial warfare in the United States. In the book, an elite and clandestine force, the Order, spearheads efforts to destroy the U.S. Government to replace it with one based on white supremacy.

Members of the Order have been involved in numerous criminal activities since 1983, mostly in the northwestern United States. Included among these acts are counterfeiting; armed robberies with proceeds totaling more than \$4 million; assaults on Federal officers; bombings, including those against a Jewish synagogue and a Catholic priest; and the murders of a suspected informant, a Missouri State patrol officer, and a Denver, CO, talk show host.

Between October 1984, and March 1986, 38 members of the Order were arrested. On December 7, 1984, Robert Mathews was killed on Whidbey Island, WA, resisting arrest. Shoulder weapons, handguns, hand grenades and other explosives, money, ammunition, and possible target lists were recovered at various safehouses and other locations.

Another group that was involved in criminal activity is the Covenant, the

Sword, the Arm of the Lord (CSA). Beginning in 1980, some CSA members were involved in bombings, arsons, robberies, and the murder of a black Arkansas State policeman. During April 1985, the CSA compound was raided by Federal authorities. Military surplus equipment, shoulder weapons, a heavy machine gun, money, handguns, and grenades and other explosives were found in a search of the compound. A total of five persons were arrested, including four Order members, two of whom were fugitives, and CSA leader James Ellison. Other CSA members were arrested at a later time. Of the CSA and Order members arrested, all either pled guilty to charges or were convicted in Federal or State courts. As a result, the threat posed by these two groups has significantly decreased.

Another far right-wing faction of interest to law enforcement during the 1980's are the tax protest and anti-government groups. Organizations such as the Sheriff's Posse Comitatus (SPC) and Arizona Patriots view Federal and/or State authority with suspicion. They espouse parochial as opposed to national interests, and they desire that there be as little government involvement as possible in their lives. They advocate nonpayment of taxes and regard Federal and State laws as unconstitutional. The SPC, for example, views the local sheriff as the only legitimate law enforcement authority and the only legal elected authority, and it regards the justice of the peace as the highest court in the country.

The SPC, however, is the only tax protest group to which a terrorist incident has been attributed. This occurred during February 1983, in North Dakota when SPC members fired upon authorities attempting to arrest Gordon Kahl, an SPC leader, for tax evasion. A U.S. marshal and a deputy U.S. mar-

CIVIL RIGHTS DIVISIONTenth Circuit Affirms Convictions For Violations Of
18 U.S.C. 245(b)(2)(C) In Submachine Gun Slaying Of
Denver Radio Talk Show Host Alan Berg

On August 25, 1989, the Tenth Circuit affirmed the convictions of David Lane and Bruce Pierce, members of the racist terrorist group known as "The Order," for killing Denver radio talk show host Alan Berg with a submachine gun as he got out of his car in front of his home in Denver. Both were convicted of conspiracy and violation of 18 U.S.C. 245, which prohibits injuring, intimidating, or interfering with any person because of race, color, religion or national origin, and because that person is or has been "applying for or enjoying employment, or any perquisite thereof, by any private employer."

Lane and Pierce were convicted (two codefendants were acquitted) for killing Berg because he was Jewish and because of his employment as a talk show host. The Order was a virulently anti-Semitic group that, among other terrorist acts, formulated a plan to kill prominent Jews, particularly those in the media. Berg was their first such victim.

The Tenth Circuit held that Congress had power pursuant to the Commerce Clause to reach private conduct through enactment of Section 245(b)(2)(C). It held that Congress had explicitly and properly relied on the extensive evidence presented to it prior to passage of the Civil Rights Act of 1964 (four years before passage of 18 U.S.C. 245(b)(2)(C)) establishing that racial discrimination burdens interstate commerce. Those findings were adequate, since Section 245(b)(2)(C) was enacted, in part, to protect individuals in the exercise of rights guaranteed by Title VII of the Civil Rights Act of 1964. The Court also rejected challenges based on the sufficiency of the evidence, prosecutorial comment on Lane's post-arrest silence, the denial of severance, Bruton, and the Double Jeopardy Clause (both had previously been convicted of violating RICO, in part by shooting Berg). The decision affirms that Congress validly prohibited private interference with private employment through enactment of 18 U.S.C. 245(b)(2)(C) pursuant to the Commerce Clause.

United States v. Lane, No. 87-2774 (10th Cir., August 25, 1989) and United States v. Pierce, No. 87-2805 (10th Cir., August 25, 1989).

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