

## CONCLUSIONS

NEPA must obligate the Navy to publicly discuss (via the EIS process) potential impacts of the U.S.S. Missouri's nuclear weapons. The holding in Weinberger v. Catholic Action of Hawaii should apply only if a legitimate, undisclosed national security matter is involved. Why apply the national security exception to the Hunter's Point EIS when the Navy has already informed the public that the Iowa-class battleships carry nuclear weapons? Navy personnel have written articles and announced in Congress that the Missouri has nuclear missiles aboard. Therefore, the "neither admit nor deny" argument used to avoid NEPA's scope is defeated by the Navy itself!

The Navy's nationwide homeporting plan includes three justifications: 1) reducing vulnerability to a "Pearl Harbor" type attack, 2) increasing response readiness, and 3) revitalizing the ship repair business. (Chronicle, July 4, 1987, sec. A, at 1). San Francisco residents must decide if these somewhat suspect goals outweigh the environmental dangers the Hunter's Point plan will entail. With increasing national debt, the U.S. must carefully scrutinize an expensive homeporting plan. The Navy's bias and optimistic forecasts along with the Supreme Court's shortsighted

deference should not defeat common sense, jeopardizing San Francisco residents' safety.

## ACKNOWLEDGEMENTS

David Lewis, Physicians For Social Responsibility, Washington D.C.  
John Miller, New York Public Interest Research Group (NYPIRG), New York, NY  
Alan Ramos, Citizens for a Better Environment, San Francisco, CA

For information relating to New York City homeporting issues, contact Leonard Marks of Gold, Farrel & Marks at (212)481-1700.

-----  
*John McCaull is a second year law student at King Hall. He received a B.A. degree in Political Science from the State University of New York, Genesco. John has spent time in Washington D.C. lobbying for nuclear arms control, and he feels that nuclear weapons are a threat to our environment.*

---

# Ecotage : Environmental Boon or Bane?

by Kerry Zachariasen

Radical grass roots organizations are currently kicking new activity and controversy into the environmental movement. Most local environmental groups operate with a philosophy similar to the large, professional environmental organizations in Washington D.C., pressuring authorities through traditionally accepted methods such as lobbying and leafleting. However, a new approach -- firebrand, radical environmentalism -- is drawing increasing attention. Often known as ecotage (or ecological sabotage by those who favor it and eco-terrorism by those who do not), this form of environmentalism directly and physically confronts the issues.

Environmental activity today covers a wide spectrum of approaches, philosophies, and strategies. Washington lobbying organizations (eg. Sierra Club, National Wildlife Federation, Wilderness Society) have become virtual corporations. These organizations handle complex litigation, introduce bills to Congress, and typically address broad problems such as ozone depletion, oil drilling, toxic waste, and acid rain. They play a vital role in environmental protection. Some see

this corporate character, however, as limiting the effectiveness of these organizations.

On a different level, national organizations work in a grass roots basis solving local problems directly within their communities. They work with farmers to develop conservationist farming techniques (Small Farmers Resources Project, Nebraska). They focus on groundwater contamination and municipal garbage burning (Environmental Task Force). They lobby in Washington and state capitols (American Farmland Trust). (243 Nation 368, 369 (Oct. 18, 1986) ). These traditional grass roots environmental groups have had a significant impact on their local environments without causing controversy. The radical activities of groups such as Earth First!, however, have created tremendous controversy both in the public and within the environmental movement itself.

Earth First! is the most well known radical environmental group, although several other groups share similar strategies and ideals. Indeed, Earth First!'s motto expresses the basic underlying principle

of such groups: "No compromise in defense of Mother Earth." These groups, however, have differing interests. Some, like Cathedral Forest Action Group (CFAG) in Oregon, focus strictly on Pacific Northwest old growth issues. Sea Shepherd Conservation Society uses a tiny fleet of converted trawlers to fight the Icelandic, Japanese and Norwegian whaling industries. Earth First!, in contrast, addresses a wide range of issues. Nonetheless, the common denominator among these groups is a commitment to environmental protection which borders on religious zeal and manifests itself in physical activism and ecotage.

The radical movement provides a foil for their more established counterparts. The mainstream environmental organizations can point to the radical position and present themselves as a reasonable alternative. The radical movement also forces postponement of development efforts, stalling for time until other interests with legal clout become involved or developers become so irritated and persecuted that they voluntarily withdraw.

If it has an underlying philosophy, which many members deny, Earth First! adheres to principles of deep ecology. Deep ecologists view the natural world as a dynamic, biologically integrated unity. Humans have no unique or special place on earth. All mineral, plant and animal inhabitants have an equal intrinsic worth which is accepted and appreciated. The interdependency of the unified whole is the primary concern. Realities such as disease and pestilence are inherent "vital and necessary components of a complex and vibrant biosphere." (Chico News & Review, Jan. 28, 1988, 15, at 17).

In a more tangible sense, a frustration with the environmental mainstream in Washington D.C. motivates Earth First!. This mainstream is seen as corporatized, compromising, and distanced from the world it professes to protect. As a result, many Earth First! members express a disdain towards the major environmental organizations which approaches self-righteousness. "Mainstream environmentalists are out of touch. ... Most of them are in D.C. doing lunch in their designer khakis. ... They think wilderness is some Disneyland you check into after you shut down your computer and lock up the condo." (Mike Roselle as quoted in 107 *Esquire* 98, 98 (Feb. 1987) ).

Nonetheless, Earth First! recognizes that both methods of environmentalism serve a vital purpose. As Dave Foreman puts it, "It's [all] a tool. Sometimes you lobby; sometimes you write letters; sometimes you file lawsuits. And sometimes you monkeywrench." (*Esquire* at 100).

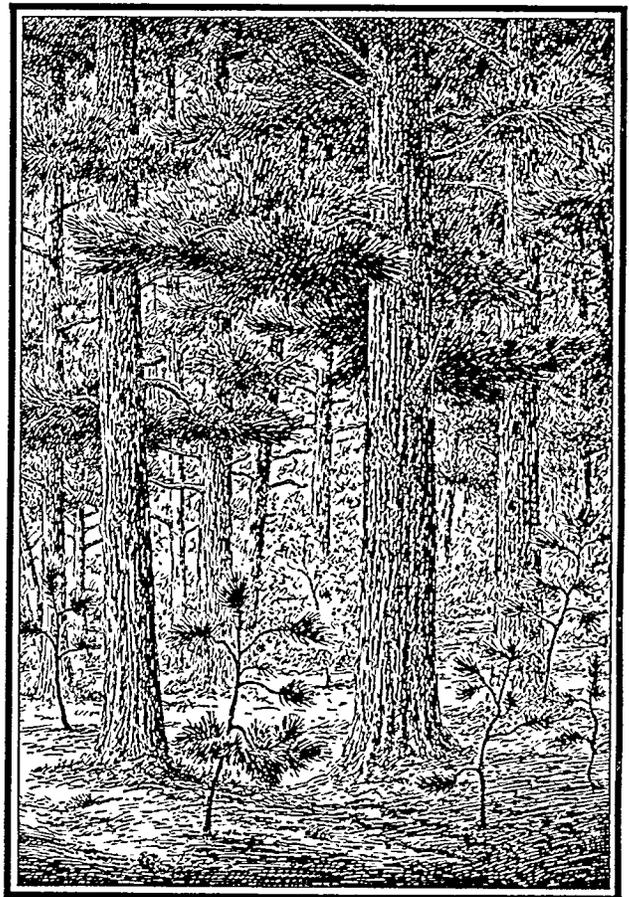
Earth First! does not lobby. It "monkeywrenches." This term is derived from Edward Abbey's novel, *The Monkeywrench Gang*, which tells the story of four people who drive across the southwest burning down billboards, destroying surveying sites, and pouring sugar into bulldozers' gas tanks. Their ultimate goal is dynamiting Glen Canyon Dam and releasing the Colorado River. Similar tactics are now used in real life by "ecoteurs" in order to make

their points and either slow or halt rampant commercial development.

Earth First! primarily focuses on consciousness and issue raising. It creates furor over various situations, bringing them into the public arena. Earth First! has been featured on the "CBS Evening News" in relation to a uranium mining protest at the Grand Canyon and a blockade of a New Mexico petroleum company's illegally cut road. (*Amicus J.* 28, 31 (Fall 1987); *Esquire* at 101).

Earth First! also directly alerts the media in its own unique way. A phone call supposedly from a logging company but actually from Earth First! brought journalists running to investigate activists "messing around the Pyramid Cut." The next day, headlines alerted Oregonians of the threat to their precious old growth. (*Esquire* at 106).

Earth First! and its counterparts orchestrate a variety of effective sabotages, some of which produce substantial and long-lasting results. They have probably had the most success in the Pacific Northwest's virgin forests. Logging companies favor the bigger, stronger, more valuable several hundred year-old conifers over younger, replanted growth. These ancient trees, however, are the last vestiges of virgin forest remaining in the United States. CFAG and Earth First! have been extremely involved in stopping this logging. "Tree spiking" is a favorite method. Long nails driven into the trees shatter chainsaws, which hopefully forces the loggers to abandon the area. Spiking is often accompanied by



tree sitting -- people perched in upper tree branches out of ladders' reach. Loggers usually do not cut trees with people in them.

Tree spiking and sitting are good examples of how the radical and mainstream environmental movements can work together toward a common end. Time is critical in old growth disputes. It takes only hours to do tremendous damage to a virgin forest, and only days to clear cut several acres. Tree spiking and sitting postpones cutting, provides time to effect judicial remedies such as injunctions and temporary restraining orders, and draws public response to the destruction of these virgin forests.

Other radical activities include pulling up survey stakes, filling bulldozers' gas tanks with sugar and dirt, blockading roads, dressing up as grizzly bears to protest Yellowstone's encroachment onto bear habitat, and unfurling a 300 foot polyurethane "crack" down the face of Glen Canyon dam. After such relatively acceptable and harmless stunts, however, the radical movement began to utilize highly questionable strategies, the primary source of the controversy.

The movement's more recent strategies involve an unavoidable element of lawlessness and disregard for property. For example, a landowner in Hawaii began converting a rare rain forest into wood chips to be used for generating electricity. He failed to apply for a permit and continued chipping after receiving a citation. In retaliation, radical environmentalists came onto the site and destroyed equipment worth at least \$300,000. The chipping company went out of business. (*Esquire* at 102).

Another incident is rumored to have destroyed over half a million dollars worth of seismographic equipment in Wyoming. (244 *Nation* 568, 569 (May 2, 1987) ). Willamette Industries claims it lost \$50,000 due to destruction of surveying sites, and in 1986, Sea Shepherd Conservation Society sank two valuable Icelandic whaling vessels while they were docked. (*Amicus J.* at 35).

Although Earth First! officially proclaims not to advocate such property destruction, there is debate among members. Furthermore, Dave Foreman's book, *Ecodefense: A Guide to Monkeywrenching*, describes techniques for ecological sabotage, and yet purports, fairly tongue in cheek, not to encourage it. (*Amicus J.* at 35).

Not surprisingly, the response to these radical groups is mixed. Developers tend to resent them, although some developers do support their ideals. Earth First! has possibly gained the support of the working class, who tend to feel alienated by a perceived elitism in the mainstream environmental movement. (*Esquire* at 104). Although many private citizens support the groups, the professional environmentalists are split. Some see the radical activities as a threat to the credibility which the environmental movement has fought so long to establish. Others see it as a needed boost of extremism. Renowned environmentalist and founder of Friends of the Earth, David Brower stated, "The environmental movement has gotten very drowsy, and

I think Earth First! is giving it CPR." (*Amicus J.* at 30).

Interestingly, one group which feels alienated from the radicals, and especially from Sea Shepard, is Greenpeace. Greenpeace has distanced itself from this movement and disapproves of the extreme methods and criticizes the property destruction. Some observers feel Greenpeace's response is due to the 1985 sinking of their ship, Rainbow Warrior. The group seems to struggle internally between its old grass roots ties, and the potential, because of its size and political power, to join the ranks of the Washington crowd. (*Amicus J.* at 39-40). Nonetheless, Greenpeace still maintains a fairly close relationship with Earth First!, recently working together on a petition to save the mountain lions.

Obviously, there are many legal questions involved in the debate over radical environmentalism. Several Earth First! members have been sentenced to jail, and others have been subjected to civil lawsuits. Willamette Industries won \$13,000 from members of CFAG after the group blockaded an access road. (244 *Nation* 568, 569 (May 2, 1987) ). So far, these lawsuits have been dealt with individually, but the decentralized nature of the radical groups raises questions of liability. A consensus has not been reached as to whether liability can be imposed on the organizations along with the individuals.

One of Earth First!'s most surprising achievements is its size. After seven years, it boasts 72 chapters in 24 states, with liasons in Mexico, Canada, Japan, Australia, England, and Scotland. It has an annual budget of roughly \$100,000, which provides for newsletters and T-shirts, and there is an Earth First! Foundation which handles tax-deductible contributions. (*Amicus J.* at 31-33). Earth First! has obviously touched a nerve.

Earth First! members, however, usually come from the ranks of the already converted. It is less clear how well their tactics and attitudes fare among the moderate or undecided population. Extremism of any kind tends to discourage consensus. The mainstream has successfully created a politically palatable image of environmentalists, and modern environmentalism is considered a serious global concern. Without question, the radical groups are achieving positive ends. Their long-term impact and whether they can unite with the mainstream remains to be seen.

-----

*Kerry Zachariasen is a first year law student at King Hall. She received a B.A. degree in History from Stanford University in 1982 and will be taking a course in international law at the University of Geneva, Switzerland this summer.*

