

**Protecting the Majority: A Study of Differences in State Response to Militant  
Extremists**

By

Brian Gresham

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Dr. Dale W. Wimberley, Chair  
Dr. John Ryan  
Dr. Paulo Polanah

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**ABSTRACT**

*The following is a report concerning quantitative research carried out in the pursuit of a Master's degree. This research details an examination of the hypothesis that the political ideology of militant extremists and the selection of Majority or Minority target influences sentencing severity. The research uses information collected on 510 indictees in "The American Terrorism Study, 1980-2002", which was funded by the United States Department of Justice. Using an OLS regression (Independent Variables: Type of Militant Group, Majority Target, Crime Severity Index, Gender, and Education; Dependent Variables: Outcome of Indictment, Sentence, Time Sentenced, Fine Sentenced, Restitution Sentenced, and Combined Fine/Restitution Amount) it was discovered that there is no tendency for militant extremists targeting Majority facilities or personnel to receive more severe sentences. Additionally, there is an interaction between Leftist group identification and Education level with the amount of the Fines levied. Further research in this area would be advanced by having access to detailed breakdowns into the socio-economic backgrounds of the individuals involved.*

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## **Chapter 1: Purpose of Study**

The purpose of this study is to examine whether the federal government responds differently to activities of the militant Left and Right. The study uses a multiple regression analysis of United States Department of Justice data on federal prosecutions of militant group members. This research is important for three reasons, the first being a lack of sturdy empirical research on this topic. Another is that, should this effect be found to exist, it is a form of social inequality one in which some individuals are allowed, both metaphorically and literally, to get away with murder while others are not. Finally this research presents an opportunity to further test Donald Black's theories of social distance, their relationship to law and the state, and their implications for state interaction with violent political extremists.

The militant Right wing (in the form of the U.S. militia/patriot movement) gained national attention after the 1995 bombing of the Oklahoma City Federal Building and media-identified connections between the perpetrator and the militia movement (Dyke and Soule, 2002). However, the United States militant Right existed long before this incident, though it did not strike the federal government so dramatically before 1995. Previously, in the 1960s, the militant Right predominantly targeted ethnic minorities (e.g., African Americans) and political minorities (e.g., socialists, communists). During the 1960s, the federal government largely ignored the militant Right and vigorously pursued the militant Left (Marx, 1988; Michael, 2003; Williams, 2004).

## **Chapter 2: Literature Review**

### **2.1: Characteristics of the Militant Left and Right**

The militant wing of the ideological Left finds its residence in two distinct, but interrelated, phases of the social movements found in the latter half of the 20<sup>th</sup> century (White, 2006). The first phase, known as the New Left within the United States, was a push by various individuals and groups for socio-political change. In its peak during the 1960s, the militant, violent elements within the New Left were seen as peaceful groups which had found that their nonviolent, reformist methods of achieving their goals to be ineffective. The New Left shifted to more direct, action-oriented tactics in response (Homer, 1983). An example of this phenomenon would be the Weathermen Underground; a splinter faction of the peaceful Students for a Democratic Society [SDS].

SDS was a nonviolent group of college students on several college campuses across the United States; peaceful advocates of a more democratic version of American society. There was a split within the organization which created the Weathermen, an organization which advocated for the violent overthrow of what they viewed as a corrupt federal government (Cunningham, 2004; Homer, 1983). As the socio-cultural climate changed, the New Left slowly became inactive in 1970s and early 1980s (White, 2006).

In its second phase, the militant Left became more concerned with environmental issues as opposed to social ones. A result of being composed out of the remnants of the environmental and nuclear disarmament groups of the 1960s. Organizations such as the Earth Liberation Front [ELF] and the Animal Liberation Front [ALF] direct their efforts towards economically forcing land developers, ski lodges, farms and research labs out of existence. Despite having a different motivation from the New Left, the targets of these

new militants are typically property instead of individuals; having done a total of \$28.8 million in damages from the period of 1995-1999 (White, 2006). With a yearly increase in ELF activities since 1999 (White, 2006), there have been some indications which suggest that this is changing; potentially targeting individuals as well.

Left wing militants are generally conceived as being more intellectual than their right wing counterparts. Potentially as a result of many U.S. and European Leftists' origins among middle and upper class college students (Brannan, 2006; Parenti, 1995; White, 2006). This makes it somewhat curious that violent, Leftist activists generally seek to replace the capitalist status quo (in which they have membership) with a socialist system (Brannan, 2006; Parenti, 1995; White, 2006). Typically, U.S. Left militants view the general public as oppressed by the present governmental and economic systems. By targeting government facilities, businesses, and other symbolic targets antithetical to their ideology, they hope to avoid harming the workers they wish to co-opt to their cause (Brannan, 2006; Parenti, 1995; White, 2006). Those Left groups which have moved from activism to violence are viewed by the FBI as a primary threat to domestic interests (Brannan, 2006; Cunningham, 2004).

Much like their counterparts on the Left, the militant Right also underwent two different phases during the latter half of the 20<sup>th</sup> century (Michael, 2003). In the 1960s the militant Rightists (e.g. the various chapters of the Klan, the Secret Army Organization, et. al) attacked groups which supported communist and socialist ideologies. Additionally, they focused on those individuals and movements which were contesting the submissive position of minorities within American society. Examining the militant Right's targets in the 1960s confirms this; it also highlights the difference between the two phases of the

militant Right (Cunningham, 2004; Michael, 2003; Parenti, 1995). Those militant Rightist who antagonized the Civil Rights movement began to face increasing interference from the government. This was a result of the United States government beginning to give attention to the issues and concerns of the Civil Rights movement.

In its second phase, the Right departed from its previous activities. The Right began to view elements of the Federal government and those associated with it as enemies (Michael, 2003; White, 2006). The 1990s was a good decade for right-wing extremist movements' membership growth after the previous decade's slow decline in participation (Dees & Corcoran, 1996). Most reports put the numbers of this movement at 800 or more known militia organizations with 10,000-40,000 individual participants (Anti-Defamation League, 1997; Southern Poverty Law Center, 1996).

As is the case for many such fringe groups, it is unclear which organizations compose the militia movement; Crothers (2002), Freilich (2003), and Van Dyke and Soule (2002) note the lack of conceptual clarity in scholarship on this phenomenon. This is in no small part due, as noted by Crothers, to the plethora of groups on the fringes of the right-wing. There are almost limitless variations among these groups (which often splinter) and their ideologies. Freilich helps address this problem by dividing the militias into two groups.

There are those militia organizations which are considered as being "above ground"; somewhat farther from the fringe and closer to the mainstream. These groups have adopted a relatively moderate political ideology; regarding themselves as both counterweight and watchdog for an increasingly invasive and authoritarian Federal



government (Haider-Markel & O'Brien, 1997). It is these groups which will cooperate with authorities to reign in more extreme Rightists (Freilich, 2003).

Other groups are “below ground”; being more likely to violently antagonize both minority groups and elements of the majority perceived to have betrayed the white race. Both groups have their foundations in paramilitary structures (Haider-Markel & O'Brien, 1997), but the various white supremacy groups are usually associated with those groups considered “below ground” (Chaloupka, 1996; Haider-Markel & O'Brien, 1997; Pitcavage, 2001). Considering the fact that those groups “below ground” are considered fringe, it is no surprise that their ideologies are unorthodox as well. Such unorthodoxy takes the form of belief that a perceived decline in the social, economic and political spheres of American society is the result of malevolent, Jewish infiltration of the government by a Zionist Occupation Government (Brannan, 2006; Freilich, 2003; Michael, 2003; Potok, 2004; White, 2006). Farther along the fringe, this unorthodoxy gains religious trappings in which the Jews are the true followers of the Anti-Christ. In this scenario minorities are beasts of burden in service to the Jews, and the coming race war between whites (the true Jewish people and God’s chosen) and non-whites will be the climax signaling the Apocalypse (Brannan, 2006; Freilich, 2003; Michael, 2003; Potok, 2004; White, 2006).

Compared to the extreme Left, the extreme Right has less intellectual coherence and a less developed intellectual tradition. The tendency by those who study such groups is to view the Right’s membership as having a racist, Anti-Semitic and largely xenophobic basis. The targets of the Rightist militants usually include Jews, people of color, immigrants, homosexuals, and whites believed to have “sold out their race”

(Brannan, 2006; Michael, 2003). The extreme Right is also regarded by scholars to be conservative and against socio-political change. Yet since its second phase, the Right calls for such change against a government it views as corrupt and immoral.

Beyond their obvious differences, Left wing and Right wing militants share some similarities. Wood (2002) has examined some points of commonality between the militant Left and the militant Right. This is accomplished by using the Black Panthers and the militia movement as examples. The first of these common traits is that both groups use violence and the threat of violence as a means of handling alienation from the dominant society. Whereas such alienation for the Panthers and other black militants is understandable, the idea of the militias being alienated can be confusing. Woods and Van Dyke and Soule (2002) help to shed light on this phenomenon. They observe that one of the motivations behind the mostly blue-collared membership of the militias is the sense of alienation arising from the loss of high-paying jobs (which are perceived to be going only to minorities). Second, both the militant Left and Right go beyond rhetoric, and actually arm themselves in their move towards solving their respective problems. The third similarity is the tendency of both groups, at least in the second phase for Rightist militants, to direct their hatred towards the federal government and its representatives.

## **2.2: The Activities of Both the Militant Left and Right**

The 1960s were, across the globe, a general period of social and political upheaval. With the Cold War in full swing, many nations found themselves caught in the ideological war being fought between the ideals of Capitalism and State Socialism. Simultaneously, while every effort was made to keep the Cold War from becoming a hot war between the United States and the Soviet Union, wars-by-proxy were being fought

between Capitalism and State Socialism. Each side attempted to sway the influence of whole populations and their governments using whatever subtle means were deemed necessary. It was against this period's backdrop which the various social and political movements were acting within the United States.

In the United States, this scenario is replicated in micro by those social and political minorities calling for change within the country. Representing what is known as the New Left, these movements called for socialist changes in the economy. As well as advocating a social system in which one ethnicity was no longer dominant (legally, economically and socially) over others. In direct opposition to these challengers to the dominant thinking was the Right. In the ideology of the Right, everything was fine as it was; any attempt to bring change was a threat to the dominant parties. Despite the ideological differences, both Left and Right movements spawned their share of militant, extremist factions. Each willing to do whatever was necessary to see their respective goals through to the end.

The State, far from simply turning a blind eye to maneuvers of the militant groups on the Right, began to clandestinely support some of their activities. This included providing: materiel, intelligence on Leftist organizations (peaceful and militant), creating militant Rightist organizations to challenge the Left, and allowing, or encouraging, Rightist militants to eliminate individuals in organizations and movements on the Left (Marx, 1988; Parenti, 1995). As long as these organizations focused their activities towards challengers to the system, but refrained from challenging the system, the State was more than willing to ignore the Right's activities. This followed the dominant

strategic ideology in which anyone who was opposed to the challenge State Socialism presented to Capitalism was an ally of the West.

As time passed on from the late 1960s into the early 1970s, the New Left, as a movement, slowly began to lose the intense energy which it had previously enjoyed (White, 2006; Homer, 1983). While the New Left did not achieve the sweeping, revolutionary reforms it fought so desperately for, some concessions were secured from the dominant society. The political elites realized that some improvements in the lot of the ethnic minorities were a necessity. Not only for the increased social stability provided by such improvements, but also to give foundation to Cold War rhetoric. Rightist who continued to harass the Civil Rights movement found themselves encountering increasing resistance from the State. This change in position by the State is what gave impetus to the second phase of the militant Right.

The 1990s were a period of upheaval which corresponds to the final dissolution of the already declining Soviet Union. The 1990s was period of social, economic and political change which had a great deal of impact on the citizenry of the United States. In the social sphere, the gains of the civil rights movement were being seen by many ethnic minorities. Women and other groups nominally marginalized by society (e.g., homosexuals) found increasing acceptance in the socio-political arena. History was no longer being viewed by the majority from a purely Eurocentric focus. Historical views from other cultures were being accepted; some of which cast Europeans in less than flattering ways as opposed to the heroic, civilizing image previously presented. In the few short decades that had passed since 1960s, the heterosexual, white male status quo was being replaced by a social system marginally more open to diversity. The mainstream

culture of the United States was committed to follow through with a newly refurbished liberal ideology.

The change in social conditions was, however, a double-edged scenario. The mid-to late 1980s and early 1990s saw large numbers of people lose access to the skilled and semi-skilled jobs which their livelihoods depended upon. The result was increased numbers of adult males becoming both unemployed and disaffected. Simultaneous with the increased access to employment experienced by women and minorities were many white males finding increasing competition for scarce jobs. The history of intense black subordination previously insured that the races occupied separate economic niches. If one racial group advances economically and obtains more jobs, employment opportunities for the other group must diminish if the number of positions remains constant (Jacobs and Wood, 1999). Concurrently, with the new focus on diversity and the change from a less Eurocentric view of the world, resentment began to foment at the perceived lowering of status of whites in comparison to other groups.

As was mentioned previously, during the 1990s there was change within the economic sphere as well. Unlike the changes which occurred within the social sphere, those changes within the economic sphere were less positive for greater numbers of people. According to the United States Bureau of the Census (1994), in 1993 the number of jobs which had been in the manufacturing sector was 16%; down from the level of 21% recorded in 1983. Many of the manufacturing jobs which had been long established in the urban areas of the country began to relocate to locations both in and out of the country where manufacturing costs could be minimized. In the rural areas, those individuals located within the agricultural industry fared no better a fate. By the

beginning of the 1990s, an estimated 8%-12% of farms failed financially; between the years of 1980-1990 the farming population falling by 24% (Stam et. al., 1991).

The end result of closing factories and disappearing farms was a dramatic downturn in local economies. This was even more dramatic for those places which lost the manufacturing jobs central to the economy of the whole city/town. These places saw high rates of joblessness among those adult males (of varying ages) with only a high school degree whose occupations were based upon skilled/semi-skilled labor. Virtually overnight whole communities of individuals and families which had once been economically viable found themselves in dire straits.

These economic and social changes occurred simultaneously with consequential changes within the political sphere. Such changes as the free trade agreements which central role in the political debates of the 1990s; the effects of which reverberated throughout the American economic sphere. The consequence of these agreements of the 1990s was that corporations could easily move their manufacturing processes outside the country resulting in the economic degradations previously mentioned.

Concurrently, much legislation had been created that reflected the new liberal ideology which the government and society were attempting to press forward. This legislation ran the gamut from anti-discrimination to gun-control laws, and all of it counter to the traditionalist framework on which much of conservatism is based. As a result, many individuals and groups began to view the government as no longer working in their best interests. This is especially the case of white males who suddenly found themselves competing with their traditional subordinates (women and minorities) for

scarce work while simultaneously facing a government which intervened in their lives, but was no longer protecting those things to which their interests were tied.

In isolation, changes in these separate macro-level spheres would have been stressful enough. Due to their concurrent and interrelated nature, these changes resulted in a reduction in the perceived status of the white, heterosexual male along with a slow decline in the Eurocentric view of the world. This was a favorable environment for the second phase of the militant Right; providing an opportunity to arise in the form of the militia organizations which came to prominence during this particular period. Unlike previous incarnations, these new militant groups were hostile not only against social and political minorities, but also the State and its elite allies.

### **2.3: The Role of Force**

Ostensibly, the conflict between those militants on the Left and those on the Right is fairly understandable; considering the fact that they are die-hard adherents to ideological strains which are in direct opposition to one another. When one takes into account the State's relationship between the militants on the Left and Right matters become complicated. In his examination of the social movements during the 1960s, Marx (1988) notes an interesting empirical pattern in which the Left finds itself under greater scrutiny by agents of the State compared to the Right. This bias is noticeable in a collection of documents acquired from an FBI facility in Media, Pennsylvania which outlined Counter-Intelligence Program (CONITELPRO) activities at the time; hundreds of which were directed towards those movements on the Left, but only a bare handful actually addressing those movements on the Right (Cunningham, 2004; Marx, 1988).

Instead, the Federal government made efforts to facilitate Rightist militant organizations while doing the exact opposite with those organizations on the Left. It was not until the 1990s, and the bombing of the Murrah Federal Building in Oklahoma, that the Federal government began a more aggressive campaign against the militant Right in the form of the militias (Michael, 2003). This situation, however, presents us with something of an anomaly.

The State holds, as the symbol of its sovereignty, the monopoly on the legitimate use of Force (here embodied as violence) within the territory it controls, and uses that Force as the ultimate justification supporting its laws. Because of this connection with the State, Force has an inherently political dimension, and any activity which involves Force is a political activity (Weber, 2004; Walter, 1969). With Force being the sole prerogative of the State and its duly appointed agents, the illegitimate use of Force constitutes a political crime; ostensibly, a political crime against the State. From here, let us consider the question of the militant Left and Right. Those individuals and groups composing both the militant Left and the militant Right were never legally granted the use of Force as a means of accomplishing their objectives by the State. However, both sides, in both phases of their movements, used Force; both in their rhetoric and in their actions. On the one side, during the first phase of militancy for the Left and Right, there were groups of individuals which had taken up Force in the quest to complete their goals; goals which coincided, to a point, with the goals of the State. On the other, it had a clustering of individuals (the New Left) that had taken Force in their own hands and then turned it back upon the *State*, its various components, and its elite allies. Whereas the former



group of individuals (the Right), while still usurping Force, did so generally in defense of the status quo social order.

The government of the United States was therefore in a unique position at the time. As noted by Wood, ideological differences aside, extremists and radicals have the quality of being so extreme that they become similar in their extremity. Compound this with the assertion that both Left and Right militants, with their illegitimate usage of Force, are guilty of the commission of political crime. What compelled the State to relinquish its monopoly on Force to non-legitimate personnel, and what modified this relationship? The answer suggests itself to be the reasons for which Force is usurped, and who it is ultimately used against. This occurrence can be attributed to an underlying phenomenon within American society known as containment.

Containment, as outlined by Homer (1984), is the process by which the majority (e.g. the social, economic and political dominants in a society) maintains social peace and its own personal safety. A feat accomplished through the practices of *indifference* and *intrusion*; as can be inferred from their names, intrusion is when the State takes an active role in handling the problem of threats to social peace, whereas indifference is the exact opposite (i.e. the State does not interfere). Not all minority, or out-groups, will find themselves subject to intrusive practices by the State at all time. Instead, intrusion occurs when some minority actively threatens the social peace, safety, and/or status of the majority. As long as minority groups threaten only themselves, the State is perfectly willing to maintain a certain amount of disinterest to their affairs. Underlying this concept is a phenomenon similar to Matza's (1990) idea of a subterranean value system. On the surface, officials may publicly decry deviant and illegal activities, but in private condone

them. For Homer, this subterranean value system takes the form of a deeply rooted, utilitarian commitment to safety and security which de Tocqueville observed existing as early as the founding of the nation. It is a system in which officials may harshly denounce the vigilante-style murder of a civil rights worker or student activist in public, but in private they may be relieved at the neutralization of an individual who posed a threat to the interests of the majority.

In Michael's analysis of the first phase of the militant Right, he found that 44.6% of the preferred targets were "enemy activists" (i.e. civil rights workers); 50% of the selected targets were related to hate crimes. Police, military personnel, and political officials composed virtually none of the militant Right's victims in its first phase (Michael, 2003). Following the model of containment, it is almost inevitable that the State ignore the misappropriation of Force by the militant Right during this particular phase in their activities considering their lack of threat towards the majority. Homer relates that intrusion in pursuit of containment leaves the government in a potentially compromised position vis-à-vis issues of civil liberties and human rights. By leaving the militant Right to pursue its objectives, it allows the State to indirectly handle those elements which it considers to be a threat to the majority (Lutz & Lutz, 2006). Even should the State take real objection to the illegitimate use of Force, it is very hard to convince the majority that actions taken in support of it are anything but signs of loyalty (Marx, 1988; Lutz & Lutz, 2006). Whereas intrusion can thus be used in a surgical fashion against threats to the majority, by allowing the militant Right to act freely, the State is able to not only handle specific threats, but also inspire a climate in which others are intimidated into passivity and silence (Lutz & Lutz, 2006; Walter, 1969). This last

situation is perhaps best exemplified in the close, virtually official relationship between the Klans and local policing forces and their activities vis-à-vis the Civil Rights movement (Marx, 1988; Michael, 2003; Williams, 2004).

Under this conceptual framework, cases in which the government intervenes against the Right (militant or otherwise) include: situations in which illegality is manifest and cannot be ignored, disagreements between local and national control agents, and cases when the Right turns on the government itself (Marx, 1988); thereby becoming a threat to the majority, and no longer protected under the auspice of being “loyal” or “patriotic”. This is the situation that occurred when the Civil Rights movement was legitimated by the government, and was thus protected under the aegis of the majority (Marx, 1988). This situation is repeated with the second wave of militant Rightism in which 1.2% of its targets were politicians and other government officials and 5.1% were police and military targets, thus making the second phase of the militant Right a threat to the interests of the majority (Michael, 2003).

In his explanation of the root cause behind the commencement and eventual cessation of terrorist activities, Black posits social distance in an extension of his theory of pure sociology. In “Geometry of Terrorism”, Black (2004) combines his work on pure sociology with that of Senechal de la Roche’s (2001) work on collective violence in order to explain the phenomenon of terrorist activity in a sociological manner. At their most basic level, terrorists, according to Black, are engaged in a form of collective action. Specifically they are engaged in collective violence which, when used in the context of collective action, is seen as a form of self-help used for the settling of grievances (Black, 2004; Rosenfeld, 2004; Senechal de la Roche, 2001).

In response to some perceived deviance from the collective norm, violence is deployed by members of the social collective as a tool of social control in response (Black, 2004; Rosenfeld, 2004; Senechal de la Roche, 2001). The ultimate purpose of which is to force the deviant individuals back into the patterns of behavior dictated by collective social norms. Working within this model of terrorism, Black describes the activity of terrorism itself as a form of collective violence performed by civilians in an upwards direction (i.e. against a superior) within the social space. The bounds of this social space are delineated by social axes: relational distance, cultural distance, functional independence and inequality (Black, 2004; Senechal de la Roche, 2001). In the axes based model of social reality conflicts involving individuals who are considered socially distant attract more violence (Black, 2004).

The idea that militant extremists (both Left and Right) are not terrorists, and thus do not fit into this particular model of social behavior should be addressed. Black's *pure terrorism* is a Weberian ideal type conceived as: "self-help by organized civilians who covertly inflict mass violence on other civilians." Black goes on to say that this definition includes: foiled attempts, attempts, and threats to inflict mass violence. Working within this system, militant extremists would fall under the category of terrorists due to their being organized civilians who intend violence to other civilians.

Introducing militant extremists into Black's model of social distance leads to interesting results. The first is that it challenges the idea that terrorism can only occur in an upward direction against a social superior (i.e. someone higher on the vertical, or class, social axis). In the years of their operation, the extreme, militant Right has directed their efforts towards social inferiors and superiors alike. No matter how much social

distance may lie between the militant Right and the racial and political minorities which were their preferred targets in both the first and second phases of the movements, one would be hard pressed to consider the racial and political minorities as being a superior position relative to the Right.

Based on Black's social distance model of terrorism, this study suggests those militant extremists who focus their violence against social inferiors are behaving as agents of social control. Within Black's model, while terrorism flows from the bottom up in the social space, law flows from the top down. In this context, the Right can be seen as providing a form of law; deploying violence against individuals who have broken from the norms of society (e.g. racial minorities no longer satisfied with their subordinate position in society). Thus acting as a tool of social control for those situations in which the Majority cannot intervene openly for various political and/or social reasons.

In the case of the militant Left, the situation is reversed. The Left primarily deploys violence against targets which are social superiors in an effort to motivate and defend social inferiors. Considering the fact that the violence of the militant Left is directed in an upwards direction against social superiors they behave in the manner of terrorists. The response, as outlined in this study, is that the Left would be expected to garner more sanctions on the part of the State as a result.

Extending this study's concepts of Majority and Minority to Black's social distance model may clarify the relationship between social distance and militant extremists. In Black's class, or vertical, axis of society the Majority occupies the upper reaches; acting as the baseline for society and its norms. In direct opposition is the

Minority, with increasing gradations of deviance from what is considered and promoted by the Majority to be normal.

Black conceives of law as flowing down along the class axis in accordance to the dominant position of the Majority in society. In Black's model of terrorism, violence flows upwards from the position of the Minority to the Majority. If we are to consider violence within this model as a kind of flow, then terrorism works against the expected, downwards direction of force, unlike law. In simplest terms, the reason for the militant Left being sanctioned more than the Right is that the Left directs themselves against the Majority for the Minority; whereas the Right directs itself against the Minority for the Majority.

Earlier in the paper's narrative it was stated that militant extremist movements went through two separate phases in which motivations and targets underwent modification. This particular phenomenon highlights the second result of introducing militant extremists into Black's terrorism model. Within Black's analysis of terrorists, he positions groups in social space as defined by their positions on the axes of society. Groups arise, behave in a manner which is fitting to their particular position in social space, and then dissipate over time.

The theoretical foundation of this research suggests that the relationship is dynamic. Militant extremists' location in social space depends not only on their own characteristics, but also on their relationship with the dominant powers. My point is that, essentially, realignments on the social axes can occur for various social, political and economic reasons. The militant Right in its first phase concentrated on preserving the government by taking hostile actions against all those considered socially deviant. Upon

realignment the militant Right changed its position along the social axes, and began to take hostile actions against the government which it once supported. As a result of the shift, the Majority-controlled system which once fielded the militant Right as an unofficial tool of social control was forced to adapt; treating the militant Right as hostile in those cases where it strikes Majority interests. The positions of groups on Black's social axes are not static, but are instead shifting, mutable objects.

### **Chapter 3: Model**

The point of this research is to determine if there is a difference in the types and strengths of the sanctions levied against militant individuals and groups based upon where they are located on the traditional political spectrum (i.e. Left or Right). Marx (1988) notes that, empirically, the Left garners more attention from the State; especially true the Left moves more towards violence than peaceful activism. As was earlier suggested, according to Homer's (1984) theory of containment, this is related to the idea that the Majority (i.e. those groups and their associates which have political and/or economic dominance within society) is concerned with protecting itself. If this is indeed the case, then we should see a pattern in which the main deciding factor in the sanctions levied against militant individuals and groups will be who or what they consider to be their primary target.

#### **3.1: Dependent Variables: Nominal Definitions**

These are the phenomena I seek to account for in this study, with their definitions:

*Outcome of Indictment:* Whether an individual is found to be guilty, or not guilty of the charges brought against them.

*Count Sentence:* The actual outcome of the federal court cases in which the individuals were involved, either time in prison, a fine, restitution, or some combination of the three. This variable takes four different forms:

*Count Sentence-Time (Sentence Sub-type 1):* The actual amount of time to be served in a penal institute an individual is sentenced to as part of or as their entire sentence.



*Count Sentence-Fine (Sentence Sub-type 2):* The actual fine an individual is required to pay as part of or as their entire sentence.

*Count Sentence-Restitution (Sentence Sub-type 3):* The actual restitution amount an individual is required to pay as part of or as their entire sentence.

*Fines and Restitution Combined:* The total amount of fines and restitution an individual is required to pay as part of or as their entire sentence.

### **3.2: Hypothesis**

1: Militant extremists who target primarily Majority facilities and/or personnel are more likely to be found guilty of the charges brought against them than militant extremists who target primarily Minority facilities and/or personnel.

2: Left wing militant extremists are more likely to be found guilty of the charges brought against them than Right wing militant extremists.

3: Individuals on the Left will receive stricter sentences than those on the Right.

4: Militant extremists who target Majority facilities or personnel (i.e. Government facilities or personnel; banks; or major industries) will receive stricter sentences than those militant extremists who do not target such facilities or personnel.

### **3.3: Independent Variables: Nominal Definitions**

*Type of Militant Group:* The affiliation of an individual with a Left or Right movement based upon categorizations dependent upon movement affiliation developed by the FBI.

*Majority Target:* Whether the individual actually or intended to attack a "Majority" target (i.e. Government Facilities Government Personnel, Military bases, Financial Institutions, Industry), regardless of whether the individual actually or intended to target a "Minority" target (i.e. Minority Facilities, Racial Minorities, Foreign Facilities, Foreigners and Terrorist Affiliates).

### **3.4: Control Variables: Nominal Definitions**

*Crime Severity:* How severe a particular offense is relative to other offenses.

*Gender:* Whether the indictee is male or female.

*Education:* The highest level of schooling completed by the indictee.

*Geographic Region:* The particular region of the country in which the person was indicted.

### **3.5: Population**

The population for which the hypotheses are expected to hold true is, in general, all individual adherents to militant groups. This particular study examines those groups which were in existence/operating during the period of 1980-2002, and their individual adherents detained by the federal government for trial during that same period. A result of this is that by this particular time period, the first phases of both the militant Left and Right had died down by this point, and their respective second phases had begun. Which means that we should see increased attention given to the militant Right by the authorities as it is during their second phase that they began to act in a more threatening manner to

the majority. For Hypotheses 3 and 4, the population is restricted to individuals who were found guilty of a crime related to their militant-group activity.

### **3.6: Unit of Analysis**

The unit of analysis for this study will be individual militant group members; this is for two reasons. The first of which, on a purely practical matter, is the simple fact that the data collected to be used for this study has a greater number of cases dealing with individuals than it does with actual groups. The second reason is that in their second phases, both the militant Right and Left pushed towards less collective action and towards more “lone-wolf” type tactics. This was done for the purpose of creating systems of leaderless resistance in which, even if one or two people are caught, the entire operation is not compromised. Considering as how the data comes from the time period in which this operational doctrine became popular, it is thus more practical to be more concerned with individuals.

## **Chapter 4: Methods**

### **4.1 Data Source**

The data for this study comes from “The American Terrorism Study, 1980-2002”, a compilation of data on federal terrorism cases which was funded by the United States Department of Justice and includes five different datasets (Smith and Damphousse, 2007). The present study analyzes data on the individual indictees dataset (“dataset 3”); collecting information on 510 indictees from the period 1980-2002 for the analysis of the outcome of individual indictments. One indictee in this dataset was actually an organization; it was dropped from all analyses reported here, leaving a maximum sample size of 509. This indictee dataset includes information on approximately 80 variables divided into four major categories: demographic data (Such as the control variables: gender, race, age at indictment, and highest level of education), information about the militant group to which the individual belongs, prosecution and defense data, case outcome and sentencing data.

### **4.4 Operationalization of Dependent Variables**

*Outcome of Indictment:* Coded here as an individual being found not guilty (209 individuals, used only in the analysis for hypotheses 1 and 2) or guilty of the charges brought against them (243 individuals, included in analysis for tests of all four hypotheses). Values 1-8 in the original dataset all indicated a “guilty” outcome and were collapsed and recoded as 1. Value 0 is “Not Guilty.” All other values were handled as missing data. (Variable name in original dataset: CT\_SENT.)

*Count Sentence-Time (Sentence Sub-type 1):* A ratio-level variable, coded as the number of years an individual is sentenced to serve ranging from 0 years to “life,” “natural life,” or “death.” These last three sentences were all recoded as 180 years as this was the highest number of actual years sentenced. Cases coded “Not Known/Other” were handled as missing data. (Variable name in original dataset: CT\_TIME.)

*Count Sentence-Fine (Sentence Sub-type 2):* A ratio-level variable, coded as the amount of fine an individual is sentenced to pay as punishment, ranging from \$0 to \$99,700 [there’s a problem with this 99,700 figure – see below], with the maximum value representing values both equal to and greater than \$99,700. The original dataset reported fines in dollar ranges rather than as exact dollar amounts. I recoded these value ranges to their midpoints (e.g., 101-200 becomes 150, 201-300 becomes 250). Instances of “Not Known” were defined as missing data. (Variable name in original dataset: CT\_FINE.)

*Count Sentence-Restitution (Sentence Sub-type 3):* A ratio-level variable, coded as the amount of money an individual is sentenced to pay to compensate victims, ranging from \$0 to \$99,700, with the maximum value representing values both equal to and greater than \$99,700. As for Count Sentence-Fine above, the original dataset reported fines in dollar ranges rather than as exact dollar amounts, and I recoded these value ranges to their midpoints. Instances of “Forfeit Bank Act.,” “Ordered, amount unknown” and “Not known” were handled as missing data. (Variable name in original dataset: CT\_REST.)

*Fines and Restitution Combined:* A ratio-level variable, computed as the sum of actual dollar fines and restitution an individual is sentenced to pay as described above. This new variable ranges from \$0 to \$199,500. The manner in which the combination

variable was created meant that if a value was missing from either parent variable, then the new variable would have a missing entry. However, there are no actual dollar amounts which are lost due to this format.

#### **4.5 Operationalization of Independent Variables**

*Type of Militant Group*: Codes individuals as being in militant movement described as being Right (coded 1) or Left (including Environmental; coded 2). Indictees associated with other types of movements (“International,” “Single Issue,” “Unknown domestic,” “Non-Terrorist,” and “Unknown/NA/Other”) are defined as missing data to be excluded from the analysis. (Variable name in original dataset: *GRP\_TYPE*).

*Majority Target*: Whether the individual actually attacked or intended to attack a "Majority" or "Minority" facility or person. To compute this variable, the three variables for Intended Target (Primary, Secondary and Tertiary) and the three variables for Actual Target (Primary, Secondary, and Tertiary) had their values collapsed such that Minority Targets (Blacks, Asians, Jews, other ethnic groups) were coded as 0 whereas Majority Targets (Governmental personnel, Military personnel, Banks) were coded as 1. Those values which could not be unambiguously assigned to the category of Majority or Minority in either the Intended or Actual Target lists (e.g., Restaurant, Performing Arts Center) were handled as missing data, as were “No Intended Only Actual” in the Intended Target list and “None Hit” and “N/A” in the Actual Target list. The three new variables for actual targets were then used in to make a new variable which was coded “Majority” if *any* of the three variables indicated a majority target. The three new variables for intended targets were used in the same way to create one variable indicating

whether any intended target was a majority target. Finally, a single variable was created for use in the regression analysis, coded “majority” if *either* an actual target *or* an intended target was a majority target, even if data were missing for either actual or intended target (if data were missing for both, then the new variable was defined as missing). In other words, consistent with target’s nominal definition in Chapter 3, this single variable was coded “minority target” only if all targets, actual and intended, were minority targets. (Variable names in original dataset: *INT1TARG*, *INT2TARG*, *INT3TARG*, *ACT1TARG*, *ACT2TARG*, and *ACT3TARG*).

#### **4.6 Operationalization of Control Variables**

*Crime Severity Index*: Codes the relative severity level of the actual offense committed, ranging from 1 to 29. I created this variable from the entry in the dataset which tracked which particular US criminal code each indictee violated. This was done in order to match the severity scale used by Brent Smith (2006) and adapted from Wolfgang-Sellin’s Crime Severity Index in which “Miscellaneous/General” crimes fall under value 1 of “least extreme” while “Treason/Sedition” falls under value 29 of “most extreme”. The purpose of this was to have a scale against which to measure the relative severity of the sentence assigned to each indictee. (Variable name in original dataset: *USC\_CHAP*).

*Gender*: Codes the sex of the indictee, 0 for female or 1 for male. (Variable name in original dataset: *SEX*).

*Education Level*: Codes the highest level of educational attainment of each indictee. Ranges from “Less than 8<sup>th</sup> grade” to “Post-graduate work.” I recoded this

variable in order to eliminate the value 0 (“Not Known”) from the statistical analysis  
(Variable name in original dataset: *EDUC*).

*Geographic Region:* Codes the region of the United States in which each individual was indicted. It includes the Northeast, South, Midwest and West. The original variable was simply a list of each state in which an indictment was handed down, I recoded those to match the same regions outlined by the United States Census Bureau.  
(Variable name in original dataset: *STATE*).



## **Chapter 5: Results**

Is a finding of guilty or not-guilty related to an indictee being charged with seeking to attach a majority-associated target or being associated with a left-wing group? Two-by-two contingency tables (Tables 1 and 2) provide an answer, testing hypotheses 1 and 2, respectively. Table 1 shows virtually no difference in the likelihood of conviction between those accused of targeting a majority entity versus those accused of targeting a minority, and shows no statistically significant relationship between target types and verdicts. The second crosstabulation (Table 2) comparing militant group classification and verdict also had a non-significant result, though the relationship approached significance ( $p=.09$ ). Contrary to the hypothesis, however, allegedly right-wing-associated defendants were more likely to be found guilty than those allegedly affiliated with left-wing groups; 58.1 percent versus 47.8 percent, respectively.

Table 3 presents OLS regression results to test hypotheses 3 and 4 using convicted indictees' prison sentences as the dependent variable. In the first model, infraction severity is the only independent variable because it is used to measure a fundamental legal explanation of why some defendants receive longer sentences than others: the severity of the chapter code violation committed. In this model, however, infraction severity has a statistically nonsignificant, small negative relationship ( $\beta=-.04$ ) to Time Sentenced. This weak negative relationship, opposite the direction one might expect, occurs across all of Table 3's models with the exception of model 3 in which the relationship is positive; in all cases, however, the relationship is non-significant.

In model 2, majority target is added into the regression analysis. Both independent variables in this model have negative, statistically nonsignificant relationships with the dependent variable. In model 3, the left-wing group variable replaces majority target; again, neither independent variable is statistically significant, though infraction severity changes its sign.

In the fourth model, with time sentenced regressed on infraction severity, majority target, and left-wing group simultaneously, we see Table 3's only significant result. All of the relationships are negative, and both majority target and left-wing group have somewhat larger coefficients than in models 2 and 3. The coefficient for left-wing group begins to approach statistical significance ( $t=-1.76$ ), but more interesting is that, contrary to the hypothesized relationship, the negative relationship between majority target and time sentenced is actually statistically significant at the .05 level. However, the  $R^2$  for this fourth model is weak and statistically nonsignificant, though it is the strongest  $R^2$  out of all the models, with a value of .03.

With the addition of the control variables male and education to the regression in model 5, the relationships between the dependent variable and the key variables of infraction severity, majority target, and left-wing group remain negative, whereas the control variables themselves have weakly positive relationships with the dependent variable; none of the relationships are statistically significant. However, including the control variables reduces the sample size considerably (from 246 to 189), and the smaller  $R^2$  (.01) than in model 4 indicates that this loss of cases, not the inclusion of control variables, might account for majority target's loss of significance. In order to examine this possibility, model 4 was run again, using the sample of 189 from model 5 (results not

shown). The result was majority target no longer being statistically significant, suggesting that it is indeed the loss of cases and not the control variables themselves which account for the loss of statistical significance in model 5.

Finally, in model 6 geographic regions are controlled using the dummy variables Northeast, Midwest and West compared against the South. With their addition comes little change to the previous model (model 5). Of the three, only Northeast has a negative relationship, but none of the three relationships are statistically significant. The number of cases for model 6 retains the N of 189 from model 5; however, the  $R^2$  for model 6 increases to .02, but remains statistically non-significant.

Table 4 shows regression models for combined fines and restitution levied against convicted indictees, testing hypotheses 3 and 4 with monetary sanctions as the dependent variable. As in Table 3, infraction severity's effect is consistently statistically non-significant and is typically negative, the exception being model 1 in which the relationship is positive. In models 2 and 3, the total amount of fines and restitution are regressed alternately on majority target and left-wing group, respectively. The relationship for majority target is positive, as hypothesized, but not significant. The apparent effect for left-wing group is negative, opposite the hypothesized effect, but also statistically nonsignificant. The coefficients for these two independent variables change signs when they are included in the model simultaneously (model 4), but they are still statistically nonsignificant.

Model 5 adds control variables for sex and education to the independent variables of model 4, with a corresponding decline in sample size from 246 to 188. Only left-wing group has a statistically significant effect in this model: a positive effect, as hypothesized.

Majority target's coefficient is also positive as hypothesized, but does not approach significance. While left-wing group's statistically significant, positive effect supports the hypothesis and while the model's  $R^2$  (.04) is the table's only  $R^2$  larger than zero (based on rounding to two decimal places), model 5's  $R^2$  is not significant. Given the loss of cases in model 5, support for the hypothesis on left-wing groups may apply only to this restricted sample, rather than being the result of an effect suppressed by the control variables' absence. This is tested in model 6 by running model 4 using the same sample used in model 5 which reveals that left-wing group lacks statistical significance regardless of the sample used; i.e., left-wing group's statistical significance in model 5 results from inclusion of controls, not from a different sample. The implication here is that, with education's  $t$  of 1.95 and virtually statistically significant effect in model 5, left-wing group's true effect is suppressed when education is left out of the model, a result one might expect if (1) better-educated convicts tend to receive more lenient sentences than less-educated ones and (2) left-wing militants tend to be better educated than right-wing ones. Crosstabulation results in Table 5 support this interpretation. The results indicate that the educational level of Leftists indeed tends to be higher than that of their counterparts on the Right. Of Leftists, 23.8% are College graduates while 16.7% have engaged in post graduate work; opposed to only 9.5% of Rightists being college graduates and none of them having post-graduate work. The chi-square ( $p < .01$ ) indicates that these figures are statistically significant.

Finally, in model 7, the three geographic regions of Northeast, Midwest and West are added to the analysis. All three regions, with the exception of the West, have a negative relationship with the dependent variable; however, none of them are statistically

significant. Left-wing group, the only significant variable, remains significant from Model 5, actually becoming more significant than it was in model 5. Furthermore, the  $R^2$  rises to .10 and is statistically significant.

In any case, this analysis supports the hypothesis that the state tends to treat left-wing militants more severely than right-wing militants when the sanctions are monetary, but education must be controlled to reveal this outcome.

### **5.1: Tables**

Table 1: Crosstabulations for Guilty/Not Guilty by Target Type (N=355)

	<u>Minority Target</u>	<u>Majority Target</u>
Not Guilty	45.2%	46.6%
Guilty	54.8%	53.4%
<b>Total</b>	100.0% (31)	100.0% (324)

Chi-Square .02 (.88)

Note: Chi-Square p level in parenthesis.

Table 2: Crosstabulations for Guilty/Not Guilty by Militant Group Classification (N=282)

	<u>Right-wing</u>	<u>Left-wing</u>
Not Guilty	41.9%	52.2%
Guilty	58.1%	47.8%
<b>Total</b>	100.0% (167)	100.0% (115)

Chi-Square 2.88 (.09)

Note: Chi-Square p level in parenthesis.

Table 3: Regression Models for Time Sentenced (Note: standardized coefficients in italics. T-ratios are in parentheses.)

Independent Variable	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
Infraction severity	<i>-.14</i>	<i>-.36</i>	<i>.01</i>	<i>-.03</i>	<i>-.08</i>	<i>-.05</i>
	<i>-.04</i>	<i>-.10</i>	<i>.01</i>	<i>-.01</i>	<i>-.04</i>	<i>-.02</i>
	(-.90)	(-1.80)	(.08)	(-.20)	(-.46)	(-.28)
Majority Target		<i>-2.29</i>		<i>-8.91*</i>	<i>-1.53</i>	<i>-1.59</i>
		<i>-.02</i>		<i>-.14</i>	<i>-.02</i>	<i>-.02</i>
		(-.36)		(-2.05)	(-.29)	(-.27)
Left-wing group			<i>-3.23</i>	<i>-5.02</i>	<i>-3.44</i>	<i>-.99</i>
			<i>-.08</i>	<i>-.12</i>	<i>-.08</i>	<i>-.02</i>
			(-1.37)	(-1.76)	(-.99)	(-.22)
Male					<i>.56</i>	<i>.67</i>
					<i>.01</i>	<i>.01</i>
					(.14)	(.16)
Education					<i>.32</i>	<i>.40</i>
					<i>.03</i>	<i>.04</i>
					(.37)	(.45)
Northeast						<i>-1.46</i>
						<i>-.03</i>
						(-.28)
Midwest						<i>2.98</i>
						<i>.06</i>
						(.60)
West						<i>4.34</i>
						<i>.11</i>
						(1.15)
Constant	11.41***	19.82*	10.05*	21.03**	10.56	4.53
R <sup>2</sup>	.00	.01	.01	.03	.01	.02
N	445	349	282	246	189	189

Table 4: Regression Models for Combined Fine and Restitution Sentenced (Note: standardized coefficients in italics. T-ratios are in parentheses.)

Independent Variable	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7
Infraction severity	18.15 <i>.01</i> (.12)	-36.46 <i>-.01</i> (-.18)	-56.86 <i>-.03</i> (-.43)	-109.19 <i>-.05</i> (-.73)	-19.65 <i>-.01</i> (-.12)	-78.09 <i>-.04</i> (-.47)	-1.33 <i>.00</i> (-.01)
Majority Target		3742.95 <i>.03</i> (.60)		-1205.67 <i>-.02</i> (-.29)	3522.86 <i>.05</i> (.65)	2571.64 <i>.04</i> (.47)	4201.55 <i>.06</i> (.73)
Left-wing group			-128.63 <i>-.00</i> (-.06)	1343.03 <i>.03</i> (.48)	8467.81* <i>.20</i> (2.39)	4680.49 <i>.11</i> (1.47)	12655.74** <i>.30</i> (2.87)
Male					6107.39 <i>.11</i> (1.49)		4905.79 <i>.09</i> (1.20)
Education					-1711.70 <i>-.16</i> (-1.95)		-1267.76 <i>-.12</i> (-1.44)
Northeast							-7367.54 <i>-.15</i> (-1.42)
Midwest							9173.14 <i>.16</i> (1.85)
West							3527.08 <i>.09</i> (.94)
Constant	7614.96*	5951.06	5715.89	6375.80	-4567.65	-2159.35	13650.57
R <sup>2</sup>	.00	.00	.00	.00	.04	.01	.10**
N	445	349	281	246	188	188	188



Table 5: Crosstabulation for Educational Level by Militant Group Classification (N=221)

	<u>Right-wing</u>	<u>Left-wing</u>
Less than 8 <sup>th</sup> grade	2.2%	10.7%
Completed 8 <sup>th</sup> grade	2.9%	0%
Some high school	11.7%	11.9%
GED	13.1%	3.6%
High school diploma	26.3%	7.1%
Some college or vocational school	31.4%	25.0%
Vocational school graduate, associate degree	2.9%	1.2%
College graduate	9.5%	23.8%
Post graduate work	0%	16.7%
<b>Total</b>	100.0% (137)	100.0% (84)
Chi-Square	55.88 (.00)	

Note: Chi-Square p level in parenthesis.

## **Chapter 6: Discussion**

Of the four hypotheses outlined in this study, the analysis supports only one; the analysis also suggests a second hypothesis may have predicted a relationship in the wrong direction. According to the bivariate crosstabular analysis (see Table 1), there is no statistically significant relationship between militant extremists' allegedly targeting Majority as opposed to Minority facilities and the likelihood of being found guilty of the charges brought against them (hypothesis 1). Furthermore, analysis of the bivariate crosstabulation (see Table 2) shows that there is no statistically significant relationship between the left wing militant extremists' being more likely to be found guilty of the charges against them as opposed to the right wing militant extremists (hypothesis 2).

Regression analysis supports hypothesis 3, the prediction that left-wing militant group identification coincides with stricter punishment, though this hypothesis is only supported for punishment in the form of fines and restitution, and then only after education is controlled (Table 4). Education relates to a person's social position and may act as an imperfect proxy for upper-middle-class acculturation – such as speech patterns, familiarity with high culture, and past participation in middle-class leisure activities – the presence of which may make it easier for judges, prosecutors, and other criminal justice personnel to identify with the accused. Left-wing militants tend to have more education than right-wing militants, and, without education controlled, left-wing status simultaneously measures upper-middle-class acculturation as well as a greater threat to the established order compared to right-wing status; these two factors likely have opposite and thus mutually canceling effects on sentencing severity.

Why, then, did hypothesis 3 not hold when sentencing severity was measured in terms of prison sentence length (Table 3)? Even though education was controlled in Table 3, education is surely a flawed proxy for upper-middle-class acculturation; if more indicators of this type had been available to control in the regression model, this improved measurement of acculturation might have revealed a positive relationship between Leftist group membership and prison sentence length. If leftism is a proxy for upper-middle-class acculturation, it may well be a proxy for judges' and prosecutors' even greater reluctance to put one of "their own kind" in prison than to impose a potentially more class-suitable, monetary penalty – thus the absence of leftist group membership's effect on prison sentence length.

Potentially, the typically higher social standing of leftist militants not only determines what type of sanctions they receive, but also the strength of those sanctions. Though Leftists may perceive themselves to be further away from mainstream society in terms of vertical and horizontal social distance, their often privileged backgrounds may nonetheless protect them from harsher punishment. The state is not simply an entity handing a sentence down in response to militants' actions. Judges and prosecutors representing the state may perceive less social distance between themselves and more educated persons than between themselves and less educated persons. Being better educated and thus quite possibly from relatively affluent backgrounds, leftists' punishments are mitigated by their position in society. This idea's credibility is supported by the results in Table 2 which indicate that Left-wing indictees are less likely to be found guilty than Right-wing indictees.

To return to Black's (2004) social distance model, these findings provide some support for his formulation that states exercise social control against deviance in certain proportions and forms according to the deviants' social distance relative to the norm of society. The case being that more distant, and socially "lower" deviants are subjected to harsher sanctions in type and degree while those "higher" deviants that are closer to the social norm are treated with lighter sanctions. However, while it was this project's goal to show that the relational and political social axes conceived of by Black as being particularly salient in the determination of who received what kind of sanction, it actually discovered that it is the cultural axis which seems to have the greater relevance. As suggested by the effect of education upon the analysis, it appears that the closer socio-cultural ties are of greater import in determining who is closer to the social norm.

OLS regression does not support hypothesis 4 (Tables 3 and 4) – the hypothesis that militant extremists targeting Majority facilities or personnel receive stricter punishments than militants targeting Minorities. In fact, according to one model (without control variables) in Table 3, there is a statistically significantly *negative* relationship between the length of prison sentence and whether or not a Majority target is attacked. Though adding control variables renders this relationship nonsignificant, further analysis suggests this different outcome is due to the smaller sample for which the control variables' data are available, not to the control variables themselves – i.e., the significant negative relationship may most accurately represent reality. I propose that this negative relationship results from the federal government's continued acceptance of the Civil Rights movement's goals. None of the literature I reviewed suggests that the federal government ever fully abandoned this position, even though federal civil rights

enforcement waned after the Reagan administration began there is good reason to believe that the federal government remains strongly committed to deterring racially-motivated attacks on minorities. If this is the case, it would also help account for why Majority target is significant when prison sentence is the dependent variable, while it is not when a monetary penalty is the dependent variable. If the federal government is indeed strongly committed to deterring racially-motivated attacks on minorities, then handing down prison sentences as opposed to fines for such activities would send a stronger message that such attacks are no longer allowed.

Further research on state responses to militant acts could better reveal the nature of the processes discussed above; however, while this data set was quite useful, such research would be improved with access to data with more details on the socio-economic backgrounds of the individuals involved. Any assessment of this study's findings should keep in mind the study's particular constraints. The project's premise – that militant organizations which the state values (or is less threatened by) will find themselves under less operational constraint than other militant organizations which pose more serious threats to the existing capitalist social order – calls for data that are difficult to obtain. Ideally, for example, this study would have used data with information on militant groups that were never processed through the judicial system because the state did not consider them serious threats. This would potentially allow research into those militant organizations which continue their activities. Additionally, a deeper level of analysis would be possible if such data were able to identify those militant organization members who are actually processed through the judicial system, and those members who do not survive their encounters with state actors.

Furthermore, data covering a period when both the militant Left and the Right were particularly active on the domestic scene would allow better examination of the relationship with the state vis-à-vis the social distance of the membership. The literature suggests that the best, most recent period for this type of analysis would be the 1960s, but the problem continues to be the lack of readily available data. A potential solution to this problem would be locating and coding such data from the Federal Bureau of Investigation's archives, which are documented to include these types of records.

**Appendix**

Table A1: Frequency Distribution of Count Sentence (Time)

<u>Time Sentenced (in years)</u>	<u>Frequency</u>	<u>Percentage</u>
0	227	50.0
1	17	3.7
2	17	3.7
3	19	4.2
4	17	3.7
5	59	13.0
6	13	2.9
7	8	1.8
8	3	.7
9	1	.2
10	10	2.2
11	4	.9
12	6	1.3
14	1	.2
16	3	.7
17	2	.4
18	3	.7
20	21	4.6
22	1	.2
25	2	.4
27	1	.2
49	1	.2
50	2	.4
57	3	.7
180	13	2.9
<b>Total</b>	<b>454</b>	<b>100.0</b>
<i>Not Applicable to Regression</i>	8	
<i>No Information</i>	47	
<b><i>Total Missing</i></b>	<b>55</b>	

Table A2: Frequency Distribution of Count Sentence (Fines)

<u>Fine Amount</u>	<u>Frequency</u>	<u>Percentage</u>
\$0	368	80.5
\$100 or less	38	8.3
\$101-\$200	2	.4
\$201-\$300	3	.7
\$401-\$500	2	.4
\$901-\$1,000	3	.7
\$1,201-\$1,300	1	.2
\$1,901-\$2,000	2	.4
\$2,401-\$2,500	3	.7
\$2,901-\$3,000	1	.2
\$3,401-\$3,500	1	.2
\$3,901-\$4,000	2	.4
\$4,901-\$5,000	6	1.3
\$5,901-\$6,000	1	.2
\$7,401-\$7,500	1	.2
\$9,901-\$10,000	4	.9
\$19,901-\$20,000	1	.2
\$24,901-\$25,000	1	.2
\$74,901-\$75,000	1	.2
\$99,700 or more	16	3.5
<b>Total</b>	457	100.0
<i>No Information</i>	45	
<i>Not Applicable to Regression</i>	7	
<b>Total Missing</b>	52	



Table A3: Frequency Distribution of Count Sentence (Restitution)

<u>Restitution Amount</u>	<u>Frequency</u>	<u>Percentage</u>
\$0	430	94.1
\$401-\$500	1	.2
\$701-\$800	1	.2
\$1,901-\$2,000	1	.2
\$4,001-\$4,100	1	.2
\$5,401-\$5,500	1	.2
\$9,201-\$9,300	1	.2
\$25,601-\$25,700	1	.2
\$30,601-\$30,700	1	.2
\$39,601-\$39,700	1	.2
\$39,801-\$39,900	1	.2
\$59,401-\$59,500	1	.2
\$99,700 or more	16	3.5
<b>Total</b>	<b>457</b>	<b>100.0</b>
<i>No Information</i>	44	
<i>Not Applicable to Regression</i>	8	
<b>Total Missing</b>	<b>52</b>	

Table A4: Frequency Distribution of Count Sentence (Fine Plus Restitution)

<u>Fine/Restitution Amount</u>	<u>Frequency</u>	<u>Percentage</u>
\$0	348	68.4
\$100 or less	38	7.5
\$101-\$200	2	.4
\$201-\$300	3	.6
\$301-\$400	2	.4
\$901-\$1000	3	.6
\$1901-\$2000	3	.6
\$2401-\$2500	3	.6
\$3901-\$4000	2	.4
\$4901-\$5000	6	1.2
\$9901-\$10000	3	.6
\$99701-\$99800	19	3.7
\$199500	6	1.2
<b>Total</b>	<b>455</b>	<b>89.4</b>
<i>Not Applicable to Regression</i>	54	

Table A5: Frequency Distribution of Militant Group Type

<u>Group Classification</u>	<u>Frequency</u>	<u>Percentage</u>
Right-wing	181	59.7
Left-wing	122	40.3
<b>Total</b>	<b>303</b>	<b>100.0</b>
<i>No Information</i>	1	
<i>Not Applicable to Regression</i>	205	
<b>Total Missing</b>	<b>206</b>	

Table A6: Frequency Distribution of Target Type

<u>Target Classification</u>	<u>Frequency</u>	<u>Percentage</u>
Minority Target	33	8.3
Majority Target	365	91.7
<b>Total</b>	<b>398</b>	<b>100.0</b>
<i>Not Applicable to Regression</i>	111	

Table A7: Frequency Distribution for Crime Severity Index

<u>Severity Level/Code</u>	<u>Frequency</u>	<u>Percentage</u>
1	70	14.0
2	3	.6
4	12	2.4
7	2	.4
8	14	2.8
11	44	8.8
12	1	.2
14	49	9.8
16	31	6.2
20	10	2.0
21	12	2.4
24	44	8.8
25	66	13.2
26	88	17.6
27	2	.4
28	16	3.2
29	35	7.0
<b>Total</b>	499	100.0
<i>No Information</i>	3	
<i>Not Applicable to Regression</i>	7	
<b>Total Missing</b>	10	

Table A8: Frequency Distribution for Gender

<u>Gender</u>	<u>Frequency</u>	<u>Percentage</u>
Female	52	10.2
Male	456	89.8
<b>Total</b>	<b>508</b>	<b>100.0</b>

*No Information* 1

Table A9: Frequency Distribution for Education

<u>Level of Educational Attainment</u>	<u>Frequency</u>	<u>Percentage</u>
Less than 8 <sup>th</sup> grade	13	4.2
Completed 8 <sup>th</sup> grade	5	1.6
Some high school	32	10.4
GED	23	7.5
High School diploma	61	19.9
Some college or vocational school	89	29.0
Vocational school graduate, associate degree	9	2.9
College graduate	53	17.3
Post-graduate work	22	7.2
<b>Total</b>	<b>307</b>	<b>100.0</b>

*No Information* 165

*Not Applicable to Regression* 37

**Total Missing** 202

Table A10: Frequency Distribution for Geographic Region

<u>Geographic Region</u>	<u>Frequency</u>	<u>Percentage</u>
Northeast	142	27.9
South	178	35.0
Midwest	47	9.2
West	142	27.9
<b>Total</b>	<b>509</b>	<b>100.0</b>

**Total Missing** 0

Table A11: Descriptive Statistics

<u>Variable</u>	<u>Mean</u>	<u>Median</u>	<u>Standard Deviation</u>	<u>Minimum</u>	<u>Maximum</u>	<u>N</u>
Count Sentence (Time in months)	9.21	.50	30.40	0	180	454
Count Sentence (Fine in \$)	4009.30	.00	18685.375	.00	99750	457
Count Sentence (Restitution in \$)	3967.51	.00	18757.18	.00	99750	457
Count Sentence (Fine & Restitution in \$)	8011.87	.00	30601.33	.00	199500	455
Majority Target	.92	1.00	.28	0	1	398
Left-wing Group	1.60	2.00	.49	1	2	303
Crime Severity Index	17.82	24.00	9.47	1	29	499
Male	.90	1.00	.303	0	1	508
Educational Level	5.65	6.00	2.00	1	9	307
Geographic Region	2.37	2.00	1.163	1	4	509

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