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LAND GRABBERS, TOADSTOOL WORSHIPPERS,
AND THE SAGEBRUSH REBELLION IN UTAH, 1979–1981

by

Jedediah S. Rogers

A thesis submitted to the faculty of

Brigham Young University

in partial fulfillment of the requirements for the degree of

Master's of History

Department of History

Brigham Young University

August 2005

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BRIGHAM YOUNG UNIVERSITY

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ABSTRACT

LAND GRABBERS, TOADSTOOL WORSHIPPERS, AND THE SAGEBRUSH REBELLION IN UTAH, 1979–1981

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Master's of History

In 1979, a handful of Nevada state officials sparked a movement to transfer the large unappropriated domain to the western states. For two years what became known as the Sagebrush Rebellion swept across the American West like brushfire, engaging westerners of all stripes in a heated dispute over the question of the public lands. In Utah, as elsewhere in the West, public officials, rural ranchers, miners, developers, academics, environmentalists, and concerned citizens joined the debate and staked sides. This episode underscored western relationships between people and nature and featured contests over competing ideologies in the West. But it probably did more harm than good in solving the problems of the West and even further polarized westerners against themselves. After just two years in the limelight, however, the Sagebrush Rebellion unspectacularly faded into public memory, partly as a result of environmental opposition

but mostly because Ronald Reagan's administration steered public land policy in a new direction. Interior Secretary James Watt took steps to appease disgruntled westerners by loosening federal regulations on the public lands, but he opposed any efforts for a large-scale transfer. Thus the Sagebrush Rebellion ultimately failed; but still today the sentiment and conflicts that propelled it persist, continuing to color the panorama that is the American West.

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PREFACE

In its chambers on February 15, 1979, the Nevada State Legislature nearly unanimously passed a bill that would transfer a large portion of the public domain owned by the federal government—about 48 million acres of the state—to Nevada. This action cannot be easily explained, for it was in response to a variety of western grievances and ill feelings that had been present in the West for some time. But it was a sentiment that was widely felt and which set off a popular movement to assert control of the West. John Rice, a reporter who attended the legislative session, was said to have coined “Sagebrush Rebellion” to evoke the disgruntled emotions that were present at this particular session.

This term would be tossed around widely for the next two years—in newspaper articles and editorials, in legislative bills and congressional reports, in environmental newsletters, and more. The sagebrush rebels and their opponents debated the term’s usefulness, but the name stuck. It unmistakably pinpointed the movement in the arid West, the vast tract of land west of the hundredth meridian that receives less than 20 inches of water annually. This is important since the term “rebellion” addressed the discontent that had been brewing for quite some time by fed-up westerners against what they considered an overbearing federal government.

Some rebels argued that the term “rebellion” was a misnomer because the movement to transfer the land operated within legal and constitutional bounds. True, no

heads rolled, but the Rebellion was bloody in a rhetorical sense. Some rebels resurrected colonial rhetoric by referring to the movement as “the second American Revolution,” an epic conflict over colonial rule by an absentee landlord. A no-holds-bar was made in referring to environmentalists and like-minded conservationists as “selfish,” “radical,” “dandelion pickers,” and “a cult of toadstool worshippers.”

For their part, opponents fired back. Harkening back to the days of the Old West when cowboys, sodbusters, and other enterprising westerners were said to have freely roamed the range, environmentalists called the movement nothing more than a traditional western “land grab.” It was, in their view, an overt attempt to assert control of the land and its resources for practically nothing. In fact, this was the mother of all land grabs, for never before had westerners demanded title to so much land. Active environmentalists and other opponents labeled the rebels’ motives as little more than greed, some attaching pejorative names to the movement such as the “sagebrush ripoff,” “cowpie confrontation,” or “cheatgrass mutiny”; Secretary of the Interior Cecil Andrus called it “an attempt to hornswoggle all Americans out of a unique land heritage.” This emotive and sometimes offensive rhetoric spewed out by both camps caused emotions to broil and was one reason why the Rebellion grew to such a heightened state of agitation.

But on both sides the rhetoric underscored some real and legitimate grievances. Uncle Sam owned—and still does—most of the land in the West. In Utah, two-thirds of the land was federally owned, as compared to about 87 percent in Nevada, 64 percent in Idaho, and 48 percent in Wyoming. Richard White and other historians of the U.S. West have argued that “more than any other region, the West has been historically a

dependency of the Federal government.”¹ In a real sense, the federal government has had a significant presence in the West. Land policy percolates from Washington D.C.; western states receive money from the federal government in lieu of taxes, but they do not receive taxes from the land since they do not own it. As a result of this federal “intrusion,” many westerners have resented the disruption of long cherished ways of living and of their perceived status as “second-class citizens.” To some, the grievances that came to a head during the Sagebrush Rebellion have lain dormant for over twenty-five years; for others, and especially rural people who still struggle to make a living on the land, these issues continue to run thick in their veins and make their hair stand up beneath their Stetsons. Mention the Sagebrush Rebellion to cattlemen in southeastern Utah and their facial expressions will stiffen. I did to several rustic ranchers in Castle Valley, Emery County, and each took the time to sit down with me and rattle off their grievances.

Situated directly east of Nevada, Utah is the Silver State’s sister state in many ways, both geographically and economically. So when Nevadans took up the crusade to win back the land within the state borders it did not seem out of place for Utahns to join them. Sagebrush rebels from both rural and urban Utah played an integral role in championing the cause and disseminating information to a national audience. Likewise, opposition to the Sagebrush Rebellion in Utah was better organized and more potent than elsewhere in the West. This thesis attempts to tell the story of both the sagebrush rebels and their environmental opposition, highlighting the major personalities, issues, and events in Utah during a two-year period beginning in 1979.

¹ Richard White, *“It’s Your Misfortune and None of My Own”: A History of the American West* (Norman: University of Oklahoma Press, 1991), 57.

Historians have yet to tell the full story of the Sagebrush Rebellion in the West. Several studies try to make sense of the legal or constitutional rightness or wrongness of the Rebellion, which is the beyond the scope and purpose of the present study.² General histories of the American West and the American environment generally mention the movement, albeit briefly in no more than a few paragraphs. Most of these normally discuss the Rebellion in terms of Nevada or the collective West.³ General histories of Utah and its counties briefly mention it, moreover, but not in any exhaustive way.⁴ In fact, historians have yet to fully understand the impact and significance of the Sagebrush

² See Dina Titus, "The Sagebrush Rebellion: A Question of Constitutionality," in *Battle Born: Federal-State Conflict in Nevada During the Twentieth Century*, ed. by A. Costandina Titus (Dubuque, Iowa: Kendall/Hunt Publishing Company), 150–61.

³ Only one paragraph was dedicated to it in Michael P. Malone and F. Ross Petersons' essay, "Politics and Protests," in *The Oxford History of the American West*, eds. Clyde A. Milner II, Carol A. O'Connor, and Martha A. Sandweiss (Oxford University Press, 1994), 529–30; also White, 'It's Your Misfortune and None of My Own', 567–68; Carl Abbott, *The Metropolitan Frontier: Cities in the Modern American West* (Tucson: University of Arizona Press, 1993); Robert Gottlieb and Peter Wiley, *Empires in the Sun: The Rise of the New American West* (New York: Putnam, 1982). The Rebellion is discussed at some length in Hal K. Rothman, *The Greening of a Nation? Environmentalism in the United States since 1945* (Orlando, Florida: Harcourt Brace College Publishers, 1980), 174–80. See also William R. Lindley, "From Oregon's Range War to Nevada's Sagebrush Rebellion," *Journal of the West* 38 (Jan., 1999): 56–61.

A few studies examine the movement more thoroughly than do general surveys of the American West. William Graf's *Wilderness Preservation and the Sagebrush Rebellions* (Savage, Maryland: Rowman & Littlefield, 1990), dedicates several chapters to it and provides a useful overview of the history of public lands controversy from what he calls the first sagebrush rebellion in the nineteenth century to the fourth one in the late 1970s. However, Graf fails to utilize essential primary sources, instead relying almost entirely on secondary source material. More useful for its usage of primary sources is C. Brant Short's *Ronald Reagan and the Public Lands: America's Conservation Debate, 1979–1984* (College Station: Texas A&M University Press, 1989), a rhetorical analysis of the pro-development and pro-preservationists in the debate over public lands. Two of his first chapters analyze the arguments and counterarguments of sagebrush rebels and their opponents. It is interesting that Short begins his discussion in 1979, a year before Reagan was elected, as if to suggest that the debate over the public lands in the 1980s really began with the Sagebrush Rebellion. His dissertation, which became a book, actually begins not in 1979 but in 1980, the year of Reagan's election.

The best study to date on the Sagebrush Rebellion is R. McGregor Cawley's *Federal Land, Western Anger: The Sagebrush Rebellion and Environmental Politics* published by the University of Kansas Press in 1993. Cawley is primarily concerned with resource policy and the way in which the Sagebrush Rebellion influenced the direction of this policy. Cawley argues, rightly I believe, that the Rebellion was "an authentic political movement," motivated by economic self-interest and a genuine belief in individual rights. He also maintained that the aim to transfer land was likely "a bargaining tactic used to deemphasize environmental values in public land policy."

⁴ See Thomas G. Alexander, *Utah, The Right Place*, Revised Ed. (Salt Lake City: Gibbs M. Smith, 2003), 424–25; Scott M. Matheson and James Edwin Kee, *Out of Balance* (Layton, Utah: Gibbs M. Smith, 1986), 124; Richard A. Firmage, *A History of Grand County* (Salt Lake City: Utah State Historical Society and Grand County Commission, 1996).

Rebellion on the local and state level where most of the politicking and debate took place, and it is the purpose of this study to present a detailed account of the movement with Utah as a case study. It will be seen that the activity of sagebrush rebels and their opponents varied from state to state; the course of the Rebellion certainly took different turns in Utah than in the neighboring states of Nevada, Idaho, Wyoming, Colorado, and Arizona. But it will also be noted that arid western states have bonds of commonality; through an in-depth look at the Utah experience general themes may be deduced.

In this case study I draw primarily on newspaper articles, oral interviews, and manuscript materials at the Utah State Archives; Special Collection at Utah State University in Logan, Utah; and Special Collections at the University of Reno–Nevada. Chapters I, II, and V are broadly chronological. The first is a brief review of public lands in the United States and the controversies that have arisen on those lands. I break up the events of 1979, 1980, and 1981 into the other two chapters, where I discuss the main players and events associated with this movement. The middle chapters are topical—the first an in-depth look at the rural reaction, and the second an analysis of the anti-rebel opposition. The final chapter, as well as the chapter on the opposition, tracks the Sagebrush Rebellion to its conclusion in 1981 as a viable political movement, partly a result of environmental pressure but more due to new directions in land policy established by the Reagan administration.

The pages that follow are meant to tell a story—a story that moves from the urban to the rural, from public conference to private meetings, from significant events to key players on both sides. This is a story about people and land, and the forces that gave shape to this relationship in the late 1970s and early 1980. My hope is that readers will

begin to understand the tension and variance at work as the two opposing sides debated the meaning and the appropriate use of the public lands. The hope is that this story will not only be an accurate narration of what happened over twenty-five years ago, but that it will illuminate general themes and issues that continue to make the modern American West so unique. Land has traditionally been one of these issues and it seems certain, judging by the relatively recent manifestations during the Sagebrush Rebellion, that it will continue to be so.

Kristen Rogers-Iversen kindly gave me the idea for the topic of this thesis. It turned out to be a winner, and for that and the encouragement she offered along the way, thanks. Edwin Iversen read an entire draft of the thesis and made useful comments. Appreciation goes to my graduate committee—my chair, Thomas G. Alexander, and committee members, Brian Q. Cannon and Ignacio M. Garcia. My association with these fine scholars made this thesis immeasurably better and my graduate experience a memorable one. I received financial assistance from the Charles Redd Center for Western Studies and the History Department at Brigham Young University and appreciate their confidence. Since much of this thesis was written at home, thanks to my darling son, Isaac, for putting up with a preoccupied dad. And thanks to Holly, whose contributions are much too numerous to mention here, but whose love and support made this all possible.

I.

THE PUBLIC LANDS

There is nothing that will make the average westerner see red so quickly and so vividly as the question of the public lands.

Utah Governor George H. Dern, 1926¹

The sentiment expressed by Governor Dern in the epigraph may surprise many of us for whom the public lands are far removed from the daily routine and the structure of our lives. Could not Dern have mentioned some other “western” issue instead—perhaps even the question of water, which was of pivotal importance and passion in the nineteenth- and twentieth-century West and remains so today? But he said public lands, and he undoubtedly meant it. Many westerners have long resented the fact that the public domain is, after all, public, belonging not to the state or to private interests but to the federal government.² Since Uncle Sam took control of the public lands in the eighteenth and nineteenth centuries, easterners and westerners have debated how best to manage and dispose of them. The questions of what to do with the public lands and whose interests they serve have long polarized not only the West and the East, but the West against itself. The reasons for this are rooted in a long history of controversy in the West; the divisive

¹ Dern speech, School Land Titles in Public States, July 27, 1926, Special Collections, J. Willard Marriott Library, University of Utah, Salt Lake City.

² Benjamin Hibbard defines the *public domain* to be that area that was at one time owned by the United States and subject to transfer through federal laws. Hibbard, *A History of the Public Land Policies*, 7. Technically, however, public land refers to that land currently managed by the Bureau of Land Management and which once had been under the General Land Office. The federal government also owns national forest lands and national park lands, but these are not considered public lands or the unappropriated domain.

sentiment of the late 1970s was simply a continuation and a manifestation of this heritage.³

The creation of a vast public domain was a gradual process. The notion of land titles was a European one and foreign to the native peoples who inhabited the Americas. Even prior to the American Revolution, European imperial nations or the colonies owned most of the land in the “New World.” By the eighteenth century, several colonies—notably Virginia, New York, Connecticut, and Georgia—claimed or were granted through royal grants or charters large tracts of land west of the Appalachians. Overlapping claims, however, made it difficult to determine who had legitimate ownership of the land. Distribution was unequal, before and after the Revolution, since not all colonies or states could claim title to western land. Following the war, states either sold their western lands to pay off war debts or ceded them to the federal government “for the common benefit of all U.S. citizens.” By 1814, with Georgia being the last to cede its domain, the United States had acquired all title to western lands formerly claimed by the original colonies.

With the western lands originally held by the states safely in its hands, the federal government expanded its public domain at a remarkable rate. Congress acquired millions of acres through treaty, conquest, or exploration, which became part of a sprawling

³ Historiography on the public lands is extensive. See Benjamin Hibbard, *A History of the Public Land Policies* (New York: Macmillan, 1924); Marion Clawson and Burnell Held, *The Federal Lands: Their Use and Management* (Baltimore: The Johns Hopkins Press, 1957); Paul W. Gates, *History of Public Land Law Development* (Washington D.C.: Public Land Law Review Commission, 1968); Everett Dick, *The Lure of the Land: A Social History of the Public Lands from the Articles of Confederation to the New Deal* (Lincoln: University of Nebraska Press, 1970); Roy M. Robbins, *Our Landed Heritage: The Public Domain, 1776–1970*, 2nd ed. (Lincoln: University of Nebraska Press, 1976); William Voigt, Jr., *Public Grazing Land: Use and Misuse by Industry and Government* (New Brunswick: Rutgers University Press, 1976); William K. Wyant, *Westward in Eden: The Public Lands and the Conservation Movement* (Berkeley: University of California Press, 1982). For a concise overview, see Paul W. Gates, “An Overview of American Land Policy,” *Agricultural History* 50 (January 1976): 213–29.

empire that stretched from coast to coast. In 1803 Jefferson bought 523,446,400 acres from the French and in so doing stretched the nation from the mouth of the Mississippi River to the northern boundary of California northward. The territory of Florida was acquired in 1819 from Spain; much of the disputed Northwest procured in 1846 from the British; vast tracts of land west of the hundredth meridian obtained from Mexico in the Treaty of Guadalupe Hidalgo of 1848; territory from the Republic of Texas secured in 1850; and a strip of land on the Arizona and Mexico border bought in the Gadsden Purchase of 1853. By 1867, with the acquisition of Alaska from Imperial Russia, the nation stood as it exists today, with the notable exception of Hawaii and imperial land holdings in the Pacific and the Caribbean.⁴

While it was obtaining large tracts of land, the government disposed of it with equal zeal. Disposal was a primary concern in the nineteenth century for several reasons. In the late eighteenth and early nineteenth centuries, the United States sold its lands with the purpose of producing revenue to pay back war and other debts and to construct internal improvements. In time, when most of the war debts had been paid, disposal of the public lands became a means of national development, a means to move the masses westward for the purpose of expanding the nation's borders and its democratic citizenry. Western land in the hands of small and independent farmers, not large corporations, was the ideal that in practice was difficult to realize.⁵

In 1785 the colonies passed a land ordinance which gave land grants to war veterans and to Indian tribes. Two years later, the Land Ordinance established a method to carve out states from the public domain, replacing the system of "metes and bounds."

⁴ Wyant, *Westward in Eden*, 20–24.

⁵ Hibbard, *A History of the Public Land Policies*, 3.

It was a rectangular survey system, which called for the creation of townships, each divided into 36 square mile sections or 640 acres. Sections were divided even further for settlement and sold by auction. A Surveyor General in the Treasury Department oversaw the disposal before 1812, when the General Land Office (GLO) was established under the auspices of the Treasury Department. In 1849 the GLO became part of the newly formed Interior Department, and in each state a land office opened with a surveyor general who oversaw the survey of the land and a receiver and register who distributed it.⁶

As western states were carved from the public domain, each state had to petition for lands before being admitted to the Union, under the “organic acts” passed by Congress. At first only section 16 of each township was given to each state for the support of schools and other public facilities; in 1848 this increased to two sections—16 and 32. Utah and Arizona received four sections in each township, though much of this land held little real value. But these states got comparatively little of the land than what remained in the ownership of the federal government. In fact, most western states had a provision in their constitutions that disavowed any claim to title to the public domain.

Nevertheless, through the nineteenth and into the twentieth century a central goal of the federal government was to dispose of as much of the public lands as possible, and Congress enacted countless acts and provisions for this purpose. A 1796 land law allowed settlers to buy on credit land at the minimum of \$2 per acre, preventing speculators from buying up large tracts of land at ridiculously low prices. In the following decades, additional land laws would be passed amending this 1796 law; after

⁶ Dick, *The Lure of the Land*, 35. In Utah a land office wasn't established until 1869. For a discussion of land ownership in Utah before the creation of the land office, see Lawrence L. Linford, “Establishing and Maintaining Land Ownership in Utah Prior to 1869,” *Utah Historical Quarterly* 42 (Spring 1974): 126–43.

1820 the land was mostly disposed through sales at a price per acre of \$1.25 and the minimum purchase of 180 acres. But even at low prices, farmers made the payments only with difficulty. Land claim associations helped squatters bid for lands when they were offered for sale, and corporations bought up the land to resell at inflated prices. People who already settled on a tract of land pleaded for preemption so their land would not be lost at auctions. In general, the government moved during the 1840s from the sale of large areas through auctions to reserving 160 acres for settlers, first through preemption and after 1862 through homestead and preemption until the repeal of preemption in 1891. Preemption rights gave settlers and “squatters” the first chance to purchase the land, in the words of one historian placing the settler “on an equal basis with the speculator in competition for land.” People also got land by purchasing land warrants issued for various purposes such as colleges.⁷

The passage of homestead laws in the mid-nineteenth century facilitated new opportunities for the small farmer and marked a new development in the system of land disposal. In the first half of the nineteenth century disposal had been mainly through credit and cash sales; in 1862 this changed with the passage of the Homestead Act, a virtual land give-away allowed a head of household to gain title after five years of a quarter section—160 acres—if “improvements” could be shown after five years. The only cost required was a small fee to file the claim.⁸

Homesteading had its problems. At the standard rate of \$1.25 per acre, most settlers probably procured land through lawful means and abided by the laws of Congress, but fraud also took place under the homestead acts. Some men and women

⁷ Robbins, *Our Landed Heritage*, 25, 36, 89–91; Dick, *The Lure of the Land*, 7–8, 55, 103.

⁸ For more on homesteading, see Gates, *History of Public Land Law Development*, 387–434.

went to great lengths to acquire land under the Preemption Act, which required “proof of the settlement and improvement” of the land. Stories are told of homesteaders who earned title to the land after showing “improvements” of merely “a foundation of four logs.” Some even gained title by moving the same cabin from claim to claim until each quarter section had been granted title status; others were said to have won title through false testimony.⁹

The lion’s share of the land, however, went to railroad companies. Beginning in 1835 and as late as the end of the 1880s these companies and states who aided in the construction of western railways acquired enormous land grants from the federal government—perhaps as much as 318 million total acres. In 1852 Congress gave railroads “100-foot right-of-way” and stone and timber rights to the land. Land grants were particularly luring to those who began construction on transcontinental lines. There was, however, a general dislike of large corporations or capitalists owning large tracts of land. The federal government tried to keep large blocks out of the hands of speculators and cattle ranchers by pushing for land reforms to limit the number of acres individuals could acquire and to do away with outdated land laws. The companies did sell off much of the marginally suitable land for agriculture to either speculators or unsuspecting individuals for homesteading, but in many instances the land grants were never opened up for settlement.¹⁰

In the 1870s and into the 1880s the federal government made attempts to settle the far or “arid” West. But the Timber Culture Act (1873), the Deseret Land Act (1877), and

⁹ Dick, *The Lure of the Land*, 112–14; also “The Land System: The Problem of Speculation,” in *America’s Frontier Story: A Documentary History of Westward Expansion*, ed. Martin Ridge and Ray Allen Billington (New York: Holt, Rinehart and Winston, 1969), 618–19.

¹⁰ See Gates, *History of Public Land Law Development*, 341–86.

the Timber Cutting Act (1878), which passed millions of arid acres into private ownership, were mostly failures and unsuitable to the climate and geography of the land. Case in point was the Desert Land Act—the legislation that enabled westerners to acquire 640 acres of “desert land that would not, without irrigation, produce agriculture.” Scraping out a living on this kind of desert land was a back-breaking and sometimes impossible endeavor. People at home and abroad came to claim their free tract of land, but they came with little knowledge of agriculture and the new environment they would make home. Most poor farmers could not afford to build the ditches to irrigate the land and most wealthy farmers would not expend the money necessary to irrigate. Consequently, this act was not used widely, by either farmers or cattlemen.¹¹

John Wesley Powell, the one-armed intrepid explorer who thrice made his way down the Colorado River, was one of the first to report to Congress the nature of the arid lands and to suggest that settlement would not be easy. In his *Report of the Lands of the Arid Region of the United States*, submitted to Congress in 1878, he suggested that if the current settlement laws were not modified environmental deterioration would result. Powell was part of a growing movement concerned with the protection and the responsible management of the public lands, and when he became head of the U.S. Geological Survey he tried to chart a new direction for land-use policy. Most of his ideas were never implemented, or at least slow to influence federal policy. But they would have a lasting impact into the twentieth century. The year of Powell’s death in 1902

¹¹ Hibbard, *A History of the Public Land Policies*, 453–55, 570; Gates, *History of Public Land Law Development*, 399–401, 638–43. For the act in Utah, see Stephen W. Stathis, “Utah’s Experience with the Desert Land Act,” *Utah Historical Quarterly* 48 (Spring 1980): 175–94.

marked the passage of the Reclamation (or Newlands) Act and the beginning of government-coordinated water reclamation in the West.¹²

During most of the nineteenth century, federal land agencies disposed of the public lands and did little else. This changed in 1891 when Congress passed the General Revision Act which repealed the preemption acts and, for the first time, established a means to manage the land. The act also granted the U.S. president power to carve out forest reserves from the public domain, much to the vexation of westerners. Grover Cleveland set apart 21 million acres of forest reserves in 1897 only ten days before leaving office—the so-called “Midnight Reserves”; by the end of Theodore Roosevelt’s second term he had set apart a total of 132 million acres. Congress also set apart public land as National Parks. Before 1900 these included Yellowstone, Yosemite, King’s Canyon, Sequoia, and Mount Rainier.

Gradually a long-standing policy of land disposal and what one historian calls “the golden age of private ownership”¹³ gave way to a policy of permanent federal ownership of the public lands. By the 1920s the federal government still owned around 186 million acres of what had originally been nearly 1.4 billion in the public domain. Even still, while the designation of forest reserves or national park status excluded large tracts of land from private ownership, westerners generally had the freedom to access and use the public lands as they pleased.¹⁴ Federal management of the public lands tried to impose some semblance of order for those who worked on the land. A classic example is

¹² For a discussion of Powell’s career, see Wallace Stegner, *Beyond the Hundredth Meridian: John Wesley Powell and the Second Opening of the West* (Boston: Houghton Mifflin Co., 1954).

¹³ Wyant, *Westward in Eden*, 52.

¹⁴ Donald C. Swain, “Conservation Accomplishments, 1921–1933,” in *The American Environment: Readings in the History of Conservation*, 2nd ed., Roderick Nash, ed. (Reading, Mass.: Addison-Wesley Publishing Company, 1976), 142. The federal government leased the land to miners and to cattlemen and sheep herders for their livestock, which grazed in the forest reserves and on the unappropriated public domain.

cattle ranching. Before the introduction of permits and grazing fees on public lands, cattle, sheep, and eager homesteaders roamed free, but they did not mix well on the “free grass.” Cattlemen had fits over the swarms of sheep on the land mainly because they ate the grass to the roots and left only undesirable forage for the cattle that followed. In the nineteenth century “range wars,” as they came to be known, could be violent; stories are told of cattlemen erecting fences, shooting sheep, or driving large numbers over steep cliffs.¹⁵ But in 1905 the newly established Forest Service introduced a system of permits and fees on forest reserves. By the close of the First World War, the Department of Agriculture oversaw the grazing of an estimated 200,000 cattle and 800,000 sheep.¹⁶

Because so many livestock used the public lands, much of it lay in desperate need of revitalization. New plant species replaced the native ones where the land had been overgrazed, and desert brush replaced the long, lush grasses native to the West. In some areas, the land became practically worthless as soil composition diminished in its productivity. Some efforts were made to reduce the number of livestock on the land, but the land remained poorly managed with few mechanisms in place to regulate.

In the 1930s, the federal government took monumental steps to restore the range land and to protect watershed areas from deterioration. Under Franklin Roosevelt’s “New Deal” and headed by his secretary of Interior, Harold L. Ickes, the Soil Erosion Service and, later, the Soil Conservation Service were created. The Forest Service took steps toward range restoration. The Secretary of Agriculture called for “drastic

¹⁵ Thomas G. Alexander, *Rise of Multiple-Use Management in the Intermountain West: A History of Region 4 of the Forest Service* (Washington D.C.: U.S. Forest Service, 1987); Dick, *The Lure of the Land*, 242; Hibbard, *A History of the Public Land Policies*, 486–87.

¹⁶ See William D. Rowley, *U.S. Forest Service Grazing & Rangelands: A History* (College Station: Texas A&M University Press, 1985); also Voigt, *Public Grazing Lands*. For grazing in Utah, see Charles S. Peterson, “Grazing in Utah: A Historical Perspective,” *Utah Historical Quarterly* 57 (Fall 1989): 300–19, esp. 317; also the entire issue of the *Utah Historical Quarterly* 32 (1964).

reductions of stock on overgrazed ranges,” and Congress appropriated large sums of money for reseeding the range land where cattle and sheep had overgrazed. These efforts made some gains, but they were not entirely successful. The Interior Department reported in 1946 that the range was about 50 percent efficient despite the fact that in the previous 12 years some \$10 million had been spent on range improvements.¹⁷

Other measures would be implemented to manage the vast unappropriated public domain. The most lasting and controversial one was the Taylor Grazing Act, passed in 1934 and the brainchild of rancher Edward T. Taylor of Colorado. The act carved out of the public domain grazing districts (limited to 80 million acres, and in 1935 expanded to 142 million acres) to be federally regulated and issued a special directive to classify the lands. The Taylor Grazing Act marked the first time the Interior Department received the charge for “the management, development, preservation, and conservation” of much of the public domain. Also, it effectively withdrew the remaining public lands from homesteading, with some exceptions.¹⁸

The federal government also made some changes in the organization of the bureaus charged with overseeing the management of the public lands. In August 1941 the Forest Service moved its headquarters to the heart of the West in Salt Lake City, but that lasted for only a couple of years. That was probably “a very bad move,” at least according to one Forest Service employee, mainly because “you were setting yourself right out there in the middle of your opponents and they [cattlemen] were harassing many

¹⁷ Ruth Finney, “Public Land Sale Seen as Threat To West’s Future,” *Rocky Mountain News* (Denver), March 3, 1947, p. 2. Ezra Taft Benson, a prominent Mormon and secretary of agriculture under Eisenhower, was one Utahn who deplored the conditions of the range and who urged ranchers to restore the ranges. See Rowley, *U.S. Forest Service Grazing and Rangelands*, 201.

¹⁸ Gates, *History of Public Land Law Development*, 610–17.

of the Grazing people [Forest Service personnel] to death.”¹⁹ So, headquarters were quickly relocated in Washington D.C. Interior Secretary Ickes proposed in the 1930s to transfer the forest reserves to his Interior department from the Agricultural department; during the same time Secretary of Agriculture Henry A. Wallace proposed a consolidation of all federal land holdings under the umbrella of the Department of Agriculture for the purpose of avoiding “unnecessary duplications, excessive expenditures, and fundamental differences in policies, and to obtain the highest efficiency in administrations and the maximum service to users,” in his own words.²⁰ Neither of these changes was made, however. Instead, in 1947 Congress created from the General Land Office and the Grazing Service (established in 1939) one mother bureau, the Bureau of Land Management (BLM), within the Interior Department.²¹

In the decades that followed, and especially in the 1960s, Congress passed various pieces of management legislation. In the post-war decades the BLM and the Forest Service began to shift from custodial management to intensive management. By the sixties, the BLM oversaw an array of activity on the land: making range improvements, issuing grazing and mining permits, maintaining public records, building new recreation facilities, and classifying the public lands.²²

Another post-war development was the explosion of environmentalism as a potent political force. Historians have noted several reasons for the emergence of an environmental ethic. This was an era of increasing urbanization and suburbanization,

¹⁹ See Oscar L. Chapman, oral history interview, Harry S. Truman Presidential Library, St. Louis, Missouri.

²⁰ “Changing Concepts of Land Policy,” in *America’s Frontier Story*, 644–47.

²¹ Sara Nelson, *Evolving Philosophies of Federal Land Management and their Impact on Utah* (Southern Utah State College, August, 1974), 8. For a brief review of the BLM, see Hal K. Rothman, *The Greening of a Nation? Environmentalism in the United States Since 1945* (Orlando: Harcourt Brace & Company, 1998): 69–73.

²² Nelson, *Evolving Philosophies of Federal Land Management*, 9–13.

which was reflected in an increasing urban demography in the West. The cultural divide between suburban and rural America became even more evident following the war. Social critics began to note the detrimental effects of a consumerist society that placed a premium on getting. Environmentalism eventually became a cause in which concerned citizens rallied to save dwindling resources and to preserve a high quality of life. In 1961, Rachel Carson's classic book, *Silent Spring*, was published, revealing the poisoning effects of the pesticide DDT.

The result was a mobilization of grassroots environmental participation on a scale never before seen. Public opinion began to favor environmental organizations, which rose in publicity, funding, and membership. Between 1960 and 1972 the Sierra Club increased its membership more than 10 times over, from 15 to 136 thousand, and more than doubled that by 1983 to 346 thousand. A plethora of new organizations formed, beginning in 1967 with the Environmental Defense Fund.²³

This widely popular environmental ethos translated into specific pieces of legislation designed to minimize the human impact on the earth. Some of these were specific to the public lands. The National Wilderness Preservation Act in 1964 set apart land for wilderness designation; the National Environmental Policy Act in 1969 (NEPA) and Environmental Protection Agency (EPA) in 1970 increased regulation on western lands and redefined patterns of resource administration. In addition to the legislation, congress set up a Public Land Law Review Commission to determine the future of the public lands.²⁴

²³ Riley E. Dunlap and Angela G. Mertig, eds., *American Environmentalism: The U.S. Environmental Movement, 1970–1990* (New York: Taylor & Francis, 1992), 13.

²⁴ Rothman, *The Greening of a Nation*, 115–21; Nelson, *Evolving Philosophies of Federal Land Management*, 25–30.

This commission was created in 1964 by Congress for the purpose of determining the future of the public lands. Appointed by the president and congressional leaders, commission members conducted the study “aided by a staff, an advisory council, Governors’ representatives, and over nine-hundred witnesses at public meetings.” Five years later and at a cost of more than \$7 million, the commission issued its official report, *One Third of the Nation’s Land*. Its general recommendation was that the public domain should remain federal property, the final step in substantially rolling back the earlier federal policy of land disposal. The commission also made 137 other recommendations, among these that the government make payments to states in lieu of the property taxes they would have received had they owned the land, that Congress review the proposals in which large tracts of land are disposed, that land planning programs and land use studies be made, and that “dominant zoning” be created to determine what type of activity should take place on the land. It advocated multiple-use management for the purpose of assuring “environmental quality and, at the same time, encourage healthy economic growth.”²⁵

The findings of the committee met a mixed reaction in the West. The idea of federal retention of the public domain made many westerners shudder with the thought of “social ownership.” Other than that, it seems inevitable that not all westerners would agree with the recommendations of the report, particularly those whose activities on the land would be curtailed in the name of multiple-use. But the western states governors, meeting to discuss the findings of the report in Denver, expressed their optimism with the report. The main uncertainty was whether the findings leaned in the direction of states’

²⁵ Wayne N. Aspinall to The President, June 20, 1970, box 1, folder 1, Papers of the Sagebrush Rebellion, Special Collections, University of Nevada, Reno, Library [PSBR]. See Nelson, *Evolving Philosophies of Federal Land Management*, 31–41; Wyant, *Westward in Eden*, 41–50.

rights or dominant federal control. The answer to this would depend on what changes were made through congressional legislation.²⁶

That question was answered in 1976 with the passage of the monumental Federal Land Policy and Management Act, also known as FLPMA or the Organic Act of 1976. It did not overturn outdated grazing policies or the archaic Mining Law of 1872, but it did mandate wilderness. The most controversial part of FLPMA was its opening statement, which read, “The Congress declares that it is the policy of the United States that the public lands be retained in federal ownership.” This direction signaled the passing of the frontier and the virtual end of public land disposal, with some exceptions. Since the 1891 General Revision Act and at least since the establishment of the Grazing Service and the BLM, the federal government had drifted in the direction of retention over disposal. Before 1891 it had been the sole policy of the federal government to dispose of the land, but developments in public land policy in the twentieth century pointed to federal retention and long-term management of the land.

The general move to retain land in the hands of the government found continuous resistance and periodic rebellion among certain westerners, notably since the 1920s. In the mid-1920s, Senator R. M. Stansfield held hearings in which westerners expressed their discontent over proposed increases to grazing fees in the forest reserves.²⁷ In the summer of 1929, Secretary of the Interior Ray Lyman Wilbur reportedly suggested turning over most of the public domain to the states. But the proposal was not as alluring as might be expected—it would grant only the surface rights to the public domain and would not include National Parks, Monuments, or Forests.

²⁶ Chuck Green, “Land Reform Plan Outlined at Meet,” *The Denver Post*, July 15, 1970, 32.

²⁷ Voigt, Jr., *Public Grazing Lands*, 83, 97.

George Dern, Utah's governor, first heard of the proposal from Joseph M. Dixon, Assistant Secretary of the Interior. Dern responded six weeks later at the Conference of Western Public Land States in Salt Lake City. The offer was nothing but a sham, he told the attendees. The land was useless without the right to the minerals and resources and little more than a desert expanse. The government had long since tried to give this kind of land away, but nobody would take it. If the states took it they would inherit a damaged range, high costs for infrastructure improvements, and the reduction or discontinuance of the Biological Survey which aids in the "eradication of predatory animals."²⁸

Dern also expressed another grievance that would be resurrected in the Sagebrush Rebellion: the idea that the western states were not on an "equal footing" with the East. In his mind, the West had a rightful claim to not just the surface but to the mineral rights and to the national forest lands. Not all conference attendees opposed receiving the surface rights of the public lands, but nearly all shared Dern's frustration with that "arrogant bureaucracy," the Interior Department. Dern's speeches certainly reflected the anti-federal government sentiment that abounded in the West during this time.²⁹

Despite this opposition, however, the proposal enjoyed the backing of Herbert Hoover who put together a committee to investigate the issue. Composed of nineteen members, led by James R. Garfield, an attorney who had been Secretary of Interior in the Theodore Roosevelt administration, the Garfield Commission made its recommendations in January 1931. It suggested that the unappropriated public domain be placed under "responsible administration or regulation," and that lands "not important for defense,

²⁸ Address by Dern at the Luncheon Meeting of Western Division of the Chamber of Commerce of the U.S., Ogden, October 1, 1929, Marriott Library, University of Utah.

²⁹ Dern speech, October 1, 1929; also address, Public Land Policies, August 26, 1929, Marriott Library, University of Utah.

reclamation, reservoir sites, national forests, national parks, national monuments, bird refuges, etc.” ought to be granted to the states for management. The states were to be given ten years to gain title to the land, but after that time the land would become a permanent fixture to the national domain. The recommendations of the commission were never accepted by Congress, in large part because of western and conservationist opposition. This left, according to one historian, the federal government solely responsible to manage the public domain “with its own methods of regulation.”³⁰

In the 1940s similar proposals were made to transfer the federal domain out of the ownership of the federal government. In 1946, Senator Carl A. Hatch from New Mexico, who was chairman of the Public Lands Committee, supported a transfer of the public domain to the western states (though he did not also include national forest and national park lands), but he never did introduce a bill. Senator Edward V. Robertson, a cattle and sheep rancher from Wyoming, introduced a similar proposal that same year, S. 1945, except he also proposed transferring forest and range land that was more valuable for grazing and agriculture than for timber. The bill also provided for a commission in each state to oversee the transfer of the land to private interests. The land would first be offered for sale to those who held grazing permits on the land at a price per acre of somewhere between 9 cents and \$2.80; in Utah, where grazing lands were said to have carried an average of about 10 animal units per acre, the price per acre would be about 88 cents.³¹

³⁰ Report of the Committee on the Conservation and Administration of the Public Domain, January 1931. Transmitted to the President of the United States in Pursuance of the Act of April 10, 1930, photocopy, box 1, folder 11, PSBR; Swain, “Conservation Accomplishments, 1921–1933,” 142–43; Wyant, *Westward in Eden*, 134–36.

³¹ Robert L. Perkin, “Farmers Union Head Says Stockmen Try To Grab Grazing Land,” *Rocky Mountain News* (Denver), March 1, 1947, p. 7; Finney, “Two Influential Senators Favor Sale of Public Domain to States,” *Rocky Mountain News* (Denver), March 5, 1947.

Perhaps what generated the most press and the most controversy were a series of hearings chaired by Nevada Senator Patrick McCarran and Wyoming Senator Joseph C. O'Mahoney. In hearings, speeches, and meetings, the two senators and witnesses spoke against the Forest Service and its efforts to protect watershed areas from deterioration. They also led an intensive investigation of the Grazing Service and protested recent proposals to slash allotments and to raise grazing fees from 5 cents to 15 cents Animal Units per Month (AUM). With the primary intention of bringing down the fees cattlemen paid to graze their cattle on the land, McCarran introduced S. 33 and various versions of this same bill which were designed to give ranchers title to the land as a "vested right." None of these bills ever passed, though Congress did reduce the budget and the personnel of the Grazing Service as a result of these investigations.

The American National Livestock Association and the National Woolgrowers Association were said to have endorsed a transfer at a meeting held in Salt Lake City in August 1946 by McCarran and O'Mahoney. The executive secretary of the Livestock Association reportedly justified this idea in Denver on the basis that ranchers sought "stability of operations." Chances were unlikely that the land would become privatized, but even if it did, he said, cattlemen would be forced to be good keepers of the land due to economic necessity.³² In 1947, Frank A. Barrett, a congressman from Wyoming, held a series of hearings in which cattlemen called for a transfer of the forest reserves to the states, or at least to the BLM, which had been kind to western cattlemen. Congress authorized the hearings and the Barrett committee, beginning in Washington D.C. and

³² Pasquale Marranzino, "Stockman Paints U.S. As Octopus Landlord," *Rocky Mountain News* (Denver), March 5, 1947, 6; Shanks, *This Land is Your Land: The Struggle to Save America's Public Lands* (San Francisco: Sierra Club Books, 1984), 181; Alexander, *Utah, The Right Place*, Revised Ed. (Salt Lake City: Gibbs M. Smith, 2003), 420-24.

making its way into seven western states, began the task of scrutinizing public land administration.³³

These hearings and legislation met stiff opposition among westerners and easterners alike. Editorials in eastern magazines and newspapers and in several western newspapers, including the *Salt Lake Tribune*, denounced these hearings; the *Denver Post* disparagingly dubbed it “Stockman Barrett’s Wild West Show.” The rhetoric against a transfer centered on public welfare. Several editorials argued that continued overgrazing would spell ecological disaster—a shortage of food, dust bowl reprise, and flooding. This doom-and-gloom rhetoric differed from what would be said thirty years later when opponents of the Sagebrush Rebellion would speak of public welfare in terms of beauty and heritage, not immediate needs.

The most vituperative and probably effective opposition came from the pen of Bernard DeVoto, a native of Ogden, Utah, who in a series of articles in *Harper’s* magazine attacked cattlemen and their western interests.³⁴ Despite his western roots, DeVoto’s characterizations could be harsh as he poked fun at the drawl, diet, physical appearance, and recreational pursuits of many westerners. DeVoto’s purpose was to acquaint his readers in the East to the West, which he had recently toured, and to denounce what he called “one of the biggest land grabs in American history.”

One theme DeVoto struck was the notion of the West in a sort of civil war. In his view, the West seemed eager to ally itself with the very interests it despised—“to hold

³³ Rowley, *U.S. Forest Service Grazing and Rangelands*, 204.

³⁴ These articles included “The Anxious West,” *Harper’s Magazine*, December 1946, 481–91; “The West Against Itself,” *Harper’s Magazine*, January 1947, 1–13; “Sacred Cows and Public Lands,” *Harper’s Magazine*, July 1948, 44–55. For the letters to the editor on “Sacred Cows and Public Lands” and DeVoto’s reply, see *Harper’s Magazine*, November 1948, 15–17; *Harper’s Magazine*, December 1948, 17, 19. For a summary of DeVoto’s role, see Wallace Stegner, *The Uneasy Chair: A Biography of Bernard DeVoto* (Garden City, New York: Doubleday & Company, Inc., 1974), 296–305.

itself cheap and its eagerness to sell out.” Those in the West who sought title to the land were actually the large outfitters, cattle companies, and western interests “so small numerically as to constitute a minute fraction of the West.” DeVoto’s damning articles accused these interests of determining to destroy the West of its lifeblood. In fact, the privatization of western land would not have a salutary affect on the western economy; it would undo the policy of sustained yield and “sixty years of conservation of the national resources.”³⁵

Westerners were never unanimous in their opposition over the issue of state ownership of the land, but those who were in opposition effectively silenced McCarran and the others who advocated a transfer. Some attempts for a takeover were made in the 1950s, but these were feeble and never made much headway. In the postwar West, increased urbanization probably played a role in diminishing support for a transfer. Not for another thirty years would westerners make another serious bid for the state ownership of the public domain. In the late 1970s, as in the 1940s, opponents of a transfer were mostly westerners or at least intimately familiar with the West. In both instances, proponents of the land transfer criticized “absentee landlordism,” advocated states’ “equal rights,” and assured the public that only a small portion of the lands would ever become private property. The parallels between the two episodes are striking.

Thus, the so-called Sagebrush Rebellion drew from a long history of western discontent regarding the federal ownership and management of the public lands. Protesters of the 1970s and 1980s had just as much to be angry about, if not more than their western counterparts in the 1940s, and this will become clear in the ensuing chapter. In any case, for several years the Sagebrush Rebellion consumed the energy of westerners

³⁵ DeVoto, “The Anxious West,” 490.

and polarized the West. Rebellion officially began in Nevada then percolated into the neighboring state of Utah until it became clear that, in the words of one Utah state official in mid-1979, “many users of the public domain in Utah are about ready for another Boston Tea Party.”³⁶

³⁶ Richard L. Dewsum to Robert B. Hansen, July 23, 1979, box 15, folder 8, Scott M. Matheson Papers, Utah State Archives, Salt Lake City [SMMP].

II.

THE REBELLION

The Sagebrush Rebellion is a confrontation, struggle and battle that will hopefully remain peaceful. But like the most successful battles in past history, the attack should come from more than just one unit and more than just one front.

Norman Glaser, U.S. Senator from Nevada

With the passage of the Federal Land Policy and Management Act (FLPMA), westerners began to devise a strategy through which to challenge federal ownership of the public lands. What became known as the Sagebrush Rebellion and the idea to transfer the lands to the states was not the product of one person or group but a multi-group response to what many perceived to be one of the grossest inequities in federal-state relations. Eventually, sagebrush rebels decided to pursue their goals on multiple fronts in the courts, in Congress, in the state legislatures, and in the bureaus and agencies of the Interior Department. Utahns were some of the most adamant supporters and played a foremost role in all these activities—what Norman Glaser called a “steady support . . . on the front line with Nevada.”¹ But the Rebellion also had mixed support, for some state officials approached the idea of a transfer with considerable caution. This chapter first addresses the mounting frustration many westerners felt between 1976 and 1979, and the balance is dedicated to the response of Utah state leaders and politicians in the first year of rebellion.

¹ See speech, undated, box 2, folder 15, 85–4, Papers of the Sagebrush Rebellion, Special Collections, University of Nevada, Reno, Library [PSBR]. Dean Rhoads of Nevada also wrote that Nevada received the “most support” from Utah. See his article in *The LASER Beam*, vol. 1, no. 1, February, 1980 (copy in box 1, folder 12, PSBR).

Many westerners felt powerless in combating what they considered to be a suffocating presence. Feeling that the federal government did not respond to local and state concerns, and frustrated by what seemed to be a bureaucratic excess and inefficiency, many westerners perceived the federal government to be an oppressive landlord. Some balked at what they considered to be an unnecessary requirement of the National Environmental Policy Act (NEPA) for an environmental impact statement (EIS) for major federal actions on the land. Congressional legislation, such as the Wild Horse and Burros Act of 1978 (a revision of earlier acts passed in 1959 and 1971), which aimed to protect these animals from cruel treatment, also provoked the ire of many westerners. Most important in terms of sparking the Sagebrush Rebellion, of course, was the passage of FLPMA. It has been said that many westerners were responsible for drafting this piece of legislation; James Santini, a leading rebel from Nevada, for example, had been a member of the House Interior Committee that drafted the bill and actually voted for it. But many other westerners would later complain that they did not know anything about it until it was too late.

In the immediate years following passage of FLPMA, the Interior Department began to take steps to implement its mandates. Beginning in 1978 the Bureau of Land Management commenced the wilderness review process and the Interior Department announced its policy on water on public lands. The federal government increased grazing and mining restrictions and regulations as mandated by the BLM Organic Act and the

Land Surface Management Act. Within three years of its passage, in 1979, agencies had put into effect much of what was required.²

Many westerners considered the monumental changes in public land policy to be an extension of the philosophy of the Jimmy Carter administration. Before, most personnel had been trained in western colleges and came from the rural West with ties to the grazing and mining interests. But not only did the Carter administration transport easterners to work as land managers in the West, it also appointed leading environmentalists to various positions in the administration. The national director of the BLM, Frank Gregg, was one who came from a strong environmentalist background, reflected in his staunch opposition to the idea of a transfer. The administration particularly aroused the ire of many westerners when the President proposed to do away with the 1872 mining law and to withdraw funding for eighteen reclamation projects planned throughout the country—eight of which were located in the West. Carter eventually caved to public pressure and rescinded these proposals, yet the episode confirmed in the minds of many westerners that the Carter administration and the federal government generally demonstrated a disturbing passivity in addressing the economic needs of the West.³

Even the federal projects planned by the Carter administration would not have been salutary. In the late 1970s proposals were made to construct in the deserts of the Great Basin an elaborate missile system. These MX missiles would rotate on a series of tracks and be stored in underground bunkers to avoid detection from the Soviet Union.

² Richard E. Blakemore, form letter, July 11, 1979, box 1, folder 4, PSBR; “Protest: Miners Slam Mining Regulations,” *Nevada State Journal*, March 17, 1977; Norman Cardoza, “Miners Lodge Protest: Nevadans Critical of Carter’s Plan to Scrap 1872 Mining Law,” *Nevada State Journal*, May 17, 1977.

³ Cardoza, “Miners Lodge Protest.”

The price tag for this project was estimated to be between \$33 and \$100 million, and the West certainly would have seen a sizable percentage of that. But there was little real indication that westerners fully supported the plan. In September 1981 a poll found that 58 percent of residents in eight western states opposed the construction of this military complex. The wide-open spaces on the federal lands had frequently been targeted as a prime location for toxic or nuclear waste, and by the 1970s the full consequences of nuclear testing on “fallout” victims were beginning to be realized. Among other things, which included environmental and moral ramifications, the MX project pointed to an enlarged federal presence in the West.⁴

Few issues fueled rebellion as much as the question of wilderness designation. In 1978 Congress added the most acreage to the National Wilderness Preservation System that had ever been appended—4.5 million acres. That year the Forest Service was in the process of its second Roadless Area Review and Evaluation (RARE II), and the BLM, too, began the process of inventorying its lands for wilderness consideration. But with considerably more land area to catalog than the Forest Service, the task was lengthy and involved several stages. The land was to be selected based on its “wild character,” fulfilling all the requirements of size, naturalness, and quality of experience. Environmentalists feared that large tracts of land would be eliminated early from the inventories and that the lands that did make the cut would be relatively small. One estimate in 1979 was that of 175 million acres inventoried only 6 or 7 million would end

⁴ William K. Dinehart, speech, September 29, 1980; box 15, folder 13, Series 19161, Scott M. Matheson Papers, Utah State Archives, Salt Lake City [SMMP]. The MX affair is documented in Matthew Glass, *Citizens Against the MX: Public Languages in the Nuclear Age* (Urbana: University of Illinois Press, 1993).

up as wilderness. But opponents—which made up a sizable contingent in Utah and the West—protested the “locking up” of any amount of land for wilderness designation.⁵

About 130 roadless areas in the state’s national forests were studied for possible wilderness designation, and all but two were said to have been opposed by some of Utah’s elected officials. At a meeting held in August 1978, commissioners from 22 counties voted to oppose further wilderness designation. Many also contested wilderness on BLM lands and complained specifically that the BLM had not made efforts to coordinate activity with the local governments on the matter of wilderness or any other land-use issue.⁶

Compounding the problem of wilderness designation was the location of Utah state lands. The four sections per township allotted to the state were arranged in a grid or checkerboard-like pattern throughout the state—most of it in “five thousand isolated six-hundred-forty-acre (one square mile) sections surrounded by public lands.” The scattered location of these lands made access and resource extraction difficult, if not impossible. A petition dating back to 1976 prompted the Interior Secretary in December 1980 to close down the Alton coalfield in Kane County on a state parcel from surface mining because it would adversely affect nearby Bryce Canyon National Park.⁷ Another conflict related to the ongoing difficulties with access to state lands. In May 1978, Cleon B. Feight,

⁵ John McComb, “The BLM Begins Its Wilderness Review,” *Sierra*, Jan./Feb. 1979, 46; John Hart, “Deciding the Future of BLM Wilderness,” *Sierra*, Nov./Dec. 1979, 16–19. The wilderness issue can only be mentioned briefly here, but the literature on the topic is extensive. For the Utah debate, see The Utah Wilderness Coalition, *Wilderness at the Edge: A Citizen Proposal to Protect Utah’s Canyons and Deserts* (Salt Lake City: Utah Wilderness Coalition, 1990); Scott M. Matheson and James Edwin Key, *Out of Balance* (Layton, Utah: Gibbs M. Smith, Inc., 1986), 135–45. For the best general study of Wilderness, see Roderick Nash, *Wilderness and the American Mind*, 3d Ed (New Haven: Yale University Press, 1982).

⁶ Robert S. Halliday, “Local Officials Oppose Wilderness Areas,” *Salt Lake Tribune*, August 15, 1978; “Counties Vote to Block Wilderness,” *Salt Lake Tribune*, August 24, 1978; Halliday, “Officials Hear Opposition To More S. Utah Wilderness Designation,” *Salt Lake Tribune*, June 22, 1979.

⁷ Scott M. Matheson and James E. Key, *Out of Balance* (Salt Lake City: Gibbs M. Smith, Inc., 1986), 122–23.

Director of the Utah State Department of Natural Resources, requested the BLM to grant Palmer Oil and Gas Company of Billings, Montana, right-of-way into some state land in Grand County bordering the Colorado line. A road into the township from the Utah side had proved environmentally infeasible, but the company had been barred from constructing a road into the township from the Colorado side. Reportedly the oil and gas company had failed to make a formal application for road access from Colorado. Furthermore, access was supposedly denied because Colorado's Prairie Canyon Area was earmarked for wilderness review and was to remain roadless until a decision was made. The director of the BLM in Colorado established his position: "It is our intent to allow no change in the natural character of this area until the study can be made." Now Feight warned that failure to grant the right-of-way would amount to "taking of state property without due process of law" and "a nullification of an Act of Congress."

Robert B. Hansen, Utah's attorney general, relayed this situation to the U.S. Solicitor General, Attorney General, and Secretary of the Interior. He noted that the "checkerboard" system of state lands—Sections 2, 16, 32, and 36 in each township—worsened access and made mineral extraction difficult. FLPMA compounded this problem since it demanded that areas under consideration remain roadless until a decision had been reached. "Utah is beginning to encounter a difficult and perplexing problem in leasing, developing and otherwise utilizing state lands received under school land grants from the United States," Hansen wrote.⁸

⁸ Cleon B. Feight to Thomas Owen, May 31, 1978; Owen to Feight, June 19, 1978; Robert B. Hansen to Leo Krulitz, Giffin Bell, and Cecil D. Andrus, July 28, 1978, box 15, folder 7, SMMP. In 1979 the state took the BLM to court for issuing a restraining order to an electric utility company to stop construction of a road in Wayne County that would cross over into an area earmarked for wilderness status. Utah won this case, with the U.S. District Court ruling in October 3 that the state did have rights of access through proposed wilderness areas. See "Court Enjoins Roadway Across Wilderness Area," *Salt Lake*

Federal administration of the public lands, wilderness, state lands, and especially the passage of FLPMA pointed to the gross inequities of federal land ownership and prompted some westerners to take action. Conflict perhaps inevitable, a handful of Nevada legislatures began to devise a strategy to pursue recourse through the courts and in the national and state legislatures. Sometime in 1977, the Nevada legislature appointed a commission to investigate the issue of gaining more control of public lands, with a first recommendation for the state's attorney general to pursue litigation. That same year the attorney general's office filed a report detailing the legal possibilities of claiming public lands by filing in court based on the doctrine of "equal footing," a notable element of states' equal rights. The report addressed the legal basis of equal footing and its observance by Congress and application by the Supreme Court. Equal footing usually referred to political matters, but it also embraced areas of property, specifically the ownership of beds of navigable waters. Because so much land in Nevada was public and because a little-known statute enacted by Congress in 1972 (28 U.S.C. 2409a) provided for the means to file a claim against the United States, the office predicted a good chance of success.⁹

Second, the commission recommended organizing a select committee, which was soon formed, composed of three senators and three assemblymen. In May 1977, and again in the following year, its members traveled to Washington D.C., where they publicized their views and met with various public lands subcommittees, members of

Tribune, May 26, 1979; Joseph Bauman, "State, U.S. go to court over wilderness access," *Deseret News*, July 13, 1979; Idem., "Utah can cross potential wilderness," *Deseret News*, October 3, 1979.

⁹ Legislative Commission of the Nevada Legislative Counsel Bureau, "Means of Deriving Additional State Benefits from Public Lands," Bulletin No. 77-6, December 1976, box 15, folder 2; "Equal Footing Doctrine and its Application by Congress and the Courts," May 1977, box 15, folder 3, SMMP. Also Dina Titus, "The Sagebrush Rebellion: A Question of Constitutionality," in *Battle Born: Federal-State Conflict in Nevada During the Twentieth Century*, ed. by A. Costandina Titus (Dubuque, Iowa: Kendall/Hunt Publishing Company), 150-61.

Congress, and officials in the Interior Department. Nevada Senator Richard E. Blakemore was among this group, convinced thereafter that “the West had to organize, that it had to be most active in helping to shape regulations under the Organic Act [FLPMA] and that it had to be active in explaining the public lands situation to nonwesterners.” The committee used its resources to do just that. In 1978 it helped to form the Western Coalition on Public Lands, a loosely organized group governed by a 16-member board of directors. The organization also took the lead in developing several pieces of legislation related to land management, and they worked closely with other western states to develop a strategic plan of attack. Thus, the select committee would play a key role in developing and perpetuating the movement that played itself out so dramatically in the West.¹⁰

Some Utahns monitored closely these developments and welcomed them warmly. On a state level, however, Utah lagged behind in exerting influence in public land use policy. State officials had yet to establish a State Land Use Commission and to develop a coherent state policy toward wilderness designation.¹¹ In 1974 the state legislature did pass a resolution calling for the transfer of all BLM lands to the state, but nothing came of it. In 1978 Jake Garn was one of two western senators to introduce land legislation in the U.S. Senate. His was designed to transfer much of the public lands to the western states, except national parks and forests, and “to serve as an educational tool” for other politicians in the eastern United States.¹² Utahns and other westerners, however, did not

¹⁰ Richard E. Blakemore, “Select Committee on Public Lands,” box 1, folder 1, PSBR.

¹¹ One notable exception to this was an attempt in 1978 by the congressional delegation to remove several wilderness proposals from the Omnibus Wilderness Bill before it reached the House Interior Subcommittee for consideration. See David Merrill, “The New Range War,” *Utah Holiday*, June 1978, 32–35.

¹² Robert S. Halliday, “Politicians Gear Forces To Steer Lands Policy,” *Salt Lake Tribune*, August 24, 1978.

need a similar lesson in the evils of federal ownership of the public lands. A growing anti-government sentiment was evidenced in various ways, as when during a special session some Utah state legislators were seen wearing insignias that read: “Welcome to the West: Property, U.S. Government.”¹³

By 1979 the idea of a transfer enjoyed a wide backing among Utah state officials, from state legislators to the attorney general to the director of the Division of State Lands. Governor Scott M. Matheson was also an early supporter, but, like most other western governors, he approached this issue with considerable caution. In 1976 he toyed with the idea of making public lands a foremost campaign issue for the governorship, but he opted out since he did not want to make any major changes in his platform. A lawyer, Matheson had family roots in the rural community of Parowan and was certainly aware of the controversies swirling around public land issues. From the beginning he recognized the problems of state ownership of public lands, but he was also an ardent proponent of greater state control of land and resources within its boundaries. So as governor of Utah, he took a keen interest in the developments of the Sagebrush Rebellion, first taking it upon himself to evaluate the validity of the legal claim to the public lands and to decide how involved his state would get involved.¹⁴

On the question of court litigation, by 1979 the Nevada legislature had made some headway by appropriating the necessary funds and by filing two test cases in court. The first of these cases challenged the Desert Lands Act. The other suit was filed in a U.S. District Court and aimed to overturn a decision of the U.S. Supreme Court that, in

¹³ “How about cutting back Utah’s biggest landlord?” *Deseret News*, June 16, 1978.

¹⁴ His was a somewhat contradictory role; he signed Utah’s own Sagebrush Rebellion bill but also searched out other methods of addressing the issues; he agreed with the movement philosophically but was wary of its tactics. See Matheson’s autobiography, *Out of Balance* (Layton, Utah: Gibbs M. Smith, 1986), for his political and philosophical beliefs.

response to the Wild Horses and Burros Act, stated Congress had the power to act contrary to state law when it came to the protection of animal life on the public lands.¹⁵ Westerners sympathetic to these suits knew the U.S. District Court could not overturn a Supreme Court decision, but the ruling would increase the chances of like action in the federal courts and would be helpful should a case ever find its way to the highest court. But neither case directly addressed the question of state ownership of the public lands; sagebrush rebels wanted to wait until the right case and the right time to assert legal authority over the public lands.¹⁶

The rebels had two legal theories on which to base this authority: the “equal footing” doctrine and the “trust theory.” The equal footing claim was tied to an 1845 Supreme Court decision, *Pollard’s Lessee v. Hagan*. This case presented a somewhat tenuous precedent since the federal government had entered a compact with Georgia regarding the Alabama, or Yazoo, lands in question, but in western states no similar compacts existed. Georgia had owned the land that created Alabama; the western states had been owned by the federal government through treaty, conquest, or purchase. Another problem was that the doctrine of equal footing was normally interpreted in terms of property rights as it applied to areas of navigable waters, not the unappropriated public domain.¹⁷ The trust theory, on the other hand, was the notion that the federal government held the public lands in “trust” for the states and was duty-bound to dispose of them.

¹⁵ See *Kleppe v. New Mexico*, 426 US 529 (1976).

¹⁶ Notes, interview with Harry Swainston, attorney with the Nevada Attorney General’s Office, February 12, 1980, box 15, folder 12, SMMP.

¹⁷ Matheson, speech, February 16, 1980, box 15, folder 2, SMMP; R. McGregor Cawley, *Federal Land, Western Anger: The Sagebrush Rebellion and Environmental Politics* (Lawrence: University of Kansas Press, 1993), 96–101.

Some believed that the trust theory argument was the stronger of the two, but both had their problems.¹⁸

In 1978 Governor Matheson's solicitor attorney general, Michael Deamer, predicted that Nevada would fail in its suit because "there does not appear to be a viable, legal basis for such action." He cited the Property Clause as evidence: "Congress shall have the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States." Moreover, the equal footing doctrine never did apply to unappropriated lands. Thus, he suggested that a "rifle-shot" as opposed to a "shotgun" approach would achieve better results—that is, to pursue specific issues in court in piecemeal fashion.

Utah's governor decided to send these recommendations to Jones, Waldo, Holbrook & McDonough, a major Utah law firm. Earlier, in 1976, this firm had drafted a report regarding the constitutionality of state ownership of the public domain. From this report, Utah Attorney General Robert Hansen and the Western Attorney Generals' Litigation Action Committee determined that the equal footing argument did not have much of a chance to succeed. But by 1978 state officials began to change their minds. In response to the governor's inquiry, Donald Holbrook fundamentally disagreed with the solicitor attorney general and suggested efforts be made "to gain greater state control over federal lands in the West as opposed to title to those lands." Arguing that the absence of legal recourse would consign the western states as "second-class sovereigns of the Union," he urged the governor to get involved in the Nevada suits and "to lend the state's [Utah's] name and prestige to this undertaking." Around this same time, Utah's assistant attorneys general, Richard Dewsnup and Dallin Jensen, began to study the

¹⁸ See "Legal Theories Applicable to the Disposition of Public Lands," box 1, folder 4, PSBR.

matter. Dewsnup suggested that the western states “join in an action to test whether they really have any meaningful ‘equal footing’ with the Original States.”¹⁹

Thus, skeptical yet hopeful, Governor Matheson told Nevada Governor Robert List that Utah would be willing to provide financial aid when a suit was entered, “either in a party plaintiff or in an amicus capacity.” “I am confident that all public land states would be willing to contribute financial or legal resources to defray the costs of the litigation,” he penned in a letter dated August 9, 1979.²⁰ But little progress was made in this area, since the western states bided their time until the right opportunity arose to pursue litigation. There was also the question of the states having the legal grounds to sue the federal government without its consent. The federal government said it would not refuse to entertain a suit by exercising sovereign immunity. Instead, it tried to pressure the state of Nevada to argue the question of public lands in an existing suit—such as the suit against the Wild Horses Act—and not to wait until a more favorable opportunity came their way. But sagebrush rebels had no intention of proceeding quickly; “There is no great hurry,” Andy Grose of Nevada said. “When you’ve waited 116 years [since Nevada became a state in 1864], you can wait one more.”²¹

As legal action stalled, sagebrush rebels took their cause to the legislative halls. A momentous occasion occurred on February 16, 1979, when the Nevada legislature passed S.B. 240 (Assembly Bill 413) which asserted state ownership of most of the state’s federal lands. Governor Robert List signed his name to the bill the following

¹⁹ Michael Deamer to Matheson, May 28, 1978; Matheson to Donald B. Holbrook, May 31, 1978; Holbrook to Matheson, June 28, 1978; Richard L. Dewsnup to Robert B. Hansen, July 23, 1979, box 15, folder 8, SMMP; Matheson and Key, *Out of Balance*, 125.

²⁰ Governor Matheson to Governor Robert F. List, August 9, 1979, box 15, folder 8, SMMP.

²¹ “Fed’s try to force ‘sagebrush rebellion’ decision,” *Public Land News*, February 20, 1980, 3–4.

June. Effective July 1, this legislation was warmly received among some westerners, including Utah politicians and others.²²

Before other western states had the chance to consider like legislation, sagebrush rebels took their movement national through one of their darlings, Utah Senator Orrin Hatch. Born in Pittsburg in 1934, Hatch received his law degree in 1962 before practicing law in Pennsylvania and Utah. In 1976 he challenged Democratic incumbent Frank Moss for the Senate seat and won. Variouslly dubbed “Mr. Free Enterprise” or “Mr. Constitution,” Hatch quickly developed a reputation for fighting the federal establishment and its regulations.²³ A reflection of this philosophy was his own sagebrush bill, S. 1680 or The Western Lands Distribution and Regional Equalization Act of 1979, which he introduced on August 3. In it he called for the “return” and “rightful title” of certain unappropriated public lands and national forest lands to states west of the hundredth meridian. To facilitate a clean transfer, the bill provided for the creation of a seven-man Federal Land Transfer Board; only those states that filed an application for the transfer and agreed to manage the lands based on the principles of multiple-use would be considered. Western states that applied would need to organize state land commissions to oversee the management of the lands. For the federal employees who would be affected by the transfer, the bill provided for their relocation or reemployment.²⁴

Other pieces of national legislation soon followed. James Santini, a Democrat from Nevada, introduced a similar bill in the House of Representatives. Also from

²² “Nevada Trying to Reclaim Land Held by Government Since 1864,” *New York Times*, June 10, 1979, 50; Titus, “The Sagebrush Rebellion,” 152–54. For personal reactions to the legislation, see J. Leon Sorenson to Norman Glaser, March 2, 1979; Norman Glaser to Cary Peterson, March 28, 1979, box 1, folder 19, PSBR.

²³ See his official website for biographical information, United States Senator Orrin G. Hatch, <http://hatch.senate.gov/index.cfm?FuseAction=Biography.Home>; also Lee Roderick, *Leading the Charge: Orrin Hatch and 20 Years of America* (Carson City, Nev.: Gold Leaf Press, 1994).

²⁴ Senator Orrin Hatch, *Congressional Record—Senate* (August 3, 1979): S. 11657.

Nevada, Senator Paul Laxalt launched S. 739, which would give “landowners more choice in deciding where to file a civil action”; two others were introduced in the House, HR 463 and HR 2764, requiring the government to pay the states the equivalent of what they would have received in taxes had the states owned the land.²⁵ But S. 1680 was the first, made the biggest headlines, and generated the most determined opposition. Hatch insisted, contrary to the claims of many, that his bill was not a carbon copy of earlier proposed legislation, like that introduced in the 1940s. His facilitated an orderly transfer; it would not force western states to accept ownership of the public lands; it would not affect the lands already designated for recreational and environmental purposes.²⁶

Not surprisingly, Hatch promoted his bill hard in speeches, monthly reports, and frequent press releases. He noted on several occasions that the riches of the West, the abundance of natural resources, were being unduly locked away by easterners who had never seen the West and by a heavy-handed federal government intent on maintaining colonial control over the region. A transfer, it seemed, would remedy the problems and facilitate greater development and use of natural resources in the West. On one occasion he succinctly noted that the bill “is designed to return control of our destiny to the people of Utah by transferring title to the unappropriated public lands to the state capital, and, from there, to the county authorities and, ultimately, the private citizens.”²⁷

Hatch declared that the issue was one not so much of constitutional right as it was a question of who best would manage the land. In his press releases and interviews, he

²⁵ Jacqueline Vaughn Switzer, *Green Backlash: The History and Politics of Environmental Opposition in the U.S.* (Boulder, Col.: Lynne Rienner Publishers, Inc., 1997), 182.

²⁶ Sen. Orrin Hatch, “State Management of the Western Public Lands,” speech presented to Utah Soil Conservation Officials, November 9, 1979, Salt Lake City, transcript in box 15, folder 9, SMMP.

²⁷ Hatch, *Congressional Record*; Hatch speech, “The Sagebrush Rebellion Is No Brushfire,” box 1, folder 13, PSBR, 4; Hatch, “‘Sagebrush Rebellion’ is no measly brush fire,” *Deseret News*, September 26, 1979.

cited several instances in which federal bureaucrats allowed “millions of trees to be destroyed by pests.” He argued that western states had the resources necessary to manage the public lands and that “local people, whose lives and livelihoods are directly tied to effective land management, will do an even better job than has been done in the past.” University personnel and ranchers, most with degrees in land management, would manage the lands. Locals would be even more concerned about protecting the lands for future use: “Who is a more responsible manager of land resources than the man like our cattleman or sheep man who must earn his very livelihood from the land he works?” In editorials and newsletters the senator also pointed out that states had a long history of responsible management. State management of wild deer herds began in 1907, while the federal government did not begin to regulate grazing until 1937, he claimed. On this last point Hatch was wrong, of course, since the Forest Service began managing grazing lands in 1897.

To Hatch, state ownership of the land also made economic sense. It would expand the Utah tax base from its rich supply of natural resources, such as coal and iron. That meant a higher standard of living through development and privatization of the land. His argument was that the lands would ensure “maximum benefits” to Utahns all the while satisfying “essential human needs.” State ownership of the public lands, he predicted, would result in an “economic boom [in the West] . . . greater even than the many Gold Rushes.”²⁸

²⁸ “Questions on S. 1680,” box 15, folder 5, SMMP; Sen. Orrin Hatch newsletter, “The Sagebrush Rebellion is Real! Utah for Utahns, Not the Washington Bureaucrats,” Fall, 1979, copy in box 15, folder 8, SMMP; Hatch, “‘Sagebrush Rebellion’ is no measly brush fire”; Idem., “Can States Manage Public Lands?” *California Mining Journal*, January, 1981, 2, 38.

By late summer the issue of public lands in the West was explosive. Public luminaries such as Dennis DeConcini and Barry Goldwater of Arizona, Alan Simpson and Malcolm Wallop of Wyoming, and Paul Laxalt and Howard Cannon of Nevada endorsed Hatch's bill from its inception and campaigned actively throughout the West to gain title to the public lands. Significant in terms of public exposure was a three-day conference of Nevada's Select Committee on Public Lands in Reno on September 5–7. In attendance were representatives from ten western states and from rural and urban counties in Utah—including county commissioners, state legislators, and the attorney general—many proudly displaying lapels and bumper stickers that read, “Another Sagebrush REBEL” and “I am proud to be a ‘rebel.’”

A moderate voice at the conference was found in Frank Gregg, the national BLM director, who had been invited to present his views. He promised conference goers that his land agency would try to be more responsive to local needs, but he made it clear that he in no way supported a transfer. But the general feeling of the conference was not one of cooperation. Speakers sharply criticized the federal management and the environmental interests it served. As the keynote speaker, Orrin Hatch appealed to a patriotic impulse by calling for a “second American Revolution”: the government's “disdain for private property rights and just plain decency has not been equalled since the first American Revolution threw out the archetype of such oppression, pompous George the Third.” He denounced federal controls and regulations on the land and claimed that the West's precious resources were subjected to the “whims and vagaries” of federal

employees. He also attacked environmentalists, whom he labeled as “dandelion pickers” and a “cult of toadstool worshippers.”²⁹

This summit conference proved significant for a number of reasons. For one, conference-goers endorsed several key resolutions, such as support for Hatch’s bill, the creation of the Western Coalition Clearinghouse to collect relevant information, and a petition to Congress to waive immunity for 5 years so states could file lawsuits. Additionally, various committees were organized to maintain pressure on both the legal and legislative fronts. With solidarity and a united purpose, rebels were better equipped to effectively address the issues and problems confronting their movement. With the diverse interests that the movement represented, however, unity was not always achieved. But it was a theme that leading sagebrush rebels continually sounded.³⁰

The conference, together with the proposed national legislation, also propelled the Sagebrush Rebellion into the national limelight. Articles emerged in national magazines, as in *Newsweek*, and in the local news and newspapers across the country—some embracing the concept of a transfer, others attacking it. The rhetoric of Hatch and others at the conference exposed some of the more disturbing aspects of the movement, but for many westerners such rhetoric was simply the truth and illustrated the need to make much-needed changes in the system. The media attention also highlighted and defined the issues for the public and delineated more clearly the rebels from their opponents.

²⁹ LaVarr Webb, “Sagebrush rebels prepare for battle,” *Deseret News*, September 5, 1979; Idem., “Sagebrush Rebels’ wind up summit, pledge to push fight on all fronts,” *Deseret News*, September 7, 1979; Idem., “Hatch data biased in ‘rebellion’ talk,” *Deseret News*, September 12, 1979; “From the Hopper: Pending Legislation of Special Interest to Those Alarmed about Big Government,” *The Review of the News*, October 10, 1979, 53–55.

³⁰ LaVarr Webb, “Sagebrush Rebels’ wind up summit”; Titus, “The Sagebrush Rebellion,” 151.

Yet despite the noticeable gains, the passage of S. 1680 was sure to be a long road, since only about twelve Republicans and three Democrats in Congress supported it. Rebels were hopeful, nonetheless, that with western and southern support based on the concept of states' rights the bill would eventually pass through the Senate. Less certain was how a majority in the House would support the bill. A Hatch aide, in fact, admitted that "it's not quite the climate to get a serious look at the legislation. I doubt we will try to move it this session," he said. "It would just be an exercise in futility. But if we have a harsh winter in the West we may think about moving it next spring." Still, three months after introducing the bill, an optimistic Hatch told the Utah Cattlemen's Association that he was pleased with the bill's progress and the public inquiry into the matter.³¹

In the meantime, state officials worked to determine a proper course, with economic considerations topping the list. Only days following the introduction of the Hatch bill, Governor Matheson determined that a "study of state management capacity would be necessary." The next month he commissioned the Utah Agricultural Experiment Station Personnel at Utah State University for this purpose. The goal was to determine the economic impact of state ownership of the public lands, not to analyze the economic impact of transferring the lands to private ownership or to recommend the course the state should pursue. Still, Matheson would rely heavily on this report and several times publicly stated that he would not take a position on the question of the public lands until the report was released. But his willingness to support the Rebellion if the report turned out positively meant that he did not oppose the Rebellion for aesthetic

³¹ "Federal 'Sagebrush Rebellion' legislation in temporary hold," *Public Land News*, November 15, 1979, 7; Hatch speech to the Utah Cattlemen's Association, December 6, 1979, box 15, folder 9, SMMP.

or environmental reasons; instead, his was a support contingent on legal and economic considerations. In Colorado, New Mexico, and Wyoming, too, governors requested a similar report from their land-grant colleges.³²

Before the Utah State study ever reached the governor's desk, other economic predictions were cast—mostly critical of a transfer. The Public Lands Institute forecasted a net deficit of nearly \$40 million if national forest and BLM lands were turned over to the states. Other numbers materialized in the local newspapers. It was said that between July 1978 and July 1979, the BLM, the Forest Service, and the National Park Service contributed a total of \$94 million into the Utah economy—about \$63 million more than the state could have made had it owned and managed the land. Sagebrush rebels, however, claimed that since the transfer only applied to BLM lands (Hatch's bill also included the national forest land), the state would have lost a mere \$9 million. Moreover, they argued that state management would be much cheaper anyway. Yet while the state may have been able to manage BLM lands more cheaply and efficiently, the state would have still lost \$12 million from mineral royalties and other fees that it would not have received otherwise—and millions more from payments in lieu of taxes and federal highway funds. Besides, opponents feared that "cheap" state management meant poor environmental protection and the inevitability of the public lands being sold off to private interests. And as these numbers indicated, a successful transfer likely meant additional costs for Utah taxpayers.³³

³² Douglas L. Parker, "Coloradoan Hesitates to Take a Stand on Sage Rebellion," *Salt Lake Tribune*, September 16, 1979; "Governors Wary of Sagebrush Rebellion," *Salt Lake Tribune*, October 28, 1979.

³³ Peter Gillins, "Sagebrush rebellion could prove costly to Utah," *Deseret News*, August 24, 1979; "Sagebrush Rebellion," *Public Lands Institute*, February 15, 1980. Numbers are also cited in "Victory in 'Sagebrush Rebellion' Could Cost Utah \$63 Million," *Salt Lake Tribune*, December 17, 1979.

With so many uncertainties of a state takeover, the governor understandably took a cautious approach to Utah's own sagebrush bill, pre-filed in December 1979 by Ivan Matheson, a Republican state senator from Cedar City and chairman of the Public Lands Committee. The Public Lands Reclamation Act, or S.B. 5, was essentially similar to Nevada's bill passed in February 1979. It asserted state ownership of all BLM lands, which would be turned over to the Division of State Lands and a public land committee by July 1, 1980. According to Senator Matheson, the state would adhere to the multiple-use concept of land management and take all necessary environmental precautions in place under the current system. The state legislature would have to grant permission before any of this land could be sold to private individuals or corporations. One of the bill's more controversial provisions would make public enemies of the over four hundred federal employees; under the bill, BLM officials could be jailed for up to 15 years on a second degree felony for attempting "to assert jurisdiction over public lands."³⁴

Early on, the bill enjoyed wide support in the legislature and seemed certain to pass. The Legislature's Interim Agricultural Committee endorsed the bill, and two-thirds of the Senate and the House decided to permit the bill to be debated during the budget session in January. One of 51 bills that passed the Utah Senate during the budget session, S.B. 5 sailed through the House 57-11 and the Senate 20-7 and was signed by the President of the Senate on January 22, 1980. Also, ten days later, on February 2, the

³⁴ "'Sagebrush Rebel' Drafts Bill," *Salt Lake Tribune*, September 15, 1979; Peter Gillins, "Sagebrush rebellion bill prefiled," *Deseret News*, December 11, 1979; "Land takeover bill likely to pass," *Deseret News*, December 16, 1979.

House passed a Federal Lands Bill Resolution which gave formal support to Hatch's S. 1680 in the U.S. Senate.³⁵

As for the governor, his office received periodic updates from the USU research team. One interim report revised some of the numbers that had been cited in the press. It predicted that the cost to manage the land would be “under 5% of the current state budget,” or about \$35 to \$50 million—not an impossible sum. These costs could be made up, it suggested, by “extracting greater revenues or actually putting selected lands on tax rolls.” A second interim report was released January 10 with a similar assessment.³⁶

The favorable indications of the report did not mean that the governor and his administration did not have their concerns. In December 1979 Jim Butler, a member of Governor Matheson's staff, sent a memo to Kent Briggs, the State Planning Coordinator, suggesting that more information needed to be obtained regarding the public support for the bill before the governor could take an official position. Later, several days before the budget session, Butler called together a few members of his staff for a “brainstorming session” to discuss S.B. 5 and to ascertain the general feeling for the issue. His feeling was that the bill “will raise as many questions as it answers”; he also felt a “pressing need for a good analysis of public opinion on this issue.” Members of the governor's administration met on January 16 and concluded that the governor could sign the bill if certain amendments were made to it—i.e., that legislators delete the criminal penalties for federal managers and the restrictions placed on the governor regarding creation of the

³⁵ State of Utah, Senate Journal, Budget Session of the Forty-Third Legislature, Commencing Monday, January 14, 1980, Adjourning February 2, p. 510.

³⁶ Interim Report on Activities of Committee to Assess Economic Costs to State of Controlling Federal Lands, November 30, 1979, box 15, folder 9, SMMP.

state public land committee. Matheson also wanted to ensure the transfer applied only to BLM lands and that the state would manage the land using all the constraints currently in place. He and other Democrats in the legislature decided to endorse the legislation if these amendments were added. Besides, according to Matheson in his autobiography, *Out of Balance*, his motivation to sign the bill was political since it was an election year, after all. So the Judiciary Committee inserted the amendments and Matheson signed the bill on February 14.³⁷

It is interesting to note why the governor and the Utah legislators determined to support such a bill. It certainly had no bite. It would not mean ranchers and others would have to go through the state to use the public domain. The bill did call for the transfer to take place on July 1 of that year, but the federal government would continue to manage the lands as it had done in Nevada. The bill, then, was a symbolic gesture and a means to provoke a case in the courts. Utah would piggy-back Nevada on a test case; as the governor told a gathering two days after signing the bill, “We are taking absolutely no action until the legal questions are settled.”³⁸

At least the governor’s willingness to sign the bill was in part dependent on the USU economic report. The final report was not completed by the time S.B. 5 reached the senate floor, but the governor knew the gist of its conclusions from the interim reports. USU finally released the full 91-page report, completed through a grant from the Four Corners Regional Commission, on June 4, 1980. It integrated complex figures to

³⁷ Jim Butler to Kent Briggs, December 12, 1979; Butler to Gov. Matheson, January 4, 1980; Butler, memo, January 9, 1980; Bulter to Gov. Matheson, January 16, 1980, box 15, folder 10, SMMP; LaVarr Webb and Joe Costanzo, “‘Sagebrush’ bill sailing along,” *Deseret News*, January 17, 1980; Matheson and Key, *Out of Balance*, 126–27.

³⁸ Bill Heaton, “Matheson Tells Counties’ Officials He’ll OK Sagebrush Rebellion Bill,” *Salt Lake Tribune*, February 7, 1980; Matheson speech, February 16, 1980, box 15, folder 6, SMMP.

compare economic costs of BLM, Forest Service, and state land agencies, and it gave high-cost, mid-cost, and low-cost estimates. The range was tremendous. The high-cost estimate assessed the cost of current management in the BLM and FS, while the low-cost estimate was based on current state management costs. But the general conclusion of the report was that a state takeover of federal lands would be economically practical and potentially profitable. An article in *Utah Science* authored by USU faculty in the College of Agriculture and the Department of Economics drew similar conclusions—a state takeover would be financially feasible.³⁹

The conclusions of this report seemed to legitimize the Sagebrush Rebellion in terms of economic feasibility. The report had been well funded by special interests and the product of academia, and because of its conclusions the governor had decided to back S.B. 5. One lawyer from Sandy, Utah, wrote: “This pioneering study was accomplished in a limited time span and under the pressure of intense public interest. In spite of these adverse circumstances, the USU agricultural economists have produced a model report of essential economic cost and revenue data.”⁴⁰

Other critiques of the study were not nearly so positive, finding it seriously flawed in its analysis and suppositions. An official critique of the report from the state noted that the analysis of costs and benefits did not take all factors into consideration. According to this critique the report did not consider the loss of payments in lieu of taxes, increased fees to ranchers and other users of the public lands, and an increased tax burden “with no

³⁹ “An Economic Evaluation of the Transfer of Federal Lands in Utah to State Ownership,” box 1, folder 7, MSS 200, Archives of the Utah Wilderness Association, Milton R. Merrill Library, Utah State University, Logan, Utah [AUWA]; Allen D. LeBaron, E. Bruce Godfrey, and Darwin B. Nielsen, “The Sagebrush Rebellion: An Economic Analysis,” *Utah Science* 41, no. 3 (Fall, 1980): 82–91; Roger Pusey, “Sage Rebellion price: up to \$12.7 million,” *Deseret News*, June 6, 1980.

⁴⁰ Leonard H. Johnson to “Shep and Don,” memo, box 1, folder 10, PSBR.

guarantee of a concurrent federal tax cut due to lesser federal administrative costs.”

Another state critique found the report flawed for similar reasons. It argued that only the high-cost estimate was legitimate, since the mid- and low-cost estimates would neglect the “many non-market outputs” related to wildlife, water quality, and recreation. Thus, these critiques found the report to be “thorough” and “useful,” but generally lacking.⁴¹

The simple fact was that no one could accurately predict the economic impact of a state takeover. The report itself was vigorously analyzed, some lauding it while others degraded it. Moreover, the question of economics was not the only issue; the claim that the land belonged to the states also teetered on a shaky legal foundation. Sometime in December 1979, John Leasy, the associate solicitor of energy and resources, found the validity of the legal position to be “remote, bordering on non-existent” and predicted that the courts would not uphold the Nevada Act of June 1979.⁴² Instead, Attorney General Robert B. Hansen suggested the western states pursue a number of smaller lawsuits—as opposed to one large case designed to overturn the constitution—related to in-lieu lands, access to state and private lands, and water—referred to earlier as the “rifle” approach. But several of these cases produced frustrating results. In May 1980, the U.S. Supreme Court reversed a decision of the Tenth Circuit Court of Appeals related to in-lieu

⁴¹ State Comments on Utah State University’s Report, box 15, folder 12, SMMP. Another critical critique came from Kathleen C. McGinley, a research analyst who challenged the assumption of the report that “new monies brought into this state due to federal expenditures, would not significantly change if the State assumed ownership.” She noted several other weaknesses, criticizing its lack of explicitness regarding capital and operating costs, its “unclear” discussion of state government use of funds, and its “confusing” explanation of receipt-sharing payments and Payment in Lieu of Taxes. Kathleen C. McGinley to EPD Cabinet Members, July 16, 1980, box 15, folder 12, SMMP.

⁴² John D. Leshy to BLM Director, December 1979, box 15, folder 5, SMMP.

selection of Utah lands. Utah would also be involved with several legal battles in the Supreme Court to gain lake-bed rights to the Great Salt Lake and Utah Lake.⁴³

The legal situation, along with the negative critiques of the USU report, caused Governor Matheson and other early supporters to be wary of rebellion; the governor, in fact, was a key player in advocating other means of achieving favorable federal-state relations, as will be discussed in the fifth chapter. As early as 1979 and 1980 it had become clear to many that a state takeover of unappropriated federal lands would be an unlikely endeavor. Neither was the bill introduced by Hatch ever taken seriously by the House of Representatives and the Senate, which meant the threat of a transfer would be a non-issue as long as the Supreme Court did not rule in its favor.

No doubt some gains had already been made to soften federal-state relations. BLM officials made concerted efforts to work hand-in-hand with local westerners. Federal employees had long been accustomed to holding public hearings, but they became increasingly attentive to the needs of locals. Early in February 1980, the BLM held for the first time a workshop designed to address the strengths and weaknesses of federal land management. National BLM director Frank Gregg and Utah BLM director Gary Wicks did not support the Rebellion, of course, but they seemed to take it good naturedly. At the workshop Gregg stated, “To those who want state control of the lands, I wish them well. The courts will decide it or Congress will decide it. But that’s another

⁴³ LaVarr Webb, “Sagebrush Rebellion in a holding pattern,” *Deseret News*, March 24, 1980; Gordon Eliot White, “Andrus calls land ruling a mistake,” *Deseret News*, May 21, 1980. This ruling goes back six years earlier, when the state filed a lawsuit against the Secretary of the Interior regarding in-lieu selection of state lands and received a favorable ruling on January 8, 1976. The decision was appealed by the United States and in April 1978 the Tenth Circuit in Denver again ruled in the state’s favor. But this time, in a 5-4 decision, the Supreme Court reversed the decision. See Matheson and Key, *Out of Balance*, 121–22. An editorial in the *News* predicted that the ruling would result in an upswing for the Sagebrush Rebellion, but this did not really happen, at least among state officials. “The shale lands decision: more travesty than justice,” *Deseret News*, May 21, 1980, A–5.

war. In the meantime, we have lands to manage, so let's do it cooperatively.”⁴⁴ In fact, the Utah Foundation reported in 1980 that, although the movement had yet failed in its objective to control unappropriated land, it had “generated pressures which have markedly improved relations between federal land administrators and local land users.”⁴⁵

The Sagebrush Rebellion was always about regaining local control over land, but westerners did not always agree on how best to carry this out. Some believed cooperation was their best recourse; once collaboration among federal and state officials materialized, as had begun to happen, they believed rebellion had already served its purpose. Others balked at the notion of cooperation; some, like Senator Hatch, vowed their best efforts until the ultimate objective had been won—state control and ownership of the western lands. Though progress seemed slow and stifling at first, even sagebrush rebels knew that a transfer would be unlikely, or at least would be a long time coming.

⁴⁴ Robert S. Halliday, “Matheson Will Sign Utah Bill on Sagebrush Revolt,” *Salt Lake Tribune*, February 6, 1980.

⁴⁵ “Utah and the Sagebrush Rebellion,” Research Report of the Utah Foundation, Number 399, January 1980 (copy in box 15, folder 10, SMMP); see also Matheson and Key, *Out of Balance*, 127–28.

III.

THE RURAL ELEMENT

[The Westerner] became a romantic symbol to people who live in areas of greater rain, but do not be fooled. He is a tough, tenacious, overworked, and cynical person, with no more romance to him than the greasewood and alkali in which he labors.

Bernard DeVoto, 1934

[He] who controls the land, controls wealth.

Calvin Black, San Juan County Commissioner

The southeastern region of Utah is a different kind of country from the urban oasis of the Wasatch Front. The route along Highway 6 from Utah County through Spanish Fork Canyon is a scenic drive, the mountain landscape not altogether unfamiliar to those who travel south. But enter Carbon County and continue along Highway 10 through a string of rural settlements in Emery County and familiarity wanes. This is “Castle Country,” a land of alkali-drenched soils, flora of mostly greasewood and cedar, and jugged mesas and formations resembling the turrets, which inspired its name. Travel further south into Grand, Garfield, and San Juan Counties and you encounter more of the same—a land broken and barren.¹

This land has always had profound meaning for those who labor and live on it. Since their ancestors settled this unlikely country in the 1870s and 1880s, rural Utahns have pinned their hopes on this land, however harsh and uninviting. But for a people

¹ The geographic features of Utah’s southeast corner are elegantly described in William B. Smart and John Telford, *Utah: A Portrait* (Salt Lake City: University of Utah Press, 1996), 3–46.

who depended on land, it is ironic that it did not all belong to them. Rural Utah was a shared place, with its land divided among rural people on one side and the federal government on the other. But some rural people balked at the disproportions; in Garfield and Grand Counties, for example, the federal government owned as much as 80 or 90 percent of the land. Stockmen and miners in the nineteenth and early twentieth centuries worked the public domain how and when they wished with few restrictions on access or resources. In the twentieth century, however, land users began to feel a tightening of the leash as they were increasingly forced to go through federal agencies to obtain permits to graze cattle and sheep or to stake a mining claim. As vast and open as rural Utah was, there was not enough land to go around, or at least it seemed that way to the ranchers, miners, and residents who lived on it.

Thus, the Sagebrush Rebellion resonated loudly in rural Utah. As rebellion swept like brushfire through the West in 1979, 1980, and 1981, embattled ranchers, miners, and other rural people who felt that the federal government was an insensitive landlord and that environmental legislation did not serve local interests flocked to its banners. Rural people rallied around the promise of a land transfer, believing it to be their best chance to regain control of a place that was no longer theirs. These attitudes and beliefs indicate that they did not perceive physical space like other people, or “outsiders,” did.² This chapter closely reviews these attitudes and the sometimes volatile, and even violent, form they took during the Sagebrush Rebellion.³

² Consider Richard White and John Findlays’ notion of physical space as a “spatial reality constructed by people.” See their edited compilation, *Power and Place in the North American West* (Seattle: University of Washington Press, 1999), esp. x.

³ Little has been said of the Rebellion from the perspective of people in rural areas, or where federal ownership of the land was most acute. Helpful discussion is made in Richard A. Firmage, *A History of Grand County* (Salt Lake City: Utah State Historical Society and Grand County Commission, 1996), but my research explores more deeply the individual attitudes, beliefs, and actions of these rural people.

Utah is different from other states in the West because it was settled by Mormons, or members of the Church of Jesus Christ of Latter-day Saints. Religious devotion drove these hardy pioneers to establish Christ's earthly kingdom, even in its most remote corners. Still today Mormons maintain a majority presence there, and their communities remain remote and isolated from the urban center. Vestiges of the past and of their pioneer heritage are everywhere present (in Emery County, residents today boast that not one single stop light can be found within the county borders), informing in many ways a sense of place among the region's inhabitants. Place was a means to connect past to present, cultural ties to traditional roots. Some sons and grandsons of cattlemen continued to graze cattle on the public lands partly because it was a means to maintain familial ties. For others, religious and millenarian thinking informed their attitudes of the land. One rancher from Emery County, Montell Seely, held the belief that the Second Coming of Jesus Christ would come before the land's resources had been exhausted. The notion was that man had an obligation to better the land and to use its resources for the good of the human family.⁴

But it would be a mistake to overstate this way of thinking. Utahns thought about the land similarly to other peoples in the rural West. However much they held a deep attachment to the land for cultural, aesthetic, and spiritual reasons, they seemed to have been driven primarily by material, or economic, interests. In any case, as the story of the Sagebrush Rebellion illustrates, land continued to be central in rural areas, and rural folks were willing to go to great lengths to regain control of it.

⁴ Montell Seely, Castle Dale, Emery County, interview with the author, August 3, 2004. For more on Mormon attitudes toward the environment, see Dan L. Flores, "Zion in Eden: Phases of the Environmental History of Utah," in John S. McCormick and John R. Sillito, eds., *A World We Thought We Knew: Readings in Utah History* (Salt Lake City: University of Utah Press, 1995): 422–440.

In expressing the general feeling and attitude in these rural areas, none was more articulate than Calvin (or “Cal”) Black, the hard-nosed county commissioner from San Juan. He was the quintessential environmental antagonist, the inspiration for the character of Bishop Love in Edward Abbey’s classic novel, *The Monkey Wrench Gang*—the kind of man who would “wear bolo ties and shoot doves and eat Vienna sausages out of a can on fishing jaunts.” In Abbey’s portrayal, the bishop was “patient, methodical and painstaking” in his efforts to thwart the Monkey Wrench Gang in their plan to sabotage road construction equipment. Bishop Love was also said to be a man of considerable business and political acumen who not only held elected office but “owned the Chevrolet agency in Blanding, several uranium mines . . . and a half interest in the marina complex at Hall’s crossing.”⁵ The inspiration was not unfounded: Black had been mayor of Blanding, a state legislator, and commissioner, and his business ties to the region included restaurants, gas stations, Lake Powell Concessions, mining interests (uranium), and more. His was a genuine contempt for “outside” control of land and resources. In a 1976 bid for the United States Senate, three years before the eruption of the Rebellion, Black ran on a ticket of reduced government spending, greater local control of resources, and the proliferation of small businesses. He lost the bid, but that meant he would remain solidly situated in San Juan, one of the county’s most articulate and powerful men.⁶

Black extended his influence over many issues, but in 1979 and 1980 he took up the Rebellion’s cause with a fury. In the early 1970s, as a member of the Utah legislature

⁵ Edward Abbey, *The Monkey Wrench Gang* (Philadelphia/New York: J. B. Lippincott Co., 1975), 241, 249, 250.

⁶ Biographical information on Black is hard to come by, but much of his life can be reconstructed from newspaper reports and county records. On his bid for the Senate, see “Cal Black/Congress 1976,” Pamphlet 17360, Utah State Historical Society, Salt Lake City, Utah.

he sponsored a bill that called for a transfer of the public land to the state, but nothing came of it. His past experience must have taught him that success would only come slowly, requiring a “gigantic educational process, not only here in the West, but in the East also,” he reported in an interview. But he was optimistic that people would gradually warm up to the idea of state ownership of the public domain. To Black, the Rebellion crossed regional borders in its broad appeal for equality and human rights, and he hoped easterners would also embrace that promise. And there was precedence for such a large-scale transfer; if Jimmy Carter had been willing to cede the lease the United States held on the Panama Canal, as he did in 1977, the same could be done with the public lands in the West.⁷

Of all his reasons to support the movement, Black seems to have been most sure that state ownership of the land would mean effective use of the West’s resources. In an interview in Logan, Utah, he predicted that in the near future the country would face a shortage of energy, minerals, food, and other resources. When that time came, the federal government would “plunder” the West for all it was worth, “because that’s where the resources are.” Local ownership of the land would fix the problem of underdevelopment in the present and the rush for western resources in the future. If anything, rural Utahns were willing to fight to prevent development of the land if development were to come “faster than we wanted to absorb it.” Rural people wanted to live in an area where the land was cared for and where the air was clean. “That’s why we stay here to make a living. But we must make a living,” he said. It disturbed Black that environmentalists thought that rural Utahns were eager “to rape the land, pollute the sky and do anything else.” Environmentalists accused him and other rebels of being

⁷ LaVarr Webb, “Sagebrush rebels prepare for battle,” *Deseret News*, September 5, 1979.

motivated by greed and the lure of cheap land and resources, but he denied the allegations.⁸

Black took his cause to the public, speaking in political gatherings and private interviews and publicizing his views in the local and state newspapers. A close review of the San Juan County Commission minutes reveals he traveled at least several times a month, often piloting his own airplane to speaking engagements throughout the Intermountain West. In many ways he was a one-man-show as he represented the southeastern corner of Utah as an articulate, if somewhat radical, spokesman in favor of a land swap. But other locals also got involved. Some were active participants in public meetings and regional conferences. In August 1979, Dell LeFevre, a county commissioner in Garfield County, traveled to a meeting in Reno, Nevada where the idea of a transfer of the public lands was discussed. He found it to be the “most exciting” he had ever attended.⁹ Some actively participated at the LASER conference held in Salt Lake City, November 1980.

Rural residents found other ways to make their voices heard, sometimes thanks to state politicians who sympathized and worked toward a “sagebrush” solution. Senator Jake Garn conducted a hearing of the Senate Interior Appropriations Subcommittee in Cedar City in August 1979 to discuss wilderness proposals and the BLM’s proposed reductions in the number of cattle on the range and grazing permits. In some rural areas the cutbacks threatened the livelihood of ranchers and cattlemen, with proposed permit

⁸ Jerry Ford, “Sagebrush: ‘It is important we control our destiny,’” *Herald Journal* (Logan, Utah), October 26, 1980. Many of these points are also made in Black’s letter to the editor, “Most Unfortunate,” *Salt Lake Tribune*, February 7, 1980. Last quote in Loraine Juvelin, “Garn hears land use protests,” *Color Country Spectrum* (Cedar City, Utah), August 21, 1979.

⁹ “Commissioner Attends ‘Sagebrush Rebellion,’” *Garfield County News*, September 13, 1979, p. 5.

cuts as high as 75 percent in counties such as Garfield, Washington, Iron, Kane, Beaver, and Rich. Governor Matheson, who attended the hearings, expressed concern for the rural rancher and proposed, among other things, that local ranchers ought to play a greater role in determining the carrying capacity of the land, since they generally had more experience than federal administrators.¹⁰ Senator Garn suggested the BLM suspend implementation of cutbacks until the appeal process had been completed. Utah cattlemen, he lamented, would “literally be put out of business,” and families and school children would be drawn away from the rural communities. This was the fear of the local ranchers. One cattleman noted, “In ten years you’re going to find the cowboy is an endangered species.”¹¹

In Garfield County, residents took the initiative to work out their concerns with the national and state Bureau of Land Management directors, Frank Gregg and Gary Wicks. These two men made a trip to the county, responding to an invitation from the Concerned Citizens of Escalante, an anti-environmental group, to give a tour of the affected range. Local ranchers and concerned citizens turned out in droves, with “three times the number expected showed up for the field trip.” Locals complained that the areas shown on the tour had been carefully selected because of their deteriorated state yet that they hardly were representative of the range land in the county. They insisted the tour pass through land that had held up well over the years or had been the focus of range improvements. That evening an emotional and heated public meeting convened in which ranchers “expressed their frustration and distrust of BLM officials.” Among other things

¹⁰ “Statement of Scott M. Matheson, Governor of Utah, August 20, 1979,” box 15, folder 8, Series 19161, Scott M. Matheson Papers, Utah State Archives, Salt Lake City [SMMP].

¹¹ Juvelin, “Garn hears land use protests”; “BLM Grazing Cuts Mean Economic Disaster in Area,” *Garfield County News*, October 11, 1979, 1.

they demanded dismissal of Rex Walls, a local BLM field representative, because of his “insensitivity” toward local concerns.¹²

Gregg and Wicks seemed to have made every effort to work hand in hand with the locals on a wide range of issues such as wilderness designation, road access, and mining regulations. BLM officials met on occasion with county representatives to work through these disputes; when Cal Black met with the state BLM director to discuss San Juan County’s Mancos Mesa road and public access to state leased lands, Wicks was said to have been “responsive to the public wishes.”¹³ More often than not, however, the counties resisted the chosen path of the federal agencies on most issues. Road access, wilderness designation, and mining restrictions were particularly explosive. In April 1980, the San Juan County Commission drafted a letter to the BLM protesting a recent proposal to restrict mining on public land. It objected to what the commission called “massive controls and regulations”: increased costs and government restrictions, inconclusive evidence of environmental degradation, and a threat to the survivability of the small mine operator. In any case, the commission opposed the implementation of the restrictions until congressional hearings could be held to debate the issue in public.¹⁴

To many rural people, the problem was in the administration of the public land. BLM employees were seen to have a severe disadvantage in this regard, the perception being that most came from the East with little practical experience in the West. Their deficiencies were the result of an “eastern” education that served a “preservationist”

¹² “Cutbacks of Grazing Rights Stir Area Ranchers, BLM,” *Garfield County News*, November 8, 1979, p. 1; “BLM Director Says He Understands Area Ranchers Concerns,” *Garfield County News*, November 8, 1979.

¹³ San Juan County Commission Minutes, March 19, 1979, February 4, 1980, Series 84229, Utah State Archives, Salt Lake City, Utah.

¹⁴ San Juan County Commission Minutes, April 21, 1980.

agenda. State universities, too, were viewed as embracing this philosophy. Locals denounced university professors for their “ivory tower perch” and elitist attitude, since environmentalists tended to be “professionals, middle and upper class, with above average educational levels.”¹⁵ One man accused the state universities of “turning out little robot environmentalists programmed to fight free enterprise and attack the tax payers who pay for their livelihood.”¹⁶ Cal Black called university graduates “deeply brainwashed” by the educational system.¹⁷

In general, federal employees were viewed unkindly in rural Utah for their ignorance of local culture. Local rancher Ken Summers considered S. Gene Day, district BLM manager in southeastern Utah, “a public relations man” who “[didn’t] know anything about cattle.”¹⁸ Another rancher complained that people raised in the “suburbs of Brooklyn” erroneously perceived that Utahns were “raping” and “abusing” the land—uninformed and prejudiced notions that were commonly held by easterners who became BLM and Forest Service administrators.¹⁹ Thus, ranchers and cattlemen complained that federal agencies, particularly the BLM, were inconsiderate landlords and out of touch with local needs. Those running the agency were not elected to their positions, but they were some of the most powerful men in rural counties where most land is owned by the federal government.

¹⁵ *Times-Independent* (Moab, Utah), May 15, 1980. This particular editorial was written in response to a speech delivered by Bernard Shanks, Utah State University professor, in which he characterized sagebrush rebels as “hysterical,” “paranoid,” and “McCarthyite.” Shanks delivered one of his speeches, “The Sagebrush Rebellion as the New McCarthyism,” April 9, 1980, at Utah State University; copy in box 2, folder 1, MSS 200, Archives of the Utah Wilderness Association, Special Collections, Milton R. Merrill Library, Utah State University, Logan, Utah [AUWA].

¹⁶ Ray Tibbetts, “Dear Sam:” *Times-Independent* (Moab, Utah), May 29, 1980.

¹⁷ Joe Bauman, “The ‘Thirteen Western Colonies’ Take On the Feds,” *Cry California*, Summer, 1980, 9.

¹⁸ Margot Hornblower, “BLM Manager on Front Lines of Sagebrush Rebellion in Utah,” *Los Angeles Times*, December 16, 1979.

¹⁹ Seely interview.

Consider the feeling of one middle-aged rancher from Hurricane, Washington County, who had been in the cattle business since he was a boy. In his view, “Uncle Sam means well but is too far removed” to administer the lands efficiently. “I have personally spent hundreds of thousands of dollars in the past twenty years to improve the federal range I use,” he wrote. “I have made a beautiful ranch out of a wilderness that was almost useless in the beginning when I took it over in 1956.” To him, it was the westerner who made the land blossom, and it was a travesty that ranchers and cattlemen never did receive a deed to the barren and desert land they had made productive.²⁰ He, like other rural Utahns, had a sense of place that valued the accomplishment and effort of generations before. This notion attributed little significance on the role of “outside” forces, such as the federal government and eastern institutions, in the making of the West.

In most respects the rural people disliked the eastern mentality and lifestyle. One rancher from Escalante, Louise Liston, later a commissioner in Garfield County, summed these feelings up well: “We opened our arms to share the land with them [the environmentalists], and now they want to take it away from us. People who used to be nice to them no longer are. When they first started coming down here, it was fine with everybody. There’s enough wilderness down here for everybody, and we don’t mind sharing. They don’t share that same attitude. . . . They come down here once or twice a year and then go back to their city apartments and their nice cars. We stay on the land and try to make a living.”²¹ The irony could not have been more clear—the very people who fought to “conserve” resources disproportionately used more than their share. The

²⁰ Robert Langston to Governor Matheson, January 16, 1980, box 15, folder 10, SMMP. Langston wrote a similar letter to the *Salt Lake Tribune*, part of which was quoted in the editorial, “Uninformed ‘People Back East’ At Base of Sagebrush Revolt” on February 12, 1980.

²¹ Jerry Spangler, “‘Environmentalists’ a fighting word in southern Utah,” *Deseret News*, May 2, 1987.

message to outsiders was to stay out: “They ruined their country, now they want to ruin ours,” one man stated.²²

All this meant that rural Utahns had deep and meaningful ties to the land. In some ways they were the true caretakers of the land, for they chose to live and work on it full-time. “We are the ones who have true love for our deserts and mountains,” one rancher from Emery County editorialized. To him, environmentalists were no better than “drugstore cowboys,” an imitation of the original, “who didn’t know which end of a cow was the intake and which was the outgo; who didn’t know what a callous was, either on his pail or on his backside; who had never eaten corral dust.” Theirs was a view of the land that was not pristine or fragile; they viewed the land as rugged and resilient enough to have withstood hundreds of years of use. “Pristine” was simply a fancy word environmentalists used, but to rural Utahns it did not accurately describe the land. Ranchers and cattlemen understood that the land would only yield so much, but they believed it would produce a whole lot more than people from the cities fancied. Their love for the land was both intrinsic and economic, and most recognized the need to keep it in good condition for future use.²³ The best fertilizer for the land, remarked rancher Hardy Redd, was the “footprint of the owner.”²⁴

Thus, these rural cowboys may have opposed preservation of the land for preservation’s sake, but they were not anti-nature. Some were fiercely loyal to land that had been enjoyed for generations for leisure and amusement, and they complained when

²² *Times-Independent* (Moab, Utah), February 14, 1980, A2; Jay Mark Humphrey, Castle Dale, Emery County, interview with the author, August 3, 2004.

²³ Montell Seely, “Just Ramblin’,” manuscript in possession of the author, undated; Tracy Jeffs, Castle Dale, Emery County, interview with the author, August 3, 2004. For a national article on ranchers as environmentalist, see William Boly, “The Sagebrush Rebels: Are these embattled ranchers really ‘the best environmentalists of all?’” *New West*, November 3, 1980, 17–27.

²⁴ Private conversation with the author, May 20, 2004.

outside forces damaged the land or made it inaccessible. Long before hikers and backpackers from the urban cities found solitude in the San Rafael Swell, known locally as the “Wedge,” residents of Emery County made annual pilgrimages. Locals called it “easterin’,” an annual family outing on Easter for a desert picnic and festivities. The wilderness proposals in that area came under heavy fire in part because that designation would deprive access to what many locals considered to be the heart of their county.²⁵

The rhetoric and anti-government feeling in these rural counties masked a central paradox, characterized by the attitude, “get out and give us more money.”²⁶ Cal Black and his colleagues in the county commission seemed to share this sentiment. In the late 1970s they actively courted a study program of the Department of Energy’s High-Level Nuclear Waste Repository which would store radioactive waste in the salt deposits of Gibson Dome. San Juan County was one of nine sites considered, but the commission had every incentive to fight for the contract: on the line were thousands of new jobs and as much as a \$100 million annual payoff. In editorials and public hearings, as in Moab and Blanding in July 1980, supporters made their case, while those in opposition rallied their forces. Black was certain from private conversations that most people favored the nuclear dump, despite “the negative picture that had been painted regarding Nuclear Waste Repositories,” he reported in a commission meeting. He was right; the idea was favorably received in his county, though a little less so among his neighbors to the north.²⁷

²⁵ Montell Seely, “Goin’ Easterin’,” manuscript in possession of the author, undated; Kent Peterson, Ferron, Emery County, interview with the author, August 4, 2004.

²⁶ Bernard DeVoto, “The West against Itself,” *Harper’s Magazine* (January, 1947): 8.

²⁷ San Juan County Commission Minutes, September 10, 1979; January 26, 1981; Robert S. McPherson, *A History of San Juan County: In the Palm of Time* (Salt Lake City: Utah State Historical Society and San Juan County Commission, 1995), 363–65. Grand County received 16 million dollars from

Yet some San Juan County residents questioned the wisdom of such contracts, even given the economic benefits to be gained. One man from Montezuma Creek called it “laughable hypocrisy” that Black would throw his support behind the nuclear waste proposal, while being the spokesman for a land transfer. “How much more rope do we give to strangle our pride, independence, and quality of life?” he wrote in frustration. For those who opposed federal projects on rural land, local control of the land meant Utahns would not have to worry about the possibility of nuclear waste disposal or large-scale missile development (i.e. the MX).²⁸ In many ways, a contract in rural counties to dump nuclear waste did seem out of line given that the Rebellion was all about ridding the counties of the government altogether. It was about gaining control of land and resource and generating money for locals and their businesses—not the purse strings of a federal bureaucracy. It was about ridding once and for all the culture of dependency that many had become accustomed to.

The pragmatic relationship among rural counties and the federal government is seemingly contradictory, but in many ways it is to be expected. A government contract for an energy or reclamation project meant jobs for local communities, and county officials often actively pursued these contracts. Men like Cal Black knew that the way to play the game was to fight on multiple fronts. If the idea of a land swap failed, and Black seemed to sense this reality by early 1981, then at least a lucrative government contract could pump up the economy. This two-sided thinking, of course, was enough to convince the other side that the Sagebrush Rebellion was motivated primarily by money and greed.

the federal government in 1976 alone, which made up more than 30 per cent of the local economy. See Firmage, *A History of Grand County*, 365, 369.

²⁸ Bruce Hucko, “Southern Utah Sagebrush hypocrisy,” *Deseret News*, July 10, 1980.

However they felt about these projects, most rural Utahns were anti-government, and during the Rebellion these feelings reached a fevered pitch, rhetorically at least. Cal Black purportedly threatened a few Bureau of Land Management employees at a Wilderness study open house on April 12, 1979: “We’ve had enough of you guys telling us what to do. I’m not a violent man, but I’m getting to the point where I’ll blow up bridges, [Indian] ruins and vehicles. We’re going to start a revolution. We’re going to get back our lands. We’re going to sabotage because we’re going to take care of you BLMers.” The response came, “Mr. Black, I hope you are not threatening me?”; the reply: “I’m not threatening you, I’m promising you.”²⁹ Not all the rhetoric was as venomous as this was said to have been, but the feeling it represented seemed to have pervaded these rural areas. This rhetoric, however rare or infrequent, is one indication of the animosity felt among rural people and the deep attachment many felt toward the land.

The threats and vandalism could be disturbing and unsettling. In only four years as BLM district manager, S. Gene Day was said to have faced “lawsuits, bomb threats, demonstrations and social ostracism.” Well known Utah environmentalist Dick Carter claimed his life had been threatened by a man in Hanksville, Utah. Sometime in the summer, 1979, several locals in pick-up trucks had followed a group of environmentalists on a Bureau of Land Management field trip to their destination. On a 200-foot precipice overlooking the Dirty Devil River, one burly man allegedly confronted Carter face to face and said, “In about a minute there’s going to be one less [environmentalist] on this

²⁹ Jim Pissot, “Cal Black’s threats,” *Deseret News*, January 18, 1980; also quoted in Hornblower, “BLM Manager on Front Lines.”

planet.”³⁰ There were also willful acts of destruction of archaeological sites, most notably the defacing of a pictograph panel at the mouth of Courthouse Wash, Grand County, in April 1979. A reward of \$500 was posted for information leading to the arrest of the perpetrators, but in the end no one was ever apprehended or convicted. Several cases in San Juan County were taken to the courts, but most were settled without trial. Cal Black considered such cases harassment, because in his view there was rarely enough information to convict. As for the defacement at Courthouse Wash, it was believed to be one manifestation of the brewing animosity between the rural communities and the federal government.³¹

The best known display of upheaval occurred in Grand County—the bulldozing of a road in Negro Bill Canyon, public land that had recently been earmarked for wilderness study. In a meeting on June 26, 1980, the Grand County Commission and other county officials publicly declared their intentions to “up-grade” the road that led to several private mining claims on state land. These county officials assured the public that the action would be “peaceful in nature” and would only set the county back about \$200 to operate the road equipment. They did warn that additional expenses could accrue if the county was sued, and the commission set aside \$10,000 for this purpose, but private interests had also offered to help cover any legal expenses.³² The date of July 4 was deliberately selected, a symbolic gesture linking their cause to the venerated celebration

³⁰ For Day’s experiences as district manager, see Hornblower, “BLM Manager on Front Lines.” On the threat near the Dirty Devil River, see Carter’s letter to the editor, “The rebels, the road, and the law,” *Deseret News*, July 10, 1980; also Bauman, “The ‘Thirteen Western Colonies,’” 5.

³¹ For information on the defacement, see “Famous Moab pictograph panel destroyed by vandal,” *Times-Independent* (Moab, Utah), April 24, 1980, 1; “Vandals Destroy Pictograph Panel at Arches,” *San Juan Record*, May 8, 1980, 1; Bill Hedden, interview by author, phone, August 23, 2004; Firmage, *A History of Grand County*, 374. For Black’s views on these cases going to trial, see San Juan County Commission Minutes, May 12, 1980.

³² “County to open road into study area as ‘symbolic gesture,’” *Times-Independent* (Moab, Utah), July 3, 1980, 1.

of American independence. Perhaps the timing was intentional for another reason; earlier in the year the state legislature passed and the governor signed Utah's own Sagebrush Rebellion bill (S.B. 5), which called for a state takeover of the public domain on July 1.

This was not the first time Grand County had decided to take its grievances into its own hands. A year earlier, at the same site, county officials ordered a county grader to tear down a BLM barricade to the entrance of the canyon, declaring the area property of the county. It happened more than once, the BLM erecting the barricades and the county removing them, several times over. The federal government quickly filed suit in response, demanding a court order prevent the county from removing future barricades and that an assessment of damages be made.³³

This time, a year later, an estimated 250 to 300 people turned out for the event, congregating as planned in the Moab City Park on a Friday morning. The protesters and several environmentalists caravanned in 80 four-wheel-drive vehicles and a few cars over rickety dirt roads about seven miles northeast of Moab up Mill Creek Canyon to the site formally designated as Roadless Area 139. Brief speeches, mostly from the commissioners, welcomed the crowd. Harvey Merrell criticized "the cancerous growth of the bureaucracy," making an appeal to local control: "We will take control of our destiny in Southeastern Utah and won't delegate it to a bureaucracy." To a cheering crowd, Larry Jacobs reportedly said, "We have prayed we are doing the right thing, and

³³ The BLM first barricaded the road on December 4, 1978. The county opened the road first on July 7, and again on July 27 after the federal agency had replaced the barrier. See "Few protesters turn out for canyon camp-out," *Deseret News*, September 10, 1979; *Times Independent* (Moab, Utah), July 5, 1979, August 9, 1979; "Utah Files Wilderness Road Suit," *Salt Lake Tribune*, August 5, 1979; Lee Holley, "U.S. Suing Grand County for Road," *Salt Lake Tribune*, August 16, 1979; Firmage, *A History of Grand County*, 369. That state officials did nothing did not bode well with environmental groups, among them the Sierra Club. See Memo, August 13, 1979, box 36, folder 5, MSS 148, Papers of the Utah Chapter of the Sierra Club, Special Collections, Milton R. Merrill Library, Utah State University, Logan, Utah [PUCSC]. The BLM did drop the Wilderness Study Area (WSA) soon thereafter, but with pressure from Utah conservationists the 9,780-acre area was again set apart as WSA. See *Wilderness at the Edge*, 3-8.

at this point I think we are doing the right thing.” On a road formerly used for seismographic studies, a bulldozer displaying a U.S. flag and flashing a sticker that read “I’m a Sagebrush Rebel” blazed a dirt trail into federal land. Almost. A few days later S. Gene Day announced that the bulldozer had failed to enter the WSA boundary. So on July 7 the county called out a grader to finish the job.³⁴

In his speech that day, July 4, commissioner Ray Tibbetts indicated the action was not illegal; all roads within the county were to be controlled by the commission, and the purpose of the bulldozing was to let the BLM know that the road existed. But Tibbetts and others certainly were not ignorant of the real legal challenges. In a letter to protest-organizer Ron Steele postmarked over a week before the scheduled event, Utah’s assistant attorney general plainly stated the Attorney General’s office would not become in any way involved in the protest, nor would it legally defend those involved if a lawsuit were filed by the United States. He expressed his personal sympathy for the proposed aims of the Rebellion, but to him the protest was nothing more than “a local reaction to local frustrations.”³⁵ This is one indication that the rebels did not approach the issues uniformly, that not all supporters of a land transfer fought on the same front.

In response to the incident, the BLM demanded the Grand County Commission restore the area, within ten days, as it was “pre-July 4, 1980.” If the commission failed to comply, then the restoration would be made anyway and Grand County would be charged

³⁴ The event was widely covered in state and local newspapers. See Joe Bauman, “250 watch ‘rebellion’ dozer cut BLM land,” *Deseret News*, July 5, 1980; Dee Tranter, “Bulldozer ‘Parade’ Protests BLM Plan,” *Salt Lake Tribune*, July 5, 1980; Bill Davis, “County action aims to challenge ‘Organic Act,’” *Times-Independent* (Moab, Utah), July 10, 1980. The incident is also replayed in Firmage, *A History of Grand County*, 369–74; R. McGreggor Cawley, *Federal Lands, Western Anger: The Sagebrush Rebellion and Environmental Politics* (Lawrence: University of Kansas Press, 1993), 5–8.

³⁵ Richard L. Dewsnap to Ron Steele, June 27, 1980, box 1, folder 13, AUWA. Dick Carter found it “ironic” that the protest violated the rebels own sagebrush bill, Senate Bill 5, “which requires written permission from the Division of State Lands before any person can use, manage or dispose of public land.” See “The rebels, the road, and the law.”

with the bill, or the expenses would be deducted from federal funds coming into the county. Understandably, the commission caved in to the threat of a lawsuit and agreed to restore the area.³⁶ Public officials in attendance were never charged or prosecuted for their participation in the illegal act, though there were many people who believed they should have been.

Of the twenty-nine counties in the state, it is understandable that Grand County reached such a pitch of agitation. FLPMA was a difficult blow for many ranchers and miners in the county who had previously roamed the range virtually unfettered. In Grand County, as in the other counties under the Moab District of the BLM, the roadless areas under review for wilderness study was the highest percentage in the state.³⁷ But the extent to which local residents supported such activity is difficult to assess. Some residents expressed their dissatisfaction with the planned protest in the July 3, 1980, issue of the local newspaper, the *Times-Independent*, and a poll of Grand County residents indicated there were many locals in opposition. Moab was an eclectic community. Ranchers and miners represent the roots of its settlement, but federal employees and recreation enthusiasts also comprised a significant portion of the county's nearly 10,000 residents. One member of the Wilderness Society who observed the proceedings rightly stated, "I don't think even townspeople this time are behind this, really. A lot of people who support the Sagebrush Rebellion don't support this expression."³⁸

One man from San Juan County called the federal government simply a "paper tiger," hardly the real cause of rural problems. If anything was to blame it was the local people themselves because they "simply want too much." This way of thinking coupled

³⁶ See Cawley, *Federal Lands, Western Anger*, 6-7.

³⁷ See Joseph Bauman, "BLM proposes Utah wilds review," *Deseret News*, April 2, 1979.

³⁸ Bauman, "250 watch 'rebellion' dozer cut BLM land," July 5, 1980.

with a booming citizenry in many rural counties meant less resources and land to go around.³⁹ The point was well made, for growth was a pressing issue for Grand County by the late 1970s. It seems to have been the justification behind issuing the grazing cutbacks for 326 ranchers in the four counties in southeastern Utah. District manager Day believed such restrictions were necessary since these counties had been growing at such a fast rate: “Like Pogo says: We have met the enemy and he is us,” he said. In his view the BLM was forced to restrict land use, since the land had been pushed to its limit—with at least 80 percent of the public range in fair or worse condition.⁴⁰

On the state level, the reaction to the staged protest was almost collectively one of outrage. For nearly a month after the fact, letters to the editor in the *Deseret News* and the *Salt Lake Tribune* mocked the public demonstration, one calling it “a sad point of violence and lawlessness” and another a “childish” act of “a mob of juvenile pseudo-patriot-nuts.” Another letter referred to the “myopic decision-making of the rebellion” and the new level to which proponents were willing to stoop to make their voices heard. One lamented that tax dollars had been used in the protest and that both the Grand County Democratic and Republican chairpersons endorsed the activity. To the opposition, at least, the rebels were sending a clear message to the public by violating federal law and employing what one reader called “bulldozer diplomacy”: the sagebrush rebels’ purposes were parochial, intentions self-serving, and cause unreliable.⁴¹ These blanket generalizations were misleading and somewhat unwarranted, of course, for it can

³⁹ Richard E. Shanteau, “Dear Sam:” *Times-Independent* (Moab, Utah), July 3, 1980, A2.

⁴⁰ Hornblower, “BLM Manager on Front Lines.” For a discussion of growth in the West and the reaction against it, see Richard White, “*It’s Your Misfortune and None of My Own*”: *A History of the American West* (Norman: University of Oklahoma Press, 1991), 568–71.

⁴¹ Carter, “The rebels, the road, and the law”; Douglas B. Smith, “Bad Show,” *Salt Lake Tribune*, July 11, 1980; “Doubly Useful,” *Salt Lake Tribune*, July 12, 1980; R. Fielding Carter, “Rips ‘rebellion’ leaders,” *Deseret News*, July 17, 1980; Margaret Pettis, “Untrustworthy Rebellion,” *Deseret News*, August 2, 1980.

be said only with difficulty that the decision to proceed with the protest was made by more than a handful of people and supported by a majority of Grand County residents, let alone all sagebrush rebels.

Elsewhere in southeastern Utah the Rebellion did not reach the heightened form it took in Grand County. Editorials and letters to the editor regarding the Rebellion were published in local newspapers, but most rural Utahns did not get involved directly. In Castle Valley, for instance, local residents do not recall attending public meetings or forums in which the land transfer had been discussed.⁴² But for them, as in other areas in southern and southeastern Utah, the Sagebrush Rebellion came to represent local frustrations, a catchword that embodied local grievances, even if a transfer of land to the states was not foremost in their minds. It was about gaining control of their own lives; it was about retaining a sense of independence and self-reliance that had been a trademark of their forbearers.

Wallace Stegner has characterized the resentment and anger of rural Utahns as “an expression of desperation, the frontier dying hard, the reaction of people pushed to the edge of their tolerance by forces they do not understand.” He went on to suggest rural Utahns expected too much from the land and were too eager to compromise the quality of the land for a better living. Stegner evoked the notion of the West as harsh and unforgiving. A close study of its past would reveal the land’s liability: relentless cycles of boom and bust, economic depression, and ecological unpredictability.⁴³

Stegner was right: the land was a liability, it was harsh and unforgiving, and it was unpredictable. A new era in the West had opened in 1976 with the passage of

⁴² Jeffs interview. The Rebellion is barely mentioned in Edward A. Geary, *A History of Emery County* (Salt Lake City: Utah Historical Society and Emery County Commission, 1996).

⁴³ *Wilderness at the Edge*, 3–8.

FLPMA, and cattlemen and miners were to feel the brunt of it. But it would be a mistake to believe that rural Utahns did not know this, at least in part. For generations they had been making a living from the land, and some doing it quite well. They intimately knew the land and how much it would give. Despite the allegations to the contrary, rural Utahns did not seem determined in their own minds to plunder or milk the land for all it was worth. Some did stand to gain from a land swap, and the prospects of gaining wealth must have been attractive to many, but these people knew better than most how much the land would give. They probably never believed that the land would ever make them wealthy, but most shared the sentiment expressed by Ray Tibbetts, county commissioner in Grand County: “There isn’t one inch of worthless land in Utah.”⁴⁴ Land was always good for something—grazing, minerals, gas and oil, recreation—and rural folk wanted control of it.

For some time a feeling of insubordination and resentment had been growing among ranchers, miners, and other peoples in rural areas. The fiery rhetoric of state and national rebellion leaders, and of their own Cal Black, added to the animosity. Phrases such as “second American Revolution,” “radical environmentalism,” and “cult of toadstool worshippers,” only intensified the anti-federal government sentiments, no doubt contributing to the protests, vandalism, and threats of violence in rural Utah.⁴⁵ Unlike in the metropolitan areas, these feelings were widely felt and rural communities displayed a

⁴⁴ Ray Tibbetts, “Master plan for land use,” *Deseret News*, September 21, 1979.

⁴⁵ Sen. Orrin Hatch was said to have “urged restraint” when he found out about the planned protest on July 4, but he also reportedly said: “If I were them [a Grand County resident], I would really fix that road once and for all. I’d shove it right up their (the government’s) noses.” See Vern Anderson, “Officials Plan Sagebrush Protest,” *Salt Lake Tribune*, July 3, 1980. On the rhetoric of Hatch, one letter to the editor expressed concern that “eventually some irate, frustrated rancher is going to go off the deep end and unload both barrels on an innocent bystander under the false assumption that a certain over-zealous, ambitious senator is behind him all the way.” Richard A. Van Wagenen, “Hatch’s remarks ‘intemperate,’” *Deseret News*, September 26, 1979.

remarkable sense of solidarity in the bid to rid their land of the federal government.

People awarded the kind of efforts made by Cal Black to represent rural interests; in 1980 his community of Blanding designated him as “Citizen of the Year.”⁴⁶

Rural Utahns found ways to express their feelings, most notably through the protest on July 4. As much as anything, the bulldozing incident in Grand County may rightly be seen as a conjoining of the physical and the symbolic. The protest represented a real, legitimate grievance held by many rural Utahns toward the federal government. But it was also a way to draw on sacred history and a shared American heritage and to express Old West/Golden West nostalgia. In this way sagebrush rebels linked their cause to the American independence and grouped it within the categories of Civil Rights and the anti-war demonstrations of the 1960s.⁴⁷ For many Grand County residents, and probably other rural Utahns, it would not have been contradictory to protest with bulldozers on the day the nation celebrated independence, or on the very day San Juan County celebrated the centennial of the arrival of the Hole-in-the-Rock pioneers.

The day of protest, the speeches, the bulldozing—these were ways to express the significance of land in rural Utah. For rural Utahns land embodied a physical reality, but it also personified the hopes and aspirations of farmers, miners, and ranchers whose livelihood was dependent on the land. Neither pristine nor fragile, it was harsh and in many ways unforgiving, but it could also be productive and potentially profitable. For generations, land had been an integral aspect of rural economic, social, and cultural life, and rural sagebrush rebels fought to keep it that way. Cal Black and others continued to

⁴⁶ San Juan County Commission Minutes, June 9, 1980. For an example of community solidarity, the commission minutes of August 27, 1979, indicate that the commission formally decided to support Grand County in its defense in the lawsuit filed by the BLM for the opening of the road in August 1979.

⁴⁷ David Briscoe, “Senator Rakes BLM Plan to ‘Police Range’,” *Salt Lake Tribune*, July 4, 1980, 2C.

work out differences with the federal employees, of course, and some success was made to sweeten relationships gone sour.⁴⁸ But working with the federal government would not be necessary when the land was theirs, if that day ever came. Joining the rebel cause, and adding to it a unique brand of activism, was their best chance to at last regain control of a land that they had shared for too long.

⁴⁸ For an example, see San Juan County Commission Minutes, July 7, 1980.

IV.

THE OPPOSITION

[The Sagebrush Rebellion] has not and can not grow more palatable grass on the range for more cows and sheep. It does not grow more timber and can't. It can not produce more water or cleaner water or better wildlife habitat. It can not provide for more and better uniform resource studies and much needed inventories of our land resources. It cannot and has not trained better foresters, range managers or wildlife managers.

Dick Carter, 1980

Given the meaning of land to cattlemen, miners, and other rural Utahns who lived close to the public lands, it seems natural that they would wholeheartedly embrace the idea of a transfer of the public domain. The transfer was also supported by people in urban areas, as we have seen, but these people did not have the connection to land that rural Utahns had. The vast majority of Utahns did not live next to and work on the land; most lived along a 120-mile long stretch of continuous settlement running as far south as Santaquin and as far north as Brigham City. The rise of the urban West in the twentieth century infused new values into the region, including an environmental ethos that came out in determined opposition against the notion of a public lands transfer.

Environmentalists, with their own distinctive values and ties to the land, voiced their viewpoints in articles and editorials, town meetings, and university classrooms.

The vivacity and persistence of the environmental community in their denunciation of a transfer certainly made an imprint on the dynamics of the land transfer. On a national scale, environmental groups such as the Sierra Club, National Audubon Society, and National Wildlife Federation made a concerted effort to oppose the transfer.

In Utah, this anti-rebellion activity was particularly intense, led by able environmentalists in such organizations as the Utah Wilderness Association and the Utah Chapter of the Sierra Club. Concerned citizens, academics, and even sportsmen joined efforts to put out the brush fire that swept across the desert sod of the West for nearly two years. The net result was a well coordinated campaign which succeeded in discrediting the rebellion in the public's eye and which ultimately led, in part, to the Rebellion's demise.

Historians have referred to the 1970s as the "environmental decade," marking the broad public acceptance and permanence of the new environmental ethos of the post-war period. Environmental organizations increasingly garnered more members and took on a number of issues, from wilderness preservation to air quality to wildlife concerns. In 1977 a survey found that 32 percent of the public believed there was not enough land set apart as wilderness; 62 percent opposed the cutting of more timber.¹ Yet of all the areas of concern, for two years beginning in 1979 the threat of a public land takeover became a priority. By August 1979, about the same time that Senator Hatch introduced his first sagebrush bill in the Senate, environmental groups had begun an all-out mobilization.

The Sierra Club, established in 1892 and led by John Muir in a crusade to protect the Pacific Coast lands, was probably the most established and best known of these organizations.² In August 1979, in a form letter addressed to leading environmentalists, Brant Calkin of the Sierra Club depicted the rising threat of the Sagebrush Rebellion and outlined a preliminary counterattack. In some ways, the suggested course was ambitious

¹ Samuel P. Hays, *Beauty, Health, and Permanence: Environmental Politics in the United States, 1955–1985* (Cambridge, Mass.: Cambridge University Press, 1987), 32.

² Robert Cameron Mitchell, et. al., "Twenty Years of Environmental Mobilization: Trends Among National Environmental Organizations," in *American Environmentalism: The U.S. Environmental Movement, 1970–1990*, Riley E. Dunlap and Angela G. Mertig, eds. (New York: Taylor & Francis, 1992), 13

and required tremendous energy and resources. The question over the future of public lands would become a catalyst to encourage membership and a major point of dialogue among conservation and political leaders, particularly among their “political allies.” The BLM itself, caught in the crossfire of rebels and environmentalists, became another target—to expose the “inertia, error, or timidity” of the bureau and its director, Frank Gregg. All of this was in addition to anti-rebellion articles for *Sierra* and other outlets and a draft of a letter for concerned environmentalists who wished to submit opinion letters to local newspapers. In all these activities Calkin suggested they attack the credibility of the movement and “to cover it with disrepute.”³

Perhaps most directly, the Utah Chapter of the Sierra Club formed the Sagebrush Rebellion Committee, which activated numerous activities; members met regularly, set up booths at various conferences, delivered speeches, and published a newsletter. One such was published in the spring of 1981, a four-page anti-Rebellion “tabloid” edited by Michael Budig called *The Sagebrush Ripoff*. This newsletter included several anti-rebellion articles and brief statements, some reprints, written by representatives of such organizations as the National Campers and Hikers Association, Utah Trails Council, and the Rocky Mountain Federation of Fly Fisherman. The pamphlet had a printing run of about seven thousand and was distributed locally to “sports and recreation stores, campuses, and . . . other interested groups and individuals throughout the state.”⁴

³ See Brant to Mike et. al., August 13, 1979, box 36, folder 5, Mss 148, Papers of the Utah Chapter of the Sierra Club, Special Collections, Milton R. Merrill Library, Utah State University, Logan, Utah [PUCSC].

⁴ “Sagebrush Rebellion Committee Resolution,” April 9, 1981, box 15, folder 16, PUCSC. For more on the activity of the Committee, see Jay Lepreau and Bruce Pietsch, “Conservation Update,” August 6, 1981, box 15, folder 16, PUCSC.

Other local conservation groups joined in the crusade to counter a proposed transfer, some with even more vim than the Utah Chapter of the Sierra Club. Leading all was the Utah Wilderness Association (UWA), established in 1979 and headed by Dick Carter. Born and raised in Utah, Carter was educated at the College of Natural Resources at Utah State University and for a time worked as a rancher in the Forest Service before accepting a staff job in Washington D.C. with the Wilderness Society. Discontented in D.C., Carter returned to Utah in 1976 to form a branch of the WS in Salt Lake City, only to see it closed three years later. So he established the UWA. Carter's ardor and commitment to preserving wild lands and open spaces made him one of the most effective and informed spokesman for the anti-rebellion opposition in Utah.⁵

Carter worked closely with other regional and national leaders of the Wilderness Society, including Dave Foreman, Bob Langsenkamp, Brant Calkin, Russ Shay, and Betsy Barnett to formulate a plan of attack. Foreman, the southwest representative of the Wilderness Society, and Langsenkamp disbursed a memo to "Western Public Land leaders" in August 1979 expressing apprehension over the recent Rebellion developments. They announced that a public "gathering" would take place on October 27 and 28 in Denver "to talk, brainstorm, strategize, and come to grips with the Sagebrush Rebellion" and other public lands concerns. It was also recommended to organize calling lists and to drop the "romantic" term "Sagebrush Rebellion" for a more

⁵ For biographical information on Carter, see Philip L. Fradkin, *Sagebrush Country: Land and the American West* (Tucson: University of Arizona Press, 1989), 35–36; Joseph Bauman, "Utahn is promoting wilderness group," *Deseret News*, October 24, 1979. Carter was well versed in the history of public land policy and the previous western "land grabs." He put the attempted transfer into historical perspective by referring to Bernard DeVoto's article in the January, 1947, issue of *Harper's Magazine*, and the article was widely distributed "to key activists, to opinion molders, to state politicians." Carter to Dave Foreman, September 22, 1979; Foreman to TWS and SC representatives, September 26, 1979; Foreman to Carter, September 28, 1979, box 2, folder 7, Mss 200, Archives of the Utah Wilderness Association, Special Collections, Milton R. Merrill Library, Utah State University, Logan, Utah [AUWA].

negative one, such as “Public Lands Rip-Off”—a moniker likely picked by the Sierra Club for its newsletter.⁶

Carter’s local Utah Wilderness Association made a name for itself as an ardent opponent of the proposed transfer. By September, on a tight budget and with a small staff, the Association had taken the lead on several fronts: newspaper editorials, “big displays for bookstores and outdoor shops,” information for the public on the public lands, and radio and television appearances. For television, the Society put together three separate shows, two airing on commercial television and one on public television. For a program called *Crossfire*, Carter appeared with Cal Black before a public audience—“75 of our folks showed up, only 4 of Cal’s,” Carter later wrote to Foreman. It was clear to national environmentalists like Foreman that the Utah branch under Carter was way ahead of the other western states in organizing an opposition movement to the threat of a transfer. Foreman was particularly impressed with the steps taken to distribute material through the media, and he suggested Carter head that department at the meeting in Denver.⁷

The UWA published regular newsletters during this period addressing relevant public lands issues; at least three volumes were dedicated to exposing the various “myths” upon which the Sagebrush Rebellion was based. These ranged from the notion that “states could do it better” to the falsehood that the public lands were run by “faceless decision makers.” The message of these newsletters, much like those of the Sierra Club,

⁶ See Dave Foreman and Bob Langsenkamp to Western Public Land leaders, August 10, 1979; Foreman to “Conservation leaders,” August 22, 1979; Dick Carter to Dave Foreman, September 22, 1979; Foreman to TWS and SC representatives, September 26, 1979; Foreman to Carter, September 28, 1979; box 2, folder 7, AUWA.

⁷ Carter to Foreman, September 22, 1979; Foreman to Carter, September 28, 1979, box 2, folder 7, AUWA.

was that the movement to transfer the lands was little more than a display of greed.⁸ Some messages seemed to be directed to members of the community who believed federal management of the land was restrictive. They claimed that local community leaders do have a voice in public land management, the land is open to off-road vehicles (ORV), and lands do not restrict needed community services.⁹

The newsletter articles were reinforced by a steady stream of letters flooding the local newspapers and the offices of local and state politicians. These letters were especially common in the months following the introduction of Hatch's bill and each denounced the rebels' aims and motives in calling for state ownership of the public lands.¹⁰ The most common concern was that the public lands would be sold to private owners. If a transfer succeeded, one person wrote, little could be done to save "the Uintahs from summer homes and snowmobiles and the Kaiparowits from becoming a pawn in California's greedy energy usage." Another penned that "GREED is the motive, not the better land management." For others, a transfer imperiled needed protection of animals and plant life. One mused: "our greatest enemy is mankind itself, too often reckless and precipitate and often inclined to bring about its own self-annihilation."¹¹ These letters suggested that a transfer would be the undoing of years of environmental

⁸ "The Public Land Versus the Sagebrush Rebellion," Volume 1, 2, 3, Utah Wilderness Association newsletter, not dated, box 1, folder 3, AUWA.

⁹ "The Public Land versus the Sagebrush Rebellion," Volume 2, newsletter; "The Sagebrush Rebellion," Volume 3, newsletter, not dated, box 1, folder 3, AUWA.

¹⁰ Among these include Carter, "Sagebrush rebellion a 'land grab,'" *Deseret News*, September 11, 1979; Carter, "Scotch the Rebellion," *Salt Lake Tribune*, September 15, 1979; Pettis, "'Rebellion' anti-conservation," *Deseret News*, September 20, 1979; Carter, "Faulty Comparison," *Salt Lake Tribune*, November 26, 1979; Pettis, "Untrustworthy Rebellion," *Salt Lake Tribune*, August 2, 1980. See also Randy Long to Gov. Matheson, October 19, 1979; H. Mark and Mary Yates to Sen. Hatch, October 22, 1979, box 15, folder 9, Series 19161, Scott M. Matheson Papers, Utah State Archives, Salt Lake City [SMMP].

¹¹ Amanda Maeser to Gov. Matheson, December 8, 1979; Glen L. Cox to Gov. Matheson, December 7, 1980, box 15, folder 9, SMMP; Rodney Greeno to Gov. Matheson, September 21, 1979, box 15, folder 8, SMMP.

progress and would threaten a lifestyle that cherished the land for its aesthetic and spiritual appeal.

Newsletter articles and letters to the editor could be especially critical of state land management. They accused directors of state lands of having little concern for the protection and preservation of wildlife and historic artifacts. By law, in fact, the Utah Division of State Lands (DSL) had the primary charge to maximize income. As a result, the critics contended, management of state lands in the Intermountain West had left scars on the landscape—namely, the permitting of strip-mining on state land in Capital Reef and the “pollution and congestion” in and around Lake Tahoe in Nevada.¹²

One incident was particularly volatile. Environmentalists blamed the DSL for damage to about 500 acres and six archeological sites on state land in Mule Canyon in San Juan County. Some of the artifacts and remnant dwellings of the Mesa Verde Anasazi were disturbed by chaining, a method used to clear the foliage from an area with chains tied to two tractors. On November 24, a local rancher, Lisle Adams, with assistance from the Utah Division of State Land, the State Department of Agriculture, and the U.S. Soil Conservation Service, had purportedly carried out the act. There had been no attempt to conduct an archeological survey of the area or, seemingly, to avoid the historic sites, some of which were clearly marked by blue flags, according to La Mar Lindsay, the assistant state archeologist. Lindsay noted that tractor prints clearly indicated what happened and how much damage had been sustained. While most sites were salvageable, one site showed so much surface damage that “site interpretation may

¹² “The Sagebrush Rebellion: how advisable is this step?” *Deseret News*, September 15, 1979; also “Complex ‘Rebellion’ Issues,” *Ogden Standard-Examiner*, September 21, 1979.

not be possible.” In any case, Lindsay suggested that “the agency responsible” absorb the restoration costs and that the sites be added to the National Register.¹³

The state archeologist agreed with Lindsay’s analysis and demanded the payment of reparations after an environmental evaluation be made. He, too, blamed the Division of State Lands for not taking the necessary steps to “protect cultural resources on state owned properties.” And he predicted that “cultural resources” would continue to sustain damages on state lands as long as the DSL did not take necessary precautions. Three years of attempting to reach an agreement with the state on the part of the Division of State History came of nothing and he had little reason to believe that any changes would be made in the near future. In fact, the state had planned 18 other chainings in San Juan County alone.¹⁴

This incident exposed potential consequences of a takeover. Utah had few resources to manage the land—the two best land agencies were probably the State Wildlife Commission and the State Parks and Recreation—and even fewer conservation measures on the books. It had no Wilderness Act, Antiquities Act, Multiple-Use and Sustained Yield Act, Endangered Species Act, or Natural Areas Act. Without these safeguards, argued environmentalists, even with a solid track record the state could do nothing to guarantee the protection of the fragile land. “To allow the state, with its bad

¹³ David Smyth, “The Utah Chaining Massacre,” *Westword*, vol. 3, issue 19, 9–10; “State Bulldozes Anasazi History,” *The Sagebrush Ripoff*, Summer, 1981, box 15, folder 14, PUCSC; see also Joan L. Coles, “Statement on Sagebrush Rebellion,” undated, and the attached memo from Lindsay to David B. Madsen, December 13, 1979, box 15, folder 21, PUCSC.

¹⁴ Madsen to Gary J. Wicks, February 14, 1980, box 15, folder 21, PUCSC; Smyth, “The Utah Chaining Massacre,” 10.

track record, to control [the public lands] would be a travesty,” one member of the Sierra Club wrote.¹⁵

By attacking the aims of those who supported a transfer and by exposing the drawbacks of state management, environmentalists seemed to make some real gains early on. Dick Carter reported in September 1979 that his organization had made “converts” of the Governor, the State Planning Coordinator’s office, and the State Department of Agriculture, and that it had “been able to keep Marriott, McKay and Garn from screaming about the ‘Sagebrush Rebellion.’”¹⁶ The silence did not last, however, as Utah’s congressional delegation and state legislators joined the campaign to pass Senate Bill 5, Utah’s own rebellion bill.

In response, Carter lambasted the bill. To a gathering at the Kiwanis Club, as in his other public appearances, Carter characterized the rebels’ rhetoric as little more than a smokescreen. He assured the audience that a transfer would do little to meet “the mandates of an ethical, moral and equitable multiple use philosophy.”¹⁷ On another occasion, this time in UWA newsletter, he noted that the bill was not so much a benign attempt to change land ownership from the feds to the states or to facilitate greater multiple-use on the public lands but a malignant scheme “to allow rampant unrestricted development on BLM lands.” Thus, he encouraged concerned citizens to write and phone local leaders, state representatives, and Governor Matheson to oppose the bill. “If

¹⁵ Margaret Pettis, “‘Rebellion’ anti-conservation”; Idem., “Familiar Rhetoric,” *Salt Lake Tribune*, October 6, 1979; H. Mark Yates and Mary Yates to Orrin Hatch, October 22, 1979, Deborah Stetler to Orrin Hatch, November 11, 1979, copy in box 15, folder 9, SMMP; *Sagebrush Ripoff*.

¹⁶ Carter to Foreman, September 22, 1979, box 2, folder 7, AUWA.

¹⁷ Speech, February 14, 1980, box 1, folder 1, AUWA.

we are going to shut this nonsensical Sagebrush Rebellion rhetoric down we must show we have the strength to do it.”¹⁸

Judging by the number of letters written in opposition to S.B. 5, Carter’s letter must have reached an audience. The governor’s correspondence files contain numerous letters from concerned citizens with protests ranging from outrage that a non-budget bill was being considered during a budget session to complaints that no public hearings or debates had been held regarding the matter. One letter signed by William Vogel—which stated that the bill was simply “a resolution masquerading as a law, and ought to be vetoed for reasons of dishonesty and deception”—called for the governor to display another case of “Matheson courage” by vetoing the bill. Matheson failed in this, however, and signed the bill anyway, but in a typical response to these letters he stated that action would only be taken when it was deemed constitutional by the courts to do so.¹⁹ Other forms of protest, as well, pushed to block the bill’s passage. Newsletters attacked the general and specific aims of a transfer, and local organizations and groups sponsored anti-rebellion lectures. Among those organizations considered by the Utah Wilderness Association to deliver the lectures were the Utah Association of 4 Wheel Drive Clubs, Mountain Men of the Wasatch, League of Women Voters, Boy Scouts, and Kiwanis Club.²⁰

It was unclear initially whether sportsmen and outdoor clubs would oppose or support a transfer, but these groups would prove to be some of the most vocal contenders. National sportsmen such as Richard Starnes and Ted Trueblood and sportsmen’s

¹⁸ “Senate Bill 5 and the Sagebrush Rebellion,” January 1980, newsletter, box 2, folder 15, AUWA.

¹⁹ Vogel to Gov. Matheson, February 1, 1980, and other letters may be found in box 15, folders 10 and 11, SMMP.

²⁰ For the full list of organizations considered see notes, box 2, folder 6, AUWA.

publications such as *Field & Stream*, *National Parks & Conservation Magazine*, and *Trailer Life* criticized the tactics of the rebels and their interests.²¹ Outdoors Unlimited, an anti-wilderness organization based on motorized recreation, was alleged to have sided with the rebels (and happened to be led by a leading rebel, John Harmer), but this sentiment was not widely shared by other sportsmen and recreation clubs. Utah Guides and Outfitters, Utah Trails Council, and the Utah Wildlife and Outdoor Recreation Federation each issued public statements expressing distrust of a transfer, and the American Hiking Society urged its members to write to congressmen to vote against the land swap.²² The common theme in these statements was fear that state or private ownership would restrict access to sportsmen and outdoor enthusiasts. In this sense they opposed a transfer, but these groups did not consistently side with the environmentalists on every issue. Membership in these organizations was an eclectic mix of outdoorsmen, hunters, hikers, and other outdoor enthusiasts who may or may not have favored “environmental” measures. These same individuals may have resisted wilderness designations because of the restrictions they imposed, but when it came to putting the public lands in peril of private ownership they allied themselves with the environmentalists.

One sportsman, Jan Brunvand, asserted that the proposal to transfer the land would only serve the interests of the wealthy who could afford to recreate on private lands. A similar phenomenon had already occurred on his favorite strip of the Weber

²¹ See K. D. Flock, “There Is Only One Side to the Sagebrush Rebellion: It is the great land grab hoax of the century,” *Trailer Life*, August 1981, 16–18.

²² Utah Guides and Outfitters, “Resolution,” Approved 28, 1981; “Utah Trails Council Policy Statement on the Sagebrush Rebellion,” February 1981; Utah Wildlife & Outdoor Recreation Federation, “Sportsmen and the Sagebrush Rebellion,” box 1, folder 9, AUWA; *The American Hiking Society News*, January, 1980, 6–7.

River. As a fly fishermen, he had formerly had access to it for a small fee, but it now cost “about 35 times” the original price of \$25 per season since the United Sportsmen, a national company, began leasing it in 1980. Whereas there had once been a “fine cooperative relationship between the rancher-businessman and local sportsman,” that had changed with the new ownership and higher fees. This was a common complaint—sportsmen and recreation enthusiasts were apprehensive that public lands would be overrun by “outside” interests. Whereas rebels spoke of federal bureaucracies as “outsiders,” sportsmen and environmentalists considered outsiders to be “investors, country-clubbers, and wealthy Californians.”²³

The strength of the opposition, even with the support of these groups, was not enough to prevent the state legislature from passing the bill and the governor from signing it. A year later, with several pre-filed bills pending in the state House of Representatives, Carter once more spearheaded efforts to shut them down. This time he was even more prepared for the brawl. By early January 1981, when the Utah Senate convened in session, UWA had pre-determined the stance of each senator and had distributed materials to several key Senators and House members. Desperate for community activists to step up participation in the anti-Rebellion efforts because “we simply are dealing with too many issues,” Carter wrote to twenty activists and invited them to a strategy meeting on January 13. He hoped to make specific assignments to “know exactly what is happening to any SBR legislation” and to “work the phones and organize your key friends and neighbors.”²⁴

²³ Jan Harold Brunvand, “Another Paradise Lost,” manuscript, box 1, folder 6, AUWA.

²⁴ Dick Carter to “Sagebrush rebellion activists,” January 5, 1981, box 2, folder 6, AUWA.

One sore spot requiring a counter-offense was the USU economic report that prompted the governor to sign S.B. 5 in the first place. The UWA newsletter insisted that the report fallaciously assumed that the worth of minerals underground was unlimited and that “environmental regulations are causing our economic problems today and those regulations cause more harm than good.” Another group pointed out that the authors of the report were not qualified to produce “interpretive history”; the historical section of the report was littered with inaccuracies and the frequent use of historical quotations taken out of context. In its economic analysis, too, the report did not correctly address the costs and benefits of a state takeover of lands and the additional costs that would be shouldered by Utah citizens.²⁵

Interesting to note is that this “official” report was produced by academics trained in resource management. USU produced a sizable number of federal employees working for the BLM and the Forest Service, but academics at the university were mostly restrained in expressing any sort of distrust in the idea of a transfer. There was one notable exception, however, in Bernard Shanks—a professor of public land policy in the College of Natural Resources. Shanks grew up in the mid-West, but once introduced to the West he became a real outdoors enthusiast, working for a time as a ranger and manager on the public lands. At USU he described his job as “the public policy aspects of land management”; through experience and temperament, he was a staunch defender of the public lands and of the university who trained a sizable number of BLM employees. He saw himself as a sole advocate of professional training against the vituperative attacks made by the rebels—attacks which Shanks said paralyzed the

²⁵ For details see, “‘The Sagebrush Rebellion’ Volume Three, newsletter of the Utah Wilderness Association, box 1, folder 3, AUWA; Juline Christofferson to Gov. Matheson, May 1, 1981, box 15, folder 15, SMMP.

academic community. Initially Shanks taught small seminars at USU where he spoke out against the absurdity of the so-called Sagebrush Rebellion. Soon he was speaking to larger gatherings, delivering the same address more than a couple dozen times within a few months. “It was my first experience with a little notoriety,” he later recalled.²⁶

In his typical speeches, Shanks normally provided a brief overview of the history of the public land and mentioned the fallacies in the argument in favor of a land swap. His attacks could be personal and inflated in his denunciation of the “myths” that drove the Sagebrush Rebellion. These myths included the fallacious claims that states would be more efficient and more responsible in their care of the land, that states had at one time won or owned the public lands, and that the West was a colony of Uncle Sam. He asserted that the movement was motivated by greed, private interests, and big business, not the patriotic impulse of a “second American Revolution.” “If Thomas Jefferson could speak to us today, he would likely be insulted that this movement has been called a ‘rebellion.’ There is little revolutionary about greed, he would likely say,” Shanks informed members of a public rally in freezing temperatures in Boise, Idaho, in early 1981.²⁷

Shanks aptly drew comparisons between the Rebellion and issues that provoked an emotional response. He feared that land bought up by private interests would signal the return to the “environmental Dark Ages” by setting back the clock to a time when ranchers and miners had free range on the land. He feared miners and large-scale developers would extract precious resources from land that was once considered barren

²⁶ Bern Shanks Excerpt, <http://www.golessonslearned.com/Bern%20Shanks.htm>; see also Bernard Shanks, *This Land Is Your Land: The Struggle to Save America's Public Lands* (San Francisco: Sierra Club Books, 1984).

²⁷ “Greed called the motive in rebellion,” *Deseret News*, January 27–28, 1981; see also Shanks, “The Sagebrush Rebellion: A New McCarthyism,” January 21, 1981, box 2, folder 1, AUWA.

and worthless. To Shanks, a loss of the public land would result in moral and spiritual decline, for the Rebellion dipped into larger matters such as materialism and “wealth, power and freedom.” In the spirit of Frederick Jackson Turner, and alongside other environmentalists, Shanks attributed national significance to the western lands. Public land was one of the nation’s most valuable resources, which must remain protected for the “common good” of all Americans.²⁸

Most volatile and controversial was Shanks’ accusation that the Rebellion was “the New McCarthyism,” a theme he sounded in more than a few public appearances. He delineated that the historical connection was unmistakable: each movement “gained momentum rapidly with the use of fear and distortion”; each fueled on the notion of “false patriotism”; each displayed contempt for a specific group of people; each relied on certain rhetorical techniques. Shanks denounced the “insults, distortions, and half-truths” flung by political leaders at BLM and Forest Service employees who had no power to respond. Like the “Red Scare” in the 1950s, the Sagebrush Rebellion relied on scare-tactics to silence the opposition. It was for this reason, he maintained, that many politicians, members of the media, and academics were either unwilling or too intimidated to challenge the rebels’ claims.²⁹

Of course, Shanks’ rhetoric was just as inflammatory and divisive as what he accused of the rebels. He insinuated that rebels supported their claims with a “thin tissue

²⁸ “Privatization: A Return to the Environmental Dark Ages,” speech, box 2, folder 1, AUWA; see also speech, January 21, 1981, AUWA.

²⁹ Speech, January 21, 1981, delivered at the City County Building in Salt Lake City at an event sponsored by at least eight organizations opposed to the Rebellion. See Shanks, *This Land Is Your Land*, 270–71. The McCarthy parallel seems apt. One historian argues quite persuasively that, despite their rhetoric to the contrary, academics in the 1950s generally refused to stand against McCarthyism. In fact, they “contributed to it.” In this sense, a similar conclusion could be drawn that the demise of the Sagebrush Rebellion had little to do with any sort of “encountered resistance” on the part of the academy. See Ellen W. Schrecker, *No Ivory Tower: McCarthyism and the Universities* (New York: Oxford University Press, 1986), 10–11, 338–41.

of lies” and that “every ‘rebel’ leader was tied to public-land exploitation.”³⁰ He also suggested that however much land fraud, corruption, and speculation occurred in the history of the West, no land grab was more potentially damaging than this one.³¹ Shanks purposefully linked the rebel cause to development and resource exploitation and state ownership of the public lands as a means to this end. His rhetoric and the noise it generated, though, would ultimately affect him in a personal way.

In the spring of 1980, Cal Black and Ray Tibbetts reportedly generated a letter of complaint against Shanks addressed to the president of Utah State University. Ostensibly signed by the Utah Woolgrowers Association, the Cattlemen’s Association, and the Farm Bureau, the letter referred to a USU news release written by John Flannery which had quoted Shanks as stating that the rebels were out to “plunder the West.” The letter complained that tax dollars must have been used to make the news release. It declared that donors to the university were likely to take offense and specifically implied that pending donations would be withheld for a new five-million-dollar natural resources building scheduled for construction unless the situation was taken care of. The letter outlined a clear solution: fire Shanks.³²

This letter was probably the primary catalyst behind why the university did let Shanks go sometime in 1980. Perhaps this was inevitable at a university where one hand received money in federal grants and the other was sustained by tax dollars appropriated by the state legislature. But in any case, Shanks confronted opposition from his

³⁰ Shanks, *This Land Is Your Land*, 265.

³¹ Speech, April 9, 1980, box 2, folder 1, AUWA. The point was brought up in Ted Trueblood, “Sportsmen Fears Rebel \$ Land Grab,” *The Sagebrush Ripoff* (Summer, 1981), that this land grab “may be the most dangerous”: “The something-for-nothing hopefuls are flocking to its banner like ants to a picnic. And a lot of politicians see it as a golden opportunity.”

³² Bernard Shanks interview, excerpt from Bern Shanks Excerpt, internet; “Wool Growers, Cattlemen Denounce USU Publication,” *Garfield County News*, June 12, 1980, 6.

colleagues to his approach to the question of the public lands, most significantly from Doyle F. Matthews, dean of the College of Agriculture. If Shanks had confined his views to the classroom and not ventured into the public arena, he undoubtedly would have kept his job in Logan. But the university decided to dismiss him on the grounds that he had failed to make tenure; Shanks insisted it was because of his active involvement in the Sagebrush Rebellion. Whatever the reason, he continued to speak out, but it is clear that feelings became even more personal. On one occasion he stated: “A person can only wonder about a ‘rebellion’ which attempts to deny a person freedom of speech and which has apparently succeeded with intimidating the faculty most concerned with conservation and public land management.” He later stated that this episode confirmed in his own mind the validity of the McCarthy parallel.³³

After 1981 when the movement for a transfer died down, environmental organizations and those made up the opposition grappled with a new set of challenges quite apart from the question of a transfer. These challenges will become clear in the subsequent chapter. But the pressure on environmentalism serendipitously marked an upturn in environmental concern and participation. The Sagebrush Rebellion may not have been the cause of an explosion of environmental activism in the 1980s; James Watt’s “good neighbor” policies and Reagan’s privatization, which will be discussed in the next chapter, did that. But the publicity and the radicalism of the sagebrush rebel’s claims to the land convinced some people of the need to actively work to protect the environment. Environmental organizations began more sophisticated methods of coordination and increased fundraising and lobbying. The changing dynamics of

³³ Speech, January 21, 1981; see also Shanks, *This Land Is Your Land*, 266–67; Fradkin, *Sagebrush Country*, 28–30.

environmental participation also affected divisions within the environmental community into moderate, mainstream environmentalism and radical environmentalism. According to Dave Foreman, cofounder and spokesman for the radical Earth First!, it was the events of the Sagebrush Rebellion, and especially the July 4 bulldozing incident in Moab, that propelled him and others to take a more radical stance and to “avoid the pitfalls of co-optation and moderation which we had already experienced.” In 1979 Foreman had been an key player in lobbying and rationally discussing environmental issues, as was earlier discussed in this chapter; by March 1981, with the official initiation of Earth First!, he stood atop of the Glen Canyon Dam in a radical protest of its existence.³⁴

Although the Sagebrush Rebellion contributed to the larger environmental trends, the anti-rebellion movement in Utah was not grassroots oriented. Most active participants were local citizens who were affiliated with local chapters of national environmental organizations, and most tended to be white and middle-class, which followed national trends. But the anti-rebellion forces did not reflect the local grassroots environmentalism that focused not so much on the environment as on public health issues.³⁵ The Sagebrush Rebellion posed little threat to the public health or safety in the form of environmental hazards like nuclear testing, toxic waste, or pollution. Rather, opponents of the idea of a transfer expressed traditional conservationist concerns over the aesthetic value of open space or the preservation of wild areas. This is what rallied

³⁴ “Environmentalists: More of a Political Force,” *Business Week*, January 24, 1983, 85–87; also R. McGreggor Cawley, *Federal Land, Western Anger: The Sagebrush Rebellion and Environmental Politics* (Lawrence: University Press of Kansas, 1993), 158–60, makes this point and argues that the Rebellion played a greater role than is normally attributed to the tensions and aftermath of environmentalism in the 1980s. For more on radical environmentalism, see Bill Devall, “Deep Ecology and Radical Environmentalism,” in *American Environmentalism*, 51–62.

³⁵ For a discussion of grassroots environmentalism, see Nicholas Freudenberg and Carol Steinsapir, “Not in Our Backyards: The Grassroots Environmental Movement,” in *American Environmentalism*, 27–37.

conservationists in the early days and what continued to bring environmentalists together in the late 1970s and early 1980s.

This does not mean that local citizens did not get involved and, in some cases, aggressively voice their opinions about the idea of a transfer. Some mounted a strong offensive posture by writing letters to the editor of local newspapers and by attending local gatherings and meetings in opposition to a transfer; some voiced their concerns on television programs and in interviews, and through political lobbying, on both a state and national level. But it would be difficult to say that the anti-rebellion forces reflected a widely accepted “not in my backyard” philosophy that characterized local grassroots environmentalism. To most people the public lands were far removed from where they lived and worked, and few even followed the developments of the question over the public lands, even if it was regularly plastered on the newspapers. The heart of the opposition, in fact, was propelled by only a few individuals and not by a large segment of the community.

Those who did speak out insisted that the West stood in jeopardy of becoming like the East, with its attendant social and economic problems. Western resources ought to be available to future generations for economic security and a high quality of life. In the management of the public lands, this meant “sustained yield,” the notion that proper land management would ensure that the land continued to provide economic and aesthetic value from one generation to the next. The Utah Trails Council stated that “as our nation grows, its impact on our natural resources becomes more significant and cannot be ignored,” and that it was wrong to deny “those rights to others who have an equal interest in those lands.” In this sense, environmentalists saw themselves as the keepers of a

system that had deep roots in the American psyche. The controversial FLPMA, passed in 1976, was yet another significant strand in a long and unique system in the United States of being responsible caretakers of the land.³⁶

It was not that the environmentalists did not have their problems with federal land management. The BLM was certainly not as sensitive to wilderness and wildlife concerns as many environmentalists would have liked. But the choice between federal or state ownership of the public land was not a difficult one to make. Opponents believed that state title of the land would mean poor management, fewer funds for wildlife or wilderness protection, and, ultimately, privatization. This latter point could not be made with exact certainty, since never before had the state of Utah or any other western state owned and managed tracts of land as vast as the public land under consideration. But it was a point the environmentalists brought home to the public, warning that a seemingly benign idea to transfer land was in fact a concealed attempt to place the land into private ownership.

What of the argument that the Rebellion was little more than a land grab with the ultimate objective to place the land into private ownership? There is evidence in private correspondence and conversations to suggest that private ownership of the land was on the minds of the original architects of rebellion. Robert List, Nevada's governor, supported the Nevada bill as a means of "getting as much of the productive land as feasible into private ownership," he wrote in a private letter to Dean A. Rhodes of the

³⁶ "Utah Trails Council Policy Statement on the Sagebrush Rebellion," February 1981. The conservation movement was developed on the notion that the earth's resources were in danger of being exhausted if the current rate of development continued. For the views of Gifford Pinchot and WJ McGee, see "The Conservation Mentality" and "Ends and Means" in *The American Environment: Readings in the History of Conservation*, 2d Ed., ed. by Roderick Nash (Reading, Mass.: Addison-Wesley Publishing Company, 1976), 42-46 and 58-64.

Nevada State Legislature.³⁷ Utah's own Senator Hatch was said to have remarked on several occasions that if it were up to him the entire state would be placed in private hands, and Cal Black wrote that privatizing the public land made economic sense: "Obviously if the state were to dispose of every portion of these lands there is no longer a financial burden to maintain them."³⁸ But these statements do not suggest that all sagebrush rebels wanted to put the land up for public auction. When Ronald Reagan did just that in his privatization initiative, some of the original groups and individuals who supported a transfer, such as the Nevada Select Committee, resisted this action. Even James Watt opposed the president's public land sales.³⁹

Indeed, it would be wrong to characterize the Rebellion as the environmentalists did as one large "land grab." Rebels were strange bedfellows and their reasons to support the cause just as diverse. For some it was mainly a states' rights issue, for others a question of extracting the most from the land. But even the economic considerations cannot be lumped into one category, for there were those who sincerely hoped to make an economic living just as there were those driven by the insatiable lure of wealth.

It is clear from their activity and rhetoric that opponents took the threat of a transfer seriously and not a mere "figment of someones imagination." As a result, through speeches, newsletters and the media they succeeded in shifting the dialogue the rebels had begun and in diminishing much of the legitimacy the rebel cause may have held in the public's eye. Hatch, Black, and other leading Utah rebels may have supported

³⁷ Robert List to Dean A. Rhoads, March 29, 1979, box 1, folder 6, Papers of the Sagebrush Rebellion, Special Collections, University of Nevada, Reno, University Archives [PSBR].

³⁸ Black, "Most Unfortunate."

³⁹ The question of privatization is discussed in Cawley, *Federal Land, Western Anger*, 118–19, 123–42; also William E. Schmidt, "West Upset by Reagan Plan To Sell Some Federal Lands," *Special to The New York Times*, April 17, 1982, 1.

carving the public lands into private lots, but they rarely said so in public.⁴⁰ Yet, in the end, the impact of the environmental opposition was nominal. It was the Reagan administration that diffused the Sagebrush Rebellion and thus shifted environmentalists' energies to other matters. After the threat of a transfer blew over, the environmentalists continued to put pressure on congressional legislation and to fight specific issues related to the public lands, but they did so comfortably knowing that the political winds would, in time, shift in their favor. In this sense, then, however nightmarish the decade of the 1980s was for environmental organizations, a transfer would have presented an even more frightening scenario.

⁴⁰ Interestingly, DeVoto's articles in *Harper's* may have had a similar effect. Frank A. Barrett responded to the article, "Sacred Cows and Public Lands," by saying, "I have always opposed the sale of our National Forest lands to private ownership or the transfer of these lands to the states because of their importance for watershed protection, timber conservation, wild life, recreation, and other purposes." See "Congressional Retort," *Harper's Magazine*, November 1948, 15.

V.

THE DEMISE

I believe that this [LASER] conference may well mark the opening round of a fight that will culminate very shortly in the most significant revitalization of state government since the writing of the constitution.

Orrin Hatch

[Sagebrush Rebellion legislation] would be a premature piece of legislation that would be a divisive force in Congress, unlikely of being passed at this stage and not advancing the good neighbor policies that we need to advance at this time.

James Watt, Secretary of the Interior

Despite the best efforts of their opponents, by the summer of 1980, sagebrush rebels enjoyed a broad base of support and popularity in both the rural and the urban west. The results of public opinion polls in 1979 and, again, in 1981 conducted by the Rocky Mountain Poll by the Behavior Research Center in Arizona traced a growing trend in favor of more state control of federal lands. Utahns tended to be among the most ardent supporters in the Intermountain West. The *Salt Lake Tribune* reported that over two-thirds of the state's citizens favored transferring the unappropriated public lands over to the western states.¹

This local support simply reflected larger trends that had begun to sweep the nation in the political realm. The year 1980 marked the beginning of what some

¹ Rocky Mountain Poll, Behavior Research Center, November 1979; Rocky Mountain Poll, Behavior Research Center, November 1981, box 15, folder 15, series 19161, Scott M. Matheson Papers, Utah State Archives, Salt Lake City [SMMP]; J. Roy Bardsley, "2 of 3 Utahns Support 'Sagebrush Rebellion,'" *Deseret News*, July 5, 1980. The polls also found that conservatives and high-income groups were most likely to be numbered among the supporters. See also "Sagebrush Update," October 28, 1980, box 1, folder 17, Papers of the Sagebrush Rebellion, Special Collections, University of Nevada-Reno, Library [PSBR].

historians have called the “Reagan Revolution” and the triumph of the religious New Right. This national trend played itself out on the regional (the West) and the state (Utah) levels. With westerners among some of the most enthusiastic supporters of this new conservative philosophy, sagebrush rebels philosophically aligned themselves closely with Reagan, openly embracing an administration they felt would be responsive to local and regional needs. “Reagan will resolve our problems,” one rebel scribbled in his notes during a closed-door meeting held in Salt Lake City in August 1980. In that same meeting, those in attendance thought it wise to postpone court litigation until after the November elections, since it would undoubtedly be more favorably received under the Reagan administration.² In fact, the changed political scene and the resulting rally of the sagebrush rebels took the Rebellion from being considered a local brushfire to a viable threat with broad national support. The momentum abruptly ended, however, as quickly as it had begun. This chapter chronologically takes the movement from its brief climax to its unexpected and quite unspectacular demise—a look at its promise and at the jolting and innovative turn of events that altered its course.

The emergence of a new conservative political culture really originated in the 1960s, with the conservative impulse strongest in the West and the South. The families and individuals who lived in these regions generally held religious and moral values strongly rooted in the American tradition. But according to historian Lisa McGirr, these conservatives did not reject modernity; right-wing organizations tended to flourish among the middle-class who embraced change, upward mobility, and modern lifestyle—the salutary effect of hard work, enterprise, and “unabashed individualism.” Ideologically,

² Atty. Genl. Robert B. Hansen to Gov. Matheson, August 13, 1980; notes from the meeting on August 19, 1980, box 15, folder 12, SMMP.

the movement rejected the notion of “collectivism,” federal planning, and the social welfare of FDR’s New Deal, Truman’s Fair Deal, and LBJ’s Great Society. Blaming Washington for many of the “evils” of the economy, many westerners were anxious to rid their region of the federal government; some extremists in Orange County, California, went so far as to promote privatization of the police force, road construction, and the school system. Yet despite the perception of its connection to extremist philosophy, this new conservatism had come a long way by the 1970s and the 1980s, from the overwhelming defeat of Barry Goldwater in 1964 to Reagan’s resounding mandate in 1980.³

Reagan embodied the image of a conservatism that became very much the product of the West. An actor from California, he was the quintessential westerner, a man who lived on a ranch with a hundred head of cattle and a few horses. His “western” persona would carry with him into his political career. He made a name for himself campaigning for Barry Goldwater in the 1964 presidential elections; two years later he won the California gubernatorial elections and led one of the nation’s most liberal states during some of its most turbulent years. In his bid for the presidency, Reagan ran on a platform of lower taxes, laissez-faire economics, and reduced government—policies that pointed to the “rugged individualism” of the West.

The connection between the new conservatism and the Sagebrush Rebellion was hard to miss. In fact, one historian has noted that sagebrush rebels frequently drew from

³ For more on the new conservatism, see Lisa McGirr, *Suburban Warriors: The Origins of the New American Right* (Princeton: Princeton University Press, 2001); Mary C. Brennan, *Turning Right in the Sixties: The Conservative Capture of the GOP* (Chapel Hill: University of North Carolina Press, 1995).

the rhetoric and philosophy of the New Right.⁴ A newspaper reporter called the new conservative “an exotic variant of the old conservative Republican stock”—innovative, open with the press, engaged in a broad range of issues.⁵ In many ways sagebrush rebels reflected this approach to issues. They had mounted their own offensive, offering what they considered to be an innovative, if radical solution to the problem of the public lands. Their coalitions were moderately successful in getting their point across to the public through newsletters, bulletins, articles, and speeches.

Sensing the political currency of the question of public lands, at least four Republican presidential hopefuls expressed support for the Sagebrush Rebellion. John Connally, a former Texas governor, publicly endorsed it and paid good money to air his views on commercial television in 13 western states. Reagan, too, addressed the question of public lands. One of his close political advisors happened to be Paul Laxalt, a senator from Nevada and one of the original architects of the Sagebrush Rebellion. In his campaign, Reagan promised to appoint a presidential commission to explore the reasons for the inequity of public lands in the West and to draw out some solutions. In a campaign stop in Salt Lake City the August before the election, he at least indicated his personal feelings. “I happen to be one who cheers and supports the Sagebrush Rebellion. Count me in as a rebel,” he reportedly stated.⁶

⁴ C. Brant Short, *Reagan and the Public Lands: America's Conservation Debate, 1979–1984* (College Station: Texas A&M University Press, 1989), 40–54.

⁵ Helen Dewar, “New Conservatives Saddle Up: Riding Out of the West to Mend Ways of Congress,” *Washington Post*, December 1, 1980.

⁶ “Connally Purchases TV Half-Hour Here,” *Salt Lake Tribune*, October 28, 1979; James Coates, “‘Sagebrush Rebellion’ Dormant, Not Dead,” *Salt Lake Tribune*, March 17, 1986; “Selection of Watt Expresses Reagan’s Probable Intentions Bluntly,” box 1, folder 6, MSS 200, Archives of the Utah Wilderness Association, Special Collections, Milton R. Merrill Library, Utah State University, Logan, Utah [AUWA]; see article by Dean Rhoads in *The LASER Beam*, February, 1980, box 1, folder 12, PSBR.

Reagan won handily in the 1980 elections. Few were surprised that Jimmy Carter lost all but five states in the continental United States—and every state west of the Mississippi River except Hawaii and Minnesota—to a candidate who seemed to represent and embody the West and its values. The election reflected the political divisions within the Rebellion itself. From the beginning, most sagebrush rebels were Republicans, with only nominal support from a small contingent of Democrats (Hatch's bill, introduced in August 1979, was said to have the senatorial support of 12 Republicans and only three Democrats).⁷ With the election of Reagan the movement to transfer the public lands became even more of a partisan issue and more permanently entrenched in the Republican Party. Republican sagebrush rebels gained prominence and power with a Republican majority in the Senate; some were members of the Steering Committee while others, such as Utah's Jake Garn and Orrin Hatch, were appointed to important committee chairmanships.

There can be no doubt that for supporters of a transfer, the events of 1980 signaled progress. Adding to the exuberance of the November 2 elections, sagebrush rebels from all over the West gathered in Salt Lake City three weeks later for what was probably their largest and most important conference to date. The conference was sponsored by the League for the Advancement of States Equal Rights (LASER), informally organized in the summer of 1978 by Goldwater and John Harmer, a former lieutenant governor of California whose name had been thrown around as a possible nominee for the position of Interior secretary in the Reagan administration. A mother

⁷ In Utah, political party support reflected national lines. Utah's Democratic chairman Dale Lambert rejected the Sagebrush Rebellion and the rhetoric of many of its supporters, though he was said to have acknowledged that the question of public lands had to be addressed. LaVarr Webb, "Parties feud over Hatch speech on U.S. lands," *Deseret News*, September 13, 1979.

organization designed to pursue legal and legislative recourse, it was designed to gather data, educate and inform the public, and assist states and individuals in gaining control of the land. LASER was governed by a board of trustees and led by Harmer, Goldwater, Senator Ted Stevens (R-AK), and two Utahns, Orrin Hatch and Calvin Black.⁸ Other organizations had been formed to promote the Sagebrush Rebellion; Nevada's Select Committee, the Public Lands Council and Sagebrush Rebellion, Inc., with headquarters in Idaho, were a few of these. But none was able to unite on a wide scale such a diverse coalition of interests that backed a transfer to the states. An attempt was made in March, 1980, to solicit help from the private sector to lead such a coalition, but other than the cattle industry, the mining, oil and gas, and timber industries did not show up for the meetings scheduled in Washington.⁹

LASER, on the other hand, had the funding and the leadership to unite the interests supportive of a transfer. This was plainly evident at its first conference in which approximately 500 politicians, ranchers, concerned citizens, and nearly all of the key rebels from throughout the West gathered at the Little America Hotel in Salt Lake City. This particular conference brought together strange bedfellows and represented the varied interests who had a hand in the land takeover. Some advocated a states' rights position; others simply argued in terms of efficiency and economics. There were folk representing rural interests and concerns; more conspicuous were the big names in politics and the big money in business and development. Their presence was certainly an indication that the

⁸ LASER pamphlet, not dated, box 15, folder 3, MSS 148, Papers of the Utah Chapter of the Sierra Club, Special Collections, Milton R. Merrill Library, Utah State University, Logan, Utah [PUCSC]. For more information on this organization and its position, see *The LASER Beam*, February, 1980, box 1, folder 12, PSBR.

⁹ "'Sagebrush rebellion' still hot in West and cool in Washington," *Public Land News*, April 3, 1980, 3-4.

movement to transfer the land was not lacking in funds. The registration for the three-day event was quite high at \$145, a sum too steep for the average citizen. Sizable donations from corporations, businesses, and a few individuals covered conference expenses and added to a LASER budget in 1981 of over \$1.5 million.¹⁰

The conference was designed to bring together such diverse interests in the quest to reach some common goals. These were best expressed in the four resolutions passed by conference participants. The resolutions urged state legislators to pass bills claiming ownership of the public lands, organizations to work with the new administration and congress for a solution, passage of national legislation pending in congress, and the continuation of coordinating efforts begun by the conference. Keynote speakers persistently sounded the theme of unity. Senators Hatch and Ted Stevens (R-AK) both issued a call for unity and strategic oneness. In the words of Stevens, “We can’t change policy that has been forged in the East unless we articulate our problems with one voice.”¹¹

If there was a unifying theme that all participants could agree upon, it was that something needed to change if westerners were to have a say in determining their future. A close review of the conference proceedings, however, actually reveals that views varied as to how to achieve this goal. Speakers included “housewives, lawyers, ranchers, hunters, economists, politicians, and concerned citizens,” with some advocating a transfer of public lands to the state, others to private ownership. Conference-goers spoke on

¹⁰ See box 36, folder 6, PUCSC; also Short, *Reagan and the Public Lands*, 14, 31.

¹¹ Hatch, “The Stewardship of the Public Domain,” 15–18, and Stevens, “Western-Thought: Dealing with Problems rather than Government,” 22–25, in *Agenda for the ‘80s: A New Federal Land Policy. Proceedings of the National Conference on States’ Rights, The Sagebrush Rebellion, and Federal Land Policy* (Salt Lake City: League for the Advancement of States’ Equal Rights, prepared by Political Economy Research Group, 1981).

diverse themes ranging from the management of public lands and water to legal and economic considerations.¹²

The overwhelming emphasis was on economic matters and on providing for the needs of a western economy. Speakers criticized Jimmy Carter's economic policies. Malcolm Wallop, a Republican senator from Wyoming, stated that some 70 percent of the nation's gas and oil are on the public lands but output from these areas amounted to only about 17 percent. Some as a sidelight mentioned preservation and aesthetic uses of the land in their speeches, but these seemed forced in and certainly not a top priority. When John Baden, Director of the Political Economy Research Group, spoke of the "social benefits" that would accrue given state ownership of the public domain, he was not concerned so much with the environmental or aesthetic benefits as much as the economic benefits. In his view, the land ought to be developed for its rich resources and transferred fee simple to "those in the private sector who value it most highly."¹³

There were a sizable number of conference-goers who pushed to put the public domain into private, not state, ownership. Darwin Van De Graff justified this position on the basis that the Utah legislature had or would consider increasing taxes and rent payments on state lands. He suggested that developers rethink their original support of a transfer since states had begun to increase user fees. For this reason, in fact, the Utah Petroleum Association (UPA) reconsidered its original support of a transfer. At the conference, the director of the UPA, Darwin Van De Graff, predicted this would happen "on a broader scale": "The cold fact is, why would anyone want to transfer the land from one manager to another if the result will be sharp increases in taxes, rents, and

¹² See John Baden, "An Introduction," xi–xiv (esp. xiv) in *Agenda for the '80s*.

¹³ Wallop, "Public Lands Priorities for the 1980s," 32–37, and Baden, xii, in *Agenda for the '80s*.

royalties.”¹⁴ Clearly, some westerners began to feel so emboldened by the recent election to propose one extreme solution (privatization) in place of another (state ownership).

The LASER conference gave disgruntled westerners an opportunity to meet together to brainstorm over the future of the public lands. There, they discussed a wide array of issues and presented differing visions of the future of the lands—some markedly different from one another. The conference did not result in a unified front, however, as leading rebels had hoped. That the conference did not succeed in its goal of guiding sagebrush rebels in the quest for state ownership of public lands is evident by the fact that this was the first and only conference of its kind. This was partly due to the direction the Reagan administration would take the public lands and to the divergent paths rebels took to find redress for their grievances.

One of these paths was to depart from the original strategy of pursuing litigation and legislation to pursuing redress within the new administration and federal land bureaus. This was made possible with the election of a president who sympathized and pledged to work in the interests of the West. Rebels recognized that the Reagan victory opened up another avenue through which to address their grievances. Working through the administration would not bring about a transfer, which still seemed unlikely even with a Republican majority in the Senate, but it would do much to relieve some of the original grievances that had served as a catalyst to promote a transfer in the first place. This new strategy was what Norman Glaser called a rear assault, which involved “getting greater cooperation, coordination, concessions, and so forth from the federal government at a time when it appears that the federal bureaucrats are somewhat more receptive to the

¹⁴ Van De Graff, “Legislative Deterrents to Development,” 31, in *Agenda for the '80s*.

concerns of the various states.”¹⁵ This strategic shift really became noticeable during the LASER conference and would become a significant factor in redefining the ultimate objectives of the movement. More sagebrush rebels began to admit that this was what rebellion was about in the first place.

Immediately following the conference proceedings, in the same rooms, two subcommittee meetings were held by Congressmen James D. Santini, Nevada Democrat and chairman of the House Subcommittee on Mines and Mining. In the first hearing the idea of a transfer was discussed, with some of the same people who had endorsed this at the LASER conference testifying. There, two proposed bills were also considered regarding the leasing of public lands to oil and gas interests. Reportedly, much to the humor of the press, Brian Beard of the Utah Chapter of the Sierra Club was the only environmentalist to testify.¹⁶

The conference and hearings reintroduced the Sagebrush Rebellion into the national spotlight, albeit briefly, on a scale not seen since it went national in August and September, 1979. Nevada senator Dean Rhoads noted that the three major television networks planned to highlight it in special segments and that it had received attention in national newspapers and magazines, including *The New York Times*, *New West*, *National Geographic*, and *U.S. News and World Report*.¹⁷ For its part in all of this, Utah, as the host state of the LASER conference with a considerable number of influential and determined sagebrush rebels, received a sizable share of attention.

¹⁵ Glaser, “Politics and Strategy of the Sagebrush Rebellion,” 253–255, in *Agenda for the ‘80s*.

¹⁶ Joseph Bauman, “A Kangaroo Court,” *Deseret News*, November 26–27, 1980.

¹⁷ See, e.g., “‘Sagebrush Rebels’ Are Reveling in Reagan,” *Special to The New York Times*, November 24, 1980, D9. Rhoads, “Introductory Remarks,” 248, in *Agenda for the ‘80s*.

Riding the crest of the election and the conference, sagebrush rebels counted on the momentum to lead to major developments in 1981. Reagan himself had wired rebels attending the LASER conference of his support for a “sagebrush solution” to the public lands question. By the end of 1980, five western states had passed bills asserting ownership of the public lands and Senator Rhoads predicted that within another year 11 western states total “will be in the fold.” In December 1980, the Nevada legislature appropriated additional funds to the attorney general’s office in preparation to take a lawsuit to the High Court. Yet the election of Reagan convinced a majority of sagebrush rebels that the appropriate strategy was to pursue a solution in Congress, not the courts. As aforementioned, a LASER conference resolution officially supported a bill to be introduced by Hatch in the coming year.¹⁸

Still, there was some question of what impact Reagan’s victory would have on the public land. One sagebrush bulletin suggested Reagan do something similar to what Thomas Jefferson did with the Alien and Sedition Laws by declaring federal ownership of the lands to be unconstitutional.¹⁹ Wayne Aspinall warned that progress could remain slow, even under Reagan; another, Senator James A. McClure, predicted that Reagan would probably loosen the hand of the government in the management of the public lands, but this, paradoxically, “may well take the steam out of the rebellion.”²⁰

This is exactly what happened in the coming months and years due to the policies and direction of one man: James G. Watt, Reagan’s new Secretary of the Interior. A

¹⁸ LaVarr Webb, “Reagan offers support to land rebellion,” *Deseret News*, November 21, 1980, B; Jack McFarren, “More money approved to keep ‘sage rebels’ marching,” *Reno Evening Gazette*, January 8, 1981, 9. According to the McFarren article, several Utahns spearheaded the legal research to prepare a case for the courts. Rex E. Lee was one of these, dean of the law school at Brigham Young University and the legal consultant who helped develop a constitutional theory behind the case.

¹⁹ T. David Horton, “Techniques and Strategies: The Public Lands Campaign,” *Bulletin of the Committee to Restore the Constitution, Inc.*, March, 1981, 3–4.

²⁰ Dewar, “New Conservatives Saddle Up.”

native of Wyoming, Watt was the president's youngest nominee, but at age 42 he already had considerable political and legal clout. He held a degree in business and had served as law review editor at the University of Wyoming. He became a legislative aide to Milward Simpson, who was elected to the U.S. Senate in 1962, and later a lobbyist for the U.S. Chamber of Commerce. In 1969 he began work in the Interior Department as a deputy secretary of interior to Walter Hickel. Until 1977 he worked in several positions in Washington before becoming president of the Mountain States Legal Foundation. With a healthy budget, the MSLF hired numerous conservative lawyers to work toward conservative solutions. One test case aimed at holding a BLM officer liable for "denying a person his civil rights"; others ranged from road construction permits to land grant disputes.²¹ Given his controversial past, and particularly as president of MSLF, there was some question as to how well his record would hold up in the confirmation hearing. But, despite the fact that environmentalists believed Watt to be their most villainous opponent ever to hold this position, he passed just fine and became Secretary of the Interior in January 1981.²²

²¹ Biographical information in Short, *Ronald Reagan and the Public Lands*, 51–52; Robert H. Woody, "Foundation's Suit Aims at Basic Public Lands Question," *Salt Lake Tribune*, September 29, 1979.

²² Watt was infamous for opposing environmental causes. In a 1978 speech in Dallas, he said, "Today, there is a new political force in the land—a small group of extremists who don't concern themselves with a balanced perspective or a concern about improving the quality of life for mankind—they are called environmentalists." Qtd. in Short, *Ronald Reagan and the Public Lands*, 52.

Interestingly, Gov. Matheson testified in behalf of Watt, on January 8 reportedly saying, "[Watt] knows the West and the land he will administer." At the time the governor justified his support for the new Interior Secretary—despite the fact that his political advisors were divided—on the grounds that Utah had had "some very positive experiences with him while he was in the Department of the Interior in earlier years." Even more importantly, the governor had an agenda to pursue regarding state and public lands, and he knew he needed all the support from the secretary of the interior as he could muster. In his autobiography the governor stated he did "not regret having supported his [Watt's] nomination to Interior." See "Watt gets warm reception despite heavy attacks," *Reno Evening Gazette*, January 8, 1981; Scott M. Matheson and James E. Key, *Out of Balance* (Salt Lake City: Gibbs M. Smith, Inc., 1986), 128–29. As with his support of S.B. 5 a year earlier, the governor was probably responding to the public mood. To the dismay to environmentalists and liberals in the state, most people supported conservative candidates in the elections. Matheson, the governor re-elected from Parowan, was an exception. But this political anomaly cannot be understood without considering his advocacy of conservative and rural issues, which helped him

The personality and philosophy of Watt could not have contrasted more with his predecessor, Cecil D. Andrus, an Idaho native and later governor of the state. Andrus had sympathized with environmental causes and had been an outspoken critic of a land transfer. He wrote several anti-rebellion articles published in national newspapers and magazines, in one calling the Rebellion an attempt “to hornswoggle all Americans out of a unique land heritage.” Like other opponents, he believed the Rebellion distracted from the real issues central to land management, which he acknowledged had not yet been resolved.²³ Watt, on the other hand, could be seen sporting sagebrush rebel pins and other paraphernalia at conferences and speaking engagements in which the public lands were discussed. Sagebrush rebels hailed him as a savior of economic progress and development, the man destined to take their movement to new heights.

Unwittingly, this assessment would be far off the mark; the new Secretary of the Interior would ultimately and rather quickly take the foundation out from under the movement for a public lands takeover. James Watt apparently had little intention of pursuing a transfer. In his confirmation hearings, he stated: “I do not see the need now for massive transfers of land. The Sagebrush Rebellion is caused by the arrogant attitude of certain bureaucrats. Good management will defuse the Sagebrush Rebellion.” Therefore, he introduced the so-called “good neighbor” policy and a four-pronged strategy: emphasis on multiple-use, reduced dependence on foreign energy, a minerals policy, and restoration of national parks and monuments.²⁴ On March 6, to a House

to split the vote in Grand County, one of the state’s most conservative counties. Richard A. Firmage, *A History of Grand County* (Salt Lake City: Utah State Historical Society and Grand County Commission, 1996), 374.

²³ See “Sagebrush Rebellion Verges on ‘Hornswogging,’” *Salt Lake Tribune*, November 3, 1979; Andrus, “The Attack on Federal Lands,” *Wall Street Journal*, December 5, 1979.

²⁴ Short, *Ronald Reagan and the Public Lands*, 53; Ron Arnold, *The Eye of the Storm: James Watt and the Environmentalists* (Chicago: Regnery Gateway, 1982), 55, 69, 227–28.

subcommittee, Watt declared, “I have not and I will not” support a transfer of the public domain to the states.²⁵

After the hard line Watt had previously taken, one wonders why he took this position. Perhaps Watt struck a middle course so he could pass the hearing. Perhaps he understood that if a transfer succeeded his department would lose a large part of its responsibility. Whatever his motivation, within six months of his nomination his policies diffused the idea of a transfer considerably. Instead, he emphasized the need to reduce the backlog of repairs on national parks and denounced the proposed expansion of public lands and parks. In addition, the Reagan administration and Watt asked for a survey of lands that the federal government might transfer to the states. The direction he would take public lands policy fulfilled what to him was the central goal of rebellion; at a meeting of the Western Governor’s Conference in Jackson Hole, Wyoming, he reportedly declared, “We have won the Sagebrush Rebellion!”²⁶

In the meantime, Utah politicians suggested other solutions to the question of the public lands. Congressman Dan Marriott, sensing that state ownership of the federal lands was not feasible, proposed to introduce legislation that would set up a multiple-use planning commission to manage federally owned land with Utah as the pilot state. He said that this was the most logical situation and one that was supported by most sagebrush rebels. The commission would involve personnel in the Interior Department, state and local officials, land-users, and environmental groups.²⁷

²⁵ “Sagebrush Rebellion talk cools ... at least for the time being,” *Public Land News*, March 19, 1981.

²⁶ Matheson and Key, *Out of Balance*, 127–28.

²⁷ Flyer for Marriott, “A Report to the People,” March, 1981, box 15, folder 14, SMMP.

Governor Matheson also had what he called a “new plan for public lands.” In early 1981 Richard Dewsnap put together a memorandum in which he listed state grievances on the public lands and outlined several solutions. Having developed a rapport with the new secretary, Matheson sent this memo to the new Interior Secretary and on February 10 the two met to discuss it. The governor especially was interested in launching Project BOLD, the brainchild of Dewsnap and a proposal known as the checkerboard exchange system. In a letter dated the next week, Matheson outlined the project’s “essential elements.” His proposal, he wrote, would eliminate problem areas between the federal and state governments “in one fell swoop.” If a remedy was not made, he said, the conflicts would persist between the federal government and the public land states. On February 13 he held a meeting in the Empire Building in downtown Salt Lake City for the purpose of “consummating a statewide program of trades and exchanges of fee title, surface rights and mineral estates.”²⁸

Project BOLD had two center pieces—“blocking,” or “equal value” land exchanges, and an amendment to the Federal Land Policy and Management Act so an exchange would be possible. The governor created a project steering commission charged with the task of evaluation and land reviews. A series of public meetings was held in the fall, 1981, to discuss the proposals.²⁹ Project BOLD, however, faced formidable opposition from the media and from other groups. In his autobiography, Matheson explained that the national media made it out to be an attempt to exchange virtually worthless lands for valuable lands. He wrote that some people considered it to be much too revolutionary; environmentalists objected that it was just “a backdoor

²⁸ Gov. Matheson to Sec. James Watt, February 17, 1981; Richard L. Dewsnap to Gov. Matheson, February 18, 1981, copy in box 1, folder 16, PSBR; Matheson and Key, *Out of Balance*, 129.

²⁹ Matheson and Key, *Out of Balance*, 130–31.

approach to the Sagebrush Rebellion.” Even some rural county commissioners, such as Cal Black, objected to it on the grounds that the State Land Board was not a benign land agency. For years state officials pushed for land exchanges, but neither Matheson nor his successor, Norman Bangerter, was able to see the proposals or the legislation through.³⁰

Nevertheless, the governor considered this project to be a legitimate solution for many of the western grievances and a means to diffuse the rebels’ original plan to enact a large-scale transfer to the states of the public lands. This idea also received national attention and provided a model for other western states to follow. The idea met with some success with the Secretary of the Interior Department; at the annual conference for western governors in the summer of 1981, Watt expressed his support to exchange federal lands for state lands. He also announced that the Interior now required most federal land officials to abide by state water laws, and that he planned to use the public lands for multiple use, open several wilderness areas for development, and give states a voice in federal energy developments within their state borders.³¹

Around the same time Project BOLD was launched and Watt became the Interior Secretary, the decision was made not to pursue sagebrush rebellion litigation in the courts. According to Senator Rhoads, the decision was made because the rebels would certainly lose on a five to four decision in the Supreme Court and because the recent elections provided new opportunities for “piece-meal legislation, administration actions,

³⁰ Matheson and Key, *Out of Balance*, 129–34. Two reports were published; *Project BOLD: Alternatives for Utah Land Consolidation and Exchange* (Utah State Dept. of Natural Resources and Energy, September, 1982) and *Project BOLD: Proposal for Utah Land Consolidation and Exchange* (Utah State Dept. of Natural Resources and Energy, January 2, 1985).

³¹ “End of Sagebrush Rebellion, More Familiar to Handle,” *Salt Lake Tribune*, September 14, 1981; Philip Shabecoff, “Watt Says U.S. Defers to States on Water Rights,” *New York Times*, September 12, 1981, 1.

executive orders, and revamping of regulations.”³² The possibility of success through legislative means also seemed unlikely, but as planned Hatch still sponsored a new bill in Congress. The Public Lands Reform Act of 1981, S. 1245, introduced on May 20, was a dressed up version of his 1979 bill. One of the few changes provided that the states would be under the “same restriction currently governing federal land managers’ authority to sell lands to private interests.” The criteria for transferring land from states to private interests, in fact, would be the same as outlined in FLPMA. By attaching such a provision to the bill, Hatch hoped to alleviate fears that the bill was just another land grab.

As before, Hatch argued that policy emanating from the local level would be more efficient and responsible. But his primary argument was the same as it had always been: his bill would provide for greater energy production and resource development designed to jumpstart a lagging economy. “The lands eligible for transfer contain large mineral and energy reserves such as oil, natural gas, coal, oil shale, tar sands, and uranium ore. Federal ownership has been a roadblock to the development of this much needed energy potential,” he stated in his newsletter.³³

Hatch was among those westerners who insisted that the Rebellion was “alive and well, despite some reports to the contrary.” His bill did have 15 co-sponsors in the Senate and the companion bill sponsored by James Santini had 30 in the House. Cary Peterson, Utah state senator and chair of the Western Conference of State Legislators, was another who believed the support of a transfer of the public domain to the states was,

³² Cawley, *Federal Land, Western Anger*, 111.

³³ Orrin Hatch to “Friend,” not dated [1981], box 15, folder 15, SMMP; Sen. Hatch to “Colleague,” May 13, 1981, box 1, folder 8, PSBR; “From the Office of Sen. Orrin Hatch,” in Washington D.C., May 20, 1981; Hatch, “Can States Manage Public Lands?” *California Mining Journal*, January 1981, 2, 38.

in his own words, “‘alive and well’ in the West.” On December 7–9, he took part in the quarterly business meetings of various committees of the Western Conference in Santa Fe, New Mexico. There, at least 50 legislators from 13 states endorsed the general aims of the Sagebrush Rebellion and a statement of public land objectives drawn up by the Public Lands Committee, chaired by Utah State Senator Ivan Matheson. In a letter to the secretary of the Interior Department in behalf of the Western Conference Executive Committee, Peterson praised Watt’s “excellent administration of the Nation’s public land laws” but also urged him to put an “increased priority” on the idea of a land transfer.³⁴

It would be misleading to suggest that proponents of a land takeover had reason for optimism. A report issued by the Public Lands Institute stated that the western states had some of the most inadequate land agencies, with Utah topping the list. Moreover, even with a conservative congress, it remained extremely unlikely that easterners would ever agree to transfer the public lands. A serious blow to the Hatch bill came in June when four senators—Malcolm Wallop (R–Wyo), Alan Simpson (R–Wyo), Dennis DeConcini (D–Ariz.), and Gordon Humphrey (R–N.H.)—withdrew support for the bill, reportedly out of allegiance and respect to the Interior Secretary. DeConcini believed that the Sagebrush Rebellion had exhausted its usefulness now that a man sensitive to the needs of the West controlled the direction of public land policy. He did warn, however, that an administration could easily “fall into the old ways,” so “we must remain vigilant.”³⁵

³⁴ Orrin Hatch to “Friend,” not dated [1981], box 15, folder 15, SMMP; Sagebrush Rebellion Co-Sponsors, May 20, 1981, box 1, folder 8; Peterson to Watt, December 9, 1981, box 2, folder 18, PSBR.

³⁵ “The Sagebrush Rebellion should change its slant,” *Deseret News*, May 22, 1981; “Federal Lands,” June 29, 1981, box 15, folder 15, SMMP.

Most rebels probably recognized they could do little to revive the issue of a transfer. After a short trip to D.C. in late 1981, Nevada rebel Dean Rhoads commented that the legislation introduced in Congress was “practically dead.” He suggested shifting the direction of the Rebellion to four key issues: disposal of surplus public land, federal land exchanges, federal/state land exchanges, and privatization. Rhoads suggested nothing revolutionary. His was a simple acknowledgment that new directions in public land law had already begun to take place and that the central premise behind the rebellion had become a dead issue.³⁶ After 1981 the idea of a transfer never had much of a place in discussions over the public lands. From time to time the term “Sagebrush Rebellion” found its way into newspapers and articles over the next few years, but it was mostly used in reference to a bygone movement of an earlier era.

Given the expectations of many for the Sagebrush Rebellion’s in 1981, it seems surprising that that year marked the movement’s demise. Earlier that year LASER published the proceedings of its conference but did little else thereafter to promote the idea of a transfer. It never held another conference and its investors and political supporters withdrew support rather quickly. One problem was that, in the words of one historian, “rebels had considerable difficulty in building cross-state coalitions because of the multiplicity of players involved.” Many were mainly concerned with local or state issues and were less interested in fighting on the regional or national levels. And each state approached the Sagebrush Rebellion with varying degrees of enthusiasm. Five states had passed sagebrush legislation but ten other western states did not.³⁷

³⁶ Dean Rhoads to Board of Directors of States’ Rights Coordinating Council and Nevada’s Select Committee, November 19, 1981, box 2, folder 14, PSBR.

³⁷ Jacqueline Vaughn Switzer, *Green Backlash: The History and Politics of Environmental Opposition in the U.S.* (Boulder, Col.: Lynne Rienner Publishers, Inc., 1997), 177–78.

It is interesting that the election of 1980 played an ambiguous role in both promoting and diffusing the Sagebrush Rebellion. Reagan's election made possible the appointment of James Watt, who essentially undercut the movement for a land transfer, except for those lands considered surplus to federal needs. Many westerners and Utahns agreed with Watt that a transfer of the public lands to the states would not be necessary. This is ironic since sagebrush rebels looked to the 1980 elections as the best means to make a reality the goal of a transfer. Although some rebels lost sight of this original vision, others did not. A close review of correspondence, speeches, and other documents indicates that some westerners—most notably Senator Hatch and Nevada state Senator Norman Glaser—did not give up easily the original vision of local and state control of the public lands. Glaser reportedly lamented in mid-1981, "He [Watt] might do too good a job and reduce the vitality of our movement." That is exactly what happened.³⁸

Indeed, the quest to transfer large tracts of the public domain to the states became a non-issue almost as quickly as it stood on the brink of success. A few sagebrush rebels from Utah and elsewhere in the West tried to breathe new life into the idea of state ownership of the public lands, but in 1981 and beyond it did not enjoy the publicity that it had once had in the two years previous. This was not all bad, of course, since Watt's Good Neighbor policy solved many of the problems rebels fought in the first place. But for sagebrush rebels who still pushed for state title to the land there was no guarantee in four, eight or twelve years the same would not be the case on the other side of the pendulum. That the original idea of a transfer did not succeed almost guaranteed that western anger would not die. For many westerners the Reagan Revolution injected

³⁸ Bill Prochnau, "Out in the Sagebrush, Watt Still Rides High," *Washington Post*, July 26, 1981, A1.

much-needed relief in the West, but it did not result in a lasting cure. Bernard DeVoto predicted in the 1940s that it was only a matter of time before another group of disgruntled westerners banded together to protest the situation of the public lands. The West faced the same predicament following the demise of the Sagebrush Rebellion in 1981.

EPILOGUE

Since the Sagebrush Rebellion faded quite unspectacularly in the early 1980s, protest in the West has persisted. Rarely are the protests as loud or jolting, but they tend to reflect similar grievances that have always been a part of the West.

Seasoned rebels sounding an old tune nearly eight years after Ronald Reagan was elected in 1980, Senator Orrin Hatch and County Commissioner Cal Black predicted the eruption of another rebellion if Democratic nominee Michael Dukakis won the 1988 presidential election. “[Democrats continue to] reflect the Carter philosophy that the people who live here don’t have any rights to the land. Rather, the lands will be protected for future peoples living somewhere else.”¹

Dukakis did not win the election, but it was only a matter of time before some westerners would be threatened by an administration that embraced the “Carter philosophy.” In September 1996, Bill Clinton added fuel to the fire when he set apart 1.7 million acres in southern Utah as the Grand Staircase–Escalante National Monument. Clinton’s Secretary of the Interior, Bruce Babbitt, who according to one reporter was on a “mission from God,” had a “very long wish list” that ranged from reopening land for wilderness consideration to the introduction of wolves into certain areas of the West. His policies were vigorously opposed by many westerners, including a decision in 1999 to

¹ “Sagebrush Rebels may declare ‘war’ if Demos win,” *Deseret News*, October 30, 1988; Jerry Spangler, “Is Utah Getting Dirty Deal on Lands?” *Deseret News*, October 30, 1988.

discontinue the leasing of coal in the newly created Escalante National Monument.²

More recently, the pendulum has swung back the other direction with the proposals of George W. Bush and his administration to drill for oil in the Arctic National Wildlife Refuge, to cater to timber and mining interests, and to limit several pieces of environmental legislation.³

Some incidents seem curiously similar to the actions and philosophies of the rebels in the late 1970s. In 1994, the same year Republicans secured a majority in both congressional houses, a rancher and county commissioner in Nye County, Nevada, staged a protest similar to the bulldozing incident in Moab in 1980. He chose July 4 as the day to blaze a path on what was once a road but now lay on national forest land.⁴ In 1995, in response to Babbitt's proposal to increase grazing fees on the public lands, Utah Congressman Jim Hansen introduced legislation to transfer about 270 million acres of public lands to the states.⁵ This legislation, like those introduced in 1979, 1980, and 1981, never materialized, but still the anti-government sentiment in the West persists. A recent article in the *Deseret Morning News* reported that the debate over wilderness is simply a continuation of the Sagebrush Rebellion and that the anti-environmental forces in Utah have generally won out: "Nowhere has the opposition been more formidable than in Utah, where less wilderness has been created than in any other Western state except Hawaii."⁶

² Diane Alden, "On a mission from God: Bruce Babbitt and the environmental movement: Part 1," <http://www.enterstageright.com/archive/articles/1199babbitt.htm>.

³ Carl Pope, "The 51 Percent Solution," *Sierra*, January/February 2005, 6–7.

⁴ Jacqueline Vaughn Switzer, *Green Backlash: The History and Politics of Environmental Opposition in the U.S.* (Boulder, Col.: Lynne Rienner Publishers, 1997), xi.

⁵ Jim Woolf, "How the West was won, and won, and . . ." *High Country News*, October 16, 1995.

⁶ Henry Weinstein, "Utah is hottest anti-wilds 'rebel,'" *Deseret Morning News*, October 31, 2004.

It seems likely that the sentiment manifested in the Sagebrush Rebellion is bound to crop up every once in a while. In the West, views about the land's best use varied from person to person. Whereas some may have sought to set it aside for wilderness or recreation, others wanted the land for economic development. It is not surprising that many westerners tend to have a profound and meaningful relationship with the land, but these relationships are not the same for everyone. Group affiliation, cultural norms, divergent values, and individual needs—the need for recreation and solitude versus the need for a job, for instance—normally play a role in public land issues, and the Sagebrush Rebellion was no exception.

Of course, not all westerners maintain a deep connection to the land and many, in fact, hardly associate themselves with it at all. These westerners may rightly be described, in Richard Nixon's phrase, as the "silent majority." When it came to the Sagebrush Rebellion, most people were either indifferent or had never heard of it. Even in the West, where land, water, and resources have historically been the lifeblood, most people did not follow developments of the BLM or uprisings like the Sagebrush Rebellion. To say that the West is either predominantly rebel or environmental—or a combination of the two—would be grossly misleading. Most people seem to live their lives wholly disconnected to the land, and in this sense perhaps westerners are more alike than not.

But even if land issues did not concern most westerners, the question over the future of the public lands in the late 1970s was still a conflict between fundamental western ideologies. The episode of the Sagebrush Rebellion brought out these two extremes in the West as few others have done, revealing a culture in conflict and dramatic

polarities. The West is an eclectic and diverse place of conservative and liberal, individualism and cooperation, rural and urban, private and public. And the protests and rhetoric over the public lands took place not so much among easterners and westerners as they did among westerners themselves. Easterners paid less attention to the Sagebrush Rebellion than did westerners whose home and future depended on the land and its resources. Sagebrush rebels came from the West, of course, but so did the environmental organizations that spearheaded the opposition. Even the federal land agencies during both the Carter and the Reagan administrations were more western than not; the three top officials over the public lands in Utah—Cecil Andrus, Frank Gregg, and Gary Wicks—were all native westerners with a great deal of experience with western problems.

Both sides proactively advocated their own visions of the land and its future. And both, not surprisingly, argued that precedence was on their side. Rebels frequently contended that it was either outdated or unnecessary for Uncle Sam to hold on to the public lands—especially during a period of economic uncertainty and energy crisis. State ownership of the land, they argued, would loose the West from the shackles of colonialism. The rebel vision of individual initiative and free enterprise had no room for a foreign presence intent on keeping the West in colonial status. Conservative westerners believed the federal government never should have gained title to the land in the first place and that as a result the West was on an “unequal footing” with the East. It would be difficult to dismiss this group as small and inconsequential; westerners who embraced this ideology came from the rural and the urban regions and enjoyed a wide base of support, as evident in part by the election of Reagan in 1980.

The opponents of a transfer, on the other hand, argued that westerners had always been able to make a living, some even prospering and growing rich to the detriment of the earth and its environment. Their view was that the history of the American West was one of abuse, destruction, and indiscriminate waste, and it was for this reason that the federal government initiated much-needed controls and regulations. Conservation and resource management had become such a fixture in the West that Congress seemed to hang onto the lands, quipped one sagebrush rebel, Kenneth Creer, “to preserve them as a playground of ‘Old West’ nostalgia.” Rebels believed public ownership of the land was an outdated system, while anti-rebel westerners pointed to the absence of management controls and the parceling of the public lands into private property as archaic and obsolete. In both cases westerners attempted to create a memory of the western past that was congruous with modern ways of thinking and living, and both sides used symbols and rhetoric that connected their cause to history and gave to it a sense of legitimacy. It does not seem surprising that people remember the past as it suits them in the present and as it reinforces political and social ideologies.

The extremes on both sides were manifest quite plainly in Utah, where for two years national and state politicians, cattlemen and rural other people, environmentalists, and concerned citizens debated the purpose and meaning of a land transfer. Environmentalists in Utah like Dick Carter and Bern Shanks were among the most effective in the entire West in countering the arguments of the rebels. Yet Utah rebels were also among the national leaders and had the publicity and clout to attract widespread attention. The people and events that took place in Utah suggest that there was some variance among western states. But elsewhere the scenario was the same; the Sagebrush

Rebellion revealed a divided and frustrated West—to borrow from Bernard DeVoto, “the West against itself.”

The opponents of a transfer could rejoice that neither Congress nor the American public as a whole gave the Sagebrush Rebellion much thought or serious consideration. But even if the movement failed to reach its initial and central goal, rebels made some lasting gains. On a collective scale, westerners rallied to have a voice in determining the future of the public lands and found a forum through which to express their grievances. At least in part they succeeded in bringing land issues squarely to the public and in forcing their foes into some form of cooperation. Federal officials, state officials, and westerners of all stripes made some concessions by working to better federal–state relations. And the appointment of James Watt ensured that the question of public lands would be a central and vital national issue.

But to say that one side or the other won the battle for the public lands would be misleading. Some real gains were made, but both camps tended to advocate rather extreme positions which made it difficult to talk through issues when cool-headed dialogue was necessary. A continual onslaught of rhetorical attacks only further polarized the two camps. The largely symbolic actions of the sagebrush rebels such as the bulldozing and the legislation passed on a state level probably did not help the rebel cause, since they were not perceived by the public to be real and legitimate solutions. The Sagebrush Rebellion further divided the West, came a long way from solving “western” problems, and unveiled some of the more sinister aspects of the western experience.

In the end, the story of this wholly western episode reveals the fundamental diversity and eclectic variety of the West, both past and present. The modern West, just as the Old West once was, continues to be a place where people and ideas converge and come in conflict. Westerners would do well to understand and accept this diversity, for the two groups that spoke so loudly more than twenty-five years ago will likely continue to influence the ongoing drama of the American West. With deep roots in the western psyche, the differing visions that revealed themselves quite dramatically in the 1970s and 1980s are bound to remain in contrast as long as people continue to attribute profound and varied meaning to the land, whose functions vary from a means of economic survival to a place of heritage and spiritual renewal. As long as land means all this and perhaps more, westerners will no doubt continue to debate its use and future. From time to time, these debates seem certain to be, in all their vivaciousness and variance, much like the Sagebrush Rebellion.

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