Political Crime

I am innocent of the charges the U.S. Government is trying to pin on me. Just as many activists have experienced, I am being targeted by the U.S. Government and the FBI, not because I am guilty, but because I have chosen to challenge the status quo.

—Michael Scarpitti aka Tre Arrow
Radical Environmental Activist,
Accused Eco-Terrorist, Political Prisoner

Not every value entails rebellion, but every act of rebellion tacitly invokes a value.

—Albert Camus (1956), The Rebel

Political crime is crime motivated by a particular ideological perspective. Ideology refers to “the distinctive belief systems, ideas, and abstract ideals that are perceived as providing the true meaning of life” (Hagan, 1997, p. 1). In the United States, there is no official category of criminal behavior called political crime. This is because the First Amendment of the Bill of Rights in the U.S. Constitution restricts the government from taking action against individuals for expressing their views, peacefully assembling, and redressing the government. The First Amendment reads,

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

What this means is that citizens who disagree with governmental policies and viewpoints may do so publicly without threat of arrest or imprisonment. The more political freedom a particular state or country has, the greater the struggle to enhance and preserve it. In countries with little political freedom, there is no attempt to obscure
that speaking out against the government is a punishable offense. In the United States, a specific legal category of political crime would be in direct conflict with the First Amendment and the value placed in individual liberty in American culture.

Although it is not against the law in the United States to espouse political views contrary to those of the government, those who do are often targeted by law enforcement and sanctioned for violation of a range of offenses including violation of fire ordinances, loitering and trespassing, disturbing the peace, parading without a permit, and disorderly conduct. Some individuals and organized groups involved in political activism clearly cross the line engaging in more extreme offenses such as assault, murder, arson, and treason. In cases where an offense is not readily apparent, “the dominant sociopolitical forces are usually able to use existing or new legislation to suppress dissent and protest” (Clinard, Quinney, & Wildeman, 1994, p. 143).

The ways in which political offenders are defined, identified, and socially controlled make it virtually impossible to provide an accurate statistical figure to reflect the true extent of political crime in the United States and around the world. In the United States, at both state and federal levels, crimes that would be considered politically motivated may be recorded in any crime category from murder and arson to lesser offenses such as obstruction of justice. In the federal system, crimes that are explicitly political such as treason, espionage, sabotage, and sedition are included in the category of “national defense offenses” and civil rights violations are included under the category of “public order offenses.” In 2004, there were 63 reported arrests for civil rights offenses and only 11 reported arrests for national defense offenses (U.S. Department of Justice, Compendium of Federal Justice Statistics, 2004). At the state level, as reflected in the UCR, crimes against the government are most likely recorded in arrest data under the categories of disorderly conduct, curfew and loitering violations, vandalism, “all other offenses,” and to a lesser extent murder and arson. Thus, political crimes are imbedded in other crime categories, within the 14,062 arrests for murder, 16,337 arrests for arson, 678,231 for disorderly conduct, 140,835 for curfew and loitering, and 3,863,785 arrests for “all other” offenses (UCR, 2005).

**Defining Political Crime**

Political crime is a problematic concept. Data on political crime in research and course texts in criminology and criminal justice are sparse and there is considerable confusion about what constitutes a political offense (Ross, 2003). There are a number of factors that may contribute to this lack of consensus. First, all crimes can be viewed as political in that, by law, they have been deemed a threat to society. Some suggest that any attempt to categorize or classify “political crime” is itself a political act. Second, most ideologically motivated criminal behaviors fall under other categories of criminal behavior. Data are not collected through the UCR, the U.S. Department of Justice, or elsewhere specifically for political crime, so it is a very difficult phenomenon to study empirically. According to Hagan (1997), “It is not the crimes themselves that distinguish political criminals but rather their motivations, their views of crime as a necessary means to a higher goal” (p. 2). Political assassination is murder, destruction of
property during a political protest is vandalism, bombing an occupied building as a terrorist act is arson, attempted murder, and (if those in the building die) mass murder, and so on. Yet, political offenses have a distinct motivational nature that should not be overlooked. A typology of criminal behavior that omits political crime is incomplete, leaving out a distinct and homogeneous category of criminal behavior.

Political crime differs from other types of crime in that its motivation is ideological. “An actor has committed a political crime if he or she has a political or ideological intention or motivation to cause harm” (Ross, 2003, p. 4). Political criminals engage in behaviors that violate the law for the primary purpose of opposing the ideas of an individual, group, or governmental power. Political crime has been defined in the literature as crime both by and against the government and committed in organizational, occupational, or individual contexts. When crime is committed by governmental agents for the purpose of maintaining power, it is called state-organized crime or state crime. Protesters who defy police orders to get out of the street, the animal rights activists who release animals from a laboratory, a militant who bombs a governmental building to protest a series of governmental actions, ideologically motivated suicide bombers who cause exorbitant harm to citizens of another country to further their message through fear, the government that maintains power by lying, stealing, violating the rights of or otherwise harming its citizens—all can be defined as political criminals.

In some contexts political crimes are committed simultaneously by both citizens and the state. For example, as has been the case in many riot situations throughout history (e.g., during the civil rights movement, Vietnam War protests, the LA riots), during the 1999 WTO riots in Seattle, both protesters and police were charged with committing offenses (Box 9.1). However, who gets convicted of a crime or defined as a political criminal is largely a matter of who has power. “Power and rhetoric typically are inseparable mechanisms by which the other is defined as political criminal” (Tunnell, 1993, p. x).

A point of contention in defining political crime in the literature deserves mention. Though most authors include crimes by the state in definitions of political crime (Clinard, Quinney, & Wildeman, 1994; Hagan, 1997; Ross, 2003), Turk (1982) argues that a distinction should be made between political crime and political policing.

No matter how heinous such acts [political repression by police and governmental agents] may be, calling them political crimes confuses political criminality with political policing or with conventional politics, and therefore obscures the structured relationship between authorities and subjects. There is also the considerable danger that an empirical criterion (what the authorities do) will be abandoned for a nonempirical one (our application of our own interpretation of law). (p. 35)

This is an important distinction that is helpful in developing a meaningful and homogeneous concept of political crime. Broadening the concept of political crime to include repressive law or police policies and tactics draws focus away from criminal behavior to the origin and dynamics of law and society. Certainly, the behavior that
If democracy is to be robust and vigorous in our streets, we must all express our abhorrence for any action intended to cause injury to police, demonstrators, or bystanders. (Seattle City Council, Report of the WTO Accountability Committee, 2000, p. 10)

In responding as it did to the WTO protests, the City violated fundamentals of our free society which require that any governmental restriction on speech be as narrow as possible to accomplish its legitimate purpose and be “content-neutral”—that is, not favoring any particular view. The City ignored both these principles. (ACLU of Washington, 2000, ¶14)

The World Trade Organization (WTO) is a global international organization of 148 countries established in 1995 to deal with rules of trade between nations. The organization produces agreements negotiated and signed by the bulk of the world’s trading nations to help the producers, importers, and exporters of goods and services conduct business (WTO, 2003). The WTO has come under attack from multiple groups, accused of bias toward wealthy nations and multinational corporations, in particular that the United States, Japan, and the European Union exert undue influence over less powerful nations. Some believe that WTO treaties have been adopted by member nations undemocratically or to the detriment of citizens or ecologies.
On November 30 through December 3, 1999, the WTO held their annual conference in Seattle. Foreign and trade ministers from 135 nations, including then President Clinton, attended the conference. Protestors (from Seattle and around the world) planned in advance to come to downtown Seattle to engage in public demonstrations such as marches, political theater, prayer vigils, teach-ins, and civil disobedience to express environmental, labor, religious, and human rights objections to the WTO (ACLU of Washington, 2000). As promised, protestors showed up in force—many more than expected by the City of Seattle planners and police. An estimated 50,000+ demonstrators turned out, including labor unions, students, environmentalists, self-identified anarchists, and citizens speaking out against free trade. Protestors blocked streets, prevented WTO delegates from attending the meetings, formed human chains, chained themselves together with bike locks, and engaged in sit-ins expecting to be arrested for symbolic acts of civil disobedience.

The original plan of the City of Seattle was that the Seattle Police Department would arrest anyone committing criminal acts or conscious acts of civil disobedience. However, tensions escalated and the number of police was not enough to manage the large number of protestors (Seattle City Council, 2000). The police were unable to make mass arrests and turned to tear gas and other less-lethal methods to clear the streets. A riot ensued. The police implemented a "no protest zone" and a curfew. The Mayor of Seattle, Paul Schell, declared a civil emergency that resulted in police activity throughout the week that, according to the ACLU, brought "unwarranted restrictions and outright assaults on citizens and on their basic American rights" (ACLU of Washington, 2000, ¶6). The National Guard was called in. Police and protestors engaged in multiple acts of violence. The police used tear gas, pepper gas, rubber bullets, clubs, and bean bag guns to control the crowds. When the riot spread to the nearby community of Capital Hill, just east of downtown, officers gassed and pepper sprayed residents on the streets and in cars. Officers wore riot gear that made them indistinguishable from each other, some taking advantage of the anonymity to assault protestors and refusing direct requests to provide names or badge numbers. Others tried to preserve their anonymity by targeting people carrying cameras (ACLU of Washington, 2000). Citizens, protestors, and self-proclaimed "anarchists" engaged in firesetting, assault, vandalism (including breaking windows of businesses such as Starbucks, Nike Town, and the Gap), and overturning police vehicles. Peaceful protestors tried to intervene when others became violent, but then became intermingled in the crowds—"legitimate protest activity by thousands on Seattle’s streets became tangled with criminal acts of property destruction, vandalism, and assaults on police officers by a few persons in ways that may never be unraveled to everyone’s satisfaction" (Seattle City Council, 2000).

1A New York Times article reported on October 13 that 300 groups vowed to bring 50,000 people to downtown Seattle to demonstrate, hold teach-ins, picket, and cause disruption and gridlock in the streets (ACLU of Washington, 2000).

2The disruption at the 1999 WTO conference in Seattle has been referred to by politicians, police, and media accounts as a "riot." However, the ACLU of Washington states that "Despite police and media descriptions to the contrary, the protests during the WTO conference did not constitute a riot. They were noisy and disruptive, yet demonstrators were overwhelming peaceful. Not so the police" (ACLU of Washington, 2000, ¶19).

(Continued)
In the end, over 500 protesters were arrested and many citizens, protesters, and police were injured. Damages amounted to over $7 million in property damage, $1.5 million in holiday sales, and $6 million for police force before the state of emergency ("World Trade Organization: Seattle Protests," 1999). More than 500 people submitted detailed reports of police misconduct to the ACLU of Washington before the end of the conference. The Seattle Police Department and the City of Seattle were heavily criticized for poor planning, underestimating the amount of police presence needed, inadequate and haphazard riot control training, and poor management. The curfew imposed by police during the riot was challenged in court, supported by District Judge Barbara Rothstein, and eventually partially overturned by the Ninth District Court, which determined that it was lawful for the City of Seattle to deem part of downtown off-limits during the WTO protests, but that the police violated citizens’ First Amendment rights by going too far to enforce the curfew, targeting only those opposed to the WTO (O’Hagan, 2005). The Report of the WTO Accountability Committee (Seattle City Council, 2000) found that officers, accused of reacting out of fear and anger rather than professionally, were cut off from communication, enduring physical assaults with ball bearings, rocks, bottles, being squirted with urine, and taunted for long periods without rest, restroom use, food, or water. Had there been a sufficient number of police, and had police been able to make mass arrests, this would have eliminated the need for tear gas and other measures that exacerbated the situation. The ACLU of Washington reported that “brutality was not the norm” for the officers who reported for duty, but there were widespread reports of police using excessive force against citizens who posed no physical threat, were not resisting arrest, or were trying to leave the area.

In his book, *Breaking Rank: A Top Cop’s Exposé of the Dark Side of American Policing*, Norm Stamper (Seattle Police Chief during the WTO riots) reflects:

*I saw Technicolor images of bipods and tripods, looters, Dumpster fires, intersection bonfires. I saw cops being baited and assaulted. And I saw a cop kicking a retreating demonstrator in the groin before shooting him in the chest with a rubber pellet. That particular scene, caught by a television camera, was flashed around the globe, over and over, Rodney King-style. . . . Then there was the cop who, spotting two women in a car videotaping the action, ordered one of them to roll down her window. When she complied, he shouted, "Film this!" and filled their car with mace. . . .

To this day I feel the pangs of regret: that my officers had to spend long hours on the streets with inadequate rest, sleep, pee breaks, and meals, absorbing every form of threat and abuse imaginable (including, for a number of officers, a dose of food poisoning, from eating vittles that had been sitting out all day); that Seattle’s businesses were hurt during the rampaging; that the city and the police department I loved lost a big chunk of collective pride and self-confidence; that peaceful protestors failed to win an adequate hearing of their important anti-globalization message; and, yes, that Paul Schell’s dream of a citywide “dialogue” had been crushed. (Stamper, 2005)"
Turk refers to as “political policing” and other authors refer to as “state crime” (Ross, 2003), “state-organized crime” (Barkan, 2005), “governmental,” or “patriarchal crime” (Hagan, 1997) is ideological in nature, involves power politics, and is motivated by the desire to maintain governmental power. However, “the concept of political crime by the government is more a sociological than political [or legal] entity” (Hagan, 1997, p. 25). To further complicate the matter, it is difficult (if not impossible) to sort out the roles of the individual and the state to identify responsibility and motivation. It is not always possible to discriminate between a crime committed on behalf of the state and one in which individuals use their governmental position to commit an offense for their own personal gain (Friedrichs, 2004).

According to Ross (2003), “You can identify a political crime through triangulating among existing laws, the individual’s (or group’s) motivations, the kind of victim/target attacked, the result, and the context of the action” (p. 5). Barkan (2005) suggests that it is best to take an eclectic view of political crime that encompasses many definitions of the term without being overly broad. He proposes that political crime be defined as, “any illegally or socially harmful act aimed at preserving or changing the existing political or social order” (p. 405). The difficulty with the concept becomes clear when questions arise such as the following:

- With the disproportionate percentage of African Americans incarcerated in the United States who have lost their right to vote, and the large body of research supporting the historical institutional racism in the criminal justice system, should all incarcerated African Americans be considered “political prisoners”?
- If an environmental rights activist sets a building on fire to protest logging, construction, and forest destruction, isn’t this best classified as arson—an economic/property crime?
- If an individual assassimates a political figure, is this just murder with an elaborate excuse?
- What’s the difference between a terrorist act that results in thousands of deaths and mass murder?
- If an individual or group of individuals terrorizes, tortures, and murders someone because of their race or sexual orientation, is this political crime? Should hate crime be considered under the umbrella of political crime because such offenses are rooted in ideological agendas?
- If an individual engages in officially designated political offenses such as sedition, espionage, or treason for nonpolitical economic reasons, should the offense be considered a political or economic crime?

Some crimes can be considered explicitly political, but most are not. Behaviors that involve real or alleged threats to public or social order or to national security have been codified in law. Treason, sedition, espionage, and political assassination are officially designated crimes. Crimes can be identified as political based on the affiliation of the offender or the effect of the criminal action on the public and the government (Ross, 2003). On the other side of the law, governmental reactions to citizen dissent (e.g., surveillance or harassment) are also criminal, though government agents are
rarely charged and convicted for their offenses. The following are examples of a range of behaviors that could be defined as political crime:

- During World War II, the Nazis exterminated 6 million Jews (more than two-thirds of all Jews in Europe) and 5 million other people (including Slavs, Poles, Catholics, homosexuals, and gypsies).
- In September 1963, the Ku Klux Klan bombed the Sixteenth Street Baptist Church in Birmingham, Alabama, killing four little girls, spurring riots and galvanizing the civil rights movement.
- During the civil rights movement, a number of political leaders were assassinated including President Robert Kennedy in 1968, Martin Luther King Jr. in 1968, and Malcolm X in 1965.
- In 1998, 21-year-old Matthew Shepard, an openly gay University of Wyoming student, was found by two bikers severely beaten and tied to a rail post in near-freezing temperatures outside of Laramie, Wyoming. Shepard had been pistol whipped 18 times with a .357 caliber revolver. He suffered skull fractures, lacerations, and brainstem damage and died several days later in a Fort Collins hospital. Arthur Henderson, 21, and Aaron James McKinney, 22, were charged with first-degree murder for the offense. Their girlfriends, Chastity Vera Pasley, 20, and Krista Lean Price, 18, were charged as accessories after the fact of first-degree murder. At trial it was discovered that McKinney and Henderson had lured Shepard from a bar with the plan to rob him and specifically targeted him because he was gay.
- In 2002, Greenpeace protesters boarded a boat near Miami Beach that was carrying 70 tons of mahogany allegedly illegally harvested in the Brazilian rainforest. The protesters wore shirts that said “Greenpeace Illegal Forest Crime Unit” and carried a banner reading “President Bush, Stop Illegal Logging.” The protesters were arrested and spent the weekend in jail on misdemeanor charges (Barkan, 2005).
- In 2002, the FBI added Tre Arrow, otherwise known as Michael Scarpitti, to the FBI Most Wanted list in connection with a series of 2001 Earth Liberation Front (ELF) arsons that caused hundreds of thousands of dollars worth of damage to concrete mixing trucks and logging trucks. Scarpitti, one of four activists charged, fled to Canada and was arrested there in 2004 for shoplifting a pair of bolt cutters. He is currently in prison in Canada awaiting extradition. ELF is the FBI’s no. 1 domestic terrorism priority.
- In 1999, over 400 protesters were arrested during the WTO conference and resulting riots in Seattle. The demonstrators (including environmentalists, animal rights activists, individuals and groups protesting child labor and the treatment of workers in the Third World, and those generally protesting and expressing hostility regarding the domination of society by transnational corporations and banks and the social inequities of capitalism) sought to shut down the conference. Protesters engaged in a range of activities from peaceful prayer, marches, and forming human chains to more extreme behaviors such as occupying and barricading themselves in a vacant building, climbing a construction crane to hang a huge anti-WTO banner, spray-painting police cars, chaining themselves to manholes, setting fires, throwing objects at police officers, and breaking store windows.
- Also, during the 1999 WTO riots, police, who encountered 30,000 to 50,000 protesters, were charged with committing numerous civil rights violations including the implementation and enforcement of a “no protest zone,” which violated the First
Amendment rights of free speech and assembly and inappropriate use of force such as using tear gas on heavily populated areas, spraying mace at peaceful protesters and non-protesting citizens, shooting rubber bullets at people who posed no threat, and making improper arrests and mistreating people in custody (ACLU Washington, 2000).

A meaningful and comprehensive conceptual definition of political crime must distinguish it from other types of offenses while offering additional insight into the nature and dynamics of the behavior not explainable within the framework of nonideologically motivated crimes. Given the focus here on criminal behavior, and taking into account the (limited) consensus of researchers and writers on the subject, political crime is defined as ideologically motivated behavior that is legally defined as criminal. This definition includes crimes committed against the state as well as those committed by the state to the extent that they are in violation of a particular law. This includes civil and human rights violations committed by the police and governmental agents and agencies, but excludes individual and collective behaviors that may be immoral, questionable, or rooted in institutional racism, or practices that ensure that one group maintains power over another but have not (yet) been deemed illegal.

Types of Political Crime

Political crime is generally classified into two categories: oppositional crime (crimes against the government) and state crime (crimes by the government; see Barkan, 2005; Hagan, 1997; Ross, 2003, Turk, 1982).

Oppositional Crime

Political offenders who engage in oppositional criminal behavior have strong ideological convictions that conflict with governmental interests. The behavior they engage in is intentional and directed toward affecting some form of change to the existing order. Political offenders can be viewed along a continuum of extremity of behavior from non-violent and relatively straightforward (peaceful protest) to violent and complex in organization and sophistication (domestic and international terrorism). Political criminals can come from the political left (e.g., war protesters who violate curfews) or the political right (e.g., pro-lifers who target abortion clinics), or have an interest in advancing a particular cause (e.g., radical animal rights groups and environmentalists).

Dissent, Political Protest, Civil Disobedience, Riots, and Rebellion

According to Barkan (2005), the idea that political change has occurred in the United States as a result of the electoral system is a myth. Political rebellion, protests, riots, and mass violence have deep historical roots in the United States. Preindustrial peasant revolts, labor riots after industrialization, early U.S. agrarian revolts, violence against Native Americans and their reciprocal defensive violence, post–Civil War labor
strife, riots during the civil rights movement and the Vietnam War—all are part of American cultural consciousness.

Many crimes considered political are nonviolent acts of dissent. Political dissent can be expressed in many ways—public political protest (picketing, sit-ins, forming human chains, blocking train tracks, logging roads, etc.), acts of civil disobedience (directly or indirectly disobeying a law and waiting to be arrested), or other expressions of opposition (e.g., circulating petitions, flag burning, wearing clothing with political statements). Political dissent is legal. Dissent becomes a crime when, during the course of the oppositional expression, a law is broken. Most forms of protesting and other expression of dissent are protected by the First Amendment. However, restrictions on where, how, how long, and how many citizens can protest often bring protesters into contact with law enforcement.

Civil disobedience is intentional violation of a law considered morally unjust. Acts of civil disobedience are generally public, nonviolent, and serve a symbolic function. For example, over the last two decades, radical environmentalists have organized massive civil disobedience campaigns, blocking logging roads and engaging in acts designed to threaten the livelihoods of adversaries (Taylor, 1998). Civil disobedience can be direct (violation of a law that is itself considered morally unjust) or indirect (violation of a law that is not considered unjust) (Barkan, 2005). One of the most famous acts of direct civil disobedience is Rosa Parks’s 1955 refusal to sit in the back of the bus that ignited the civil rights movement. Other famous historical figures who protested through civil disobedience were Henry David Thoreau, who wrote his famous essay on civil disobedience after being jailed for failing to pay taxes to protest slavery and the Mexican War, Martin Luther King Jr., who adopted civil disobedience techniques as a leader of the civil rights movement, and Mohandas Gandhi, who brought world attention to the cause of India’s independence from British rule with his philosophy of nonviolence and mass civil disobedience.

Sedition, Espionage, and Treason

Crimes that directly threaten national security are officially designated in the federal system as national defense offenses (U.S. Department of Justice, Compendium of Federal Justice Statistics, 2004). These crimes are rarely prosecuted. Only 11 arrests for national defense offenses were reported in 2004 (U.S. Department of Justice, Compendium of Federal Justice Statistics, 2004).

Sedition is the communication of information for the purpose of inciting governmental resistance, defamation, or treason. The Sedition Act of 1798 made it a crime to write anything scandalous about the Congress or the president. Sedition laws date back to early English history when it was against the law to say anything negative about people in power, a crime called seditious libel (Ross, 2003). The U.S. Code defines seditious conspiracy:

If two or more persons in any State or Territory, or in any place subject to the jurisdiction of the United States, conspire to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, or to oppose by force the authority thereof, or by force to prevent, hinder, or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, they shall each be fined under this title or imprisoned not more than twenty years, or both. (18, U.S.C., Section 2384, Legal Information Institute, 2005)
The seditious conspiracy law is rarely enforced because to do so would be an overt exertion of governmental power that often backfires, given the protections of the First Amendment. Generally speaking, individuals are free to express dissent and their ideological views up to the point of causing what is referred to in legal terms as “clear and present danger.” For example, it is legally permissible to hold a large sign that reads “Impeach Bush.” However, the Supreme Court draws the line at yelling “Fire!” in a crowded theater where people could get trampled as a result.5

The government has tended to use other acts to convict citizens who express dissent. For example, since the 1980s the U.S. Federal Racketeer Influenced and Corrupt Organizations Act (RICO), originally enacted in 1970 to target organized crime, has been used to convict political protesters including animal rights activists (Second RICO Suit Filed Against Protesters, 1999) and pro-lifers (Racketeer Law Goes Too Far, 2002; Reversing Misuse of RICO Laws, 2003). In 2003, however, in Scheidler v. National Organization for Women (2003), the U.S. Supreme Court ruled that federal racketeering and extortion laws were improperly used in the prosecution of pro-life and other protesters (Supreme Court Rules RICO Law Doesn’t Apply to Pro-Life Protesters, 2003).

Treason is an act or acts aimed at overthrowing one’s own government (Ross, 2003). To be convicted of treason in the United States, an individual has to be a U.S. citizen or in the process of naturalization. Article III, Section 3, of the U.S. Constitution reads

Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

Historically, few (fewer than 50 cases in the United States) have been prosecuted for treason because the charge is so difficult to prove and the concept of treason itself is so slippery (Ross, 2003). Often, it is debatable whether or not an individual should be convicted of treason, with cases turning on a technicality of the law. For example, some argue that 21-year-old U.S. citizen John Walker Lindh should have been convicted of treason for joining the Taliban and fighting against the United States in Afghanistan in 2001 (“Did American Commit Treason?” 2001; Toensing, 2002). However, because (among other factors) prosecutors could not prove that Lindh was planning to overthrow the government, nor had the U.S. officially declared war against Afghanistan, Lindh was prosecuted and convicted of lesser charges. As a result of a plea agreement, Lindh was convicted for supplying services to the Taliban and carrying weapons while fighting against the Northern Alliance backed by the United States (“The Case of the American Taliban,” 2001). He received a
20-year sentence, far less than the death sentence he could have received had he been convicted of treason.

Espionage, or spying, has a long history and many governments use it for national security purposes to obtain information about other governments perceived as threats. In 1917 Congress passed the Espionage Act (18 U.S.C., Section 2384), which was later extended by the Sedition Act. In 1996, President Clinton signed the Economic Espionage Act (18 U.S.C. 1831) into law, targeting individuals who steal trade secrets. Espionage is not considered a crime by the government that employs the spy. In fact, governments themselves engage in international and domestic espionage. (Depending on whether or not it involves illegal surveillance, domestic espionage can be viewed as a form of state crime and is discussed in the next section.) However, spying for another government, particularly if the spy is a citizen of that country, is a crime that carries a severe penalty in most nations. When the citizen of one nation aids its enemy by spying and providing secrets, this is a form of treason. Espionage and treason are punishable by death in the United States.

One of the most famous cases of espionage and treason is the case of Ethel and Julius Rosenberg, American citizens who were members of the Communist party, who were tried, convicted, and executed for spying for the former Soviet Union during the Cold War. The Rosenbergs were executed by electric chair in New York’s Sing Sing prison in 1953. They went to their deaths claiming innocence, leaving behind two young sons. To this day, a great deal of controversy remains regarding the case. Before their execution, the Rosenbergs issued the statement, “History will record . . . that we were victims of the most monstrous frame up of our country. . . . We die with honor and dignity—knowing we must be vindicated by history” (National Committee to Reopen the Rosenberg Case, n.d., ¶5).

Terrorism, Hate Crime, and Political Assassination

Most people in the United States have come to associate the term terrorism with the events of September 11th, 2001, when Islamic terrorists, operatives of Osama Bin Laden, hijacked American Airlines Flight 11, United Airlines Flight 175, American Airlines Flight 77, and United Airlines Flight 93. American Airlines Flight 11 and United Airlines Flight 175 crashed into the World Trade Center Towers, American Airlines Flight 77 into the Pentagon, and United Airlines Flight 93 in a field in Shanksville, Pennsylvania. In the aftermath of the attacks, 2,948 people were confirmed dead, 24 reported dead, and 24 reported missing after the attacks (September 11th Victims, 2001) in what has been called the “single largest loss of life from an enemy attack on its soil” (National Commission on Terrorist Attacks in the United States, 2004).

There are two general types of terrorism: **domestic** and **international**. The FBI defines international and domestic terrorism as follows:

International terrorism involves violent acts or acts dangerous to human life that are a violation of the criminal laws of the United States or any state, or that would be a criminal violation if committed within the jurisdiction of the United States or any state. Acts of international terrorism are intended to intimidate or coerce a civilian population, influence the policy of a government, or affect the conduct of a government. These acts transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to intimidate, or the locale in which perpetrators operate.

**Photo 9.3**  (A) The World Trade Center Bombing, (B) and (C) message boards to help locate missing people.

**Photo credit:** © Scott Helfgott and Bernard Whitman, 9-11-2001. Reprinted with permission.
Domestic terrorism is the unlawful use, or threatened use, of violence by a group or individual based and operating entirely within the United States (or its territories) without foreign direction, committed against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives. (Jarboe, 2002, ¶2–3)

The 9/11 attacks are an example of international terrorism. International terrorist activities have occurred throughout history in every region of the world. Following are other examples of international terrorist acts:

- 1972. Munich Massacre, when 11 members of an Israeli Olympic team were taken hostage and murdered by the Palestinian group Black September
- 1982. Hyde Park and Regent’s Park bombings in London by the Provisional Irish Republican Army (IRA) that killed eight members of the British Army and seven horses
- 1982. Sabra and Shatila Massacre of at least 800 Palestinian civilians in the Shabra and Shatila refugee camps in (then) Israeli-occupied Beirut, Lebanon, by Lebanese Maronite Christian militias allied with Israel
- 1993. World Trade Center bombing by Islamist terrorists killing 6 people and injuring over 1,000
- 1998. Bombing of Pan Am flight 103 over Lockerbie, Scotland, by two Libyans in which 259 people were killed

Following are examples of domestic terrorism:

- In 1972 the Provisional Irish Republican Army (IRA) planted 22 bombs in Belfast, Ireland. Nine people were killed and 132 seriously injured. The incident came to be known as Bloody Friday.
- Mail bombings by the Unabomber, Ted Kaczynski. Kaczynski, a Harvard university graduate with a PhD from the University of Michigan and former math professor at the University of California Berkeley, attacked universities and airlines (hence the name Un-A-bomber) with homemade mail bombs, killing 3 people and wounding 23 in a string of incidents from 1978 to 1995.
- The 1995 Oklahoma City bombing by Timothy McVeigh. McVeigh claimed the attack was a result of antigovernmental feelings he experienced while serving in the Gulf War as well as retaliation for governmental interventions in the Ruby Ridge, Idaho, incident in 1992 and Branch Davidian incident in Waco, Texas, in 1993.
- The 2004 Beslan school hostage crisis. Thirty male and female armed Chechen separatists wearing ski masks, led by Shamil Salmanovich Basayev and his principle deputy Magomet Yevloyev, took 1,300 people hostage, most under age 18. The terrorists’ demands included withdrawal of Russian troops from Chechnya. In the end, 344 Russian civilians were killed, 172 of them children.
- Arsons, harassment, death threats, and other crimes allegedly and admittedly committed by the Earth Liberation and Animal Liberation Front (ELF and ALF; see Box 9.2; there is no particular rationale for these examples beyond highlighting relatively notorious terrorist acts; see Griset & Mahan [2003]; Martin [2003], Snowden & Whitel [2005], White [2002] for comprehensive discussion of terrorism and review of terrorist case examples.)
The Earth Liberation Front (ELF) and the Animal Liberation Front (ALF) are environmental and animal rights extremist groups identified by the FBI as special interest domestic terrorists that represent a serious threat in the United States. The FBI lists ELF as the No. 1 priority among domestic terrorist groups. It is estimated that ALF and ELF have committed more than 600 criminal acts in the United States since 1996 with damages exceeding $43 million (Jarboe, 2002). Many argue that individuals associated with ELF and ALF have been unfairly targeted by the FBI beyond proportion to the danger they represent (Taylor, 1998). ELF and ALF proponents argue that the damages caused by the organizations have been to property, not people, and that the risks posed by the behavior of the groups (e.g., tree spiking, power line sabotage, theft of animals from laboratories, destruction of a whaling processing station, graffiti, arson) have been overstated by authorities (Taylor, 1998).

ALF began in England with the hunt saboteur movement in the mid-1970s. The American branch of ALF began in the late 1970s (Jarboe, 2002) and its growth is strong (Newkirk, 2000). ALF "consists of small autonomous groups of people all over the world who carry out direct action according to ALF guidelines." The groups are called cells, which involve one or many individuals. Individuals in one cell do not know those in another because all activists are anonymous. Anyone who follows ALF guidelines can claim an action on behalf of ALF. ALF guidelines include the following:

- To liberate animals from places of abuse, i.e., laboratories, factory farms, fur farms, etc. and place them in good homes where they may live out their natural lives, free from suffering.
- To inflict economic damage to those who profit from the misery and exploitation of animals.
- To reveal the horror and atrocities committed against animals behind locked doors, by performing nonviolent direct actions and liberations.
- To take all necessary precautions against harming any animal, human and nonhuman.
- Any group of people who are vegetarians or vegans and who carry out actions according to ALF guidelines have the right to regard themselves as part of the ALF. (Best & Nocella, 2004, p. 8)

(Continued)
According to the ALF Primer, “Anyone in your community could be part of ALF without you knowing. This includes PTA parents, church volunteers, your spouse, your neighbor, or your mayor” (Best & Nocella, 2004, p. 7).

In the early 1980s radical environmentalists such as Earth First! engaged in protests, civil disobedience, blockades, and more extreme tactics such as tree spiking, power line sabotage, and hunt sabotage (along with ALF). ELF was formed in the early 1990s by Earth First! members who refused to abandon criminal acts (e.g., tree spiking) while members of Earth First! members wanted to remain mainstream and to leave criminal acts beyond unlawful protest to ALF. Some see Earth First! and ALF under the umbrella of “pagan environmentalism,” a political ideology that some associate with far right millenarian movements and views shared by the likes of Ted Kaczynski (the Unabomber), Charles Manson, and the Nazis (Taylor, 1998). ELF advocates monkey-wrenching (sabotage and property destruction against industries and entities perceived to be damaging to the natural environment including tree spiking, arson, sabotage of logging or construction equipment) (Jarboe, 2002). The following are ELF guidelines:

- To inflict economic damage on those profiting from the destruction and exploitation of the natural environment.
- To reveal and educate the public on the atrocities committed against the earth and all species that populate it.
- To take all necessary precautions against harming any animal, human or nonhuman. (Rosebraugh, 2004, p. 18)

Craig Rosebraugh, media spokesperson for ELF, urges environmentalists and others who criticize ELF:

To those within the movement who continue to disagree with the politics and strategies of the ELF, that is your choice. I only ask that you make a conscious effort to understand the historical role of diversity in political and social justice movements and the importance of refraining from public condemnation of those efforts you disagree with. To those who now understand the necessary implementation of politically motivated property destruction to remove the profit motive from killing, I ask you to become involved. Look deep within your heart, find the fire that rages on for justice, form your own cell, and do what needs to be done to protect all life on this planet. (Rosebraugh, 2004)

ALF and ELF have proclaimed unity through speeches, Web sites, and publications. ELF was listed for the first time along with ALF in a 1993 communique declaring solidarity in actions

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1 Tree spiking involves driving metal or hardened ceramic nails into trees to damage sawmill blades and deter logging. It is one of the most controversial tactics used by radical environmentalists because it can cause severe injury or death to loggers who unknowingly attempt to cut the spiked trees.

2 Jonathan Paul and Craig Rosebraugh promoted unity of ALF and ELF at the 1998 National Animal Rights Conference held at the University of Oregon. In addition, ELF posted information on the ALF Web site until it began its own Web site in January 2001, and is listed in the same underground activist publications as the ALF (Jarboe, 2002).
between the two groups. The groups continue to be unified with crossover of leadership and membership. It is not uncommon for ALF and ELF to post joint declarations of responsibility for criminal actions on their Web sites. The groups have jointly claimed credit for a number of arsons including a 1997 arson attack on Bureau of Land Management wild horse corrals near Burns, Oregon, resulting in $450,000 in damages, and a 1998 arson attack of a U.S. Department of Agriculture Animal Damage Control Building near Olympia, Washington, resulting in damages exceeding $2 million. ELF claimed sole credit for the 1998 arson of a Vail, Colorado, ski facility, which exceeded $12 million, and a 1998 arson at the U.S. Forest Industries Office in Medford, Oregon, where damages exceeded $500,000. ELF has claimed a string of other arsons in Oregon, New York, Washington, Michigan, and Indiana. Crimes by ALF/ELF are well planned, involving preactivity surveillance and significant intelligence gathering against potential targets including review of trade publications, video/photographic surveillance, and posting information about potential targets on the Internet (Jarboe, 2002).

Individuals identified as leaders in one or both of the organizations and convicted and imprisoned for committing crimes on behalf of ALF and ELF include

- **Keith Mann**—A British animal rights advocate who is believed to be an early ringleader of ALF. Mann has been convicted and imprisoned for crimes including attacking the home of a fox hunter, possessing explosive substances, removing hundreds of mice from a research laboratory, and waging a terrorist-style sabotage against the meat industry (Bowcott, 2005). In 1994, at the age of 27, he was sentenced to 14 years in prison for explosives possession and other charges. After being paroled, he was again jailed for removing the mice from the research lab and contempt of court.

- **Douglas Ellerman**—At age 20, received the stiffest sentence against an animal rights activist in the United States. Ellerman, a confessed ALF follower and member of the Straight Edge Movement, was convicted for attacking fur farms and releasing animals

(Continued)
In 2005 the National Counterterrorism Center (NCTC) released global terrorism statistics showing a sharp increase in significant terrorist acts from 175 incidents that killed 625 in 2003 to 651 attacks that killed 1,907 in 2004 (Glasser, April 28, 2005; criticism of the NCTC statistics suggests the comparison is not meaningful because data collection methodology changed from 2003 to 2004; see Glasser, May 1, 2005). In 2001, the U.S. Department of Justice published the 2000–2001 FBI Terrorist Report (U.S. Department of Justice, Terrorism 2000−2001). The report indicates that from...
1980 to 2001, there were 345 acts of domestic terrorism, 136 acts of international terrorism, and 1 unclassified act (the 2001 anthrax mailings) of terrorism in the United States. Throughout the 21-year period, 14,047 people were injured and 2,993 people were killed, with a total of 17,040 casualties. (The FBI estimates 12,000 as the number of 9/11 victims; the actual number is unknown.) Of the 482 terrorist acts, 324 were bombings, 21 were assassinations, 19 were shootings, 19 were sabotage/malicious destruction, 15 were robberies, 10 were hostile takeovers, 6 were assaults, 6 were use of weapons of mass destruction, 3 were hijackings, 2 were kidnappings, 2 were rocket attacks, and 22 were other/unspecified.

Terrorist groups are generally stable entities that use a limited range of methods. Six tactics account for 95% of all terrorist attacks—bombings, assassinations, kidnappings, armed assaults, hijackings, and barricade and hostage incidents. Bombings are the most popular method of operation. Most terrorist groups exhibit remarkable stability and longevity. Some have been working for over a decade, replacing losses, preparing for attack, and turning into semipermanent subcultures (Ross, 2003).

Domestic terrorists account for 72% of the terrorist acts in the United States. In 2000–2001 there were 22 terrorist incidents. No acts of international terrorism were carried out in the United States in 2000, and the 9/11 attack was the first successful international terrorist attack since the 1993 World Trade bombing. Of the 22 terrorist incidents in 2000–2001, 20 were committed by special-interest domestic terrorists active in the animal rights and environmentalist movements, primarily targeting buildings and materials rather than persons. Three were committed by the Animal Liberation Front (ALF), three by the Earth Liberation Front (ELF), two by other environmental extremists—one by a group calling themselves Revenge of the Trees (ROTT) and the other by lone environmental extremist Mark Warren Sands (U.S. Department of Justice FBI Terrorism 2000–2001). Table 9.1 lists the terrorist incidents in the United States over 10 years of the 21-year period for which data have been collected.

Individuals and groups engage in terrorism because they hold a strong ideological belief and seek to forcefully attack a particular entity (individual, government, nation) to express their views with the goal of effecting political change. The term terrorism is inherently pejorative and involves making a moral judgment (Dingley, 1997). The argument is often made that what terrorists (and other political offenders) do is no different from what governments do, using the rationale that they must resort to extreme measures to convey their ideological message (Barkan, 2005; Clinard, Quinney, & Wildeman, 1994; Dingley, 1997; Hagan, 1997; Turk, 1982). “[O]ne man’s freedom fighter is another man’s terrorist” (Dingley, 1997, p. 26); however, governments that use terror (usually) have to answer to a larger constituency, whereas terrorists resort to unsanctioned violence to further their political aims (Dingley, 1997).

Research on characteristics of terrorists suggests that they lack overtly distinguishing features though they share common belief systems. Terrorism appears to attract people with aggressive, risk-taking personality styles who tend to project their own social and economic shortcomings onto others (individuals, institutions, governments, nations). Studies have shown that demographic characteristics of terrorists have changed over several decades. Findings from the 1980s and 1990s are generally consistent, with notable differences in the educational attainment and age of terrorists.
## Table 9.1  Terrorist Incidents in the United States 1990–2001

<table>
<thead>
<tr>
<th>Date/Location of Incident</th>
<th>Group Responsible</th>
<th>Incident Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-12-90 Santurce, Puerto Rico</td>
<td>Brigado Interncionalisto Eugenio Moria de Hostas de los Fuerzos Revolucionaries Pedro Albizu Compos (Eugenio Maria de Hostas International Brigade of the Pedro Albizu Campos Revolutionary Forces)</td>
<td>Pipe bombing</td>
</tr>
<tr>
<td>1-12-90 Carolina, Puerto Rico</td>
<td>Brigado Interncionalisto Eugenio Moria de Hostas de los Fuerzos Revolucionaries Pedro Albizu Compos (Eugenio Maria de Hostas International Brigade of the Pedro Albizu Campos Revolutionary Forces)</td>
<td>Pipe bombing</td>
</tr>
<tr>
<td>2-22-90 Los Angeles, California</td>
<td>Up the IRS, Inc</td>
<td>Bombing</td>
</tr>
<tr>
<td>4-22-90 Santa Cruz County, California</td>
<td>Earth Night Action Group</td>
<td>Malicious destruction of property</td>
</tr>
<tr>
<td>5-27-90 Mayaguez, Puerto Rico</td>
<td>Unknown Puerto Rican group</td>
<td>Arson</td>
</tr>
<tr>
<td>9-17-90 Arecibo, Puerto Rico</td>
<td>Pedro Albizu Group Revolutionary Forces</td>
<td>Bombing</td>
</tr>
<tr>
<td>9-17-90 Veja Baja, Puerto Rico</td>
<td>Pedro Albizu Group Revolutionary Forces</td>
<td>Bombing</td>
</tr>
<tr>
<td>2-3-91 Mayaguez, Puerto Rico</td>
<td>Popular Liberation Army</td>
<td>Arson</td>
</tr>
<tr>
<td>2-18-91 Sabana Grande, Puerto Rico</td>
<td>Popular Liberation Army</td>
<td>Arson</td>
</tr>
<tr>
<td>3-17-91 Carolina, Puerto Rico</td>
<td>Unknown Puerto Rican group</td>
<td>Arson</td>
</tr>
<tr>
<td>4-1-91 Fresno, California</td>
<td>Popular Liberation Army</td>
<td>Bombing</td>
</tr>
<tr>
<td>7-6-91 Punta Borinquen, Puerto Rico</td>
<td>Popular Liberation Army</td>
<td>Bombing</td>
</tr>
<tr>
<td>4-5-92 New York, New York</td>
<td>Mujahedin-E-Khalq</td>
<td>Hostile takeover</td>
</tr>
<tr>
<td>Date/Location of Incident</td>
<td>Group Responsible</td>
<td>Incident Type</td>
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<tr>
<td>--------------------------</td>
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</tr>
<tr>
<td>11-19-92 Urbana, Illinois</td>
<td>Mexican Revolutionary Movement</td>
<td>Attempted firebombing</td>
</tr>
<tr>
<td>12-10-92 Chicago, Illinois</td>
<td>Boricua Revolutionary Front</td>
<td>Car fire and attempted firebombing</td>
</tr>
<tr>
<td>2-26-93 New York, New York</td>
<td>International Radical Terrorists</td>
<td>Car bombing</td>
</tr>
<tr>
<td>7-20-93 Tacoma, Washington</td>
<td>American Front Skinheads</td>
<td>Pipe bombing</td>
</tr>
<tr>
<td>7-22-93 Tacoma, Washington</td>
<td>American Front Skinheads</td>
<td>Bombing</td>
</tr>
<tr>
<td>11-27/28-93 Chicago, Illinois</td>
<td>Animal Liberation Front (nine incidents)</td>
<td>Firebombing</td>
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<tr>
<td>3-1-94 New York, New York</td>
<td>Rashid Najib Baz convicted in November</td>
<td>Shooting</td>
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<tr>
<td>4-19-95 Oklahoma City, Oklahoma</td>
<td>Timothy McVeigh and Terry Nichols (Michael Fortier found guilty of failing to report to authorities of plot)</td>
<td>Truck bombing</td>
</tr>
<tr>
<td>4-1-96 Spokane, Washington</td>
<td>Spokane Bank Robbers</td>
<td>Pipe bombings/Bank robbery</td>
</tr>
<tr>
<td>7-12-96 Spokane, Washington</td>
<td>Spokane Bank Robbers</td>
<td>Pipe bombings/Bank robbery</td>
</tr>
<tr>
<td>7-27-96 Atlanta, Georgia</td>
<td>Eric Robert Rudolph, charged on October 13, 1998</td>
<td>Pipe bombing</td>
</tr>
<tr>
<td>7-2-97 Washington DC</td>
<td>Pending investigation—no claim of responsibility</td>
<td>Letter bomb (counted as one incident)</td>
</tr>
<tr>
<td>7-2-97 Leavenworth, Kansas</td>
<td>Pending investigation—no claim of responsibility</td>
<td>Letter bomb (counted as one incident)</td>
</tr>
<tr>
<td>7-6-97 Atlanta, Georgia</td>
<td>Eric Robert Randolph, charged on October 14, 1998</td>
<td>Bombing of abortion clinic</td>
</tr>
<tr>
<td>2-27-97 Atlanta, Georgia</td>
<td>Eric Robert Randolph, charged on October 14, 1998</td>
<td>Bombing of alternative lifestyle nightclub</td>
</tr>
<tr>
<td>2-29-98 Birmingham, Alabama</td>
<td>Eric Robert Randolph, charged on October 14, 1998</td>
<td>Bombing of reproductive services clinic</td>
</tr>
<tr>
<td>3-31-98 Arecibo, Puerto Rico</td>
<td>Claim of responsibility issued by Las Macheteros</td>
<td>Bombing of superaqueduct construction project</td>
</tr>
<tr>
<td>6-9-98 Rio Piedras, Puerto Rico</td>
<td>Claim of responsibility issued by Las Macheteros</td>
<td>Bombing of bank branch office</td>
</tr>
</tbody>
</table>

(Continued)
## Table 9.1 (Continued)

<table>
<thead>
<tr>
<th>Date/Location of Incident</th>
<th>Group Responsible</th>
<th>Incident Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-25-98 Santa Isabel, Puerto Rico</td>
<td>Las Macheteros suspected</td>
<td>Bombing of bank branch office</td>
</tr>
<tr>
<td>10-19-98 Vail, Colorado</td>
<td>Claim of responsibility issued by Earth Liberation Front</td>
<td>Arson fire at ski resort</td>
</tr>
<tr>
<td>3-27-99 Franklin Township, New Jersey</td>
<td>Claim of responsibility issued by Animal Liberation Front</td>
<td>Bombing of circus vehicles</td>
</tr>
<tr>
<td>4-5-99 Minneapolis, St. Paul, Minnesota</td>
<td>Animal Liberation Front</td>
<td>Malicious destruction and theft</td>
</tr>
<tr>
<td>5-9-99 Eugene, Oregon</td>
<td>Animal Liberation Front</td>
<td>Bombing</td>
</tr>
<tr>
<td>7-2/4-99 Chicago, Skokie, Illinois Northbrook, Bloomington, Indiana</td>
<td>Benjamin Nathaniel Smith</td>
<td>Multiple shootings</td>
</tr>
<tr>
<td>8-10-99 Granada Hills, California</td>
<td>Buford O’Neal Furrow</td>
<td>Multiple shootings</td>
</tr>
<tr>
<td>8-28/29-99 Orange, California</td>
<td>Claim of responsibility issued by Earth Liberation Front</td>
<td>Malicious destruction and theft</td>
</tr>
<tr>
<td>10-24-99 Bellingham, Washington</td>
<td>Claim of responsibility issued by Animal Liberation Front</td>
<td>Malicious destruction</td>
</tr>
<tr>
<td>11-20-99 Puyallup, Washington</td>
<td>Animal Liberation Front</td>
<td>Malicious destruction</td>
</tr>
<tr>
<td>2-25-99 Monmouth, Oregon</td>
<td>Claim of responsibility issued by Earth Liberation Front</td>
<td>Arson</td>
</tr>
<tr>
<td>2-31-99 East Lansing, Michigan</td>
<td>Claim of responsibility issued by Earth Liberation Front</td>
<td>Arson</td>
</tr>
<tr>
<td>1-3-00 Petaluma, California</td>
<td>Animal Liberation Front</td>
<td>Incendiary attack</td>
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<tr>
<td>1-15-00 Petaluma, California</td>
<td>Animal Liberation Front</td>
<td>Incendiary attack</td>
</tr>
<tr>
<td>1-22-00 Bloomington, Indiana</td>
<td>Earth Liberation Front</td>
<td>Arson</td>
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<tr>
<td>5-7-00 Olympia, Washington</td>
<td>Revenge of the Trees</td>
<td>Arson</td>
</tr>
<tr>
<td>7-2-00 North Vernon, Indiana</td>
<td>Animal Liberation Front</td>
<td>Arson</td>
</tr>
<tr>
<td>7-20-00 Rhinelander, Wisconsin</td>
<td>Earth Liberation Front</td>
<td>Vandalism</td>
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<td>Date/Location of Incident</td>
<td>Group Responsible</td>
<td>Incident Type</td>
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<tr>
<td>12-00</td>
<td>Mark Warren Sands</td>
<td>Multiple arsons</td>
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<td>Phoenix, Arizona</td>
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<tr>
<td>12/9-30/00</td>
<td>Earth Liberation Front</td>
<td>Multiple arsons</td>
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<tr>
<td>Suffolk County, Long Island, New York</td>
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<tr>
<td>1-2-01</td>
<td>Earth Liberation Front</td>
<td>Arson</td>
</tr>
<tr>
<td>Glendale, Oregon</td>
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<tr>
<td>2-20-01</td>
<td>Earth Liberation Front</td>
<td>Arson</td>
</tr>
<tr>
<td>Visalia, California</td>
<td></td>
<td></td>
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<tr>
<td>3-9-01</td>
<td>Earth Liberation Front</td>
<td>Tree spiking</td>
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<tr>
<td>Culpepper, Virginia</td>
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<tr>
<td>3-30-01</td>
<td>Earth Liberation Front</td>
<td>Arson</td>
</tr>
<tr>
<td>Eugene, Oregon</td>
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<td></td>
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<tr>
<td>4-15-01</td>
<td>Earth Liberation Front</td>
<td>Arson</td>
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<tr>
<td>Portland, Oregon</td>
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<tr>
<td>5-17-01</td>
<td>Clayton Lee Wagner</td>
<td>Bank robbery</td>
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<tr>
<td>Harrisburg, Pennsylvania</td>
<td></td>
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<tr>
<td>5-21-01</td>
<td>Earth Liberation Front</td>
<td>Arson</td>
</tr>
<tr>
<td>Seattle, Washington</td>
<td></td>
<td></td>
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<tr>
<td>5-21-01</td>
<td>Earth Liberation Front</td>
<td>Arson</td>
</tr>
<tr>
<td>Clatskanie, Oregon</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7-24-01</td>
<td>Earth Liberation Front</td>
<td>Destruction of property</td>
</tr>
<tr>
<td>Stateline, Nevada</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9-11-01</td>
<td>Al-Qaeda</td>
<td>Aircraft attack</td>
</tr>
<tr>
<td>New York, New York; Arlington, Virginia; Stony Creek, Pennsylvania</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fall-01</td>
<td>Pending investigation; no claim of responsibility</td>
<td>Bacillus anthracis mailings</td>
</tr>
<tr>
<td>New York, New York; Washington DC; Lantana, Florida</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10-14-01</td>
<td>Earth Liberation Front</td>
<td>Arson</td>
</tr>
<tr>
<td>Litchfield, California</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11-9-01</td>
<td>Clayton Lee Wagner</td>
<td>Bank robbery</td>
</tr>
<tr>
<td>Morgantown, West Virginia</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11-21-01</td>
<td>Animal Liberation Front</td>
<td>Burglary and vandalism</td>
</tr>
<tr>
<td>San Diego, California</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Adapted from the 2000–2001 U.S. Department of Justice FBI Terrorism Report.
Findings in the 1980s presented a profile of the terrorist as a single male age 22 to 25 (40 to 50 if leaders), well educated, from a middle-upper-class background, and underemployed; current research suggests that educational level has increased among right-wing terrorists and that terrorists now tend to be older. Though terrorists are predominantly male, female participation has been higher than in other crime categories, ranging from 15 to 30% (Corley, Smith, & Damphouse, 2005; Dickey, 2005; Nacos, 2005), notable cases of female terrorists have occurred throughout history (Griset & Mahan, 2003), and female terrorist activity is widening regionally, logistically, and ideologically (Cunningham, 2003). Most notably, numbers of female suicide bombers have increased dramatically over the years, with a shift since 2000 from secular to religiously motivated attacks (Box 9.3).

**BOX 9.3**

**FEMALE TERRORISTS**

Layla Khaled at Guerilla Base in Jordan, one of two hijackers of American TWA jetliner in Damascus in 1969. A time bomb seriously damaged the jet.

*Photo credit:* © Bettmann/Corbis.

Women have participated as members of terrorists group throughout history and around the world—in Italy, Japan, West Germany, Sri Lanka, Iran (Cunningham, 2003), Israel, Palestine ("Female Arab Terrorism on the Rise," 2005), Chechnya, Turkey, Morocco, and Iraq ("Female Terrorists," 2005), the United States (e.g., Weather Underground and Patty Hearst and the Symbionese Liberation Army), and Russia/Chechnya, Uzbekistan, and Kashmir (Dickey, 2005). Historically, "females have been among the leaders and chief ideologues . . . and followers in terrorist groups" (Nacos, 2005, p. 436). Approximately 20 to 30% of members in international and domestic terrorist groups are female. Some suggest that the heyday of female terrorism was during the Red Brigades in Italy and Red Army Faction in Germany, where the motivation was
Marxism rather than religion (Kassman, 2004). Palestinian militants are well known for employing female terrorists since the 1960s, and the number of female suicide bombers in the Arab-Israeli conflict has increased over time. Layla Khalid, carried out one of the first airline hijackings in 1969 to draw attention to the Palestinian cause. The first female suicide bombers appeared in Lebanon in the 1980s. In 1985, a 16-year-old girl killed two soldiers when she drove a car filled with explosives into an Israeli checkpoint in Lebanon. The girl was thought to be one of several hundred female suicide bombers trained in Ayatollah Khomeini’s Iran (Foden, 2003). In 2002, Palestinian 27-year-old suicide bomber Wafa Idris killed an Israeli civilian and wounded 140 people. Chechen separatist militants have included females for many years—19 of the 41 Chechen militants in the 2002 siege of a Moscow theater, where more than 120 people were killed, were women who were part of a group called Black Widows, whose primary motive for terrorist acts is to avenge the death of husbands or loved ones slain in the Chechnyan conflict. Witnesses said that the female terrorists were crueler than the men (Foden, 2003). Black Widows wear veils and black from head to toe and a suicide or “martyr’s” belt filled with explosives. Four female hostage-takers in the Beslan school massacre in 2004 were seen wearing suicide belts, also said to be Black Widows. After the spate of female suicide bombers in Russia since 2000, Russian reporters coined the term shakhidka, or female Islamist suicide bomber, combining the Arabic word for martyr—shahid—and the Russian female suffix -ka (Devine, 2004).

Prior to 2000, every suicide attack by women was secular. In recent years, religiously oriented Islamic militant organizations have begun to use female terrorists. Since 2000, more than two-thirds of the suicide bomb missions have been carried out by Islamists (Dickey, 2005). In September 2005, the first woman became a suicide bomber for Al Qaeda in Iraq, dressed as a man in a checkered scarf and long white robe with explosives strapped to her waist. The bomb killed five men and wounded 30. In January 2004, Reem Riashi, a mother of two from Hamas, made a videotape before she carried out her suicide bomb operation, in which she said she hoped her “organs would be scattered in the air” and her soul would “reach paradise” (Dickey, 2005, p. 34). The phenomenon of female terrorists appears to have spread dramatically to Iraq and Jordan, leaving counterterrorist experts concerned about female suicide bomber attacks in Western Europe and the United States (Dickey, 2005).

Female terrorists, including young girls and mothers, pose a special security challenge, blurring the profile of would-be bombers. A growing number of female terrorists are scientists, housewives, or teenagers educated in Europe and the United States, and many female bombers pose as pregnant women with explosives strapped to their bellies (Moore, 2006). According to journalist Michael Tierney, who has studied female terrorists in the Al-Aqsa teen brigade, “Previously, the suicide bomber fitted a stereotype: male, unmarried, immature, under-educated, aged between 17 and 23, and fanatically religious. Today, the martyr has evolved: he has become a she” (Foden, 2003, ¶16). There is evidence to suggest that terrorist groups make gender stereotypes a tactical advantage, using women because they are less likely to be identified by law enforcement (Nacos, 2005). The success of suicide bombers depends on accessibility to target populations and the element of surprise, and female terrorists have been particularly adept at (Continued)
both (Zedalis, 2004). Counterterrorism experts say detection is more difficult because of social attitudes toward women and the hesitancy of security personnel to do invasive searches of girls and women. Russian terrorism expert Olga Oliker suggests that identification of female terrorists will require a significant psychological shift in the mindset of security forces to view women as potential adversaries, "People aren’t used to looking at women as potential bombers. And you need to train people to pay attention to girls as well as boys and to see women as potential attackers" (Kassman, 2004, ¶17). In recent years, married suicide bombers (both long-time couples and those married for the purpose of the suicide mission) have become of increased concern for counterterrorism experts (Dickey, 2005).

The motivations for female terrorism are unclear. Media accounts of female terrorists are laced with gender clichés and gender stereotypes that leave a gap between the media image of the female terrorists and their lived reality (Nacos, 2005). There is no evidence that male and female terrorists differ in terms of ideological fervor, brutality, motivation, or methods. Motivations and circumstances of female terrorists likely span a wide range. Whether the terrorist act is international or domestic, the culture from which the terrorist is from, demographic characteristics of the terrorist such as age, economic background, and other characteristics all likely play a role in whether terrorist acts are acts of empowerment or patriarchal control. Some female terrorists are committed to a cause. Others become involved to personally avenge the death of a husband or loved one. Others become involved by being forced, manipulated, or sold by their families. There is evidence to suggest that young Chechnyan Black Widows in the Moscow theater siege were psychologically exploited or sold by relatives. Some female terrorists are likely deeply motivated by ideology whereas others, especially those in Middle Eastern cultures, are exploited and used as weapons in an ideological war dictated by men. Feminism plays a strong role in the philosophies and agendas of some domestic terrorist groups. For example, Jones (2004) suggests that the Animal Liberation Front is a “feminist project” that draws from the principles of ecofeminism, anarcha-feminism, radical feminism, and feminist ethics. “Speciesism and sexism are so closely related that one might say they are the same thing under different guises” (Jones, 2004, p. 139). Asharq Al-Awsat, a London-based Arabic newspaper, published an interview with a woman using the code-name Umm Osama, “the mother of Osama.” She claimed to oversee the training of female mojahedin affiliated with al-Qaeda, and cited the success of female Chechen and Palestinian suicide bombers saying, “We are building a women’s structure that will carry out operations that will make the US forget its own name” (Foden, 2003, ¶17).

A number of terrorist subtypes have been identified in the literature. Dingley (1997) suggests that terrorists can be meaningfully differentiated as separatist-nationalist or anarcho-ideological. Separatist-nationalist terrorists are well-adjusted, non–mentally disordered people with high education who suffer from low social status and project this suffering onto an external entity. Anarcho-ideological terrorists tend to be more behaviorally determined, showing more disruption in childhood and identity problems that involve a loner mentality and social marginalization. Terrorists “tend to represent the overeducated and underemployed middle and lower middle classes who externalize their
problems” (Dingley, 1997, p.30). Martin’s (2003) typology is most comprehensive in capturing the range of terrorist types. He offers five types of terrorism:

- **State terrorism** (committed by governments against perceived enemies)
- **Dissident terrorism** (committed by groups against governments)
- **Religious terrorism** (motivated by belief that a higher power sanctions and commands the use of violence in the name of the faith)
- **Criminal terrorism** (motivated by profit)
- **International terrorism** (committed on a global scale with targets selected based on their value as symbols of international interest)

Of these categories, the dissident, religious, and international types are most consistent with the definition of terrorism as ideologically motivated crime. Barkan’s (2005) typology is similar to Martin’s though he omits the criminal terrorism category and adds vigilante terrorism—*state terrorism* (by police and government), *vigilante terrorism* (by private groups against other private groups to maintain the status quo), *insurgent terrorism* (against governmental authorities to bring about radical change), and *transnational or global terrorism* (committed by residents of one nation against another nation). Similarly, Vasilenko (2004) proposes five types: *political terrorism* (struggle for power), *separatist terrorism* (right to territorial succession), *nationalist terrorism* (exclusion of other nationalities and ethnic groups), religious terrorism (recognition of leading role of own religion), and *criminal terrorism* (material profit). Tilly (2004) proposes four types—*militias, autonomists, conspirators, and zealots*—that differ with respect to degree of specialization and location of attack.

Arena and Arrigo (2005) identify three forms of terrorism similar to the categories presented by Martin (excluding criminal terrorism and state terrorism; based on the conceptual organization of this text, criminal terrorism is more meaningfully classified as an economic crime, and state terrorism is discussed in the section on state crime)—*national terrorism, religious terrorism, and revolutionary terrorism*. The Provisional Irish Republican Army (PIRA) exemplifies nationalist terrorism, *Hamas* (the Palestinian Covenant of the Islamic Resistance Movement) religious terrorism, and the *Tupamaros* (Uruguay revolutionary group) revolutionary terrorism. Applying identity theory and symbolic interactionism, Arena and Arrigo argue that the act of joining a terrorist group is an attempt to reconcile a fragmented identity. The terrorist’s identity is shaped and behavior is influenced by the symbols and objects, social acts, meaning, role taking and role making, and “emergence of the self” (p. 32) associated with the terrorist group. “Identity can be seen as part of the reason why some countries have such a difficult time ridding themselves of terrorist threats” (p. 43).

The research on the causes of terrorism suggests, as with most types of criminal behavior, that no grand theory can explain who will become a terrorist and why individuals engage in terrorist behavior. Tilly (2004) argues,

> Properly understood, terror is a strategy, not a creed. Terrorists range across a wide spectrum of organizations, circumstances, and beliefs. Terrorism is not a single causally coherent phenomenon. No social scientist can speak responsibly as though it were. (p. 12)
Research on the relationship between mental illness and terrorism suggests that there is no causal connection between an individual’s mental disorder and terrorist behavior; however, engaging in terrorist activity may increase the likelihood of developing a mental disorder (Weatherston & Moran, 2003). The type of offender, the target, the type of terrorist act, the country, the time period, and an unlimited number of situational and contextual factors and unique pattern of causation help explain the formation of a terrorist and terrorist behavior. Ross (2003) suggests that a “broad theoretical framework that can accommodate some of these ideas may be achieved through integrating both structural and psychological explanations” (p. 71).

_Hate crime_, also referred to as _bias crime_, is a form of domestic terrorism. For example, several terrorist incidents in the United States in the 1990s have been attributed to the American Front Skinheads, who committed a series of bombings in meeting places where Blacks, gays, and Jews gathered in California and Washington, including a gay bar and an NAACP office:

Hate groups are now espousing the _leaderless resistance_ model for fighting the people they view as their enemies. This doctrine advocates independent actions by individuals or small leaderless cells. The strategy seeks to prevent authorities from connecting illegal activities to the organization’s command and control structure. Individuals acting on their own perpetrate acts of “resistance” that support the espoused philosophy of the larger group. (City of Seattle Emergency Management, 2005, ¶4)

What this means is that it is becoming increasingly difficult to distinguish terrorist acts committed by organized groups and lone individuals who adhere to (and have formed their psychological identities through) an ideological doctrine espoused by a particular hate or terrorist group. However, _not all terrorist acts are hate crimes and not all hate crimes are terrorist acts_ (Martin, 2003). Some dissident terrorists target a state or system with no particular animosity toward a particular race, religion, or other group. Some hate crimes have little or no identifiable political agenda beyond having strong negative feelings toward a particular group.

It can be argued, however, that any criminal behavior legally defined as a hate crime is political in that animosity toward a particular racial, ethnic, or other group is in and of itself founded on a particular ideology. During “times of social distress and economic uncertainty, tensions between groups become acute and find expression in hate crimes” and the context and social climate in which hate crimes occur is relevant to their understanding (Kelly & Maghan, 1998). Furthermore, research shows that certain types of hate crime increase during periods when there is political and economic racial or ethnic conflict. For example, when African Americans have made the greatest economic and political gains in the United States, there have been more incidents of arson of Black churches—“it appears that the majority group attempts to repress or threaten the minority group by attacking an institution central to that group: the black church” (Soule & Van Dyke, 1999).

Hate groups engage in what has been called _vigilante terrorism_ (Barkan & Snowden, 2001, cited in Martin, 2003). Many hate crimes are committed by “lone wolves” who identify with the Ku Klux Klan, the Aryan Nation, or other groups. _Are_
such acts by lone individuals acting on behalf of a cause with which they identify hate crimes or terrorist attacks? Given that some hate groups resemble gangs at one stage in their life cycle and paramilitary organizations at another, should all hate crimes be viewed as terrorist attacks? Should massacres of “enemy” civilians by paramilitaries, communal violence between religions or ethnonationalist groups, or genocidal campaigns by governments be considered hate crimes? These are all important, yet unresolved, questions in conceptualizing hate crime.

Hate crime is a legal concept defined as crimes that manifest evidence of prejudice based on race, religion, ethnicity, sexual orientation, or disability (FBI, 2004). In 1990 Congress passed the Hate Crime Statistics Act, requiring the Attorney General to collect data about bias crime in the United States. The act was amended to include bias against people with disabilities as part of the Violent Crime and Law Enforcement Act of 1994. The FBI uses the terms hate crime and bias crime interchangeably defining bias crime as a criminal offense “motivated, in whole or in part, by the offender’s bias against a race, religion, sexual orientation, ethnicity/national origin, or disability, and committed against persons, property, or society” (FBI, 2004, p. 3).

For crime to be considered a hate or bias crime there must be a criminal offense and evidence of bias motivation. In 2005, there were 7,163 reported hate crime incidents and 8,380 offenses involving 8,804 victims and 6,804 offenders. Of the 7,163 incidents, 7,160 involved single-bias incidents with 54.7% involving racial bias, 17.91 religious bias, 14.2 sexual-orientation bias, and 0.7 disability bias. Most (5,190 or 62%) were offenses against persons, 3,109 (35%) were crimes against property, and the remainder directed at multiple or unknown targets (UCR, 2005). National Incident-Based Reporting System Data on bias incidents from 1997 to 1999 (U.S. Department of Justice, Bureau of Justice Statistics, 2001) provide a more comprehensive look at the situational and contextual characteristics of hate crime offenses:

- In 60% of incidents, the most serious offense was a violent crime, most commonly simple assault or intimidation.
- Most (61%) incidents were motivated by race: 14% by religion, 13% by sexual orientation, 11% by ethnicity, and 1% by victim disability.
- Racially motivated hate crimes most frequently targeted Blacks whereas religiously motivated hate crimes more frequently targeted Jews.
- Young offenders under age 18 are responsible for most hate crimes (31% of violent offenders and 46% property offenders are under age 18).
- The majority of hate crime offenders are White males (60%). Of those remaining, 21% are Black males, 10% White females, 6% Black females, 2% other male, and 1% other female.
- In terms of offense location, 32% of hate crimes occurred in a residence, 28% in an open space, 19% in a commercial/retail establishment, 12% in a school or college, and 3% in a synagogue, church, or temple.
- The targets of hate crimes are predominantly individuals (84%). Businesses represent 6% of victims, governments 4%, religious organizations 2%, and society or the general public 2%.
The NIBRS data represent the first attempt to provide accurate statistical information regarding the nature and extent of hate crime in the United States. However, it is likely that the numbers do not reflect the extent of the problem. Hate crime victims may be more inclined to hide their victim status than non–hate crime offenders and research on other data collection methods suggests higher estimates for serious hate offenses than are reflected in victimization reports (Rayburn, Earleywine, & Davidson, 2003).

Several particularly heinous incidents, including Matthew Shepard’s murder in 1998, have increased public attention to hate crime:

- In 1993, Colin Ferguson shot 25 people on a Long Island commuter train, killing six. Notes found on his person and testimony during his trial indicated that he selected his targets because they were White. During his trial, his defense attorney argued that the mass murder was the result of “black rage” and that he was driven to mental illness through a lifetime of racial oppression. Ferguson was convicted of six counts of murder and received six consecutive life sentences without the possibility of parole.

- In 1994, Brandon Teena was raped and murdered by two men who discovered that she was a woman who had been passing as a man while she awaited a sex change operation. Teena was forcibly outed by the local police department and newspapers after she was arrested for a misdemeanor check-forging charge. Although the authorities in the case did not prosecute the murder as a hate crime, there was substantial evidence that the offenders were enraged at finding out that Teena was a woman passing as a man. Brandon Teena was the subject of the 1999 film Boys Don’t Cry.

- In 1998 James Byrd, an African American, was savagely murdered in a hate crime in Jasper, Texas. Byrd was tied to a pickup truck with a chain and dragged three miles. An autopsy showed that he was alive for much of the dragging and died when his arm and head were severed. Three White supremacists (Shawn Berry, Lawrence Brewer, and John King) were convicted for the crime. Brewer and King were sentenced to death. Berry was sentenced to life.

An estimated 500+ hate groups are operating in the United States. These include groups such as the Aryan Nation, The White Patriot Party, White Aryan Resistance (WAR), The Order, Posse Comitatus, neo-Nazis, and the Christian Conservative Church. Membership in these groups is growing at an alarming rate, particularly with the ability for interested individuals to become involved anonymously via the Internet (Anderson, Dyson, & Brooks, 2002).

A central issue in evaluating whether or not an offense can be considered a hate crime is identifying factors that reflect hate bias. What type of evidence does law enforcement use to support bias motivation? In most cases, the presence of hate speech establishes ideological motivation. For example, a recent case in Seattle involved a Black teenager accused of randomly murdering a White man, a popular tennis coach, as he sat in his car. The offender was transferred to adult court and will likely be charged with a hate crime after stating to neighbors that he had a grudge against White people. One neighbor told police, “He always say that he (was) gonna kill all the white people in the world.” Another neighbor said he “had, like, some sort of complex against
Caucasian people. And he said he wanted to kill them all and told me I could watch” (“Documents, Neighbors Reveal Possible Murder Motive,” 2005).

In general, law enforcement agencies record hate crimes when the investigation reveals evidence to support a bias motivation including written statements, graffiti at the scene, and verbal statements or gestures made by the offender (U.S. Department of Justice, Bureau of Justice Statistics, 2001). Dunbar (2003) suggests that in addition to hate speech, other valid signifiers (that may reflect a more enduring form of bias motivation than hate speech) include offenders’ articulated beliefs about in-group superiority, affiliation with social cohorts who espouse a hate-based worldview, display of symbols that communicate a hate-based worldview (e.g., clothing, art, iconography), and a history of perpetrating bias-motivated aggression.

McDevitt, Levin, and Bennett (2002) conducted a study of 169 hate crime cases in Boston to develop an empirical typology of hate crime offenders. The study provides empirical grounding for a typology of hate crime offenders consisting of four motivational types.

- **Thrill**—offenders who commit hate crimes for excitement or thrill
- **Defensive**—offenders who commit hate crimes to defend their turf
- **Mission**—offenders who commit hate crimes to rid the world of groups they view as inferior or evil
- **Retaliatory**—offenders who commit hate crimes in reaction to and retaliation for an actual hate crime incident or rumor of a hate crime incident, whereby the offender seeks revenge against the group to which the perpetrator of the original offense belongs

Thrill offenders account for 66% of hate crime offenses, defensive offenders for 25%, retaliatory 8%, and mission less than 1%. Of the four types, individuals who commit hate crimes for thrill are the least likely to be viewed as political offenders and perhaps are best understood as marginally ideologically motivated violent offenders. The defensive, mission, and retaliatory types (34% of all hate crime offenders in this study) can be seen as politically motivated in that their actions are based on a particular ideology and interest in gaining power and control over a particular group (who are protected by the existing government).

Research on the developmental, behavioral, and ideological characteristics of hate crime offenders suggests that these offenders are unique in the force of their ideological motivation and there is significant within-group variability in the degree of bias motivation in hate crime cases. Hate crime offenders who have a higher level of bias motivation (as signified by prior bias criminality, membership in hate groups, blatantly expressed hate speech, and symbolic representation of hate beliefs) engage in significantly more instrumental, predatory, and premeditated aggression than do hate crime offenders with a lower level of bias motivation. Hate crime is a “special case crime” reflecting a “special class of violence” (Dunbar, 2003, p. 203). Hate crime offenders are more likely than other offenders to be criminally versatile, more likely to use drugs or alcohol during the commission of the crime, and more likely to seriously injure the victim (Messner, McHugh, & Felson, 2004). Findings suggest that they are volatile individuals with low self-esteem who want to belong to a group and are seeking a place in the world and will take such
acceptance wherever they can find it even if it means engaging in criminal behavior. Hate crimes appear to increase during tough economic times. Those who become members of hate groups are socialized and indoctrinated into the group's norms and lifestyle. This indoctrination is a powerful force in the neutralization and devaluation of victims by hate crime offenders (Anderson, Dyson, & Brooks, 2002).

Gerstenfeld (2004, p. 77) asks, “In the space of less than two decades, how does a person change from an accommodating toddler into a violent bigot?” The development of prejudice is a central component in the development of a hate crime offender. Gerstenfeld identifies stages in the development of prejudice that may offer at least a partial answer to this question. The following are the stages in the development of prejudice that set the stage for hate crime:

- Ability to engage in social categorization (to divide the world up into categories of people—male/female, Black/White, Christian/Jewish/Muslim, etc.)
- Self identification—ability to learn which groups they belong to and which groups they do not
- Stereotyping—learning to associate stereotypes with particular groups of people, a “mental picture” attached to a particular group
- Internalization of prejudice—resulting in aversive behavior

These common developmental states in conjunction with family values that support bigotry, parents with authoritarian personality styles, situational forces such as peer influences and social support for particular belief systems, economic difficulties, and sociocultural environment all contribute to the formation of a hate crime offender.

Political assassination is the murder of public figures for political reasons (Barkan, 2005). Sometimes political assassination is committed by a lone individual with a political grudge. If a public figure such as the president of the United States is assassinated by someone for a nonpolitical reason (e.g., mental illness), then it is not considered a political crime. For example, John Hinckley’s attempted assassination of Ronald Reagan in 1981 was not politically motivated and perhaps best classified as a copycat crime (discussed in Chapter 10). Hinckley attempted to assassinate Reagan after seeing the movie Taxi Driver more than 15 times to impress Jodi Foster, an actress in the film whom he had formed a fictional relationship with. Hinckley was determined to be not guilty by reason of insanity and committed to Saint Elizabeth's Hospital in Virginia. However, most political assassinations are not committed by individuals who are mentally ill. The list of political assassinations and attempted assassinations since the 1960s is a long one:

- Medgar Evers, civil rights leader
- Martin Luther King Jr.
- Malcolm X
- Yitzhak Rabin, Israeli prime minister
- Anwar Sadat, president of Egypt
- Joseph Yablonski, United Mine Workers activist
Five types of political assassins have been noted in the literature (discussed by Clarke, 1982) and named by Hagan (1997):

1. Political assassins—who (believe they) commit their acts selflessly for political reasons
2. Egocentric assassins—who have an egocentric need for acceptance, recognition, and status and commit their crimes to achieve notoriety and attention
3. Psychopathic assassins—who are emotionally unattached to others and transfer their emotional resentment onto the victims of their crimes
4. Insane assassins—who have documented histories of organic psychosis (e.g., schizophrenia)
5. Atypical assassins—who defy classification (e.g., James Earl Ray, who assassinated Martin Luther King Jr., was an unsuccessful career criminal who appeared to be primarily motivated by the $50,000 payment for the assassination)

Of these types, only insane assassins would be legally classifiable as out of touch with reality for the purposes of the insanity defense. Thus, for most assassins, assassination is an instrumental/goal-oriented criminal behavior committed for a particular purpose, though only political assassination (and perhaps atypical assassination depending on the circumstances) is ideologically motivated and best understood as political (rather than violent) crime.

**State Crime**

In his classic book *On the Take*, William Chambliss explores the corruption in police, governmental, and commercial establishments in Seattle in the 1960s. Chambliss’s work was one of the first to highlight lawlessness and corruption committed by individuals, groups, and organizations in power for the purpose of maintaining that power (Chambliss, 1978, 1988). Research and writing in the overlapping areas of state-organized and state corporate crime has brought additional attention to political scandals highlighting crimes (and possible crimes) committed by governmental officials including the following:

- The CIA and FBI cover-up of the crimes of former employee and Cuban exile Ricardo Morales, who, following CIA orders, bombed a Cuban airliner in Venezuela that killed 73 people (Simon, 1996).
- Unanswered questions surrounding CIA involvement in the assassinations of John F. Kennedy, Malcolm X, and Martin Luther King Jr. (Simon, 1996).
- The 1972–1974 Watergate scandal when the Democratic Party’s Watergate Headquarters in Washington was illegally burgled and bugged by individuals hired by the Republican power structure. The Watergate scandal led to the resignation of President Richard Nixon, who accepted full responsibility but denied personal involvement. The scandal was leaked by an insider source given the moniker “Deep Throat.” In 2005, former Associate Director of the FBI W. Mark Felt confirmed, on his deathbed, he was Deep Throat.
- The 1983–1988 Iran-Contra scandal when the U.S. government, under the direction of Lt. Colonel Oliver North, sold arms to Iran. The United States diverted proceeds from
the sale to the Contras fighting a guerrilla war against the leftist Sandanista government in Nicaragua. Funding the Contras and the sale of weapons to Iran violated administrative policy and legislation.

- The abuse of Iraqi prisoners by U.S. Army personnel, CIA agents, and contractors at Abu Ghraib Correctional Facility in Baghdad in 2003–2004. Prisoners were bound, hooded, and photographed while being tortured and interrogated using various methods including being forced to strip naked and stacked on top of each other in a pyramid formation, being sexually ridiculed by being forced to simulate sexual positions, and threatened with dogs and electrical shock. Some reports indicated that some prisoners were raped and sodomized and one detainee was killed during an interrogation involving a particularly brutal torture technique and then packed in ice and placed in a shower. Six soldiers were convicted of charges including conspiracy, cruelty to prisoners, assault, maltreatment of detainees, dereliction of duty, indecent acts, and obstruction of justice.

Over the last 20 years, attention to this phenomenon of governmental corruption and state crime at local, national, and international levels has increased.

State crime has been defined as “harmful activities carried out by the state or on behalf of some state agency” (Friedrichs, 2004), including political acts and political omissions that involve illegal surveillance, imprisonment, harassment, violations of First and Fourth Amendments, drug and arms trafficking, air piracy, terrorism, and other abuses of state power (Barak, 1998). State crime serves to protect the existing order. State crime includes offenses such as political repression, genocide, war crimes, illegal secret police operations, human rights violations, and unethical or illegal experimentation (Barkan, 2005; Hagan, 1997). Some authors (Clinard, Quinney, & Wildeman, 1994; Ross, 2003) include political corruption under the heading of state crime, though others argue that corruption and other acts committed for personal gain are best understood as an economic crimes (Friedrichs, 2004).9

Ross (2003) defines the “state” as “the political entity that holds a legitimate monopoly on the use of force, law, and administration” (p. 82). Government is the political and administrative apparatus of the state. The balance of power is shifted toward the state in any political conflict because the state has a disproportionate share of the resources. Furthermore, the state has the power to define what is criminal and what is not. Given this power imbalance, the concept of state crime is conceptually hazy. If the state has the power to define what is criminal, certainly the acts it engages in itself (in the form of state-employed individuals engaging in corrupt, immoral, unethical, or illegal behavior to further organizational state

Photo 9.4 U.S. Army PFC Lynndie England arrives at Ft. Hood, Texas, Monday, May 2, 2005, for the arraignment phase of her court martial trial for alleged prisoner abuses at Abu Ghraib prison in Iraq. England, one of nine reservists convicted of abuses of prisoners at Abu Ghraib was convicted and is now serving time in military prison.

Photo credit: © Corbis.
goals) will not be defined as criminal. Turk (1982) suggests that state crime is best understood as a separate category altogether, as political policing because of the conceptual difficulty in referring to governmental behavior as “criminal” because “crime is what the state says it is, and governments are not inclined to prosecute themselves” (Clinard, Quinney, & Wildeman, 1994, p. 145). This presents a problem in defining state crime because, without the aid of an inside whistleblower, much of the behavior the state engages in is either legal or undetected.

State crime can be divided into two general categories of offenses: (1) political repression, human rights violations, and state violence and (2) domestic espionage, illegal surveillance, and other tactics of state control. Most of the offenses committed by government and state agencies can be classified in one of these two categories—the former involving direct nonviolent and violent tactics that blatantly violate basic human rights and the latter involving indirect tactics aimed at maintaining existing state power that violate citizen civil rights. Though each category represents a different method and expression of state criminality, both are committed by agents of the state for the ideological purpose of maintaining state power.

**Political Repression, Human Rights Violations, and State Violence**

*Political repression* can involve tactics and *human rights* violations ranging from nonviolent acts to extreme acts of *state violence*. There are numerous examples throughout history of governments and governmental agents who have used illegal and violent means to repress dissent. Acts of political repression are most evident in nations with totalitarian regimes. However, all governments engage in repressive and even violent tactics to maintain power including democratic nations. Methods of political repression range from nonviolent use of law to imprison dissenters to violent state terrorism using assassination and genocide to eliminate the threat of a particular group of people and ideology. Examples of nonviolent human rights violations include restrictions on political participation; restrictions on freedom of expression, association, assembly, and religion; violations of due process; and racial, gender, religious, or ethnic discrimination.

*State violence* is an extreme “form of political criminality that generally consists of illegal, physically harmful actions committed by a country’s coercive organizations (i.e., police, national security agencies, and military) against individuals and groups” (Ross, 2003, p. 138). Victims of state violence tend to be actual or suspected criminals, ethnic or religious groups, political dissidents, immigrants, or people of color. Examples of violent tactics of political repression that violate human rights include torture (such as the previous example of torture of Iraqi detainees), assassination of political figures or special threat dissenters, execution of dissidents, commitment to mental hospitals, disappearances or kidnappings, death squad activity, police violence and use of excessive and deadly force, deaths in custody, and genocide (Ross, 2003). When governments resort to rule by terror, their actions are referred to as *state terrorism* (Barkan, 2005).

Of the types of extreme state violence used as a tool of political repression, *police violence* is the most prominent in advanced industrialized countries. The literature on police violence focuses to some extent on individual-level factors that contribute to police violence (e.g., the bad apple theory), but *organizational norms, institutionalized policies and practices, and laws support and reinforce the use of violence against certain*
individuals and groups of people. Organizational norms, policies, and practices fuel and support rationalizations used to target people from certain groups. These organizational norms work in conjunction with the established policies, practice, and laws to help maintain the dominant political order (Garland, 1990; Ross, 2003).

One of the most infamous acts of state violence was the 1989 massacre at Tiananmen Square in China. Thousands of unarmed demonstrators gathered at Tiananmen Square, China’s capital in Beijing, to demand democratic reforms. They were met with open fire by the military, who slaughtered several hundred demonstrators and arrested, imprisoned, and later executed others, many of whom were students. Other examples include police violence used against protesters in the United States during the civil rights movement and the Vietnam War, including the 1970 shootings of students protesting the American invasion of Cambodia at Kent State University by the National Guard, in which four students were killed (only one of whom had participated in the protests) and nine wounded, and the police violence against protesters at the WTO riots in Seattle and the Port of Oakland antiwar protests in 2003, in which Oakland police opened fire with wooden dowels, concussion grenades, tear gas, and “sting balls” (Hull, 2003).

The most severe act of political repression is genocide. Genocide is the “deliberate extermination of a group because of its race, religion, ethnicity, or nationality” (Barkan, 2005, p. 406). Genocide may also be committed against a group of people for their politics. Genocide is a crime against humanity and a form of state terrorism and mass murder. The term genocide was coined from the Greek word genos (race) and the Latin root -cide (killing) by Raphael Lemkin, a Polish lawyer, during World War II after the Nazi slaughter of over 6 million Jews and approximately 5 million other people in one of the most infamous acts of genocide in world history. According to Rummel, (1996, Chapter 1, ¶1), “Somewhere around 170,000,000 people have been murdered by their own governments, aside from war,” since 1990, and “the more democratic a nation the less it murders its own people.”

Genocide is a crime under international law defined as such by the International Criminal Court. The International Criminal Court has identified a number of elements of genocide to evaluate acts fitting the definition of genocide. This is an important step in clarifying an internationally accepted legal definition of genocide (Table 9.2). Since World War II, genocide has been a crime under customary and conventional international law. Thus, though difficult to prosecute, most of the nations in the world have agreed that the act of genocide is fundamentally wrong and should be punished. Genocide is generally associated with totalitarian governments, but acts by democratic governments have also been referred to as genocide. Historians and scholars have referred to the killings of American Indians when the Europeans first settled in North America and the wartime slaughter of 2 million Vietnamese, many of whom were civilians. Since the Nazi Holocaust, there have been many other acts of genocide around the world (examples taken from Barkan, 2005):

- In the early 1990s, ethnic conflict led to the deaths of tens of thousands in a region known as Bosnia-Herzegovina. In 1992, the region declared its independence from Yugoslavia. At the time there were three nationalities in Bosnia—Croats, Serbs, and Muslims. The Croats and Muslims voted for independence but the Serbs boycotted the referendum. The conflict led to a civil war, and by the end of 1992, the Serbs controlled
### Table 9.2 Elements of the Crime of Genocide

<table>
<thead>
<tr>
<th>Act</th>
<th>Genocide by Killing</th>
<th>Genocide by Deliberately Inflicting Conditions of Life Calculated to Bring About Physical Destruction</th>
<th>Genocide by Imposing Measures Intended to Prevent Births</th>
<th>Genocide by Forcibly Transferring Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conduct</td>
<td>The perpetrator killed one or more persons.</td>
<td>The perpetrator inflicted certain conditions of life on one or more persons.</td>
<td>The perpetrator imposed certain measures on one or more persons.</td>
<td>The perpetrator forcibly transferred one or more persons.</td>
</tr>
<tr>
<td>Note</td>
<td>The term <em>killed</em> is interchangeable with the term <em>caused death</em>.</td>
<td>This conduct may include, but is not necessarily restricted to, acts of torture, rape, sexual violence, or inhuman or degrading treatment.</td>
<td>The term <em>conditions of life</em> may include, but is not necessarily restricted to, deliberate deprivation of resources indispensable for survival, such as food or medical services, or systematic expulsion from homes.</td>
<td>The term <em>forcibly</em> is not restricted to physical force, but may include threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or persons or another person, or by taking advantage of a coercive environment.</td>
</tr>
<tr>
<td>Consequences and Circumstances</td>
<td>The conditions of life were calculated to bring about the physical destruction of that group, in whole or in part.</td>
<td>The measures imposed were intended to prevent births within that group.</td>
<td></td>
<td>The transfer was from that group to another group.</td>
</tr>
</tbody>
</table>

*(Continued)*
### Table 9.2 (Continued)

<table>
<thead>
<tr>
<th>Act</th>
<th>Genocide by Killing</th>
<th>Genocide by Causing Serious Bodily or Mental Harm</th>
<th>Genocide by Deliberately Inflicting Conditions of Life Calculated to Bring About Physical Destruction</th>
<th>Genocide by Imposing Measures Intended to Prevent Births</th>
<th>Genocide by Forcibly Transferring Children</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>The perpetrator intended to destroy, in whole or in part, that national, ethnic, racial, or religious group, as such.</td>
<td>The perpetrator intended to destroy, in whole or in part, that national, ethnic, racial, or religious group, as such.</td>
<td>The person or persons were under the age of 18 years.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>The perpetrator intended to destroy, in whole or in part, that national, ethnic, racial, or religious group, as such.</td>
<td>The perpetrator intended to destroy, in whole or in part, that national, ethnic, racial, or religious group, as such.</td>
<td>The perpetrator knew, or should have known, that the person or persons were under the age of 18 years.</td>
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<td></td>
<td></td>
<td></td>
<td>The perpetrator intended to destroy, in whole or in part, that national, ethnic, racial, or religious group, as such.</td>
<td>The perpetrator intended to destroy, in whole or in part, that national, ethnic, racial, or religious group, as such.</td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Such person or persons belonged to a particular national, ethnic, racial, or religious group.</td>
<td>Such person or persons belonged to a particular national, ethnic, racial, or religious group.</td>
<td>Such person or persons belonged to a particular national, ethnic, racial, or religious group.</td>
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</tr>
<tr>
<td>Intent</td>
<td>The perpetrator intended to destroy, in whole or in part, that national, ethnic, racial, or religious group, as such.</td>
<td>The perpetrator intended to destroy, in whole or in part, that national, ethnic, racial, or religious group, as such.</td>
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<td></td>
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<td>Act</td>
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<td>Genocide by Forcibly Transferring Children</td>
</tr>
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<td>-------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------</td>
<td>--------------------------------------------</td>
</tr>
<tr>
<td>Context</td>
<td>The conduct took place in the context of a manifest pattern of similar conduct directed against that group or was conduct that could itself effect such destruction.</td>
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<td></td>
</tr>
<tr>
<td>Note</td>
<td>The term <em>in the context of</em> would include the initial acts in an emerging pattern; the term <em>manifest</em> is an objective qualification.</td>
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</tr>
</tbody>
</table>
70% of Bosnia and engaged in forced expulsions of Muslims called *ethnic cleansing*, massacres of unarmed Muslims and Croats, and the rape by troops of an estimated 20,000 Muslim women (termed by some as “gynocide”).

- In 1994 a civil war took place in Rwanda between the two major groups, the Hutu and the Tutsi. A plane carrying the Rwandan president, a Hutu, crashed and the government blamed a Tutsi rebel group for shooting the plane. In reaction, governmental troops killed an estimated 1 million Tutsis in the following months. By July that year, the Tutsis fought back, captured the Rwandan capital, and 1 million Hutus fled.

- The 2004 the Janjaweed, an Arab militia group, committed mass murder of Africans in Sudan. The Sudanese government paid the Janjaweed to quell political unrest in the western region of Darfur. The Janjaweed used mass terror tactics including rape, torture, arson, and murder, killing between 300,000 and 1 million people.

Genocide is state-sanctioned mass murder. Are perpetrators of genocide any different from perpetrators of mass murder? How is it that human beings employed as governmental agents are cognitively, emotionally, and behaviorally able to execute large groups of people? These are important questions to explore in understanding the nature and dynamics of genocide.

Stanton (1998) suggests that the genocide process involves eight stages, and that it is important to understand these stages to intervene:

1. **Classification:** People are divided into “us” and “them.”
2. **Symbolization:** Hate symbols are associated with pariah groups.
3. **Dehumanization:** Members of pariah groups are dehumanized.
4. **Organization:** Governmental units, militias, armies are trained, organized, and armed.
5. **Polarization:** Hate groups broadcast polarizing propaganda.
6. **Identification:** Potential victims are identified based on affiliation with particular group and symbols of association.
7. **Extermination:** Mass murder of members of target group is carried out.
8. **Denial:** Perpetrators deny that any crime has been committed.

Components of this process are very similar to the borderline primitive defenses used by psychopaths and the techniques of neutralization used by all offenders to rationalize criminal behavior.

*Domestic Espionage, Illegal Surveillance, and Other Tactics of State Control*

The term *domestic espionage* refers to governmental spying, information-gathering, and domestic surveillance of dissident groups by police and state agents (Theoharis, 2004). Other terms used to refer to the activities involved in domestic espionage are *secret policing* (Hagan, 1997), *political policing* (Turk, 1982), and *illegal domestic surveillance* (Ross, 2003). *Domestic espionage* is distinguished here from espionage discussed in the previous section in that this form of spying is conducted by governmental agents to obtain information from its citizens to repress dissident groups and maintain state power, in contrast with *international espionage*, which involves surveillance of a foreign government, spying, and treason by citizens against their own country for enemy
intelligence, and economic (or industrial) espionage, which involves corporate spying for trade secrets. Targets of domestic espionage can be citizens, organizations, businesses, or foreign governments. Surveillance and information gathering tactics are a legitimate law enforcement activity; however, these tactics cross the legal threshold of acceptability in the eyes of the public when they violate citizen civil rights.

Intelligence gathering operations generally involve collecting information from open sources. However, undercover domestic surveillance tactics have been a part of law enforcement since its inception, despite the changes over time in the constitutional protections of citizens against illegal surveillance, search, and seizure (i.e., selective incorporation of Bill of Rights, specifically the First and Fourth Amendments, to the states). Undercover operations involving domestic espionage including wiretapping and other forms of state-sponsored deception are widespread, institutionally condoned, part of the organizational fabric of policing (Marx, 1988). Domestic surveillance is an ongoing practice in democratic states, with historical evidence supporting its use in the United States, Canada, and Great Britain (Ross, 2003), and all countries require some type of secret police (Hagan, 1997).

The use of repressive illegal surveillance tactics is particularly salient during times of social strife and cultural crises. For example, a number of groups seen as a political threat were investigated by COINTELPRO, an FBI counterintelligence program aimed at investigating and disrupting political radical dissident groups that operated from 1956 to 1971. The Socialist Workers Party, the Students for a Democratic Society, the Black Panther Party, the Nation of Islam, the American Indian Party, and the Weather Underground were targets of COINTELPRO, whose methods included deception and infiltration, psychological warfare, legal harassment, and excessive force. Some suggest that the post-9/11 environment, the Patriot Act, the power of the political right, and public fear of both international and domestic terrorism may bring a return of something like COINTELPRO and increased tolerance for undercover surveillance activities that violate civil rights (“Going Undercover/Criminalizing Dissent?” 2004).

The most common technique used in domestic espionage in the United States is wiretapping. Wiretapping was illegal in the United States from 1937 to 1968. In 1968 it was ruled permissible if authorized by court order when probable cause is established. Despite the long period in American history during which wiretapping was completely illegal, its use as well as the burglaries committed to install the devices has continued to this day. Former FBI Director J. Edgar Hoover officially condoned illegal burglaries and the planting of bugs throughout his tenure, illegal wiretapping was the mainstay of the Watergate scandal, and even today police are known to go “judge shopping” for a sympathetic judge who will issue a court order based on questionable evidence to support probable cause (Ross, 2003, p. 111).

In addition to the use of state violence, domestic espionage, and illegal surveillance, governmental agents and law enforcement engage in other tactics to control dissident groups and individuals. Hagan (1997) identifies additional tactics used to repress political dissidents:

- Litigation against leaders of political movements
- Disinformation campaigns
Administrative harassment
Informants and agents provocateurs
Support of counter or alternative groups
“Snitch jacketing” (falsely accusing innocent individuals of being informants)

The Nature and Dynamics of Political Crime

What causes political criminality? What are the factors and forces that contribute to its manifestation? How do political criminals differ from other types of offenders in terms of motivation, cognitive processing, modus operandi, psychopathy, environment, and upbringing? Do certain contextual/situational factors influence the occurrence of political crime? Does it make sense to ask the same questions about political crime as are asked about other types of crimes? Can political crime be understood within the context of the instrumental/expressive framework? Are all political criminals alike along a primary and meaningful dimension? These are some of the questions that are important in making sense of political criminality.

The following are common features of political criminality:

- Ideological motivation
- Willingness to take action that violates law to further an ideological objective
- Ability to easily cognitively neutralize criminal behavior (i.e., if a person believes strongly that their behavior appeals to a higher loyalty, it is difficult to think of oneself in a negative light)

Beyond these three characteristics, political offenders are a heterogeneous group. Socrates, Sir Thomas More, Mahatma Gandhi, Martin Luther King Jr., and Malcolm X all were political criminals (Barkan, 2005). So were Adolf Hitler, Lee Harvey Oswald, Timothy McVeigh, and Saddam Hussein. Add to the list Marie Antoinette, Benedict Arnold, Ethel and Julius Rosenberg, Richard Nixon, Oliver North, and Aldrich Ames, and you get a mixed bag of offenders, some who, though condemned for their behavior, were later considered heroes and key political figures who honorably suffered to facilitate positive and powerful social change.

Political criminals are unique in that, unlike other types of offenders, they are motivated by a powerful and particular ideological agenda. This provides them with a stronger than average framework for neutralizing criminal behavior. In some ways, this framework resembles the defensive organization of the primary psychopath, who cares little about the norms and values of society because he or she is narcissistically attached and unable to empathize or attach to others, let alone to behave in ways consistent with others’ views. However, most political offenders are not psychopaths at all. And, in fact, political offenders with strong ideological stances and willingness to sacrifice their own lives and freedoms are the antithesis of the psychopath. Rather, the values and beliefs of political criminals result in antisestablishment (not necessarily antisocial) behavior for the purpose of changing the existing power structure. Political offenders tend to see their behavior as morally acceptable despite the existing laws providing them with a psychological framework that makes their behavior very easy for them to cognitively neutralize, and as a result, their behavior very difficult to control.

There is a big difference, however, between the antiwar protester who violates a temporary curfew or an animal rights activist who releases animals from a vivisection
laboratory and political assassins, political leaders and soldiers who commit genocide, or military personnel who engage in torture and murder in violation of international human rights agreements. Clearly, political criminals share the common feature of ideological motivation but are differentially influenced by a range of psychological, environmental, cultural, situational, and phenomenological factors and forces that shape the behavior they engage in.

**Summary**

*Political crime* is motivated by a particular ideological perspective. Though it is not against the law in the United States to espouse political views contrary to those of the government, people who do are often targeted by law enforcement and sanctioned for violating a range of laws. The ways in which political offenders are defined, identified, and socially controlled make it virtually impossible to provide an accurate statistical figure for the true extent of political crime in the United States and around the world, though available data suggest that political crime has existed throughout history and is prevalent around the world. Some crimes can be considered explicitly political; most are not. Political crime can be classified in terms of two general categories: *oppositional crime* (crimes against the government) and *state crime* (crimes by the government). Oppositional crime includes nonviolent offenses such as dissent/political protest, sedition, espionage, and treason and violent offenses such as assassination, international and domestic terrorism, and hate crime. State crime includes *political repression, human rights violations, and state violence* and *domestic espionage, illegal surveillance, and other tactics of state control*. *Common features of political criminality* include ideological motivation, willingness to take action that violates law to further an ideological objective, and the ability to easily cognitively neutralize criminal behavior.

**DISCUSSION QUESTIONS**

1. Can political crime be considered a homogeneous category of criminal behavior? How do political criminals differ from other types of offenders in terms of motivation, cognitive processing, modus operandi, psychopathology, environment and upbringing, and other traits? Discuss.

2. What causes political criminality? What are the factors and forces that contribute to its manifestation? Do certain contextual/situational factors influence the occurrence of political crime? Discuss.

3. Does it make sense to ask the same questions about political crime as are asked about other types of crimes? For example, can political crime be understood within the context of the instrumental/expressive framework? Are all political criminals alike along a primary and meaningful dimension?

4. Based on what we know to date about female terrorists, how do male and female terrorists differ? Can female terrorists be understood from the same perspectives and theories as male terrorists? Discuss.

5. Does it make sense to include hate crime under the heading of political crime? Discuss.
1. Review arrest data reported in the UCR at http://www.fbi.gov/ucr/ucr.htm and Compendium of Federal Criminal Justice Statistics at http://www.ojp.usdoj.gov/bjs/pub/pdf/cfjs02.pdf. If you were to do a study on the extent of political crime in the United States, what crime categories would you include? Is it possible to do any sort of descriptive study of the extent of political crime using existing data? What sort of additional data are needed to conduct such a study?

2. Go to the section on “situations and cases” on the Web site for the International Criminal Court at http://www.icc-cpi.int/home.html&1=en. Explore the cases currently under investigation. Given the definition of political crime presented in this chapter, what types of political offenses are being investigated by the United Nations?

3. The case of Julius and Ethel Rosenberg continues to be one of the best-known and controversial espionage cases throughout history. Read about their case and access original documents from the Eisenhower Library at http://www.eisenhower.archives.gov/dl/Rosenbergs/Rosenbergsfiles.html and the Crime Library at http://www.crimelibrary.com/rosen/rosenmain.htm. Discuss the issues associated with the case and why groups such as the National Committee to Reopen the Rosenberg Case (http://www.rosenbergtrial.org/comitfrm.html) persist after over 50 years.

4. The Earth Liberation Front (ELF) and Animal Liberation Front (ALF) have been identified as special-interest domestic terrorist groups of high priority to the FBI. Read the 2002 congressional testimony by James Jarboe, Domestic Terrorism Section Chief of the FBI Counterterrorism Division on the Threat of Eco-Terrorism: http://www.fbi.gov/congress/congress02/jarboe021202.htm. After reading the testimony, visit Web sites supporting ELF: http://www.earthliberationfront.com/; and ALF: http://www.animalliberationfront.com/index.html. Discuss both sides of the issue. Based on your review of the materials, are ELF and ALF justifiably viewed as violent extremist groups that deserve a place on the FBI most wanted list?


6. Visit R.J. Rummel’s Web site: http://www.hawaii.edu/powerkills/. Rummel coined the term democide and has claimed that over 170,000,000 people have been murdered by governments, a far greater number than were killed in war. Explore the site and some of Rummel’s claims. Discuss whether or not democide is a useful concept.