Environmental Direct Action: Tactics for Environmental Policy Change

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Environmental direct action—or what some call eco-tage or eco-terrorism—is a highly contentious topic that elicits immense public interest and opinions. The media, targeted corporations, government officials, mainstream environmentalists, and curious academicians have been following the movement with fixed eyes since its birth in the US in late 1970s. Within the academic community, much scholarship exists as of late on environmental direct action, exploring its definitions, history, tactics, and common motivations. The majority of this literature, however, falls short in one critical area: EDA’s policy implications, which is consequently the focus of my research. I aim to answer the following questions:

1. What are the policy implications of environmental direct action?
2. What are the most effective EDA tactics and overall characteristics of an effective EDA-focused campaign (with respect to policy change)?

I hope to formulate a credible hypothesis on the most effective tactics a radical environmental direct action group can employ to affect pro-environmental policy change. To reach that hypothesis, I employ a mixed method approach centering around case studies of three major environmental direct action groups: Earth First!, The Sea Shepherd Conservation Society, and the Earth Liberation Front (ELF). The methods include analyzing pertinent literature and media and primary-source document analysis where necessary and conducting formal and informal interviews with experienced EDA participants from the above mentioned groups.

Conclusions: The policy implications vary with each group as each respectively employs their own tactics and has their own style of campaign. Sea Shepherd has affected notable environmental policy change, Earth First! on a smaller scale, and the ELF affected negative policy changes that worked against them and other radical groups. With respect to EDA, I found that tactics are more effective based on how fully they meet the following criteria: 1) non-violent/non-destructive, 2) effective at obstruction 3) sustainable over time, 4) generates media attention. With respect to EDA-focused campaigns overall, I argue that effective campaigns do the following: target an explicit and surmountable policy/issue, use litigation to challenge enforcement of existing laws, combine a variety of EDA tactics with publicity and advocacy on the democratic stage, seek partnerships and sponsors, and justify extra-democratic actions on legitimate legal grounds.
I n t r o d u c t i o n

Overall, the U.S. environmental movement of the 1970s could be summed up as the birth of a collective awareness of human’s interconnection with the natural environment. The media and general public formed a feedback loop, centered on growing concerns for water and air quality, as well as the unknown effects of nuclear development. While the movement was birthed by the public (and some outspoken individuals), Congress was at its core, promulgating an alphabet soup of environmental policies: the National Environmental Policy Act (NEPA), the Clean Air Act (CAA), the Clean Water Act (CWA), the Endangered Species Act (ESA), the Resource Conservation and Recovery Act (RCRA), which put the mission of the movement into action. In other words, while the movement was fueled by the public, it was arguably driven by the government.

Since then, our population, industry, and economy vastly expanded and environmental issues became increasingly salient. However, this expansion and evolution in environmental issues, has not been met with an equal amount of environmental policy alacrity in congress. Overall, the modern environmental movement (which, I define as the 1980s-present) has failed to produce legislative achievements tantamount to the alphabet soup of the Environmental Policy Golden Age during the early 1970s. On the contrary, environmental policy change has been incremental, hard-won, and with indefinite buy-in. Instead of driving the environmental movement, as it did in 1970s, the government has taken a backseat.

The government’s new position, combined with the emergence of equally new environmental issues necessitated the concerned citizen to take the wheel driving environmental policy change. Traditional democratic mediums were employed—like lobbying, letter-writing and phone calls, petitions, attending council meetings, etc... However, after a period of time, many of these concerned citizens felt their voices were not simply failing to be being heard, but being ignored altogether. Therefore, these sectors of the public, frustrated by the slow or nonexistent policy results of democratic process, pressed by the seriousness of new environmental issues, and fueled by their own ideologies, felt compelled to move from the democratic stage to an action arena. The result was the emergence of the radical environmental movement and a host of escalated tactics known as environmental direct action (EDA).

In the following pages, I explore a seldom-approached subject: the policy implications of environmental direct action. Through a case study of the most prominent EDA groups—the Sea Shepherd Society, Earth First! (exclamation required) and the Earth Liberation Front—I intend to discover the most effective EDA tactics a groups can utilize to generate the environmental policy change they want to see. Secondarily, I hope an examination of the case studies leads to a general claim regarding the over-all characteristics of an effective EDA-centered campaign.

T e r m i n o l o g y

When speaking of EDA, the stake holders are many: the government and law enforcement, mainstream environmental groups, the general public, media, and of course active participants and their targets (i.e. industries, logging companies, developers, energy extractors, etc...). Each stake holder employs differing terminologies to refer to and define EDA and EDA participants; crucially, stake holders often use differing terms to refer to the same action, i.e. what EDA participants label non-violent civil disobedience, the media might label environmental extremism, and the government may term ecoterrorism.
The lack of clear and universally agreed-upon definitions presents more than just a language barrier—it creates a gap between environmental groups and the people they are desperately seeking a conversation with. If cooperation and reason are what both sides (those working in the system and those working extra-legally) seek, speaking in the same language is much more conducive to produce results than hurling sensationalized and pejorative labels that lack clear and agreed upon definition. In order to lay the first bricks to bridge that gap, I will here analyze the validity of some common definitions to arrive at—while avoiding bias—what I believe to be the most appropriate terminology.

Note: The main purpose of this section is to define the terms I will utilize in this piece, not to persuasively argue for one definition or nomenclature over another (albeit that is somewhat an inevitable result). I simply hope that the provision of distinctive definitions for frequently conflated terms will ease reader understanding and help facilitate pointed discussion.

**Civil Disobedience vs. Direct Action**

Before we can define *environmental* direct action, we must define *direct action*. Direct action is a form of civil disobedience. Civil disobedience targets an explicit law or policy issue to demonstrate it’s injustice through highly public and largely symbolic commentary. Its ultimate aim is to end that injustice but gradually. Civil disobedience is typically thought of as non-violent; participants expect and do not resist arrest.

Example: civil rights sit-ins, voting drives, freedom rides challenging de facto and de jure policies

<table>
<thead>
<tr>
<th>Characteristics</th>
<th>Civil Disobedience</th>
<th>Direct Action</th>
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<tbody>
<tr>
<td>Effects centered on long-term?</td>
<td>Yes</td>
<td>Yes but also immediate</td>
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<tr>
<td>Non-violent?</td>
<td>Yes</td>
<td>Not always</td>
</tr>
<tr>
<td>Public?</td>
<td>Yes</td>
<td>Not always</td>
</tr>
<tr>
<td>Participants expect and accept arrest?</td>
<td>Yes</td>
<td>Not always</td>
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<tr>
<td>Symbolic?</td>
<td>Yes</td>
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Unlike civil disobedience, direct action does not have to adhere to ‘non-violence’. The actions can be clandestine, and the participants may, and often do, resist arrest. Like civil disobedience, direct action aims to eventually end an injustice by commenting on it symbolically, however, unlike civil disobedience in a broad sense, the main goal of direct actions is to immediately halt an injustice in the present moment.

A simple way to think of direct action is intervention “at the scene of the crime”. I like to think of it as the closest form of confrontation—although circulating a petition or filing an injunction are both *actions* they are not *direct*. There are still intermediaries (the courts, the public) between the activists and the entity or entities they want to influence. Direct action implies direct *interaction* with those who are asking and those who are answering. An example of the difference:

Locking oneself to a bulldozer to prevent its immediate use in logging (direct)

vs.

Filing an injunction against a timber sale in through the courts (indirect)
This distinction *greatly* narrows the definition thereby what is considered direct action. It is important to note that this is my own definition; there are many who would qualify/dispute it, and is to be invoked for the purposes of this paper alone. Now that we have a working idea of direct action, we can move onto the subject of this piece: *environmental* direct action.

**Direct Action** ➔ **Environmental Direct Action**

Environmental direct action (EDA) is simply direct action fueled by and aimed at easing environmental concerns. EDA is typically used as an umbrella term, encompassing both ‘non-violent’ and ‘violent’ tactics. For the purposes of this paper, in lieu of assuming the two sub-categories of violent and non-violent, I propose two alternative classifications: destructive and non-destructive.

**Violent and Non-Violent** ➔ **Destructive and Non-Destructive**

The reasoning behind the proposed modification is as follows:

1. First, drawing a distinction between violent and non-violent in terms of direct action is incredibly difficult and requires navigation of controversial waters. Reason being: although human life is not intentionally threatened in EDA, targeted destruction of property is a commonly employed tactic. Terming acts of destruction as non-violent seems inadequate; yet, labeling them as violent seems to broaden the scope of a word which typically refers to human-to-human interactions, to include what is more properly termed as ‘destruction’. Overcoming these common arguments to stake a credible claim on such a vague topic requires significant subjective analysis, which may be convincing, but loses credibility due to its inherent subjectivity.

2. Second, if I *were* in a position to stake a credible claim, it would likely be that terming the targeted destruction of inanimate objects as violence is a misuse of the word, and labeling them as non-violent is equally inappropriate since the acts have little to do with harming humans in the first place—in short, that violent and non-violent classifications are largely inapplicable.

3. I find what Andy Savage of Earth First! states on the matter of violent versus non-violent direct action to be rather poignant: "It is no longer a question of whether or not such acts are violent, or what constitutes violence, but whether what the state has deemed violent is acceptable to the community as a whole." (Chadwick 2013). To circumvent the inherent issues to labeling a form of protest as violent when the objects of violence are nonhuman, I propose the two alternate classifications of destructive and non-destructive environmental direct action. These terms are both less controversial and integrally truer to the EDA acts themselves.

Again, for the purposes of this paper, EDA shall encompass the categories of non-destructive and destructive action in lieu of the conventional yet controversial categorization of ‘violent’ and ‘non-violent’. It follows to define what constitutes ‘destructive’.

**Destructive:** any action that permanently damages property so as to make it temporarily or irreparably unusable for purposes intended by the owner without immediate economic investment in damaged property.
Destructive EDA includes (but is not limited to):

- disabling bulldozing equipment through transmission damage
- scuttling a ship by removing bolts to the water pressure cabin
- laying a line of spikes in a logging truck road
- billboard incineration
- tree-spiking (especially if done without notifying authorities)

Destructive EDA does not include activities such as:

- blockading a road with fallen trees or people
- tree sits in strategic areas
- locking oneself to equipment or property
- any form of banner drop
- any form of space occupation
- removing area markers or signs in timber review

Throughout this paper, I will not specify whether referring to the destructive or non-destructive category but rather use EDA as an umbrella term and let the reader decide which category the action belongs to.

Ecotage

As is evident from the above examples, EDA encompasses a myriad of tactics which vary in intensity and the effects they produce. One of the most common tactics within EDA is sabotage. Put succinctly, sabotage is property destruction or manipulation (typically of a clandestine nature) for political reasons and/or human rights-based aims.

Unlike sabotage however, ecotage does not stem from the arenas of warfare or worker’s-rights. The term was first popularized in 1972, with the publication of Sam Love’s *Ecotage!* which explores the tactics of early environmental-saboteur groups.

“Ecotage” is a combination of the root “sabotage” and the prefix “eco”, referring to both ecosystem and economic. The aim of ecotage is to directly protect the integrity of ecosystems in an immediate way, often by inflicting targeted economic damage. Dave Foreman, founder of Earth First! and EDA expert refers to ecotage as the ‘practice of damaging property to prevent ecological damage’; within my definition, I also include property manipulation (Foreman 1993).

Ecotage is property destruction or manipulation (typically of a clandestine nature) for *enviro-political reasons and environmental rights-based aims*.

Acts of ecotage are generally directed at private or public entities/projects seen by the ecotager as cause of destruction to ecosystems. Within this paper common targets of ecotage include whaling vessels, logging equipment and timber sales.

Ecoterrorism

Though its validity is questionable, the term ecoterrorism persists, since it’s coinage in 1983 by Ron Arnold, father of the Wise Use Campaign. Countless definitions and usages exist, originating from government, law enforcement, the public, media, mainstream environmentalists, and ‘ecoterrorists’ themselves. After an analysis of the most prominent definitions, I formed my own definition of the term.
In a broad sense, ecoterrorism is a radicalized branch of ecotage that utilizes similar tactics of property destruction and manipulation, but to an escalated degree that produces more intense results.

To help the reader distinguish among the many definitions thus far delineated and to illustrate the relationships between them, I created the following chart.

An environmentally-motivated group or individual uses or persistently threatens to use massive destruction of property or violence of a criminal nature against victims such that the threats/acts produce an undeniable state of terror within the victim(s)/target(s).

Although the most commonly cited examples of ecoterrorism seem to be clearly distinct from ecotage, the reality is that, drawing a line between the two in practice is extremely difficult. For instance, while the public hails the series of targeted arsons committed by the Earth Liberation Front as ecoterroristic, the disabling of logging equipment perpetrated by Earth First! is largely considered an act of ecotage. On the surface, the two actions seem disparate, but in reality both could be seen to inspire terror within their targets, simply to varying degrees. Hence, there is difficulty in concrete and unanimous classifications.

Now that the most crucial terms have been enumerated, we can move on to discuss why these definitions have come about in the first place, i.e. the common motivating factors behind EDA.

Motivations

The following is a brief synopsis of the major ideological motivations that drive groups to engage in EDA. In organizing the concepts, I chose to have each motivating factor as building off the last; however any one of them can stand alone as an impetus for engagement in EDA.

The Foundation: The strongest motivating factor is an individual's adherence to a biocentric worldview. **Biocentrism** posits that all life is sacred, and non-human life is as worthy of as many rights as human life; humans are simply one of many species, not the ultimate species.

The Glue: Most participants in radical environmental direct action do not stop at biocentrism. They go on to adopt a philosophy called **Deep Ecology** (a concept developed by Norwegian philosopher Arne Naess in 1972). The main tenet of Deep Ecology is ecocentrism, which is like biocentrism except in that it extends that intrinsic value to the abiotic community (i.e. entire ecosystems of both living and non-living entities—like mountains and rivers). Another principle of Deep Ecology is the call for humans to return to as natural a state as possible, abandoning technology and industrial development in favor of subsistence living and a more manageable population size. This latter tenet is so named, **Restoration Ecology**, because it aims to restore natural order to the earth.

The Catalyst: Both biocentric and ecocentric worldviews inspire within their adherents a **moral obligation** to vigorously protect all eco-systems and those living within it. Deep ecologists believe that humans are the
cause of massive death and destruction to life, therefore, in an effort to bring an end to that destruction and fulfill their moral obligation, human beings must be targeted and persuaded to change.

The Plan: To elicit that necessary change, any and all measures should be taken, beginning with the most peaceful and escalating to the most radical—if an action is not effective, it should be abandoned for a more effective one (Eagen 1996).

The Impetus: Frustrated with the lack of desired policy change affected through traditional democratic mediums, adherents to Deep Ecology/biocentrism abandon direct supplication to the government, in favor of indirect supplication through the public. More radical tactics (though not necessarily violent) are adopted which thrust the issue into the public conscience and hopefully garner public sympathy for the cause or incite a cultural shift away from destructive action (Bondaroff 2008). Thus, the government will perforce adopt new policies reflecting the public’s changing opinions.

The Finale: Finally, if all the socially acceptable measures have failed to produce the desired policy or cultural change, groups are left with very narrowed choices to fulfill their personal moral obligation. The use of environmental direct action, ecotage, and ecoterrorism are adopted to directly halt instances of eco-system destruction as they occur.

These are the ingredients that motivate the use of all forms of EDA. Once again, they need not all be present, nor appear in this order, but it is usually a combination of them that culminates in a groups adoption of extra-democratic means of lobbying through EDA.

Understanding, even superficially, the values, ideologies, and other motivational factors held by EDA participants is a crucial step in understanding the reasons why certain groups go to such controversial lengths—risking jail time, a terrorist label, even their lives—to carry out their mission of environmental protection.

**Methods**

To reach my conclusions, I employed three main methods: a study of relevant literature, primary document analysis, and two interviews with major figures within the EDA community: Mike Roselle, a founder of Earth First! and Dwight Worker—a pivotal crew member to Sea Shepherd. To supplement an interview with a member of the Earth Liberation Front—I use indirect interviews from the documentary *If a Tree Falls* which follows the evolution and dissolution of the ELF movement. Below the details of each method are enumerated.

**Literature Study**

Because I largely limited the literature I reviewed to scholarly articles and journals, I chose to utilize various academic search engines in lieu of sifting through abundant but significantly less credible rhetoric on the internet.

The main online libraries I utilized were JSTOR, EBSCO, LexisNexis, and WestlawNext—with the majority of relevant literature coming from EBSCO and WestlawNext.

What I really wanted were pieces dealing particularly with the policy implications of radical environmental direct action, but close to nothing was returned when I searched those key words together; I had to modify the search to return results containing “environmental direct action” and seek out the pieces that dealt with
policy implications myself. However, even after that modification, works that specifically dealt with the policy implications were scarce and only vaguely relevant.

I then broadened my search terms to “ecotage/eco-tage”, “ecoterrorism/ecoterrorism”, “direct action”, “monkey wrenching/monkey-wrenching” and attempted all the permutation of “policy implications” (i.e. “policy effects”, “policy ramifications”,”consequences”) and finally just searched “policy”.

For print sources, I went to the Monroe County Public library and, using the same key words in their catalogue, located and about ten books which I checked out periodically over a span of two months to familiarize myself with the history of EDA overall, its key figures, and the main sides of the ecoterrorism debate.

Overall, I read about forty scholarly articles and skimmed about 10 historical books in addition to viewing several documentaries. Mainly, the literature study is simply background knowledge that helps frame the entirety of my research. I do not explicitly review the literature but rather utilize it to inform my own research. The lack of literature pertaining explicitly to the policy implications of environmental direct action necessitated the next method of research: primary document analysis.

**Primary Document Analyses**

To counterbalance any bias or misinterpretation of the scholarly articles, I also directly read through relevant policies and laws (such as the USA PATRIOT Act and the Animal Enterprise Terrorism Act) using the electronic code of federal regulation.

To supplement the lack of secondary sources regarding the direct policy implications of environmental direct action, I went to each group’s subsequent website to view the policy changes they accredited themselves with—especially with Sea Shepherd. For Earth First! I had to look through the archives of their journals to find explicit campaigns and their outcomes. The ELF did not have a list of policy changes they incited.

**Interviews**

The most engaging aspect of this project was my interaction with two integral figures in the environmental direct action movement: Dwight Worker (Sea Shepherd) and Mike Roselle (Earth First!).

I met with Dwight at his cabin in Bloomington. He requested that our interview not be recorded, so I simply typed as he spoke.* About an hour was spent doing Q and A and for the remaining two hours, he gave me a tour of his self-sufficient cabin and farm, complete with a list of book suggestions from his private library and a half dozen eggs from his chickens. *Because of this, I do not have a full transcript of what was said, and therefore will only be able to use snippets of Worker’s dialogue within the discussion.

Mike Roselle and I spoke over the phone—he talked while I typed. The questions were similar to those I asked Dwight, yet tailored more specifically to Mike’s background with Earth First! I spoke with Mike for about an hour; he answered each of my questions very thoroughly and imparted a lot insider insight on environmental direct action.

I would have liked to have had the chance to interview a different stakeholder within the EDA movement, such as a US Forestry Service Manager, an FBI agent, a policy maker or conservative congressional representative. I will continue to seek out an audience with other potential stakeholders, but unfortunately their opinions will not be directly represented within this piece.
Again, the purpose of this paper is answer two crucial questions: What are the most effective tactics EDA groups can utilize to generate environmental policy change within their respective campaigns and what are the characteristics of an effective EDA campaign overall?

To go about answering those questions, I will first dive into what has already been said on the topic through the literature review.

Next we’ll take a more intimate look at the groups in question: Sea Shepherd, Earth First!, and the Earth Liberation Front. Here I will primarily employ primary document analysis to illustrate the link, or lack thereof, of each groups’ action and ensuing environmental policy changes.

Finally, we’ll move into a direct comparison of each group before coming to the conclusions concerning the above-mentioned questions.

A Sketch of the literature used to inform my research

The following is a sketch of what the literature I used to inform my research.

Timeframe: The most relevant scholarly discussions of EDA were written between the birth of Earth First! in 1980—and a decade after the dissolution of the ELF—i.e. present day.

Authorship: Typical authors for these pieces are male academics—from recent graduates to veterans—with a political science degree.

Style of the works: The works generally take on an investigative attitude and seem to be driven by genuine curiosity. Because of this, they do a fair job of exploring environmental direct action and arrive at their conclusions in an unbiased manner.

Potential Bias: As a caveat, the pool of literature written from a pro-environment perspective seems to significantly outweigh the volume written from a pro-industry stance; therefore the literature review will likely reflect that inequality.

Nature of the works: The overall approach, or perspective, of the literature is inevitably similar; because environmental direct action and related words like ecoterrorism are elusive of universal definitions, chameleons in their manifestations, and driven by intense ideologies, the reigning literature is likewise somewhat ideological, speculative, and subjective in nature. Moreover, as the topic of EDA and ecoterrorism does not easily lend itself to objective scientific analyses via statistical data or empirical evidence, most authors are limited to a few methodological approaches: 1. a subjective and intimate analysis a single environmental group, 2. a close comparison of a few prominent groups, or 3. a broad survey of several groups. (Beyond these methods, the conversation becomes largely conceptual or theoretical in nature, and though interesting, resists direct application. Therefore, I will focus on literature that directly analyzes the groups.)
A Brief History

While on a southwestern camping trip in 1980, Dave Foreman, Mike Roselle and three others informally founded what would become the most prominent EDA action group of the 1980s and 90s: Earth First! (EF!). Foreman and Roselle and others were dissatisfied with the status quo—they believed the post-1970s environmental movement was stagnating—citing a waning commitment, increased careerism, and an environmentally unsympathetic congress (CITE).

The biocentrism of the 1970s was dying in a republican-run White House overall more concerned with economic growth via utilitarianism (i.e. the Wise Use Movement) than Muir’s preservationist insight. As a result, pressure was mounting to open up protected public lands under the Department of Interior’s (DOI) and Department of Agriculture’s (DOA) jurisdiction for resource extraction—namely timber and oil. Under this mounting pressure, the Department of Agriculture announced the results of the US Forest Service’s Roadless Area Review Evaluation II of 1979 which “catalogued America’s roadless wilderness and recommended tracts to preserve as federal protected” (Kuipers 2009). Out of the 80 million acres under review, only 25 percent was preserved—15 million acres.

While the Big 10 mainstream environmental groups were not vocal about their disappointment, the founders of Earth First! saw the results as the most unacceptable in a long line of government concessions to industry and corporate interests. The RARE II is commonly cited as the most powerful catalyst for EF!’s founding. The results demonstrated to founders a lack of allies within the DOA and DOI and the failure of in-system advocacy to produce tangible results. Therefore, EF! founders believed extra-legal tactics would likely be in order to fulfill their promise of “no compromise in the defense of Mother Earth”.

In addition to feeling disillusioned by what they saw as a decreased commitment and increased careerism within the environmental movement and the disappointing results of RARE II, the founders took issue with a few specific policies concerning public land development.

Policy Missions

They vehemently disagreed with the USFS new policy calling for increased timber sales in old growth forests as well as the Bureau of Land Management’s increased interest in oil extraction. Dave Foreman, co-founder of EF! echoes this sentiment quite frankly in his autobiography *Confessions of an Eco-Warrior*:

> The lands of the [BLM]…appeared to the Interior Department as…naked without…oil wells. Concurrently, the Agricultural Department directed the Forest Service to rid the National Forests of decadent and diseased old-growth trees (Foreman 1991).

These inciting concerns regarding the development of old growth forests and roadless wilderness areas comprised the basic policy missions of EF!: to protect valuable old growth forests from timber sales and maintain roadless areas as protected wilderness in as immediate and expedient a manner as possible.
Importantly, EF! believed many of USFS and BLM-permitted developments ‘illegal’ under the National Environmental Protection Act of 1979.

EF! became a frontline of defense for these areas under development; often called a movement, rather than an organization; largely due to the mobile and action-oriented nature of its campaigns. Word was spread, ‘members’ traveled to the location, congregated, performed their actions for however long the campaign lasted, dispersed, and quickly took their EDA tactics home to form other EF! groups.

**EDA Tactics**

What were those tactics? Under the definitions given previously, EF! employed both EDA and the subset within EDA, ecotage—both of which the group terms ‘monkey-wrenching’—alluding to a *The Monkey Wrench Gang*, a novel by Edward Abbey which follows a rag-tag group of disillusioned environmentalists on their ecotaging adventures. The majority of EF!’s tactics fell into the category of non-destructive EDA, namely road blockades, sit-ins, tree-sits, lying beneath bulldozers, strategic space occupation etc…all occurring at the point of extraction.

A small segment of their tactics (never formally owned by EF!) allowed for property manipulation/destruction called ecotage. These included disabling logging equipment and laying road spikes on logging roads, removing survey stakes, and tree-spiking—their most controversial and infamous tactic.

Tree-spiking consists of inserting long iron rods into trees slated for sale to render them economically useless in an upcoming timber sale (as the spike would damage any saw blade it came into contact with. A crucial part of spiking was labeling the tree with an “S” and notifying USFS authorities of the spike).

EF! also employed non-EDA tactics within the democratic sphere—most notably, litigation. The group often filed injunctions challenging the legality of upcoming timber sales under EPA regulations or took the case beyond the lower courts to the state in which the development was taking place.

**EF!’s Evolution**

In the late 1980s, the group underwent several serious setbacks which included: the near fatal injury of two integral Earth First! members from a car bomb (Judi Bari and Darryl Cherney), persistent litigation against founding member Dave Foreman, who consequently parted ways with the group, increased and FBI investigation and law enforcement interaction, and finally a formal renunciation of tree-spiking due to negative public opinion (Louisiana-Pacific launched a campaign against radical environmental groups like Earth First! after one of their loggers, George Alexander, was maimed by a spike in 1987). Although, EF! cells are still very much in existence today all across the US, the ‘movement’ as a whole lacks the vigor and sustained activity that characterized its early years.

Now that we have a history and brief portrait of the group, we can move on to our discussion of the explicit policy implications of their EDA tactics and EDA-centered campaigns. The following excerpts from an interview with Mike Roselle offer a more intimate look at Earth First! from a founder’s perspective.
An Interview with a Founder

**MR on basic actions of EF!:**

“Our first direct action was...intervening at the point of extraction...the scene of the crime would be a better term...our actions were generally focused on the logging where it was happening, the mining where it was happening, but we also...bird-dogged decision makers [which] took us to their office, to their corporate headquarters, to the state capitals”

**MR on the nature of EF! campaigns:**

“campaigns...have to have three components...education, litigation, and legislation...direct action is really part of the **education** part...if you don’t have a way to enforce the existing laws [**litigation**], then your campaign is probably not going to be very successful, and if you don’t have the laws that are necessary, then you need to pass those laws—**legislation**...different campaigns emphasize different parts...some campaigns ignore certain parts altogether but...really most campaigns have to have those components—not that **every organization** has to work on all three of them—with EF!, we did not work on the legislative angle, but we did work on the litigation.”

**MR on whether EDA is more effective at generating environmental policy change than traditional democratic mediums employed by mainstream env’t groups (note that what I call EDA, Roselle calls non-violent civil disobedience (NVCD). To prevent confusion, I simply substituted NVCD with ‘EDA’):**

“I don’t know if that’s the right question. The question is, we have a policy change that we need and what’s the best way to get it. **In order to use [EDA], one is required to have to exhausted all other means.** You do the appeals, you do the lawsuits, you fight against the bill passing, you do everything you can, so that way when you get in front of the judge...and they go, “well what did you do?” Well, I did everything that was possibly available to me and still this injustice occurs.

...an [EDA] component to the campaign really elevates its level...you can get a lot more people concerned and engaged...if you have a very good issue but a very dull campaign you can make it more interesting by introducing the concept of creative confrontation because the media of course is attracted to confrontation...they’re not attracted to policy disputes.

**[EDA] is a good way to get the news**...when you look at a sustained campaign of [EDA] where you’re trying to stop a particular project—one that is already occurring—well, that’s a whole different animal. You know, you’re not just hitting one time and hanging a banner, you’re coming back, you’re coming back, you’re coming back...Those are the kinds that EF! runs probably more than any other group in the US.”

**MR on whether EDA (particularly EF!’s) truly effects policy change:**

“Oh, absolutely...it’s well documented...even...in the mainstream environmental movement, they’ll admit that...In terms of policy if you look at policy on old growth forests in this country and roads...Earth First! has definitely affected the policies there...[using] a three pronged attack [delineated above].

In the old growth campaign, if you look at the relationship between the direct action and the environmental lawyers—you see this is where all the timber sales and the roads were actually stopped...once these roads were stopped that led to other types of solutions, either revisiting how they applied the regulations, and following the law better or actually passing new laws...we saw both of these things happen and we saw a lot of
old growth forests that were slated to be cut that the mainstream environmental movement had...given up on—we’re talking millions of acres—we [EFI] were able to pull their chestnuts out of fire and...protect half of that while the rest of it was being logged and in some cases it continues to be logged but at a much different rate than it had been.

...without [EFI’s] direct actions to call attention to this, to mobilize people, to basically alarm them, and get them organized, it would never have happened.”

MR on specific policies/regulations passed as result of EFI’s EDA campaigns:

“They’re too numerous to count”

- Headwaters Forest Reserve in California
- Redwood Summer
- Little Granite/Gros Ventre Wilderness Area in Wyoming
- Warner Creek and Pyramid Creek in Oregon’s Willamette National Forest
- Bald Mountain in Idaho

“It would be really hard to do the research and find out exactly how many policy changes, how many acres of forest were saved, if you talk to anyone of us that’s been around for a while, we changed the direction of all the policies; so every policy that was enacted after [EFI’s old growth campaigns] was...affected by this new awareness that old growth forests were both valuable and endangered and being cut unnecessarily.

We changed the paradigm and the paradigm eventually changed the policy. Before we started working on old growth, even the Sierra Club did not publicly advocate for them being protected and would not say how important they were biologically...The [sierra club] wasn’t going after protecting the old growth areas primarily because they were in smaller chunks, and they were going for the large rock and ice roadless areas that were more glamorous with peaks and lakes.

...you could either look at it at the individual level—acre for acre—you could find that number, it would take you a long time—but then broader thing is how did we change the way they teach forestry at the Yale School of Forestry? They teach it different now; I gave a speech there back in 1982, and the audience was hostile towards saving old growth and I bet if you went to that same hall now...the paradigm...would be completely different to: old growth is valuable and protecting it is urgent.”

An Empirical Look

According to Roselle, EFI’s EDA tactics were successful in altering old growth policies. He posits that because of EF!’s campaigning, the entire thought-process (paradigm) regarding old growth shifted towards preservation over wise use. He focused on old growth campaigns over roadless area campaigns—an inequality which I will hopefully counterbalance in the next few pages.

The questions remain, which EDA tactics were most effective? What explicit policy/regulation changes resulted from the old growth and roadless area campaigns?

To supplement the subjective nature of an interview, to provide more concrete information regarding each campaign and the tactics used, and to ultimately more answer the questions above, I have 1) compiled a timeline of the most notable EF! EDA old growth forests and roadless area campaigns and juxtaposed them with presumably resultant policy changes and legal precedents and 2) researched the campaigns Roselle
enumerated in his interview and formatted my findings in such a way that provides a side-by-side comparison of EDA tactics employed and the results (policy and otherwise) of each campaign.

<table>
<thead>
<tr>
<th>Campaign</th>
<th>Mission</th>
<th>EDA Tactics</th>
<th>Defining Action</th>
<th>Results</th>
<th>Policy Victory?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Little Granite &amp; Gros Ventre Wilderness Area</td>
<td>Roadless Area</td>
<td>Demos, creative 'bird-dogging'/targeting of officials</td>
<td>Successful petition to Department of Agriculture</td>
<td>Little Granite &amp; Gros Ventre declared protected Wilderness Area</td>
<td>Yes</td>
</tr>
<tr>
<td>Bald Mt. &amp; Kalmiopsis Wilderness Area</td>
<td>Old Growth</td>
<td>tree-spiking, blockades of bulldozers</td>
<td><em>Earth First!</em> v. Block: granted injunction temporarily halting logging. EFI featured in <em>Wall St. Journal</em></td>
<td>precedent set: logging on roadless areas violates Wilderness Act of 1964, cause went nat’l;</td>
<td>Yes</td>
</tr>
<tr>
<td>Cathedral Forest in Middle Santiam Wilderness</td>
<td>Old Growth</td>
<td>1st ever tree sits, rd blockades, space occupation</td>
<td>tree-spiking</td>
<td>USFS extracted spikes, sale proceeded</td>
<td>No</td>
</tr>
<tr>
<td>“Redwood Summer” (1990, CA)</td>
<td>Old Growth</td>
<td>tree-sits, rd blockades, chain to bulldozers</td>
<td>creative demos, largest direct action gathering (3,000-4,000 participants) up to that point, statewide Referendum— “Forests Forever Initiative” to protect redwoods</td>
<td>Timber industry lobbying killed referendum, series of <em>lawsuits by Environmental Protection and Information Center</em> protects remaining redwoods</td>
<td>Mixed Result</td>
</tr>
<tr>
<td>Warner Creek in Willamette Nat’l Forest</td>
<td>Old Growth</td>
<td>tree-sits, sustained rd. blockade</td>
<td>longest road blockade in history (343 days)</td>
<td>Timber sale continued, grew public support for EFI!</td>
<td>No</td>
</tr>
<tr>
<td>Headwaters Forest Reserve (1990-2000, CA)</td>
<td>Old Growth</td>
<td>tree-sits, rd blockades, chain to bulldozers</td>
<td>numerous celebrity sponsorships, and climbs of Golden Gate Bridge for media attn.</td>
<td>Pacific Lumber Co. bought by Mendocino Redwood Co. &amp; reduced cutting 7 yrs after campaign</td>
<td>No</td>
</tr>
<tr>
<td>Cove/Mallard Wilderness Area (1999, ID)</td>
<td>Roadless Area</td>
<td>Rd. blockades, tree-sits, sustained action camps, intimidation of loggers</td>
<td>1st tripod road blockades in US history</td>
<td>&gt; 1993 ID criminalizes EFI involvement <em>Idaho Sporting Congress v. USFS</em> &amp; forest supervisor temporarily cease rd. construction &amp; timber sales in C/M</td>
<td>Yes</td>
</tr>
</tbody>
</table>


**Which of EF!’s EDA tactics were most effective?**

One would hope that by looking at results of these campaigns and the major tactics in such a pared down format would lead to a definitive answer to the above question, unfortunately, the answer will never be clear-cut and concise; campaign results are nearly always mixed and policy results do not occur in a direct cause-effect sort of way.
That being said, even with the small sample size of campaigns under study here, certain trends manifest. Based on this information, I came up with three characteristics possessed by the most effective (with respect to policy change) EDA tactics:

1. Non-violent/non-destructive
2. Effectively obstructs ‘injustice’
3. Sustainable (over time)
4. Generate media attention

I judge EF!’s most-utilized extra-legal EDA tactics’ effectiveness based on how well they adhere to the above criteria.

Most Effective: Road-blockades
- Their absolute adherence to non-violence/non-destruction is much more likely to generate public sympathy than a more controversial monkey-wrenching tactic, like tree-spiking.
- In a roadless area or old growth grove for which there is limited access, a sturdy road blockade and strategically located can be extremely effective in indefinitely obstructing the targeted action—as physical removal or alternative road construction become the only options.
- Given the amount of volunteers and strength of equipment used, road-blockades can be sustained for extended periods of time (ex: Warner Creek blockade lasted 343 days).
- Road blockades are of middling-effectiveness in generating media attention.

Middling Effectiveness: Tree-sits and chaining oneself to machinery
- Tree-sitters are more easily removed (with cherry pickers or by cutting the tree) than a semi-permanent road-blockade. Chaining oneself to machinery requires even less effort for removal. Thus they lack both sustainability and ability to effectively obstruct.
- Tree-sits and chaining/locking oneself to machinery are fairly effective at generating media attention.

Least Effective: Tree-spiking
- Whether tree-spiking is non-violent and non-destructive is highly disputed—on both sides. If done improperly, it has the potential to truly harm (as was the case with Louisiana Pacific logger George Alexander in 1987), however it also has the potential to essentially protect an entire grove of trees from what environmentalists would consider destructive. Suffice it to say, because it is disputed, spiking does not adhere absolutely to non-destruction/non-violence.
- The jury is still out on whether or not spiking was actually an effective obstruction technique. Judi Bari—former integral EF! member who headed up the Redwood Summer campaign—declares confidently that it was incredibly ineffective—the spikes were simply extracted by USFS employees and the trees were more often than not cut anyways—this opinion is reiterated among many USFS forest managers. Even EF! co-founder, Dave Foreman admits in his autobiography, Confessions of an Eco-Warrior to still being undecided, even years later, perhaps due to the fact that the tactic was used as fodder for the logging industry to mount a campaign villainizing all of EF! as radical eco-terrorists. I think EF!’s formal-renunciation of the tactic in 1990, speaks more on the matter than any opinion or result of a particular spiking. With the renunciation, EF! essentially said: “We are the group that popularized this tactic, yet we realize, overall, it has worked against us”.
- Sustainability of action: A benefit of the tactic: It does not take 343 days to spike an old growth grove. Downfall: There are only so many groves you can spike before you are arrested and your effectiveness plummets to zero.
• Spiking was incredibly effective at generating media attention. Most publicity was negative in the sense that it condemned the tactic, yet positive in that it shed light on EF!’s overall cause.

Uncertain Effectiveness: ecotage
• The cases of ecotage (property destruction or manipulation) are, for obvious reasons, not well documented—so the effectiveness of such tactics remains, to me, uncertain. However, I can speak to one category: ecotage is probably one of the most effective tactics with respect to obstruction—you cannot bulldoze if the bulldozer is broken.

In terms of EDA, to achieve the best policy results (via positive media attention and public sympathy), EF! should continually employ non-destructive, sustainable, and effectively obstructive tactics like road-blockades as a first choice, and clandestine, unsustainable, destructive, and potentially negative-media-generating tactics *like ecotage as a last resort.*

**EDA as a Single Component**

While the policy implications of EDA are the immediate focus of this paper, the second is to discover characteristics of an effective EDA campaign overall; naturally, those characteristics go beyond EDA. As Roselle insightfully points out, the most effective campaigns incorporate “education, litigation, and legislation”. Roselle contends that EDA falls within the education component—I respectfully dissent; given the importance of education to any campaign, I believe separating education from EDA is essential to render the message more credibility to the general public.

Of these three components, EF! campaigns focused heavily on EDA and litigation. Within the litigation component, EF! frequently filed court-ordered injunctions based on EPA regulations to delay timber sales. Furthermore, EF! also pursued litigation that went as far as the state courts against logging entities and the USFS directly and through legal partnerships. These trials often proved successful in delaying or even halting altogether the project in question (see page 15).

I noticed two trends in this area which can inform overall EDA-campaign effectiveness. 1) It seems more effective litigation efforts were actually undertaken by EF! partners—environmental law experts—rather than EF! itself. Beyond being more successful in terms of policy, allowing partners to undertake litigation efforts frees up more time and resources for the group to focus on education and EDA.

Secondly, while injunctions were temporarily effective at obstructing a timber sale, the most tangible policy results came from those larger cases that challenged whether EPA and other federal regulations were being upheld.

Therefore, from my research on EF!, in terms of non-EDA components within an EDA-campaign, I suggest the following:

1. Separate education from EDA, do not rely on those performing the direct action or the direct action itself to educate the general public in a way they understand and can relate to
2. Seek out partnerships for litigation who are experts in environmental law
3. Allow partners to pursue large cases that challenge the enforcement of federal regulations, while the group itself can incite smaller cases that lead to temporary results—such as injunctions.

Now that we’ve discussed each EDA tactics’ effectiveness in detail, we can move onto the overall policy results of EF!’s EDA-campaign.
Were EF!’s campaigns effective in altering old growth and roadless area policies?

Recall what Mike Roselle said on the matter:

Before we [EF!] started working on old growth, even the Sierra Club did not publicly advocate for them being protected and would not say how important they were biologically. This was old timber, that if it…cut down it would be replaced by vigorous young growth and that old trees didn’t grow, that they rotted, that they were being wasted and that they weren’t even good wildlife habitats: that was the forestry paradigm.

Looking at just a few scholarly articles from around Earth First! campaigns, Roselle’s assertion regarding the common old growth paradigm is proven valid. In *Old Growth: The Contribution to Commercial Forests*, one dissident ecologist argues against the reigning view that there is little ecological value to old growth, citing the flaws in popular conceptions:

> In any case, old-growth forests are not biological deserts, a term that was coined by fish and wildlife people…” and further, "Productivity of old-growth forests has got a ‘bum rap’ from foresters, as being low productivity systems (Franklin 1989).

Another article entitled *Old-growth Policy* supports Roselle’s claim further:

> It was the concern about endangered species…and the relationship of those species to forest practices (in particular, the removal of old growth) that mobilized the environmental community to take legal action whenever the Forest Service appeared to have ignored administrative procedure or non-commodity values (Vosick 2007).

Finally, *The Final Feeding Frenzy on the Federal Forests* explicitly depicts the reigning thoughts on old-growth in the 1960s—1980s: “The misconception is that fire suppression, high-grading, and other mismanagement can be fixed by logging out the [old growth] biomass these systems actually need to recover” (Nanas 1995).

Nanas is referring to a practice encouraged by a law signed into law by Clinton in 1995 called the ‘Salvage Rider’ which expedited logging on national forests…by suspending environmental laws that ordinarily protect those forests” (Elderkin 1996). The Emergency Salvage Program targeted the forests known to have significant amounts of old growth, and also called for the quick extraction of “dead” trees (or, old growth). This law is further evidence that old growth simply was not a priority to land management departments in the US government.

At the end of EF!’s most vigorous 20 years of direct action campaigns, Clinton issued the “Roadless Area Conservation Policy, ending virtually all logging; road-building; and coal, gas, oil, and other mineral leasing in 58 million acres of the wildest remaining national forests lands” (www.earthjustice.org). Recall that EF!’s policy goals were the halting of old growth timber sales and increased logging, road construction in roadless areas, and oil extraction in wilderness areas and that Clinton’s law banned all “logging; road-building; and…oil…leasing” from wilderness areas. With the passage of this law, EF!’s policy goals were unequivocally achieved; what remains to be seen, however, is the direct link between EF!’s actions and the policy change. Was EF!’s sustained EDA campaigning a major catalyst for the bill’s passage?

It is dubious that a decentralized radical environmental group had that strong of a hand over the president, federal agencies, and deep-pocketed corporate lobbyists. Rather, the link between EF! and the Roadless Rule
can be found in how the group helped alter public opinion. In 2000, a year after the bill was first proposed, a survey revealed that 76% of American’s supported the bill’s passage. (“Wild Virginia: Roadless Areas”). EF! was the one of the most vocal environmental groups during that time, advocating explicitly, consistently, and loudly for all three of the provisions outlined in the Roadless Rule—before any mainstream environmental group breached the subject.

Because of this, I contest that the group did have strong hand in altering environmental policy. (That is certainly not to say EF! pioneered the bill). From the micro-level, saving old growth acre by acre—to the federal level with the passage of the Roadless Rule, EF!’s unique combination of EDA tactics—specifically blockades, tree-sits, and space occupation—in concert with a key litigation angle which challenged the enforcement of pre-existing environmental regulations—were undeniably effective in achieving at least some of their environmental policy goals.

Policy Losses

However, not all policy implications were positive. EF!’s more controversial tactics were equally as prohibitive as they were proactive with respect to policy passage. While tree-spiking and ecotage were indubitably instrumental in provoking media attention for their cause, they also served as an impetus for the passage of legislation against the group. For example, Idaho (1993) and later Oregon’s (1995) state laws criminalizing any EF! involvement, the numerous statutes promulgated during the late 80s against criminalizing logging obstruction, and the federal law criminalizing tree-spiking (US Anti-drug Act 1998). These are examples of policy losses because they increase EF! arrests (results in lost productivity), heighten the risks for activists, increase campaign expenses (provisions for bail and civil suits), and the entire EF! cause can be marginalized as ‘criminal’.

Because the information cannot present direct links, it is ultimately up to readers to decide whether EF!’s environmental policy successes outweigh their policy losses within their EDA campaigns.
Early History

Earth First!’s gradual retreat from the front lines of defense and renunciation of spiking was a catalyst for the formation of a more militant off-shoot of Earth First! called the Earth Liberation Front (ELF). EF! co-founder Dave Foreman states, “A schism opened between the ecologists in the group [Earth First!] and those more interested in “monkeywrenching” — sabotage or other forms of troublemaking” (Marris 2013). I actually believe the actions of the ELF are rightly termed ecoterrorism, under both the FBI’s and my own definition, rather than simply ‘sabotage’ and ‘troublemaking’. In 1992, the ELF was founded in the United Kingdom by former EF! members who were frustrated by what they saw as a ‘compromise in the defense of mother earth’ in lieu of appropriate tactical escalation.

The UK ELF’s major tactics were also ecotage (termed ‘pixieing’). Their first actions ranged from gluing locks to filling carts with meat and dairy so they’d spoil, their major action was the $100,000 worth of economic sabotage to a peat company. Overall, their actions were sporadic, hit or miss, and largely ineffectual at changing anything other than headlines on newspapers. Therefore, a mere four years after its birth, the UK branch disbanded. Arguably, their most effective action was to inspire the formation of two sister ELF cells: one in Canada in 1995 and later a US cell in 1996 (Parson 2007).*

*Tactic

The mission of this decentralized, underground eco-defense network was to take the profit motive out of environmental destruction by inflicting as much economic damage as possible. This translated into a series of arsons and property damage across the United States, most notably in the Pacific Northwest, perpetrated against entities ELF members perceived as environmentally destructive. The series of massive sabotage and anti-capitalist and anti-state ideology earned them a terrorist label from the FBI. And thanks to the sustained media attention, many American’s heard the term ‘ecoterrorism’ for the first time.

<table>
<thead>
<tr>
<th>Target</th>
<th>ELF Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Logging and Related</td>
<td>18</td>
</tr>
<tr>
<td>Government facilities</td>
<td>5</td>
</tr>
<tr>
<td>Corporations</td>
<td>33</td>
</tr>
<tr>
<td>Symbols of global economy</td>
<td>3</td>
</tr>
<tr>
<td>Urban Sprawl/Development</td>
<td>30</td>
</tr>
<tr>
<td>Genetic Engineering/Biotech</td>
<td>14</td>
</tr>
<tr>
<td>Facilities that threaten Animals</td>
<td>6</td>
</tr>
<tr>
<td>Total</td>
<td>109</td>
</tr>
</tbody>
</table>

Source: Steven Leader and Peter Probst, “Earth Liberation Front and Environmental Terrorism,” Terrorism and Political Violence 15:4 (2003). All the data was compiled from www.earthliberationfront.com
As is apparent from the table above, the ELF was most active in the early 2000s. Their arsons gained national headlines and incited the largest and most costly domestic counter-terrorism investigation the FBI has ever undertaken—called Operation Backfire (the counter-terrorism division must have a dry sense of humor). Much like the UK ELF, the US cell was short-lived. After the early 2000s, actions tapered off due to sustained FBI prosecution, arsons gone awry, and internal division among participants who wanted to escalate tactics further and those who began to question the effectiveness current tactics.

These factors led original members to disband and lay low, hoping the FBI’s enthusiasm would soon taper off. Unfortunately for ELF members, that never happened. The FBI found a loose end—a former leader among the group, Jake Ferguson, and bribed him with non-existent evidence to leak crucial information about other members. A domino effect ensued as member snitched on member, for plea bargains. During the trials, a contentious issue arose as certain ELF’ers were given “terrorist enhancement” sentences despite the fact that their actions resulted in no bodily injury.

**The ELF Today**

Since the culmination of Operation Backfire, the underground eco-defense network has effectively been reduced to sporadic acts of property damage committed by those informally operating under the ELF name; never have tactics or actions returned to their previous scale. However, faithful members still hold hope that in spite of the “snitching and duplicity that has eviscerated the Earth Liberation Front, the concept and philosophy of ELF can survive and continue to evolve” (earth-liberation-front.org).

The clandestine nature of the actions, their lack of formal membership, and that fact that any individual can commit an act in the name of the ELF makes pinpointing the dissolution of the group nearly impossible—likewise with EF!. Now, as environmental issues continue to grow in salience and public opinion becomes increasingly sympathetic towards the cause, I am curious whether EF! and/or the ELF will regain their former vigor and return once again to the frontlines.

**Policy Mission**

Motivated by the concept of Deep Ecology and “a deep sense of despair and anger at the deteriorating state of the global environment and the escalating inequities within society” ELF’s wanted to restore a sense of natural order and law to human-dominated ecosystems in the most expedient way they knew how: the destruction of the built environment and an immediate halt of environmental entities they saw as perpetrating environmental destruction. The core tenets of the ELF are as follows:

| 1) To cause as much economic damage as possible to a given entity that is profiting off the destruction of the natural environment and life for selfish greed and profit. |
| 2) To educate the public on the atrocities committed against the environment and life. |
| 3) To take all precautions against harming life. |

(Parson 2007)
We are not running out of time, we are out of time! We have to act now just so it doesn’t get any worse. Smash it, break it, block it, lock down to it. I don’t care what you do or how you do it. Just stop it. Get out there and stop it (Luers 2006).

According to Sean Parson, a political science pundit of the eco-anarchist movement, the ELF’s goal was the “destruction of the state, the abolition of capitalism and end of western civilization” (Parson 2007). It is evident that policy change was not the goal of the ELF, rather the immediate execution of virtue-based morals (completing an action because it furthers a held value or moral, regardless of means or consequences). Importantly, just because policy change was not an immediate goal of this group, does not mean it did not occur as a result of their actions.

As with E!F!, I compiled a timeline of the US ELF cell’s most notable direct actions over their most active years. Attention was paid whether the actions were claimed solely by the ELF, not their sister cell network, the Animal Liberation Front.

<table>
<thead>
<tr>
<th>WHEN</th>
<th>REGION</th>
<th>ESTABLISHMENT</th>
<th>TACTIC</th>
<th>DAMAGES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996</td>
<td>OREGON</td>
<td>McDonalds &amp; Chevron Station</td>
<td>vandalism vehicular &amp; property</td>
<td>$1,000-$7,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>US Forest Service Detroit Ranger Station</td>
<td>vehicular vandalism &amp; arson attempt</td>
<td>$15,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>USFS Oakridge Ranger Station</td>
<td>arson</td>
<td>$5.3M</td>
</tr>
<tr>
<td></td>
<td>MICHIGAN</td>
<td>Mink Fur Trade Farm</td>
<td>raid</td>
<td>150 Mink</td>
</tr>
<tr>
<td>1997</td>
<td>UTAH</td>
<td>Agricultural Fur Breeders Co-op</td>
<td>arson</td>
<td>$1M</td>
</tr>
<tr>
<td></td>
<td>OREGON</td>
<td>Willamette Nat’l Forest</td>
<td>tree-spiking</td>
<td>Unknown</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bureau of Land Mgt Horse Corral</td>
<td>raid &amp; arson</td>
<td>$500,000</td>
</tr>
<tr>
<td>1998</td>
<td>WASHINGTON</td>
<td>US Dept. of Agriculture and US Dept. of Wildlife</td>
<td>arson</td>
<td>$1.9</td>
</tr>
<tr>
<td></td>
<td>MASSACHUSETTS</td>
<td>Mexican Consulate</td>
<td>vandalism</td>
<td>Unknown</td>
</tr>
<tr>
<td></td>
<td>WISCONSIN</td>
<td>United Vaccines Lab</td>
<td>raid</td>
<td>Unknown</td>
</tr>
<tr>
<td></td>
<td>COLORADO</td>
<td>Vail Ski Resort</td>
<td>arson</td>
<td>$12M</td>
</tr>
<tr>
<td></td>
<td>OREGON</td>
<td>US Forest Industries Headquarters</td>
<td>arson</td>
<td>$700,000</td>
</tr>
<tr>
<td>1999</td>
<td>MICHIGAN</td>
<td>Mink Rancher’s personal property</td>
<td>arson</td>
<td>$15,000</td>
</tr>
<tr>
<td></td>
<td>OREGON</td>
<td>Boise Cascade Logging Co. Office</td>
<td>arson</td>
<td>$1M</td>
</tr>
<tr>
<td></td>
<td>MICHIGAN</td>
<td>Michigan State University Agricultural Hall</td>
<td>arson</td>
<td>$1M</td>
</tr>
<tr>
<td></td>
<td>INDIANA</td>
<td>Luxury Home Development</td>
<td>arson</td>
<td>$200,000</td>
</tr>
<tr>
<td>2000</td>
<td>MINNESOTA</td>
<td>St. Paul —road development and SUV dealership</td>
<td>vehicular arson &amp; ecotage</td>
<td>$1M</td>
</tr>
<tr>
<td></td>
<td>INDIANA</td>
<td>Construction site</td>
<td>ecotage &amp; arson</td>
<td>$15,000</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON</td>
<td>University of Washington Horticultural School</td>
<td>arson</td>
<td></td>
</tr>
<tr>
<td></td>
<td>WISCONSIN</td>
<td>USFS Research Station</td>
<td>property damage &amp; vandalism</td>
<td>$1M</td>
</tr>
<tr>
<td>Year</td>
<td>Location</td>
<td>Details</td>
<td>Action</td>
<td>Amount</td>
</tr>
<tr>
<td>------</td>
<td>----------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
</tr>
<tr>
<td>2001</td>
<td>INDIANA</td>
<td>Monroe County Republican Party Committee Office</td>
<td>arson</td>
<td>$500</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Martin State Forest Logging Project</td>
<td>ecotage</td>
<td>$55,000</td>
</tr>
<tr>
<td></td>
<td>COLORADO</td>
<td>Luxury Home</td>
<td>arson</td>
<td>$2.5M</td>
</tr>
<tr>
<td></td>
<td>NEW YORK</td>
<td>Luxury Condominiums</td>
<td>arson</td>
<td>$200,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Luxury Home Subdivision</td>
<td>arson</td>
<td>$50,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Luxury Home Subdivision</td>
<td>arson</td>
<td>$160,000</td>
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<tr>
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<td>OREGON</td>
<td>Ross Island Sand &amp; Gravel Co.</td>
<td>arson</td>
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<tr>
<td></td>
<td>WASHINGTON</td>
<td>Jefferson Poplar Farms &amp; Univ. of Washington Urban Horticultural Cntr</td>
<td>arson</td>
<td>$5.6M</td>
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<td></td>
<td>ARIZONA</td>
<td>McDonalds</td>
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<tr>
<td>2002</td>
<td>MINNESOTA</td>
<td>Univ. of Minnesota Microbial and Plant Genomics Research Cntr</td>
<td>arson</td>
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<td></td>
<td>PENNSYLVANIA</td>
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<td>spiking &amp; ecotage</td>
<td>$500,000</td>
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<td></td>
<td></td>
<td>USFS Research Cntr Allegheny Nat’l Forest</td>
<td>arson</td>
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<tr>
<td></td>
<td>VIRGINIA</td>
<td>Burger King and McDonalds</td>
<td>vehicular vandalism</td>
<td>$500,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>SUV Dealership</td>
<td>vehicular vandalism</td>
<td></td>
</tr>
<tr>
<td>2003</td>
<td>WASHINGTON</td>
<td>McDonalds</td>
<td>arson</td>
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<td></td>
<td>MICHIGAN</td>
<td>Luxury Home Subdivision</td>
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<td></td>
<td>ALABAMA</td>
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<td></td>
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<td>SUV and Hummer Dealerships</td>
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<td>3 Subdivision Construction Sites</td>
<td>arson &amp; property damage</td>
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<td></td>
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<td>SUV Dealership</td>
<td>property damage</td>
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<td></td>
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<tr>
<td></td>
<td>MAINE</td>
<td>West Old Town Landfill</td>
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<td></td>
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<tr>
<td>2005</td>
<td>CALIFORNIA</td>
<td>Developing Apartment Complex</td>
<td>arson</td>
<td></td>
</tr>
<tr>
<td></td>
<td>WASHINGTON</td>
<td>Construction Site</td>
<td>arson</td>
<td></td>
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<tr>
<td></td>
<td>VIRGINIA</td>
<td>Subdivision Development Site</td>
<td>arson</td>
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<tr>
<td>2006</td>
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<td>OREGON</td>
<td>Luxury Home</td>
<td>vandalism</td>
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2007—2008 NO NOTABLE ACTIONS—RESULT OF FBI PROSEUTION: OPERATION BACKFIRE

2009 WASHINGTON Falling of Radio Tower property destruction

Source: (Mtuck and Covill 2008)

The group’s favored tactic was arsons targeted at government and university research centers, subdivision developments, and car dealerships. Their acts of arson, property damage, and vandalism resulted in billions of dollars’ of damage across the US.
On a state by state basis, Washington and Oregon saw the most arsons and instances of property damage, followed rather surprisingly, by Michigan and Indiana, and then California. While not high on the incidence rate list, California and Colorado experienced the most costly and extensive arsons in their states. The arson of a California Condominium development in 2003 is by far the costliest arson by an environmental group to date-resulting in over $20 million in damages, followed by the infamous $12 million arson at the Vail ski resort in Colorado (slated for development on the critical habitat of the endangered lynx).

### Economic Damage by State

<table>
<thead>
<tr>
<th>State</th>
<th>Damage in Millions</th>
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<tbody>
<tr>
<td>Washington</td>
<td>$7,400,000</td>
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<tr>
<td>Oregon</td>
<td>$3,299,000</td>
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<tr>
<td>California</td>
<td>$12,320,000</td>
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<td>Michigan</td>
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<tr>
<td>New York</td>
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<tr>
<td>Minnesota</td>
<td>$331,500</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>$1,290,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>$90,000</td>
</tr>
<tr>
<td>Utah</td>
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</tr>
<tr>
<td>Nevada</td>
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</tr>
<tr>
<td>Oregon</td>
<td>$50,000</td>
</tr>
<tr>
<td>Montana</td>
<td>$100</td>
</tr>
</tbody>
</table>

Source: Maxim Magazine (Denson 2004)

How does the ELF’s preferred method of arson measure against the three characteristics possessed by the most effective (with respect to policy change) EDA tactics:

1. Non-violent/non-destructive
2. Effectiveness at obstructing ‘injustice’
3. Sustainability (over time)
4. Provokes positive media attention

1) Non-destructive? Obviously arson is both incredibly destructive and has the latent potential for being violent.

2) Effective Obstruction? Burning down a university research facility that studies genetically modified organisms may prevent that facility from carrying out its operations—but it often causes more environmental destruction as the building will now have to be rebuilt. The effectiveness of obstruction really depends whether the facility was ever rebuilt. In some cases, it was, in others obstruction was complete.

3) Sustainable? Considering the fact that the ELF is effectively dead as an organization—with all its founding members either in hiding or in jail, I believe it’s safe to say that the tactic was not sustainable over time.

4) Positive Media Attention? America did not respond positively to the ELF’s methods or demands.
Policy implications of ELF’s EDA campaign: state-level

Considering the incidence rates of the ELF arsons, a natural assumption would be that particularly affected states would try to enact statutes and policies to combat the specific form of ecoterrorism. That is true to some extent.

By 2003—in the midst of sustained ELF actions—six states had already tried to pass more stringent policies pertaining to common ecoterrorist tactics. The next year, four more states were added to the list. Below is a compilation I created using a publication by the American Legislative Exchange Council on *Animal and Ecological Terrorism in America* in 2003, Andy Parker’s scholarly analysis of ALEC’s proposed Animal and Ecological Terrorism Act published three years later, *Beyond AETA: How Corporate-Crafted Legislation Brands Activists as Terrorists*, and through a primary source search of legislative acts state by state. Further, I mapped out each bill to illustrate the geographical relationship between ELF activity and the passage of state policy and statutory measures to combat ecoterrorism.

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Correlation between ELF Activity and Ecoterrorist Policy Promulgation: State by State

# Map

- **Underlined bills** were the only ones to be presented in states affected by ELF arsons.
- **Red bills** are the only ones to have passed through both the House and Senate.

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*State legislation promoted after the height of ELF’s ‘campaign’*

<table>
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</thead>
<tbody>
<tr>
<td>WA SB 6566</td>
<td>OR SB 385</td>
<td>OK SB 2003</td>
<td>AZ SB 1081</td>
<td>MO SB 657</td>
<td>WA SB 6114</td>
<td>OH SB 67</td>
<td>SC HB 4439</td>
<td>NY SB 2998</td>
<td>HI HB 2550</td>
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<tr>
<td>PA HB 213</td>
<td>CA HB 2296</td>
<td>WA SB 6566</td>
<td>FL SB 67</td>
<td></td>
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</tbody>
</table>

Washington: 10 events
Oregon: 9
Michigan: 5
California: 4
Indiana: 4
Virginia: 4
New York: 3
Wisconsin: 2
Minnesota: 2
Colorado: 2
Pennsylvania: 2
VE, WI, IL, MI, AZ: 1 each

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*Gray = state saw significant ELF activity, Red = successful passage*
Analysis: State Legislation

Looking at the timeline first, it is evident that the sustained actions of the ELF effected policy change, especially considering the majority of state bills were proposed during the height or directly after the climax of ELF’s actions. Looking at the map however, the correlation seems less clear, as states hit rather hard with ELF actions failed to propose policies explicitly defining and criminalizing ecoterrorism. In his legal analysis, “Curb your ecoterrorism: identifying the nexus between state criminalization of ecoterror and environmental protection policy”, Paul J. Karasick explores this trend—taking Colorado and Pennsylvania as examples.

Pennsylvania was one of the first states to try to pass anti-ecoterrorism legislation back in 2002, the very same year that the ELF committed two arsons in their state (the final version did not get passed until 2006). Karasick claims that Pennsylvania statute is notable in that it specifically defines “ecoterrorism” and its purposes:

To “intimidate or coerce an individual lawfully” engaged in an activity involving animals, plants, or natural resources or using an animal, plant, or natural resource facility or “prevent or obstruct an individual from lawfully” engaging in such activities.

and enumerates its potential offenses:

Under the statute, those enumerated offenses against property include...arson, causing or risking catastrophe, criminal mischief, institutional or agricultural vandalism, agricultural crop destruction, burglary (only if committed for the purpose of committing another of the enumerated offenses), criminal trespass (only if committed “for the purpose of threatening or terrorizing the owner or occupant of the premises,” starting or causing a fire on the premises, or defacing or damaging the premises), theft... (Karasick 2009)

What that adds up to is a very powerful anti-ecoterrorism policy—in a state that only experienced one incident of arson (the other ELF action was simple ecotage and tree-spiking).

Colorado on the other hand, experienced one of the most high profile arsons in the history of the ELF movement—to a Vail Ski resort developing on the critical habitat of an endangered species of lynx—which resulted in over $12 million dollars in damage as well as inflicting over two million dollars’ worth of damage on a luxury home in Boulder. Regarding this disparity between Colorado and Pennsylvania, Karasick states:

Colorado’s lack of a specific criminal ecoterror statute is remarkable in light of acts of destruction committed in Colorado attributed to ecoterror...Eleven people were indicted under federal criminal law...for ecoterror acts including those on the Vail ski resort in January of 2006. In May of 2006, four more sets of federal indictments were brought by the Colorado United States Attorney in connection with the Vail fires (Karasick 2009).

The lack of policy changes in Colorado and other states that experienced incidences of arson and massive property damage, like Indiana and Michigan, does not nullify the overall policy implications of ELF tactics. These states may have simply chosen to “rely upon basic vandalism and destruction of property charges, instead classifying the environmental extremists who commit these forms of violence as terrorists. (ALEC 2003). Further, as in the case with Colorado, instead undertaking the complicated process of promulgating state by state definitions of ecoterrorism, prosecutors may simply choose to invoke the option of a “terrorism enhancement” sentence made available through “laws written in the wake of the 1995 Oklahoma City bombing” (“If a Tree Falls”).
Regardless of how certain states chose to go about combatting the threat of ELF’s ecoterroristic tactics, the 13 states who did propose adoption of anti-ecoterrorism statutes serve to show that the policy implications for this radical form of environmental direct action were real and immediate.

**Policy implications of ELF’s EDA campaign: federal-level**

The ELF’s actions also led to several federal legislative proposals and the notorious passage of P. L. 109-374—The Animal Enterprise Terrorism Act of 2006 (AETA) which strictly amended the Animal Enterprise Protection Act of 1992. The basic provisions or alternation that came with AETA are as follows:

- To amend the Animal Enterprise Protection Act of 1992
- amends definition of “animal enterprise” to include all enterprises that use or sell animal products, immensely expanding the prosecuting potential of act
- Lowered threshold requirements of criminal acts to include simply “conspiring” to commit any criminal act of vandalism, trespassing, threats, harassment, intimidation, disruption on an animal enterprise, its employees or those connected to employees
- Increased punishments and restitutions based on level of disruption or bodily harm
- Overall broadened scope of punishable acts

Source: (S. 3880 2006)

This legislation was most likely a result of ELF’s affiliated cell the Animal Liberation Front who targeted animal enterprises for raids. Yet because both the ELF and ALF claimed joint responsibility for those raids—sometimes they were solely perpetrated by the ELF—this policy can be seen as a direct implication of ELF’s EDA campaign.

**Overall Analysis**

The ELF did not seek to influence policy—in neither a direct political sense nor indirect sense by influencing the public: “To critique a group, like the ELF, for not having a positive impact on public opinion polls...misses the meaning of the group. The ELF does not wish to alter public opinion, to lobby politicians” (Parson 2007). Despite their disregard for in system change, the ELF has been one of the most influential EDA groups ever to have existed.

The sheer amount of state and federal policies they influenced is paramount. The paradox is that every policy proposed and/or adopted as a result of ELF’s campaign has worked against their ultimate mission of halting the environmental destruction perpetrated by capitalist society. Each policy enacted under the influence of confusion, indignation, and at times terror induced by ELF’s arsons follows the same trend; the policy offers:

1. A broader base of potentially incriminating acts of radical protest
2. A lower threshold at which acts are considered punishable
3. An increased punishment and restitution for participation

These new state and federal level policies aim to quash the very form of protest that the ELF advocated for. ELF’s campaigning indirectly increased the stakes for other environmental groups in carrying out any of their own forms of radical direct action. Further, because these acts are now criminal, the ELF’s tactics have made it increasingly difficult for any direct action group to carry out environmental acts of protest in a clandestine manner.
Their tactics truly were terror-inspiring—after and during their near decade long blaze across the US, all manner of corporations and businesses within the private and public sectors increased security and surveillance measures. Further, law enforcement agencies now have legal justification in increased investigation and prosecution of potential ecoterrorists.

Chelsea Gerlach, an ELF member indicted for numerous arsons and sentenced to 9 years imprisonment under a terrorism enhancement sentence muses retrospectively on the effectiveness of ELF’s tactics, “I realized years ago that this was not an effective or appropriate way to effect positive change” (Marris 2013). What Gerlach and many others sympathetic to the ELF cause may have failed to realize is not only were the arsons ineffective in creating “positive change”, the radical actions of these handful of individuals set the environmental movement an untold amount of time back in achieving the policy changes they were working towards.

ELF tactics dealt the environmental community a three-fold blow:

1. Their acceptance of violent tactics, sporadic victimization of unsuspecting citizens, and unapologetic alienation of their targets reduced public sympathy for any environmental cause thereafter.
2. Their non-specific demands and condemnation of the democratic system inflicted a huge wound to the credibility of the environmental movement.
3. The new policies created made it legally difficult for other radical environmental groups to achieve their policy goals

As far as policy is concerned, the reader needs little more evidence to see that the ELF’s tactics unequivocally damaged much more than property.
A Brief History

Sea Shepherd’s history really begins with Paul Watson. An enthusiastic marine animal rights advocate and former Canadian coast guard, Watson was a founding member of Greenpeace in 1969 (then known as the “Don’t Make a Wave committee” in reference to open seas nuclear testing) (Kuipers 2009). After a few years of dedicated service, Watson became frustrated by the organization’s bureaucratic structure and rejection of escalated direct action tactics; he parted ways with the group and founded the Earth Force Society in 1977 which eventually became the Sea Shepherd Conservation Society, in 1981.

Sea Shepherd is dedicated to halting all illegal at sea activity concerning endangered marine animals such as dolphins, whales, seals, sea lions, certain fish populations, etc... However, they are particularly known for their efforts to thwart illegal whaling operations and seal hunting. Importantly, Sea Shepherd only endeavors to thwart illegal at-sea activity—which, depending on the location, can range from a violation of a UN Resolution, US or other domestic law, or a treaty put forth by the International Whaling Commission. (The IWC establishes worldwide moratoriums, sanctuaries, treaties, and other regulations to safeguard the survival of global whale populations and is a crucial yet conservative ally to Sea Shepherd.)

Justification

While on their mission to halt these illegal activities, Sea Shepherd often employs EDA tactics that violate in themselves violate laws (as defined by the UN Convention on the Law of the Sea and national governments). To justify any illegal action they take, Sea Shepherd cites the UN World Charter for Nature of 1989 which states that “individuals [and] groups [shall] safeguard and conserve nature in areas beyond national jurisdiction...to ensure that the objectives and requirements of the [Charter for Nature] are met.” In addition to the charter, SS also draws justification from the treaties, agreements, and guidelines put forth by the following conventions:

- UN Convention of the Law of the Sea – 1982
- Convention of Antarctic Marine Living Resources
- Northwest Atlantic Fisheries Convention
- International Convention for the Conservation of Atlantic Tuna
- Declaration of the UN Conference on the Human Environment – 1972
- ASEAN Agreement on the Conservation of Nature and Natural Resources – 1985
- The Berne Convention
- Convention on the Conservation of Migratory Species

Source: www.seashepherd.org
**Tactics**

Their EDA tactics are what most call confrontational, or interventionist, as they set out to physically prevent an illegal hunt from occurring using intimidation and ecotage. The group essentially adopted tactics Greenpeace was not willing to do.

Their intimidation techniques range from the use comical ‘weaponry’ such as smoke bombs, water and pie cannons, and paintball guns, rolling documentation of hunt, warrantless searches and seizures, and in some cases physically ramming another vessel. Their ecotage tactics include disabling propellers, removing longlines and driftnets, dying seal pelts (to render them commercially useless), and most notably—ship scuttling (removing bolts in water pressure cabin in a docked, uninhabited whaling vessel so it sinks to bottom of harbor).

Their most confrontational intimidation tactics (ramming) and destructive ecotage tactics (scuttling) earned Sea Shepherd an ecoterrorist label from the media (while the courts recognize their range of activities as more appropriately termed ‘piracy’) (CITE).

Importantly, Sea Shepherd only endeavors to thwart only illegal at-sea activity—which, depending on the location, could be a violation of a UN Resolution, US law, or a treaty put forth by the International Whaling Commission. (The IWC establishes worldwide moratoriums, sanctuaries, treaties, and other regulations to safeguard the survival of global whale populations and is a crucial yet conservative ally to Sea Shepherd.)

**Democratic Stage: Non-EDA Tactics**

To complement their EDA focus, Sea Shepherd employs a variety of in-system, non-EDA tactics into their campaigns. The most notable of which are litigation for failed enforcement of laws and regulations put forth by national governments or international agreements, bounty offerings for pirate whaling ships and tuna seiners, presentation of documentation and findings to congress, celebrity endorsements, and vast amounts of publicity.

Publicity is one of the most defining aspects of SS’s campaigns. Watson alone has published four autobiographies, at least four documentaries feature the group (Black Harvest, At the Edge of the World, Confessions of an Eco-terrorist, and Pirate of the Sea) and two highly viewed television series (Whale Wars and Sharkwater) are dedicated to their exploits. Because of this and many other factors, Watson has become an eco-hero to the media and has received countless honors and awards for his efforts (Jules Verne, Genesis Award for Lifetime Achievement, UN Earth Trustee award, nominated for the Eugene Rogers award, Steve Irwin Wildlife Warrior award, etc...).

Further, because SS targets illegal activity only, draws justification from international laws, and employs a myriad of tactics within the democratic stage beyond EDA, the group has the fortune of forming multiple partnerships and collaborative projects with other NGO’s and commercial, governmental, quasi-governmental, international entities. Examples include—on the national level, the National Park Service, US Coast Guard and Navy, US Congress, the British Ministry of Fisheries, on the international level, the UN, International Whaling Commission, and non-US coast guards and navies, Peruvian law enforcement agents, and on the commercial/NGO level: Lush Cosmetics, Costco, Aldi’s, Walmart, the Cleveland Armory, Royal Society for the Prevention of Cruelty to Animals, and many more. Another result of the partnerships and publicity is a steady
flow of funds via donations for the organization—which is essential as the initial expense and maintenance of the SS fleet is incredibly costly.

The group is still highly active today, although they are increasingly focusing on the democratic elements of their campaigns.

We want to know if SS’s EDA campaigns were effective in achieving environmental policy change, therefore, I compiled a timeline of SS’s most notable actions on the left, and the potentially correlative policies from each campaign on the right. Under study are the anti-whaling, seal hunting, and driftnets campaigns, as well as the dolphin hunting and shark fin trade efforts.

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### Sea Shepherd Actions

1977
Paul Watson breaks away from Greenpeace, forms Earth Force Society—Vancouver Canada

1978
Cleveland Armory of Fund for Animals and Royal Society for the Prevention of Cruelty to Animals sponsor purchase of first ship: Sea Shepherd

1979—1980—SEAL CAMPAIGN
- Dyed over 1,000 seal pelts red, rendering them useless, protecting them from hunt, arrested for action
- Ramming and scuttling of notorious Portuguese pirate whaling ship—Sierra
- Scuttling of Spanish whaling vessels, Ibsa I and Ibsa II for violating whale quotas
- Astrid outlaw retires due to bounty SS offers for their capture
- South African Navy scuttle their own whaling vessels: Susan and Theresa
- ALL ILLEGAL WHALING OPS IN ATLANTIC CEASE

1981
- Dye over 1,000 seal pelts blue, now useless in hunt
- SS turns over documentation of illegal Soviet whaling to US Congress

1982—DOLPHIN CAMPAIGN
- Watson negotiates with Japanese gov’t and fishermen resulting in end slaughter of dolphins at Iki Island
- Irish Sea seal hunt is terminated
- SS crew physical intervention in Scotland seal hunt, SS Islands Trust is est. to fund purchase of seal hunting territories and turn them into seal sanctuaries

1983
- SS blockades St. John’s harbor for 2 wks to prevent seal hunt and intervenes in St. Lawrence seal hunt

1985
- Warnings sent out to Norweigan and Icelandic govt’s to halt their illegal whaling activities

1986
- Obstruction of Faeroese whale sport hunt, attacked with tear gas and rifles, respond with cannons filled with water and pie filling
- Scuttling of 2 Icelandic whaling vessels and inflict massive property damage to whaling station

1987—DRIFTNET CAMPAIGN
- SS removes miles of Japanese drift nets

1988
- Watson and crew demand Iceland lay charges against them for destroying station and scuttling ships, Iceland refuses
- Documentation of illegal tuna and dolphin killings—shown in doc by Earth Island Institute

1989
- SS conduct search and seizure of tuna and dolphin seiner

1990
- Meetings with biologists to discuss driftnet removal tactics
- Ramming of 2 Japanese whaling vessels, sinks their driftnets, documentation goes global

1991
- Ramming of Mexican tuna seiner Tungui
- SS collaborates with Trinidad Coast Guard to halt Taiwanese drift-netting

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### Policy Implications

1979—1980
- Watson imprisoned, banned from ice-fields for 3 years
- Portuguese authorities take legal action against EF, loot SS

- End of Iki Island dolphin hunt
- End of Irish seal hunt

- Watson and 19 SS members arrested for conspiracy to violate Seal Protection Act, tried, convicted, sentenced to 21 months in prison, $75,000 fine, confiscation of ship, banned from eastern Canada and from talking to media for 3 years, All charges dropped upon appeal except for confiscation of ship
- Canadian Supreme Court overturns lower court’s decision, SS ship returned
- Events documented in award winning doc Black Harvest

- Icelandic commercial whaling ops cease for 16 years
1992
- Eviction of Costa Rican poachers using water and pie canons, paintball guns, stink bombs
- Scuttling of Taiwanese drift-netter Jiang Hai
- Watson informs all nations at IWC conference that he will pursue any vessel not abiding by UN Resolution banning driftnets
- Ramming and confiscation of Japanese driftnets—Hawaii
- Dwight Worker scuttles Norwegian whaler Nybraena, challenges gov’t to prosecute, Norway doesn’t respond

1993
- Watson publishes 3rd book
- Intervention of Cuban trawlers, Watson arrested for criminal mischief

1994
- Scuttling of Norwegian whaling vessel Senet
- Watson publishes 4th book
- Three attacks made on SS vessel, Whales Forever

1995—SEA LION CAMPAIGN
- Collaborations with Cali gov’t to control lion population without exterminating them
- Salmon campaign in Canada
- Gray Whale campaign against Makah tribe’s hunting
- SS meets w. Irish gov’t to discuss ills of drift-netting

1996
- British Ministry of Fisheries hires SS to guard their ships

1997
- More attempts made at arresting and prosecuting Watson
- SS hosts fake IWC reception for illegal whalers for publicity

1998
- SS Fundraising with celebrity support
- Watson receives Genesis Award for Lifetime Achievement
- SS forces Makah—hunting for cultural purposes—to stand down when law legislative efforts failed, Makah mob violence against SS crew
- SS funds sturgeon researchers at Sturgeon Society to investigate Russia’s illegal caviar trade and its effects on sturgeon population
- SS campaigns to halt harassment of whale sharks by tourists in MX
- Watson receives Earth Trustee award from UN

2001
- Campaign against St. Lucian fisheries resulting in 400 less bookings at resort
- Sea turtle and Shark Fin campaigns
- SS collaborates with Cocos Nat’l Park Rangers to seize 30 miles of illegal longline

2002
- SS coordinates arrest of San Jose I for illegal longlines
- Watson publishes 4th book
- Sea Cucumber campaign with Galapagos Park Rangers successful

1992
- US H.R. 2152 passes authorizing US gov’t intervention against drift-netting in int’l waters

1995
- Canada declares temporary moratorium on salmon hunt
- US Congressman Metcalf withdraws support of Makah’s petition to continue hunting gray whales at IWC conference
- Irish gov’t bans drift-netting
- Newfoundland Supreme Court tries to convict Watson for intervening in cod hunt, but jury acquits him on all charges except mischief for throwing stink bombs
- Watson voted by UN Canada for Eugene Rogers Award

1998
- Canadian Dept. of Fisheries and Oceans create Regulatory Review Proposals to govern seal hunt, declarations of support issued for Watson and SS proposed non-lethal seal hair extraction method

1999
- Tourists no longer permitted to touch or ride sharks
- SS works with Aldi’s Supermarket to halt contact with Faeroe Islands until they stop hunting gray whales out of tradition
- Continued collaboration btwn SS, Washington and federal govt, and IWC to change Makah whaling permit

2000
- SS persuades over 20,000 European retail outlets to end contracts with Faeroese hunters
- SS collaborates with Nat’l Park Service, Navy, and Darwin Research Center and give them SS vessel to aid in patrolling Galapagos Islands MarineReserve, incidents of poaching immediately decline
- SS sues Washington State for failure to enforce environmental regulations against Makah tribe
2003
- Conservation Int’l in Dominican Republic asks Watson for help protecting Galapagos Corridor
- Watson elected to Board of Directors on Sierra Club
- 100s of miles of longlines destroyed
- Dolphin Campaign, documentation of New Zealand and Japanese hunts

2004
- SS works with Instituto Sea Shepherd in Brazil and San Fernando de Noronha Nat’l Park to protect coastlines

2005
- Canadian Seal Campaigns again
- Pursuance of Japanese whaling fleet operating under guise of ‘research’

2006
- Ramming of whaling supply ship Oriental Bluebird, ordering them out of Antarctic Whale Sanctuary

2007
- SS locates Japanese whaling fleet and intervene in their hunts, Japanese retaliate with rammings
- Sharkwater (co-produced by SS) appears in theatres
- Mainland shark fin campaigns in Ecuador resulting in many poacher arrests

2008—SHARK FIN CAMPAIGN
- SS saves over 500 whales from Japanese fleet who use physical violence to retaliate
- SS stops Planktos Inc. from dumping 100 tons of iron dust in sea, a plan which was condemned by US EPA
- SS and Ecuadorian Nat’l Police work together with K-9 unit to locate shark fin poachers
- Watson given Steve Irwin Wildlife Warrior Award
- SS collaborates with Lush cosmetics for global shark protection campaign
- Pirate for the Sea and At the Edge of the World, docs about Watson and SS, are released, Whale Wars series airs

2012
- Watson receives Jules Verne Award, 2nd after Jacques Costeau

2006
- SS persuades Costco Supermarket to stop carrying seal oil capsules from stores in Canada

2008
- SS Canadian seal campaigns contribute to EU adopting proposal banning all seal derived products, vote 550 to 49
- SS UK convinces restaurants to take shark fin off menu

2009
- Holista Health Inc, Costco, Shoppers Drug Mart, Walmart cease purchases of shark cartilage products

Source: www.seashepherd.org
To summarize the major non-policy achievements from the timeline, throughout their campaigns Sea Shepherd:

1. Formed partnerships with multiple coast guards and navies, the Ecuadorian law enforcement, National Park Society, the Cleveland Armory, The Royal Society for Prevention of Animal Cruelty, and various commercial entities like Lush Cosmetics, Walmart, Aldi’s, and Costco. Multiple celebrity endorsements such as Pierce Brosnan, Bridgette Bardot, Terry Irwin, etc…

2. Watson published 4 books and four documentaries and two T.V. series followed SS’s exploits

3. Watson awarded multiple environmental achievement awards and group’s entire arsenal of vessels funded by outside donations

4. Single handedly saved millions of marine mammals from illegal hunts due to their interventionist EDA tactics

5. Put over 11 pirate whaling vessels out of commission

The major policies (both formal and informal) enacted during SS’s campaigns are the following:

1982 – End of Iki Island Dolphin hunt after SS negotiations with Japanese authorities, seal sanctuaries established in Scotland via SS funds

1991 - UN General Assembly approves Resolution 46/215 banning driftnet usage worldwide (one year after SS began campaign against driftnetting)

1992 – passage of US H.R. 2152 authorizing US gov’t to intervene against drift-netting in int’l waters

1995 - Irish gov’t bans drift-netting

1998 - Canadian Dept. of Fisheries and Oceans create Regulatory Review Proposals to govern seal hunt

2008 - EU adopts proposal banning all inhumane seal derived products, SS and Ecuadorian law enforcement units collaborate and establish K-9 unit to locate and imprison shark fin poachers

Upon examination, a few notable trends emerge concerning these policy changes: 1) they are both formal and informal—many definitive changes occurred outside of what would normally define as a ‘policy’, 2) they range from the national, international, to state/local level 3) only a few national/international laws passed can be directly linked to SS’s campaigning (namely, the driftnet laws passed, the first of which was passed a mere year after SS began their driftnet campaign).

Beginning with the first trend: SS effected both formal (public sector) and informal (private sector) policy changes. Within the scope of this paper, I focus on the formal changes—i.e. promulgated by a legislative or governing body within the public sector. Although, It is within the private sector that SS campaigns demonstrated the most effectiveness, largely through persuading commercial entities to make educated purchases. For instance, as a result of SS’s continuous and highly publicized battle with the Faeroese whale hunters (who conduct annual whale slaughters for cultural tradition), over 20,000 European Retailers ended their contracts with Faeroese hunters (www.seashepherd.org). This example of an informal private-sector policy change is a campaign success that is not reflected when focusing solely on legislative policy.

Second, regarding the scope of SS’s policy implications: SS is an international organization, they have crews and campaigns that span the globe; therefore, the group influences policies in other nations—especially, as is
visible through the timeline, in Ireland, Ecuador, Japan, Canada, Iceland, and Norway. Although SS’s policy implications are extremely broad, I will focus solely on US and UN policy changes (as the US is a member of the UN).

Which brings us to the third trend: there are relatively few formal policy changes effected in the US and by the UN which demonstrate strong links to SS campaigns. The most evident are the two changes occurring directly after SS commenced their anti-driftnet campaign; naming UN Resolution 46/215 banning driftnet usage worldwide (1991) and US H.R. 2152 authorizing US government to intervene against drift-netting in international waters (1992).

This last trend was confirmed in my interview with former Sea Shepherd crew member, Dwight Worker. When asked what specific policy changes the group brought about through their EDA campaigns, Worker immediately cited the results of the driftnet campaign:

[Sea Shepherd focused on bringing attention to the issue] “Getting publicity was critical. Media attention was critical. We were trying to bring attention to the perpetrators. We were ramming drift netters off the coast of Hawaii and the US Coast Guard tooted us. Because of the attention we brought to drift-netting the UN passed resolution 244 and 255 to criminalize drift netting. The city in Hawaii passed a resolution and gave the boat keys to the city. Immediately after that, Japanese and Taiwanese whalers stayed out of US international waters” (Worker, 2013).

It’s important to note, before dismissing SS as ineffective at provoking policy change, one blaring fact that can be easily overlooked. The laws and regulations that SS advocates for are already passed. The moratoriums, sanctuaries, conservation regulations, and quotas are already established. The issue is whether these laws are adhered to on the high seas and in many cases, they are simply not. That is why when SS goes after a pirate whaler or illegal operation station, very seldom are they prosecuted (the other party does not wish to draw attention to their illicit activity). In short, SS’s role is an enforcer—not policy promulgator, and the policy results of their campaign should be viewed through that lens.

A Look at SS’s EDA Tactics

Regardless of whether or not more of SS’s policy changes were induced by their actions within the democratic stage, they are indisputably an EDA-focused organization. Thus, examining which of their EDA tactics are most effective (in effecting policy change) is essential.

With that said, how do SS’s most notable methods of ecotage and intimidation measure against the three characteristics of effective (with respect to policy change) EDA tactics:

1. Non-violent/non-destructive
2. Effectiveness at obstructing ‘injustice’
3. Sustainability (over time)
4. Provokes media attention

Confrontational and interventionist: ramming and use of comical ‘weaponry’ (i.e. smoke bombs, pie filling, paintball guns) illegal searches and seizures,

SS’s confrontational or direct physical intervention in illegal hunts is usually non-destructive (the lines are blurred somewhat with ramming). The effectively obstruct the injustice from occurring by delaying a hunt, but do not typically obstruct the injustice altogether. For example, saved 500 dolphins from a Japanese hunt, but that is not to say the Japanese fleet won’t sail out the next month and pursue another pod. The sustainability of these tactics is questionable—SS has been sued numerous times, but the plaintiff’s arguments thus far have seldom withstood court. Recently however, in a trial brought against them by the Japanese
whaling fleet, the US Supreme Court, SS’s actions were declared ‘piracy’. In order to maintain their current intensity of confrontational EDA, SS must choose their targets selectively (the entities omitting the most egregiously illegal acts and therefore least likely to pursue litigation). Finally, in terms of garnering media attention—these tactics are incredibly effective. Their actions at sea are just controversial, comical, and flashy enough to consistently draw attention on land.

Ecotage: scuttling, disabling propellers, sabotage of whaling stations

Ecotage tactics are the most effective ‘weapons’ for SS in terms of obstruction and sustainability as they literally halt all illegal at-sea activity until the whalers can gather enough capital, while keeping a low profile, to re-commence operations. In the case of Iceland, (when SS sabotaged their illegal whaling station) the rebuilding process took 15 years. That translates to thousands of marine mammals saved. However, these ecotage tactics do not adhere to non-destruction which detracts from their effectiveness as they garner negative media attention for the cause. Finally, they are fairly effective in provoking media coverage, but not nearly as much as their confrontational tactics.

Final Analysis

Are SS’s campaigns effective in bringing about environmental policy change? The answer to this question is yes, where there is no policy already present. As was mentioned before, most of SS’s mission is already accomplished on paper—the regulations, international treaties, agreements, moratoriums, etc... are codified, but lack appropriate enforcement, and that is the injustice SS targets through their EDA campaigns.

Aside from the fact that many of their desired policies are already in effect, there a few other reasons why policy promulgation is not SS’s number one goal. 1) Because the scope of SS’s targeted issues are global in scale, policy promulgation is oftentimes much more difficult to achieve. Working on the international level increases the stakeholders and the competing interests they respectively bring. It requires a huge amount of time and resources and a certain credibility that a focused EDA campaign does not have to spare. 2) Moreover, even after overcoming these obstacles, international agreements and policies put forth by IWC treaties and UN resolutions often lack teeth—enforcement and punishment simply aren’t realities—hence the necessity of an action group like SS.

Knowing these factors, I consider the formal policy feats that SS has made, especially with drift-netting laws within the US, UN, and abroad, to show their effectiveness as an organization. However, as mentioned previously, their true successes lie in the informal policies they have incited (changing business practices). These informal policy changes could be seen to an even more direct route to achieving the change SS wants to see, as economic demand is often what drives these illegal activities and if it is taken away or decreases significantly, the overall market will shrink regardless of formal policy change.

SS employed a variety of tactics both within the EDA and democratic realms-- although a large part of SS’s campaigns takes place within the democratic sphere, that is not the focus of this research. Their EDA tactics are hugely successful in direct obstruction, garnering media attention that thrusts their cause into the public conscience, and thus far have proved to be sustainable. The fact that they have legal justification for their actions contributes hugely to their success in this latter area, providing them with partnerships, credibility, and increased sympathy from the court system. However their most effective tactics fall within the category of intervention, intimidation, and confrontation, rather than ecotage. Going forward, I would suggest that the group employ ecotage sparingly and rely more heavily on the latter category.
With respect to EDA-campaigns, it is always more prudent and effective to employ a battery of tactics, rather than just one (as with the ELF). It’s simply the concept of having your eggs all in one basket, or spreading them out—reducing the chance of failure. The biggest asset to SS’s EDA tactics has been the publicity they consistently incite which alters public opinion in their favor. Speaking of public opinion, it is worthy of note that one contributing factor to SS’s effectiveness is that their cause is what is known as a charismatic megafauna—a phenomena referring to the rule that the public is much more likely to be sympathetic towards a cause that endeavors to protect wild life they see as ‘likeable’. It’s the difference between launching a campaign to save a Japanese beetle versus an African elephant—which cause is the public more likely to support? This is an asset that neither EF! nor the ELF had in their campaigns.

As long as SS continues to prudently choose their targets, not escalate their tactics, maintain across-the-board partnerships, continue to employ democratic mediums as much as extra-legal tactics, their campaigning will remain sustainable, effective, and continue to achieve success—perhaps not with formal policy, but likely informal policy.

Comparative Analysis

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<th>Earth First!</th>
<th>Earth Liberation Front</th>
<th>Sea Shepherd</th>
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What were each group’s respective policy missions?

Earth First! demanded policy promulgation in two areas: old growth preservation and roadless area protection. Sea Shepherd’s mission was the enforcement of pre-existing policy and informal policy change in the private sector. The Earth Liberation Front did not set out to change policy at all.

What were policies each group had a significant hand in affecting?

Regardless of whether the ELF set out to change environmental policy, they had a hand in the passage of numerous policies on the state and federal level intending to incriminate radical environmental direct action. Over 15 states passed statutes incriminating escalated EDA tactics (especially those states which saw ELF activity). In 2006, the Animal Enterprise Terrorism Act was passed to raise the stakes for any environmental/animal-rights based group to engage in radical direct action.

Sea Shepherd had a direct hand in the passage of a US law and UN Resolution against drift-netting, but their main policy victories were informal (in the private sector) or quasi-governmental (such as establishing sanctuaries, collaborations with law enforcement units, coast guards and the NPS, negotiating the end of hunts, etc...). Their policy losses include Watson’s and other member’s imprisonment and litigation against SS by whalers and seal hunters who view their tactics as piracy—both result in negative publicity for SS.

What EDA tactics did each group utilize?

Earth First!’s main extra-legal tactics were road blockades, tree-sits, and tree-spiking. Their most effective were road-blockades and their least effective was spiking. ELF’s main tactics were property destruction and arson. Although both garnered copious amounts of media attention, they were ineffective at achieving positive policy change. Sea Shepherd’s main extra-legal tactics were forms of confrontation/intervention (ramming, comical weaponry) and ecotage (especially scuttling). Their confrontational tactics were much
more effective in achieving media attention which led to formal/informal policy change, while their ecotage tactics were more concretely effective at obstruction.

*What are the in-system techniques each group utilize?*

EF! campaigns had a litigation component which was arguably more effective with respect to lasting policy change than their EDA components. Sea Shepherd used a myriad of tactics within the democratic realm—but mainly publicity. Others included the presentation of documentation to authorities, searches and seizures, bounty offerings, partnerships, collaborations, celebrity endorsements, etc...). The ELF’s only democratic tactic was issuing anonymous ‘communiques’—explanations of the reasoning for their arson—through a third party publisher.

*What other contributing factors should be considered in their policy results?*

Sea Shepherd’s cause was both surmountable and what is known as a charismatic megafauna. Extensive public sympathy and support already existed for their cause. EF!’s mission for old growth and roadless area protection were somewhat surmountable, but made difficult because they were not popularly held interests during their campaigns. The ELF’s mission was not only insurmountable, but also held by only a few select radicals and anarchists in the entire nation.

Another contributing factor is where each group draws justification for their extra-legal actions. EF! challenged the actions of the USFS and BLM as violating EPA regulations, and Sea Shepherd drew their justification from multiple treaties and international agreements put forth by the IWC and the UN—especially the UN World Charter of 1989, while the ELF had no legal justification for their actions but rather cited a kind of driving moral imperative.

**Conclusions**

As is evident, these three groups vary incredibly in their missions, tactics, justifications, and ultimate results, yet they all employ some form of EDA, have affected some kind of environmental policy changes, and have all been labeled ecoterrorism groups. Because of these differences, it is difficult to extract some sort of rule on the most effective EDA tactics or campaigns; however, I believe certain general claims can be extrapolated from this research.

**Characteristics of Effective EDA techniques**

As alluded to early on, the most effective EDA tactics possess four characteristics:

1. Adherence to non-violence/non-destruction
2. Directly obstructs ‘injustice’
3. Sustainable over time
4. Generates substantial media attention

Any campaign that emphasizes EDA tactics that adheres to at least three of these four rules will be more likely to see policy success. Beyond these characteristics, the group should heed two more guidelines: 1) employ *multiple* EDA techniques, not just one or two. If one EDA tactic does not see success, perhaps another will; the broader the battery of tactics, the smaller percentage of failure. 2) The group must balance the nature of their tactics in a conscientious way: employ EDA that is legitimate and justifiable enough, that does not inspire terror/alienate the audience, yet controversial and escalated enough to gain headlines and media attention.
Characteristics of Effective EDA Campaigns

After a lengthy case study of three separate EDA-centered campaigns, I posit that the most effective campaigns possess the characteristics enumerated below in level of criticality.

1. Cites a surmountable mission (if possible, one for which the public is already semi-sympathetic towards)
2. Articulates explicit policy goals
3. Combines EDA with in-system tactics on the democratic stage
4. Uses litigation to challenge enforcement of existing laws
5. Can cite legal justification for action instead of simply moral imperative
6. Has a separate education component to raise public awareness
7. Seeks partnerships with governmental, quasi-governmental, and non-governmental entities
8. Does not overlook the importance of informal policy change within the private sector
9. Puts active attention on publicity

If an EDA campaign emphasizes the above-mentioned components in their overall campaign, and heeds the guidelines given for the more effective EDA tactics, the environmental group has a much higher likelihood of policy success.

In terms of the case studies, a campaign that marries the ELF’s ability to gain national headlines, Earth First!’s explicit policy missions, dedication to non-violent EDA, and litigation-focus, and Sea Shepherd’s justification, partnerships, and publicity, the EDA campaign will likely see more success in terms of policy than any of these groups did individually.


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