

‘Ecoterrorism’ in the United States: Industry Involvement in Group Prosecution

Kyle J. Bohrer, Beloit College

Abstract

Following the attacks on September 11th, 2001, terrorism gained a new significance within the public consciousness. The title ‘terrorist’ conjured images of mass atrocities, the War on Terror, and militant Islamist groups. Yet the federal government and FBI continue to label radical environmental groups, such as the Earth Liberation Front (ELF) and Animal Liberation Front (ALF), as one of the top domestic terror threats facing the United States today. Shortly after the groups were formed in the early 1980’s, industry advocates and conservative lobby groups became heavily involved in applying the terrorism label against the actions of radical environmentalists to discount and discredit their actions within the public sphere. However, a label that started as a tool of political rhetoric has become laden with substantive legal, societal, and moral consequences. Due to industry involvement in the political process, radical political activists have been unfairly prosecuted and persecuted, undermining the ideal of treating distinct levels of crime with distinct levels of punishment.

Introduction

Radical environmentalism started with the formation of Earth First! in the late 1970s, when left-wing radicals were inspired by Edward Abbey’s novel *The Monkey Wrench Gang*, published in 1975. Shortly thereafter, co-founder of Earth First! Dave Foreman wrote what would become the quasi-manifesto of the radical environmental movement- *Ecodefense: A Field Guide to Monkeywrenching* (1985). Radical environmental groups characteristically engage in monkeywrenching, or ecotage, which is the targeted destruction of property to discourage industrial development. This includes spiking trees, destroying roads and railroads, disabling heavy machinery, and even burning buildings or entire compounds to the ground. Yet, the organization’s central tenant is to do no harm to human life. To date no deaths or serious injuries have been attributed to the actions of radical environmentalists.

The terms ‘ecoterrorism’ and ‘ecoterrorist’ have been around since the early 1980s, but what first began as a name given to discredit politically radical groups has transformed into a classification with very severe political, social, and ethical consequences. Those convicted of ecoterrorism face longer prison sentences, reduced legal access, and fast-tracking through the court system. Furthermore, they will forever carry the social stigma of being labeled a terrorist. The label ‘terrorist’ and the label ‘arsonist’ or ‘political radical’ conjure very different images within the public mind. With such harsh consequences attached to the terrorist classification, why have radical environmental groups in the United States been labeled as terrorists while other

radical organizations have not? Although radical environmentalists engage in illegal activity, they have never killed anyone or specifically targeted individuals with intent to physically harm them. Yet, radical right-wing organizations that have systematically killed doctors that perform abortions have never been labeled as terroristic. Labeling radical environmentalists as ‘ecoterrorists’ is fundamentally wrong and flawed and completely undermines the ideal of treating distinct levels of crime with distinct levels of punishment.

Since the beginnings of the ‘ecoterrorism’ moniker, industry and its interest groups have been heavily involved with the formulation of the term and radical environmental groups’ subsequent prosecution. This paper will show through textual analysis of Congressional testimony and secondary sources that radical environmentalists have been labeled as terrorists due to industry involvement in the U.S. political system.

Definitions

Before further discussion, distinctions must be drawn between the terms ‘ecoterrorism’, ‘ecotage’, and ‘environmental terrorism’ and how the terms have been defined by previous authors. Environmental terrorism is the targeting of natural resources by traditional terrorist groups to inspire fear within a population to further set political or social goals. The term ‘ecoterrorism’ has been commonly applied to groups that practice the destruction of property in the name of saving the environment from human encroachment and destruction. As described by Chalecki (2002), the aim of these groups is to slow or stop exploitation of natural resources and to bring public attention to environmental issues, based on a deep ecology or biocentrism philosophy, while following a strong moral constraint to do no harm humans to or animals.

Although ecotage is very similar to, and arguably the same, as the definition of ecoterrorism Vanderheiden (2005) has defined ecotage as the use of extralegal tactics by radical environmental groups seeking to inflict targeted economic harm upon individuals and firms regarded as causing serious ecological damage. The labels ‘ecotage’ and ‘ecoterrorism’ have both been applied since the early 1980s, with those in support of radical environmentalist actions typically in favor of calling it ‘ecotage’ and those opposed to their actions in favor of calling it ‘ecoterrorism’.

Origins of ‘Ecoterrorism’

Although the term had been used sporadically since the early 1980s, Ron Arnold first published and popularized the term ‘ecoterrorism’ in print in February 1983 in Reason Magazine, a libertarian publication with a clear bias against left-wing activism. Since the beginnings of the ‘ecoterrorism’ moniker, it has carried with it overt political underpinnings. Ron Arnold is also known for his introduction of the phrase “wise use”, which has been widely

adopted as political rhetoric by timber and mining industries, private property right advocates, and conservative think tanks. It is perhaps unsurprising then that Arnold, on top of labeling radical environmentalists as terrorists, publically advocated for opening millions of acres of federal land to commercial development and logging, a stance radical environmental groups staunchly opposed. In order to sway public opinion in their favor, pro-industry groups used the terrorist label to discredit and undermine their opponents- radical environmentalists. Although the ELF's and ALF's actions were illegal, they were by no means as extreme true acts of terrorism, such as the Unabomber attacks that were also going on at the time.

Ron Arnold published his article on ecoterrorism in Reason shortly before becoming the Executive Vice-President of the Center for the Defense of Free Enterprise (CDFE), a group that claims to be a non-partisan education and research organization. Although the CDFE asserts itself as non-partisan, it has received substantial funding from Exxon, DuPont, Seneca Sawmills, Burkland Lumber, Pacific Lumber, and numerous other timber and forest products manufacturers. Even today, CDFE hosts a page on their website dedicated to the eradication of 'ecoterrorist' organizations that threaten industry interests¹. What began as a buzzword for timber industries and their formal and informal interest groups would go on to shape the treatment of radical environmental groups within the United States for the next three decades.

Acts of Ecoterrorism by Radical Environmentalist Organizations

In 1998, the House of Representatives Judiciary Selection Committee, Subcommittee on Crime, held a hearing specifically on eco-terrorism, marking the first time a federal committee hearing was held specifically regarding radical environmentalist actions over the past two decades. Although the hearing was framed as impartial and investigatory, all of the witnesses called to testify had clear ties to industry or their interest groups. Only industry's perspective was presented: not even mainstream environmental organizations, such as the Sierra Club, were asked to testify and present their perspectives on industrial logging, environmental damaging actions, or the actions of radical environmentalists.

The first witness to testify was Ron Arnold, creator of the 'ecoterrorism' moniker and then Executive Vice-President of the CDFE. While his testimony was the shortest of all the witnesses, he spent most of it plugging his new book: EcoTerror- The Violent Agenda to Save Nature, published by a subsidiary of the CDFE. In the years following its publication, his book has since been widely criticized for fabricating facts to bolster his case by grossly exaggerating the actions of radical environmentalists and downplaying the amount of property damaged solely by individuals 'investigating' radical environmental groups, thereby calling into question Arnold's trustworthiness and impartiality. Possibly due to his high ranking within the CDFE, Ron Arnold clearly supported industrial interests while presenting himself as a neutral expert on

¹ Center for the Defense of Free Enterprise- www.cdfef.org/center-projects/eco-terrorism/

the subject of radical environmentalism. During his testimony, Arnold even directly mentioned the impact radical environmentalism has on private industry:

“It is a broad and pervasive crime that is seriously under-reported because the victims are terrorized and fear reprisals, copycat crimes or, in the case of corporations, loss of customer confidence and resulting drops in share prices.”

Subsequent witnesses included Barry Clausen, a private investigator, and Bruce Vincent, then President of Alliance for America. As chronicled by Bruce Barcott (2000), Clausen was hired in 1986 by Vincent to investigate ecotage actions taken against the logging company he owned. Vincent was specifically hired by timber industries to infiltrate radical environmentalist groups and disrupt their actions from the inside, yet during Congressional testimony, he was presented as an impartial expert on the subject. Similarly to Arnold, Clausen also made it a point of his testimony to mention industry:

“Actions by persons connected to these extremist groups have led to millions of dollars lost due to sabotage committed against increasing numbers of industries within our country... As an American citizen and a 6-year military veteran who believes in our country, our freedoms and our rights, I would like to ask this committee to please listen, please consider what you hear today and please act to preserve those freedoms and rights.”

As mentioned previously, one witness was Bruce Vincent, then President of Alliance for America. Although Alliance for America is no longer operational, yet at the time, it was one of the largest property rights advocacy groups in the United States. In 1999, the year following testimony, Alliance for America had numerous industrial groups on its membership role even though it claimed to present a neutral perspective on radical environmentalism. These members included²: Pennsylvania Forest Industry Association, CDFE, International Forest Products Association, Fur Commission, California Forest Products Association, and even the Chief of Staff (Doug Crandall) for the House Subcommittee on Forests and Forest Health, who would hold the next major Congressional hearing regarding ‘ecoterrorism’ three years later. Clearly, industry had major influence on Bruce Vincent’s testimony, which although moving, had no evidence to back up his claims. While he claimed the ELF was making threatening phone calls against him and his family, the FBI never found evidence of threatening phone calls, or any evidence of threatening actions taken against him by the ELF³.

During the entire hearing on acts of ‘ecoterrorism’ by radical environmentalist organizations, not one member of a radical environmental group, or even mainstream

² Property Rights Foundation of America, Alliance for America: prfamerica.org/stats/Stats-AllianceForAmerica.html

³ See Smith 2008

environmental group, was called to testify and present their perspective. Every single witness had clear connections to industry, and clear bias of opinion. One side of the debate was allowed to set the stage and context for every hearing to follow, and when industrial advocates attached the label of terrorism to radical environmentalists, they applied vastly undue connotations upon those organizations that would persist in all other hearings progressing forward.

Eco-terrorism and Lawlessness on the National Forests

In 2002, during a Congressional hearing held on “Eco-terrorism and Lawlessness on the National Forests” in the House of Representatives Subcommittee on Forests and Forest Health, James Jarboe of the FBI asserted that the ALF and ELF were “serious terror threats”, and defined ecoterrorism as “the use or threatened use of violence of a criminal nature against innocent victims or property by an environmentally-oriented subnational group for environmental-political reasons, or aimed at an audience beyond the target often of a symbolic nature”. This definition presented by Jarboe widely differs from commonly accepted definitions of terrorism as it includes property and inanimate objects as potential targets of the terrorist acts. A critical element of terrorism is that it inspires fear in the target population or group that future acts may be inflicted upon them and threaten their lives; once property is included in the definition, it begins to blur the distinction between terrorism and other forms of crime. If a group destroys a city water supply to coerce the city’s population, that act can be defined as terrorism. But, if that group targets bulldozers to get the media and population’s attention the act is no longer terrorism but a lesser form of crime, such as arson, since no lives were threatened.

Although fewer industrial advocates were present four years following the House’s first hearing on ecoterrorism, the testimony was once again heavily slanted to one side. During opening statements, Representative Darlene Hooley compared the fight against radical environmentalists to the struggle Abraham Lincoln endured during the Civil War, Representative George Nethercutt Jr. claimed radical environmentalists were actively fighting research into a cure for breast cancer, and Representative Jay Inslee speculated as to why radical environmentalists couldn’t follow the same path as Martin Luther King Jr. Clearly, ‘ecoterrorists’ were facing an uphill battle to start with.

Different from Congressional testimony in 1996, a representative from Earth First! was present during the 2002 testimony. Craig Rosebraugh, former Press Secretary for Earth First!, was subpoenaed for the hearing although his ability to speak freely and openly was highly curtailed. During the hearing, he took the Fifth Amendment to 54 of the 56 questions presented to him and therefore provided little insight into the motivations and actions of radical environmental groups. Rosebraugh could have used this occasion to try and persuade Congress to rethink its labeling of radical environmentalist groups, but it is not hard to understand why he decided to stay quiet on many of the questions posed to him during the hearing. Congressional

members went into the hearing with their minds already made up as to how they viewed radical environmentalists, as evidenced by opening statements:

“Colleagues, the individuals that make up these terror groups are not cut from the same fabric as the nature-loving hippies of my youth. It would be a serious mistake for anyone to dismiss these hard-liners as just misguided young people or trust-fund babies with nothing better to do... Mr. Rosebraugh, I can tell you today that, when it comes to ELF and ALF, the FBI is watching, state and local law enforcement is watching, Congress is watching, the mainstream environmental movement is watching, and the public is now fully engaged and watching too.”

Instead of taking an investigatory stance, the subcommittee took an accusatory posture and grilled Rosebraugh for any potential illegal activities they could take action against him for. The committee’s impartiality was altered by previous industrial influences, such as the ones present at the hearing in 1998.

Other witnesses called to testify were the Executive Director of the Center for Consumer Freedom, a lobby group for fast food, meat, alcohol, and tobacco industries, representatives from Northwest Oregon Area Logging, the vice-president of the major Vail Ski Resorts, and the director of law enforcement for the U.S. Forest Service. Once again major industry was overly represented and allowed to swing the dialogue in their favor. They were the ones that chose which words to use and had heavy influence on governmental prosecution of radical environmentalists.

Eco-terrorism Specifically Examining the ELF and ALF

Three years following the House of Representatives hearing on ecoterrorism, the Senate Committee on Environment and Public Works held its own hearing in 2005 entitled “Eco-terrorism Specifically Examining the Earth Liberation Front and the Animal Liberation Front”. Unlike previous Congressional hearings regarding radical environmentalism, partisanship became quite noticeable during the testimony. Previously, both parties unquestioningly considered radical environmentalists to be domestic terrorists, yet by 2005 it was quite clear Democrats began to question the classification of radical environmental groups while Republicans stuck to the status quo.

In the Republican controlled committee, it became clear what side supported the terrorism label. During opening statements, chair of the committee James Inhofe directly compared radical environmentalists to al-Qaeda, although he recognized that radical environmentalists had never killed or substantially harmed anyone in their 20+ years of operations. Moreover, even before official hearings began, the committee directly confronted

radical environmental groups by forcing all major electronic payment methods to stop doing business with the ELF and ALF, and Amazon.com to stop selling any merchandise that could tangentially be related to radical environmentalism.

Prior to the hearing, Congressman Bennie Thompson, ranking member of the House of Representatives Homeland Security Committee, prepared a report highlighting the failure of the Department of Homeland Security to adequately monitor the threat posed by radical right-wing groups, such as the KKK, abortion clinic bombers, and skinheads- and urged the committee not to focus on ecoterrorism at the expense of monitoring right-wing groups. Even though the Homeland Security Committee is responsible for monitoring domestic terrorism, Thompson was denied the opportunity to testify by the Republican controlled committee.

As the first Senator to openly question the labeling of radical environmentalists, Senator Frank Lautenberg stated in his opening remarks:

“When we look at what we are seeing here, I think we must be careful in our anger and our disgust at the unlawful actions that some of these people have taken... To suggest that this is a terror ring and intimate that environmental organizations are all kind of tinged or come under the umbrella of terrorism, I think it is unfair and unwise.”

What caused this sharp division between the two parties that did not exist three years prior? Unfortunately, little data exists suggesting an easy answer to that question. Conceivably, shifting political influences, either by the electorate or non-governmental interest groups gained enough support to sway the Democratic Party in line with the stance mainstream environmental groups were taking. Since the Republican Party often has a closer relationship with industry than the Democrats, they continued with the stance pushed by industrial representatives in the years prior.

Despite the divisions between the Democrats and Republicans on the classification of radical environmentalists, it did little to change the actions of the U.S. Federal Government. Even though the Democrats decided to change their stance on radical environmentalism, the Republican controlled Congress and Presidency tightened federal prosecution of groups such as the ELF and ALF, culminating in Operation Backfire, the largest round-up of radical environmentalists by the FBI. Operation Backfire resulted in the indictment of eighteen members of the ELF and ALF on 65 charges, including arson, conspiracy, and the use of destructive devices⁴.

⁴ For a more detailed analysis on Operation Backfire, see *The Green Scare* by Will Potter 2009

Seven years following the first Congressional hearing on the actions of radical environmentalists, political partisanship began to outweigh heated political rhetoric. Democrats were clearly standing against the label of ‘ecoterrorism’, challenging prior influence of industry and their interest groups while Republicans continued to place radical environmentalists as the top threat to U.S. domestic security, even following the actions of al-Qaeda on 9/11.

Documents released by Wikileaks in 2009 chronicle the continued prosecution of radical environmentalist groups. Written by Helios Global in 2008 for the United States Department of Homeland Security, the leaked report plainly demonstrates that the U.S. Federal Government viewed radical environmentalists as sub-national militants looking to overthrow established society. In the perspective of the Federal Government, the actions of radical environmentalists were not radical, nor terroristic; they were part of a militant uprising, even though no deaths had ever been attributed to the movement. The political rhetoric labeling radical environmentalists as terrorists back in the 1980s had grown over almost 30 years to the very real classification of militantism, with very real consequences.

Impacts of the Terrorist Label

Since the origins of terrorism, it has been widely agreed-upon that acts must be committed against people to be considered legitimate acts of terror. Although the FBI has broadened the definition of terrorism to include acts not directly targeted at people, it is still generally agreed upon within the academic community that the act must ‘terrorize’ the targeted population⁵. Violence against property may terrorize a population and fulfill this requirement, but only if in doing so it threatens further violence against persons or property critical for life, such as an aqueduct supplying drinking water to a city. Acts that maintain the moral distinction between persons and property, while neither harming nor threatening to harm individuals, are inherently distinguishable from genuine terrorism in theory and should be distinguished from the tactics used to combat terrorism.

Furthermore, the debate of what constitutes acts of terrorism is not merely academic. In an attempt to dissuade terrorism, the Patriot Act created harsher punishments for those convicted of terrorist activities. This includes longer prison sentences, restrictions on contacting friends and family, and placement in higher security prisons. Perhaps most importantly however, it forever connects the word ‘terrorist’ to the defendant, a term that has come to symbolize countless number of horrors to many people.

In 2006, Congress passed the Animal Enterprise Terrorism Act, which created penalties up to and including death for acts undertaken by radical environmentalists against any enterprise that uses or sells animals. Since its passage, the act has been used to exponentially increase the

⁵ See Vanderheiden 2005

severity of penalties against the actions of radical environmentalists, simply due to the motivations behind their actions. Radical environmentalists have been targeted because they are anti-industry, and therefore face punishments far more severe than their actions warrant.

Conclusion

Over the course of thirty years, what started as a buzzword and tool of political rhetoric by conservative organizations became a term defining a political movement. Groups such as Earth First!, the ELF, ALF, Greenpeace, and even the Sea Shepard Conservation Society, which has had a documentary-style reality television show since 2008, have been put in the same group as al-Qaeda and its affiliates. Yet unlike other organizations labeled as terrorists, radical environmental groups have committed no harm against human life or conspired to overthrow the government in a violent struggle. Although those who perpetrate ecotage are not innocent, and have broken numerous laws, they should not be labeled as “terrorists”.

As this paper has demonstrated, industry involvement in the U.S. political system has been almost completely to blame for the classification of radical environmentalists as ‘ecoterrorists’. Future research should be done to better understand why the label of ecoterrorism became an issue of contention between Republicans and Democrats after 2002, and to better qualify the current treatment of radical environmentalists under the most recent political administration.

Acknowledgements

Thank you to Jill Budny, Camilla Jackson, Quinn Crawford, and Mateo Lauersdorf for their valuable insight and comments during the development of this paper.

References

- Abby, Edward. 1975. *The Monkey Wrench Gang*. New York: HarperCollins.
- Animal Enterprise Terrorism Act. 2006. *U.S. Code*. Vol. 18, sec. 43.
- Anti-Drug Abuse Act of 1988. 1988. *U.S. Code*. Vol. 18, sec. 1864.
- Arnold, Ron. 1983. “Eco-terrorism.” *Reason*, February, 31-35.
- Arnold, Ron. 1997. *EcoTerror: The Violent Agenda to Save Nature*. Bellevue, WA: Free Enterprise Press
- Barcott, Bruce. 2000. “Snoop: The Secret Life and Prying Times of Barry Clausen.” *Outside*, October.
- Chalecki, Elizabeth L. 2002. “A New Vigilance: Identifying and Reducing the Risks of Environmental Terrorism.” *Global Environmental Politics* 2 (February): 46-64.

- Foreman, Dave, and Haywood, Bill. 1985. *Ecodefense: A Field Guide to Monkeywrenching*. Chico, CA: Abzug.
- Helios Global. Universal Adversary Dynamic Threat Assessment. 2008. *Ecoterrorism: Environmental and Animal-Rights Militants in the United States*. Wikileaks, pub. 2009
- Potter, Will. 2009. "The Green Scare." *Vermont Law Review* 33: 671-687.
- Smith, Rebecca K. 2008, "Ecoterrorism? A Critical Analysis of the Vilification of Radical Environmental Activists as Terrorists." *Environmental Law* 38 (May): 537-576.
- U.S. Congress. House. Committee on the Judiciary. Subcommittee on Crime. 1998. *Acts of Ecoterrorism by Radical Environmental Organizations*. 105th Cong., 2nd sess., 9 June.
- U.S. Congress. House. Committee on Resources. Subcommittee on Forests and Forest Health. 2002. *Eco-terrorism and Lawlessness on the National Forests*. 107th Cong., 2nd sess., 12 February.
- U.S. Congress. Senate. Committee on Environment and Public Works. 2005. *Eco-terrorism Specifically Examining the Earth Liberation Front and Animal Liberation Front*. 109th Cong., 1st sess., 18 May.
- Vanderheiden, Steve. 2005. "Eco-terrorism or Justified Resistance? Radical Environmentalism and the 'War on Terror'." *Politics & Society* 33 (September): 425-447.