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FEATURE ARTICLE

The Oath Keepers Nexus to January 6

MATTHEW KRINER AND JON LEWIS

A VIEW FROM THE CT FOXHOLE

Brigadier Rob Stephenson

DEPUTY COMMANDER, NATO SPECIAL
OPERATIONS HEADQUARTERS

Contents

FEATURE ARTICLE

- 1 The Oath Keepers and Their Role in the January 6 Insurrection**
MATTHEW KRINER AND JON LEWIS

INTERVIEW

- 19 A View from the CT Foxhole: Brigadier Rob Stephenson, Deputy Commander, NATO Special Operations Headquarters**
SETH LOERTSCHER, CONNOR INGLESON, AND JAMES GARRISON

ANALYSIS

- 27 The Iron March Forum and the Evolution of the “Skull Mask” Neo-Fascist Network**
H.E. UPCHURCH
- 38 Holding Women Accountable: Prosecuting Female Returnees in Germany**
SOFIA KOLLER AND ALEXANDER SCHIELE

FROM THE EDITOR

It has been almost a year since the events of January 6 shook the United States. In this month's feature article, Matthew Kriner and Jon Lewis profile the Oath Keepers, an extreme far-right, anti-government group that allegedly played a key role in the insurrection at the U.S. Capitol. They write: “Since its inception in 2009, the group has used a warped sense of patriotism, loose enforcement of laws surrounding paramilitary activity, and America's founding revolutionary spirit to justify anti-government mobilization. It consistently walked the edge of political violence before taking part in the January 6 insurrection. While the group claims to be ‘guardians of the republic,’ its principal target is the government itself—particularly entities representing perceived federal government overreach and vectors for tyrannical forces to suppress Americans' natural rights.”

With concern still high over the threat posed by the violent far-right in the United States and other parts of the world, H.E. Upchurch outlines the evolution of the “skull mask” neo-fascist network. Upchurch writes: “The backbone of the ‘skull mask’ transnational neo-fascist accelerationist network—whose nodes include terror groups such as Atomwaffen, the Base, and Feuerkrieg Division—is a group of organizations that grew out of Iron March, a neo-fascist web forum that was active from 2011 to 2017. The history of the Iron March network shows that violent extremist movements can develop from online communities even in the absence of a territorial base and without regular in-person contact between members.”

This month's interview is with Brigadier Rob Stephenson, deputy commander of NATO Special Operations Headquarters.

Finally, Sofia Koller and Alexander Schiele examine the criminal justice approach to prosecuting women who left Germany during the last 10 years to join terrorist organizations in Syria and Iraq, including the Islamic State, and returned. They write: “Germany is one of the only countries that has successfully utilized aspects of international law to legally prove membership in a terrorist organization, especially in the case of returned women. It might provide a useful model for other countries in developing more effective prosecution of returnee cases in their respective legal systems.”

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Cover: Supporters of President Donald Trump surround the U.S. Capitol following a rally on January 6, 2021, in Washington, D.C. (Samuel Corum/Getty Images)

The Oath Keepers and Their Role in the January 6 Insurrection

By Matthew Kriner and Jon Lewis

On January 6, 2021, 21 members of the Oath Keepers are alleged to have played a critical role in a wide-ranging conspiracy to storm the U.S. Capitol and disrupt the certification of the 2020 general election. Since its inception in 2009, the group has used a warped sense of patriotism, loose enforcement of laws surrounding paramilitary activity, and America's founding revolutionary spirit to justify anti-government mobilization. It consistently walked the edge of political violence before taking part in the January 6 insurrection. While the group claims to be "guardians of the republic," its principal target is the government itself—particularly entities representing perceived federal government overreach and vectors for tyrannical forces to suppress Americans' natural rights. Following the 2016 U.S. presidential election, a subtle but significant shift occurred in the group's ideological focus, which saw left-wing political ideologies and social justice movements assume equal footing as targets for the group's ire. Over the next four years, the group consistently mobilized armed responses, often posing as "security operations" to perceived threats, and increasingly expressed the belief that the United States was on the brink of or already in a state of civil war.

On January 6, 2021, 21 members of the Oath Keepers are alleged to have played a critical role in a wide-ranging conspiracy to storm the U.S. Capitol and disrupt the certification of the 2020 general election.^{1a} The alleged role of Oath Keepers in the events of January 6 best exemplifies how the group's activities have varied and evolved from quasi-law enforcement operations

a Four additional individuals who have been identified as being associated with the Oath Keepers are charged for their alleged criminal conduct at the U.S. Capitol on January 6, but at the time of publication, none have been charged with conspiracy to disrupt the official proceeding of Congress. The four individuals charged with non-conspiracy federal charges are James Beeks, James Breheny, Jeremy Brown, and Jon Schaffer. See *USA v. James Beeks*, "Statement of Facts," District of Columbia, 2021; *USA v. James Breheny*, "Criminal Complaint," District of Columbia, 2021; *USA v. Jeremy Brown*, "Statement of Facts," District of Columbia, 2021; *USA v. Jon Ryan Schaffer*, "Statement of Facts," District of Columbia, 2021. See also Figure 1.

to violent insurrection/domestic terrorism^b while cloaking its activities in a patriotic veneer that supposedly seeks to guard the republic from unseen malign forces. The evidence set forth by the government alleges that Oath Keepers engaged in a well-organized conspiracy to physically prevent the certification of what they perceived to be a fraudulent election and a harbinger of America's demise as a democratic country.² Ironically, the very conspiracy Oath Keepers are accused of perpetrating targeted the heart of the American democratic process they claimed to have been acting to protect.

This article proceeds in four parts. Part one provides an overview

b FBI Director Christopher Wray has characterized the January 6 insurrection as domestic terrorism. In March 2021, he testified that "That attack, that siege, was criminal behavior. It is behavior that we, the FBI, view as domestic terrorism." However, in the absence of a specific federal statute with attached criminal penalties for purely domestic, ideologically motivated acts of violence undertaken with no relationship to foreign terrorist organizations, no individuals charged in relation to their alleged activity at the U.S. Capitol are facing standalone terrorism charges at the time of publication. As such, the only clear indication of the Justice Department's prosecutorial approach is in its potential use of the terrorism sentencing enhancement—tied not to a federal crime of domestic terrorism, but instead to the federal crimes of terrorism. It is possible this sentencing enhancement could be applied to a number of January 6 defendants accused of violating 18 U.S.C. § 1361 - Destruction of Government Property. Del Quentin Wilber, "FBI director says Capitol riot was 'domestic terrorism,'" *Los Angeles Times*, March 2, 2021; Eric Halliday and Rachael Hanna, "How the Federal Government Investigates and Prosecutes Domestic Terrorism," *Lawfare*, February 16, 2021; Sharyn Alfonsi, "Oath Keepers: How a militia group mobilized in plain sight for the assault on the Capitol," *CBS 60 Minutes*, June 20, 2021; Kelly Jones, "No, the U.S. Capitol rioters can't be charged with domestic terrorism for Jan. 6 insurrection," *WBIR*, July 30, 2021.

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of the Oath Keepers' origins, ideology, organizational structure, and membership. Part two looks at the Oath Keepers' journey toward political violence by examining the individual criminal and violent actions of its members, its online extremism and threats, the group's real-world operational activity, as well as the group's links and ideological overlaps with more overtly violent and/or extreme far-right extremist entities. Part three outlines the role the group played in the January 6 insurrection, and the group's embrace of violence against the state. Part four examines the post-January 6 trajectory of the group.

This article is derived from a variety of sources, including court documents, interviews with scholar Sam Jackson (who is the foremost authority on the Oath Keepers organization), leaked group chats, and open-source content such as Oath Keepers' social media and websites. Through these diverse research materials, this article advances the understanding of the Oath Keepers and how their warped patriotic worldview and offline mobilizations in the streets of America foreshadowed their alleged involvement in the January 6 insurrection—which sought to disrupt the lawful confirmation of the 2020 presidential election results.

Part One: Who Are the Oath Keepers?

Origins

On April 19, 2009, the first Oath Keepers muster was conducted on the historic Lexington Common outside Boston, Massachusetts.^c Just a month after the group was founded, the event focused heavily on former military individuals speaking passionately about a looming second revolutionary war, globalism's threat to American sovereignty, and the need to resist supposedly tyrannical governance that would subvert Americans' natural rights.³ The group's founder and leader, Stewart Rhodes, presented his foundational vision for the Oath Keepers that day, read aloud the group's "Declaration of Orders We Will Not Obey," and conducted a mass oath-swearing ceremony with those gathered.

The Oath Keepers' leader—Elmer Stewart Rhodes,⁴ better known as Stewart—is a former Army paratrooper, Yale Law graduate, Montana lawyer,^d and staffer for Congressman Ron Paul (retired).⁵ Based out of Montana, his home state, Rhodes is a polarizing figure for much of the militia movement, even within the Oath Keepers. He has faced accusations of being the leader of a massive paramilitary organization, a federal informant, a grifter, or just simply out of touch.⁶ Today, Rhodes is the most visible member of Oath Keepers (by his own design) and touts the additional title of "Person One" in federal prosecution filings and Congressional subpoena related to his and the Oath Keepers' alleged involvement in the January 6 insurrection.⁷

Ideology

In the years between its founding and the January 6 insurrection,

c Lexington Common is the site of the first battle in the American Revolution. Oath Keepers advertised the event by inviting others "to celebrate 'The shot heard around the world' – April 19, 1775, where the first fighting in the Revolutionary War occurred." See scholar Sam Jackson's archive.

d In 2015, Rhodes was disbarred by the Montana Supreme Court for failure to respond to grievances and refusal to cooperate "in the disciplinary process constituted a knowing and intentional disregard of his obligations as an attorney." *In the matter of Elmer S Rhodes*, "Order," Supreme court of the state of Montana, 2015.

"Oath Keepers rhetoric is deeply conspiratorial and promotes the need for a violent replacement of tyrannical forces in the United States due to an alleged imminent conflict with the federal government."

the Oath Keepers and their leader walked the edge of political violence and espoused beliefs that, under certain conditions, removing the government by force is justified. Much like its militia and patriot movement predecessors,^e the Oath Keepers has built a myth around itself as defending everyday Americans from the abuse of an ever-encroaching federal government that is stripping Americans of their natural rights. Yet, in recent years, the mission of the Oath Keepers has evolved into one predicated on a profoundly hostile stance toward the political status quo in the United States.

Oath Keepers rhetoric is deeply conspiratorial and promotes the need for a violent replacement of tyrannical forces in the United States due to an alleged imminent conflict with the federal government. Oath Keepers' "calls to action" in response to such conflict have led to armed standoffs with the federal government,⁸ armed intimidation of protestors,⁹ implicit threats of violence if their demands are not met,¹⁰ and individual acts of criminality and violence.¹¹ The events of 2020, including the embrace by Rhodes and the Oath Keepers' rank-and-file of the conspiracy of a stolen election,^f placed the Oath Keepers on a collision course they had long desired with representatives of the federal government.

The Oath Keepers group is an anti-government, anti-authority, right-wing extremist organization¹² that paradoxically portrays itself as "guardians of the republic" dedicated to preserving Americans' natural rights from abstract tyrannical forces.¹³ Derived from oaths that military and law enforcement members take, the group's name evokes a sense of inherent patriotism and duty to the

e The militia and patriot movements, while sometimes referred to as separate components of the broader anti-government extremist landscape in the United States, according to scholar Sam Jackson are best "defined by two closely related beliefs: the federal government (and possibly some state and local governments) are currently tyrannical or are quickly becoming tyrannical; and American patriots need to be ready to engage in conflict with that government to protect or restore traditional American rights. That conflict could begin anytime, and it could include a range of different types of action including an insurgency-style war." Sam Jackson, "Fantasies of Violence in the Patriot/Militia Movement in the United States" in Barbara Perry, Jeffrey Gruenewald, and Ryan Scrivens eds. *Right-wing Extremism in Canada and the United States* (London: Palgrave, 2022), chapter forthcoming.

f Stewart Rhodes stated during an interview on InfoWars that: "Well, I think what we have to realize is that, you know, Trump actually failed. ... He had a duty and responsibility to step up. But he failed to do that and he allowed a ChiCom puppet into the White House and I think we now need to just declare that to be illegitimate and refuse to comply with anything that comes out of his mouth, anything he signs, anything passed as so-called legislation. Label it 'pretend legislation' like the Founding Fathers did." The Alex Jones Show, January 20, 2021. See also "Oath Keepers," Southern Poverty Law Center.



*Men belonging to the Oath Keepers attend the “Stop the Steal” rally on January 6, 2021, in Washington, D.C.
(Robert Nickelsberg/Getty Images)*

U.S. Constitution. In its founding creed, “Declarations of Orders we will not Obey,” the Oath Keepers outline their stated purpose:

*Recognizing that we each swore and [sic] oath to support and defend the Constitution against all enemies, foreign and domestic, and affirming that we are guardians of the Republic, of the principles in our Declaration of Independence, and of the rights of our people, we affirm and declare the following...*¹⁴

The Oath Keepers are ideologically and operationally best characterized by their preoccupation with preparation for a seemingly inevitable direct conflict against the government, which Rhodes and Oath Keepers view as an imminent tyrannical threat to “control the population.”¹⁵ Tyranny’s form rotates in the Oath Keepers outlook, allowing macro-level perceived threats (e.g., the United Nations and Marxism) to occupy equal purchase in the minds of the group’s members as the supposedly tyrannical actions of executive branch agencies such as the Bureau of Land Management (BLM) at specific localized state and federal flashpoints. Since 2016, the rise of movements like Black Lives Matter^g and anti-fascist organizing have assumed a prominent role in the pantheon of Oath Keepers’ perceived threats, largely stemming from the organization’s long

embrace of conspiracy theories that fixate on global institutions supposedly forcing Marxism or Socialism onto American citizens via the United Nations.^h As the scholar Sam Jackson has noted, the group is “not organized around the defense of imagined racial identity,”¹⁶ and its bylaws explicitly reject racism. However, while racism is not a key feature of the group,ⁱ racist and nativist views can readily be found in Oath Keepers’ ranks, narratives, content, and sources.¹⁷

h Rhodes has routinely appeared on the conspiracy website InfoWars and spoken at length about the threat of Marxism, antifa, and Black Lives Matter. The Oath Keepers website also regularly posts content that reinforces these views and promotes conspiracy theories related to COVID-19, anti-fascist organizing, democrats, and more. See, for example, Sam Jackson, “The long, dangerous history of right-wing calls for violence and civil war,” *Washington Post*, September 11, 2020.

i Scholarship suggests racism is also not a dominant driver in some other militia spaces. Amy Cooter’s research on the Michigan militia landscape suggests that the level of racism present in militias she studied is similar to that found across the broader American context. Further, Sam Jackson points out that “Most militia adherents aren’t motivated by a sense of racial superiority, although racial stereotypes can and do influence their views.” Sam Jackson, “Don’t assume the militias at the Charlottesville rally were white supremacists. This is what they believe now,” *Washington Post*, September 8, 2017; Amy Cooter, “Americanness, Masculinity, and Whiteness: How Michigan Militia Men Navigate Evolving Social Norms,” University of Michigan, 2013.

g For ease of reference, the authors have chosen to refrain from using the acronym for Black Lives Matter as it is the same as the Bureau of Land Management.

Organizational Structure and Membership

The Oath Keepers are a hierarchical organization with a national leadership council, state and county chapters, and local branches.¹⁸ The Oath Keepers have an extensive set of by-laws that outline the organizational structure, conduct,¹⁹ and expectations of members.²⁰ Operationally, most activity is undertaken by individual chapters or branches, allowing for a degree of autonomy on local mobilization. According to scholar Sam Jackson, organizational dynamics of Oath Keepers put local chapters and branches and state-level leadership on the hook for arranging “meetings, demonstrations, and training exercises.”²¹ National leadership, which consists of a board of directors that is led by Rhodes, oversees the Oath Keepers’ brand and reputation, and maintains its own social media and web presence separate from the state and local activity—though national leadership will feature state and local content, as well as boost calls to action based on activity that state and local branches initiate.¹

However, the group answers entirely to Rhodes. Except for individual acts, it seems there is virtually no Oath Keepers activity that Rhodes is not aware of or not involved in planning to some extent.²² Rhodes, by design, is the fulcrum around which the organization exists.^k

The Oath Keepers group seeks explicitly to recruit “current and formerly serving military, police, and first responders”²³ but does not turn away those that have not served in some capacity. The Oath Keepers declare those individuals to be associate members, “which consists of patriotic citizens who have not served in uniform but who serve now by supporting this mission with their Associate Membership and volunteer activities” and who “take an oath to support and defend the Constitution.”²⁴

The Oath Keepers’ membership count is a longstanding question for law enforcement and researchers monitoring the group. Rhodes and the Oath Keepers have claimed tens of thousands of dues-paying members, though those numbers are likely inflated due to on-again, off-again interest by recruits. A recently leaked dataset of the Oath Keepers’ membership roll shows that more than 38,000 individuals have at some point in time registered with the organization. However, review of this data by other analysts suggests most of those listed had a short-lived involvement centered around key events.^l

Reporting based on the leaked dataset shows that “state lawmakers, congressional candidates, and local government and GOP officials”²⁵ were included in the Oath Keepers’ membership list,

j A good example of this is the proactive stance that the Josephine County branch of the Oath Keepers took in relation to the Sugar Pine Mine standoff and the Malheur Wildlife Refuge standoff. These episodes are described later in the article. Both times, the Oath Keepers’ national leadership team responded to actions taken by the local branch before issuing a stance on the incident and the merit of the Oath Keepers’ involvement. Sam Jackson, *Oath Keepers: Patriotism and the Edge of Violence in a Right-Wing Antigovernment Group* (New York: Columbia University Press, 2020).

k Per Sam Jackson, in the by-laws for the organization, Rhodes is written in as “president of the group for life, unless he resigns or is found incompetent.” Jackson, *Oath Keepers: Patriotism and the Edge of Violence in a Right-Wing Antigovernment Group*.

l Interestingly, some events have been linked to an uptick in membership of the Oath Keepers while others have seemingly led to a downturn in individuals remaining dues-paying members. This provides support to the same trend highlighted by Sam Jackson previously. See Jackson, *Oath Keepers: Patriotism and the Edge of Violence in a Right-Wing Antigovernment Group*.

“Rhodes and the Oath Keepers have claimed tens of thousands of dues-paying members, though those numbers are likely inflated due to on-again, off-again interest by recruits.”

specifically: “28 people who currently hold elected office joined or financially supported the Oath Keepers,”²⁶ multiple New York Police Department officers,²⁷ and approximately 150 individuals who registered membership with a “.mil” email address.²⁸ While these numbers represent a fraction of the overall alleged membership of the Oath Keepers, the degree to which the Oath Keepers is dominated by individuals with a veteran or active military status, or associated with law enforcement, is likely significant. Yet, as with claimed versus actual membership rates for the Oath Keepers, it is difficult to know with any degree of confidence the exact breakdown of active or retired military and law enforcement. The Oath Keepers’ emphasis on attracting those with a military or law enforcement background is an intentional, strategic decision to capture potential recruits with specific knowledge, skills, and abilities. Scholar Sam Jackson has categorized this strategy as part of Rhodes’ desire to see those individuals serve as the proverbial tip of the spear and critical to stopping any potential future in which the U.S. government seeks to “use the military to infringe on Americans’ rights.”²⁹

Part Two: The Road Toward Political Violence *Individual member criminality and violence*

The history of Oath Keepers’ criminality and violence is heavily characterized by vigilantism and extrajudicial paramilitary actions. Members of the Oath Keepers have been charged with illegal possession of explosives, firearms charges, possession of stolen property, child pornography, and more.³⁰ However, Rhodes has frequently and quickly denounced the individual members charged with criminal activity.^m

The below list is comprised of noteworthy individuals with an identified membership or affiliation with Oath Keepers who have faced criminal charges:

Daniel Knight Hayden: In 2009, Hayden, an Oath Keepers supporter, was indicted by a federal grand jury for threats to “kill or injure police officers at a public tax protest assembly called a ‘Tea Party’ scheduled for April 15, 2009, at the Oklahoma State Capitol.”³¹ Hayden was convicted for this crime and sentenced to eight months in prison.

Darren Huff: In 2010, Huff was a self-declared member of the Oath Keepers³² “convicted on a firearms offense after traveling from Georgia to Tennessee to put government officials under citizen’s arrest for refusing to indict President Obama.”³³ Huff was sentenced to four years in federal prison.

m Notably, Article VIII, Section 8.02 Restrictions on Membership, sub-section (c) of the Oath Keepers’ by-laws states that “Oath Keepers reserves the right in it’s [sic] sole discretion, to withhold, deny, or revoke the membership or associate membership of any person whom Oath Keepers determines will dilute, impair or disrupt Oath Keeper’s mission, dishonor, or in any manner bring ill repute to Oath Keepers.” Via Oath Keepers website.

Matthew Fairfield: In 2010, Fairfield, a local chapter president of the Oath Keepers' branch in Ohio,³⁴ was arrested on numerous criminal charges, including the possession of explosives (a live napalm incendiary device) and child pornography.³⁵ Fairfield was convicted and sentenced to 20 years in prison.

Jon Ritzheimer: A participant in the Malheur Refuge Occupation,ⁿ Ritzheimer pleaded guilty to one count of conspiring to impede officers of the United States and was sentenced to one year and one day of imprisonment in November 2017.³⁶ Notably, in 2015 and prior to his participation in the occupation, Ritzheimer had threatened to arrest Michigan Senator Debbie Stabenow for her political endorsement of the Iranian nuclear agreement.³⁷

Charles Dyer: Known as July4Patriot on YouTube, where he often appeared wearing a skull mask similar to that of the kind popularized by the neo-fascist group Atomwaffen Division, Charles Dyer was charged, convicted, and sentenced in 2010 to 30 years in prison for sexual assault of his six-year-old daughter.³⁸ During a law enforcement search of his residence, sheriff's deputies found a Colt M-203 grenade launcher reportedly identified as one that had been stolen from a California military base in 2006.^o Notably, Dyer repeatedly promoted the Oath Keepers while in the Marine Corps before he left in 2009 after being brought up on charges of uttering "disloyal" statements.³⁹ Dyer was also filmed during a militia training saying the following:

Join the military? Depends on what you want to do with it. Me? I'm going to use my training and become one of those domestic terrorists that you're so afraid of from the DHS reports.⁴⁰

Online Extremism

The Oath Keepers' insurrectionary rhetoric online and acts offline have resulted in the group's permanent removal from most mainstream social media platforms. In 2020, the Oath Keepers and Stewart Rhodes were banned by Facebook and Twitter.⁴¹ Facebook, which has listed the Oath Keepers as a "militarized

"The Oath Keepers' insurrectionary rhetoric online and acts offline have resulted in the group's permanent removal from most mainstream social media platforms."

social movement,"^p was a significant arena for the Oath Keepers to promote its brand and organize followers. Before its ban from Facebook, the Oath Keepers boasted approximately 551,000 followers on its official page.⁴² While active on mainstream platforms, the Oath Keepers' branded pages and group members directly targeted politicians with implicit threats of violence from their social media accounts. In 2019, the Oath Keepers Facebook page posted the following message about Oregon Governor Kate Brown:

Gov. Brown, you want a civil war, because this is how you get a civil war.^q

In response to the group's ban from Facebook, Rhodes fired back in a message on the Oath Keepers website, stating that the move was "an ideological and political purge," and that "Our goal is to get patriots prepared and ready to defend their homes, towns, and counties from the ongoing Marxist insurrection we now see erupting and expanding nationwide."⁴³ Rhodes' response to a private company's actions was to lean into conspiracy theories about global Marxism and political witch hunts aimed at conservatives by social media and technology companies.

Conspiracy theories have always been a feature of Oath Keepers ideology. The Oath Keepers' entire existence is premised on stoking fears and anxiety of hidden actors, and sits within a long history of conspiracy theories driving "militia" activities.⁴⁴ Much could be said on the role of social media relative to the extremism and violence of the Oath Keepers, though all would be far beyond the scope of this article. However, it is important to note that Rhodes specifically referenced conspiracy theories when he framed to his audience the crackdown on platform violations by Facebook and Twitter, as it is helpful in understanding how the group became so involved in the "Stop the Steal" movement that culminated in the January 6 insurrection.

n The Malheur Refuge Occupation is a pivotal moment in the organizing for the Oath Keepers despite it not being officially sanctioned by the group's national leadership. Initiated by Ammon Bundy, who is not a member of the Oath Keepers, the Josephine County chapter of the Oath Keepers participated in the Pacific Patriots Network's buffer while Ritzheimer did participate in the actual occupation. Led by Bundy, a number of militia activists staged a series of protests in Burns, Oregon, then proceeded to forcibly occupy a federal building on the nearby Malheur National Wildlife Refuge. The month-long occupation resulted in the death of one militia participant that attempted to resist arrest. Carli Brosseau, "'Rogue infidel' Jon Ritzheimer among Oregon wildlife refuge occupiers," Oregon Live, January 9, 2019; Jackson, *Oath Keepers: Patriotism and the Edge of Violence in a Right-Wing Antigovernment Group*.

o Dyer was charged with possession of an unregistered grenade launcher as a result of this search; federal agents asserted that the grenade launcher "was one of three stolen at a California military base from a shipment of military equipment bound for Iraq." Dyer, who was ultimately acquitted of this specific charge (and convicted for the others), claimed he thought the device was a flare gun and that a friend had given him the device in California in 2009. See Nolan Clay, "Marlow man cleared in stolen weapon case," *Oklahoman*, April 15, 2010, and Ben Buchwalter, "A 'Patriot' Hero Goes Down," *Mother Jones*, January 22, 2010.

p The listing is detailed in a leaked internal document related to Facebook's Dangerous Individuals and Organizations List, which was attained by The Intercept and published in October 2021. The list is a tool used by Facebook to understand and moderate key individuals and organizations suspected of, or known to be, involved in policy violating activities. As with all internal documents of such nature, the list is best viewed as a tool internal to Facebook's operations and not a public indictment on the listed individuals or organizations. It is cited here to better illustrate how Facebook was approaching the Oath Keepers at the time of their ban from the platform. "Facebook Dangerous Individuals and Organizations List (Reproduced Snapshot)," Intercept, October 12, 2021.

q The post was in response to Governor Brown's orders to state police to find Republican legislators that walked out from the state legislature. Militia and extreme far-right threats over the political row prompted the Oregon State Police to "recommend that the Capitol be closed." Alex Lubben, "Let's Check In on Those Oregon Republicans Who Fled the Capitol, Shall We?" Vice News, June 24, 2019; Sarah Zimmerman and Gillian Flaccus, "Militia threat shuts down Oregon Statehouse amid walkout," Associated Press, June 22, 2019.

Operational Activity before January 6

It's the right of the people to abolish it to institute such new government as they think necessary or reform it. It's the people's obligation. – Stewart Rhodes⁴⁵

In the period leading up to the January 2021 U.S. Capitol siege, the Oath Keepers group engaged in various antagonistic and paramilitary actions that walked the edge of—and sometimes crossed into—political violence.

The operational history of the Oath Keepers in the period before January 6 was defined by a mixture of brinkmanship, physical posturing (often threatening due to the armed nature of security operations), and symbolic resistance against government and law enforcement via online mediums such as podcasts and video streams. Where and how the Oath Keepers chose to act was often contingent on the perceived payoffs and risks associated with physical presence. The group often inserted itself into acute moments of tension or at events that allow for low-risk, high-branding activism or protest. Yet Oath Keepers leadership, in particular Rhodes, have been risk-averse. The adage “actions speak louder than words” is particularly salient for Rhodes, who has routinely positioned himself as endorsing less aggressive actions than his Patriot Movement counterparts (such as Ammon Bundy) and less aggressive actions than individual members of the Oath Keepers. This directly contradicts his profoundly incendiary rhetoric that borders on incitement.^r Unlike similar entities in the past, which have run afoul of federal or state statutes criminalizing private militias,⁴⁶ the Oath Keepers and Rhodes have displayed a sharp awareness of the distinctions they must draw to inhibit investigations into their activities.

The Oath Keepers' tactics and security operations are not historically unique but have filtered out into other contemporary anti-government/anti-authority movements. The Boogaloo movement in 2020 heavily drew from the Oath Keepers' security operations aesthetic and tactics at protests, particularly the narrative that they are only present to protect local businesses from general unrest, rioting, arson, and other harms potentially perpetrated by amorphous enemies (e.g., *antifa*).⁴⁷

The Oath Keepers' most noteworthy tactic in the years leading up to January 6 was the utilization of security operations during acute moments of tension with perceived expressions of tyrannical governance (e.g., the Bureau of Land Management) or political movements the organization views as antithetical to American ideals (e.g., anti-fascist activism and organizing).⁴⁸ Despite its claims that its members are simply monitoring events, Oath Keepers at these engagements have been accused of escalating tensions on the ground due to their often heavily armed paramilitary appearance. According to the Armed Conflict Location & Event Data Project (ACLED), for the year 2020 nearly “a quarter of all demonstration events in which Oath Keepers are involved have turned violent and/

“The Oath Keepers' most noteworthy tactic in the years leading up to January 6 was the utilization of security operations during acute moments of tension with perceived expressions of tyrannical governance (e.g., the Bureau of Land Management) or political movements the organization views as antithetical to American ideals (e.g., anti-fascist activism and organizing).”

or destructive.”^s

The following is a list of notable Oath Keepers' mobilizations in the years leading up to January 6 that skirted the line of insurrectionary political violence and acts of domestic terrorism:

Bundy Ranch Standoff (Spring 2014): Rhodes and armed members of the Oath Keepers responded to a call to action issued by Nevada cattle rancher Cliven Bundy over cattle grazing rights and fears of confiscation of the cattle by the Bureau of Land Management. The incident became widely known for an image depicting a militia member pointing a long-barreled rifle at federal officers from behind cover on an overpass.^t

Ferguson Protests (Fall 2014): Armed members of the Oath Keepers established rooftop surveillance posts and patrolled the streets of Ferguson, Missouri, during civil unrest connected to the fatal shooting of Michael Brown by a white police officer.⁴⁹ The police chief at the time said that their presence was “both unnecessary and inflammatory.”⁵⁰ In an interview, Rhodes claimed that the Oath Keepers had members with contacts in the local police and that the police “didn't do their job.”⁵¹

Sugar Pine Mine Standoff (Spring 2015): Armed members of the Oath Keepers, led by the Oregon-based Josephine County branch,^u established a security perimeter to “secure the mine” and prevent purported intimidation by the federal Bureau of Land Management

s The 24 percent rate for Oath Keepers is higher than the Proud Boys at 21 percent, though the Proud Boys had significantly more observed instances of offline mobilization logged by ACLED than the Oath Keepers in 2020. Logged instances of observed presence are defined by ACLED as offline activity where Oath Keeper participation was verified by the ACLED team through open-source research. See “Actor Profile: Oath Keepers,” ACLED.

t The Bundy Ranch Standoff was a significant event for anti-government militias across the United States with multiple groups, including the Oath Keepers, attending. See David Neiwert, “Back at the Bundy Ranch: More Militiamen Gather, Things Get Crazier,” Southern Poverty Law Center, April 23, 2014.

u The Sugar Pine Mine standoff occurred in Josephine County, Oregon. The Josephine County Oath Keepers involvement was determined by informal vote within the local chapter membership assembled at a meeting addressing the Sugar Pine Mine miners' worries over federal action against their mine. See Tay Wiles, “Sugar Pine Mine, the other standoff,” *High Country News*, February 2, 2016.

r It has also led to internal divisions and allegations by Oath Keepers that Rhodes is secretly a federal informant. For more, see Jackson, *Oath Keepers: Patriotism and the Edge of Violence in a Right-Wing Antigovernment Group*.

agents during ongoing negotiations in court related to the mine's regulatory adherence.⁵²

Occupation of the Malheur National Wildlife Refuge (Winter 2015-2016): The Josephine County Oath Keepers branch^v and individual members from elsewhere in the United States established an armed security buffer between the federal authorities and the occupiers led by Ammon Bundy (son of aforementioned Cliven Bundy). Notably, the national leadership of the Oath Keepers did not endorse the Bundy-led occupation nor did they issue a call to action. However, Rhodes did endorse the Josephine County branch's security buffer as a "righteous mission" that may "prevent another Waco incident."^w

In late 2016, there was a notable shift in the Oath Keepers' worldview, reflected in both its online and offline activity. With the defeat of Hillary Clinton in the general election, Rhodes and the Oath Keepers found a new enemy in the burgeoning anti-Trump movement manifesting in social justice protests across the country. Propelled by the leadership influence of Rhodes, the group deepened its already conspiratorial outlook. Events that were seen through the prism of and reinforced this worldview include the Black Lives Matter protests in 2020, anti-fascist mobilization alongside the Black Lives Matter protests, anti-fascist protests against federal agencies' actions in Portland,^x the outcome of the 2020 presidential election, and COVID-19 lockdown measures.⁵³ To Rhodes and the Oath Keepers, each presented an agent of globalism, Marxism, or some other abstract tyrannical enemy emanating from the left.

The Oath Keepers have engaged in activism related to election fraud conspiracies since the run-up to the 2016 presidential election. In January 2017, Oath Keepers launched a security operation, "Operation Defend J20," to supposedly prevent violence from anti-Trump demonstrators during President Trump's inauguration in Washington, D.C.⁵⁴ In November 2020, Rhodes led a "Stop the Steal" rally in Purcellville, Virginia. Days later, in a foreshadowing of the events on January 6, 2021, Rhodes was a guest on Alex Jones' InfoWars, where in a prolonged discussion on the "Stop the Steal"

v The Malheur National Wildlife Refuge is in Harney County, Oregon. The Josephine County branch of the Oath Keepers is four counties west of the refuge, making their presence relatively proximate to the incident.

w While Rhodes declined to issue a call to action in support of the occupation, what he wrote on the Oath Keepers website at the time suggested he viewed the occupation as a potential catalyst to a conflict with the federal government: "If this situation goes south, and the Obama Admin turns this into another Waco, the crap WILL hit the fan nationwide, since there are no more free Wacos – not anymore – and you will have your hands full right where you are, and in reaction, the first thing you should do is organize town and county militias for mutual defense. And that is something we will all need sooner or later. So, start laying the groundwork for that now. Today." "Note from Stewart Rhodes, founder and president of Oath Keepers," Oath Keepers website, January 10, 2016.

x For months following the murder of George Floyd, Portland emerged as a flashpoint between the Trump administration's DHS policies and anti-fascist demonstrators outraged over police-involved killings and federal government use of force during social justice protests. The epicenter of unrest was the federal courthouse in Portland, where federal officer presence had surged against the wishes of state and local authorities. The justification for the surge aligned with President Trump's allegations that Portland had become "a lawless place filled with 'anarchists' who 'hate our country.'" The Oath Keepers and many other far-right extremists latched onto this perception and became fixated with the unrest in Portland as a potential Marxist insurrection. See Mike Baker, "Chaotic Scenes in Portland as Backlash to Federal Deployment Grows," *New York Times*, July 21, 2020.

"In late 2016, there was a notable shift in the Oath Keepers' worldview, reflected in both its online and offline activity. With the defeat of Hillary Clinton in the general election, Rhodes and the Oath Keepers found a new enemy in the burgeoning anti-Trump movement manifesting in social justice protests across the country."

conspiracy theory, he spoke with fiery rhetoric about the need to mobilize against the "deep state" to save the American republic.⁵⁵ On the show, he advocated for Trump to "invoke the Insurrection act ... to suppress the deep state," claiming that the Oath Keepers had "men already stationed outside DC as a nuclear option. In case they attempt to remove the President illegally, we will step in and stop it. We're gonna be there to also help secure the coming rally this Saturday and your caravan coming in" and "We will be inside DC and we'll be on the outside of DC, armed, if the President calls us up" and "if we don't there will be no more republic."⁵⁶ That same month, in November 2020, self-declared members of the Oath Keepers appeared outside the private residence of Georgia's Republican Secretary of State Brad Raffensperger.⁵⁷ The appearance occurred in the midst of death threats over Raffensperger's refusal to accommodate President Trump's request for Raffensperger to "find" votes and overturn the election results in Georgia.⁵⁸

This pre-January 6 pattern of mobilizations presents researchers and law enforcement with two challenging questions. First, have the Oath Keepers been engaging in politically motivated intimidation when they appear at armed protests and imitate lawful police and security services? Rachel Carroll Rivas, co-director of the Montana Human Rights Network, has stated that, "(The Oath keepers) quite frankly, have taken that legitimacy that law enforcement offers, and they've manipulated it to give credit to a movement that is otherwise, you know, counter – completely – to what it means to be leaders in a nation, in a county, in a city, in a state."⁵⁹ Secondly, has the Oath Keepers group been engaging in acts of political violence or even domestic terrorism when their armed presence at key events carried the implicit threat of violent resistance and seeks to coerce federal authorities to act in accordance with the Oath Keepers' views on the U.S. Constitution and natural rights?⁶⁰

These questions will remain difficult to resolve, but there are three reasons for viewing and responding to the group as a threat to public safety. The first is the violent and criminal acts of individual members described above. The second is the Oath Keepers' key role in the violence of January 6, which is examined later in this article. And the third is the group's links and ideological overlaps with more overtly violent and/or extreme far-right extremist entities. These links and overlaps, which are examined next, are indicative of the overall evolution of the group and may have contributed to the group's embrace of violence on January 6.



*Stewart Rhodes, founder of the Oath Keepers, is pictured on February 28, 2021, in Fort Worth, Texas.
(Aaron C. Davis/The Washington Post via Getty Images)*

Links and Ideological Overlaps with More Overtly Violent and/or Extreme Entities

One of the Oath Keepers' oldest relationships to anti-government movements is its relationship with the Constitutional Sheriffs and Peace Officers Association (CSPOA).⁶¹ The founder of CSPOA, Richard Mack, was also a founding member of the Oath Keepers.⁶² CSPOA is premised on a belief that overlaps with sovereign citizen ideology that the county sheriff is the highest authority in the county, capable of overriding even the federal government.⁶³ While not overtly more violent than the Oath Keepers, this ideological overlap with the sovereign citizen movement—which inherently rejects the authority of federal government and federal law enforcement—illustrates the threat posed by the broader anti-government movement.

The Oath Keepers is deeply intertwined with the more violent Three Percenter movement,^y members of which are linked to multiple attempted acts of terrorist violence against minorities and charged for their involvement in the January 6 insurrection.⁶⁴ Like CSPOA, the founder of the Three Percenter movement Mike

Vanderboegh was also involved in the founding of the Oath Keepers and assisted Rhodes in the 2009 mass oath-swearing ceremony at Lexington Common.⁶⁵ In 2015, following the killing of four U.S. Marines at two military installations in Chattanooga, Tennessee, the Oath Keepers and Three Percenters mobilized jointly to serve as volunteer armed guards at military recruitment centers where active duty members were prohibited from carrying firearms.⁶⁶

Additionally, the Oath Keepers' security operations have intersected with events of explicitly neo-fascist militia and violent paramilitary organizations to "keep the peace." Despite the claims of seeking to "keep the peace" at events headlined by far-right extremists, Oath Keepers were often physically positioned to focus their attention almost exclusively on counter-protestors and not the extreme far-right and fascist entities that organized the events. For example, during the notorious Battle for Berkeley demonstrations in 2017 Oath Keepers demonstrated alongside violent street fighting white supremacists and neo-Nazis such as the Rise Above

^y The Three Percenters is a deeply conspiratorial and violent militia movement that emerged in the resurgence of the militia presence in America around the 2008 presidential election. See "Three Percenters," Southern Poverty Law Center.

Movement (RAM)^z and served as armed “security” for violent far-right groups, including the Proud Boys and Patriot Prayer.^{aa} In June 2017, Oath Keepers served as “security” for the Proud Boys and other anti-Muslim groups, white supremacist, and neo-fascist groups such as Vanguard America^{ab} and Identity Evropa^{ac} that participated⁶⁷ in the “March Against Sharia” rallies mobilized by the conspiracy theory that Muslim Americans are seeking to “replace the American legal system with Sharia law.”⁶⁸ The Oath Keepers are both considerably less violent and ideologically extreme than the above mentioned accelerationist groups, raising the question of why the Oath Keepers were participating alongside these groups.

In April 2017, Rhodes and members of the Oath Keepers participated as speakers in a series of charged and violent demonstrations against perceived leftists in Berkeley, California, dubbed the “Battle for Berkeley.”⁶⁹ The Battle for Berkeley was a prominent attraction for accelerationist and neo-fascist groups, particularly RAM.^{ad} Speaking at the event, Rhodes made it clear that his presence was not just to serve as security for others gathered, but to be a vested participant in the political purpose of the demonstrations: “This is ground zero in the defense of the Constitution and the most important part of it—the First Amendment.”⁷⁰ This engagement illustrates the post-2016 shift in threat priorities for Rhodes and the Oath Keepers from government tyranny to alleged leftist undermining of Americans’ rights through supposed ideologically motivated insurrection. Rhodes stated the following at an April event in North Carolina prior to the Berkeley speech:

We’re going [to Berkeley] because people are having their rights violated. So it could be argued that with the full support of the local politicians, thugs in the streets are beating people

z The Rise Above Movement (RAM) is an accelerationist and neo-fascist organization dedicated to fighting political enemies in the streets. In the aftermath of the Unite the Right rally, RAM was significantly affected by federal law enforcement investigations for its political violence. See A.C. Thompson, ProPublica, Ali Winston, and Darwin Bond Graham, “Racist, Violent, Unpunished: A White Hate Group’s Campaign of Menace,” ProPublica, October 19, 2017.

aa Patriot Prayer is an extreme far-right street fighting group founded in 2016 by Joey Gibson. Predominantly a Pacific Northwest presence, the group focused heavily on pro-Trump and anti-antifascist organizing in and around Portland, Oregon. Gibson was indicted on felony riot charges in August 2019. The group is close with the Proud Boys, and its members are known to hold ties to fascist and white supremacist milieus. See Jane Coaston, “The pro-Trump, anti-left Patriot Prayer group, explained,” Vox, September 8, 2020, and Nigel Jaquiss, “Joey Gibson, Five Others Formally Indicted for May 1 Melee at Northeast Portland Bar,” *Willamette Week*, August 22, 2019.

ab Vanguard America is a neo-fascist group that played a crucial role in organizing and participating in the violence of the Unite the Right demonstration in 2017. See “Vanguard America,” Anti-Defamation League.

ac Identity Evropa is a white supremacist and neo-fascist organization founded in 2016 that styles itself after the Identitarian aesthetic, which is a far-right pan-Europeanist belief system that holds white European identity is superior. The group played a central role in organizing the Unite the Right rally in 2017. See “Identity Evropa/American Identity Movement,” Southern Poverty Law Center.

ad Four members of RAM were prosecuted federally for their roles in instigating riots at the so-called “Battle of Berkeley” (a string of “alt-right” demonstrations that degraded into riots with counter-protestors) throughout 2017. Leader Robert Rundo is currently wanted by the FBI and is allegedly in hiding in Eastern Europe with neo-Nazi organizations. See “Rise Above Movement,” Southern Poverty Law Center.

*up and suppressing their rights to free speech and assembly. It could be argued that California is in a state of insurrection.*⁷¹

Some of those same groups that were present at the Battle for Berkeley and the March Against Sharia were also key participants in the violence at the August 2017 Charlottesville “Unite the Right” demonstration that descended into a riot and resulted in the death of Heather Heyer.⁷² The recent civil lawsuit against Unite the Right organizers highlighted the pervasive acceptance of violence by white supremacists, neo-fascists, and overt neo-Nazi individuals and groups present at the rally.^{ae} Among the Unite the Right attendees were more ideological extreme entities than the Oath Keepers, such as white supremacist and KKK leader David Duke, alt-right leader Richard Spencer, and accelerationist groups such as Identity Evropa and the Traditionalist Workers Party.^{af} Individual members of the terrorist designated groups Russian Imperial Movement (RIM)^{ag} and Atomwaffen Division, as well as the Rise Above Movement (RAM) were also participants at the rally.

A few days after Unite the Right, the violent street fighting Patriot Prayer organizer and leader Joey Gibson said the Oath Keepers would act as security for a Patriot Prayer rally at Crissy Field in Portland, Oregon. As with the Battle of Berkeley, the Oath Keepers group was tied to yet another event and organization known for being more ideologically extreme and violent than it. Rhodes initially committed, then backtracked.⁷³ Rhodes later issued a statement alleging the Oath Keepers did not attend the rally because “white nationalists” such as Kyle “Based Stickman”

ae A jury found white supremacist organizers of the Unite the Right event “liable on a state conspiracy claim” and awarded more than \$26 million in damages to the plaintiffs. Defendants in the civil case included known white supremacists Jason Kessler, Matthew Heimbach, Richard Spencer, and Christopher Cantwell. See Mike Morales and Steve Almasy, “Jury finds Unite the Right defendants liable for more than \$26 million in damages,” CNN, November 23, 2021; “Two Years Ago, They Marched in Charlottesville. Where Are They Now?” Anti-Defamation League, August 8, 2019; Glenn Kessler, “The ‘very fine people’ at Charlottesville: Who were they?” *Washington Post*, May 8, 2020; A.C. Thompson, Ali Winston, and Jake Hanrahan, “Ranks of Notorious Hate Group Include Active-Duty Military,” ProPublica, May 3, 2018; Hayley Evans, “All You Need to Know About the U.K. Proscribing the Neo-Nazi Group Atomwaffen Division,” *Lawfare*, May 17, 2021; and “Riot Charges reinstated against California white supremacist,” Associated Press, March 4, 2021.

af The Traditionalist Workers Party is a white supremacist group led by Matthew Heimbach. Heimbach has liaised with the now-designated terrorist organization Russian Imperial Movement and was a key organizer of the violent Unite the Right rally in Charlottesville, Virginia, in 2017. See “Matthew Heimbach,” Southern Poverty Law Center.

ag The Russian Imperial Movement (RIM) has been designated by the United States as a Specially Designated Global Terrorist entity, while Atomwaffen Division was proscribed as a terrorist organization by the British and Canadian governments. Daveed Gartenstein-Ross, Samuel Hodgson, and Colin P. Clarke, “The Russian Imperial Movement (RIM) and its Links to the Transnational White Supremacist Extremist Movement,” International Centre for Counter-Terrorism, April 24, 2020; Elizabeth Grimm Arsenault and Joseph Stabile, “Confronting Russia’s Role in Transnational White Supremacist Extremism,” *Just Security*, February 6, 2020; Jon Lewis and Mary McCord, “The State Department Should Designate the Russian Imperial Movement as a Foreign Terrorist Organization,” *Lawfare*, April 14, 2020.

Chapman^{ah} were slated to attend, and Gibson would not commit to removing them. Yet, that had not stopped Oath Keepers from mobilizing at events where white supremacists and accelerationists were prominent actors in the planned events, such as the Battle for Berkeley and the March Against Sharia, raising the prospect that Rhodes understood the legal exposure and risk that came with further associating with those entities following the fallout from the violence perpetrated at Unite the Right.

In July 2020, the Oath Keepers issued a call to action related to the Seattle Capitol Hill autonomous zone (aka, CHAZ) protest.⁷⁴ The text of the call to action explicitly labeled leftist protestors as terrorists and insurrectionists tied to Marxism:

*This is a coordinated, intentional, national and international terrorism and insurrection campaign, intent on destabilizing our nation and throwing it into chaos to further their radical Marxist goals (to not just defeat Trump, but to also destroy our nation and our Constitution).*⁷⁵

The event also drew the attention of a local Proud Boys faction, which engaged in violent clashes with protestors.⁷⁶ The intersection of Oath Keeper mobilization at these events, particularly at the Battle of Berkeley where they stood alongside hardened accelerationists^{ai} and neo-fascists like RAM, does not necessarily indicate that Oath Keepers or Rhodes ideologically agree with those milieus. Instead, the overlap in mobilization suggests that Oath Keepers, neo-fascists, and accelerationists share similar grievances and narratives that mobilize them to action.

Like the Boogaloo's insurrectionary accelerationists,⁷⁷ Rhodes and by extension the Oath Keepers are preoccupied with the notion of a second American civil war. Prior to its suspension by Twitter, and in response to the killing of a Patriot Prayer member by an alleged anti-fascist activist in August 2020, Rhodes wrote on the official Oath Keepers Twitter account the following:

The first shot has been fired brother. Civil war is here, right now. We'll give Trump one last chance to declare this a Marxist insurrection & suppress it as his duty demands. If he fails to do HIS duty, we will do OURS. 'against all enemies, foreign and domestic' Stewart⁷⁸

Other state-level leadership and some individual members of the group also assert that a civil war has already started.⁷⁹ Yet for Rhodes and the Oath Keepers, that conflict historically is one against a tyrannical force determined to strip Americans of their natural rights and not centered on precipitating or hastening the collapse of democratic society.^{aj} While Rhodes and the Oath

Keepers brand regularly adopt political stances that are nakedly insurrectionary and use rhetoric that borders on incitement, the Oath Keepers group seeks to preserve the state versus dismantling the system in totality and expresses desires to protect democratic institutions and classical liberal values (such as natural rights)—albeit through illiberal expressions at times.⁸⁰ These factors stand in stark contrast to the overt hostility to liberal democratic institutions found in contemporary groups and movements such as the Boogaloo, so-called Siege culture, and the neo-fascist skull mask network.^{ak} Additionally, the lack of explicit racial in-group construction in the Oath Keepers identity further distinguishes it from other contemporary insurrectionary groups that adhere to Siegism, Christian Identity ideology, and other similar ideological currents.⁸¹

However, this does not preclude the Oath Keepers from being targeted for recruitment by accelerationists or having accelerationist activity and views within its ranks. Despite the lack of explicit racialized rhetoric and ideology, the Oath Keepers' insurrectionary features have allowed insurrectionary accelerationists to latch onto and encourage the Oath Keepers' goals as congruent with their own.⁸² Instead, the organization leaves the door open to individuals that may profess accelerationist views or act on accelerationist doctrine.⁸³ Like other insurrectionary militia entities in American history, much of the organizational structure and ideology for the Oath Keepers is attractive and amenable to accelerationist milieus and networks to exploit. According to Sam Jackson, "Oath Keepers exemplifies a style of American politics that views violence as a legitimate means to achieve political goals, at least under certain conditions."⁸⁴ Thus, the Oath Keepers act at times as an insurrectionary movement that cloaks its violent activities in pseudo-patriotism and revolutionary rhetoric as a sense of duty to the U.S. Constitution. As the authors have stated elsewhere: "What better vessel could accelerationists imagine than a ready-made revolutionary movement fixated on an ultra-patriotic necessity to overthrow a corrupt government by force?"⁸⁵

Part Three: Involvement in January 6

I think about half this country won't recognise Biden as legitimate. They won't recognise this election. What that means is that everything that comes out of his mouth will be considered not of any force or effect, anything he signs into law we won't recognise as legitimate. We'll be very much like the founding fathers. We'll end up nullifying and resisting.
— Stewart Rhodes, November 15, 2020⁸⁶

Throughout 2020 and culminating in their alleged role in the January 6 insurrection, the Oath Keepers increasingly assumed an openly hostile stance toward the political status quo in the United

ah As the authors' outlined in their earlier *CTC Sentinel* article on the Proud Boys, Chapman is an accelerationist who briefly led the Fraternal Order of the Alt-Knights faction of the Proud Boys. See Matthew Kriner and Jon Lewis, "Pride & Prejudice: The Violent Evolution of the Proud Boys," *CTC Sentinel* 14:6 (2021); Jay Barman, "Oath Keepers Stayed Away From SF & Berkeley Rallies Because Of Potential White Nationalist Presence," SFist.com, August 29, 2017.

ai "Accelerationism is an ideologically agnostic doctrine of violent and non-violent actions taken to exploit contradictions intrinsic to a political system to 'accelerate' its destruction through the friction caused by its features." See Jade Parker, "Accelerationism in America: Threat Perceptions," GNET Insights, February 4, 2020.

aj Notably, anti-tyranny and no political solution narratives have also been a primary focus of groups and individuals that adhere to accelerationism. Matthew Kriner, Meghan Conroy, and Yasmine Ashwal, "Understanding Accelerationist Narratives: There Is No Political Solution," GNET Insights, September 2, 2021.

ak According to scholar Alex Newhouse, the so-called skull mask network is "a transnational network of openly neo-fascist accelerationist groups" that was predominantly conceived in the Iron March forum and "explicitly advocated for the violent overthrow of governments and the creation of totalitarian Aryan nations." Siege culture is one expression of this broader skull mask ecosystem. See Alex Newhouse, "The Threat Is the Network: The Multi-Node Structure of Neo-Fascist Accelerationism," *CTC Sentinel* 14:5 (2021); JM Berger, "A Paler Shade of White: Identity & In-group Critique in James Mason's Siege," Resolve Network, April 2021; Matthew Kriner and Jon Lewis, "The Evolution of the Boogaloo Movement," *CTC Sentinel* 14:2 (2021); H.E. Upchurch, "The Iron March Forum and the Evolution of the 'Skull Mask' Neo-Fascist Network," *CTC Sentinel* 14:10 (2021).

States. This hostile stance has largely been predicated on the embrace of the “Stop the Steal” conspiracy theory, which is defined by the belief that President Biden illegitimately assumed office due to fraudulent vote tallies across the country in 2020.⁸⁷ And, until January 6, 2021, that hostility was predominantly resigned to the rhetorical realm.

The alleged conspiracy by members of the Oath Keepers (see Figure 1) to disrupt the electoral confirmation process in Congress marked a stark departure from its historical engagement with the federal government, which was often defined by brinkmanship and the implicit threat of violent actions. By directly targeting the seat of America’s government, the group’s posture firmly shifted into a category of open antagonism.

Name	Conspiracy Charge?	Pleaded guilty?	Notes on Alleged January 6 Activity
BEEKS, James	Y	N	Stack One
BERRY, Caleb	Y	Y	Stack One
BREHENY, James (aka Seamus Evers)	N	N	
BROWN, Jeremy	N	N	
CALDWELL, Thomas	Y	N	Conspired with and aided and abetted conspiracy co-defendants
CROWL, Donovan Ray	Y	N	Stack One
DOLAN, Jason	Y	Y	Stack One
GRODS, Mark	Y	Y	Stack Two
HACKETT, Joseph	Y	N	Stack One
HARRELSON, Kenneth	Y	N	Stack One
ISAACS, William	Y	N	Stack One
JAMES, Joshua	Y	N	Stack Two
MEGGS, Connie	Y	N	Stack One
MEGGS, Kelly	Y	N	Stack One
MINUTA, Roberto	Y	N	Stack Two

MOERSCHEL, David	Y	N	Stack One
PARKER, Bennie Alvin	Y	N	Conspired with and aided and abetted conspiracy co-defendants
PARKER, Sandra Ruth	Y	N	Stack One
SCHAFFER, Jon Ryan	N	Y	
STEELE, Laura	Y	N	Stack One
ULRICH, Brian	Y	N	Stack Two
WALDEN, Jonathan	Y	N	Stack Two
WATKINS, Jessica Marie	Y	N	Stack One
YOUNG, Graydon	Y	Y	Stack One
Person One (Stewart Rhodes) ^{al}	Not publicly charged	Not publicly charged	Not publicly charged
Person Ten ^{am} (Michael Simmons) ⁸⁸	Not publicly charged	Not publicly charged	Not publicly charged

Figure 1: Table of individuals identified by the Department of Justice as Oath Keepers-affiliated actors involved in the criminal events on January 6. Those who have been charged and have not pleaded guilty are presently awaiting trial in the D.C. District Court. (Source: Department of Justice court records⁸⁹)

Preparations for the eventual operation at the U.S. Capitol by members of the Oath Keepers are alleged to have begun as early as November 9, 2020, as the reality of the results of the

al Government filings do not explicitly name Rhodes as Person One. However, court records state, “The Oath Keepers are led by Person One” and identify numerous public statements and posts linked to those made by Stewart Rhodes. Open-source reporting has similarly identified Person One as Rhodes. See *USA v. Thomas Caldwell et al.*, “Sixth Superseding Indictment,” District of Columbia, 2021; Alan Feuer, “Oath Keepers Leader Sits for F.B.I. Questioning Against Legal Advice,” *New York Times*, July 9, 2021; Del Quentin Wilber, “Prosecutors’ challenge in Capitol riot probe: The Oath Keeper who didn’t go inside,” *Los Angeles Times*, April 20, 2021.

am According to the government filings, Person Ten was named by Rhodes as the sole “operations leader” for the group’s activities in Washington, D.C., on January 6, 2021. See *USA v. Thomas Caldwell et al.*, “Sixth Superseding Indictment,” District of Columbia, 2021.

2020 presidential election set in.^{an} In a virtual meeting held that day, an individual referred to in court documents as Person One (identified in public reporting as Rhodes)⁹⁰ allegedly told those in attendance that “we’re going to defend the president, the duly elected president, and we call on him to do what needs to be done to save our country.”⁹¹ That same day, Jessica Watkins, the self-described “C.O [Commanding Officer] of the Ohio State Regular Militia,” sent text messages to multiple recruits who had expressed interest in joining her group.⁹² Government filings identify the Ohio State Regular Militia as “a local militia organization which is a dues-paying subset of the Oath Keepers.”⁹³ At the pro-Trump “Jericho March” in Washington, D.C., on December 12, 2020, Rhodes gave a speech to the crowd, calling on President Trump to invoke the Insurrection Act to remain in power, threatening that if he did not do so, the Oath Keepers would be forced to engage in a “much more desperate [and] much more bloody war’ to ensure that outcome.”⁹⁴

Much like the alleged January 6 conspiracy orchestrated by members of the Proud Boys, the evidence set forth by the government suggests that the Oath Keepers took steps to protect their operational security in the lead-up to the storming of the U.S. Congress.⁹⁵ Court records indicate that on December 31, 2020, seven of the identified Oath Keepers co-defendants, as well as Person One, Person Three, Michael Simmons (who has publicly admitted to being Person Ten),⁹⁶ and others joined an invitation-only Signal group chat titled “DC OP: Jan 6 21,” which the government identifies as the “Leadership Signal Chat.”^{9a}

According to court records, Person One posted an article on the Oath Keepers website on January 4, 2021, encouraging members of the group and affiliates to go to Washington D.C., for the planned events on January 5 and 6, 2021:

*It is CRITICAL that all patriots who can be in DC get to DC to stand tall in support of President Trump’s fight to defeat the enemies foreign and domestic who are attempting a coup, through the massive vote fraud and related attacks on our Republic. We Oath Keepers are honor-bound and eager to be there in strength to do our part.*⁹⁷

In the days leading up to Capitol insurrection, as Person One allegedly used his platform as the leader of the Oath Keepers to set the narrative in motion that January 6 would be a pivotal moment of mobilization for the organization, local and regional planning intensified. The government alleges that on January 3, 2021, Kelly Meggs and Kenneth Harrelson served as two of the three organizers

for an 18-participant meeting titled “dc planning call,” which was attended by Jason Dolan, David Moerschel, Caleb Berry, and other Oath Keepers.⁹⁸

Around this same time, another group of co-defendants—including Jessica Watkins, Kelly Meggs, Graydon Young, Kenneth Harrelson, Joseph Hackett, Jason Dolan, William Isaacs, David Moerschel, Caleb Berry, and other Oath Keepers joined an invitation-only Signal chat titled “OK FL DC OP Jan 6.”⁹⁹ It was at this point that Harrelson was added to the Leadership Signal Chat by Kelly Meggs, who informed the group that Harrelson would serve as the “Ground Team lead in Florida.”¹⁰⁰

Members of the Oath Keepers’ January 6 conspiracy are alleged to have planned and executed travel in pairs or small groups to the Washington, D.C., area, arriving at local hotels on January 4 and 5, 2021.¹⁰¹ Numerous co-defendants checked into the Comfort Inn Ballston, a hotel recommended by Thomas Caldwell, and several of the Florida-based members of the conspiracy are alleged to have stored their guns at the hotel—which was described as the “QRF” hotel (in reference to the Quick Reaction Force allegedly positioned at the Comfort Inn in preparation to support Oath Keepers operation on January 6.)¹⁰² On the morning of January 6, 2021, the government alleges that the defendants traveled from their respective hotels to meeting points in Washington, D.C. At 9:36 AM, Jonathan Walden texted Joshua James, “Willard hotel?” in an apparent effort to confirm the meeting location; at 9:52 AM, he texted James again, “I’m here. Awaiting instruction.”^{9p} Throughout the morning, the court records indicate that individual defendants exchanged short phone calls with Person One and “prepared themselves for battle before heading to the Capitol by equipping themselves with communication devices and donning reinforced vests, helmets, and goggles.”¹⁰³

As crowds grew at the Ellipse and around the edges of the U.S. Capitol’s restricted grounds around 1:00 PM, members of the Oath Keepers began to assemble in the area. At 1:25 PM, Person One reportedly messaged the Leadership Signal Chat, “Pence is doing nothing. As I predicted,” followed by another message from him to this chat group at 1:40 PM, “All I see Trump doing is complaining. I see no intent by him to do anything. So the patriots are taking it into their own hands. They’ve had enough.” Eight minutes later, Person One informed the Leadership Signal Chat that he was on his way to the Capitol, and at 1:50 PM, Jessica Watkins is alleged

an Government evidence suggests that several of the co-defendants—Joseph Hackett, Kelly Meggs, Connie Meggs, and Kenneth Harrelson—participated in “gunfight oriented training” at a training facility in September and October 2020. *USA v. Joseph Hackett*, “Government’s Opposition to Defendant’s Motion for Reconsideration of Conditions of Release,” District of Columbia, 2021.

ao According to the sixth superseding indictment, Oath Keepers co-defendants Watkins, Kelly Meggs, James, Minuta, Hackett, Ulrich, and Grods were added to the Leadership Signal Chat. Person One is identified in public reporting as Stewart Rhodes, Person Three is an unidentified individual from North Carolina believed to be affiliated with the Oath Keepers, and Person Ten has been identified in public reporting as Michael Simmons. See *USA v. Thomas Caldwell et al.*, “Sixth Superseding Indictment,” District of Columbia, 2021; Dan Friedman, “We’ve Unmasked the Oath Keepers’ January 6 ‘Operations Leader,’” *Mother Jones*, July 26, 2021; Spencer S. Hsu, “Oath Keepers founder, associates exchanged 19 calls from start of Jan. 6 riot through breach, prosecutors allege,” *Washington Post*, April 1, 2021.

ap The Willard Hotel reportedly served as a ‘command center’ of sorts for a host of individuals reportedly working in furtherance of the ‘Stop the Steal’ conspiracy, including Rudolph Giuliani, Stephen Bannon, Bernard Kerik, John Eastman, and others. Roger Stone, who reportedly had a team of Oath Keepers as bodyguards on January 5 and 6, 2021, was also reportedly present at the Willard at this time, although his involvement in the command center and precise activities on January 6 remain unclear. See Jacqueline Alemany, Emma Brown, Tom Hamburger, and Jon Swaine, “Ahead of Jan. 6, Willard hotel in downtown D.C. was a Trump team ‘command center’ for effort to deny Biden the presidency,” *Washington Post*, October 23, 2021; Matthew Mosk, Olivia Rubin, Ali Dukakis, and Fergal Gallagher, “Video surfaces showing Trump ally Roger Stone flanked by Oath Keepers on morning of Jan. 6,” *ABC News*, February 5, 2021; Luke Broadwater and Mark Mazzetti, “At the Willard and the White House, the Jan. 6 Panel Widens Its Net,” *New York Times*, November 9, 2021; Christiaan Triebert, Ben Decker, Derek Watkins, Arielle Ray, and Stella Cooper, “First They Guarded Roger Stone. Then They Joined the Capitol Attack,” *New York Times*, February 14, 2021; and *USA v. Thomas Caldwell et al.*, “Sixth Superseding Indictment,” District of Columbia, 2021.

to have communicated through Zello that “we have a good group. We have about 30-40 of us. We are sticking together and sticking to the plan.”¹⁰⁴

As the main contingent of the Oath Keepers began to move toward the Capitol grounds, it is alleged that the Quick Reaction Force (QRF)¹⁰⁵ at the Comfort Inn hotel in Ballston, Virginia, was on alert.^{aq} As members of the Oath Keepers arrived in the Washington, D.C., area, numerous members are alleged to have traveled to the Comfort Inn in order to drop off firearms prior to their travel into Washington, D.C., itself.¹⁰⁶ The exact composition and activities of the QRF on January 6 remains unclear, but some valuable information can be ascertained from the pre-trial filings in the conspiracy case. In responding to defendant Thomas Caldwell’s motion to modify the conditions of his pre-trial release, the government alleges that Caldwell, who “played a central and alarming role in the conspiracy with which he is charged,” conspired with Person Three to organize the logistics for the QRF.¹⁰⁷

Person Three, not identified by name in the court documents, was also a member of the Leadership Signal Chat and is referenced by co-defendants during the planning of the January 6 operation. On December 30, 2020, Caldwell told Watkins he had just spoken to Person Three and that “[a]t least one full bus 40+ people coming from N.C.” The next day, Caldwell messaged co-defendant Donovan Crowl that “Oathkeeper friends from North Carolina are taking commercial buses up early in the morning on the 6th... [Person Three] will have the goodies in case things go bad and we need to get heavy.”¹⁰⁸

On January 2, 2021, it is alleged that Florida Oath Keepers member Kelly Meggs posted a map of Washington, D.C., in the Leadership Signal Chat, indicating the Lincoln Memorial and “the corner of west basin and Ohio” would be the planned QRF rally points for land or water transport in anticipation of civil unrest and potential bridge closures.¹⁰⁹ Crucially, the presence of a QRF outside Washington, D.C., was not purely an internal operational detail confined to encrypted messaging platforms. In Rhodes’ January 4 post on the Oath Keepers website, he detailed that, “As we have done on all recent DC Ops, we will also have well armed and equipped QRF teams on standby, outside DC, in the event of a worst case scenario, where the President calls us up as part of the militia to to [sic] assist him inside DC.”¹¹⁰

Uncorroborated statements made by defense counsel for Thomas Caldwell^{ar} claim the Quick Reaction Force consisted solely of Person Three. However, even if this is the case, government evidence indicates that a bus of individuals from North Carolina—including individuals affiliated with Person Three—traveled to D.C. and were dropped off near the Lincoln Memorial, Washington

“The first alleged breach of restricted Capitol grounds by Oath Keepers co-defendants occurred at approximately 1:52 PM. Harrelson and Dolan allegedly entered the restricted U.S. Capitol grounds and quickly joined the crowd pushing up the central east steps of the Capitol several minutes later.”

Monument, and the Capitol. Further, the evidence set forth to date does not necessarily allege that the QRF was meant to function as a standalone ‘second wave’ of sorts. Instead, communications between defendants suggest the QRF was designed primarily to allow the Oath Keepers to transport firearms to the suburban area near D.C. without running afoul of District firearms laws. Texts from Caldwell to an individual believed to be a member of a separate militia organization detail plans to have a boat prepared on the Potomac River near Washington, D.C., with “our Quick Response Team with the heavy weapons standing by, quickly load them and ferry them across the river to our waiting arms.”¹¹¹

The Storming of the U.S. Capitol

The following timeline of the Oath Keepers’ involvement in storming the U.S. Capitol is that which is presented in government legal filings. The first alleged breach of restricted Capitol grounds by Oath Keepers co-defendants occurred at approximately 1:52 PM. Harrelson and Dolan allegedly entered the restricted U.S. Capitol grounds and quickly joined the crowd pushing up the central east steps of the Capitol several minutes later.¹¹² At 2:03 PM, the administrator of the group’s “Stop the Steal J6” Zello chat messaged the group: “You are executing citizen’s arrest. Arrest this assembly, we have probable cause for acts of treason, election fraud.”¹¹³ At 2:06 PM, Person One messaged Person Ten asking what his location was, before stating, “I’m trying to get to you.” From 2:01 PM to 2:13 PM, Oath Keeper defendant Joshua James exchanged a series of phone calls with Person Ten, lasting for an approximate total of six minutes and thirty seconds.^{as} At 2:14 PM, Person Ten wrote in the Leadership Signal Chat, “The [sic] have taken ground at

aq In court proceedings, Assistant U.S. Attorney Jeffrey S. Nestler claimed that, “We believe that at least one quick reaction force location was here and that Mr. Harrelson and others had stashed a large amount of weapons there ... People affiliated with this group were in Ballston, monitoring what was happening at the Capitol and prepared to come into D.C. and ferry these weapons into the ground team that Kenneth Harrelson was running at a moment’s notice, if anyone said the word.” See Rachel Weiner and Spencer S. Hsu, “Armed ‘quick reaction force’ was waiting for order to storm Capitol, Justice Dept. says,” *Washington Post*, April 14, 2021.

ar The government has identified Caldwell as an ‘associate’ of the Oath Keepers, while his defense attorney has claimed he is not a formal member of the group. See *USA v. Thomas Caldwell*, “Motion and Memorandum in support of Reconsideration of Detention,” District of Columbia, 2021.

as The FBI 302 (the shorthand name of an FBI form used to memorialize an interview) of Person Ten includes a claim that James was ostensibly updating Person Ten as to the movements of a redacted VIP that James and other Oath Keepers were providing security for on January 6. Based on public reporting, James and other Oath Keepers were providing security for Roger Stone on January 6, who Simmons provided security for on January 5. However, there is no suggestion at present that Stone left the Willard Hotel on January 6, and the Department of Justice has noted that it believes Person Ten’s statements “lack credibility.” See *USA v. Kenneth Harrelson*, “Supplement to Defendant’s Reply Motion for Reconsideration of Conditions of Release,” District of Columbia, 2021; *USA v. Kenneth Harrelson*, “Government’s Surreply to Defendant’s Reply in Support of Third Motion for Release,” District of Columbia, 2021; Marcy Wheeler, “Joshua James’ Frequent January 6 Updates on His Jilted VIPer,” Emptywheel, December 10, 2021; Marcy Wheeler, “Person Fifteen (Aka Mark Grods), Another Roger Stone Security Staffer, Flips,” Emptywheel, June 30, 2021.

the capital[.] We need to regroup any members who are not on mission.”¹¹⁴ At 2:15 PM, Person One called Kelly Meggs, and Person Ten called Joshua James; at this time, a group of co-defendants, including Joshua James, Roberto Minuta, Brian Ulrich, Mark Grods, and Person Twenty allegedly “became aware that individuals had breached the Capitol,” and James allegedly instructed the group to get their gear and head to the Capitol.¹¹⁵

At 2:22 PM, a large group of Oath Keeper co-defendants, including Donovan Crowl, Jessica Watkins, Sandra Parker, Bennie Parker, Graydon Young, Laura Steele, Kelly Meggs, Connie Meggs, Joseph Hackett, William Isaacs, David Moerschel, Caleb Berry, and James Beeks allegedly entered the restricted Capitol grounds. Two minutes later, Person One sent Kelly Meggs a message stating, “Go to the SOUTH side of the US Capitol,” followed by another message stating, “That’s where I am going. To link up with [Person Ten.]”¹¹⁶ Person One then instructed the Leadership Signal Chat to “come to the South Side of Capitol on steps” with a photograph of the southeast side of the Capitol.¹¹⁷ At 2:31 PM, Person Ten and Person One had a five-minute phone call, during which Person One received a call from and conferenced in Kelly Meggs for approximately 90 seconds.^{118 at}

As the main group of Oath Keepers assembled on the south side of the U.S. Capitol, a smaller group including Minuta, James, Walden, Ulrich, Grods, and Person Twenty were allegedly riding a pair of golf carts toward the Capitol grounds.¹¹⁹ During this time, Minuta allegedly stated:

*Patriots are storming the Capitol building; there’s violence against patriots by the D.C. Police; so we’re en route in a grand theft auto golf cart to the Capitol building right now . . . it’s going down, guys; it’s literally going down right now Patriots storming the Capitol building . . . f*cking war in the streets right now . . . word is they got in the building . . . let’s go.¹²⁰*

The secondary group parked the golf carts and allegedly “continued on foot towards the Capitol, frequently moving in a stack formation to move through the crowd.”¹²¹ Around 2:33 PM, James spoke to Person Ten for approximately 49 seconds. After that point, the secondary group allegedly took up positions at the front of the law enforcement perimeter around the east side of the Capitol building.¹²²

At 2:35 PM, the main group of Oath Keepers is alleged to have begun to form what analysts call a ‘Stack,’ a column of “individuals wearing Oath Keepers clothing, patches, insignia, and battle gear” that allegedly maneuvered in an organized fashion up the east side of the Capitol in a now recognizable image from the day.¹²³ This main group—Stack One—was joined by Harrelson and Dolan, who

“As the main group of Oath Keepers departed the Capitol, the secondary Oath Keepers’ group—Stack Two—which had earlier arrived on golf carts, allegedly breached the building through the same east side Rotunda doors.”

had initially breached Capitol grounds before 2:00 PM.¹²⁴ At the top of the steps, the Stack is alleged to have “pushed forward alongside a mob that aggressively advanced towards the east side Rotunda doors” at the central east entrance to the Capitol.¹²⁴

At 2:45 PM, after breaching the east side Rotunda doors, Stack One allegedly moved into the Capitol Rotunda and began attempting to venture deeper into the Capitol building. Several members are alleged to have attempted to enter the Senate wing of Congress, joining “the mob in pushing against a line of riot police officers guarding the hallway connecting the Rotunda to the Senate.”¹²⁵ Another small group of Oath Keepers allegedly left the Rotunda and headed toward the House of Representatives. At the same time, Caldwell and Person Two allegedly moved past barricades and upstairs to a balcony in the restricted area on the west side of the Capitol building. Shortly after, the Senate group was pushed back along with the rest of the mob with chemical spray deployed by officers, and members of the Oath Keepers began to exit the Capitol between 2:54 and 2:59 PM.¹²⁶ At 3:05 PM, Person Ten messaged another individual “Were [sic] storming the Capitol.”¹²⁷

As the main group of Oath Keepers departed the Capitol, the secondary Oath Keepers’ group—Stack Two—which had earlier arrived on golf carts, allegedly breached the building through the same east side Rotunda doors. Stack Two members Minuta and James reached the entrance to the Capitol Rotunda at 3:17 PM, where James allegedly “yanked and pushed” several of the riot officers who had formed a barrier between the lobby and the Capitol Rotunda. As Minuta filmed these events, he allegedly yelled, “This is what’s bound to happen, just get out! Get out! Get these cops out! It’s our f***** building! Get ‘em out, get out!”¹²⁸ Grods and Ulrich allegedly entered the building briefly at 3:21 PM, but law enforcement officers surged forward from the Rotunda in an attempt to push those in the lobby out of the Capitol through the east side Rotunda doors. Ulrich and Walden were the final Oath Keepers that the government identified as exiting the Capitol at 3:33 PM and 3:35 PM, respectively.

The only remaining notable data points offered in public charging documents by the Department of Justice are highly illustrative of the government’s position as it relates to the actions

at At present, public filings have not identified the content of the phone calls obtained from the Oath Keepers devices, merely the records indicating sender and recipient of phone calls. While the exact content of some messages and chats is presumably not known by the government, the government filings in this case also specifically note that challenges exist related to the potential recovery of some Signal messages, which may be deleted through several mechanisms and are stored locally on users’ devices—preventing the government from obtaining the messages from Signal. See *USA v. Kenneth Harrelson*, “Government’s Opposition to Defendant’s Motion For Release,” District of Columbia, 2021.

au Government evidence presented to date does not allege that Person One or Person Ten joined the Stack as it advanced up the east steps. Their whereabouts are not explicitly identified in the most recent superseding indictment from the formation of the stack at 2:35 PM until the main group reformed “approximately 100 feet from the Capitol, near the northeast corner of the building” shortly after 4:00 PM. See *USA v. Thomas Caldwell et al.*, “Sixth Superseding Indictment,” District of Columbia, 2021.

of Person One and Person Ten. While both have been identified through public reporting as Stewart Rhodes and Michael Simmons, respectively, neither has been publicly charged with offenses related to their conduct on January 6 or as part of the broader alleged conspiracy.¹²⁹ And yet, evidence of their alleged involvement in the conception, organization, and execution of this conspiracy is littered throughout the indictment.

The details set forth above show allegations related to Person One's role in inciting and exhorting supporters publicly to travel to Washington D.C., and the central operational role both Person One and Person Ten played on the ground on January 6. As members of the Oath Keepers exited the Capitol, the government further alleges that some of them spoke with Person One and Person Ten. This included a three-minute phone call between Person Ten and James at 3:40 PM and a pair of phone calls between Minuta and Person One at 4:04 PM totaling approximately three minutes and 15 seconds. Shortly after 4:00 PM, individuals who allegedly breached the Capitol—including Graydon Young, Laura Steele, Kelly Meggs, Connie Meggs, Kenneth Harrelson, Roberto Minuta, Joshua James, Jonathan Walden, James Hackett, Jason Dolan, William Isaacs, David Moerschel, Caleb Berry, Brian Ulrich, Mark Grods, and James Beeks—gathered together with both Person One and Person Ten approximately 100 feet from the Capitol near the northeast corner of the building.¹³⁰

As the omnibus conspiracy case against the Oath Keepers continues toward a pair of trial dates in 2022, several of those charged have negotiated plea deals with the government, which include cooperation—limiting their criminal exposure and dropping down the final calculated sentencing guidelines in exchange for their honest and fulsome testimony regarding their conduct and role in both the events on January 6 and their potential awareness of the conduct of their co-defendants in the wider conspiracy. To date, four of the 21 Oath Keepers defendants charged with conspiring to obstruct an official proceeding have pleaded guilty: Caleb Berry,¹³¹ Jason Dolan,¹³² Mark Grods,¹³³ and Graydon Young.¹³⁴ Essential questions—including why exactly the QRF did not mobilize with firearms to supply to Oath Keepers defendants in Washington, D.C., as well as the exact content of the numerous reported conversations between Person One, Person Ten, and the co-defendants during the morning and afternoon of January 6 as they allegedly converged on the Capitol—remain outside the scope of the publicly available evidence at present. These details may very well come to light during the course of the planned federal trials set to begin in May 2022, which would serve to better illustrate the degree of preparation and planning within this conspiracy.¹³⁵

Part Four: After January 6

The alleged actions by members of the Oath Keepers on January 6 bring the group into closer alignment to accelerationist militias like the Wolverine Watchmen, which plotted to kidnap the sitting governor of Michigan over COVID-19 lockdown restrictions.¹³⁶ Ultimately, the future of the Oath Keepers is unclear and intrinsically tied to the ongoing federal investigation into the organization's alleged conspiracy to obstruct the official proceeding in Congress, as well as the potential legal ramifications for Rhodes personally. Where the Proud Boys found a positive boost to their

“Despite alleged and proven involvement in January 6 by the Oath Keepers, the group’s online presence has persisted relatively unimpeded, though following January 6 its website temporarily went offline before returning under web host Epik. Notably, the Oath Keepers have at the time of publication not been removed from YouTube, where the group continues to spread conspiracies to its 43,600 subscribers.”

mobilization following their role on January 6,^{av} the Oath Keepers as an organization has seemingly been forced onto its heels by the weight of the federal investigation. Even in the absence of a federal indictment, Rhodes' future as leader of the Oath Keepers remains an open question as longstanding internal grievances within the group rise to the surface.¹³⁷ Additionally, the membership data leak has illuminated the inner workings of the organization to a granularity it has long avoided and laid bare to the public the extent to which this anti-government movement has garnered mainstream appeal and successfully gained supporters and members across those with a military and law enforcement background, and elected officials at the state and local levels. It is worth noting that the group has not actively engaged offline since the events of January 6 and the initiation of the federal investigations into the organization and Rhodes' activities. However, it is important not to over-interpret this drop-off in activity because offline mobilization by the Oath Keepers had at times prior to January 6 been sporadic and confined to prominent public events.¹³⁸

While Rhodes admitted to being questioned by the FBI in relation to his role in the Oath Keepers conspiracy on January 6 following its seizure of his cell phone in May 2021, there has been no indication to date that Rhodes has been charged.¹³⁹ However, a December 2021 civil lawsuit by the D.C. attorney general names the Oath Keepers organization and numerous Oath Keepers members in a sprawling conspiracy case using a modern version of the 1871 Ku Klux Klan Act. This suit, similar to one brought against the Oath Keepers by Representative Bennie Thompson earlier this year, alleges that the group conspired to “terrorize the District by planning, promoting, and participating in the violent January 6, 2021, attack on the United States Capitol Building.”¹⁴⁰ Additionally, government disclosures in the ongoing conspiracy case against members of the Oath Keepers shed light on efforts by Rhodes to distance himself

av In the wake of January 6, the Proud Boys have engaged in numerous demonstrations despite the increased legal scrutiny. See Odette Yousef, “After Arrests And Setbacks, Far-Right Proud Boys Press New Ambitions,” NPR, September 29, 2021; Kriner and Lewis, “Pride & Prejudice: The Violent Evolution of the Proud Boys;” “Hate Map,” Khalifa Ihler Institute, 2021; authors' interview, Samantha Kutner, November 2021.

from the criminal conduct by members of his organization. The government states that in his May 2021 FBI interview, Rhodes “asserted that he and Person Ten were ‘cut out’ of planning between individuals like Kelly Meggs and his [Meggs]’ conspirators.”¹⁴¹ Further, Rhodes along with Proud Boys chairman Enrique Tarrio, Alex Jones, and Robert Patrick Lewis were recently subpoenaed by the House Select Committee to Investigate the January 6th Attack on the United States Capitol.¹⁴² In the committee’s subpoena to Rhodes, they note that “in written and spoken remarks delivered prior to January 6, 2021, you repeatedly suggested that the Oath Keepers should, or were prepared to, engage in violence to ensure their preferred election outcome.”¹⁴³

Despite alleged and proven involvement in January 6 by the Oath Keepers, the group’s online presence has persisted relatively unimpeded, though following January 6 its website temporarily went offline before returning under web host Epik.^{aw} Notably, the Oath Keepers have at the time of publication not been removed from YouTube, where the group continues to spread conspiracies to its 43,600 subscribers.¹⁴⁴ The Oath Keepers has long shown a remarkable offline resiliency for an organization so heavily reliant on social media to organize. That resiliency and the ability of the Oath Keepers to mount a significant and organized presence at the U.S. Capitol on January 6, despite the losses during 2020 of social media access, suggest that while effective in some circumstances, de-platforming did not significantly impair the ability of the Oath

aw Epik is known for its willingness to host domains associated with extremist organizations. Salvador Hernandez, “A Major Militia Group Said Its Website Was Taken Down Days After It Sent Members To The Capitol Riots,” Buzzfeed News, January 13, 2021.

Keepers’ brand to seed into the population.

This also suggests that the narratives and ideographs^{ax} leveraged by the Oath Keepers may outlive the group itself. According to the scholar Sam Jackson, Rhodes’ goals with the Oath Keepers were to strategically frame the group to appeal broadly across the American body politic.¹⁴⁵ Today, the warped patriotism narratives that the Oath Keepers have deployed are far more common than during its founding and are being discovered and embraced by new audiences, such as QAnon, the Boogaloo, and more. These nascent and evolving anti-systems sentiments, particularly QAnon, are also flourishing within Oath Keepers ranks, indicating a symbiotic growth that may inform the group’s resiliency. These converging movements and audiences do not merely embrace existing narratives but subsume them—constructing increasingly complex justifications that necessitate militancy against conspiratorial enemies.

This trend ultimately means that the Oath Keepers as an organization are but one of a range of anti-government movements that continue to thrive in a consistently permissive environment for domestic violent extremist actors. And yet, as the organization’s future hangs in the balance of a federal investigation, the question remains: Are the Oath Keepers the tip of a spear for a failed coup attempt, or are they merely vainglorious insurrectionists going to ‘battle’ for the republic in a golf cart? **CTC**

ax As the authors have written previously on the Boogaloo movement, ideographs are “a set of abstract virtues ... that are deeply familiar to many Americans: liberty, rejection of government abuses, and disgust at authoritarianism.” Kriner and Lewis, “The Evolution of the Boogaloo Movement.” See also Jackson, *Oath Keepers: Patriotism and the Edge of Violence in a Right-Wing Antigovernment Group*.

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A View from the CT Foxhole: Brigadier Rob Stephenson, Deputy Commander, NATO Special Operations Headquarters

By Seth Loertscher, Connor Ingleson, and James Garrison

Brigadier Rob Stephenson is currently the Deputy Commander of NATO Special Operations Headquarters, a role he has filled since August 2018 while also serving as Acting Commander from January 29 to October 15, 2021. During his career, he has deployed on numerous operational tours in Northern Ireland under Op BANNER and also on various overseas operations both with the Parachute Regiment and with other units including to Bosnia, North Macedonia, Iraq, and Afghanistan. As a staff officer, he has fulfilled a variety of roles within the U.K.'s Ministry of Defence and the Foreign and Commonwealth Office. In 2009, Brigadier Stephenson was made an Officer of the Order of the British Empire (OBE) for his unit command appointment, which included operational deployments to Afghanistan and North Africa. He commissioned into The Parachute Regiment in 1987. Brigadier Stephenson holds a master's degree in defence studies from Kings College London.

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CTC: NATO Special Operations Headquarters (NSHQ) was established in 2010, though its predecessor organization—the NATO Special Operations Coordination Center (NSCC)—was established in 2007.¹ Can you talk a little bit about the development of the command and the role that it was created to fill?

Stephenson: Absolutely. Where we have come from in the past is relevant to where we are going in the future. The NATO SOF Coordination Center was built around a demand signal that came from operations being conducted in Afghanistan as part of the NATO response to 9/11. There was no shortage of willing Allies to get involved in that operation, but from a SOF perspective, there was a lack of common standards and common procedures. Across the NATO Alliance, there wasn't a shared understanding of what capabilities should be defined as SOF capabilities or what should define a unit as being able to deliver SOF-type effects. It's important to bear in mind that for many NATO members, the creation of their special operations forces was a relatively new thing. The NSCC, which was initially driven through the initiative of Admiral [William] McRaven, then the Commander of U.S. Special Operations Command Europe, was intended to create a structure that would bring more coherence to the Allied SOF pipeline, which was principally going into Afghanistan.

That evolved over time into NATO Special Operations Headquarters, which had a broader remit, and broadened its capabilities specifically in terms of establishing the NATO Special Operations School (NSOS). The NSOS enabled us to deliver more

coherence for training. Some of that training was niche, bespoke tactical training that was relevant to operations in Afghanistan, such as courses for technical exploitation. Most of the NSOS training, however, was orientated towards command and staff training. The procedures for operating in a multinational headquarters in Afghanistan were completely new to people, whether it was at the unit level operating inside the overarching NATO SOF framework or at the component level. The command and staff training was structured to deliver interoperability so that when Allied SOF went over to Afghanistan they were able to support whatever constructs might be in place.

Over time, the Allied SOF pipeline has become somewhat self-sustaining. We're in the process of evolving and changing our function here but also changing what the requirement for Allied SOF is to support [NATO's response to] a new type of threat in the future. One important thing that we've been able to do at NSHQ is to create an enduring NATO standard of doctrine for the SOF domain: essentially, our headquarters has become the custodian for SOF doctrine within NATO. We have a team here that not only writes the doctrine but engages with the Allies and seeks their input in updating it. I think that was one of the key outputs of the early days—developing a common standard of doctrine which gives people the ability to do their own development, based on a unified direction of travel.

CTC: NSHQ has a unique mission involving both the development of SOF and, to some extent, the employment of Allied SOF. Could you speak about these dual responsibilities and the command's current priorities?

Stephenson: Absolutely. One point I wanted to raise is that although we are the NATO Special Operations Headquarters, we tend not to use the term 'NATO SOF' because it's really the SOF of NATO countries. NATO SOF only comes together during an operation brought together under a NATO C2 [command and control] structure, otherwise it's the SOF of the Alliance or Allied SOF.

As far as supporting the development of Allied SOF, in addition to maintaining or updating SOF doctrine and the courses that we deliver, we also try to provide a forum or a mechanism for sharing lessons. Some of that is a formal, structured process, but we also have a pretty well-connected network across the Alliance that we can use to bring people together, either formally or informally, to share best practices from their own operational experiences, be that national activity or activity they're doing in other coalitions or NATO operations. We continue to build both the common standards and common knowledge across the network.

What we have found recently is that while there [have] been some valuable lessons from Afghanistan, we now see a different requirement. Some of this is, in a way, going back to the future.

Although we're not necessarily in a Cold War scenario from a NATO perspective, we do see that there is a different challenge in terms of threats, which I think are relevant for the Alliance. What we are doing in this context, in addition to writing the doctrine and supporting the training, is getting involved in the wider NATO planning process as it grapples with the challenges of a resurgent Russia, but also accepts, that for the Alliance, the threat from terrorist groups is going to persist, and potentially even grow. So, we're involved in this planning process, which gives us the opportunity to feed into the larger NATO system, our perspective of how SOF could contribute to NATO's objectives in the future. That, in turn, helps us engage with the Allies to not only make sure what they're doing is recognized by and useful to the Alliance, but also allows us to feed back a demand signal to them to make sure that their continued development [of SOF] has a broader justification than what they had previously done in Afghanistan. It's important for some of the Allies to have a NATO demand signal as a justification for SOF to provide a different set of capabilities for the future. It's not the same for everybody, but there are certain nations within the Alliance who rely very heavily on a very clear demand signal from NATO to set their own defense programs. There's been an incredible growth in SOF capability driven by the post-9/11 era and the requirements to support operations. At the same time, I think there is a real danger that for some nations, without a clear demand signal from NATO or other organizations, those capabilities will somewhat wither on the vine.

With regard to the employment of Allied SOF, NSHQ plays two roles. First, we provide the SOF domain advice to the SACEUR [Supreme Allied Commander Europe]. The commander of NSHQ is not only the NATO SOF Headquarters commander, but he's also double hatted as SACEUR's SOFAD [SOF Advisor]. So, we have the responsibility of providing SOF advice to the various parts of the NATO Command Structure, either throughout its peacetime vigilance activities or as it considers preparing for a NATO operation. We have a role to play in shaping what is realistic in terms of the outputs SOF can deliver. We have a role to play in engaging with the Alliance to see who has the right capability, who is at the right readiness, who might be available to support a NATO operation. Second, we currently play a significant role in enabling what's known as the SOF component of the NRF, the NATO Response Force, which is a rotational structure where Allies volunteer to be on high readiness to respond to a NATO operation. At the moment, much of our effort goes toward enabling the readiness of the NRF's SOF component. It's important to note that, were the NRF's SOF component actually employed, NSHQ wouldn't provide C2. The Allied SOF would form the backbone of the command and then would fall under whatever joint force headquarters was running the operation.

To answer the last part of your question, as we think about our key priorities we ask ourselves: How do we keep that network going? How do we look to build capabilities across the Alliance which can tackle both the threat from Russia and an enduring threat from terrorist groups? How do we ensure that, not only do the capabilities continue to develop, but they remain as interoperable as possible? Not only across the SOF of the Alliance, but how do we integrate the SOF capability into the wider components within NATO as we develop NATO plans, particularly for collective defense of Europe? This is a really significant opportunity in NATO because it's the first time for decades that NATO has readdressed these plans. So,

“What we're trying to do is make sure that nations achieve a common baseline standard of SOF capabilities and then have a better understanding of the other capabilities that the various parts of the Alliance can bring to bear, and what their readiness states are so that we can help steer those capabilities to the right problem at the right time.”

how do we keep that capability building in the right direction, keep that interoperability, maintain that network and those key parties?

CTC: As you alluded to, one of the central functions of NSHQ is to increase the cooperation between the special operations forces of NATO Alliance members and partners.² Can you speak about the challenges of getting more than 30 countries to work together to develop SOF? Where does this work well, and where are there challenges?

Stephenson: As I mentioned at the start, I think the demand signal for Afghanistan was a significant forcing function for a lot of Allies. I'm not saying it was easy then, but it was very clear what the requirement was and it was pretty clear which Allies were making themselves available to fulfill that requirement. I think the challenge we find now is that post-Afghanistan, the demand signal looks very different depending on where you are within the Alliance. If you're sitting up in the Baltic states, then you're probably concerned about what's happening on the eastern flank, about some of the hybrid activities that might be directly affecting you like what's going on at the Belarussian border. But if you sit down in Spain or Portugal or Italy, you're probably more concerned about what's happening on the other side of the Mediterranean and the implications or the effects of terrorist activities or ungoverned spaces in the Sahel, other parts of Africa, or the Middle East in terms of direct threats from terrorism or the implications of migrant crises, etc.

So, there is a challenge now in terms of bringing people together under a coherent, common requirement. But I think, within that context, we recognize everybody has something to bring to bear on both of those challenges—whether it's against malign Russian activity or terrorist threats. What we try and do is create the framework for at least a baseline common standard. But we do accept there are nations with different national priorities and that not only national priorities, but geography forces them to develop different SOF capabilities. There is a challenge of trying to get everyone to deliver the same thing, but actually, we don't necessarily need everybody to deliver the same thing.

So what we're trying to do is make sure that nations achieve a common baseline standard of SOF capabilities and then have a better understanding of the other capabilities that the various parts of the Alliance can bring to bear, and what their readiness states are so that we can help steer those capabilities to the right problem

at the right time. We've reorganized some of our headquarters to deliver that. We have a section within our Operations Division called the NSHQ Operations Coordination Center, which is responsible for reaching out to our Allies and building that sort of situational awareness. It creates a one-stop shop where we can have a good understanding of the SOF capabilities of each of the NATO Allies and partners, non-NATO nations closely aligned to NATO. It also creates a switchboard where the Allies can reach out to other Allies through us as an enabler. It's difficult to understand and get that situational awareness, but through our structural changes, it's becoming easier. There is also a process to create a more coherent sort of demand signal through the NATO planning process at the moment, which should enable us to engage with the Allies and for them to see where they can add value to NATO's future plans.

CTC: What role do regional initiatives like the Composite Special Operations Component Command (C-SOCC),³ Multinational SOF Aviation Program,⁴ and Baltic SOF Intelligence Fusion Center⁵ have in facilitating this cooperation among NATO members?

Stephenson: We play a supporting role in all of those activities. It really comes back to the point about there being already established regional alliances or enduring relationships between NATO Allies. Our role in those initiatives, like the C-SOCC, is encouraging and supporting those relationships to develop and endure and to see how we can integrate them into NATO at the right time. The aviation program that you mentioned is a regional agreement where a number of nations have agreed to take part in the process of developing special operations aviation capabilities and it gives an opportunity to bring common standards across a number of different Allies. Obviously, it is part of our function to support that. For NSHQ and for NATO, leaning into these processes helps make the transition from a national activity or a bilateral activity into a NATO operation or a NATO activity as seamless as possible. By leaning into that transition, we are able to understand where the gaps are and what's required to integrate those things and that provides a flexible approach to how the Allies can contribute to NATO.

The reality is there are a lot of relatively small nations within the Alliance. For Allies to do things by themselves is sometimes quite challenging. When NATO asks the Allies to contribute to a NATO operation, inevitably the scale of those operations is probably going to be quite large. To sustain a contribution for a NATO operation often requires a number of Allies to come together to support each other in delivering or providing the capability required to support that operation, so we absolutely see real benefit from regional Allies working together. If they can maintain common interoperable NATO standards as part of these initiatives, then it creates a mechanism to plug them into the system when required. In addition, developing some of these SOF capabilities is incredibly expensive and some nations simply can't do it. There just isn't the capacity for people to do it independently, so working together makes it easier to develop the capabilities.

CTC: Allied SOF played an important role in the war in Afghanistan, both going after terrorist groups and training Afghan security forces. What lessons did Allied SOF learn in the nearly 20 years of counterterrorism operations in Afghanistan?



Brigadier Rob Stephenson

What do you think the NATO experience in Afghanistan will mean for how and where Allied SOF forces are committed in the future?

Stephenson: I think Afghanistan was a huge accelerant for developing SOF capability amongst the Alliance. Despite all the sacrifices that have been made by members of the Alliance during those years, it's been a great forcing function for developing capability. I would say, though, it has, to some degree, potentially set a level of expectation not only perhaps with some of the Allies, but also within the NATO Command Structure of what they think SOF does. There is a sort of muscle memory for people thinking they understood what the SOF role was in a counterterrorism or counterinsurgency operation like Afghanistan. It was very visible, it is very high tempo, it was very kinetic or direct action-orientated, and the C2 [command and control] structure around it had a degree of assurance, whether that was high level of assurance over

targeting or golden hour^a for medical response.

All of those things, I think, have given a sort of expectation of what SOF can do or what it should be doing in the future against different threats, and we have an ongoing effort here at NSHQ to make sure that as we develop new plans, we look at the threats and the broad range of capabilities that SOF can bring to address those threats. That's an educational process for everybody, partly for us but partly to make sure that we are taking the best knowledge from the Allies. You have some Allies and partners who have very real experience of working in and outside of Afghanistan, against both states threats and terrorist groups. As we think about these threats, we need to apply future structures, future doctrine, and future training to reflect the broad range of capabilities needed to address them. Many of these capabilities might not be kinetic in nature. It might be more about understanding the environment, preparing the environment, enabling decision making. These sort of capabilities may be what is required rather than what people have become accustomed from the 'find, fix, strike' mentality coming out of Afghanistan.

There are a range of people [within NATO] we have to educate so that their expectations of what SOF can deliver against a different set of challenges is realistic, particularly in the level of assurance over operations, but also the demand for high-temp short-term results. As an Alliance, we really need to wean ourselves off that expectation and recognize sometimes the SOF contribution might be a very long and enduring one, which might not bear fruit for quite a long time.

CTC: The education you're talking about, a lot of that is within the special operations forces of NATO members states as well, right?

Stephenson: Definitely. I think that comes back [to] the point about some of the Allies looking to NATO for a justification to build those capabilities. That's not the case across the whole of the line. It isn't the case for the U.S., and it's not necessarily the case for my nation either, but there are certain, fairly big military players within the Alliance who genuinely need a demand signal from NATO to continue to develop and move in the right direction.

CTC: With the Taliban currently in control of Afghanistan and the U.S. government looking toward 'over-the-horizon' counterterrorism capabilities,⁶ what role do you see NATO playing in the future counterterrorism fight in Afghanistan?

a Editor's Note: The 'Golden Hour' refers to the first 60 minutes after a casualty occurs on the battlefield, during which time, if the injured Soldier is transported to a higher level of care, their odds of survival increase significantly. In 2009, Secretary of Defense Robert Gates mandated that the U.S. military provide the resources to get injured soldiers to "appropriate medical care" within an hour of being injured. This same standard for casualty care was adopted by NATO in the 2011 "Allied Joint Publication 4-10(A) – Allied Joint Medical Doctrine." See Tanisha M. Fazal, Todd Rasmussen, Paul Nelson, and P.K. Carlton, "How Long Can the U.S. Military's Golden Hour Last?" *War on the Rocks*, October 8, 2018; Andrew M. Seaman, "U.S. military 'golden hour' rule saved lives," *Reuters*, September 30, 2015; Col Homer Tien, MD, Maj Andrew Beckett, MD, LCol Naisan Garraway, MD, LCol Max Talbot, MD, Capt Dylan Pannell, MD, PhD, and Thamer Alabbasi, MB, "Advances in damage control resuscitation and surgery: implications on the organization of future military field forces," *Canadian Journal of Surgery* 58:3:3 (2015): pp S91-S97.

“From a NATO perspective, I think there’s still quite a bit of work going on to look at the implications of the withdrawal from Afghanistan ... Hopefully what some of the 20 years of working together has done is built a degree of confidence and trust amongst some of the Allies so they can work together in the future, and I’m confident that some of this is happening already.”

Stephenson: From a NATO perspective, I think there's still quite a bit of work going on to look at the implications of the withdrawal from Afghanistan, and what that means in the future for NATO in terms of future CT operations, specifically with regard to over-the-horizon and Afghanistan. Hopefully what some of the 20 years of working together has done is built a degree of confidence and trust amongst some of the Allies so they can work together in the future, and I'm confident that some of this is happening already. It's not going to necessarily be a NATO response to this, but the benefit of that network and those common interoperability standards means that under bilateral or multilateral coalitions, there is perhaps an easier plug-in today than there was in 2001. I think what's really important in the future is that we try and maintain that currency and the network that has been built and forged over those 20 years of experience.

CTC: Africa has recently been described as “the new epicenter of global jihadi terror” owing to the expansion of groups aligned with both the Islamic State and al-Qa`ida there.⁷ While there are a variety of U.S.-led efforts across the continent, since 2013 France has generally led the fight in the Sahel through operations Serval and Barkhane.⁸ Since 2020, however, a number of NATO allies have contributed SOF through Task Force Takuba, a multinational SOF task force now deployed in the region.⁹ Can you talk a little bit about the background and purpose of this deployment and the task force's relationship with NSHQ?

Stephenson: It's important to highlight that [Task Force] Takuba isn't a NATO operation; it is a French operation. Although we do have some insights and we have some engagement with the French on Takuba, I can't talk in detail on behalf of the French. What I can say is that you are right—there are a number of NATO Allies contributing to a French operation. I think that shouldn't be underestimated. The Allies that are contributing wouldn't have had the capacity or the capability to support that sort of operation had it not been for the development that they've gone through in other operations in Afghanistan. This again comes back to my earlier point about our [NSHQ] function in maintaining that interoperability and that network of capability, which could be

applied to a NATO operation.

I think what we are trying to do with our planning construction in the future is harness this sort of activity. Even if it's national activity or multinational activity under a different construct, there is absolutely utility in maintaining some connection, some visibility of what's being conducted and what's being achieved. Inevitably, such an operation will be supporting effects that NATO would like to achieve in terms of deterring or defeating terrorism, or if there were a NATO operation to happen somewhere in the same geography, then you would want to build that connectivity from the start by design, so that you're not either duplicating effort or leaving huge seams between various parallel operations or activities.

[More broadly in relation to Africa], we do have a function in terms of supporting partners who have expressed an interest of working close closer with NATO. For instance, in Africa, we are working with Mauritania at the moment, looking to see how we can work with them to help build their SOF capability.^b There is a willingness from NATO to engage with like-minded democratic nations which support principles of NATO and support their development. That partnership activity is going on and I think will continue to be delivered by NATO in a number of different places. It's happening in Africa; it's happening in eastern part of Europe in Georgia and Ukraine and in other places where we are actively supporting the development of national SOF capability as part of our partners' ability to defend their own nations.

CTC: The Russian annexation of Crimea and the subsequent conflict in Ukraine have showed the effectiveness of Russian irregular warfare capabilities.¹⁰ Any counter-hybrid threat^c campaign in a NATO country will rely heavily on SOF. How is NSHQ preparing for this?

b Editor's Note: Mauritania, an initial partner in NATO's Mediterranean Dialogue in 1994, has continued to strengthen its relationship with NATO, opening a mission to NATO in 2017. In January 2021, the Mauritanian president, Mohamed Ould Ghazouani, visited NATO Headquarters. The NATO Secretary General Jens Stoltenberg described part of the purpose of the visit, during a joint press conference, as discussing how "NATO can step up and provide more [counterterrorism] capacity building." In June 2021, NATO and NSHQ officials conducted a trip to Mauritania where they discussed expanding the scope of "advice, training and capacity building activities" in supporting the development of Mauritanian defense and special operations capabilities. See Ian Lesser, Charlotte Brandsma, Laura Basagni, and Bruno Lété, "The Future of NATO's Mediterranean Dialogue," George Marshall Fund of the United States, June 2018; "Joint press point by NATO Secretary General Jens Stoltenberg and the President of the Islamic Republic of Mauritania, Mohamed Ould Ghazouani," NATO, January 15, 2021; and "NATO strengthens its partnership with Mauritania," NATO, June 25, 2021.

c NATO defines hybrid threats as "a type of threat that combines conventional, irregular and asymmetric activities in time and space." These threats "combine military and non-military as well as covert and overt means, including disinformation, cyber attacks, economic pressure, deployment of irregular armed groups and use of regular forces." These threats also often aim to "exploit the thresholds of detection and attribution" and seek to destabilize target states and undermine their strategic goals. NATO seeks to counter these threats through increased preparedness, establishing deterrence, and defending against those activities that do occur. See "AAP-06: NATO Glossary of Terms and Definitions," NATO Standardization Office, December 2020, p. 64; "Hybrid Threats as a Concept," European Centre of Excellence for Countering Hybrid Threats; "NATO's Response to Hybrid Threats," NATO, March 16, 2021; *The Secretary General's Annual Report: 2019*, NATO, p. 29.

“From a broad perspective, we do see that the experiences gained in challenging counterinsurgency environments have some applicability to countering the hybrid threat.”

Stephenson: Some of this is linked to the previous conversation where we talked about different Allies having different perspectives on some of these things. You can imagine there are certain nations who see the hybrid threat from Russia as a very clear and present danger. We know that certain Allies and the SOF of certain Allies are involved in their own national defense plans to counter those threats. We are also aware that there are other Allies, further away from the eastern border of NATO, that perhaps don't have such an immediate challenge on that front or are not encountering those sort of threats. Our role from NSHQ is to see how we can support those Allies that are there and have a role to play. Not only how we can support it, but also figuring out how we can make their contributions to countering those threats visible to the broader NATO planning process so that activity contributes to what might be a broader NATO response if and when it might have to be brought to bear.

We are supporting in a number of different ways. Some [is] quite academic work in terms of engaging with resilience conferences. We deliver a comprehensive defense course. We've produced some manuals, *aide-mémoires*, and guides to producing effects in that sort of environment, which gives people commonality of approach or captures best practices from both Allies and partners who have experienced this sort of challenge for real. Our role really is to support where we can, to help enhance those capabilities, then make sure that they are integrated into a wider NATO response if necessary. So we're looking specifically at some of the national training activities for these Allies and partners that focus on the role that SOF plays within their own nation, and looking to see how, in the future, we can integrate that training activity into NATO training as well. That way you start going through the mechanisms of linking those two things today rather than waiting for the crisis to happen and then realizing you have to connect the two ends of the pipe.

CTC: What are some of the SOF capabilities that NATO members should be strengthening to respond to this threat?

Stephenson: Broadly speaking, a hybrid threat inevitably sits below the threshold of a conventional military conflict. It's obviously designed for that very purpose—to exploit the seams between what might be a Ministry of Defense, military-led response versus a Ministry of Interior or other government department response. If that's the case, we have identified certain experiences from Afghanistan that are applicable. SOF plays a role in a slightly undefined space, whether it's C2 [command and control] or working with other agencies and acting as a conduit for connecting different organizations in order to deliver common output. From a broad perspective, we do see that the experiences

gained in challenging counterinsurgency environments have some applicability to countering the hybrid threat.

From a structural basis, we see SOF as a bit of a bridge between a military-led response and a response led by another government department. Specifically, within that, SOF might be able to bring a broad range of traditional capabilities to bear in that sort of scenario, whether it's military assistance in terms of supporting the development of national home defense forces, being able to demonstrate the rapid integration of more bespoke capabilities, whether it's joint fires or a CT response, if that was required to support another government department. It could also be SOF's surveillance or reconnaissance capabilities, which could range from the traditional role [of] sitting in a hole with a pair of binoculars or perhaps bespoke and technical surveillance capabilities which might support the attribution of some of this hybrid activity so that it can then be called out and responded to it with more of a diplomatic result rather than a kinetic 'finish.'

On the other side, if there is a requirement to conduct kinetic activity, there are questions within the hybrid threat domain whether it would be in support of the police or a minister of the interior, or whether it transition over to a military capability. We know that those arrangements exist within certain countries within the Alliance and that they have pretty fluid transitions between what is a ministry of interior activity to a military activity. We're trying to educate people that there is this experience, knowledge, and capability which sits within the SOF domain which can be brought to bear across not only a military problem set, but also in terms of supporting a sort of minister of interior response.

CTC: Both state and non-state adversaries have shown an increasing ability to use misinformation and messaging efforts to advance their narratives and sow discord inside NATO countries. How is NATO thinking about combating these information operations? Does NSHQ have a role in the counter IO [information operations] fight?

Stephenson: There are certain limitations within NATO in terms of delivering information operations, but we do recognize that there are certain Allies and partners, like Ukraine, who have firsthand experience both being on the receiving end but also of developing responses to those types of threats.

I think our role, particularly in terms of information operations, is understanding which of the Allies has that as a capability, determining if there [is] some value in terms of being able to encourage the development of that capability among a broader range of Allies in the future, and seeing what we can do to support that development and bring some coherence to it through our own means, whether that's on the doctrinal side or through the development of courses.

I think that the other aspect, in terms of the threat from disinformation that might be aimed towards either an individual Ally or the Alliance writ large is a strategic communications challenge and requirement for the Alliance. It's important to build on that capability in the future, particularly for NSHQ. I know this is uncomfortable for certain Allies, it's certainly uncomfortable for my own nation, but we do think if you want to counter some of the false stories, maintaining a current, consistent, and visible message counters some of that misinformation just by being out there all the time. We do think there is a role for effective strategic

“I think, in the future, we could be doing some of that [public messaging] in a bit more of a deliberate manner ... this is one of the battle spaces of the future which needs a more coherent and realistic approach.”

communications of SOF capability across the Alliance, which doesn't necessarily have to be deliberately aimed at a particular adversary. It is a message which, from a NATO perspective, demonstrates a common set of values abroad, a cohesive approach across the Alliance, and the ability to be rapidly interoperable so that any adversary that might be looking at either taking a nibble at part of the Alliance or trying to create cracks within the Alliance, should see a demonstration that there is a really strong network. It's not perfect, [but] they should see a capable group of allies that can come together and deliver powerful effects whenever they need to. So, to counter some of that IO, we think there is a strong StratCom [strategic communications] requirement and we are trying to support that from NSHQ.

CTC: You're talking about communicating to establish a level of deterrence, right?

Stephenson: Yeah, absolutely.

CTC: To communicate in the language of deterrence, you need to share some of the capabilities you have developed and that willingness to work together, which might include forward deployments of SOF and joint Allied SOF exercises. At the same time, you also need to create uncertainty for those adversaries. What's the right mix of sharing information, but also holding back to create that uncertainty?

Stephenson: Firstly, anything we do is publicized, anything that we do has to be done in consultation with the Allies, so we wouldn't be doing this as a stand-alone activity. To some degree, some Allies are doing this already, so we might be acting as a sort of amplifying effect for something that's already being done.

There are probably certain things which, we think, to some degree that the information is probably out there already, but it's not being delivered in a sort of targeted way or it's not being harnessed as well as it could be. I think we are all getting a bit more savvy to the fact that there are certain things which you can't keep out of public domain. There are certain things which you need to [have out of the public domain], but you have to work really hard and you have to have some very disciplined ways of doing that. We're trying to focus on the things which are either already out there or that we think could be out there without creating any sort of risk in terms of OPSEC [operational security] compromise or giving away the sort of capabilities that we don't necessarily want to give away.

But [public messaging] has to be done in a much more realistic manner in terms of accepting that there's a great deal of information already in the public domain. I mean, you only have

to go onto YouTube and you can see things, which some people would say, “that’s classified information that we don’t want to share with people.” There are certain capabilities which exist and that everybody knows exist. We may want to harness some of those, or we may want to make sure that we continue to keep that sort of confusion and sort of degree of uncertainty about that.

I think, in the future, we could be doing some of that [public messaging] in a bit more of a deliberate manner as far as the Alliance is concerned. That’s not to say that we’re trying to own any sort of national messages or compromise any sort of national capabilities, but I think this is one of the battle spaces of the future which needs a more coherent and realistic approach.

CTC: As this counter-hybrid warfare mission and the threat of near-peer conflict becomes more important to the Alliance, how will Allied SOF balance this with continuing the counterterrorism fight?

Stephenson: Those two things will absolutely continue to endure, hand in hand. To some degree, they probably mutually support each other, whether it’s Russia creating the opportunity for terrorist threats to emerge or whether it is those terrorist groups that exist already. But I think it’s recognized within NATO that those two challenges will continue to exist alongside each other.

We have to recognize that the Alliance is made up of a number of nations that have their own national priorities and their own concerns, which are obviously built around their political situation and their geography. We are trying to create processes, structures, and policy for the future, which enable the SOF of the Alliance to be able to contribute to both of those challenges concurrently. Arguably, we need to be able to maintain and develop those capabilities which have a function against both threats.

We do accept that there is a different response required for both, but many of the tools are applicable to both threats, which inevitably will continue. We see a significant contribution, from a NATO perspective, to the [counterterrorism enterprise] by helping to build the capacity of partners, to prevent ungoverned spaces from being created, or to enable those partners to deal with the terrorist threat themselves before [it] expands beyond their boundaries. At the same time, we are looking specifically at what role SOF plays in terms of building the resilience of NATO within the geography that makes up the NATO nations. For certain nations, that might be more orientated toward a threat from malign activity from Russia or the potential of a conflict with Russia. [Terrorism and near peer competition] are not completely separate challenges, but they might require a slightly different approach, and that is going to have to be part of our future NATO plans which takes both of those into account concurrently.

When you have more than one thing going on, the benefit of the strong network and a strong Alliance is that you have greater capacity. If it can’t be a decision between one or the other, the more interoperable that you are, then the more confidence and trust we have in each other to be able to deal with those things concurrently.

CTC: In October 2021, Admiral Rob Bauer, chair of the NATO Military Committee, commented at the NATO Special Operations Forces (SOF) Conference in Riga that, “due to a changed security environment, NATO is in a fundamental shift towards a stronger focus on collective defense.” “Special

“This below-the-threshold concept is difficult, but I think our responsibility, within the SOF domain, is to think about that difficult challenge because the adversary is trying to test where our seams are.”

Forces,” he said, “can play a unique role in this.”¹¹ How do you think about the role of NSHQ in helping the Alliance focus on collective defense?

Stephenson: We’re in an interesting situation here in NATO. To some degree, we’re trying to go back to a model which might have been more reminiscent of the Cold War times in terms of having [a] properly resourced plan to counter the challenges of the potential of aggressive acts against the Alliance on mainland Europe. However, I think we also recognize that the possibility that a Cold War-type engagement will go hot is probably unlikely. Although we have to be prepared for that, the likelihood is that the collective defense requirement is going to be based around countering a number of below-threshold activities which have the potential to be the precursor for something more aggressive or more significant. I think we’re trying to again educate the system within NATO that SOF is very flexible and it has the ability to react quickly. Normally, in every nation across the Alliance, the SOF forces are held at a high state of readiness. If you take all of those things into account and then consider the capabilities that the SOF of the Alliance may have in terms of supporting understanding of the situation, preparing the environment for a more substantial military response to a problem, or delivering effects by being on the ground in small numbers by bringing joint fires to bear and deliver a bigger punch than its size might suggest, [then you can understand why] we think that this is a fundamental tool in the Alliance’s arsenal that can be brought to bear. It is a different challenge than the Cold War, but I think SOF has a really significant part to play, not only if it does get warm. We need to be able to demonstrate that capability exists and make sure that any adversary realizes that if they are going to take a nibble out of something, it’s going to be pretty indigestible for them and just not worth their while.

This below-the-threshold concept is difficult, but I think our responsibility, within the SOF domain, is to think about that difficult challenge because the adversary is trying to test where our seams are. There is clearly a seam between a law enforcement, an intelligence agency, or a ministry of interior lead, and large-scale conventional conflict. We would suggest that you make sure you never get to the war, but that you also compete in peace time to make sure that you don’t let their below-threshold activity achieve its aims, which we understand are to break up the Alliance and to [put] stress [on] the cohesion of rules-based order. As complicated as it is, that’s why SOF exist—to deal with complicated issues.

CTC: Based on your experiences and from your perspective, in leadership roles at NATO SOF Headquarters, how do you think that Allied SOF forces in general, and NSHQ in particular,

need to change to address future challenges? What are your big concerns about the future operating environment?

Stephenson: It is an increasingly complex environment. It does require an honest approach with that problem set, and we need to be frank with each other, we need to be as open as we can be. That can be a challenge in itself within NATO; it is difficult for nations to expose their concerns or their limitations. If we are going to maintain that cohesion, then maintaining that level of trust and confidence in each other to come up with a coherent solution is really vital.

My concern would be that post-Afghanistan, we sort of retrench ourselves in our own national stovepipes and go back to worrying about our own problems within our own boundaries, or our own near abroad and that we try to solve our problems within our own little, small sphere of influence. My confidence, particularly from our position here, is that we have a really good network of people from different nations who have served with each other on multiple tours in places like Iraq or Afghanistan, who have grown up with each other, have shared experiences, and have the bond and friendships which we all experience from our own national

military experience. The benefit of NATO is that this exists across the Alliance, particularly within the SOF community who have worked really closely together for the last 20 years.

So, my level of confidence is relatively high, particularly if this organization, under U.S. leadership, continues to focus on keeping that network going and keeping those relationships strong wherever possible. Lieutenant General [Antonio] Fletcher^d has just arrived here, and I know that's going to be part of his focus. We need to be functioning closely together and make sure that just because there isn't a tangible current operation forcing us together, we still see this below-the-threshold challenge as a unifying purpose and our reason for keeping us strong and working together. I'm relatively confident that we are doing that. We're moving in the right direction, and we have a lot of people who built up a strong relationship forged on operations which will continue to endure and develop over the years to come. **CTC**

d Editor's Note: Lieutenant General Antonio Fletcher (U.S. Army) took command of NATO Special Operations Headquarters on October 15, 2021. "Fletcher Becomes 6th Commander for NATO Special Operations Headquarters," SHAPE NATO, October 17, 2021.

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The Iron March Forum and the Evolution of the “Skull Mask” Neo-Fascist Network

By H.E. Upchurch

The backbone of the “skull mask” transnational neo-fascist accelerationist network—whose nodes include terror groups such as Atomwaffen, the Base, and Feuerkrieg Division—is a group of organizations that grew out of Iron March, a neo-fascist web forum that was active from 2011 to 2017. The history of the Iron March network shows that violent extremist movements can develop from online communities even in the absence of a territorial base and without regular in-person contact between members. Iron March provided a closed social space where young neo-fascists who did not fit in well in established neo-fascist organizations could create a transnational collective identity. Eventually, Iron March users sought each other out in person and created local groups that remained networked together by virtue of their common origin in the community created on the web forum. The network’s transition from activism to terrorism was facilitated by the introduction of violent ritualistic initiation practices derived from the writings of the Order of Nine Angles, which helped to habituate members to violence as well as to create a sense of shared membership in a militant elite.

Most coverage of the neo-fascist accelerationist terrorist movement in the United States has, so far, treated the Atomwaffen Division as an umbrella organization and more recent groups such as The Base as its spinoffs. In the June 2021 issue of this publication, Alex Newhouse argued that, rather than an umbrella organization or the top of a hierarchical network, the Atomwaffen Division should be viewed instead as one node in a distributed transnational neo-fascist accelerationist network.¹ The backbone of this network is a group of organizations that grew out of Iron March, a neo-fascist web forum that was active from 2011 to 2017.

Iron March, an online forum that was operational between 2011 and 2017,² was the incubator and eventually the primary organizational platform for a transnational neo-fascist accelerationist terrorist network that includes National Action³ in the United Kingdom, Atomwaffen Division in the United States,⁴ and Antipodean Resistance⁵ in Australia. During the

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period when Iron March was active, a few existing neo-fascist groups, including the Nordic Resistance Movement^a in the Nordic countries and CasaPound^b in Italy, began to collaborate with other groups under the Iron March banner. At present, this network lacks an organization-level name: Affiliation is demonstrated through solidarity pledges and the use of common symbols, most importantly the black-and-white skull mask and badges based on the shield-shaped division insignia of the Waffen-SS, the military arm of the Nazi SS. The author refers to this terrorist network here as the “skull mask network” to distinguish it from the broader social and ideological network that grew up around Iron March.

The skull mask network’s ideology is a political-religious hybrid based in large part on the work of the philosopher Julius Evola. Evola mixed fascism with “Traditionalism,” a syncretic 20th century religious movement that combines Hermetic occultism^c with the Hindu doctrine of cyclical time and a belief in a now-lost primordial European paganism.⁶ Adherents of this blend of doctrines, which can be termed “Traditionalist fascism” believe that a caste-based, racially pure “organic” society will be restored after what they

- a The Nordic Resistance Movement is a neo-fascist organization with chapters in Finland, Sweden, Norway, and Denmark. Its members have been involved in gang assaults and violent protests. It is closely entwined with the black metal music subculture. See Tore Bjørgo and Jacob Aasland Ravndal, “Why the Nordic Resistance Movement Restrains Its Use of Violence,” *Perspectives on Terrorism* 14:6 (2020): pp. 37-48; Daniel Sallamaa and Tommi Kotonen, “The Case against the Nordic Resistance Movement in Finland: an Overview and Some Explanations,” C-REX (Center for Research on Extremism), November 2, 2020; Marko Hietikko Yle, “Näin Toimii Suomen Vastarintaliike,” Yle Uutiset, May 15, 2016; Kaisu Jansson, Riku Roslund, and Juha Rissanen, “Ylen Selvitys Paljastaa: Jopa Kahdella Kolmesta Natsijärjestö PVL:n Ja Soldiers of Odinin Näkyvimmistä Suomalaisjäsenistä on Rikostaustaa,” Yle Uutiset, December 3, 2018; and Tzvi Joffe, “Neo-Nazi Nordic Resistance Movement Targets Jews on Yom Kippur,” *Jerusalem Post*, September 20, 2020.
- b CasaPound is a militant Italian neo-fascist organization that follows the political philosophy of Julius Evola. CasaPound activists participate in violent protests more frequently than in targeted violence. See Caterina Froio, Pietro Castelli Gattinara, Giorgia Bulli, and Matteo Albanese, *CasaPound Italia: Contemporary Extreme-Right Politics* (London: Routledge, Taylor & Francis Group, 2020); Pietro Castelli Gattinara, Caterina Froio, and Matteo Albanese, “The appeal of neo-fascism in times of crisis: The experience of CasaPound Italia,” *Fascism: Journal of Comparative Fascist Studies* 2:2 (2013): pp. 234-258; and Tobias Jones, “The Fascist Movement that Has Brought Mussolini Back to the Mainstream,” *Guardian*, February 22, 2018.
- c Hermetic occultism draws inspiration from the Corpus Hermeticum, a collection of Greek magical treatises attributed to Hermes Trismegistus, and encompasses Western alchemy, Renaissance magic, and their modern derivatives. For further reading, see Nicholas Goodrick-Clarke, *The Western Esoteric Traditions: A Historical Introduction* (New York: Oxford University Press, 2008).

believe to be an ongoing age of corruption, the Kali Yuga,^d is swept away in an apocalyptic war, and that it is their role to hasten the end of the Kali Yuga by generating chaos and violence.⁷

Although there has always been cross-border contact between neo-fascist movements, most neo-fascist terrorist groups, such as The Order^e in the United States and the Black Brigades^f in Italy, have been local ethnonationalist organizations. The skull mask network internationalized without a territorial base because it began as a closed international social network and only turned to terrorist violence later in its development. This process is distinct from that by which an international network forms around a geographically bounded movement, as in the case of the Islamic State, and from the process by which disparate local organizations become networked online after face-to-face interactions between their members, as in the case of earlier U.S.-based white nationalist groups.^g

To understand the genesis of the skull mask terrorist network, it is necessary to explain both how the transnational movement came together without roots in a local territorial base, and how that network evolved toward clandestine terrorist violence. The first section of this article examines how the Iron March network acted as the online incubator of the skull mask terrorist network. The second section looks at how online members of the Iron March network built offline connections to other Iron Marchers in their vicinity and began to build in-person activist groups. Both these offline and online spaces acted as incubators for the skull mask network, the emergence of which is described in the third section of the article. The fourth section of the article examines the influence of the Order of Nine Angles on the training and indoctrination practices of the network, influences that contributed toward terrorist radicalization. The fifth section examines terrorist attacks

“The Iron March forum served as the incubator in which the strong group identity and interpersonal bonds necessary to sustain the skull mask terrorist movement developed.”

and plots by individuals within the skull mask network and the skull mask network terrorist groups that emerged after the closure of the Iron March forum. The final section offers some conclusions.

Most of the data on Iron March comes from a leak of the site’s SQL database, posted to the Internet Archive by an anonymous individual on November 6, 2019.⁸ Nothing is known about the identity of the leaker, although their Internet Archive username, “antifa-data,” implies an activist motivation.⁹ The Internet Archive removed the data shortly afterward, but it remains available via torrent links provided by Bellingcat.¹⁰ The leaked SQL database is a complete snapshot of the forum as it appeared shortly before the site went offline in November 2017, including the text of all public forum posts, complete logs of all private messages sent on the forum, and user registration data. Other data comes from websites and public social media accounts associated with Iron March-affiliated groups and individuals. Most of these accounts are no longer available online, having either been deleted by users or banned by the platforms.

Online Incubation: The Iron March Network

The Iron March forum served as the incubator in which the strong group identity and interpersonal bonds necessary to sustain the skull mask terrorist movement developed. Specialized online communities, whether focused on Traditionalist neo-fascism or on model trains, aggregate groups of people with shared interests and values, and facilitate the formation of both personal relationships and collective identities through sustained interaction over time, requiring only that members share a common language. In the Iron March case, the constraints of the web forum format, in particular the public visibility of forum posts and the slow pace of discussion, drove members who wanted to have private, real-time interactions to other platforms more suited to one-on-one conversation or discussion in small groups. This network of private groups served as the incubator for the common identity and strong social bonds necessary to maintain a transnational clandestine movement.

From the beginning, Iron March had a transnational userbase, although it is impossible to extract complete user statistics from available archives because Iron March did not retain information on accounts that were deleted or banned. Nevertheless, the posts and messages themselves provide a rough picture of the demographics of the Iron March userbase. Young people who congregated on Iron March described themselves as having grown up on social media, internet messaging, and image boards, largely disconnected from organized neo-fascism.¹¹ Those who became involved with the Iron March community made their way to its forums both from other online communities where extremist political expression was

d The Traditionalist concept of the Kali Yuga is derived from an idiosyncratic interpretation of the Hindu doctrine of the cycle of the four ages. In the first age, the Satya Yuga, humanity lives in harmony with the divine, but over the course of the rest of the cycle, human civilization is corrupted until in the last age, the Kali Yuga, humanity is completely corrupt and no longer has any contact with the gods. The Kali Yuga comes to an end in a cataclysm that wipes the slate clean and restores the harmonious relationship between humanity and the divine. In most Hindu philosophies, each age in the cycle is believed to be hundreds of thousands of years long. Traditionalists posit that they are much shorter, at most a few thousand years each. For further information, see Benjamin Teitelbaum, *War for Eternity* (London: Penguin Books, 2020).

e The Order was a neo-Nazi organization active in the United States from 1983 to 1984. The group was responsible for the murder of Alan Berg and for multiple armed robberies. See Kathleen Belew, *Bring the war home: the white power movement and paramilitary America* (Cambridge, MA: Harvard University Press, 2019).

f The Black Brigades was a loose confederation of militant neo-fascist groups active in post-war Italy. They were responsible for numerous terrorist acts including bombings and assassinations. See Anna Cento Bull, *Italian Neofascism: the Strategy of Tension and the Politics of Nonreconciliation* (New York: Berghahn Books, 2012); Donatella Della Porta, *Clandestine Political Violence* (Cambridge: Cambridge University Press, 2013); and Leonard Weinberg and William Lee Eubank, “Neo-Fascist and Far Left Terrorists in Italy: Some Biographical Observations,” *British Journal of Political Science* 18:4 (1988): pp. 531-549.

g Despite the existence of web forums like Stormfront, earlier neo-fascist and white power groups in the United States established inter-group collaboration primarily through face-to-face meetings at national conferences and at white power music events. See Robert Futrell and Pete Simi, “Free Spaces, Collective Identity, and the Persistence of U.S. White Power Activism,” *Social Problems* 51:1 (2004): pp. 16-42.



Image from recruiting material for Atomwaffen Fission, a Russian-speaking skull mask group

encouraged, like 4chan^h and Kiwifarms,ⁱ and from links shared on mainstream social media sites in the period before extremist content was extensively policed.¹²

Iron March began as the “International Third Positionist Federation” (ITPF) on June 26, 2010, when an unidentified individual created the forum under the username Kacen.¹³ ITPF ran on Bizhat, an India-based web hosting service that offered a ready-to-use forum template.¹⁴ ITPF showed no activity until April 2011, when Alisher Mukhitdinov created a forum charter and

discussion topics under the alias “Alexander Slavros.”¹⁵ In September 2011, the administrators of ITPF created Iron March on a new domain, “ironmarch.org,” using Invision Power Services web forum software.¹⁵ The same month, the administrators migrated ITPF’s data to the new Iron March domain, and shortly afterward, the ITPF forum was shut down. The reasons why “Slavros” and the other administrators migrated ITPF to Iron March and closed down ITPF are not known in detail, although in direct messages, an Iron March moderator using the screen name “Woman in Black” alludes to unspecified technical issues.¹⁶

The majority of users on both ITPF and Iron March were English-speaking. ITPF had a section for regional topics, spanning nine European countries and the United States.¹⁷ Activity in the ITPF regional topics was heavily skewed toward anglophone countries. Russia, Norway, Germany, and Romania also showed significant activity in the five months during which ITPF was active.¹⁸ Individual user data is available for Iron March, where registrations

^h 4chan is a popular image board website where all users post anonymously by default. At the time of the creation of Iron March, political discussion on 4chan was not closely moderated. For a brief history of far-right activism on 4chan, see Jacob Siegel, “Dylann Roof, 4chan, and the New Online Racism,” *Daily Beast*, June 29, 2015.

ⁱ Kiwifarms is an internet forum that bills itself as a community “dedicated to discussing eccentric people who voluntarily make fools of themselves.” Stalking and online harassment campaigns routinely originate on the site. For further information, see Margaret Pless, “Kiwi Farms, the Web’s Biggest Community of Stalkers,” *Intelligencer*, July 19, 2016, and “Christchurch Mosque Shootings: Website Kiwi Farms Refuses to Surrender Data Linked to Accused,” *NZ Herald*, March 18, 2019.

^j The BBC’s Russian service identified Slavros as Alisher Mukhitdinov in January 2020. Little is known about Mukhitdinov’s activities either before or after the creation of Iron March. The author will refer to him throughout as Slavros because most primary and secondary sources do so. Andrey Soshnikov, “[“Half Russian”: the story of Muscovite Alisher Mukhitdinov and his global fascist network],” *BBC*, January 30, 2020.

from IP addresses located in Anglophone countries dominate.^{19 k} In the Iron March database, the Netherlands, Germany, Sweden, and Brazil lead IP registrations from non-Anglophone countries.²⁰ The Anglophone majority may be the result of the founders' choice to use English as their common language and of the site's English-language display and navigation settings.²¹

The constraints of the web forum format, in particular the public nature of discussion and the asynchronous and often slow response times, drove members who wanted to have private discussions to other platforms that were more suited to one-on-one conversation or discussion in small groups. The forum's messaging system was limited: Users discussed moving to dedicated chat platforms because of unspecified constraints, probably a limit to the number of private messages that could be sent per day.²² In private messages, users exchanged email addresses, phone numbers, Facebook profiles, and contacts on messaging services like MSN messenger, Skype, and internet relay chat.²³ Logs of conversations that moved off Iron March are, unfortunately, largely unavailable, but the move from public to private communication affords greater opportunity for members of a specialized group to form personal relationships with others who share the same values. Private message logs from Iron March show that members regularly contacted one another to initiate one-on-one communication after both friendly exchanges and disagreements on public threads.²⁴ In some cases, these discussions stayed in Iron March's message system, but often Iron March users quickly moved to other platforms offering instant messaging and voice chat functions.²⁵

Messages exchanged by Iron March users allude to a wide range of small online groups orbiting Iron March, which developed as Iron March users formed personal connections. These communities provided opportunities for socialization to group norms and for defining the ideology and aesthetic of the group. Users describe the IronSkype Skype chatroom organized by the Iron March founder "Slavros"²⁶ as extremely active and as the primary way that Iron March members built personal relationships.²⁷ The Skype group had a text channel where users could chat whenever they were online, and organized video calls in which members talked over webcams.²⁸ No records from IronSkype are available, but Iron March users regularly reference discussions that took place on IronSkype. Political debates were common, as were organized prank calls, some of which were archived for later listening.²⁹ One user described it as "quite a bit more tight-knit than the forum" since new members had to be added by someone who was already in the Skype group, so anyone who wanted to be added would first have to cultivate personal relationships with other Iron March users.³⁰

These small, interactive online spaces also fulfilled some of the functions of in-person spaces, offering private settings in which Iron

“Over time, Iron March members began to seek out fellow Iron Marchers who lived nearby and with whom they could engage in offline activism, forming local groups networked together by their common origin on the Iron March forum.”

March members could explore shared interests and form personal relationships without meeting offline.³¹ Private messages show that Iron March users engaged in a broad range of both recreational and ideological activities together in small online groups. One user reached out to another to ask him to join a small study group conducted via Facebook.³² Users in the United Kingdom and United States collaborated remotely on an online journal called ATTACK, organized and edited by future National Action co-founder Ben Raymond who went by the screen name "Benjamin Noyles" on Iron March.³³ A group of users on the U.S. East Coast organized an online tabletop role-playing game group in which Iron March users played Dungeons & Dragons and a Star Wars game together.³⁴ Over time, a distinctive subculture developed out of both the public interactions on the Iron March forums and the private relationships formed in smaller Iron March-linked online spaces. These interactions laid the foundation for the Iron March network's eventual transition to localized in-person activism, establishing the common subcultural identity necessary for local groups to cohere.

Offline Incubation

The formation of national- and local-level organizations that engage in real-world activism was the second step in the formation of the skull mask network. Offline activism was strongly encouraged by Iron March leadership, but members of the Iron March community appear to have been alienated from existing local neo-fascist organizations because of ideological differences, intra-movement conflict about tactics, and cultural differences between members of established neo-fascist organizations and young people steeped in internet-based subcultures.³⁵ The lack of existing in-person groups that fit their culture and ideology drove members of Iron March's geographically dispersed online community to create a new network of local, in-person groups. Over time, Iron March members began to seek out fellow Iron Marchers who lived nearby and with whom they could engage in offline activism, forming local groups networked together by their common origin on the Iron March forum.

Slavros created Iron March to fill a particular niche in the online neo-fascist ecosystem, which lacked a community for "21st century Fascists," that is, a younger generation of adherents to Traditionalist neo-fascism.³⁶ The Iron March community defined

k Individual user data is incomplete as banned and deleted accounts were wiped from the database so that the data only reflects the userbase when it was downloaded in late 2017. The user registry shows that 15,218 user accounts existed at some point in time, but of these, only 1,207 are represented in the account database. Sign-up did not require users to give their location: Only the IP address from which users registered their accounts was logged. However, if users created accounts from behind a VPN or other proxy, their IP address may not have reflected their true location. A few IPs from the Middle East and Asia-Pacific appear in the database, but it is unclear if these reflect member locations or proxy exit nodes. For all these reasons, the Iron March core members database provides a very imperfect picture of the geographical distribution of the site's users, but it is also the only data available.

itself in opposition online forums such as Stormfront^l and to groups such as the British Nationalist Party, looking instead to define a new movement that embodied the ideology that had evolved on Iron March.³⁷ Iron March members typically claimed to have loose familiarity with but no serious involvement in prior movements: They had gravitated toward Iron March because of an interest in Traditionalist fascist politics, and those who looked for in-person organizations to join were usually unable to find one that fit their values.³⁸ In public posts and private messages, Iron March members expressed disdain for existing online forums such as Stormfront and for groups such as Nick Griffin's British National Party (BNP) and American white nationalists in general, in whom the Iron March members diagnosed a fixation on race to the neglect of the political organization of a future fascist state.³⁹ Various Iron March members also found the existing neo-fascist movement to be at best indifferent to young people. One member recounts joining the BNP at 16, only to find out that the youth front in which he had been hoping to participate did not really exist.⁴⁰

In forum posts and in private messages, a number of Iron March members referred to failed attempts to start fascist organizations on their college campuses or in their hometowns before they joined.⁴¹ The incubation of local groups occurred in parallel with the formation of personal ties between Iron March members and the creation of informal online social spaces. From the beginning, Iron March members reached out to others who lived nearby, looking both for friendship and political alliances.⁴² Users regularly discussed aspirations to create in-person organizations ranging from militant cells to think tanks to social clubs.⁴³ Meanwhile, both in the Iron March forum and in private Iron March messages, users tried to make contact with other members in the same geographic area.⁴⁴ The forum moderators actively encouraged this by creating dedicated sub-forums for any country with enough active Iron March members interested in that country to sustain discussion.⁴⁵

The new Iron March groups were already networked together because of their common origin on the forum, which continued to fulfill its prior role as a space in which ideology and aesthetic values were defined even as it also became the locus of collaboration between the new in-person groups. It is clear from the private message logs that the founders of National Action, Atomwaffen Division, Skydas (a Lithuanian group), and Antipodean Resistance were in regular contact with each other both on Iron March and on other online services.⁴⁶ Members saw the groups as an extension of Iron March: By 2017, official Iron March materials created by the site administrators to promote groups founded by Iron March members divided the Iron March Global Fascist Fraternity into affiliated groups, directly created either by Iron March members or through Iron March-related activity, and supported groups with which Iron March members sympathized and which in some cases had membership overlap with Iron March.⁴⁷

The Emergence of the Skull Mask Network

The first successful local group to emerge from Iron March was

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National Action in the United Kingdom, founded in 2013 by Ben Raymond and Alex Davies.^{48 m} In the Iron March topic Raymond created to promote National Action, he and his co-founder rejected electoral politics and instead stated their aspirations to create a militant neo-fascist youth subculture.⁴⁹ National Action took a two-pronged approach to recruitment, sending members to hand out flyers and canvass on university campuses while also reaching out to U.K.-based Iron March members through the Iron March private message system and through other Iron March-linked online spaces such as the Skype groups.⁵⁰ National Action organized a range of spaces, including book groups, hiking groups, martial arts clubs, and survivalist trainings.⁵¹ Raymond made organizational decisions that suggest he may have been preparing from the beginning for clandestinization: National Action did not retain membership lists,⁵² and on Iron March, he discussed the need to keep “hotter stuff” anonymous,⁵³ although it is unclear if this is in reference only to extreme propaganda or to other activities as well.

Encouraged by National Action's success, Iron March users across the world began setting up their own local groups using the National Action model, but to the author's knowledge during the period from 2011 to 2017 while Iron March was active, this occurred only where ideologically compatible groups did not already exist. In the few places where ideologically compatible groups already existed, Iron March members in search of in-person activism joined these groups instead. In Italy, Greece, and the Nordic countries, Iron March members found their way to preexisting neo-fascist groups such as CasaPound, Golden Dawn, and the Nordic Resistance Movement, respectively.⁵⁴

Based on the experiences of the Iron March members who founded National Action, the Iron March leadership drew up

m National Action was proscribed as a terrorist organization in 2016 after expressing support for the murder of Member of Parliament Jo Cox. Raymond was convicted in 2021 of being a member of National Action and sentenced to eight years in prison. Davies has been charged with membership in National Action and is to stand trial in 2022. Jessica Elgot, “Neo-Nazi Group National Action Banned by UK Home Secretary,” *Guardian*, December 12, 2016; “National Action: Ben Raymond Jailed for Eight Years,” BBC, December 3, 2021; “National Action: Neo-Nazi Group Co-Founder to Stand Trial,” BBC, June 25, 2021.

l Stormfront is a neo-Nazi web forum that has been in operation since 1995. See “Stormfront,” Southern Poverty Law Center, accessed December 6, 2021, and Kevin C. Thompson, “Watching the Stormfront: White Nationalists and the Building of Community in Cyberspace,” *Social Analysis: The International Journal of Social and Cultural Practice* 45:1 (2001): pp. 32-52.

activist manuals to assist other members who were interested in starting local in-person groups.⁵⁵ The private message logs show that Iron March members coordinated directly with National Action activists in setting up Atomwaffen Division in the United States, Skydas in Lithuania, and Antipodean Resistance in Australia.⁵⁶ The founders of these new groups received endorsements, advice on organizational matters, assistance with websites and donation drives, and even propaganda design from the Iron March moderators.⁵⁷

Atomwaffen Division was officially announced on Iron March on October 12, 2015,⁵⁸ by Brandon Russell, who went by the screen name “Odin” on Iron March.⁵⁹ Russell claimed that Atomwaffen already had around 40 members at the time of the announcement.⁶⁰ Iron March founder “Slavros” subsequently created a dedicated thread for Atomwaffen on Iron March,⁶¹ where much of Atomwaffen’s recruitment took place.⁶² Atomwaffen’s subsequent organization took place on Discord.⁶³

Antipodean Resistance was first announced on Iron March on October 10, 2016, in a post that encouraged Iron March users in Australia to reach out to users “Xav” and “Kehlsteinhaus,” or to contact an email address associated with the new cell.⁶⁴ Concurrent threads in the private message logs show that while Antipodean Resistance recruited from Iron March, day-to-day organizing took place on a dedicated Discord server.⁶⁵ Subsequent outreach occurred on The Daily Stormer⁶⁶ as well as on Twitter.⁶⁷

The Order of Nine Angles and Terrorist Radicalization

Competition with existing groups in the broader neo-fascist movement drove the creation of local Iron March-affiliated groups, but this is not a sufficient explanation for why the Iron March social network produced the skull mask terrorist network rather than a non-violent activist network or militant street gangs. Most militant groups who engage in terrorism are originally socialized to violence in the course of other forms of violent conflict with the state or other activists, usually violent mass protest or guerrilla warfare.⁶⁸ However, the majority of Iron March users had no background in militancy, and many were new to organized politics. The skull mask network’s transformation into a clandestine terrorist network coincided temporally with the introduction of the Order of Nine Angles (O9A) worldview into the groups’ ideological influences.

The O9A is a occultist currentⁿ founded by David Myatt in the late 1960s in the United Kingdom.⁶⁹ The O9A shares with other pagan neo-fascists a belief in a primordial spirituality that has been supplanted by the Abrahamic faiths.⁷⁰ Its doctrines are apocalyptic, predicting a final confrontation between monotheistic “Magian” civilization and primordial “Faustian” European spirituality.⁷¹ The skull mask network groups are not religiously monolithic, and most accept members who are not O9A adherents, but O9A philosophy has had a strong influence on the culture of the network. The O9A texts emphasize solitary rituals⁷² and the sense of membership in a superhuman spiritual elite.⁷³ The O9A texts do not make social or financial demands on new adherents.⁷⁴ Psychological commitment

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is instead generated through secrecy and the challenging, sometimes criminal, nature of the initiatory and devotional rituals.⁷⁵ Because the rituals are solitary and self-administered, they create a set of shared ‘transcendent’ experiences that enhance group cohesion without the need for members to be geographically close to each other. Its leaderless structure and self-administered initiations make the O9A worldview uniquely well-suited to spread through online social networks, while the ritual violence used in O9A religious ceremonies contributed to the habituation of individual skull mask network members to violence.

It remains unclear exactly how and when the Iron March community was introduced to O9A ideology and devotional practice. Most likely, it was through the influence of Ryan Fleming, a longtime O9A adherent who has written several O9A texts under the pseudonym A. A. Morain⁷⁶ and was known as “Atlas” on Iron March. He subsequently went on to become a member of National Action, for whom he organized survivalist training. In early 2021, Fleming was jailed for unsupervised contact with children. He had previously been convicted of the sexual abuse of children.⁷⁷ Fleming was responsible for the first mention of O9A on Iron March, in a private message dated May 9, 2015.⁷⁸ In a subsequent message dated October 25, 2015, he offered to put another user in contact with Tempel ov Blood, an American O9A-affiliated group based in South Carolina.⁷⁹ Fleming and Iron March founder “Slavros” subsequently came into conflict over the growing popularity of O9A amongst Iron March members involved in local skull mask network groups because Slavros considered O9A practices to be “degenerate.”⁸⁰ On Iron March, interest in O9A appears to have remained marginal until the end of 2016 or the beginning of 2017.⁸¹

Several O9A-affiliated groups had become influential in the skull mask network by the time Iron March went offline in 2017. It is difficult to determine the size of these groups, but most appear to be small, with perhaps dozens of members at most.⁸² Atomwaffen Division was closely associated with the U.S.-based O9A affiliate Tempel ov Blood. National Action was linked to the U.K. O9A affiliate Drakon Covenant. Antipodean Resistance in Australia was involved⁸³ with Kerry Bolton’s Black Order⁸⁴ and the Temple of THEM.⁸⁵ Finally, the Nordic Resistance Movement also has a long history with O9A that predates its ties to Iron March. Haakon Forwald, head of the Norwegian branch from 2010 to 2019,⁸⁶ was a devotee of a Scandinavian O9A current⁸⁷ variously known as the Misanthropic Luciferian Order, the Temple of Black Light, and Current 218.⁸⁸ The magazine of the Finnish branch of the Nordic

ⁿ The O9A is often erroneously described as “Nazi satanism” based on a superficial reading of some of the texts used in the first level of initiation. A detailed examination of the history and ideology of the O9A is beyond this article’s scope, but its ideological roots lie with Aryanist neo-pagan currents in interwar Germany.

Resistance Movement featured articles on O9A spiritual practices and on the work of Kerry Bolton of the Black Order.⁸⁹

Despite O9A's emphasis on individual development, in practice O9A adherents find each other through blogs and social media, and form relationships on the basis of common values and experiences, just as members of other subcultures do. The O9A's diffusion through online communities is further facilitated by its permissiveness toward innovation and variation.⁹⁰ Presumably to ensure that the O9A remains decentralized, no individual has publicly claimed authorship of the early O9A texts. The texts stress that the validity of the "O9A tradition" comes not from its status as a tradition, but from its ability to produce certain effects on its devotees.⁹¹ Someone interested in O9A but already committed to another esoteric religious tradition like Norse paganism or a Vedic religion need not abandon their existing practice to explore O9A: Small publishers run by O9A practitioners have brought out books and zines that discuss borrowing ritual practices from other religions as disparate as Vajrayana Buddhism, Shaivite Hinduism, Norse paganism, and Greek Gnosticism, while O9A artists' work often draws on similar sources.⁹² The result of this flexibility is the multiplication of new texts and groups that draw on the O9A corpus but display considerable variation in aesthetics and ritual techniques, accelerating the diffusion of the ideas and practices through online neo-fascist spaces.

The O9A's devotional and initiatory practices involve violence against both the self and other initiates.⁹³ These practices closely resemble violent spiritual practices employed by Aum Shinrikyo⁹⁴ and Ugandan militant groups⁹⁵ to create a sense of shared complicity in violence and isolation from the outside world. Early O9A texts recommend methods of generating altered mental states through extreme fasting, physical exertion, and sensory deprivation.⁹⁶ Tempel ov Blood, the American O9A affiliate based in South Carolina, produced new texts and ritual formulas, all of which included more violence than the original O9A texts. Tempel ov Blood texts refer explicitly to Aum Shinrikyo as an example to be emulated.⁹⁷ Aum Shinrikyo's rituals involved considerable physical and psychological violence: Some initiates were confined in small cells and dosed with drugs,⁹⁸ and others were hung upside down for a prolonged period, then doused in extremely cold water.⁹⁹ Tempel ov Blood's solitary devotional practice has involved ritualized self-harm in the form of self-flagellation and bloodletting.¹⁰⁰ Photos posted to Tempel ov Blood-affiliated blogs and social media accounts show adherents cutting themselves and smearing their blood on devotional texts and ritual objects.¹⁰¹ In settings where multiple Tempel ov Blood adherents have been able to gather, devotional practices have included intra-group ritual violence.¹⁰² Tempel ov Blood visual propaganda, which spread across the skull mask network through Atomwaffen Division and the Drakon Covenant, has shown members inflicting various forms of violence, including waterboarding, on each other in a ritualized setting.¹⁰³

Both the early O9A texts and the more recent material from Tempel ov Blood presented violence against outsiders as aspirational for initiates. The early texts encouraged "human sacrifice" in the form of the murder of individuals selected either on the basis of purported character defects—early O9A texts gave as an example a juvenile delinquent who assaults and robs an elderly WWI veteran¹⁰⁴—or because their death is seen as contributing to the decadence and collapse of the "Magian" system. The Tempel ov Blood texts explicitly encourage terrorism and assassination rather

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than ordinary crime, both as a devotional practice and as a means of achieving the temporal goals of the O9A.¹⁰⁵

It is unknown whether skull mask network members have carried out attacks based on the instructions in the early O9A texts, although it is possible that the January 2018 murder of Blaze Bernstein allegedly by Atomwaffen Division member Sam Woodward was one such crime. The murder took place after a change in the Atomwaffen Division's leadership: James Cameron Denton took over the group after Brandon Russell's arrest in 2017,¹⁰⁶ and had steered the group toward closer involvement with the O9A. Atomwaffen Division was already starting to lose membership as those uncomfortable with O9A left the organization,¹⁰⁷ and the process accelerated after the details of the murder became public.¹⁰⁸ The O9A texts on the murder of "unworthy" individuals require that the would-be murderer observe their target over time and present them secret "tests" to determine their suitability.¹⁰⁹ The crime is supposed to remain secret, either covered up or made to appear random.¹¹⁰ Woodward's actions bear close resemblance to these instructions: He allegedly cultivated a relationship with Bernstein under false pretenses before the murder, and attempted to hide Bernstein's body rather than publicize the crime as an act of terrorism.¹¹¹ Prosecutors allege that Woodward selected Bernstein as a victim because Bernstein was gay and Jewish.¹¹² Further information will likely emerge in the course of Woodward's trial, set for March 2022.¹¹³

Skull Mask Terror

The Iron March forum was active from 2011 until November 2017, when it was suddenly taken offline. Three premeditated violent plots conclusively linked to Iron March were disrupted during the period from 2011 to 2017 while the forum was online. The majority of skull mask-linked terrorist activity has occurred after the disappearance of Iron March. The administrators' motives for taking the site offline are unknown. Slavros provided no explanation for his actions when he took down Iron March in November 2017, and he has not been heard from in any public forum since.¹¹⁴ The majority of Iron March-linked terrorist activity has been driven by skull mask network groups committed to violence, not merely by radicalized individuals within the network. Skull mask network members involved in terrorist plots were often members of local cells. Skull mask network members who planned attacks as individuals were still in close contact with groups that reinforced their commitment to violence even if, for security reasons, the group

was not made aware of the details of the plot.

The first plot linked to Iron March was disrupted in 2015 when Iron March member Lindsay Souvannarath and an accomplice were arrested on their way to carry out a mass shooting at a shopping mall in Halifax, Nova Scotia. Souvannarath was allegedly in an online romantic relationship with Alexander Slavros at the time of her arrest.¹¹⁵ Souvannarath pled guilty and was sentenced to life in prison in 2018.¹¹⁶ Despite Souvannarath's clear ties to neo-fascist extremist movements, Canadian authorities did not charge the plotters with terrorism, with then Federal Justice Minister Peter MacKay stating that "the attack does not appear to have been culturally motivated, therefore not linked to terrorism."¹¹⁷ However, Souvannarath has said she intended to kill people she considered racially inferior and that she wanted to spread fear in mainstream society, but her accomplice was not an Iron March member and appears not to have shared Souvannarath's ideological motivations.¹¹⁸ Souvannarath has since written several letters to James Mason, a neo-Nazi author whose book *Siege* has been an important influence on Atomwaffen Division.¹¹⁹

In May 2017, Atomwaffen Division founder Devon Arthurs allegedly shot Jeremy Himmelman and Andrew Oneschuk during a dispute over Arthurs' recent conversion to salafi Islam.¹²⁰ Arthurs and his Atomwaffen Division co-founder Brandon Russell were living in Tampa Palms, Florida, in a shared apartment with Himmelman and Oneschuk at the time of the murders.¹²¹ Russell, a member of the Florida National Guard, had returned from weekend training to find Himmelman and Oneschuk shot dead.¹²² Tampa police had already arrested Arthurs and let Russell go, believing him to be uninvolved in the crime.¹²³ Before he was released, Russell had warned police that there were supplies for model rocketry stored in the apartment.¹²⁴ Arthurs, however, told detectives that Russell was collecting bomb-making materials and had been planning to blow up power lines and government buildings.¹²⁵ During a search of the garage, the FBI found a cooler full of HMTD, explosives precursors, and other bomb-making supplies belonging to Russell.¹²⁶ Russell was apprehended the following morning with two rifles he had purchased after his release.¹²⁷ Russell has since been convicted on explosives charges. Arthurs, who has been diagnosed with schizophrenia and autism, has been found to be incompetent to stand trial.¹²⁸

A National Action member was responsible for the third and last plot linked to Iron March before the site went offline. In fall 2017, Jack Renshaw of National Action was arrested in connection with a plot hatched in July of the same year to assassinate Member of Parliament Rosie Cooper.¹²⁹ Renshaw told prosecutors his plot was inspired by the murder of Jo Cox by far-right extremist Thomas Mair in 2016 and that he targeted her because of her pro-immigration views.¹³⁰ Renshaw pleaded guilty and was convicted in 2019.¹³¹

Since Iron March went offline, the network's online propaganda infrastructure has migrated to Telegram, an encrypted messaging app favored by the Islamic State and other jihadi groups. Deprived of Iron March as a centralized platform, the skull mask network turned to encrypted messaging services to collaborate on propaganda design, disinformation campaigns, weapons manufacture, and attacks. It remains unclear whether strategy is coordinated among network-level leaders or if all decisions are left to the discretion of local cells.

New skull mask network nodes have been founded since the end

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of the Iron March forum. The post-Iron March skull mask network is much more fluid, with groups forming and dissipating quickly in response to law enforcement actions.¹³² As Alex Newhouse has outlined in this publication, the post-Iron March skull mask network is not strongly hierarchical: Individual groups have internal hierarchies, but network-level cohesion is maintained through shared aesthetic and ideological commitments and through overlaps in membership rather than through top-down organization.¹³³ The Base and Feuerkrieg Division were the largest and most active nodes to emerge after the disappearance of Iron March.

The Base

The Base was founded in late 2018 by Rinaldo Nazzaro, an American living in Russia.¹³⁴ The Base had members across the United States, organized into two- or three-person local cells.¹³⁵ The group also recruited in Canada and Australia.¹³⁶ The group purchased land outside Republic, Washington, where they intended to conduct weapons and survivalist training.¹³⁷ Some members of The Base were O9A adherents, and the group's propaganda channels sometimes featured O9A imagery.¹³⁸ One in-person meeting in Georgia featured a Norse-themed ritual sacrifice of a stolen ram and the consumption of LSD.¹³⁹ In January 2020, the three members of The Base who formed the group's Maryland cell were arrested on their way allegedly to stage a mass shooting at a gun rights rally in Richmond, Virginia.¹⁴⁰ They allegedly hoped to create chaos and generate more violence by setting off a shootout between Virginia law enforcement and the heavily armed gun rights activists.¹⁴¹ The same week, the three members of the Georgia cell were arrested over an alleged plot to assassinate a local couple that was involved in anti-fascist activism.¹⁴²

Feuerkrieg Division

Feuerkrieg Division was founded in late 2018 by a then 13-year-old Estonian boy known only by his online alias, "Commander."¹⁴³ Feuerkrieg Division propaganda sometimes included O9A iconography, and several members were O9A adherents.¹⁴⁴ Feuerkrieg Division shared members with The Base and with Atomwaffen, and when Commander stepped down as the leader of Feuerkrieg Division in 2020 after action by Estonian law enforcement, Atomwaffen Division member Taylor Parker-Dipeppe took over leadership of the group.¹⁴⁵ Members of Feuerkrieg Division

were responsible for numerous terrorist plots in Europe and the United States. A man linked to the Feuerkrieg Division, Jarrett William Smith, who at the time was a U.S. soldier, was arrested in September 2019 and has pleaded guilty to charges of distributing bomb-making materials.¹⁴⁶ Smith was an adherent of Current 218, the Scandinavian O9A affiliate to which Haakon Forwald of the Nordic Resistance Movement also belonged.¹⁴⁷ Smith also had ties to the Azov Battalion, a neo-fascist Ukrainian paramilitary group.¹⁴⁸ In August 2019, Conor Climo of Feuerkrieg Division was arrested after allegedly telling an undercover FBI agent that he planned to bomb a synagogue or a gay bar in Las Vegas.¹⁴⁹ Climo has pleaded guilty to weapons charges.¹⁵⁰ In September 2019, a 16-year-old British member of Feuerkrieg Division was arrested in connection with a plot to firebomb synagogues.¹⁵¹ Court documents allege that this boy was involved in neo-Nazi Satanism but do not mention O9A by name.¹⁵²

Smaller skull mask groups have also planned terror attacks and, in one case, have attempted to create cross-ideological coordination with jihadis. Ethan Melzer,^o a private in the U.S. Army, was arrested in Italy in summer 2020 for his alleged involvement in a plot to attack an overseas U.S. military base.¹⁵³ Prosecutors allege that Melzer was affiliated with O9A and with a small skull mask group called Rapewaffen, about which little is known.¹⁵⁴ His O9A associates claim to have been in contact with al-Qa'ida operatives who were meant to assist with the attack.¹⁵⁵

Conclusion

Iron March served as the incubator in which the ideologies, aesthetics, and interpersonal bonds necessary to sustain the skull mask network developed. Frustrated at the lack of compatible local groups to join, Iron March users created their own local

^o In June 2020, Melzer was indicted for terrorism offenses. The case is ongoing. "U.S. Army Soldier Charged with Terrorism Offenses for Planning Deadly Ambush on Service Members in His Unit," U.S. Department of Justice, June 22, 2020.

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organizations that were networked from the beginning by their common origin on the forums. Later, the introduction of O9A rituals provided a convenient method for habituating members to violence and creating a shared sense of commitment to militancy. Together with constant communication among members, these factors allowed the network to survive the loss of Iron March as an organizing platform and the subsequent transition to a more diffuse mode of organizing.

The survival since 2017 of the skull mask network, despite the loss of Iron March as an organizing platform, shows that takedowns of public, centralized, online organizing platforms are not necessarily enough to disrupt violent extremist networks if members have already formed strong social connections that can survive the migration to other communication services. Even after a group loses its centralized platform and disperses across small groups on encrypted messaging services, the social connections necessary to repair the network after de-platforming can persist as long as enough individuals are able to maintain membership in multiple nodes in the network. Disrupting the skull mask network will depend on breaking down the social bonds that connect members at the individual level, not merely on closing down centralized platforms.

Because of its origin as a geographically dispersed online community, the post-Iron March skull mask network is not dependent for survival on any one node, however large or prolific. The skull mask network began online and produced local organizations only after members had already developed a collective identity based on their online associations. The local groups have proved transient, but the skull mask network's collective identity persists, allowing the network to evolve in response to external pressure from law enforcement. It remains to be seen whether, over time, the free movement of individual members between skull mask groups will be enough to sustain the network or whether pressure from law enforcement and the lack of a centralized online organizing platform will lead to fragmentation and siloing as skull mask groups close themselves off to forestall infiltration and prosecution. **CTC**

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Holding Women Accountable: Prosecuting Female Returnees in Germany

By Sofia Koller and Alexander Schiele

This article examines the criminal justice approach to prosecuting women who left Germany during the last 10 years to join terrorist organizations in Syria and Iraq, including the Islamic State, and returned. In 2018, the German Federal Court of Justice (BGH) ruled that presence in Islamic State territory alone was not enough to constitute membership in a terrorist organization, complicating criminal prosecution of female returnees in Germany. In response, German prosecutors have been using both national and international law to charge and convict female returnees for carrying weapons or looting, which in turn supports their argument that women have indeed been members or supporters of a terrorist organization. This has helped them hold female returnees to Germany responsible for their crimes. Of the more than 80 German adult female returnees, 22 have been charged as of December 2021. A total of 20 have been convicted of, for example, membership in or support of a terrorist organization, weapons violations, war crimes against property, and/or crimes against humanity, with the average sentence for female returnees of three years and 10 months.

Three years and 10 months.^a This is the average sentence that convicted women who traveled to Syria and Iraq to join jihadi organizations such as the Islamic State between 2011 and 2021 and returned (hereafter referred to as female returnees), have received in Germany as of December 2021. Since the military defeat of the Islamic State in Syria and Iraq, the German judiciary has been confronted with an increased number of foreign fighters^b returning from the conflict zone. So far, authorities have had more experience dealing with male returning foreign terrorist fighters (FTFs).¹ However, while at least 13 percent of all foreigners who joined the

Islamic State were female, there is less experience with prosecution of female returnees.² Women were often perceived as passive victims who were lured into joining a terrorist organization by men, as less ideological and less dangerous.³ With more information on the actual role of women within the Islamic State coming to light, this understanding is slowly changing.⁴ Jennifer W. is a case in point. On October 25, 2021, she was sentenced to 10 years in prison for membership in a foreign terrorist organization, aiding and abetting murder by omission, and crimes against humanity with fatal consequences. After joining the Islamic State in summer 2014, she did nothing to prevent the death of a Yazidi “slave” girl who her husband hanged on a fence as punishment.⁵

This article examines the criminal justice approach to prosecuting women such as Jennifer W. who left Germany between around 2011 and 2021 to join terrorist organizations in Syria and Iraq, including the Islamic State, and returned. Dealing with female returnees poses new challenges for practitioners in law enforcement, prosecution, prison, and probation as well as rehabilitation. A focus on the convictions of female returnees sheds light on the criminal justice approach to female terrorists in Germany and how it has developed in recent years.

Before embarking on this research, the authors hypothesized that the prosecution of female returnees in Germany was still based on a rather limited understanding of the roles of women in extremism and terrorism: If they were only considered naive “jihadi brides” without real agency within a terrorist organization such as the Islamic State, then this would be reflected in a lack of

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a Calculation by the authors, based on press statements of the responsible prosecutors’ offices and courts as well as some media articles. See appendix.

b United Nations Security Council Resolution 2178 (2014) defines “foreign fighters” as “individuals who travel to a State other than their States of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training, including in connection with armed conflict.” Technically, this could also include women, but it appears that most women did not take part in these activities. “United Nations Security Council: Resolution 2178 (2014),” adopted by the Security Council at its 7272nd meeting, on September 24, 2014, U.N. Doc. S/RES/2178 (2014), p. 2.

prosecution and conviction for terrorism offenses.⁶ But this article makes clear this assumption was incorrect by presenting new data on German female returnees who have been charged and convicted for terrorism-related crimes. It uses open-source material such as official press releases from the Chief Public Prosecutor's Offices and news articles to provide insight into the publicly available information on the defendants, such as age, nationality, and charges as well as details of the conviction and the prison sentence.

After a short overview of the German foreign fighter phenomenon and existing research, this article introduces the existing German criminal justice framework to returning foreign fighters in general. It then outlines takeaways from the criminal proceedings against 22 German female returnees as of December 2021. In the final section, some preliminary conclusions are drawn and future research needs outlined. An appendix at the end of the article provides details about each of the 22 cases.

When Foreign Fighters Return

According to the German government, more than 1,150 persons have left Germany to join jihadi organizations, mostly the Islamic State in Syria and Iraq, since 2011.⁷ Around 25 percent of those who are known to have departed Germany have since lost their lives, and many are still missing.⁸ In Kurdish-managed camps in northeastern Syria, roughly 30 men and 22 women who previously resided in Germany and around 150 children^c are still said to be detained with thousands of other (former) Islamic State affiliates; nine German foreign recruits, six of them women, are said to be currently imprisoned in Iraq.⁹ Thirty-seven percent of the original travelers are estimated to have returned to Germany. The German government states that as of January 2021, they have information on 148 individuals who have at least temporarily joined the Islamic State and returned to Germany but the relevant statement does not differentiate between men and women.¹⁰ Based on an informal conversation between the authors and a representative of the German government in December 2021, there are more than 80 adult female returnees who have returned to Germany from the conflict zone in Syria and Iraq. Some women returned voluntarily quite early on, others in the last months of the caliphate. In addition, the German government has repatriated several women and children, most recently in October 2021.¹¹ This is also a consequence of several court decisions obligating the government to locate and repatriate certain German minors and their mothers.

Extensive research has been done on the (European) foreign fighters who have joined terrorist organizations such as the Islamic State and those that have returned.¹² Regarding Germany, researchers from the Bremen police have, for example, contributed an assessment of policies on returnees,¹³ and researchers at the International Centre for Counter-Terrorism have touched upon various issues such as the deprivation of nationality as a tool to deal with FTFs.¹⁴ In addition, the German Federal Criminal Police Office has conducted an extensive study on the profiles of German foreign fighters and is currently preparing one on returnees.¹⁵ Returnees present various challenges for their home countries, especially from a security perspective: While some are disillusioned, others might still adhere to extremist ideology and pose a security risk. Men

and boys have often received military training and have combat experience, but women are also known to have handled weapons.¹⁶

As evidence is not always available or cannot be used in court, charging and convicting returnees is challenging. Those who are not convicted but are deemed potentially dangerous have to be monitored by security agencies, which is very resource intensive. Not all returnees are open to engage in deradicalization and disengagement programs. In addition, if convicted, they still pose a threat in prison because they can potentially radicalize other inmates. So far, Germany, like other European countries, has had little experience in dealing with this specific group of potentially radicalized female inmates.¹⁷

Regarding women and girls traveling to the caliphate, most of the research so far has looked into their background, radicalization process, or motivation to depart as well as role within the Islamic State.¹⁸ German court records are far from easily accessible, and therefore, there is no equivalent to the tracking data provided by George Washington University's Program on Extremism, which tracks individual U.S. cases of Islamic State-related offenses since 2014.¹⁹ Even less research has been published on Germany's returning female foreign fighters.²⁰

In addition, there are few analyses of the prosecution of returning foreign fighters outside specialist journals, with one example of a non-specialist journal article being an article on gender stereotypes in trials of female returnees in Germany.²¹ One reason might be strict German data protection laws that make complete access to judicial court files quite challenging. The exact number of female foreign recruits and returnees is not publicly available. To the authors' knowledge, there is also no public overview of charged and convicted female returnees in Germany so far, which demonstrates the relevance of the findings presented in this article.

The Criminal Justice Framework

In some European countries, such as Belgium and France, FTFs can be tried in absentia.²² This means that a person can be charged and convicted for a crime while not being present in court. The person would have to serve their sentence upon return. Germany has another approach to the prosecution of both male and female foreign fighters, however, as convictions in absentia are not allowed.

There are two main offenses that are relevant for the criminal prosecution of all returnees: "membership in a foreign terrorist organization" according to §§ 129a, 129b of the German criminal code (Strafgesetzbuch or StGB) and "preparation of a serious act of violent subversion" according to § 89a StGB. Relevant in the context of FTFs are also § 22a of the "War Weapons Control Act" (KrWaffKontrG) as well as several violations of international law (VStGB), for example, "crimes against humanity" (§ 7), "war crimes against people" (§ 8), or "war crimes against property," such as looting (§ 9).

§§ 129a, 129b StGB covers membership in as well as support of a foreign terrorist organization. Membership is defined as an enduring participation in the organization combined with subordination to the group's intention. The person must also perform a supporting task within the group, which can range from fighting to being a paramedic to running a Telegram channel with propaganda. The activity that constitutes membership must support the organization's goals not just from the outside but from the inside.²³ Being a supporter refers to a person who is not an actual member of the group but has a supporting role. This includes, for

c These children were either born in Germany and taken to Islamic State territory by their parents, or born abroad.

example, collecting money or information or sharing self-made or existing propaganda with the aim of recruiting new members or supporters. In addition to these factors, the Federal Ministry of Justice and Consumer Protection has to “authorize the prosecution for acts committed for a foreign terrorist group.”²⁴ For example, acts committed for the Islamic State could only be prosecuted with §§ 129a, 129b StGB after this authorization was issued in January 2014.

In 2015, in the wake of the rising number of jihadi travelers from Germany and other Western countries and the adoption of U.N. resolution 2178 in 2014, the German parliament passed a law to adjust the criminal code to introduce criminal liability for providing funds for terrorist organizations as well as extending §89a StGB so that it encompassed preparation of a serious act of violent subversion (for example, acts of terror or training for acts of terror) in foreign countries as well as Germany.²⁵ This addition closed a liability gap: From this moment forward, traveling to Syria to join a terrorist group was punishable by law even if membership in a terrorist organization could not be proven.

In contrast to centralized approaches in countries such as the United Kingdom, the responsibility for nearly all terrorism investigations and prosecutions in Germany falls within the jurisdiction of the 16 German federal states. Only the prosecution of §§ 129a, 129b StGB offenses—and hence, prosecution of returnees—lies in the primary jurisdiction of the Federal Public Prosecutor General (Generalbundesanwalt or GBA).

However, due to the high number of cases, the GBA has delegated many of the cases to the chief public prosecutors of the federal states (Generalstaatsanwaltschaften or GenStA).²⁶ This concentration of knowledge helps prosecutors run investigations more efficiently and helps to consider all different aspects of possible applicable crimes.

While, in principle, there is no discrimination between male and female prosecution, the reality is different for female returnees as the case of German citizen Sibel H. shows. She and her husband were investigated by law enforcement for traveling to Syria and Iraq, and she was investigated for membership in the Islamic State according to §§ 129a, 129b StGB. In October 2017, the GBA requested an arrest warrant for Sibel H., who had returned from Islamic State territory in Iraq; it argued that she had supported the cause of the Islamic State by joining the organization and moving to its territory, even though she did not participate in any terrorist activity. This argumentation seemed to follow the simplistic understanding that the only support women could bring to a terrorist organization was as housewives and mothers. However, the German Federal Court of Justice (BGH) did not follow the prosecutor’s line of argument and declined the request in 2018: Living within Islamic State territory was not synonymous with membership in the group.^d Although it benefits the Islamic State that foreigners join their cause and travel and work in its territory, the BGH stated that as long as a person did not participate in any activity related to the terrorist organization, membership cannot be affirmed. Therefore, sympathizing with the Islamic State and living a life in the caliphate with their consent was not judged to equate to integration into the group nor membership in the terrorist organization.²⁷

d This ruling applied to both support as well as membership in a terrorist organization.

The BGH’s decision created a serious challenge for law enforcement and prosecuting authorities in how to handle returnees, especially females. From that moment onward, proving that a person had lived in Islamic State territory was no longer sufficient to secure a conviction for membership in or support of a terrorist organization.²⁸ As a consequence, German law enforcement needed to gather more evidence on activities of suspected jihadi travelers related to the terrorist organization, such as creating propaganda. Due to difficulties in obtaining this kind of information, this posed a real problem.²⁹

In addition, as Executive Director of the U.N. Counter-Terrorism Committee Executive Directorate (CTED) Michèle Coninsx stressed in 2018, it is especially important to “ensure that the collection, preservation, and sharing of evidence is done in accordance with all the conditions needed in front of court and for prosecutors and judges.”³⁰ Information on the activities of female travelers is even more difficult to come by than for males.³¹ The result has been that arrest warrants are often not issued for female foreign fighters immediately upon their return to Germany. However, if the return of a female foreign fighter is known to law enforcement, she can be stopped, questioned, and searched on arrival at the airport.³² As they build cases against female returnees, law enforcement must often rely on information provided by the traveler’s family, statements by fellow travelers, her own social media posts, or confessions. In this context, an important source of information has been the working group on returnees within the German Federal Criminal Police Office. This unit is responsible for all questions regarding German foreign fighters detained in Syria, Iraq, and Turkey who have an intent to return to Germany and organizes their repatriation and questioning.³³ Other important sources of information have been and continue to be official Islamic State documents, which provide not just an invaluable insight into the organization but also information on members of the group,³⁴ and battlefield evidence gathered during Operation Gallant Phoenix.^{35e}

Takeaways from German Criminal Proceedings

In Germany, starting an investigation only requires initial suspicion of a crime, but charging and convicting someone for a crime requires far higher burdens of proof. As of December 2021, German prosecuting authorities had charged 22 women who qualify as returnees, meaning that they were either German citizens or residing in Germany before traveling to join the Islamic State and have returned to Germany. Of those 22 women, 20 have been convicted by a German court as of December 2021. Not all but most of the 22 charged women were either allegedly or proven to be part of the Islamic State; one had instead joined the terrorist organization Jabhat al-Nusra in Syria and another one allegedly joined Jund al-Aqsa before joining the Islamic State. When comparing the date of return to Germany and the filing of charges (as well as start of the trial) of female returnees, the data supports the claim that there were differences in the prosecution of female as opposed to male returnees. Law enforcement was often able to

e “Operation Gallant Phoenix is an intelligence fusion centre established in 2013 near Amman, Jordan. It comprises a large number of countries and includes a variety of agencies, including law enforcement, military and civilian personnel. It enhances the ability of member nations’ to understand and respond to current, evolving and future violent extremist threats - regardless of threat ideology.” New Zealand Ministry of Defence website.

“As of December 2021, German prosecuting authorities had charged 22 women who qualify as returnees, meaning that they were either German citizens or residing in Germany before traveling to join the Islamic State and have returned to Germany. Of those 22 women, 20 have been convicted by a German court.”

arrest male returnees shortly after their return and prosecutors were able to immediately prepare charges against them. Contrary to that course of action, even though the first woman returned in 2013, it was not before February 2015 that charges were filed against a female returnee for the first time—Andrea B.—and the trial started three weeks later.^f Omaila A. was, for example, able to live several years in her hometown Hamburg after her return in 2016 before authorities arrested her and filed charges in March 2020.³⁶

There were essentially two waves of female returnees. The first three women came back to Germany before 2014, while the second wave started in 2016 lasting until today. Due to the concentration of returnees in some federal states, the chief public prosecutors of the federal states (GenStA) with the most cases either completed or ongoing are Düsseldorf (8) and Hamburg (4). Almost all convictions according to §§ 129a, 129b StGB happened after the 2018 BGH decision. It is also worth noting that none of the convicted returnees were convicted for the updated and expanded version of §89a StGB, as they had all traveled before it came into effect.

Before looking at sentencing, it is useful to examine the cases according to the different statutes used by German prosecutors.

Support and/or membership in a terrorist organization (§§ 129a, 129b StGB)

Despite the difficulties mentioned above, since the beginning of the conflict in Syria in 2011, out of the 20 convictions, 19 female returnees were nevertheless convicted for support or membership

in a terrorist organization according to §§ 129a, 129b StGB.^g The first conviction according to §§ 129a, 129b StGB was that of Karolina R., who was sentenced in June 2015 to three years and nine months for supporting a terrorist organization abroad; she had traveled to Syria to transport cash and cameras.³⁷ In the course of 2013, Karolina R. had stayed in Syria with her husband (according to ‘Islamic’ law) and son twice for several weeks but had never actually lived there.³⁸

Since the mere presence—assumed to be limited to the role of housewife and/or mother—does not, according to the 2018 BGH ruling, qualify as membership in a terrorist organization, law enforcement, prosecutors, and courts have had since then to use a different approach to be able to prosecute and convict female returnees according to the §§ 129a, 129b StGB statute.³⁹

Since 2018, this has included two options. One option is a new dogmatic understanding that has allowed prosecutors to argue that legal activities can still constitute membership in a terrorist organization when they are considered within a broader context, such as the intentional travel to Islamic State territory and marriage to an Islamic State member, taking children to the caliphate, or even following orders from someone with commanding authority within the Islamic State—for example, a husband or other local Islamic State commanders.⁴⁰

The other option has been to use statutes under both national and international law as a ‘backdoor’ for prosecutors to argue that the accused female returnee was indeed a member of a terrorist organization.⁴¹

War Weapons Control Act (§22a KrWaffKontrG)

Female Islamic State affiliates often carried weapons, making them liable under the War Weapons Control Act (KrWaffKontrG).⁴² Carrying a weapon may also indicate weapons training or the provision of the weapon from the terrorist organization, which prosecutors can argue then constitutes membership in this terrorist organization.

In a high-profile case, 36-year-old German national and widow of infamous German jihadi Denis Cuspert, Omaila A. was sentenced in two separate criminal proceedings in October 2020 and July 2021 to a total of four years in prison for membership in a terrorist organization, weapons violations, failing to properly care for her children as well as aiding and abetting in crimes against humanity.⁴³ The German attorney general had initially demanded a prison sentence of five years for Omaila A., which would have been the highest prison sentence for a female returnee at that time.⁴⁴

Eleven of the 20 convicted female returnees were convicted for

^f This gap at the time between date of return and indictment as well as start of the trial is probably linked to the above mentioned lack of or difficulty of compiling evidence against female returnees in general, evidence surfacing during trials against male returnees, a lack of experience with the prosecution of women for terrorism charges as well as a general perception that women had either been fulfilling domestic roles such as stay at home wife and mother of fighters’ children or naive victims of their husband who had lured or forced them to travel with them. However, a thorough analysis of the difference in prosecution between male and female returnees is still needed.

^g Only one of the 20 female returnee convicts, Andrea B., was not convicted according to §§ 129a, 129b StGB. She was convicted only for the abduction of minors. The charge of “preparing a serious act of violent subversion” could not be proven, and she was not even charged with the possible membership in Jabhat Al-Nusra. Andrea B. was the first female returnee to be convicted in the period considered in this article, her verdict was pronounced in 2015—three years before the 2018 BGH decision. Her conviction on only non-terrorism charges might have been the consequence of a lack of evidence, experience, or determination to prosecute women who returned from jihadi organizations for terrorism charges at that time. Oberlandesgericht München, “Strafverfahren gegen Andrea B. wegen Vorbereitung einer schweren staatsgefährdenden Gewalttat u.a. (Beteiligung einer deutschen Islamistin am syrischen Bürgerkrieg),” *Pressemitteilung* 7 (February 2015).

possession of a weapon of war, making this offense the second-most frequent crime for which female returnees were convicted.

War crimes against property (§9 VStGB)

Another circumstance that has repeatedly been used by prosecutors seeking convictions of female returnees is that foreign fighters and their families often received a house or apartment from the Islamic State. Prosecutors have argued this should be considered a case of occupation of residential properties or ‘looting by residing,’ a crime against international law and thus the German Code of Crimes against International Law (§9 VStGB). Prosecutors argue that getting a residential property from the Islamic State or other terrorist group constitutes membership in the terrorist group.⁴⁵ This argument was first successfully used in the trial against Sabine Sch. in 2019, and she was sentenced for five years under §9 VStGB in conjunction with §§ 129a, b StGB.⁴⁶ The BGH has since usually followed (i.e., accepted) the prosecutor’s argumentation. In total, eight of the 20 convicted female returnees were convicted for ‘looting by residing.’ All eight of these convictions happened after the 2018 BGH decision which supports the argument that German prosecutors are creatively turning to using other statutes to prove membership in a terrorist group.

Crimes against humanity or war crimes (§ 7 or § 8 VStGB)

Beside ‘looting by residing,’ other violations against international law can be applied by prosecutors to female returnees, such as crimes against humanity or war crimes against persons. These convictions are mostly linked to the enslavement, torture, and killings of Yazidis by the Islamic State and its members. As of December 2021, Sarah O., Omaima A., Jennifer W., Nurten J., and Carla-Josephine S. were convicted according to § 7 VStGB (crimes against humanity) or § 8 VStGB (war crimes). The highly publicized case of Jennifer W., who allowed a Yazidi girl to die of thirst, ended with the highest prison sentence of 10 years. The court decided that Jennifer W.’s Islamic State membership had indeed supported the “annihilation of the Yazidi religion” as well as the “enslavement of the Yazidi people.”⁴⁷ She was the first Islamic State member (male or female) to be charged anywhere in the world for crimes against the religious Yazidi minority.^h

Sentences

The 20 convicted female returnees received an average prison sentence of three years and 10 months (including those sentenced to probation). Only four sentences involved probation rather than prison time. While every sentence must be seen as result of each of the returnees’ individual guilt, some aspects stand out. The heaviest sentence of 10 years was handed to Jennifer W. (see above), and the lightest sentence was handed to Andrea B. (one year and six months on probation for the abduction of minors and not for membership in a terrorist organization). Another interesting point is that

“The 20 convicted female returnees received an average prison sentence of three years and 10 months (including those sentenced to probation).”

violations of international law can enhance the sentence length due to the severity of these crimes, such as the “enslavement” of Yazidi women and girls.

But it should be noted that time in Kurdish prisons or camps can in some cases be deducted from the prison sentence, reducing the actual time in prison in Germany. A stay in a bona fide *prison* in Syria, Iraq, or Turkey, either as pre-trial confinement or serving a sentence, is taken account with a specific factor—for example, one year in an Iraqi prison equals three years in a German one. The time in one of the many *detention* camps, such as Al-Hol, is not automatically credited to the prison sentence. When assessing the returnee’s sentence, time in these detention camps is considered according to § 46 of the German criminal code (StGB), which refers to “Principles for Determining Punishment.” The time in the camps is thus used as a factor to determine the final sentence, comparable to the returnee showing remorse or confessing.

Conclusion

More than 15 percent of Western Europeans who joined the Islamic State in Syria and Iraq were women.⁴⁸ As many have returned or will return in the future, countries such as Germany are facing several challenges when aiming to charge and prosecute returnees, for example due to a lack of evidence. As outlined in this article, a 2018 decision of the German Federal Court of Justice (BGH) complicated the prosecution of female returnees even further: mere presence in Islamic State territory was not considered enough to convict women of membership or support of a terrorist organization according to §§ 129a, 129b StGB. As a result of this ruling, law enforcement has had to find evidence of crimes beyond female returnees participating in daily life within the Islamic State. To affirm §§ 129a, 129b StGB offenses, prosecutors have been using evidence of several other crimes, such as breaches of the War Weapons Control Act or crimes liable under international law, such as looting.

While the BGH ruling has made filing charges and convicting female returnees more challenging, it has encouraged prosecutors to hold them accountable for other crimes under German and international law, including war crimes that they have committed. Indeed, Germany’s federal prosecutor Dr. Peter Frank had already stated in 2017: “We [the federal prosecutor] think that the membership in a foreign terrorist organization can also be confirmed when it comes to these women, since these women have strengthened the internal structures of the so-called Islamic State and thus this terror organization.”⁴⁹ The results of this article demonstrate that German law enforcement and public prosecution has so far successfully adapted to the challenges caused by the 2018 BGH decision. They have been using a new approach to support their argument that female returnees were not just “jihadi brides” but full members of a terrorist organization. An analysis of various public prosecutors’ press releases demonstrates that of the more than 80 adult female returnees, 22 have been charged, 20 have successfully been convicted, and 19 for support of or membership

h On November 30, 2021, Jennifer W.’s husband according to ‘Islamic’ law, Taha Al-J., was found guilty of genocide in combination with a crime against humanity resulting in death, a war crime against persons resulting in death, aiding and abetting a war crime against persons in two cases, and bodily harm resulting in death. He was sentenced to lifelong imprisonment and must pay €50,000 as compensation to the joint plaintiff. “Main sentences Taha Al-J. to lifelong imprisonment for genocide and other criminal offences,” Higher Regional Court Frankfurt, Press Center OLG Frankfurt am Main, November 30, 2021.

in a terrorist organization according to §§ 129a, 129b StGB. These convictions also confirm the diversity of women's roles beyond childcare, for example carrying and using weapons, looting, as well as aiding and abetting slavery of members of the Yazidi community. While the average sentence is three years and 10 months, the convicted women rarely serve their full prison sentences, including because long pre-trial detention as well as stays in camps or prisons abroad can be credited.⁵⁰

Few publications are discussing the criminal prosecution of female returnees, and even fewer have been published on women from Germany.⁵¹ This article had the objective to bring a data-driven analysis to the debate on criminal justice approaches to female affiliates of terrorist organizations. The findings of how Germany has prosecuted female returnees have important implications for Germany as well as other (European) countries.

With their own unique legal system guiding their approach to terrorism-related cases, all countries with a significant number of foreign recruits to terrorist organizations had to develop an approach to the prosecution of returnees. For example, France had decided to criminalize the mere stay in the territory of the Islamic State and was able to systematically convict both male and female returnees accordingly since around 2016; it has also established a specific national prosecutor's office for counterterrorism (PNAT) in 2019 as a reaction to the terrorist attacks in November 2015.⁵² Due to the large number of returnees, Belgium has had to treat these cases in a lower court, which means that the normal sentence for membership in a terrorist organization (which is 10 years) is divided by two.⁵³ This leaves judges little leeway for higher sentences than five years.

Germany is one of the only countries that has successfully utilized aspects of international law to legally prove membership in a terrorist organization, especially in the case of returned women. It might provide a useful model for other countries in developing more effective prosecution of returnee cases in their respective legal systems. It is thus worth comparing the prosecution of returning foreign recruits in different countries and develop recommendations on how to leverage international law. The successful conviction of Jennifer W. for, inter alia, crimes against humanity with a prison sentence of 10 years might also serve as an example to strengthen the prosecution in other countries of crimes against the Yazidi community.

The importance of finding admissible evidence beyond just membership in the Islamic State or another terrorist organization points to the significance of international cooperation and the provision and sharing of battlefield evidence (including by the Operation Gallant Phoenix coalition) against both male and female returnees.⁵⁴ Establishing and using international standards for collecting and handling battlefield evidence, which are similar to the standards in Western judicial systems, could help to make this evidence more accessible in German criminal investigations. In addition, the possibility of an international tribunal, comparable with the International Criminal Tribunal for the former Yugoslavia, to prosecute and convict former Islamic State terrorists in Syria and Iraq is subject of current debates among experts.⁵⁵

The authors' findings also have several important implications for how Germany and other countries should address the challenge of rehabilitation and reintegration of female returnees. First, every day in a camp or prison abroad might reduce the time in prison spent by a female returnee. This is potentially problematic because it can be easier for prevention counselors to establish contact with radicalized individuals in prison as opposed to individuals who are being held in a foreign prison, detention facility, or camp abroad or those who do not receive a prison sentence upon their return. In addition, while deradicalization and disengagement programs are not mandatory in Germany, prison structures can encourage inmates to accept a first talk with a prevention counselor or social worker.

Second, as risk assessment tools' such as the Dutch VERA-2R, the German RADAR-iTE, or the Canadian HCR 20 have been developed on the basis of male cases, their results on women will likely be distorted. They should thus include additional gender-sensitive features to provide more accurate analysis of the risk that women pose.⁵⁶

Third, many convicted women bring back with them (young) children, which leads to difficult questions of custody, child and youth welfare, and the reintegration of children into the education system and society. Practitioners from several European countries have pointed out the need to "improve facilities in penitentiary institutions to allow regular contacts between parents and their children, which will help rehabilitation and reintegration efforts."⁵⁷

Fourth, returnee cases are often being dealt with by various actors from the social, educational, justice, and public health sector as well as civil society. Especially in the case of Germany with its federal system, these actors need to be able to exchange good practices. In addition, greater knowledge exchange between practitioners, but also with academia and policy makers would help improve understanding of the foreign fighter returnee phenomenon and develop effective responses.

The authors' research also points to other future research needs: for example, the need to analyze complete court files and decision-making processes (such as potential differences between sentences demanded by the prosecution and sentences handed down by the court), the need to compare the rehabilitation approaches in different (European) countries, and the need to look into the reintegration and recidivism of female returnees.

This survey of criminal proceedings against women who were proven—or alleged—to have joined jihadi organizations since 2011 and returned to Germany adds to the corpus of research making clear that women can not only be seriously involved in terrorism but have in some cases taken on active roles in violent jihadi groups and committed serious crimes. **CTC**

i Risk assessment tools such as RADAR-iTE (Germany) or VERA-2R (Netherlands) have been developed in the past years and are used to assess the risk of radicalized individuals and plan further steps in handling those individuals (for example, in a law enforcement or prison context). See Sofia Koller, "Good Practices in Risk Assessment for Terrorist Offenders," DGAP Report, February 2021.

Appendix

No.	Name	Date charged	Offenses convicted for or charged with*	Sentence/ Status of legal proceedings	Circumstances of the case and details of the offenses
1	Karolina R. ⁵⁸	September 19, 2014	Support of a foreign terrorist organization (§§ 129a, 129b StGB), preparation of a serious act of subversion (§89a StGB, not convicted of this offense)	3 years, 9 months	Karolina R. is married to Islamic State member Farid S. and stayed with him and their son in Syria twice for a couple of weeks in 2013. After her return to Germany in 2013, she organized funds for the Islamic State (ca. 5,100 € in total) and sent it to Farid S. in Syria.
2	Andrea B. ⁵⁹	January 26, 2015	Preparation of a serious act of subversion (§89a StGB, not convicted of this offense), abduction of minors (§235 StGB)	1 year, 6 months (on parole)	Andrea B. took her two underage children and traveled with them to the Turkish-Syrian border region in early 2014, where she stayed until her voluntary return in May 2014.
3	Jennifer W. ⁶⁰	December 14, 2018	Membership in a foreign terrorist organization (§§ 129a, 129b StGB), aiding and abetting murder by omission (§211 StGB), crimes against humanity with fatal consequences (§7 VStGB; the original charge 'war crimes against persons' (§ 8 VStGB) was upgraded during the trial to crimes against humanity), offenses against §22a KrWaffKontrG (but there is no information on whether she was convicted of this offense)	10 years	Jennifer W. joined the Islamic State in summer 2014 and married an Islamic State fighter in summer 2015. The couple 'owned' Yazidi 'slaves.' One of them, a five-year-old Yazidi girl, was regularly beaten by Jennifer W.'s husband with her knowledge. In August 2015, the girl was hanged on a fence as punishment and died of thirst. Jennifer W. did nothing to prevent her death.
4	Sabine Sch. ⁶¹	December 20, 2018	Membership in a foreign terrorist organization (§§ 129a, 129b StGB), offenses against § 22a KrWaffKontrG and other weapon-related charges, war crimes against property (§9 VStGB)	5 years	Sabine Sch. traveled to Syria in December 2013, joined the Islamic State and married an Islamic State fighter. During her stay in Syria, she gave birth to two children and lived with her family in accommodation seized by the group. She blogged for the Islamic State, spread their narratives, and possessed several firearms.
5	Mine K. ⁶²	April 5, 2019	Membership in a foreign terrorist organization (§§ 129a, 129b StGB), War crimes against property (§9 VStGB)	3 years, 9 months	Mine K. married German Islamic State fighter Murat D. online and traveled with his help to Syria (via Turkey) in early 2015. They lived in accommodation seized by the group. She took care of the household and received regular financial support from the group. After the death of Murat D., she traveled back to Turkey at the end of 2015 and came back to Germany in October 2018.

6	Sarah O. ⁶³	April 12, 2019	Membership in a foreign terrorist organization (§§ 129a, 129b StGB), illegal restraint with fatal consequences (§239 StGB), crimes against humanity with fatal consequences (§7 VStGB), war crimes against property (§9 VStGB), human trafficking (§232 StGB, but there is no information on whether she was convicted of this offense)	6 years, 6 months	Sarah O. joined the Islamic State in November 2013 and married an Islamic State fighter. She took care of the household and their three children. She tried to convince others to join the Islamic State and helped newly arrived members of the group. The couple had 7 Yazidi 'slaves,' 5 women and 2 girls. With her endorsement, her husband raped two of the Yazidi women. One of the Yazidi girls was later killed in a car ride when they came under fire.
7	Perihan S. ⁶⁴	April 12, 2019	Support of a foreign terrorist organization (§§ 129a, 129b StGB), offenses against European sanctions with regard to providing weapons and equipment, preparation of a serious act of violent subversion (§89a StGB, not convicted of this offense)	4 years, 6 months	Perihan S., the mother-in-law of Sarah O., had two sons (one of whom was Sarah O.'s husband) who had joined the Islamic State in Syria. She supported them by sending them money and equipment. Perihan S. traveled several times to Syria to hand over the items to her sons.
8	Derya Ö. ⁶⁵	May 22, 2019	Membership in a foreign terrorist organization (§§ 129a, 129b StGB), offenses against § 22a KrWaffKontrG, War crimes against property (§9 VStGB)	2 years, 9 months	Derya Ö. joined the Islamic State in Syria in February 2014. She married a fighter in Syria and lived with him in accomodation seized by the group. She acted mostly as housewife and mother and received regular financial support from the Islamic State. She was taught by her husband in the usage of a rifle and possessed a suicide belt.
9	Carla-Josephine S. ⁶⁶	October 9, 2019	Membership in a foreign terrorist organization (§§ 129a, 129b StGB), failure to fulfill their duty of care and education (§171 StGB) abduction of minors with fatal consequences (§235 StGB), offenses against § 22a KrWaffKontrG, War crimes against persons (§8 VStGB), assault (§223 StGB, but there is no information on whether she was convicted of this offense)	5 years, 3 months	Carla-Josephine S. took her three underage children without knowledge of their father and traveled to Syria in fall 2015 to join the Islamic State. She integrated her six-year-old son into the group of Islamic State child soldiers. One of her children died in a bombing. She joined the Katiba Nusaiba, an all-female fighting unit, as a driver and possessed a hand grenade.
10	Sibel H. ⁶⁷	December 6, 2019	Membership in a foreign terrorist organization (§§ 129a, 129b StGB), offenses against § 22a KrWaffKontrG, War crimes against property (§9 VStGB)	3 years	Sibel H. traveled together with her husband to Syria and Iraq in spring 2016 to join the Islamic State. They lived in accommodation seized by the group. She took care of their son and of the household. She possessed several firearms. Until her deportation to Germany in April 2018, she was held in a Kurdish detention camp.

11	Omaima A. ⁶⁸	March 6, 2020	Membership in a foreign terrorist organization (§§ 129a, 129b StGB), failure to fulfill their duty of care and education (§171 StGB), human trafficking (§233 StGB), illegal restraint (§239 StGB) offenses against § 22a KrWaffKontrG, crimes against humanity (§7 VStGB)	4 years	Omaima A. traveled with her three children to Turkey in January 2015. There, she met her husband and traveled to Syria to join the Islamic State. She took care of the children and the household, and received regular financial support from the group. She also possessed a firearm and tried to convince others to join the Islamic State. During 2015, she also had control of Yazidi 'slaves.' Her husband was killed early in 2015. Shortly after, she married well-known German jihadi Denis Cuspert. Due to pregnancy and differences with Denis Cuspert, Omaima A. left Syria and returned to Germany in September 2016.
12	Elina F. ⁶⁹	April 30, 2020	Membership in a foreign terrorist organization (§§ 129a, 129b StGB)	2 years (on parole)	Elina F. followed her husband in fall 2013 to Syria and joined the Islamic State. She was part of an Islamic State propaganda video. After the death of her husband, she lived in an Islamic State shelter for women. After the birth of her second son in February 2017, she tried to escape to Turkey but failed and was detained by Kurdish troops in the "Ain Issa" detention camp. She was transferred to Germany in January 2020.
13	Lorin I. ⁷⁰	April 3, 2020	Membership in a foreign terrorist organization (§§ 129a, 129b StGB), offenses against § 22a KrWaffKontrG	1 year, 9 months (on parole)	Lorin I. and her husband traveled together to Syria in December 2020 and joined the Islamic State. She lived in accommodation seized by the group and received regular financial support from the group. She supported her husband in his activities and tried to convince his sister to join the group as well. She also possessed a rifle. In Germany, Lorin I. was part of the network surrounding Abu Walaa in Hildesheim, which helped the couple to travel to Syria.
14	Lisa R. ⁷¹	May 27, 2020	Membership in a foreign terrorist organization (§§ 129a, 129b StGB)	2 years (on parole)	Lisa R. joined the Islamic State together with her husband and his two sisters in September 2014. She took care of the household and spread Islamic State narratives via her social media. Apparently, Lisa R. was married four times. The first three Islamic State husbands allegedly died in combat. Together with her fourth Islamic State husband and her three children, she escaped the group in January 2019 after its severe military losses. She was then held in Kurdish detention until her deportation to Germany in January 2020.
15	Zeynep G. ⁷²	August 10, 2020	Membership in a foreign terrorist organization (§§ 129a, 129b StGB), offenses against § 22a KrWaffKontrG, War crimes against property (§9 VStGB, not convicted of this offense)	2 years, 10 months	Zeynep G. traveled to Syria in October 2014 to join the Islamic State. In Syria, she married a German Islamic State fighter who later died in combat. She tried to convince her former employer in Germany to join the Islamic State as well. Her second Islamic State husband gave her a rifle and taught her how to use it.

16	Nurten J. ⁷³	November 2, 2020	Membership in a foreign terrorist organization (§§ 129a, 129b StGB), failure to fulfill their duty of care and education (§171 StGB), offenses against § 22a KrWaffKontrG and other weapon-related charges, crimes against humanity (§7 VStGB), war crimes against property (§9 VStGB)	4 years, 3 months	Nurten J. left Germany with her three-year-old daughter in February 2015 to join the Islamic State in Syria. She married a high-ranking fighter and together they lived in accommodation that the group had seized and provided to them. Nurten J. had access to a rifle and possessed a gun. She also exploited the labor of a Yazidi 'slave,' which was 'owned' by another female group member. Before her deportation to Germany in July 2020, she was held in Kurdish detention.
17	Fadia S. ⁷⁴	December 22, 2020	Membership in a foreign terrorist organization (§§ 129a, 129b StGB), failure to fulfill their duty of care and education (§171 StGB), War crimes against property (§9 VStGB)	4 years	Fadia S. was part of the network surrounding Abu Walaa in Hildesheim, in which her husband had a leading role. She and her four children followed her husband to Syria in summer 2015. She took care of the household, raised her children according to Islamic State rules, and lived in accommodation seized by the group. She left Syria with her then five children in early 2018.
18	Kim A. ⁷⁵	March 15, 2021	Membership in a foreign terrorist organization (§§ 129a, 129b StGB), offenses against § 22a KrWaffKontrG, War crimes against property (§9 VStGB)	4 years	Kim A. was part of the salafi scene in Germany since 2009. She and her husband Onur E. traveled to Syria in June 2014 to join the Islamic State. Once there, she took care of the household and ran a chat group with others to spread Islamic State narratives and convince other women in Germany to join their cause. She also possessed a rifle and lived in accommodation seized by the group. She left the group in summer 2016 and hid herself with a Syrian family until she left for Germany in October 2020.
19	Leonora M. ⁷⁶	July 7, 2021	Membership in a foreign terrorist organization (§§ 129a, 129b StGB), crimes against humanity (§7 VStGB), offenses against § 22a KrWaffKontrG and other weapon-related charges	Pending trial	Leonora M. allegedly left Germany in March 2015 to join the Islamic State in Syria. She married infamous German jihadi Martin Lemke. She took care of the household and supported her husband. She also allegedly worked for Islamic State security and spied on other female members of the group. For her activities, Leonora M. allegedly received a regular salary. Leonora M. and her husband also allegedly 'bought' a Yazidi 'slave,' took care of her, and 'sold' her at a profit. Until her return to Germany in December 2020, she stayed in several Kurdish detention camps.
20	G. ⁷⁷	October 1, 2021	Membership in a foreign terrorist organization (§§ 129a, 129b StGB), offenses against § 22a KrWaffKontrG	2 years, 9 months	G. followed her husband in September 2014 to Syria and joined the Islamic State. She took care of the household and raised her children according to the group's rules. G. tried to convince others to join the group via messenger apps. She also possessed a weapon.

21	Stefanie A. ⁷⁸	October 21, 2021	Membership in a foreign terrorist organization (§§ 129a, 129b StGB), failure to fulfill their duty of care and education (§171 StGB), involuntary manslaughter (§222 StGB), war crimes against persons (§8 VStGB), weapon-related charges	Pending trial	Stefanie A. allegedly left Germany together with her 13-year-old son in summer 2016. Her husband had already joined the Islamic State in summer 2015. It is alleged that because she could not travel to the Islamic State directly, she joined the group Jund al-Aqsa in Idlib and provided her son as a new recruit to the group, which trained him. In February 2017, she and her son allegedly continued their journey to the Islamic State so that they could be reunited with her husband, and they joined the group in Raqqa. The family allegedly received regular funding from the group. Her son fought alongside other fighters and was killed by a bombing in March 2018. Stefanie A. allegedly possessed a suicide belt and a rifle. She surrendered to Kurdish troops in February 2019 and stayed in Al-Hol camp until her return to Germany in March 2021.
22	Nadia B. ⁷⁹	No data	Membership in a foreign terrorist organization (§§ 129a, 129b StGB), failure to fulfill their duty of care and education (§171 StGB), Abduction of minors (§235 StGB), fraud (§263 StGB), tax evasion (§370 AO), offenses against § 22a KrWaffKontrG	3 years, 4 months	Nadia B. and her three-year-old daughter left Germany in December 2014 to join the Islamic State. She raised her then three children according to the Islamic State rules and took care of the household. During parts of her stay, she unlawfully continued to receive German social welfare benefits. She also possessed a rifle. When she was pregnant with her fourth child, she left Syria for Germany in April 2019.

** This column includes details on charges the alleged female returnees were indicted or convicted on. These details were gathered by the authors for the most part from prosecution press releases pertaining to indictment and conviction and in a few instances media reports. It should be noted the offenses an individual are charged with can change during the course of a trial. Unless otherwise stated, the individuals were convicted (or reportedly convicted) of the offenses listed. The authors highlight several instances in which a female returnee was not convicted of a particular offense she had been charged with and several instances in which no information is available to determine whether a female returnee was convicted of a particular offense she had been charged with. The reason why in a few instances the authors had to verify via media reports whether an individual had been convicted of a particular offense they had been charged with is that while information on the exact charges are normally provided in the press releases pertaining to indictments, this is not always the case in the prosecution press releases on convictions.*

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