



Domestic Danger: The Greatest Threat to Our Democracy



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On November 16, 2023 Mary McCord, Executive Director of the Institute for Constitutional Advocacy and Protection, shared humbling evidence to the Tucson Committee on Foreign Relations about threats to our democracy. Several pressing issues were highlighted, revealing the intricate web of extremist ideologies, social polarization, and the ominous influence of unregulated armed groups. This piece aims to address these topics, inviting you to add your take on potential threats to our democracy.

First, some key definitions:

International Terrorism = any act of violence intended to intimidate or coerce a civilian population **with direct connection** to foreign terrorist organizations
Ex: 911 (motivated by foreign terrorist organizations)

Domestic Terrorism = any act of violence intended to intimidate or coerce a civilian population **with no connection** to foreign terrorist organizations but occur primarily within US territory
Ex: El Paso Shooting (racially or ethnically motivated)

Domestic Violent Extremism = Acts that are dangerous to the lives of Americans, violate state or federal laws, and are intended to intimidate or coerce a civilian population.

Ex: Armed militia standing outside voting stations to persuade voters

Trump Campaign: A Catalyst for Extremist Groups

During McCord's tenure as Acting Assistant Attorney General for National Security in the U.S. Department of Justice, she shared the evidence of a sharp spike in extremism over the last 7 years. This surge coincided with the Trump campaign and a subsequent increase in 'anti-other' sentiments, perpetuating extremist ideologies. Trump's statements, such as the notorious "very fine people on both sides" comment during the Unite the Right Rally, and his directive to the Proud Boys to "stand back and stand by," were seen by McCord as contributing factors to heightened political polarization and tacit approval for extremist rhetoric.

McCord highlighted how Trump's online statement, "If you come after me, I'll come after you," led to severe threats against a judge handling his case, fostering an environment where public figures faced harassment and intimidation. This atmosphere led numerous pro-impeachment officials to opt out of running again, fearing retribution from Trump's supporters. How can we ensure equal representation in government if Democrats fear running due to Trump's support base? Will future Republican candidates feel compelled to emulate Trump's extreme representation within the party?

What Domestic Violence Extremism Looks Like

McCord highlighted that "domestic violence extremists pose a greater threat to the US than international terrorism." She elaborates on the form this extremism takes, citing private militias as the most prevalent example. These are unauthorized military factions formed by the public, lacking legal sanction or authority to pursue their agendas. Groups like Neo-Confederates, Neo-Nazis, Unite the Right, and the Oath Keepers fall under this category. Their common approach involves using armed weaponry to intimidate and coerce individuals, often leveraging social media to propagate their threats and racially or ethnically motivated propaganda. They're often equipped with 80lbs of gear resembling national guards, making their presence all the more intimidating.

These groups have been seen employing tactics such as stationing militia members outside voting stations, using intimidation to influence voters or dissuade opposition. They've also been observed positioning themselves amidst protests, instilling hesitation among demonstrators. Another instance is exemplified by Kyle Rittenhouse, who assumed a vigilante role without any legal mandate or authorization. McCord also wanted to emphasize that extremist groups exist

across the political spectrum, but it's the far-right groups that present the most immediate physical threats to both the public and the government.

Why Is It Happening?

McCord speculated that one reason these extremist groups continue to exist is due to the perceived ambiguity of the Second Amendment which states individuals have the right to bear arms. The constitution states that individuals have the right to bear arms but not the right to use them to intimidate the public or government. Despite arguments citing militias as a defense against government overreach, both federal and state laws lack authorization for *private* militia organization.

The surge in these groups raises questions about state constitutional interpretations, leading to KKK-like training camps and enabling incidents like Kyle Rittenhouse's actions, revealing a gap between perceived rights and legal regulations. This surge results partly from a lack of political resolve in confronting the legality of these groups, as underscored by McCord. Shockingly, she highlighted a hesitancy within law enforcement, pointing out that these extremists have infiltrated the government. These organizations actively recruit from military and law enforcement circles, seeking individuals experienced with arms. The Oath Keepers, for instance, have numerous members using .gov email addresses, including nearly 400 law enforcement officers.

Given the ethical implications in law enforcement recruitment, should there be regulatory measures to prohibit extremist ideologies in government positions? How might these regulations be effectively implemented? Addressing officials who leverage private militias to influence voters and fortify their positions, how do we navigate this dilemma when those entrusted with upholding laws are affiliated with these groups?

How Do We Stop It?

McCord emphasized that in order to prevent these groups from growing, stringent measures are needed to prevent extremist infiltration into law enforcement. Agencies should strictly prohibit involvement in racist, anti-Semitic, or anti-government activities, terminating or disqualifying those participating or associating with such militias. The focus should target racial and ethnic extremist groups, which currently pose the most significant threat. McCord emphasizes that States should also exercise the authority to regulate firearms due to the accessibility of weapons, particularly high-powered firearms that are linked to numerous mass shootings, as we can't talk about terrorism without acknowledging the pervasive gun problem in the US.

McCord also explains how it's important to differentiate between sedition and terrorism in the context of law. While sedition itself may not constitute a crime, conspiracies aiming to overthrow the government or obstruct lawful processes, such as hindering congressional vote counts, must be addressed as a severe offense. McCord's comprehensive analysis of democracy's most significant threats underscores the necessity for change at the state or county level stating that this is crucial to discourage the rise of extremist sentiments.

Considering all these precautions, I'm still left wondering the following questions:

- *Although prevention is key, what do we do about current officials harboring these ideologies?*
- *How do we hold officials accountable for winning through intimidation despite no evidence of election tampering?*
- *Should more checks and balances be added to prevent Second Amendment misinterpretation by state and local officials?*

Sources:

Mary McCord Speech November 16, 2023.

