

## Victims' Rights and White Power

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- Kathleen Belew, [Bring the War Home: The White Power Movement and Paramilitary America](#) (2018).
- Jill Lepore, [American Chronicles: The Rise of the Victims'-Rights Movement](#), *The New Yorker* 48 (May 21, 2018).

By coincidence, I was reading [Kathleen Belew](#)'s book, *Bring the War Home: The White Power Movement and Paramilitary America*, the same week I read [Jill Lepore](#)'s recent article, *The Rise of the Victims'-Rights Movement*, in *The New Yorker*. The overlap was striking and well worth the consideration by legal historians.

Belew's recent history is about the rise of a white power network across the United States in the years since Vietnam. It explores, through the study of a series of incidents, how a number of seemingly separate white supremacist groups came together, first on the ground and then through the internet. As Belew traces the network's increasingly violent acts against those it considered outsiders, she shows why its racial view of the world (with its neat categories of "us" versus "them") ultimately led it to declare war on the federal government in the early 1980s. In the process, she also describes the series of tactical decisions (and missteps) by federal prosecutors that led the government to underestimate and understate the extent of the white power movement. Her book's great strength is revealing that network's breadth across time, space, and a series of events culminating in the [Oklahoma City bombing](#) in 1995 (the epilogue ties the events in the book to the [shooting](#) at Emanuel A.M.E. church in Charleston).

This is a troubling book for many reasons, not just because of the scope of the white power network it reveals, though that is both disturbing and an important corrective to the insistence that white terrorists are "lone wolves" who act spontaneously and independently of one another. The book also brings the world of the white power movement home in another, very concrete way: in the week marked by yet another high school shooting, this one in Santa Fe, Texas, it was unsettling to read about Santa Fe's connection to Klan rallies and white power activists in the late twentieth century. Many places have troubling histories and I do not mean to suggest in any way that the recent events in Santa Fe are less horrific because of events in the town's past. But that connection, and Belew's book more generally, raises questions about how the elements of United States culture that valorize violence and draw ready distinctions between the deserving "us" and the less deserving "them" (or between people and animals, to use an even more recent variation on the theme) contribute to mass shootings.

There are a number of points of overlap between the white power culture, as it is explored in Belew's book, and the culture of the victims'-rights movement that Lepore's article explored. At its broadest, Lepore's article takes a fascinating look at the rise of victims'-rights theories in criminal justice. The book argues that the victims'-rights movement arose from a mix of feminist activism on behalf of women who were traditionally silenced in rape trials and conservative push back against the due process revolution put in motion by the Warren Court. But to unpack that story, she looks closely at the treatment of victim's rights in the Oklahoma City bombing case, a trial (and event) that Belew examines closely as well.

In their treatment of the case, both Belew and Lepore touch on an issue that appears frequently in Belew's book—the degree to which white power advocates like Timothy McVeigh justified their violence in terms of avenging victims, specifically white victims, of the government. Lepore quotes McVeigh as saying that he bombed the Murrah federal building because the federal government, which had failed to prosecute the government agents involved in [Waco](#), "failed the victims who died during that siege." (Lepore, P. 52.) Belew's book tracks similar sentiments across the decades, from Louis Beam, who rallied whites in Texas to oppose and attack Vietnamese shrimpers whom he believed

were getting welfare from the federal government while destroying white fishing interests and used similar language in talking about Waco, to Dylann Roof, who wanted to bring about a race war because Blacks were killing whites, raping white women, and taking “over our country” without being stopped by the government.

Belew treats the trajectory of white power victimhood as a shift from attacks on the other to a declaration of war against the federal government. It appears, in that sense, to be a rejection of the constitutional order. But read in light of Lepore’s article, the trajectory Belew sketches looks more like a shift to a perpetual and all-encompassing state of self-defense necessitated by the (temporary) failure of the government. The government is not so much the enemy as it is a failed state that has been unable to prevent the victimization of whites. Implicit in that are two constitutional theories: First, that the government would right itself if it understood its proper role in the racial order. And second, that so long as the government fails, the sovereign (and white people) have a right to defend themselves.

In that respect, Lepore’s article suggests that we might view Belew’s subjects as making a constitutional (as opposed to racial) argument. And Lepore also offers us a way to do so, noting that new theories of the Second Amendment arose in tandem with the rise of victims’ rights rhetoric. Although her article does not elaborate the point at length, Lepore suggests a strong connection between the two, seeing both as part of “a set of arrangements under which what was once a civil society has become a state of war.” (Lepore, P. 55.) The subjects of Belew’s book clearly made similar connections. In fact, as Belew points out, McVeigh began to plan the attack on the Murrah Federal Building just weeks after expressing exasperation (“What will it take?”) about the passage of the Violent Crime Control and Law Enforcement Act in 1994, a law that banned the use of nearly twenty different semiautomatic weapons. (Belew, P. 220.)

The idea that the people, or some of them, have a right to take the law into their own hands when the government fails to act has a [long history in the United States](#), as does the idea that they have a [legal, even constitutional](#), right to do so. The recent works by Belew and Lepore show those ideas still resonate and how they express themselves today.

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