

BOOM! Who are the real terrorists?

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President George Bush's administration has charged a dozen environmental and animal rights activists with "terrorism" for allegedly destroying property, and is threatening life sentences behind bars.

"We will not tolerate any group that terrorizes the American people," Attorney General Alberto Gonzales said at a Jan. 20 Washington, D.C., press conference.

But as the government brings the massive post-9/11 security apparatus to bear against activists accused of burning gas-guzzling SUVs, a ski resort, and corals at a wild horse slaughtering facility, the really burning question may be, what is terrorism?

Despite the fact that the nation has supposedly been at war against it for almost five years, there's no clear definition. A recent U.N. report notes that international efforts against terrorism have been hampered by the lack of a universally accepted definition. "One man's terrorist is another man's freedom fighter," is an often quoted aphorism among terrorism experts. When the Taliban were fighting the Soviets in Afghanistan, they were freedom fighters. When the Taliban were fighting the U.S., the same people became terrorists.

Environmental and Animal Rights activists say the true ecoterrorists are the corporations that are destroying the Earth with global warming, logging and other "atrocities," and who are unnecessarily torturing thousands of animals for profit.

Of course, the Bush administration has a different definition, but even it's not consistent. The State Department terrorism definition focuses on violence against people, but the very broad FBI definition of domestic terrorism includes any politically motivated crime, including property sabotage. Even protest acts as small as clogging a toilet or graffiti are included in the FBI's lists of domestic terrorism incidents by animal rights and environmental groups.

The FBI describes such political property damage as "violent." That contradicts the rules in the FBI's national Uniform Crime Reporting (UCR) system. In the UCR, the leading source of U.S. crime statistics, the FBI defines "violent crime" as murder, rape, robbery and assault.

Without being asked, Bush's political appointees insisted at the D.C. press conference that the administration's focus on property crime by left-wing protesters wasn't politically motivated. AG Gonzales said "the indictment proves" that the government will go after any terrorist group "no matter its intentions or objectives."

FBI Director Robert S. Mueller, III told the cameras that "animal rights and environmental extremism is one of the FBI's highest domestic terrorism priorities" and claimed "no person — no matter what his or her political or moral convictions are — is above the law."

Priorities

But critics have questioned why property damage by animal and environmental protesters is the Republican administration's top domestic terrorism priority.

Last May the U.S. Senate Republican majority staged a committee hearing on "ecoterrorism," which Republican Sen. James Inhofe (R-Oklahoma) described as the nation's #1 domestic terror concern.

Democrats at the hearing condemned the property destruction, but questioned whether the Republican administration has its priorities straight. Sen. Barak Obama (D-Illinois) noted that incidents of environmental sabotage are declining and said that the threat is not equivalent to other crimes. Obama cited FBI statistics from 2003 showing 7,400 hate crimes committed and 450 environmental crimes involving threats to workers, public health or the environment. Obama said the Senate environment committee's time would be better spent on larger threats, such as the failure of the EPA to protect thousands of children from lead poisoning.

"We need to keep things in perspective," Sen. Frank Lautenberg (D-New Jersey) said. "The Oklahoma City bombing killed 168 people. The attacks of 9/11 killed 3,000. Since 1993, there have been at least five fatal attacks on doctors who performed legal abortions. Eric Rudolph recently pleaded guilty to placing a bomb in a public area during the Olympic Games in 1996, as well as bombing a Birmingham women's clinic and a gay nightclub. All of these cases involved the loss of human life. To date, not a single incident of so-called environmental terrorism has killed anyone."

Abortion activists can't claim that. Since 1977, anti-abortion activists have perpetrated more than 59,000 acts of violence and destruction in the U.S. including seven murders, 17 attempted murders, 41 bombings, 165 arsons, three kidnappings, 122 assaults, 343 death threats and, most recently, 480 anthrax threats, according to the National Abortion Rights Action League.

Sen. James Jeffords, a Vermont independent, noted that while the FBI is focused on eco-terrorists, it is not doing enough to fight right-wing domestic terrorists such as the KKK, skin heads and the militia members who bombed Oklahoma City. Jeffords also noted that the administration has failed to require adequate security at chemical and nuclear plants — "pre-positioned weapons of mass destruction" — that threaten millions of people.

At the hearing Inhofe and corporate lobbyists sought to paint mainstream environmental and animal rights groups as somehow linked to the "ecoterrorist" label and questioned their non-profit status.

Lautenberg and other Democrats objected to the tactic. Bomber Tim McVeigh was a member of the National Rifle Association, and abortion clinic bombers were involved in mainstream right to life groups, but that doesn't make them terrorists, Lautenberg said. "We must take care not to lump legitimate groups with terrorists. To do so would only minimize the very real threats against our society."



‘To date, not a single incident of so-called environmental terrorism has killed anyone.’
— SEN. FRANK LAUTENBERG

The FBI's Office of the Inspector General (OIG) has also questioned the department's "ecoterrorism" priorities. In a 2003 report, the OIG recommended that the FBI take its anti-terrorist staff off of environmental and animal rights property crimes to focus on more serious threats. "To the extent that the FBI seeks to maximize its counterterrorism resources to deal with radical Islamic fundamentalist terrorism, WMD, and domestic groups or individuals that may seek mass casualties, we believe that FBI management should consider the benefit of transferring responsibility for criminal activity by social activists to the FBI's Criminal Investigative Division." The FBI refused to alter its priorities.

In that sense, not much has changed since 9/11 at the FBI. While al Qaeda was planning to crash airliners into the nation's largest buildings, the FBI was focused on "ecoterrorism." Six months before the mass casualties, then FBI director Louis Freeh testified to a congressional committee on terrorism threats, giving about the same amount of time to environmental and animal rights groups as he gave to Osama bin Laden and Middle-East terrorist groups.

EPD

The Eugene Police Department apparently shares the FBI's top prioritization of environmental property crime. The EPD has frequently complained that it doesn't have enough time to pursue bike and car thieves, burglars and even domestic violence cases. But the EPD apparently has prioritized ample time to participate in the FBI's years-long "intensive" Joint Terrorism Taskforce investigation of property crime by environmentalists. One EPD officer was even sent to New York City to pursue a suspect, according to court documents.

Another EPD officer, Chuck Tilby, had the time to research and co-author a treatise on "criminal anarchists." The report in the journal *Studies in Conflict & Terrorism* describes anarchists today as "no less vexing for law enforcement" than the "terrorist siege" of the bomb-throwing, assassin anarchists of two centuries ago. Tilby's article on the "threat posed by anarchists" attempts to link and lump together criminal anarchists with "ecoterrorism" incidents, violence, armed militias and mainstream environmental and anti-war groups and low level civil disobedience like sit-ins and hanging banners, and even independent media activities protected by the First Amendment.

The Tilby article acknowledges that not all anarchists advocate or engage in violence and that many law enforcement professionals "view modern anarchists simply as a protest group" and "may be tempted to ignore the movement." But Tilby says law enforcement should infiltrate, grand jury subpoena, and use informants against anarchists "because of the tactics that may be used" to enact their revolutionary ideas.

EPD spokesperson Pam Olshanski refused to provide any information on how much time and taxpayer money local officers spent on the environmental property crime



U.S. Sen. Barack Obama questions the FBI's priorities.



John Zerzan



Craig Rosebraugh, a former spokesman for an environmental sabotage group.



The Bush administration accused Chelsea Gerlach of “ecoterrorism.”

investigation. In Portland, local police participation in the terrorism taskforce sparked heated debate about police priorities, civil rights and officer supervision. But in Eugene there has been no such discussion.

Anti-Environmental Violence

While law enforcement has focused on property destruction by environmental and animal rights activists, it has largely ignored a long list of alleged violent crimes by anti-environmentalists.

Ignored anti-environmental crimes include: a car bomb directed at protesters against redwood logging that seriously injured two activists in 1990; Eugene police dousing non-violent tree sitters with pepper spray, and northern California deputies using Q-tips to apply the burning spray directly to protesters' eyes in 1997; a logger who allegedly intentionally fell a tree on a forest protester, killing him in 1998; and complaints by tree-sitters last year that they had been shot at with bullets and a hunting arrow in the McKenzie River headwaters.

Anti-environmentalists have also largely gotten away with targeting government workers with violence. Public Employees for Environmental Responsibility documented a three-year string of serious incidents from 1995 to 1998 including: an anti-government landowner who ran over a park service ranger in Arizona; shootings and attacks against Vermont National Parks Service Employees; the beating of an EPA employee in Missouri by suspected pro-mining activists; a car bomb that seriously injured a federal mine inspector and his wife in California; and a Forest Service Ranger beaten by cattle ranchers.

These violent incidents don't include the many incidents of property destruction anti-environmental groups have also engaged in without facing prosecution or labeling as terrorists. For example, in 2001 angry ranchers near Klamath Falls cut through fences and forced open dam gates to release water held back for endangered fish during a drought.

Big Brother

In going after environmental property crime, critics fear that the federal government is not only misusing the massive anti-terrorism resources created after 9/11 but also the huge spying apparatus set up to eavesdrop on the Soviets during the Cold War.

Greenpeace, renowned for its efforts to block international whaling, has joined the American Civil Liberties Union (ACLU) and other groups to sue the federal government for warrantless wire taps. "A government that can't maintain a distinction be-

tween terror and civil dissent is not a healthy or democratic government,” Greenpeace said in a statement.

Bush has proclaimed that because of his declared “War on Terror” he has the inherent power to tap anyone’s international phone calls whenever he wants. The ACLU says wiretaps without a court warrant are illegal. The Bush administration hasn’t said that it used warrantless wiretaps against Greenpeace or any other environmentalists, but, of course, such wiretaps are generally secret and rarely acknowledged.

In what appears to be a reference to wiretaps in the Senate hearing last year, FBI Deputy Assistant Director John Lewis testified that the FBI employs its “expertise in the area of communication analysis to provide investigative direction” for “ecoterrorism” investigations.

The EPD’s Tilby writes as if he and others are already engaged in spying on anarchists who aren’t discussing crimes. “Infiltration into large affinity group meetings is relatively simple,” his article states.

The law against warrantless wiretaps and law enforcement guidelines against spying on political groups came about after abuses in the late 1960s and early ‘70s when the FBI used its COINTELPRO program to spy on and disrupt the civil rights movement and peace groups opposed to Vietnam. Targets of the spying included Martin Luther King Jr. and John Lennon. Now, the Bush administration has resumed the wiretaps and political spying, civil liberties groups say.

Harsh Sentences

And now the dozen recently arrested environmental and animal rights activists face harsh sentences.

“Persons who conduct this kind of activity are going to spend a long time in jail,” FBI Director Mueller said.

Most of the defendants could face life sentences, with some sentences of over 300 years possible. By comparison, the average federal sentence for murderers convicted in federal court is 20 years, robbers average six years and assaulters two years.

“It’s outrageous,” said Karen Picket, a San Francisco Earth First! activist. “If there is a political reason for doing the same act, and it’s a political reason the federal government doesn’t like, the sentence is altogether different and often several times worse.”

Ironically, someone who steals an SUV out of greed faces a far lower sentence than an environmentalist who destroys the vehicle because it pollutes. In Oregon, the average sentence for motor vehicle theft was 17 months in 2001. In 2001 a state judge sentenced Jeff “Free” Luers to 23 years in prison for burning three SUVs and attempting to set fire to an empty fuel truck. The average arson sentence in Oregon that year was just under six years, rapists averaged 10 years and murderers 14 years.

But law enforcement and anti-environmental politicians are pushing for even harsher sentences for those who commit property crimes for environmental and animal rights reasons. Corporate and hunter groups have circulated model laws to state legislatures that would set up special crimes and harsh sentences for sabotage by environmental and animal rights activists. The laws are working their way through nine state legislatures and some could make reducing business profits by protesting a crime, civil rights advocates fear.

In 1999, Oregon passed a law making it a crime to interfere with agricultural or timber operations, including logging.

An existing federal law already makes disrupting animal enterprises a crime. Last year, the FBI and Senate Republicans called for strengthening the law and expanding it to apply to business disruptions by environmental activists.

Long prison sentences can be especially hard on environmental and animal rights activists. The non-violent activists can fall prey to violent inmates, suffer malnutrition from lack of nutritious vegan food and lose access to the nature they love. One of the alleged “ecoterrorists” recently arrested suffocated himself with a plastic bag in an Arizona jail cell. He reportedly left a note calling the suicide a “jail break.”

Backfire

Mueller said the long sentences will have a “dramatic impact on persons who contemplate these crimes.”

Environmental activists are calling the “ecoterrorism” crackdown a “green scare,” comparing it to the “red scare” periods of anti-communist repression and civil rights abuses after World War I and in the 1950s.

Jim Flynn, a local Earth First! activist, said that after the indictments “people were quite intimidated” in the environmental protest movement.

John Zerzan, a local anarchist author, said the arrests and the recent conviction of seven animal rights activists in California for what they wrote on a website “is very scary.”

Zerzan said the government is pushing back the line on what before was considered free speech. “That’s a police state kind of move.”

Lauren Regan, a local attorney who directs the Civil Liberties Defense Center, noted that Congress also just made permanent the FBI’s extensive secret search powers under the PATRIOT Act. “It is very, very scary to see what’s going on.”

Environmentalists worry that the government’s target goes beyond even property destruction to previously accepted lawful protests.

In his anarchist article, the EPD’s Tilby lists law enforcement strategies used against free speech protest rights supposedly protected by the Constitution. Tilby described attempts to “create ‘protest zones’ so far away from the event that it was impractical

or unattractive to protesters who wanted their message heard by event participants,” and “requiring demonstration permits with high fees and designating approved parade routes in remote areas.”

Although Mueller may have hoped that the FBI’s “Operation Backfire” would intimidate environmental protesters, that goal may have itself backfired.

Environmental activists at the Public Interest Environmental Law Conference last week at the UO said that after the initial scare, the repression would bring unity, public sympathy, new recruits and increased determination. “The time for action is now,” said Kim Marks, a Portland forest activist.

Sessions on environmental sabotage drew more attendance than previous years at the conference and less debate about whether sabotage was an appropriate tactic.

Craig Rosebraugh, a former spokesman for an environmental sabotage group, ran through a list of “atrocities.” The millions of people in poverty, global warming, a 90 percent loss of old-growth trees, and 100,000 dead in Iraq demand direct action, he said to loud applause from about 200 activists. “We have an obligation to do whatever we can by any means necessary to stop that.”

The environmentalists invoke the nation’s long history of civil disobedience against repression to justify their actions—from the Boston Tea Party, to the underground railway for slaves, to the women’s suffrage, labor and civil rights struggles. “Without debate and without dissent we do not have a democracy,” Regan said.

The Ted K Archive

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