

SHADOW EXTREMISTS IN THE MILITARY

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ABSTRACT

Violent extremism by current and former U.S. military servicemembers is the subject of increasing concern in government, civil society, and academia. Much of the discussion is driven by questions related to the available data on servicemembers' extremist activities. Were servicemembers disproportionately represented among those criminally charged in the wake of January 6th events in the U.S. Capitol? Is the overall number of servicemembers engaging in violent extremism larger than their share of the general population? Is this number on the rise? If so, at what rate? While such questions are undoubtedly important, their focus is narrow and necessarily leaves out parts of the broader landscape of military extremism. This chapter argues that efforts to understand and counter servicemembers' violent extremism must take into account a currently overlooked, yet potentially more prevalent phenomenon it uncovers and names—shadow extremism.

The name shadow extremism alludes to the better-known concept of shadow vigilantism in criminal law. Shadow vigilantes may share the views of common vigilantes that certain laws or attributes of the legal system are *unjust*. Yet shadow vigilantes do not take to the streets to enforce (what they view as) justice. Rather, they do so by engaging in more subtle, yet highly disruptive conduct. For instance, shadow vigilantes would not report vigilante activities as citizens, avoid cooperating with their investigations as witnesses, and refuse to convict for such activities as jurors. Shadow extremist servicemembers may similarly share the views of their violent extremist peers or believe these peers will not receive justice in the military justice system. And shadow extremists can, and probably do, engage in subtle yet highly disruptive conduct similar to that of shadow vigilantes.

In fact, engaging in such conduct may be easier in the military context. Essential features of the military system arguably normalize shadow extremists' conduct, conceal their actions, and ultimately encourage other servicemembers to join them. One such feature is the intense loyalty among servicemembers the military consciously cultivates. While commonly beneficial, this loyalty regularly conflicts with servicemembers' duties to report unlawful acts committed by their peers; empirical research shows that servicemembers are reluctant to report on peers for acts as egregious as unlawful killings. In such environment, shadow extremists' avoidance to report or cooperate with investigations on peers' "mere" membership in violent extremist organizations, for instance, or their refusal to convict such peers while sitting as panel members (military jurors), may appear natural or even laudable. Another feature is the broad authority the military justice system grants commanders. Shadow extremist commanders can use this authority to influence proceedings against extremists in their units, or to avoid initiating them altogether. Ultimately, a vicious cycle may ensue. An atmosphere in which shadow extremists support violent extremists and the latter routinely elude accountability, increases the social acceptability of violent extremism and encourages other servicemembers to join the ranks of shadow or even violent extremists.

Being mindful to shadow extremism can enrich contemporary discussions on violent extremism in the military. It allows seeing both common conduct of servicemembers and familiar features of the military system in a new light. Moreover, it highlights that the scope of extremism in the military is broader than the available data on violent extremists suggests. Crucially, it also has far-reaching policy implications. Key among them is that policies to counter violent extremism in the military must be concerned with whether servicemembers view them as unjust and change course if they do; otherwise, such policies may do more harm than good, by inspiring and proliferating shadow extremism.