



Contentious Federalism: Sheriffs, State Legislatures, and Political Violence in the American West

Zoe Nemerever¹

© Springer Science+Business Media, LLC, part of Springer Nature 2019

Abstract

Despite the extensive literature probing individual motivations for committing political violence, little existing academic research directly examines the role of local governments in encouraging political violence. I use a federalism perspective to consider how subnational governments can decrease the perceived costs of high-risk political violence against the state. This paper introduces three novel datasets to substantiate my theories: political violence against Bureau of Land Management employees, land transfer legislation in state legislatures, and a roster of constitutionalist sheriffs. As emblems of the contentious relationship between rural land users and the federal government, employees of the Bureau of Land Management (BLM) routinely deal with threats, harassment, and physical violence from civilians who are incensed by restrictions on the use of federal land. Counties with constitutionalist sheriffs are 50% more likely to have violence against BLM employees than other counties, even when controlling for other factors. Additionally, levels of political violence are higher in years following the passage of land transfer legislation in the state legislature. Elected officials' legislative activity, campaign promises, and law enforcement decisions all may promote political violence against federal employees. Incorporating federalism into the study of political violence uncovers how the actions of elected officials at the state and county levels can lower the perceived costs of violence against the national government.

Keywords Political violence · Federalism · Sheriffs · Public land · State legislatures

Introduction

In 2014, a dozen Bureau of Land Management (BLM) employees engaged in a standoff against four hundred armed protestors while attempting to round up Nevada rancher Cliven Bundy's cattle for unlawfully grazing on public land. The encounter

✉ Zoe Nemerever
znemerev@ucsd.edu

¹ Department of Political Science, University of California San Diego, Social Sciences Building
301, 9500 Gilman Drive #0521, La Jolla, CA 92093-0521, USA

followed a decade of government warnings as Mr. Bundy accumulated over a million dollars of unpaid grazing fees. Local sheriffs implicitly sided with Mr. Bundy and his supporters by refusing the BLM's requests for backup support. The standoff ended when the BLM retreated.¹ Following the standoff, Secretary of the Interior Sally Jewell issued a memo to all Department of Interior field employees that emphasized personal safety and how to avoid confrontations with civilians. Additionally, the BLM abandoned all of its posts in southern Nevada for 2 years following the Bundy standoff.

Strong political and moral convictions can inspire political violence, such as the Black Panthers (Davenport 2009) during the Civil Rights Movement, the Ku Klux Klan during Reconstruction (Wood 2011), and radical environmentalism in the 19th century (Eagan 1996). Despite the expansive political behavior literature probing individual motivations for committing political violence, little existing academic research directly examines the role of state and county governments in encouraging political violence.² Ranchers rising up against the government and getting what they want by pointing a gun at federal employees speaks to an essential question in American politics—what promotes political violence? This paper advances both the federalism and political behavior literatures by showing how subnational governments can stimulate civilian violence against federal employees.

Extensive federalism research centers on how one level of government reacts when a higher level of government transcends its jurisdiction. For example, a survey of city mayors uncovers extensive dissatisfaction with state laws that restrict local autonomy and local revenue sourcing (Einstein and Glick 2017). When municipalities independently pursue progressive policy interventions, conservative state legislatures can roll back local reforms through preemption laws (Riverstone-Newell 2017). Over the past half century, the increase of federal regulations over the past has engendered a contentious relationship between the federal government and the states (Kincaid 1990, 2008). State legislatures can resist federal authority by passing nullification legislation (Olson et al. 2017) and through discretionary implementation of federal policy implementation by the state bureaucracy (Napolio and Peterson 2018). I introduce a new retaliation mechanism by which state and county governments send signals that lower the costs of political violence against federal employees.

In this paper I ask, what is the role of subnational governments in promoting political violence in modern United States? I assert that political violence against federal bureaucrats is more likely when state legislation validates the views of those with complaints against federal land ownership and when county sheriffs signal that they hold anti-federal ideologies. First, the passage of land transfer legislation by

¹ The government's current *modus operandi* is to yield the monopoly on violence to citizens. In the 1990s the government responded aggressively in two citizen standoffs which created a public relations catastrophe. Ever since, the government is reluctant to use force against citizens, especially in the West where memories of Ruby Ridge and Waco are prominent (Lind 2016).

² It is already known that subnational governments can be instrumental in preventing or stopping political violence. For example, previous accounts of the Jim Crow South find that the absence of sheriffs increase lynchings (Clarke 1998).

state legislatures validates anti-federal political beliefs and can be perceived by citizens as a subtle endorsement for defying or harassing federal employees. Second, constitutionalist sheriffs³ elevate levels of political violence against federal employees by increasing the salience of anti-federal sentiments and lowering the costs of political violence.

I substantiate these theories using three novel datasets: physical and verbal harassment against BLM employees over two decades, constitutionalist sheriffs in the American West, and land transfer legislation. In a multivariate analysis, I find that counties that elect constitutionalist sheriffs are more likely to have civilian violence against federal employees, and counties predisposed to political violence have higher rates of violence in the year following the passage of land transfer legislation. An under-explored consequence of American federalism is one level of government encouraging civilian violence against another level of government. This study offers a new perspective on federalism conflict by showing how violence can ensue as a consequence of disagreement between levels of government.

Federal Land Management and the Sagebrush Rebellion

Federal tensions over land and natural resources have been an integral part of politics in the western US. The 11 western states (Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming) have an average of 49.9% of their land owned by the federal government. In stark contrast, to only 4% of non-western land is owned by the federal government (see Fig. 1). Federal land ownership limits the ability of states to determine how to manage their land for economic purposes, such as grazing and mining, in addition to recreational use and conservation.⁴ Throughout the 1960s Secretary of Interior Stewart Lee Udall scaled back grazing permits to prioritize land preservation over economic use, which had a negative effect on the ranching community located primarily in the western United States.

Federal environmental regulations continued to expand throughout the 1970s and inspired the Sagebrush Rebellion, a movement against federal land ownership and management. Former Colorado governor Richard D. Lamm described the motivation for the movement as “the West has become legally emasculated, that it is treated with arrogance and indifference, and that it still is living with the old, archaic federal-eastern assumption that the federal government is better equipped to rule the West than the West is to rule itself” (Lamm and McCarthy 1982). By the end of

³ Constitutional sheriffs interpret the U.S. Constitution such that the federal and state government authorities are subordinate to county governments.

⁴ The Taylor Grazing Act of 1934 created a permit system for the federal government to lease grazing land to ranchers while preventing overconsumption of the natural resources. Permits are distributed in animal unit months (AUMs) and change annually based on weather, natural disasters, and demand. For example, a rancher may own 100 cattle and receive 1200 AUMs 1 year (full grazing privileges), but only 700 AUMs the following year creating a difficult situation of owning cattle but having no land to graze them.

the decade, the Sagebrush Rebellion had entered the nation's mainstream consciousness. In 1979, Newsweek magazine ran a cover with a cowboy and the words "The Angry West: Get Off Our Backs, Uncle Sam" (Cawley 1993). The following year Reagan brought the Sagebrush Rebellion to the forefront of his environmental platform, promising "I renew my pledge to work toward a Sagebrush solution".⁵ The decentralized nature of the Sagebrush Rebellion resulted in a movement composed of people united by a common grievance but divided over the appropriate response. This made Sagebrush Rebels an unfit competitor for the environmental movement. Over time the Sagebrush Rebellion splintered into two parts: the land transfer movement and constitutionalist sheriffs—both of which help us understand patterns of political violence in the American West.

Motivations for Political Violence in the American West

Conflict over public land management stems from culturally embedded, anti-government feelings in the American West (Leadingham and Garner 2018). Citizens perceive BLM employees as emblematic of unwanted government presence on western lands because their responsibilities include enforcing regulations and overseeing the distribution of economic and recreational land use permits (Lipsky 2010). As a result, employees of the Forest Service, National Park Service, Fish and Wildlife Service, and BLM routinely deal with politically-motivated threats, harassment, and physical violence from people upset about restrictions on the use of federal land.

Given the strongly-held and persistent resentments against federal land ownership, political behaviors should not be written off as irrational or impulsive solely because the risks are great. Evidence shows that despite serious legal and physical risks, individuals feel compelled to commit political violence because of moral, emotional, or even religious reasons (Oberschall 1973; Wood 2003). For example, Cliven Bundy co-authored *The Nay Book* which asks "What is the Constitutional duty of a member of the Lord's church?" and articulates how his Mormon faith inspires him to resist the federal government (Sottile 2017). As individuals' sense of grievance becomes more acute, they seek more intense forms of political behavior and assume higher costs and risks for their behavior (McAdam 1986; Schumacher 1980).

In addition to its expressive benefits, political violence can serve as a mean for obtaining material wealth. Greed-based violence is explained by circumstances that generate opportunities for private gain (Collier and Hoeffler 2004). This is especially common in populations with unmet economic needs and in economies that have lootable goods. Dwindling economic opportunities for rural Americans increases unemployment and financial hardship, plus grazing lands are one of the most lootable natural resources. Specifically, it is prohibitively difficult for the

⁵ Reagan's delivery on this promise began and ended with appointing Sagebrush ally and fervent anti-environmentalist James Watt as Secretary of the Interior. Watt resigned in 1983 after describing a department coal leasing plan as "I have a black, a woman, two Jews, and a cripple. And we have talent."



Fig. 1 Map of federal land ownership in the western United States

federal government to fully monitor all grazing land and looting does not require expensive machinery or production economies of scale, just hungry cows.

Finally, obstructionist political action may deliver policy results to a passionate minority that majoritarian institutions otherwise would not achieve. Pluralist politics benefits only groups who have already gained access to the political system (Cobb and Elder 1983; Dahl 1961).⁶ The “problem of the powerless” (Wilson 1961) is that poor populations lack the resources to be used as bargaining chips in the policy-making process so they engage in other political behaviors that do not require monetary resources (Scott 1985). If a group is unable to change policy, they could achieve the same effects by preventing undesirable policies from being implemented.

Land Transfer Legislation

The land transfer movement advocates federal lands are transferred to state ownership. The rationale is that federal land ownership violates western states’ protection under the Equal Footing Doctrine because eastern states own nearly all their public lands and western states own between 15 and 70% of their public lands. However, constitutional law does not support this rationale because the western states explicitly granted the federal government ownership of their public lands when they were admitted into the union (Conable 1996). Undeterred by legal reasoning, the lands transfer movement uses the legislative process to advance its agenda.

Land transfer legislation includes bills, resolutions, and memorials in state legislatures that aim to reduce federal land ownership. Federal courts have ruled there is no constitutional standing for states to demand ownership of their land. Accordingly, these bills serve position-taking and credit-claiming purposes but have no tangible

⁶ People of higher socioeconomic status have an easier time getting policy concessions from politicians because they turn out to vote at higher rates (Rosenstone 1982), are more likely to stay abreast of political affairs (Downs 1957), and can use their money to influence politicians through donations (Schattschneider 1960; Bartels 2008; Gilens 2012; Schlozman et al. 2012).

effect on land policy. The first land transfer bill was passed in 1979 by the Nevada legislature and claimed federal land as property of the state. Imitation legislation was subsequently passed in New Mexico, Utah, Wyoming, and Arizona. Every western state except for Washington and Oregon has at one point has passed a bill that funds a study on the transfer of federal lands to the state. Since 2012, Utah has spent over a million dollars paying a law firm to study the feasibility of a lawsuit against the federal government (Gehrke 2016). Several states have also passed memorials or resolutions stating that federal land management is a burden for their state, which provides ideological representation to constituents and is often easier to pass than bills.

Support for land transfer legislation is most prominent within the Republican Party, especially the Tea Party faction. Republican-controlled legislative chambers are much more likely to pass land transfer legislation. The most liberal western states, Washington, Oregon, and California, have never passed any land transfer legislation while the Sagebrush Rebellion continuously benefits from Republican super-majorities in the Utah and Idaho legislatures. Of all western legislatures, Utah's legislature is the most active in its pursuit of public lands. Utah is also home to the American Lands Council, a nonpartisan nonprofit that advocates for the transfer of public lands from the federal government to state governments. The American Legislative Exchange Council (ALEC) is another key player in the land transfer movement. ALEC promotes "free-market enterprise, limited federal control, and more power for state governments", and thus authors many of the land transfer bills introduced in state legislatures (Gilpin 2016).

Land transfer legislation ranges from expensive and impractical to outright unconstitutional, suggesting that legislators view these bills as opportunities to take a position on an issue that is important to their constituents. Constituents could interpret the passage of land transfer legislation as an endorsement of their anger toward federal land ownership. Individuals may discount the legal consequences of political violence if they feel supported by state politicians.⁷ Additionally, the inclusion of land transfer on the state political agenda could inflame latent anti-government sentiments into strongly-held negative feelings towards the BLM, and even political violence. If the endorsement theory is correct, we would expect rates of political violence to be higher in the year following the passage of land transfer legislation.⁸

⁷ For example, numerous western state legislators travelled to Oregon to show support for the armed occupation of the Malheur National Wildlife Refuge in 2016 (Maughan 2016).

⁸ Alternatively, land transfer legislation could act as a steam valve for political frustrations. If constituents have grief or anger about the federal land ownership in their community, the passage of land transfer legislation may assuage their frustrations by demonstrating that their legislators are working to solve this problem. Someone who would otherwise commit political violence against a BLM employee may choose to trust that political institutions and processes will remedy the problem upon learning that the state legislature is working to transfer lands from federal to state ownership. If the steam valve theory is correct, we would expect rates of political violence to be lower in year following the passage of land transfer legislation.

Hypothesis 1 There will be more political violence against BLM employees in states that passed land transfer legislation in the previous year than in states that did not pass land transfer legislation in the previous year.

Constitutionalist Sheriffs

Sheriffs are law enforcement officers who are elected at the county-level.⁹ Unlike police chiefs or commissioners who are generally appointed, sheriffs must run for office on a campaign platform that communicates a law enforcement record or philosophy. Sheriffs' campaign promises can meaningfully affect post-election law and order in a county. Relative to a municipal police force or state patrol, the office of the sheriff has more autonomy, more popular mandate because of direct election, and thus is more likely to allow personal attitudes to affect their job performance (Farris and Holman 2015). Previous research finds that sheriff's personal attitudes about immigrants influences their law enforcement decisions, such as whether or not to check for citizenship or immigration documentation at traffic stops (Farris and Holman 2017). Checking individuals' documentation at a traffic stop or crime scene is within the purview of sheriff duties, but what happens when a sheriff's job philosophy affects other levels of law enforcement such as federal employees enforcing federal land policy?

The political beliefs and behaviors of the Kane and Beaver county sheriffs help explain differences in political violence toward BLM employees across counties. Kane and Beaver are Utah counties identical in their population, land area, the percent of federally owned land, voter turnout, and support for GOP presidential candidates, yet Kane County has Utah's highest rate of political violence against BLM employees in the state while Beaver County has had no political violence against BLM employees. Kane County's sheriff, Lamont Smith, is a member of the Constitutionalist Sheriffs Peace Office Association. In 2003, Sheriff Smith went on a public tirade destroying over thirty "restricted access" signs posted on federal land. In 2013, Sheriff Smith signed a pledge to block law enforcement of President Obama's gun control executive action. That same year during a testimony to the Utah legislature he called BLM presence "an assault on the sovereignty of the state of Utah" (O'Donoghue 2013). Sheriff Yardley, from Beaver County with no violence, is politically unremarkable. Constitutionalist sheriffs can increase political violence by inciting anti-federal grievances and facilitating opportunities for citizens to illegally use public lands for private gain.

Constitutionalist sheriffs believe that the United States Constitution ordains sheriffs as the ultimate law-enforcement authority, even above the federal government (Chaloupka 1996). Although a sheriff does not have to formally declare oneself a constitutionalist sheriff, many sheriffs of this ideology have chosen to join

⁹ Sheriffs are elected in all states except Alaska, Connecticut, Hawaii, and Rhode Island. Sheriffs are elected at the county-equivalent level in states that do not have counties, i.e., Louisiana sheriffs are elected at the parish-level.

the Constitutionalist Sheriffs Peace Office Association (CSPOA). According to the CSPOA mission statement, members of the CSPOA believe that county sheriffs “should take their rightful position and use their authority to assist in the transfer of control of the land, and prosecution of violations of citizens’ rights by federal authorities.”

Evidence from the rural West demonstrates that when particular sheriffs refuse to cooperate with federal authorities, federal policies are less likely to be enforced because the enforcement costs are higher. BLM spokesman Craig Leff explains that “Coordination with local law enforcement is critical to carrying out the BLM’s mission and ensuring public health and safety on the public lands” (Taylor 2014). To illustrate, a law enforcement agent who was assigned to the Bundy Standoff testified that the mission to round up Mr. Bundy’s cattle would have succeeded if “the local sheriff, whom Sagebrush Rebel-types tend to regard as the legitimate law of the land, might have been able to defuse the Bunkerville protest” (Swearingen 2016). Department of Interior agencies rely on local law enforcement to be their boots on the ground, but constitutionalist sheriffs can protest perceived federal overreach by refusing this request or obstructing federal employees from enforcing the law. In addition to denying federal agencies their help, sheriffs can make it unnecessarily difficult for federal employees to enforce the law. Constitutionalist sheriffs have threatened and attempted to arrest BLM rangers for denying citizens access to federal land that had been closed to the public (Siegler 2016). Outside of determining their own relationships with the BLM, constitutionalist sheriffs can encourage citizens to resist BLM policy and engage in violent confrontations.

Constitutionalist sheriffs create the opportunity for private material gain by reducing punishment for illegally using federal land or resisting federal agents. In the West, there is approximately one BLM ranger per public land area the size of Delaware, which makes it hard for the federal government alone to thoroughly monitor the land. Constitutionalist sheriffs’ refusal to support the BLM reduces the ability of the federal government to enforce their policies on federal land. When western citizens witness or hear about federal land use policies not being enforced, it increases opportunity for private use of public lands by decreasing their perceived risk of being caught or prosecuted for violating federal land use policies.

Constitutionalist sheriffs increase citizens’ grievances through anti-federal government position-taking. Grievance is the experience of “relative deprivation,” or the discrepancy between what a citizen expects from the state and what the state delivers regarding rights, economic goods, and public services (Gurr 1970). When sheriffs make federal land ownership a salient topic in western communities, it can validate individuals’ private or latent negative feelings about the federal government. In their role as a local opinion leader, the sheriff may persuade constituents to be more critical of federal land use policies. The intensifying of federal land grievances can motivate individuals to commit political violence against the BLM. The opportunity and grievance mechanisms lead me to my second hypothesis.

Hypothesis 2 There will be more political violence against BLM employees in counties with a constitutionalist sheriff than in counties without a constitutionalist sheriff.

Research Design

In this paper I ask, what is the role of subnational governments in encouraging political violence in modern United States? I answer this question using a dataset of political violence against the BLM over 21 years and four regressional models varying panel and cross-sectional specifications with event count and dummy definitions of the dependent variable.

The cross-sectional model tests the effects of stable county characteristics on political violence. The unit of analysis is the county, which yields 414 observations. The first specification is a logit model with dummy dependent variable indicating whether or not any political violence occurred in the county during the twenty-one year time period of the dataset.¹⁰ The second cross-sectional model uses an event-count dependent variable to assess which counties experience higher rates of political violence.¹¹

To investigate when political violence occurs, I use panel data to analyze the effect of time-variant political and economic conditions over the 21 years of political violence data. The unit of analysis is county-year, yielding 8687 observations. The dependent variable is political violence and the primary independent variable of interest is the passage of land transfer legislation. County-level fixed effects hold constant time-invariant characteristics. Analogous to the cross-sectional analysis, I use both logit and event count models.

Dependent Variable: Measuring Incidents of Political Violence

The dependent variable is political violence against the BLM. Data come from Freedom of Information Act (FOIA)¹² requests filed by Public Employees for Environmental Responsibility (PEER).¹³ The FOIA requests returned 500 incident reports of physical assaults, verbal harassment, and violent threats. Encompassing the entire repertoire of violent modalities allows us to better understand patterns of political violence (Gutierrez-Sanin and Wood 2017). Each report contains the incident description, date, location, description of the action taken by law enforcement, and status of the deposition. Examples of incidents include shooting at tires of rangers' vehicles, bombing personal residences, death threats left on personal and work voicemails, and shoving, hitting, or spitting on BLM employees. Excerpts from

¹⁰ The direction and significance of the coefficients are the same in a probit specification.

¹¹ For the event county model I use a negative binomial specification to account for over-dispersion in the data. The negative binomial distribution includes an extra parameter to correct for over-dispersion, in contrast to the Poisson model which assumes the dispersion parameter is equal to 1.

¹² The Freedom of Information Act allows citizens to request federal agency records or information.

¹³ PEER filed FOIA requests for "A summary of all incidents of violence, threats, or harassment against BLM employees that occurred in calendar year [x]. The summary should include the date, location, and nature of the incident or threat together with a summary of what, if any, outcomes stemmed from the incident or threat (e.g., arrest, conviction, ongoing investigation)."

BLM incident reports portray clear political motivations.¹⁴ The location was typically described as the state and the name of a park, intersection, or geographical landmark. I used the location descriptions to identify the county of each incident (see Fig. 2). I exclude 72 incidents for both theoretical and practical reasons.¹⁵ To account for possible reporting bias, intentional or otherwise, I run year fixed-effects regression models and find that the results hold their significance and direction. The relatively low incident counts for 1995–1997 (see Fig. 3) could be related to possible changes in reporting protocol or administration.

Independent Variable 1: Measuring Land Transfer Legislation

There was no complete list of land transfer legislation to use as a data source so I collected a list of all land transfer legislation introduced between 1995 and 2015 by searching the websites of think tanks, and non-profit organizations, and newspapers.¹⁶ I cross-checked this legislation list by searching each legislature’s legislation repository for the phrases “federal land” or “land transfer”. I read the text of each bill to ensure it met one of the following criteria: created or funded a commission to study the transfer of federal lands, explicitly supported the transfer of federal lands, stripped the federal government of its jurisdiction over federal lands, or appropriated money to pay a legal team to sue the federal government for land ownership. Western state legislatures introduced 49 pieces of land transfer legislation between 1995 and 2015. This legislation includes 37 bills, 4 memorials, and 8 resolutions (see Table 1 for a list and brief summaries). The majority of the legislation was unsuccessful; 35 pieces of legislation failed and 14 were signed into law. In the statistical models, I include only successful legislation because it is a more meaningful

¹⁴ To illustrate, for many years the federal government has been controlling the prolific wild horse population by rounding up horses for adoption or slaughter. The Rock Springs, Wyoming BLM office received a threatening email pertaining to the wild horse protocol, “WHO DO YOU THINK YOU ARE TO DO THIS, THE ILLEGAL SAFARI CLUB?...FUCK YOU GO TO HELL WHERE U BASTARDS DESERVE AFTER YOU HAVE BEEN TERRIFIED TORTURED AND HUNG UPSIDE DOWN” (Bureau of Land Management 2013). A second example is a physical assault described by a female Forest Service ranger as, “He started getting even more upset and said oh your just another one of those BLM sluts who think you can do whatever you want to make all our recreation go away. So what is your job I bet you don’t even know. I answered him to protect the forest health and manage the lands and that is why the Quagel Mussel are an issue and pose a huge problem to the drinking water systems... He said your just one of those environmental bitches who just think that you know it all well you don’t know anything that everything is just fine you are just as stupid as the BLM.”

¹⁵ I restrict the sample to the 11 western contiguous states where the vast majority of BLM land and offices are located (see Fig. 1). I exclude 14 incidents because they took place outside of these states. Additionally, I exclude 37 incidents unrelated to political violence, such as Burning Man debauchery and harassment from fellow BLM employees. Finally, 6 incidents photocopied too poorly to read and 15 incidents had location descriptions too vague to locate the county.

¹⁶ In my search for a list of land transfer legislation, I contacted the following academic, political, and public interest organizations: American Constitution Society, American Legislative Exchange Council, Cecil D. Andrus Center for Public Policy at Boise State University, Center for Biological Diversity, Center for Western Priorities, Coalition for Self-Government in the West at the Sutherland Institute, High Country News, Idaho Freedom Foundation, National Caucus of Environmental Legislators, National Conference of State Legislatures, and The Property and Environment Research Center.

signal of legislative support than introduction. Land transfer legislation is measured as a lagged binary variable, representing if a state passed land transfer legislation in the year prior to each county-year observation. Using a 1 year lag lessens the threat of legislation and violence arising simultaneously and comports with my theory of legislation serving as a signal prior to the decision to commit violence. I specify a binary measure of passed land transfer legislation because a count variable would necessitate that each additional bill has a relationship of equal magnitude with the likelihood of political violence. It is unreasonable to assume there is a linear relationship between passed legislation and the dependent variable. For example, I cannot reasonably assume that passing four bills in 1 year has four times the impact of a single bill's passage.

Although political violence occurs at a fairly consistent rate throughout all 21 years, land transfer legislation is present predominately in the last quarter of the time period. The amount of land in each state owned by the federal government is held constant throughout the time period, suggesting that changing political incentives motivated the surge of legislation beginning in 2015. Possible explanations include the rise of the Tea Party (a key proponent of federal-to-state land transfers), candidates posturing to voters in anticipation of the then-upcoming 2016 election, and backlash to President Obama's extensive national monument designations. Regression analyses will more thoroughly test this relationship by taking into account other explanatory variables.

Independent Variable 2: Measuring Constitutionalist Sheriffs

The second independent variable is a measure of whether or not a county has a constitutionalist sheriff in office. Prior to data collection here was no public list of constitutionalist sheriffs so I assembled an original list of constitutionalist sheriffs. The first data source is constitutionalist sheriffs serving in CSPOA leadership positions from the organization's website.¹⁷ The second source is the membership roster of the Constitution Club, an organization similar to the CSPOA. Third, I reviewed all the articles including the key search term "sheriff" on the *High Country News*, a prominent independent media organization that covers current events specific to the American West. I classified sheriffs as constitutionalists if the article described them acting or speaking against federal land ownership or federal authority on public lands. I verified each *High Country News* article with at least one local newspaper article describing the political views of the sheriff. After gathering names of constitutionalist sheriffs, I collected the years each sheriff was in office using the records or election returns on the county website. If there was no information about

¹⁷ In 2014, the CSPOA briefly published a list of 485 sheriffs who vowed to uphold the organization's mission. However, the Southern Poverty Law Center uncovered at least a dozen listed sheriffs who claimed to have never heard of the CSPOA, so it is likely false positives are on the list (Potok and Lenz 2016). I expect the leadership position list to contain fewer false positives than the 2014 member list because, assuming the CSPOA wanted to inflate the number of members, there is a limit to the number of plausible leadership positions for an organization.

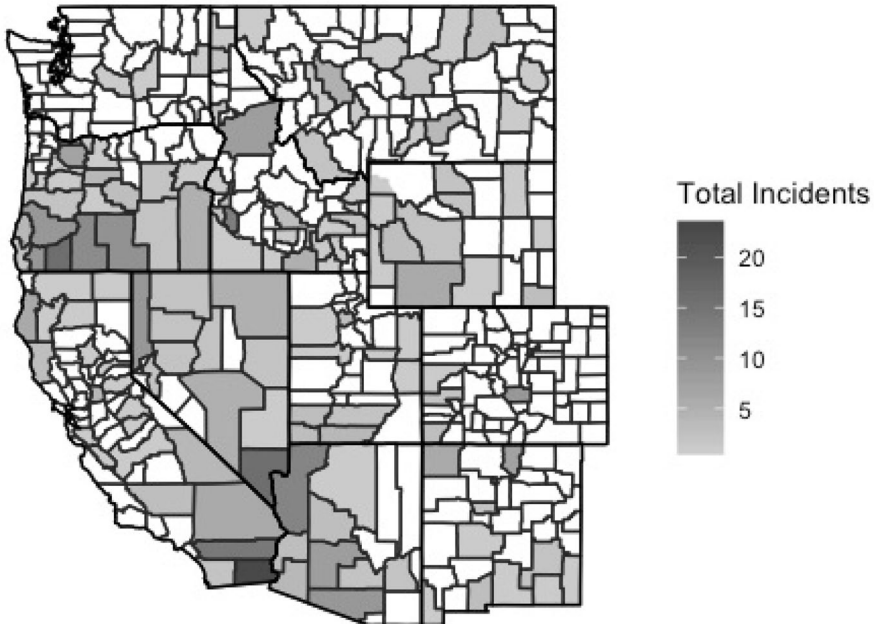


Fig. 2 County-level variation in political violence against public employees in the western United States 1995–2015

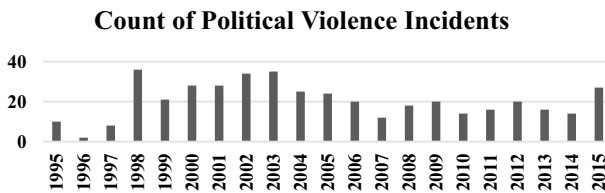


Fig. 3 Count of political violence incidents for 11 western states 1995–2015

a sheriff's dates of service on the county website, I referred to newspaper articles about sheriff elections.¹⁸

The final list of constitutionalist sheriffs included 49 unique sheriffs across 47 counties from 1995 to 2015. Figure 4 shows the counties that have ever elected a

¹⁸ Constitutional sheriff's covered in the news may have stronger anti-federal convictions or have created more publicity for their political beliefs than any constitutionalist sheriffs not covered in news articles. If there is a systematic difference between the observed and unobserved constitutionalist sheriffs, I suspect constitutionalist sheriffs without news coverage have smaller average effect on political violence than sheriffs who spread or endorse anti-federal beliefs through the media. For this reason, any missing observations of constitutionalist sheriffs bias my results upwards and future research should seek better identification strategies.

Table 1 Land transfer legislation 1995–2015

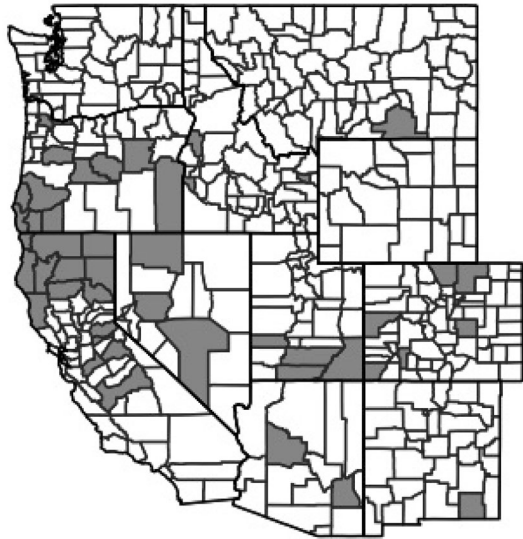
Year	State	Legislation	Passed?	Summary
2011	Montana	SJ 6	Y	Urges Congress to stop enforcing federal land regulations
2012	Utah	HB 148	Y	Establishes a commission to study land transfer
	Utah	HJR 3	Y	Demands the transfer of federal land to the state
	Utah	HB 91	N	Appropriates funds for a land transfer lawsuit
	Utah	HCR 1	N	Demands the transfer of federal land to the state
2013	Montana	SJ 15	Y	Audit of federal land management
	Wyoming	HB 0228	N	Establishes a commission to study land transfer
2014	Utah	HB 151	Y	Establishes a commission to study land transfer
	Utah	SB 48	N	Directs Tax Commission to study fiscal impact of transfer
2015	Alaska	HB 115	N	Transfers federal land to state ownership
	Arizona	HCM 2005	Y	Urges Congress to transfer federal land
	Arizona	HB 2658	Y	Establishes a commission to study land transfer
	Arizona	HB 2176	N	Federal land relinquishment
	Arizona	HB 2318	N	Interstate Compact on Transfer of Public Lands
	Arizona	HB 2321	N	Transfers federal land to state ownership
	Arizona	HB 2644	N	Interstate Compact on Transfer of Public Lands
	Colorado	SB 39	N	Concurrent jurisdiction over federal land
	Colorado	SB 232	N	Establishes a commission to study land transfer
	Idaho	SCR 108	N	Establishes a commission to study land transfer
	Idaho	SCR 115	N	Model for state management federal land
	Idaho	HB 265	N	Interstate Compact on Transfer of Public Lands
	Idaho	SB 1134	N	Creates Office of Public Lands
	Montana	SB 298	Y	Pursue financial compensation for federal land ownership
	Montana	SB 348	N	Purchase of national forest must be approved by legislature
	Montana	HB 496	N	Establishes a commission to study land transfer
	Montana	HB 541	N	Legislature must approve transfer of lands rights to federal gov.
	Montana	SB 215	N	Prohibits future sales of federal land transferred to the state
	Montana	SB 274	N	Prohibits future sales of federal land transferred to the state
	New Mexico	SB 483	N	Establishes a commission to study land transfer
	New Mexico	SM 6	N	Ask the federal government to study public lands revenue
	New Mexico	HB 291	N	Establishes a commission to study land transfer
	Nevada	SJR 1	Y	Urges Congress to transfer lands
Nevada	AB 283	N	State law enforcement power on federal public lands	
Nevada	AB 408	N	Sheriffs being the primary law enforcers on federal land	
Oregon	SJM 7	N	Urges Congress to transfer land title to state	
Oregon	HJM 13	N	Urges Congress to transfer lands	
Oregon	HB 3240	N	Establishes a commission to study land transfer	
Oregon	HB 3444	N	Transfers federal lands to state government	

Table 1 (continued)

Year	State	Legislation	Passed?	Summary
	Utah	HB 398	N	Allow state access to and influence over federal roads
	Utah	SCR 10	Y	Support for Public Lands Initiative in Congress
	Utah	HB 132	Y	Interstate Compact on Transfer of Public Lands
	Utah	HB 303	Y	Rewords statues to allow for eventual federal land transfer
	Utah	HB 384	Y	Fixes “unlawfully restrictive” federal grazing policies
	Utah	SB 105	N	Fixes “unlawfully restrictive” federal management policies
	Washington	HB 1192	N	Establishes a commission to study land transfer
	Washington	SB 5405	N	Establishes a commission to study land transfer
	Washington	HB 1262	N	Establishes a commission to study land transfer
	Wyoming	SB 56	Y	Establishes a commission to study land transfer
	Wyoming	HB 209	N	Urges Congress to transfer lands

The bolded items are the passed legislation. Unbolded items are failed (not passed) legislation

Fig. 4 Western U.S. counties that have ever elected a constitutionalist sheriff 1995–2015



constitutionalist sheriff during the 1995–2015 time period. Slightly over 1 out of every 10 counties in the western U.S. had a constitutionalist sheriff at some point during this time period, with positive cases geographically concentrated in northern California and southwestern Oregon.

Table 2 shows the bivariate relationship between political violence and constitutionalist sheriffs. Counties with constitutionalist sheriffs are over 40% more likely to have violence against BLM employees. The incident rate is the number of counties with at least one incident divided by the total number of counties in that category. The difference of proportions test is significant at $p < 0.01$. In the next section,

Table 2 Bivariate relationship between dependent variable and constitutionalist sheriff

	All counties (N=414)	Counties with a constitutionalist sheriff (n=47)	Counties without a constitutionalist sheriff (n=367)
Political violence incident rate	33%	70%	28%

multivariate regression analyses will further probe the relationship between constitutionalist sheriffs and political violence by controlling for alternate explanations.

Controlling for Alternate Theories

The empirical analysis incorporates control variables for preexisting explanations in the political violence literature. Decreases in economic well-being lead to disruptive protests because of the increased amount of free time of the unemployed, as is observed in the relationship between the decline of manufacturing in the 1990s and the contemporaneous rise of militias (McVeigh 1999; Van Dyke and Soule 2002). Collier and Hoeffler (2004) also find strong support for scarcity of employment lowering the opportunity cost of violent rebellion. I include median household income as a stable measure to compare the economic status of counties relative to each other and county unemployment rate to measure shocks to a county's economic vitality. County-level data on unemployment is collected from the U.S. Bureau of Labor Statistics and median household income is collected from the U.S. Census. Median household income is measured in thousands of dollars. I include a control for education level because previous work has shown that education is associated with disapproval of political violence (Aitchison 2018; Muller et al. 1987; Schnabel 2018). Education is collected from the U.S. Census and measured as the percentage of county residents over the age of twenty-five who have at least a 4-year college degree.

I control for political preferences by including partisanship and presence of political hate groups. Republican candidates are more likely to approve of the land transfer movement,¹⁹ so we would expect political violence against the BLM to occur at higher rates in Republican counties. Partisanship of each county is calculated using the average percent of county votes cast for the Republican presidential candidate across all general elections 1996–2012, which is collected from states' elections websites. Using a national election holds constant candidate quality across states, while averaging five presidential elections helps to minimize variation in candidate quality or idiosyncratic election characteristics. The Tea Party supports the transfer of federal lands to state governments to an even greater extent than the mainstream

¹⁹ Roll call data for all land transfer bills 1995–2015 show higher levels of support from Republican legislators than Democratic legislators.

Republican Party so I include a county-level control for Tea Party members per 10,000 residents. Data is collected by the Patchwork Nation project at the Jefferson Institute. Tea Party membership was measured once in 2010 and is applied to all years in this study. The constitutionalist sheriff movement originated out of the far right, anti-government, anti-Semitic Posse Comitatus movement and the two movements continue to interact (Tsai 2017).²⁰ I control for hate group activity using data on number of hate groups per capita for each county collected annually from the Southern Poverty Law Center (SPLC) Hate Watch project.

Political violence and other types of non-institutional political behavior are also appealing to those who find traditional forms of political participation inaccessible. Unlike voting or visiting a representative's office, political violence is accessible to all citizens because there are no barriers to participation and no location or election timing constraints (Braun and Hutter 2016). Rural residents incur additional participation costs because they are likely to live farther from a polling location, district office, or state capitol, and public transportation is less available. I control for access to political institutions by including the percent of each county's population living in a rural area with data from the 1990, 2000, and 2010 U.S. Census. I control for access to voting by including turnout in the models.²¹ Turnout data is collected from Secretary of State websites.

Rural populations are also more likely to be employed by natural resource extraction industries and have more exposure to the politics of public lands than their urban or suburban counterparts. Individuals with close ties to federal lands may be more likely to have grievances that motivate political violence or opportunities to unlawfully use federal land. To control for this possibility I include the U.S. Census' percent of the county population that is employed in the agricultural, forestry, fishing and hunting, or mining sectors.

I control for the percent of each county that is federal land. Residents of counties with a high proportion of federal land may be more likely to hold grievances about public land management because they encounter more land use restrictions. Federal land ownership was calculated using ArcGIS shape files from the U.S. Geological Survey. I also control for the number of BLM offices in each county using the list of offices on the BLM website.

Fearon and Laitin (2003) argue that terrain that is difficult to navigate makes it harder for the state to obstruct insurgency movements because the local populations have better knowledge of how to navigate the land than state actors. A single BLM ranger can be responsible for patrolling a district that is hundreds of square miles in size which makes it difficult for rangers to grow familiar with their entire district. Geographic size of the county and population density (measured as rural population)

²⁰ For example, in 2015 the CSPOA worked alongside extremist-group militia members in Montana and Oregon to obstruct federal authorities from closing two mines located on federal land after their government permits were not renewed (Potok and Lenz 2016).

²¹ I calculate turnout by averaging sequential midterm and presidential elections to account for the difference in turnout between presidential and midterm elections. For presidential election years, turnout was averaged with the midterm election from two years prior. For midterm election years turnout was averaged with the presidential election two years prior. For odd-numbered years, turnout is measured as the average of the previous presidential election and the previous midterm election.

Table 3 Where does political violence occur?

	Where has it occurred? DV = incident (1), no incident (0)	Where has it occurred a lot? DV = incident count
Land transfer legislation	0.378 (4.166)	- 1.185 (4.055)
Constitutionalist sheriff	2.467** (1.174)	0.615 (0.512)
Hate groups (per 10,000 capita)	15,436.59 (19,923.59)	13,575.67 (12,910.16)
Voter turnout (%)	0.057** (0.027)	0.04** (0.017)
County size (sq. thousand miles)	0.255*** (0.091)	0.058 (0.035)
Federal land (%)	0.012* (0.006)	0.016*** (0.004)
BLM offices	1.789*** (0.212)	1.265*** (0.173)
Rural population (%)	- 0.024** (0.01)	- 0.026*** (0.005)
College completion (% 25+ years)	- 0.052 (0.037)	- 0.042** (0.018)
Median household income	- 0.014 (0.03)	- 0.023 (0.016)
Constant	- 3.759** (1.888)	- 1.600 (0.974)
N	414	414
Unit of analysis	County	County
Clustered errors	State-level	State-level
Specification	Logit	Negative binomial

For the cross-sectional models, land transfer legislation is operationalized as the average number of land transfer legislation passed per year. For example, Montana passed land transfer legislation in 3 of the 21 possible years, so the value of the land transfer legislation variable is 0.14 for all Montana counties. Sheriff is the proportion of years 1995–2015 for which a county had a constitutionalist sheriff in office. Clustered standard errors are bootstrapped to accommodate the small number of states. I do not include partisanship, Tea Party membership, employment industry, or population because their inclusion does not achieve significance and does not change the other coefficients

*** $p < 0.01$, ** $p < 0.05$, * $p < 0.10$

are proxies for how easily the BLM can navigate and monitor public lands. The size of counties was collected from the 1990, 2000, and 2010 U.S. Census.

Results

Land Transfer Legislation

The passage of land transfer legislation does not have a significant effect regarding where political violence occurs (Table 3), but it does have positive and statistically significant coefficient in the panel model for the timing of political violence (Table 4). Importantly, the passage of a bill has a statistically significant association with not only whether or not a county experiences political violence the following year, but also whether a county experiences one or many events. The passage of land transfer legislation is associated with a 10% increase in the probability of political violence occurring in the following year (Table 5). Future research should parse out the mechanism by which land transfer legislation is associated with political

Table 4 When does political violence occur?

	When has it occurred? DV = incident (1), no incident (0)	When has it occurred a lot? DV = incident count
Land transfer legislation passed in previous year, dummy	0.687*** (0.219)	0.571*** (0.002)
Constitutionalist sheriff	-0.334 (0.439)	-0.308 (0.413)
Hate groups (per 10,000 capita)	4561.274 (6326.325)	5487.407 (6802.508)
Voter turnout	-0.023*** (0.008)	-0.026*** (0.01)
Unemployment (%)	0.007 (0.04)	0.003 (0.025)
Unified democratic state	0.161 (0.375)	0.109 (0.362)
Clinton administration	-0.485*** (0.161)	-0.429*** (0.166)
Obama administration	-0.319 (0.304)	-0.243 (0.235)
Constant		1.779** (0.719)
N	2898	2898
Unit of analysis	County-year	County-year
Fixed effects	County-level	County-level
Clustered errors	State-level	State-level
Specification	Panel logit	Panel negative binomial

Clustered standard errors are bootstrapped to accommodate the small number of states

*** $p < 0.01$, ** $p < 0.05$, * $p < 0.10$

violence. For example, how do constituents hear about land transfer legislation—through their legislator's district communications, mailers from the American Lands Council, state capitol media coverage, or some other way?

Earlier in the paper, I stated why I expect the passage of land transfer legislation to be significant for political violence as opposed to the introduction of land transfer legislation. When I specify the land transfer legislation variable to include *introduced* legislation instead of only *passed* legislation, there is no evidence of a statistically significant relationship between land transfer legislation and violence against BLM employees. This suggests that for legislation to have an endorsement effect it needs to have been validated by a majority of the legislature, and in most cases the governor. The introduction of land transfer legislation by a single legislator sympathetic to the Sagebrush Rebellion is too weak a signal to effectively validate constituents' federal land grievances.

Constitutionalist Sheriffs

Table 3 shows counties that elect constitutionalist sheriffs are statistically significantly more likely to have political violence than counties that do not elect constitutionalist sheriffs. Election of a constitutionalist sheriff has a statistically significant relationship with the *presence* of violence, but not the *amount* of violence beyond the first incident. Specifically, the constitutionalist sheriff coefficient is significant only in the logit model, not the event count (negative binomial) model. The election

Table 5 Panel logit predicted probabilities

When this variable	Shifts from ... to ...	Change in the probability of violence in a county-year
Passed land transfer legislation	0 to 1	10.7% increase (0.4%, 21.0%)
Voter turnout (%)	68 to 77	2.4% decrease (1.8%, 3.1%)
Clinton administration	0 to 1	5.6% decrease (0.3%, 10.9%)

The table includes the predicted probabilities for only the statistically significant variables while holding all other variables at their means. Voter turnout is measured as the jump from the median (68) to one standard deviation (9) above the median. Upper and lower bounds show the 95% confidence level around the change in predicted probability

of a constitutionalist sheriff is association with a 54% increase in the probability of political violence (Table 6).

The lack of significance on constitutionalist sheriffs in the panel models represents that the election of constitutionalist sheriffs does not help to explain the timing of political violence (Table 4). Whether or not a constitutionalist sheriff is in office for any given year does not have a statistically significant relationship with political violence during that same year. This could be caused by the effect of a constitutionalist sheriff working through the grievance mechanism rather than the opportunity mechanism. If a sheriff encourages violence by inflaming grievance, then the significant effect of a sheriff could persist after they leave office. Alternatively, if a sheriff encourages violence by creating opportunities for lawlessness then you would expect the effect to be time-sensitive to when the sheriff is in office and the coefficient would be significant in the panel model. Another explanation is possible endogeneity between a county's proclivity for electing a constitutionalist sheriff and a predisposition for political violence. This also comports with the statistical significance of constitutionalist sheriffs coefficient in the cross-sectional model but insignificant coefficient in the time-series model.

Discussion

A couple control variables merit discussion.²² First, the size of rural population has a significant and negative relationship with political violence. I interpret this in the context of political violence occurring almost exclusively in rural locations that are within geographically heterogenous counties (which describes most counties). To illustrate, San Bernardino County in California had six incidents over the 20 year period, all of which occurred in the rural parts of the county. San Bernardino county is majority urban and suburban²³ in population but majority rural in physical area.

²² I do not include Republican partisanship, Tea Party partisanship, and population in the final cross-sectional or time-variant models because their inclusion does not achieve significance nor change the other coefficients.

²³ The vast majority of the population in San Bernardino County lives in cities on the edge of Los Angeles and Orange counties.

Table 6 Cross-section logit predicted probabilities

When this variable	Shifts from ... to ...	Change in the probability of violence in the county
Constitutionalist Sheriff	0 to 1	54.3% increase (20.1%, 88.4%)
Voter turnout (%)	68 to 77	11.7% increase (0.4%, 23.1%)
County size (sq. thousand miles)	2.1 to 4.8	15.1% increase (4.6%, 25.6%)
Federal land (%)	39 to 67	7.4% increase (-0.4%, 15.2%)
BLM offices	0 to 1	40% increase (30.4%, 49.8%)
Rural population (%)	49 to 82	14.3% decrease (4.5%, 24.2%)

The table includes the predicted probabilities for only the statistically significant variables while holding all other variables at their means. The values for all variables except for constitutionalist sheriffs and BLM offices are the median to one standard deviation above the median. Upper and lower bounds show the 95% confidence level around the change in predicted probability

Rural residents in predominately non-rural county may feel like their experiences and perspectives are erased by urban-centric politics and culture. After all, the Sagebrush Rebellion was created because rural interests felt excluded from the policy-making process (Cawley 1993). Groups excluded from agenda-setting and policy-making eventually stop trying to be involved in these processes (Cobb and Elder 1983). This perceived powerlessness within the political system can lead citizens to prefer aggressive political behavior over more traditional forms of democratic political behavior (Muller and Godwin 1984).

Second, the presence of hate groups has no significant relationship with political violence against the BLM. This finding is unexpected given the history of linked activities between militias and land use conflict. Some may find it comforting that violence towards the BLM is not a byproduct of having more hate groups in a county and that the violence studied in this paper is not a symptom of a more maleficent phenomenon.

Conclusion

This paper interrogates the role of subnational governments in stimulating political violence against BLM employees in western United States. Using a dataset of political violence reports from the BLM, I empirically support two theories that use a federalism perspective to advance our understanding of modern American political violence. First, constitutionalist sheriffs can increase political violence against the federal government by stoking citizens' anti-federal grievances and by making it difficult for the BLM employees to enforce land regulations. Second, passage of land transfer legislation by state legislatures can increase subsequent rates of political violence by vindicating individuals' frustrations with the federal government.

Incorporating federalism into the study of political violence illuminates how the actions of elected officials at state and county levels can promote violence against the federal government, a phenomenon previously unexamined by political

scientists. Elected officials' legislative activity, campaign promises, and law enforcement decisions all may promote political violence against federal employees. Given that state and county politicians benefit from presenting the federal government as a straw man for a variety of policy areas, subsequent projects should examine the context-specific incentives of elected officials to send signals that undermine federal authority. Disputes over federalism and natural resources are just one facet of modern American political violence, and there are many more violent phenomena that merit attention. For example, I do not expect theories about constitutionalist sheriffs to explain the shooting of the congressional Republicans' baseball team in 2017 or the eleven assassination attempts of Democratic Party elites preceding the 2018 midterm elections.

I do expect my findings of constitutionalist sheriffs to generalize to policy domains in which sheriffs have a role in implementing federal law, such as immigration (Farris and Holman 2017), domestic violence (Farris and Holman 2015), public and traffic safety, and gun control. The effect of constitutionalist sheriffs on civilian compliance with gun policy would be an appropriate empirical test of the theories in this paper given the CSPOA's explicit refusal to enforce President Obama's gun control executive action. Generally, we should expect the actions of state and county governments to be more impactful on civilian non-compliance when the federal government cannot easily enforce a policy itself, such as drug policy enforcement. The Drug Enforcement Administration relies on the cooperation of local law enforcement to be their eyes and ears (and backup) in communities across the nation, yet we see state, county, and city governments intentionally thwarting federal marijuana restrictions.

Future research should examine the conditions under which vocal groups are likely to reap policy rewards from violent political resistance that they would not otherwise achieve through the legislative process. One cannot underestimate the extent to which social identity mediates the success rate of using political violence to extract concessions from the government. The Sagebrush Rebellion is popularly viewed as a movement of cisgender, heteronormative, Christian, white, male, American-born citizens. Consequently, the Sagebrush Rebels' ability to reap distributive benefits through political violence against the government is an exception to the larger pattern of extra-institutional political behaviors in minority social movements. This paper describes a phenomenon that is in stark contrast to the violent and oppressive government responses to obstructionist political behavior during the Civil Rights movement, Black Lives Matter protests, the Women's Suffrage Movement, and the Dakota Pipeline protests. Additional research could uncover why sub-national governments decide to insert themselves into disputes between citizens and the federal government, and how this varies across issues and subconstituencies.

Political violence surrounding federal land management policy provides a unique opportunity to advance understanding of both individuals' decisions to engage in high-cost, unconventional political behavior and to explore the adverse consequences of federalist institutions. Symbolic land transfer legislation and sheriff elections are often given short shrift by both media and academia, but these political activities have important consequences for the safety of public employees. Scholars should continue to examine other contexts of political violence to increase the

discipline's understanding of which subnational political institutions encourage violent political behavior, and how it can be avoided in the future.

Acknowledgements This paper would not have been possible without Laura Dumais (*Public Employees for Environmental Responsibility*) and Tay Wiles (*High Country News*) who generously shared the political violence incident reports. I thank the three anonymous reviewers and editors, Thad Kousser, Seth Hill, Zoli Hajnal, Dan Butler, Charles McClean, Taylor Carlson, and Luke Sanford for invaluable feedback on earlier drafts of this paper. Replication files are available at <https://doi.org/10.7910/DVN/MPLQUI>.

Compliance with Ethical Standards

Conflict of interest The author declares that she has no conflict of interest.

References

- Aitchison, G. (2018). Domination and disobedience: Protest, coercion and the limits of an appeal to justice. *Perspectives on Politics*, 16(3), 666–679.
- Bartels, L. M. (2008). *Unequal democracy: The political economy of the new gilded age*. Princeton: Princeton University Press.
- Braun, D., & Hutter, S. (2016). Political trust, extra-representational participation and the openness of political systems. *International Political Science Review*, 37, 151–165.
- Cawley, R. M. (1993). *Federal land, western anger: The Sagebrush Rebellion and environmental politics*. Lawrence: University of Kansas Press.
- Chaloupka, W. (1996). The county supremacy and militia movements: Federalism as an issue on the radical right. *Publius: The Journal of Federalism*, 26(3), 161–175.
- Clarke, J. W. (1998). Without fear or shame: Lynching, capital punishment and the subculture of violence in the American South. *British Journal of Political Science*, 28(2), 269–289.
- Cobb, R. W., & Elder, C. D. (1983). *Participation in American politics: The dynamic of agenda-building* (2nd ed.). Baltimore: Johns Hopkins University Press.
- Collier, P., & Hoeffler, A. (2004). Greed and grievance in civil war. *Oxford Economic Paper*, 56, 563–595.
- Conable, P. (1996). Equal footing, county supremacy, and the western public lands. *The National Agricultural Law Review*, 26, 1263–1286.
- Dahl, R. A. (1961). *Who governs? Democracy and power in an American city*. New Haven: Yale University Press.
- Davenport, C. (2009). *Media bias, perspective, and state repression: The Black Panther Party*. Cambridge: Cambridge University Press.
- Downs, A. (1957). *An economic theory of democracy*. New York: Harper and Row.
- Eagan, S. P. (1996). From spikes to bombs: The rise of eco-terrorism. *Studies in Conflict & Terrorism*, 19(1), 1–18.
- Einstein, K. L., & Glick, D. M. (2017). Cities in American federalism: Evidence on state-local government conflict from a survey of mayors. *Publius: The Journal of Federalism*, 47(4), 599–621.
- Farris, E. M., & Holman, M. R. (2015). Public officials and a “private” matter: Attitudes and policies in the county sheriff office regarding violence against women. *Social Science Quarterly*, 96(4), 1117–1135.
- Farris, E. M., & Holman, M. R. (2017). All politics is local? County sheriffs and localized policies of immigration enforcement. *Political Research Quarterly*, 70(1), 142–154.
- Fearon, J., & Laitin, D. (2003). Ethnicity, insurgency, and civil war. *American Political Science Review*, 97, 90–95.
- Gehrke, R. (2016). *Utah's lawsuit over federal lands nearly ready, expenses questioned*. The Salt Lake Tribune. Retrieved June 10, 2016.
- Gilens, M. (2012). *Affluence and influence: Economic inequality and political power in America*. New York: Princeton university Press and the Russell Sage Foundation.
- Gilpin, L. (2016). *How an East Coast think tank is fueling the land transfer movement*. High Country News. Retrieved February 26, 2016.

- Gurr, T. (1970). *Why men rebel*. Princeton: Princeton University Press.
- Gutierrez-Sanin, F., & Wood, E. J. (2017). What should we mean by “pattern of political violence”? Repertoire, targeting, frequency, and technique. *Perspectives on Politics*, 15, 20–41.
- Kincaid, J. (1990). From cooperative to coercive federalism. *The Annals of the American Academy of Political and Social Science*, 509(1), 139–152.
- Kincaid, J. (2008). Contemporary U.S. federalism: Coercive change with cooperative continuity. *Revista d'Estudis Autonòmics i Federals*, 6, 10–36.
- Lamm, R. D., & McCarthy, M. (1982). *The angry west: A vulnerable land and its future*. Boston: Houghton Mifflin Harcourt.
- Leadingham, S., & Garner, Z. (2018). ‘Bundyville’ tells a story of anti-government extremism set in the rural west, says podcast host. *KLCC NPR for Oregonians*. Retrieved December 11, 2018.
- Lind, D. (2016). *Waco and Ruby Ridge: The 1990s standoffs haunting the Oregon takeover*. Vox. Retrieved January 5, 2016.
- Lipsky, M. (2010). *Street-level bureaucracy: Dilemmas of the individual in public services*. New York: Russell Sage Foundation.
- Maughan, R. (2016). *The Malheur occupation and its aftermath*. Idaho State Journal. Retrieved April 6, 2016.
- McAdam, D. (1986). Recruitment to high-risk activism: The case of freedom summer. *American Journal of Sociology*, 92, 64–90.
- McVeigh, R. (1999). Structural incentives for conservative mobilization: Power devaluation and the rise of the Ku Klux Klan, 1915–1925. *Social Forces*, 77, 1461–1496.
- Muller, E. N., & Godwin, R. K. (1984). Democratic and aggressive political participation: Estimation of a nonrecursive model. *Political Behavior*, 6, 129–146.
- Muller, E. N., Seligson, M. A., & Turan, I. (1987). Education, participation, and support for democratic norms. *Comparative Politics*, 20(1), 19–33.
- Napolio, N. G., & Peterson, J. C. (2018). Their boot in our face no longer: Administrative sectionalism and resistance to federal authority in the U.S. South. *State Politics and Policy Quarterly*. <https://doi.org/10.1177/1532440018803960>.
- Oberschall, A. (1973). *Social conflict and social movements*. Englewood Cliffs, NJ: Prentice Hall.
- O’Donoghue, A. J. (2013). Lawmakers, Utah sheriffs want to rein in renegade BLM, Forest Service officers. *Deseret News*. Retrieved February 28, 2013.
- Olson, A., Callaghan, T., & Karch, A. (2017). Return of the ‘Rightful Remedy’: Partisan federalism, resource availability, and nullification legislation in the American states. *Publius: The Journal of Federalism*. <https://doi.org/10.1093/publius/pjx061>.
- Potok, M., & Lenz, R. (2016). *Line in the sand*. Southern Poverty Law Center. Retrieved June 13, 2016.
- Riverstone-Newell, L. (2017). The rise of state preemption laws in response to local policy innovation. *Publius: The Journal of Federalism*, 47(3), 403–425.
- Rosenstone, S. J. (1982). Economic adversity and voter turnout. *American Journal of Political Science*, 26(1), 25–46.
- Schattschneider, E. E. (1960). *The semi-sovereign people*. New York: Holt, Rinehart, and Winston.
- Schlozman, K. L., Verba, S., & Brady, H. E. (2012). *The unheavenly chorus: Unequal political voice and the broken promise of American democracy*. Princeton: Princeton University Press.
- Schnabel, L. (2018). *Education and attitudes toward interpersonal and state-sanctioned violence* (pp. 505–511). PS: Political Science and Politics.
- Schumacher, P. D. (1980). The effectiveness of militant tactics in contemporary urban protest. *Journal of Voluntary Action Research*, 9, 131–148.
- Scott, J. C. (1985). *Weapons of the weak: Everyday forms of peasant resistance*. New Haven: Yale University Press.
- Siegler, K. (2016). *Utah sheriffs threaten to arrest rangers if they try to close public lands*. National Public Radio. Retrieved May 31, 2016.
- Sottile, L. (2017). *Cliven Bundy’s fight against the feds has roots in interpretation of Mormon scripture*. Washington Post. Retrieved December 7, 2017.
- Swearingen, M. (2016). *The BLM’s arms race on the range*. National Public Radio. Retrieved February 2, 2016.
- Taylor, P. (2014). *Sheriffs are key to BLM mission, but local politics intrude*. GreenWire. Retrieved July 17, 2014.
- Tsai, R. L. (2017). The troubling sheriffs’ movement that Joe Arapaio supports. *Politico*. Retrieved September 1, 2017.

-
- Van Dyke, N., & Soule, S. A. (2002). Structural social change and the mobilizing effect of threat: Explaining levels of patriot and militia organizing in the United States. *Social Problems*, 49, 497–520.
- Wilson, J. Q. (1961). The strategy of protest: Problems of negro civic action. *Journal of Conflict Resolution*, 5, 291–303.
- Wood, E. (2003). *Insurgent collective action and civil war in El Salvador*. Cambridge: Cambridge University Press.
- Wood, A. L. (2011). *Lynching and spectacle: Witnessing racial violence in America, 1890–1940*. Chapel Hill, NC: University of North Carolina Press.

Publisher's Note Springer Nature remains neutral with regard to jurisdictional claims in published maps and institutional affiliations.