

## **ABSTRACT**

Title of Dissertation: THE RHETORIC OF ECO-REVOLUTIONARY  
ACTIVISM: CONSTRUCTING THE EARTH  
LIBERATION FRONT

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In the mid-1990s, a new voice of environmental protest emerged in the United States. Frustrated by the failures of both mainstream and radical environmental activism to protect the Earth from the catastrophic effects of industrial capitalism, a small group of clandestine activists identifying as the Earth Liberation Front (ELF) utilized vandalism, arson, and other means of property destruction to articulate a rhetoric of revolutionary environmental resistance. An unlikely coalition of voices from industry, government, and the established environmental movement emerged to oppose ELF, painting the activists as dangerous eco-terrorists.

This study examines the dialectical contest to provide the dominant public account of ELF's enigmatic protest rhetoric. This rhetoric is referred to in the study as eco-revolutionary activism, for it rejected even the radical discourses of its ideological

predecessors such as Earth First!, embracing instead a holistic critique of capitalism, the state, and contemporary civilization. The study traces the dialectic that unfolded through a series of key moments in the rise and fall of ELF in the public imaginary.

ELF made national headlines in 1998 when affiliated activists set fire to seven buildings at a Colorado ski resort as a protest against the resort's planned expansion into ecologically fragile habitat. In the years that followed, ELF activists went on to commit more than 100 protest actions, causing millions of dollars in economic damage and prompting foundational questions about the meaning of violence, the limits of protest, and the responsibility of individuals to combat harmful systems. Anti-ELF rhetors publicly condemned ELF activists as eco-terrorists, taking advantage of cultural anxieties about terrorism that emerged in the wake of events such as the Oklahoma City bombing in 1995 and the September 11, 2001, terrorist attacks. By early 2006, the rhetoric of terror had successfully trumped ELF's eco-revolutionary rhetoric, functionally ending the public dialectic on ELF. The study finds that, while ELF's eco-revolutionary voice was compelling and innovative, its flaws made it susceptible to the more powerful rhetoric of terror.

THE RHETORIC OF ECO-REVOLUTIONARY ACTIVISM:  
CONSTRUCTING THE EARTH LIBERATION FRONT

by

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To Dr. Nathaniel I. “Nacho” Córdova

1964 – 2011

“The temple bell stops, but the sound keeps coming out of the flowers.” – Basho

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## CHAPTER ONE

### The Earth Liberation Front: Transforming Environmentalist Rhetorics

When you're screaming at the top of your lungs and no one hears you,  
what the hell are you supposed to say? What are you supposed to do?

– Daniel McGowan, former ELF activist

On New Year's Eve, 1999, four activists set fire to the office of Dr. Catherine Ives at Michigan State University (MSU). The fire spread from Room 324 of Agriculture Hall to the rest of the building, causing an estimated \$1 million in damages. Its target was MSU's Agricultural Biotechnology Support Project (ABSP), a consortium of research institutions and companies focused on the promotion of genetically modified crops in the developing world. Though the fire destroyed a significant amount of equipment and data, no one was physically injured.<sup>1</sup>

As the embers cooled, a multitude of rhetors publicly interpreted the fire and its implications. Affiliated researchers expressed disbelief and frustration. Ives argued that the fire “was an attack on the very essence of what a university should be.”<sup>2</sup> In a *CBS Evening News* segment, she framed it as an unjustified attack on a benevolent

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<sup>1</sup> The fire consumed data stored in both material and digital formats. Though much of the affected data was backed up and thus still available, an undisclosed amount was lost permanently. Michigan State University Board of Trustees, “Frequently Asked Questions,” *Michigan State University Today*, 2007, [http://special.news.msu.edu/ag\\_hall/faq.php](http://special.news.msu.edu/ag_hall/faq.php).

<sup>2</sup> Ives expressed concerns that the incident could have a chilling effect, potentially delaying life-saving research. Associated Press, “Four Charged in 1999 Arson Fire at Michigan State University,” *Insurance Journal*, March 13, 2008, <http://www.insurancejournal.com/news/midwest/2008/03/13/88205.htm>.

organization: “Our program is set up to help poor people and poor farmers, and I find it difficult to find justification for trying to stop that kind of work.”<sup>3</sup> Media sources framed the fire as a terrorist attack.<sup>4</sup> Grand Rapids-based U.S. Attorney Charles Gross later called the event “an act of domestic terrorism, plain and simple.”<sup>5</sup>

The fire had been set in the name of an elusive activist group called the Earth Liberation Front (ELF). In a communiqué released three weeks later, ELF offered a much different interpretation of the fire’s message and purpose: “This was done in response to the work being done to force developing nations in Asia, Latin America and Africa to switch from natural crop plants to genetically engineered [crops].” It identified agrochemical giant Monsanto as one of the program’s “major funders,” recalling Monsanto’s reputation as an ecological malefactor. ELF’s communiqué centered the incident on the debate over genetically engineered crops, believed to be detrimental to already fragile ecosystems.<sup>6</sup> ELF spokespersons asked, “Is it just a mere coincidence that Monsanto, [USAID] and Catherine Ives... are manufacturing the desire for genetically

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<sup>3</sup> “Green Terror,” *CBS Evening News* (CBS, April 10, 2000), <http://www.cbsnews.com/news/green-terror-10-04-2000/>.

<sup>4</sup> Craig Rosebraugh, *Burning Rage of a Dying Planet: Speaking for the Earth Liberation Front* (New York: Lantern Books, 2004), 20.

<sup>5</sup> edcutlip, “Four Indictments Issued in ELF Arson at Michigan State University,” *MediaMouse*, March 11, 2008, <http://www.mediamouse.org/news/2008/03/four-indictment.php>.

<sup>6</sup> Concerns about genetically engineered crops during this period ranged from worries about damage from invasive species to public health issues like the unknown role of genetic modification in the development of food allergies. For an overview of this controversy, see Robert L. Paarlberg, *The Politics of Precaution: Genetically Modified Crops in Developing Countries* (Baltimore: The Johns Hopkins University Press, 2001).

altered seeds which Monsanto conveniently sells?”<sup>7</sup> From this viewpoint, Ives and her colleagues were not trying to “help poor people and poor farmers,” as she had claimed, but rather attempting to profit by forcing already marginalized farmers in impoverished communities to adopt Monsanto’s expensive and dangerous agricultural technologies.

These two competing interpretations of the ABSP fire constituted a dialectic on genetic engineering. Interlocutors on both sides offered moral evaluations of this complex controversy, examining the consequences of human interference with biological processes and weighing the short- and long-term outcomes of genetically modifying food crops. Yet, what set this dialectic apart from other discourses of genetic engineering was not the substance of its arguments, but the modes of discursive engagement employed. Claims about technological interventions in modern agriculture and their consequences were overshadowed by a debate about the activists’ use of property destruction to make their voices heard.

The fire at Michigan State was neither the first nor the last of its kind. To the contrary, the legacy of ELF in the United States is comprised of more than 100 separate protest actions in which activists utilized vandalism, arson, and similarly extreme means of property destruction as rhetorics of resistance. These events prompted difficult questions in public discourse: At what point does activism become terrorism? How do militant activists justify destructive or even violent protest tactics? What should be done to protect the Earth, and what are the moral responsibilities of those who believe the interventions of the status quo to be insufficient? In the debate about ELF’s protest

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<sup>7</sup> “Frequently Asked Questions about the Earth Liberation Front” (North American Earth Liberation Front Press Office, 2001), 12, [http://www.animalliberationfront.com/ALFront/ELF/elf\\_faq.pdf](http://www.animalliberationfront.com/ALFront/ELF/elf_faq.pdf).

actions, a public contest of interpretation attended to these and other questions. In this way, the story of ELF shaped contemporary understandings of environmental activism and radical protest.

In this dissertation I argue that, in the public dialectic on ELF's protest practices, ELF's opponents emerged victorious by transforming this ragtag group of anti-capitalist vandals into a notorious eco-terrorist network. I support this claim with analyses of rhetorics from 1997 to 2006 in which myriad stakeholders attempted to solidify ELF's location on the spectrum of environmentalist thought. Like all movements for social change, environmentalism was—and continues to be—discursively constructed in part by negotiations of the movement's tactics and ideologies. ELF and groups like it occupied a liminal and contested space at the far-left fringe of the environmentalist milieu, and the dialectic I examine here was constituted by rhetorics that strove to offer the most compelling account of where ELF activism should be placed on the spectrum—or whether, as some argued, it was not an iteration of environmentalism at all. These voices all stood to benefit financially, politically, and/or socially from the outcome of this discursive contest.

The dialectic that unfolded continues to shape public conceptions of activism, terrorism, and the environmental movement through the time of this writing. My analysis of this rhetorical negotiation of ELF's enigmatic protest tactics is illustrative of the processes by which movements for social change are constructed in the news media, exploited for political gain, and transformed by symbolic conflict. My study of this dialectic enjoyment offers insights relevant to scholarly investigations of violence,

terrorism, radicalism, political influence, and the mediation and criminalization of dissent in an age of terror anxiety.

### **The Scholarly Context for the Study**

I set out to investigate ELF from a scholarly perspective, and was surprised by how understudied this voice has been by comparison to its predecessors like Earth First! and Greenpeace. But what surprised me even more was the scarce amount of research on the public dialectic that so compelled me. Extant literature offered significant insight into the history and philosophy of ELF and eco-radicalism, and a few scholars focused their attention specifically on the discursive strategies of this distinct voice. However, I could find no published work that sought to provide an account of the public contest to interpret ELF that played out in national discourses during the height of its activity in the U.S. In the pages that follow, I review the major threads of scholarly literature on which I drew for this project.

By sheer numbers, the largest body of work on ELF comes from scholars in criminal justice, security studies, and related fields who offered assessments of the threat posed by ELF activists. This literature was least relevant to my project because it was usually founded upon the largely untroubled premise that ELF was a terrorist organization that posed a genuine threat to domestic security. The question for these

researchers was how much of a threat was posed, and the nature of that threat.<sup>8</sup> What was for these researchers a founding premise was the conclusion of the volley that I analyze in this dissertation. These studies made little effort to unpack ELF's multitudinous rhetorics, nor to take seriously those discourses' foundational tenet that industrial capitalism is always necessarily a menace to ecological harmony. Their key utility in my research for this project has not been their contributions as scholarly literature, but as primary sources—they advanced anti-ELF arguments, contributing to one side of the dialectic that this study explores.

Far fewer in number, the studies that take ELF rhetorics seriously and seek to unpack their discursive strategies were most insightful for my purpose, and they formed the scholarly foundation of this dissertation. I first became interested in ELF as a subject of academic inquiry when I read Wagner's study of news framing in the context of

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<sup>8</sup> Some illustrative studies in this vein include Gary A. Ackerman, "Beyond Arson? A Threat Assessment of the Earth Liberation Front," *Terrorism and Political Violence* 15, no. 4 (2003): 143–70; Xavier Beltran, "Applying RICO to Eco-Activism: Fanning the Radical Flames of Eco-Terror," *Boston College Environmental Affairs Law Review* 29, no. 2 (Winter 2002): 281–310; Nick Deshpande, "Radical Stakeholders and the Craft of Environmental Public Policy: Security Dimensions, Considerations and Implications," *Risk, Hazards & Crisis in Public Policy* 2, no. 1 (2011): 1–11; Nick Deshpande and Howard Ernst, "Countering Eco-Terrorism in the United States: The Case of 'Operation Backfire,'" Final Report to Human Factors/Behavioral Sciences Division, Science and Technology Directorate, U.S. Department of Homeland Security (College Park, MD: START, 2012), [http://www.start.umd.edu/start/publications/Countermeasures\\_OperationBackfire.pdf](http://www.start.umd.edu/start/publications/Countermeasures_OperationBackfire.pdf); Sean P. Eagan, "From Spikes to Bombs: The Rise of EcoTerrorism," *Studies in Conflict and Terrorism* 19 (1996): 1–18; Stefan H. Leader and Peter Probst, "The Earth Liberation Front and Environmental Terrorism," *Terrorism and Political Violence* 14, no. 4 (2003): 37–58.

radical environmental protest.<sup>9</sup> Wagner demonstrated how mainstream news sources slowly shifted from reporting on “ecotage” to “eco-terror” during the period between 1984 and 2006, engaging what sociologist David Altheide called the “discourse of fear” to frame acts of environmental sabotage. Wagner’s study emphasized the fact that incidents of radical eco-protest actually declined during the latter part of the study’s timeframe, but that the news media *increased* its use of the eco-terrorist frame. A similar study by Paul Joosse traced the social construction of the “eco-terrorist threat” in the *New York Times*. Joosse found that the discourse of eco-terrorism had been normalized in mainstream media outlets like the *Times*, making it difficult or even impossible for ELF rhetors to express their nuanced ideological perspectives. Instead, journals of record most commonly treated ELF spokespersons and activists through the “dangerous clown” frame.<sup>10</sup>

Although neither Wagner nor Joosse sought to provide a comprehensive account of the reasons behind the shifts in news framing that they analyzed, they each pointed toward a different causal influence. While Wagner drew on Altheide’s work to suggest that the news media had a vested interest in keeping viewers enmeshed in fear, Joosse argued that part of the failure of the news media to represent ELF as legitimate was due to the activists’ use of the decidedly unsympathetic leaderless resistance structure. To be sure, both scholars were at least partially right. Reading these essays in tandem, I was

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<sup>9</sup> Travis Wagner, “Reframing Ecotage as Ecoterrorism: News and the Discourse of Fear,” *Environmental Communication* 2, no. 1 (March 2008): 25–39, doi:10.1080/17524030801945617.

<sup>10</sup> Paul Joosse, “Elves, Environmentalism, and ‘Eco-Terror’: Leaderless Resistance and Media Coverage of the Earth Liberation Front,” *Crime Media Culture* 8, no. 1 (2012): 75–93.



struck by the multitude of potential explanations for what motivated the many stakeholders in this controversy. My study attempts to view the public negotiation of ELF from all sides, adopting and extending the perspectives that Wagner and Joosse put forth in their work.

Another body of relevant scholarship came from researchers who attempted to account for the curious power of unfamiliar radical environmentalist rhetorics. Two projects that best exemplify this thread in the literature are Kevin DeLuca's germinal study, *Image Politics*, and Jeff Shantz's essay, "The Talking Nature Blues."<sup>11</sup> Neither of these works treated ELF specifically, focusing instead on its radical predecessors (primarily Earth First! and Greenpeace). Nevertheless, their insights about the distinct counterhegemonic discourses of radical environmentalist protest actions are crucial for understanding the burgeoning rhetorical trajectory of radical environmentalism and its eco-revolutionary response—as well as unpacking the logics of these rhetorics, which can appear incoherent to the untrained eye.

DeLuca's theorization of image events traced the clever utilization of televisual logics by radical environmental activists to glean public attention for ecological issues that had been ignored by the spectacle-driven news media. His analysis expertly articulated how stunning images of activists occupying treetops and sabotaging whale hunts in fragile dinghies forced a compelling perspective shift in viewers, foundationally

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<sup>11</sup> Kevin Michael DeLuca, *Image Politics: The New Rhetoric of Environmental Activism* (Mahwah, NJ: Lawrence Erlbaum Associates, Inc., 1999); J. Shantz, "The Talking Nature Blues: Radical Ecology, Discursive Violence and the Constitution of Counter-Hegemonic Politics," *Atenea* 26 (2006): 39–57.

altering audiences' understandings of the human place in nature and, thus, carving a path for meaningful engagement with the activists' motives.

Similarly, Shantz's work shed light on seemingly illegible rhetorics of radical environmentalism, which utilized paradox, irony, parody, and contradiction to constitute a counter-hegemonic discourse of liberation. Shantz explained: "Through the deployment of immoderate discursive practices radical ecology activists attempt a smashing and rebuilding of the social frontiers of ecology."<sup>12</sup> Shantz's analysis illuminated the discursive artistry of radical environmentalist rhetorics, helping the reader to appreciate their work by seeing them through the lenses of alternative interpretive praxes.

DeLuca and Shantz contribute to my analysis cogent articulations of how to read radical environmentalist discourses. In this project, I attempt to further "reconfigure the grid of intelligibility," as DeLuca wrote, in order to unpack the rhetorical power of the generation of eco-radicals that followed the subjects of their analyses. ELF was simultaneously a product of this radical rhetoric, and a reaction against it. As such, work like DeLuca's and Shantz's help the reader understand the logics that make ELF rhetorics legible, as well as the limits of those logics.

A third body of work integral to this study was comprised of investigations into ELF's history, philosophies, and discursive strategies. Most relevant among these were Bron Taylor's work on ELF's complex ideology and worldview, much of which focused on refuting arguments that the affiliated activists posed a serious threat to the public.<sup>13</sup> As

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<sup>12</sup> Shantz, "Talking Nature Blues," 41.

<sup>13</sup> Bron Taylor, "Earth First! And the Earth Liberation Front," ed. Bron Taylor and Jeffrey Kaplan, *Encyclopedia of Religion and Nature* (London and New York:

well, Michael Loadenthal's social movement analysis of ELF offered an extensive treatment of the political and historical forces leading to the fissure between Earth First! and ELF.<sup>14</sup> Loadenthal's study of the state's epistemological framework of ELF provided insight into the government's motives in framing radical eco-activism as eco-terrorism.<sup>15</sup> This account of the government's strategy was part of a small body of work that interrogated dominant constructions of eco-terrorism in terms of the alleged terrorists' stated beliefs and motives. Other exemplary work in this vein includes Sivan Hirsch-Hoefler and Cas Mudde's study of eco-terrorism as a political ploy, Steve Vanderheiden's account of radical environmentalism as an important "pressure relief valve" for the movement, and Randall Amster's treatment of the "terrorist talisman"—the use of the "terrorist" label to discredit activists engaging in Constitutionally protected dissent rhetorics—as a self-fulfilling prophecy.<sup>16</sup>

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Toemmes Continuum, 2005); Bron Taylor, "Religion, Violence and Radical Environmentalism: From Earth First! To the Unabomber to the Earth Liberation Front," *Terrorism and Political Violence* 10, no. 4 (1998): 1–42; Bron Taylor, *Dark Green Religion: Nature Spirituality and the Planetary Future* (Berkeley: University of California Press, 2010).

<sup>14</sup> Michael Loadenthal, "The Earth Liberation Front: A Social Movement Analysis," *Radical Criminology* 2 (2013): 15–45.

<sup>15</sup> Michael Loadenthal, "Deconstructing 'Eco-Terrorism': Rhetoric, Framing and Statecraft as Seen through the Insight Approach," *Critical Studies on Terrorism* 6, no. 1 (2013): 92–117.

<sup>16</sup> Sivan Hirsch-Hoefler and Cas Mudde, "'Ecoterrorism': Terrorist Threat or Political Ploy?," *Studies in Conflict and Terrorism* 37, no. 7 (2014): 586–603; Steve Vanderheiden, "Eco-Terrorism or Justified Resistance? Radical Environmentalism and the War on Terror," *Politics & Society* 33 (2005): 425–47; Randall Amster, "Perspectives on Ecoterrorism: Catalysts, Conflations, and Casualties," *Contemporary Justice Review* 9, no. 3 (2006): 287–301.

Despite these incisive contributions, no scholarly treatment has yet sought to account fully for the complex, polysemous, innovative, and confounding nature of ELF's activist voice. Further, existing analyses have been criticized for oversimplifying ELF's fragmented philosophical standpoints. For example, Parson argued that researchers' frequent attribution of ELF's ideological foundations to the philosophy of deep ecology was problematic, asserting that this "academic mischaracterization has produced an image of the radical environmental movement as under the hegemonic sway of deep ecology—a view of the movement that is not shared among activists."<sup>17</sup> Indeed, among the small collection of scholarly studies of ELF, quite a few identify its rhetoric as foundationally influenced by, and reflective of, Arne Næss' deep ecology philosophy.<sup>18</sup>

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<sup>17</sup> Note that Parson conceived of ELF's rhetorics as radical, which is not a formulation that I adopt in this dissertation. Sean Parson, "Understanding the Ideology of the Earth Liberation Front," *Green Theory & Praxis: The Journal of Ecopedagogy* 4, no. 2 (2008): 50.

<sup>18</sup> For example, see Taylor, "Religion, Violence, and Radical Environmentalism"; Lawrence E. Likar, *Eco-Warriors, Nihilistic Terrorists, and the Environment* (Santa Barbara, CA: Praeger, 2011); Donald R. Liddick, *Eco-Terrorism: Radical Environmental and Animal Liberation* (Westport, CT: Praeger, 2006); Leader and Probst, "The Earth Liberation Front and Environmental Terrorism"; Vanderheiden, "Eco-Terrorism or Justified Resistance?" That so many scholarly perspectives on ELF identify deep ecology as a primary philosophical influence should not be surprising. As theorized by Næss in the early 1970s, deep ecology adopts a holistic worldview in which humans are understood to be just one among millions of species on Earth, immutably interwoven in a delicate, global web of life. Næss juxtaposed this "deep" ecology with the "shallow" ecology that was prominent at the time, which engaged a more utilitarian and anthropocentric perspective. Arne Næss, "The Shallow and the Deep, Long-Range Ecology Movement: A Summary," *Inquiry: An Interdisciplinary Journal of Philosophy and the Social Sciences* 16 (1973): 95–100. ELF texts frequently reflected such a holistic conceptualization of ecology. For example, NAELFPO's video "Igniting a Revolution," argues: "Like all species, we depend on [the natural environment] to sustain ourselves." By positioning humans as one species among many, equal in our need to live by drawing on natural resources like food, air, and water, this claim could certainly be understood as a deep ecological argument. *Igniting the Revolution* (Portland, OR, 2001), <https://www.youtube.com/watch?v=MO2pA5We34A>.

Parson attempted to patch this hole in the literature by developing a richer conceptualization of ELF's "syncretic ideology" through textual analysis of five key ELF communiqués. While Parson's study is most illuminating for readers seeking to better understand ELF's philosophy of revolutionary environmentalism, it is largely unconcerned with the discursive engagement between ELF and a variety of oppositional voices whence the dominant public image of this activist entity arose.

My experience researching this project led me to agree with Parson's critique that ELF has been mischaracterized widely within academia. For this reason, I made sure to draw extensively from works published by the activists, their advocates, and journalists chronicling the systemic criminalization of environmental protest. I gleaned far more from reading texts like the *Earth First! Journal*, Will Potter's work on the Green Scare, reflections from activists published in news interviews and the documentary films *If a Tree Falls* and *Green with a Vengeance*, and the reflections of NAELFPO spokespersons Rosebraugh and Pickering than from much of the available academic literature.<sup>19</sup> Some research bridges the gap between these two realms, such as essays on the practical and

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<sup>19</sup> Will Potter, *Green Is the New Red: An Insider's Account of a Social Movement Under Siege* (San Francisco, CA: City Lights Books, 2011); Will Potter, "The Green Scare," *Vermont Law Review* 33 (2009): 671–87; Marshall Curry and Sam Cullman, *If a Tree Falls: A Story of the Earth Liberation Front*, DVD, Documentary (Marshall Curry Productions, 2011); *Green with a Vengeance*, DVD, Documentary (Journeyman Pictures, 2001); Rosebraugh, *Burning Rage*; "Interview with Craig Rosebraugh: E.L.F. Spokesperson Targeted by Grand Jury," *No Compromise* 16, no. 1 (Fall 2000), <http://www.nocompromise.org/issues/16craig.html>; Leslie James Pickering, *The Earth Liberation Front 1997-2002*, 2nd ed. (Portland, OR: Arissa Media Group, 2004).

ethical implications of legislation designed to suppress voices like ELF by creating harsh penalties for acts of economic sabotage.<sup>20</sup>

A great deal of excellent literature has been published on the radical predecessors of ELF, especially Earth First! and Greenpeace.<sup>21</sup> Initially I predicted that I would be able to use this research extensively because ELF was participating in the same discursive trajectory—just at its revolutionary cusp. However, I learned by reading ELF rhetorics closely through the lenses of this body of scholarship that it could not fully allow me to account for ELF’s rhetorical power, or for the oppositional voice that sought to dominate the conversation about ELF and eco-terror. For example, Brant Short’s study of Earth First! did an excellent job of explaining how the agitative rhetoric of radical voices drew attention to environmental concerns in the public sphere, putting pressure on mainstream advocacy groups to take on these causes.<sup>22</sup> However, ELF’s revolutionary ideology rejected this framework. ELF activists expressed little interest in working collaboratively with other parts of the movement, and some framed influencing public opinion as a

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<sup>20</sup> Ivan Greenberg, “The FBI and the Making of the Terrorist Threat,” *Radical History Review* 111 (Fall 2011): 35–50; Shane Harris, Alexander Burns, and Candace Mitchell, “The Terrorism Enhancement: An Obscure Law Stretches the Definition of Terrorism, and Metes out Severe Punishments,” *National Journal*, July 2007; Kimberly White, “Animal Enterprise Terrorism Act and the Suppression of Free Speech,” *Jurist*, March 11, 2012, <http://jurist.org/dataline/2012/03/kimberly-white-animal-terrorism.php>; Leighton Woodhouse, “How The Pursuit Of Animal Liberation Activists Became Among The FBI’s ‘Highest Domestic Terrorism Priorities,’” *The Huffington Post*, October 24, 2012, [http://www.huffingtonpost.com/leighton-woodhouse/animal-liberation\\_b\\_2012426.html](http://www.huffingtonpost.com/leighton-woodhouse/animal-liberation_b_2012426.html).

<sup>21</sup> Taylor, “Earth First! and ELF”; Short, “Moral Confrontation”; Lange, “Refusal to Compromise”; Martha F. Lee, *Earth First!: Environmental Apocalypse* (Syracuse: Syracuse University Press, 1995); Frank Zelko, *Make It a Green Peace! The Rise of Countercultural Environmentalism* (Oxford, UK: Oxford University Press, 2013).

<sup>22</sup> Short, “Moral Confrontation.”

distant goal by comparison to the immediate, tangible destruction of the machinery of capitalism. I realized as I continued my research that ELF differed from Earth First! and other radical groups not by degree, but by kind—and so the many excellent studies on these radical organizations offered little direct utility in my quest to make sense of the public contest to interpret ELF.

I had initially set out to do a movement study. I planned to ground my analysis in rhetorical scholarship's rich engagement with rhetorics of social change, and to adopt Robert S. Cathcart's definition of social movement as "dialectical enjoinder in the moral arena."<sup>23</sup> Indeed, the fight between many competing voices to offer the dominant public meaning of ELF constituted such enjoinder. Scholarship arguing that radical rhetorics must be taken seriously as subjects of critical inquiry justified my choice of topic, but did not offer methodological perspectives that could guide my analysis of the dialectical contest to interpret ELF.<sup>24</sup> Treating ELF as a social movement (or, as McGee

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<sup>23</sup> Robert S. Cathcart, "New Approaches to the Study of Movements: Defining Movements Rhetorically," *Western Speech* 36, no. 2 (1972): 87.

<sup>24</sup> Karlyn Kohrs Campbell, "The Rhetoric of Radical Black Nationalism: A Case Study in Self-Conscious Criticism," *Central States Speech Journal* 22 (1971): 151–60; Edward P. J. Corbett, "The Rhetoric of the Open Hand and the Rhetoric of the Closed Fist," *College Composition and Communication* 20, no. 5 (1969): 288–96; Franklyn S. Haiman, "The Rhetoric of the Streets: Some Legal and Ethical Considerations," *The Quarterly Journal of Speech* 53, no. 2 (1967): 99–114; Henry W. Johnstone, Jr., "Some Trends in Rhetorical Theory," in *The Prospect of Rhetoric: Report of the National Development Project*, ed. Lloyd F. Bitzer and Edwin Black (Englewood Cliffs, NJ: Prentice Hall, 1971); James F. Klumpp, "Challenge of Radical Rhetoric: Radicalization at Columbia," *Western Speech* 37, no. 3 (1973): 146–56; Robert L. Scott, "Justifying Violence - The Rhetoric of Militant Black Power," *Central States Speech Journal* 19 (Summer 1968): 96–104; Robert L. Scott and Donald K. Smith, "The Rhetoric of Confrontation," *The Quarterly Journal of Speech* 55, no. 1 (1969): 1–8; Herbert W. Simons, "Persuasion in Social Conflicts: A Critique of Prevailing Conceptions and a Framework for Future Research," *Speech Monographs* 39, no. 4 (1972): 227–47.

implored, tracing social *movement* in the changing public vernacular of “eco-terrorism”) did not offer a satisfying way to unpack the tactics rhetors used to jockey for position in the moral controversy over ELF’s extreme mode of activism.<sup>25</sup>

To a large extent, the movements literature in rhetoric continues to suffer from what DeLuca called the “traditional sociological approach.”<sup>26</sup> This approach fails to account for the innovative symbolic strategies of ELF, its loudest supporters, and its most vocal critics. DeLuca’s groundbreaking study of image events did much to advance the discipline’s conceptualization of movements, as he argued that social movements “thematize personal and collective identity, contest social norms, challenge the logic governing the system, and, in sum, deconstruct the established naming of the world.”<sup>27</sup> Yet, note the subject of DeLuca’s inquiry: the radical environmental activism of Earth First! and similar voices. ELF, by contrast, was borne of dissatisfaction with the very modes of protest that DeLuca so elegantly theorized.

ELF rejected environmentalism as a social movement, and so I was compelled as a critic to push beyond the movements literature. I came to a point where I was immersed in ELF and opposition rhetorics, yet the analytic tools of rhetoric’s social change literature alone did not allow me to make sense fully of this enigmatic dialectic. I realized the degree to which this controversy was defined by the dynamism of its sociopolitical

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<sup>25</sup> Michael Calvin McGee, “‘Social Movement’: Phenomenon or Meaning?,” *Central States Speech Journal* 31, no. 4 (1980).

<sup>26</sup> The RSA 15, “Whither Social Movement in Rhetorical Studies? A White Paper” 2016, 4, [http://www.academia.edu/27027536/Whither\\_Social\\_Movement\\_in\\_Rhetorical\\_Studies\\_A\\_White\\_Paper\\_Collaboratively\\_authored\\_by\\_The\\_RSA\\_15\\_](http://www.academia.edu/27027536/Whither_Social_Movement_in_Rhetorical_Studies_A_White_Paper_Collaboratively_authored_by_The_RSA_15_).

<sup>27</sup> DeLuca, *Image Politics*, 25.



context—the discourses of the environment, political protest, and violence in which ELF participated. I understood that it would be impossible to simply treat ELF as a social movement. Instead, I set out to conduct this study by drawing on my sensibility as a critic, letting the rhetoric guide me to the optimal means of interpretive praxis.

### Critical Process

Once I realized that this project was not going to be a movement study, I asked myself what kind of study it *would* be. Though several different scholarly perspectives offered promise, none could account fully for the symbolic drama of ELF that I sought to understand. My project contributes to scholarship on social change rhetorics by expanding on this existing research, arguing that this dialectic was constituted by rhetorical enactments of power and resistance and illustrating these moves by tracing ELF's counterhegemonic rhetoric and demystifying the oppositional discourses of power that challenged it.<sup>28</sup> In focusing my critical attention on power, I sought to move beyond what Philip Wander called “judgments [about] the success or failure of a particular framework in meeting audience expectations.”<sup>29</sup> Instead, I wanted to fully engage the worldviews that these rhetorics crafted and their implications for the contemporary

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<sup>28</sup> I draw this conceptualization of demystification from Raymie McKerrow, whose work I believe offers one of the most compelling arguments for a praxis of rhetorical criticism that centers power. Raymie E. McKerrow, “Critical Rhetoric: Theory and Praxis,” *Communication Monographs* 56, no. 2 (1989): 91.

<sup>29</sup> Philip Wander, “The Ideological Turn in Modern Criticism,” *Central States Speech Journal* 34, no. 1 (1983): 82.

political landscape. Perhaps most of all, my goal was to “illuminate the moral force” of the controversy over ELF.<sup>30</sup> Having recognized that undertaking my project as a movement study would not allow me to achieve these critical goals, I embraced a different perspective. Rather than trying to study ELF as a movement—or as an organization, a counterpublic, or a campaign—I treated ELF as a *voice*. I looked at ELF as one voice among many in a powerful cacophony that left a lasting impression on public conceptualizations of activism, terrorism, and, indeed, the relationships between all living and non-living things on Earth. My critical responsibility, then, was to begin by listening to these voices.

I chose to narrow my scope to constructions of ELF in the United States between 1996 and 2006, the period when I observed the dominant public image of ELF being negotiated and, finally, cemented in cultural memory. As well, I limited the scope of my project to those actions occurring within the context of the U.S., despite ELF’s global presence. There are a few reasons for this. One is that a great deal of the discourse surrounding ELF actions was grounded in the rhetoric of federal law, and so its jurisdiction offered an intuitive border for my study. As well, the U.S. has been the center of ELF activity since its founding, with 118 out of 201 ELF actions documented between

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<sup>30</sup> This goal was arguably the most important for me because so much of what has been written about ELF, both in popular and academic venues, has taken an instrumental approach that necessarily subordinates the moral and ethical dimensions of this dialectic to pragmatic inquiries about national security, law enforcement, and the legislative efficacy of radical discourses. James F. Klumpp and Thomas A. Hollihan, “Rhetorical Criticism as Moral Action,” *Quarterly Journal of Speech* 75 (1989): 90.

2000 and 2015 occurring on U.S. soil.<sup>31</sup> Finally and most importantly, the dialectic that this project explores unfolded largely within the context of the U.S. national news media. And so, although ELF is a worldwide entity, the controversy's rhetorics were inextricably situated in the political, legal, and cultural frameworks of the U.S.<sup>32</sup> It is worth noting that, although ELF actions in the U.S. have decreased dramatically and perhaps even ceased, ELF remains active elsewhere.<sup>33</sup>

Having defined the scope of the project, I surveyed the landscape of this controversy and gathered the texts that comprised it. Fortunately, my project examines a relatively recent saga that has been well documented digitally. I began my research by collecting as many of the textual fragments that comprised the public controversy over ELF and eco-terrorism as possible. These fell into three main categories. First, I gathered works created and disseminated by ELF rhetors, including communiqués, manuals, magazine articles, promotional books and videos, and interviews with the activists themselves and NAELFPO spokespersons Rosebraugh and Pickering. Second, I

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<sup>31</sup> Gary Nagtzaam, *From Environmental Action to Ecoterrorism? Towards a Process Theory of Environmental and Animal Rights Oriented Political Violence* (Cheltenham, UK: Edward Elgar, 2017), 185.

<sup>32</sup> I strive to avoid what Wimmer and Glick Schiller called “methodological nationalism,” or the assumption that the state is the modern world’s master political formation. The drama of negotiating ELF’s place in political life was influenced heavily by state-bound rhetorical schemas, and so while ELF’s discourses transcend state boundaries, the public contest of interpretation that I study here was delimited by the political and legal borders of the nation-state. Andreas Wimmer and Nina Glick Schiller, “Methodological Nationalism and Beyond: Nation-State Building, Migration and the Social Sciences,” *Global Networks* 2, no. 4 (2002): 301–34.

<sup>33</sup> For example, ELF took credit for the bombing of a Mexican pharmacy in 2013, an act of protest against the techno-medical establishment. Gabrielle Segata Antolini, “Mexico: Claim for Explosive Attack on Guadalajara Pharmacy in Toluca with Note from LT,” *War on Society*, n.d., <https://waronsociety.noblogs.org/?p=5814>.

assembled statements, reports, press conferences, books, articles, and testimony from those who opposed ELF's goals and means of achieving them. These rhetors included federal, state, and local officials; law enforcement officers; industry workers and representatives; mainstream and radical environmentalist voices; and anti-environmentalist advocates. Third, I collected print, TV, radio, and internet news reports about ELF actions—the majority of interpretations that the public encountered—using LexisNexis, the Vanderbilt Television News Archive, C-SPAN, Google News, and various online newspaper archives.

Next, I set about immersing myself in these texts. I read endlessly with an open mind and a critic's sensitivity to the discourses' strategies, textures, frames, perspectives, arguments, and contextual influences. Rhetorical critic Lawrence Rosenfield called this way of reading "appreciation." Critics, he argued, should be drawn initially to the text's inherent "luminosity," and should then use their critical training to make arguments about the text's symbolic work. Rosenfield saw this mode of criticism as a middle way between objective and ideological critical praxes, allowing rhetorics to speak for themselves.<sup>34</sup> In

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<sup>34</sup> Rosenfield once suggested in a footnote that appreciative criticism is inimical to ideological criticism because a critic who begins already committed to an ideology will be "immune" to experiences that contradict that ideology. I am not compelled by this argument. I reject both a) the premise that a critic would be able to suspend the experiences that have shaped their value systems, and b) the idea that such a suspension would contribute to superior criticism. Rather than being contradictory, I see Rosenfield's appreciative approach and Wander's ideological approach as complementary. My goal is to analyze the rhetorics on both sides of the dialectic on ELF. This process entails both appreciating the artistry and strategic maneuvering of the discourses involved, and making arguments about their implications in light of existing power structures. To do this, I adopted a critical position informed by both perspectives. Lawrence W. Rosenfield, "The Experience of Criticism," *Quarterly Journal of Speech* 60, no. 4 (1974): 494.

this way, according to Rosenfield’s conceptualization, the critic is the “custodian of the unconcealment.”<sup>35</sup>

Knowing that my purpose was to appreciate the rhetorical strategies of interlocutors attempting to provide the dominant public account of ELF, I sought to experience the luminosity inherent in those accounts. I was attenuated throughout to three research questions. First, what rhetorical choices made ELF distinct as an activist voice? Second, how did stakeholders on all sides of this controversy enact the strategic rhetorics that constituted a dialectic on ELF’s eco-revolutionary activism? Third, why did the dominant account of ELF—which treated this voice as a shadowy domestic terrorism network more similar to Al Qaeda than to Earth First!—emerge victorious in this interpretive contest? These three questions guided my analysis throughout, leading me to conclude that the account of ELF as an eco-terrorist threat achieved and retained dominance in the public arena because of its successful marshaling of the rhetoric of terror anxiety, which overpowered ELF’s articulation of its distinct eco-revolutionary liberation ethic.

Answering these questions required me to craft an analysis that makes legible the rhetorical choices enacted by the chorus of voices vying to secure the dominant interpretation of ELF in the public imaginary. I borrow this notion of legibility from DeLuca, who argued that rhetorical critics could “help reconfigure the grid of intelligibility so that the tactics, acts, and image events of radical environmental groups... can be recognized as legitimate political acts that call into question the morality and

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<sup>35</sup> Ibid.

legality of acts by corporations that displace people and ravage the environment.”<sup>36</sup> I, too, sought in my research to find ways to reshape the grid of intelligibility that dictated what audiences saw and continue to see.

To make critical arguments about how these texts constructed ELF and its affiliated activist practices, I exploited theoretical perspectives from rhetoric and a variety of other scholarly disciplines, including journalism, media studies, political science, sociology, photography, and film studies. In this way, I adopted what Brock and Scott called an “eclectic” approach to criticism.<sup>37</sup> This eclecticism allowed me to draw on the best critical tools to accomplish the task at hand, which I often found in the literature of disciplines other than my native rhetoric. Similarly, I maintained a plural approach to my methodological process. In the well-known debate over the question of method in rhetorical criticism, I agree with Karlyn Kohrs Campbell’s assertion that a devout commitment to method threatens to stifle critical insights. Methods, she argued, can be dangerous in their capacity to serve as “screens [that] distort, alter, or damage what they are intended to explain and reveal.”<sup>38</sup> Adherence to a singular method, approach, or disciplinary perspective may shut the critic off from important insights. As the familiar adage goes, every problem will begin to look like a nail if one’s only tool is a hammer. To engage in responsible appreciative criticism, I identified explanatory perspectives that

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<sup>36</sup> DeLuca, *Image Politics*, 154.

<sup>37</sup> In eclectic criticism, they wrote, “the critic sorts out and communicates what are perceived as the diverse forces involved in a given rhetorical act.” Bernard L. Brock and Robert L. Scott, eds., *Methods of Rhetorical Criticism: A Twentieth-Century Perspective*, Second (Detroit, MI: Wayne State University Press, 1980), 88.

<sup>38</sup> Karlyn Kohrs Campbell, “Rhetorical Criticism 2009: A Study in Method,” in *The Handbook of Rhetoric and Public Address*, ed. Shawn J. Parry-Giles and J. Michael Hogan (West Sussex, UK: Blackwell Publishing Ltd., 2010), 101.

could adequately account for the artistry, creativity, strategy, and folly that I encountered in my study. The result is a bricolage of different perspectives, theories, and tools that I have put to work from the vantage point of my critical posture in the service of seeking answers to this project's driving research questions.

### **The Rise and Fall of ELF: A Dramatic Dialectic**

This dissertation traces the public contest to interpret ELF's radical protest actions, which I argue was ultimately won by ELF's opponents through strategic exploitation of the rhetoric of terrorism. My analysis treats four key moments in this dialectic, studying each as a transformative event in this process of discursive negotiation. I work to explain the rhetorical power of the strategic choices made by a variety of interlocutors within each of these transformative moments, ultimately crafting an account of ELF's rise and fall through the lens of the many attempts to make sense of its divisive rhetorical choices.

Before examining the first key moments, it seems wise to consider some of the antecedents of the diverse voices that compose the dialectic that defined ELF's fate. I do this in Chapter Two. I trace the historical sources of ELF's rhetoric, arguing that it is best understood as both a rejection and an outgrowth of the paradigms of environmental discourse that preceded it. The antecedents of the diverse voices opposing ELF chose a far shorter historical horizon, and root instead in a braid of civility, development, and,

ultimately, terror. From this background, the logics of these four moments draw their rhetorical resources.

Audiences across the country first came to know ELF after the infamous arson fires at a ski resort in Vail, Colorado, in 1998. In Chapter Three I argue that news media discourses of the Vail fires, enacting the discourse of what journalism scholars call the “protest paradigm,” invented ELF as a prototypical eco-terrorist threat. Although ELF was active in the U.S. for two years prior to this incident, Vail was transformative because news coverage elevated ELF from a local menace to a national terrorist threat. As the first of their protest actions to receive widespread attention in the public sphere, it was a critical opportunity for ELF activists to enact strategic rhetorical choices that would justify their actions and articulate their unfamiliar liberation ethic to a nation eager to understand what the fires were designed to accomplish. However, mainstream news outlets eschewed ELF’s rhetorics in favor of stories treating the activists as shadowy eco-terrorists. Subsequent ELF protest actions were, therefore, opportunities to counter this dominant narrative.<sup>39</sup>

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<sup>39</sup> Throughout this dissertation I will use the term “narrative” to mean, in its simplest definition, a story with characters and a plot. In rhetorical studies, we are tempted to jump to the work of Walter Fisher on narrative as a paradigm of human communication, but I am not using the term to call on this particular body of work. Fisher’s contribution to our understanding storytelling as a means of argument is incalculable, and I am certainly relying on his notion of the *Homo narrans* metaphor—the idea that narrative gives meaning to reason and values for humans. I discuss the role of narrative in the context of its ability to give structural and emotional resonance to ideas by shaping them in familiar and meaningful story arcs. This notion of narrative is also influenced by Joseph Campbell’s study of common cultural myths and its notion of “psychic unity,” along with Ernest Bormann’s symbolic convergence theory. See especially: Walter Fisher, “Narration as Human Communication Paradigm: The Case of Public Moral Argument,” *Communication Monographs* 51, no. 1 (March 1984): 1–22; Bill Moyers and Joseph Campbell, *The Power of Myth* (New York: Doubleday, 1988); Ernest G. Bormann,



ELF activists went on to enact dozens of protests in the years that followed, each one a potential wedge that could be leveraged strategically to make public arguments about the moral, ethical, and instrumental purposes of strategic property destruction as a mode of resistance. In Chapter Four, I argue that ELF activists had promising rhetorical resources at their disposal during these protest acts, yet their failure to exploit those resources effectively allowed opponents to reify dominant constructions of ELF as an eco-terrorist voice. This chapter treats ELF's destruction of paper company Boise Cascade's regional headquarters in 1999, motivated by the company's plans to build an ecologically damaging production facility in central Chile. I analyze the Boise Cascade fire as a lost opportunity for ELF to articulate a rhetoric to make sense of its actions.

As the public understanding of ELF's actions evolved, the prominence of terror soon played out in the halls of Congress. In Chapter Five, I argue that institutional structures enabled lawmakers negotiating the meaning of ELF protest actions in the legislative arena to exploit this controversy for political gain by systematically occluding eco-revolutionary rhetorics. These deliberations put the weight of the federal government behind the construction of ELF as a violent menace, heightening its instantiation of eco-activism into the top domestic terrorism threat in the U.S. The rhetorics forged in these legislative negotiations offered key rhetorical resources for the law enforcement officials

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"Fantasy and Rhetorical Vision: The Rhetorical Criticism of Social Reality," *Quarterly Journal of Speech* 58, no. 4 (December 1972): 396–407; Barbara Warnick, "The Narrative Paradigm: Another Story," *Quarterly Journal of Speech* 73, no. 2 (May 1987): 172–82; Robert C. Rowland, "Narrative: Mode of Discourse or Paradigm?," *Communication Monographs* 54, no. 3 (September 1987): 264–75; Michael Calvin McGee and John S. Nelson, "Narrative Reason in Public Argument," *Journal of Communication* 35, no. 4 (Autumn 1985): 139–55.

who would subsequently take on the mantle of defining ELF as an eco-terrorist voice once and for all.

On January 20, 2006, the saga of ELF reached its dramatic climax when federal officials at a televised press conference announced the indictment of 11 ELF activists affiliated with a prolific cell based in Portland, Oregon. In Chapter Six, I argue that voices defending ELF's eco-revolutionary rhetoric were overpowered in this moment by the government's cathartic media spectacle and, as a result, finally lost the public contest to interpret these protest actions. While ELF protest actions continued for years, they no longer catalyzed the dialectical negotiation of ELF's image that I treat in this dissertation. The court of public opinion had reached a decision, and had ruled against ELF.

The legacy of ELF and the dialectic that constructed it in the public imaginary remain with us to the present writing. In Chapter Seven, I conclude by discussing what lessons we have learned and how the study of this dialectic should inform our understandings of protest, violence, and terrorism. As Americans enter an era of uncertainty regarding the limits of dissent, the power of governments and industries to shape our values and experiences, and the very fate of the planet we call home, it is crucial to look to the past in an attempt to learn from the mistakes and victories of the interlocutors in this dialectical contest.

## CHAPTER TWO

### **Competing Forces in the Dialectic on ELF's Eco-Revolutionary Activism**

This dissertation analyzes the rhetorical action of a public dialectic between two discursive forces. One of these forces was constituted by the Earth Liberation Front's (ELF) distinct protest voice, along with others who emerged to advocate on its behalf. The opposing force was composed of a dynamic cacophony of voices that spoke out to condemn ELF's actions and the motives behind them. The dialectical engagement of these two forces was an evolving process that defined ELF for the public—an antithesis in rhetorical terms. Over the course of the 1990s and 2000s, a range of rhetors including environmentalists of many stripes, politicians and other government officials, news media outlets, industry representatives, and ordinary citizens arrayed themselves into these two competing discursive forces, each of which attempted to provide an interpretation of ELF's activities that would become definitive in the public imaginary.

Before we turn intensively to the dialectical struggle surrounding ELF, this chapter offers an overview of the two discursive forces that competed in this public negotiation to define ELF's distinct protest practice. Each had its own unique body of rhetorical resources from which to draw, along with its own set of defining strategies. Despite these similarities, a fundamental difference between these two forces is noteworthy: while ELF's appeals exploited deep historical roots in discourses of the environment and environmentalism, the rhetorics of ELF's opponents did not emerge from such an historically defined trajectory. It is informative to trace the rhetorical

lineages of these two competing forces before moving into my analysis of how they clashed in this complex dialectic, and how the public came to understand ELF's enigmatic voice in the process.

### **Tracing the Historical Roots of ELF Rhetorics**

The first discursive force was comprised of ELF's dynamic protest voice, as well as those who advocated on the public stage for its divisive enactments of protest action. Primarily between the mid-1990s and mid-2000s, ELF enacted a campaign of extensive property damage aimed at a variety of targets, from ranger stations to research facilities to housing developments and beyond. Under the banner of an uncompromising and unfamiliar environmental rhetoric, these activists waged war on what they saw as the destructive machinery of industrial capitalism in a last-ditch bid to protect ecosystems from the toxic symptoms of modern civilization. To outside observers, it was difficult to treat ELF's arsons and firebombings as enactments of any rational social change effort, let alone environmentalism. ELF's rhetorics were, and remain at the time of this writing, largely illegible to publics unfamiliar with the turbulent history of eco-activism in the U.S. To make sense of this complex voice, we must therefore trace the rhetorical development of environmentalism from its historical roots to its most extreme instantiations.

## Origins of U.S. Environmental Rhetoric

What is referred to as “environmentalism” is best understood as a shift in consciousness which prompted a new paradigm of thought about nature that affected everything from federal policy to individual behavior. It began in the aftermath of World War II, with most accounts locating its birth somewhere in the 1950s or 1960s.<sup>1</sup> I conceive of environmentalism here as distinct from, but derivative of, the two strains of environmental thought that dominated reform efforts in the late 19<sup>th</sup> and early-to-mid 20<sup>th</sup> centuries most often called “conservation” and “preservation.”

The first of these, the conservation movement, reached fruition in the 1890s, when many Americans began to challenge key assumptions about their relationships with the natural world. The dominant mode of environmental thought in Euro-American culture from the colonial era up until this point centered on the immediate use of natural resources, widely believed to be inexhaustible. But the U.S. government in 1890 declared

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<sup>1</sup> Environmentalism enjoys neither a universally accepted definition, nor an agreed upon starting point in the context of U.S. culture. While some say that environmentalism came into being in the mid-20th century, others identify environmentalism as a much longer tradition, marking this mid-century shift in terms of “modern” environmentalism. To wit, the *New York Times*, *Wall Street Journal*, and *Washington Post* all identified the 1962 publication of Rachel Carson’s *Silent Spring* as the singular catalyst for the *modern* era of environmentalism. This use of modernity as a modifier situated earlier strands of ecological and natural thought as also part of the tradition broadly called environmentalism. David A. Fahrenthold, “An Environmental Icon’s Unseen Fortitude,” *The Washington Post*, May 18, 2007, <http://www.washingtonpost.com/wp-dyn/content/article/2007/05/17/AR2007051702627.html>; Eliza Griswold, “How ‘Silent Spring’ Ignited the Environmental Movement,” *The New York Times Magazine*, September 21, 2012, <http://www.nytimes.com/2012/09/23/magazine/how-silent-spring-ignited-the-environmental-movement.html>; Leo Hickman, “What Is the Legacy of Rachel Carson’s *Silent Spring*?” *The Guardian*, September 27, 2012, <https://www.theguardian.com/global/blog/2012/sep/27/rachel-carson-silent-spring-legacy>. See also Carolyn Merchant, *The Columbia Guide to American Environmental History* (New York: Columbia University Press, 2002), 224.

the frontier functionally closed, abruptly calling into question the future of Americans' formative pioneer ethos—an identity propelled by, among other factors, the consumption of natural resources and the conversion of wilderness to civilization as the young nation expanded to the west.<sup>2</sup> When the public realized that the nation's wilderness was far from limitless, efforts to address the problem of impending resource scarcity coalesced with new modes of progressive political reform, giving birth to conservation.

One of the most important contributions of the conservation tradition to what would become the environmentalist ethos was framing the consumption of natural resources as an enactment of power. Conservation advocates attempted to apply the progressive era's "gospel of efficiency" to environmental problems, calling on scientific expertise rooted in European forest management traditions in the service of both sustainable use and social equity.<sup>3</sup> Indeed, first Chief of the U.S. Forest Service Gifford Pinchot, who has come to stand in almost synecdochally for the conservation tradition, implored: "The conservation issue is a moral issue, and the heart of it is this: For whose benefit shall our natural resources be conserved—for the benefit of us all, or for the use and profit of the few?"<sup>4</sup> Pinchot served under President Theodore Roosevelt, sometimes called the first "conservation president" for his extensive legacy of environmental protections on public lands and his depiction of those lands as part of America's shared

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<sup>2</sup> Frederick Jackson Turner, *The Frontier in American History* (New York: Henry Holt and Company, 1921).

<sup>3</sup> Clayton R. Koppes, "Efficiency/Equity/Esthetics: Towards a Reinterpretation of American Conservation," *Environmental Review: ER* 11, no. 2 (1987): 127–46.

<sup>4</sup> Gifford Pinchot, *The Fight for Conservation* (New York: Doubleday, Page & Company, 1910), 133.

national identity and heritage. President Franklin Delano Roosevelt went on to embrace his cousin's emphasis on conservation as a means to facilitate social equity during the New Deal, when massive federal projects like the Civilian Conservation Corps redistributed both economic and environmental wealth.<sup>5</sup>

The conservation tradition is often juxtaposed with a trajectory of reform called “preservation,” equally influential for environmentalism. This effort sought to defend America's wild lands from development due to their aesthetic and symbolic significance—a turn away from the “natural resources” mentality. Rather than valuing the natural environment as a site of consumption, preservationists highlighted its power to rejuvenate city dwellers, foster spiritual awakenings, and cultivate masculinity and toughness. Preservationist politics were institutionalized through the formation of outdoor clubs like the Appalachian Mountain Club, the Boone and Crockett Club, and the Sierra Club, which formed the institutional structure of mainstream environmental politics in the 20<sup>th</sup> and 21<sup>st</sup> centuries.<sup>6</sup>

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<sup>5</sup> Brian Black, “The Complex Environmentalist: Franklin D. Roosevelt and the Ethos of New Deal Conservation,” in *FDR and the Environment*, ed. Henry L. Henderson and David B. Woolner, The World of the Roosevelts (New York: Palgrave Macmillan, 2005), 19–47.

<sup>6</sup> Merchant, *The Columbia Guide to American Environmental History*, 133. Clearly, conservation and preservation were complementary traditions; though Theodore Roosevelt was dubbed the “conservation president,” his environmental politics centered the benefits of outdoor recreation (especially hunting and fishing) to men who might otherwise be made weak and effeminate by city life.

Preservation's intellectual origins trace back to transcendentalist and romantic writers, namely Ralph Waldo Emerson and Henry David Thoreau.<sup>7</sup> Their work especially influenced John Muir, the naturalist and philosopher who became synonymous with the preservation ethos. Muir's preservationism situated the human place in nature as one of reverent awe, espousing a spiritual appreciation for wild sites. Muir founded the Sierra Club in 1892 and argued extensively in support of preservationist policies, including the creation of the national forests and parks.

Although conservation and preservation are sometimes depicted as competing strains of environmental thought, they both influenced subsequent environmental politics profoundly. They should be conceived of as two sides of the same coin—both called for a shift in the public's understanding of the natural world, yet each was motivated by different reasons for adopting this shift, and each conceived of different solutions to the problems that plagued the old way of thinking about nature and humans' place in it. Conservation's emphasis on scientific management strategies, as well as preservation's formulation of wilderness as restorative and even holy, were both foundational for the environmentalism that would emerge in the wake of World War II.

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<sup>7</sup> For a detailed treatment of the influence of Emerson and Thoreau's "cult of nature" on the preservationist tradition, see Bradley P. Dean, "Natural History, Romanticism, and Thoreau," in *American Wilderness: A New History*, ed. Michael Lewis (New York: Oxford University Press, 2007), 73–89.



## The Dawn of Environmentalism

It is impossible to point to a single event when these earlier efforts became environmentalism. Yet, three mid-century moments marked the beginning of the environmentalist trajectory from which ELF would eventually separate. The first was the publication of biologist Rachel Carson's landmark *Silent Spring*. Carson prompted a paradigm shift by challenging the widespread belief in unfettered scientific progress that defined American culture during the "better living through chemistry" post-WWII years. As historian Gary Kroll argued, Carson's research laid the groundwork for ecology as a subversive subject: "*Silent Spring* was so much more than an anti-pesticide tract. It was an essay of ecological radicalism that attempted to wake up a populace quiescent to the techno-scientific control of the world."<sup>8</sup>

Environmental activists of this era used Carson's findings as a rhetorical resource, drawing on *Silent Spring* and works like it heavily in the campaigns that led directly to the formation of the Environmental Defense Fund (EDF), the Environmental Protection Agency (EPA), and the phase-out of controversial pesticide dichlorodiphenyltrichloroethane (DDT) in the U.S.<sup>9</sup> The creation of government agencies

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<sup>8</sup> Gary Kroll, "Ecology as a Subversive Subject," *Reflections: Newsletter of the Program for Ethics, Science and the Environment* 9, no. 2 (2002), <http://www.onlineethics.org/cms/9174.aspx>.

<sup>9</sup> Of course, Carson's work was far from monolithic in this regard. Other highly influential texts of this era, especially Aldo Leopold's *Sand County Almanac*, introduced the public to scientifically informed rhetorics of ecology and new ways of seeing the human self in relationship to the land and the ecosystem. In Leopold's case, this was what he termed the "land ethic," which rejected anthropocentrism as a worldview and instead theorized *Homo sapiens* as simply one more citizen in the community of plants, animals, and organic materials collectively termed "the land." I highlight Carson's book as emblematic of this great volume of work because its policy outcomes best exemplify

like EPA, along with the passage of legislation such as the Clean Water Act (1972), the Safe Drinking Water Act (1974), and extensive regulatory expansion of the Clean Air Act (1970), signified mainstream acceptance of the notion that environmental protection was an appropriate federal mandate.

The second key moment marking the birth of environmentalism was the circulation of a series of photographs taken by astronaut William Anders in December 1968 from the window of the Apollo 8 capsule. The images were some of the first in human history to depict the entire planet in their frames.<sup>10</sup> The most famous of these images became known as *Earthrise*, which wilderness photographer Galen Rowell called “the most influential environmental photograph ever taken.”<sup>11</sup> The images prompted a powerful shift in perspective for viewers, challenging the prevailing understanding of the

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the kind of scientific regulation that ELF would go on to reject as a meaningful way to mitigate environmental harms. Although Carson’s work is remembered primarily as science/environmental writing, Kroll underscored the subversive nature of ecology as a holistic perspective that de-centered the human. This radical strain of works like Carson’s and Leopold’s was never fully actualized; perhaps if it had been, the activists who went on to found ELF in 1992 would not have had a reason to do so. Ibid.

<sup>10</sup> The robotic Lunar Orbiter 1, which was the first American spacecraft to orbit the moon, did produce some crude images of the Earth as seen from space in 1966. However, these images were grainy, black and white, and featured the Earth largely in shadow. The 1968 series of photographs is far more visually compelling. Scientists had long considered the symbolic force of such an image. In 1948, astrophysicist Fred Hoyle predicted: “once a photograph of the Earth, taken from the outside, is available, we shall, in an emotional sense, acquire an additional dimension... once the sheer isolation of the Earth becomes plain to every man whatever his nationality or creed, and a new idea as powerful as any in history will be let loose.” William Bryant, “The Re-Vision of Planet Earth: Space Flight and Environmentalism in Postmodern America,” *American Studies* 36, no. 2 (1995): 44.

<sup>11</sup> National Aeronautics and Space Administration, “Apollo Astronaut Shares Story of NASA’s Earthrise Photo,” *NASA*, March 29, 2012, <http://www.nasa.gov/centers/johnson/home/earthrise.html>.

planet as enormous and indestructible. Instead, gazing at these images, viewers saw the Earth as small, vulnerable, and alone in the desolate expanse of outer space.<sup>12</sup>

*Earthrise* accompanied a live television broadcast from the lunar module in which Anders, along with Commander Frank Borman and Command Module Pilot Jim Lovell, read a passage from the book of Genesis about God's creation of the Earth. For most viewers, the Apollo 8 telecast and *Earthrise* conveyed a profound sense of oneness among all of humanity—in Borman's words at the close of the broadcast, "all of you on the good Earth." *Earthrise* and its accompanying discourses articulated a vision of unifying environmentalism via mutual dependence on a healthy planet. *TIME* Magazine characterized the overwhelming emotional power of the image: "the... world—the whole angry, brawling, bloody, warring world—stopped and watched and contemplated and prayed and sometimes wept."<sup>13</sup> This cognitive shift is known as the overview effect.<sup>14</sup>

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<sup>12</sup> Counterculture activist and *Whole Earth Catalog* founder Stewart Brand remarked, "[Earth] is neither small nor fragile, of course, but that's a helpful way to think about it." Brand put an image of the Whole Earth taken by an ATS satellite in 1967 on the debut cover of the catalog. Catherine G. Wagley, "The Whole Earth: The Story of an Image That Changed the World," *Adobe Create*, April 18, 2016, [http://create.adobe.com/2016/4/18/the\\_whole\\_earth\\_the\\_story\\_of\\_an\\_image\\_that\\_changed\\_the\\_world.html](http://create.adobe.com/2016/4/18/the_whole_earth_the_story_of_an_image_that_changed_the_world.html). For an extensive and engaging treatment of the *Whole Earth Catalog*'s influence on environmentalist thought and praxis, see Andrew G. Kirk, *Counterculture Green: The Whole Earth Catalog and American Environmentalism* (Lawrence: University Press of Kansas, 2007).

<sup>13</sup> Jeffrey Kluger, "Earthrise on Christmas Eve: The Picture That Changed the World," *TIME*, December 24, 2013, <http://science.time.com/2013/12/24/earthrise-on-christmas-eve-the-picture-that-changed-the-world/>.

<sup>14</sup> For a detailed examination of this phenomenon, see Frank White, *The Overview Effect: Space Exploration and Human Evolution*, Second (Reston, VA: American Institute of Aeronautics and Astronautics, Inc., 1998). One of the most powerful articulations of the overview effect came from NASA astronaut Edgar Mitchell, who served in 1971 as Apollo 14's Lunar Module Pilot and was the sixth person to walk on the moon. Mitchell

The energy surrounding these occurrences culminated at the height of the Cold War with the first celebration of Earth Day, which I posit as the third marker of environmentalism. The first Earth Day contributed a sense of shared responsibility for environmental concerns, democratizing the onus to take action in defense of ecological balance. Roughly 20 million Americans participated in peaceful demonstrations on April 22, 1970, a massive celebration designed to unify lawmakers, businesses, and citizens in mutual concern for the planet's future.<sup>15</sup> The holiday is now celebrated in more than 100 nations around the world each year, standing as a perennial marker of the era of environmentalist sentiment. Historian Philip Shabecoff, argued that the event triggered a deluge of productive social and political activism on environmental policy at all levels of government, as well as a shift in the mentality of the American public. As Shabecoff put it, "After Earth Day, nothing was the same."<sup>16</sup> The symbolic significance of Earth Day celebrations as civic enactments of environmentalism remains at the time of this writing, as illustrated by the decision of the 2017 March for Science organizers to hold their demonstration on Earth Day.

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was quoted as saying: "You develop an instant global consciousness, a people orientation, an intense dissatisfaction with the state of the world, and a compulsion to do something about it. From out there on the moon, international politics look so petty. You want to grab a politician by the scruff of the neck and drag him a quarter of a million miles out and say, Look at that, you son of a bitch."

<sup>15</sup> It bears mention that Earth Day founder and peace activist John McConnell demonstrated the symbolic force of Whole Earth imagery when he charged the original Earth Day flag with an illustration of the planet set against a dark blue field. As with *Earthrise*, the image of the planet floating in space served as a visual rhetoric of unity in the service of environmental reform. He later updated the design, replacing the illustrated Earth with the 1972 NASA photograph *The Blue Marble*.

<sup>16</sup> Philip Shabecoff, *A Fierce Green Fire: The American Environmental Movement*, Revised (Washington, D.C.: Island Press, 2012), 105.

Environmentalism was thus defined by an ecological consciousness more suitable for integration into shared public life and popular culture than its intellectual predecessors. As it grew, ecological concerns became woven into and ameliorated by the fabric of mainstream politics. Once considered the domain of scientists and hippies, events like the publication of *Silent Spring*, *Earthrise* and other Whole Earth photography, and the first Earth Day celebration brought environmentalist sentiment closer to the center of popular political thought. Although at the time of this writing fewer than half of Americans surveyed by Gallup identify as environmentalists, in 1991 that figure was a sizable 78 percent.<sup>17</sup> The environmental movement borne of reformers like preservationist John Muir and conservationist Gifford Pinchot—defined by advocacy for public lands, species conservation, anti-pollution measures, and a philosophical reverence for nature—merged with new rhetorics of nuclear anxiety, concerns about overpopulation, and calls for environmental justice to become part of mainstream liberal consciousness.

This new paradigm was marked by the institutionalization of environmentalist rhetorics among a select group of advocacy organizations. Membership in groups like the Sierra Club, the Wilderness Society, and the Audubon Society soared, and these organizations cultivated greater influence in negotiations over environmental policy. They amassed advertising departments, celebrity endorsements, and fundraising machinery. Advocates of this approach believed that strategic cooperation among government, businesses, and advocacy organizations could curtail the most detrimental

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<sup>17</sup> Jeffrey M. Jones, “Americans’ Identification as ‘Environmentalists’ Down to 42%,” *Gallup*, April 22, 2016, <http://www.gallup.com/poll/190916/americans-identification-environmentalists-down.aspx>.

effects of human industrial activity. Their rhetorics drew on their legacies as mainstays of the earlier conservation and preservation traditions—some of the most well-known environmental reformers today were founded during the height of conservationist politics in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries.<sup>18</sup>

### **Radical Environmentalism**

Yet, following the advent of environmentalism as a new public consciousness, there were many dissatisfied voices. As American Studies scholar William Bryant explained, “The environmental movement had converted America into a nation of environmentalists, yet had failed to effect any meaningful improvement in the environment.”<sup>19</sup> Some activists claimed the institutionalization of environmentalism was privileging pragmatism at the cost of true progress. Frustrated by the setbacks, compromises, and glacial pace of change coming from these efforts, small coalitions of activists started to break away from the amalgamation of national environmental groups

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<sup>18</sup> For example, the Sierra Club (founded 1892), the Audubon Society (founded 1905), and the Wilderness Society (founded 1935).

<sup>19</sup> William Bryant, “The Re-Vision of Planet Earth: Space Flight and Environmentalism in Postmodern America,” *American Studies* 36, no. 2 (1995): 47. Indeed, the environmentalist label has become something of an empty signifier. On the same day that he signed executive orders approving construction of the Dakota Access and Keystone XL pipelines, and silenced government environmental scientists with gag orders, President Donald Trump called himself “an environmentalist.” Michelle Ye Hee Lee, “Trump’s Unsupported Claim He Has ‘Received Awards on the Environment,’” *The Washington Post*, January 24, 2017, sec. News, [https://www.washingtonpost.com/news/fact-checker/wp/2017/01/24/trumps-unsupported-claim-he-has-received-awards-on-the-environment/?utm\\_term=.84f3c627fd5d](https://www.washingtonpost.com/news/fact-checker/wp/2017/01/24/trumps-unsupported-claim-he-has-received-awards-on-the-environment/?utm_term=.84f3c627fd5d).

they sometimes referred to as “Big Green.”<sup>20</sup> The activists decried this first stage of environmentalism, which I will now refer to as *mainstream environmentalism*, as a failure.

These activists’ radical critique troubled the key tenets of environmentalist thought reflected in the three moments that marked the advent of environmentalism. While mainstream environmental advocates embraced the government regulation borne of the *Silent Spring* era, radical environmentalist rhetorics lacked trust in the government’s ability to exercise sound ecological judgment—and to refrain from the corrupting influence of ecologically harmful industries. The radical critique similarly rejected *Earthrise*’s rhetoric of globalized modernity, viewing Whole Earth photography as a means of bearing witness to the erasure of the local. This element of the radical critique was articulated famously by Martin Heidegger: “I do not know whether you were frightened, but I at any rate was frightened when I saw pictures coming from the moon to the Earth. We don’t need any atom bomb. The uprooting of man has already taken place. The only thing we have left is purely technological relationships. This is no longer the Earth on which man lives.”<sup>21</sup> Historian Benjamin Lazier centered this concern when he argued that “the history of the Whole Earth icon is part of a history of competing

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<sup>20</sup> The largest groups are often called the “Group of Ten”: Defenders of Wildlife, Environmental Defense Fund, Greenpeace, National Audubon Society, National Wildlife Federation, Natural Resources Defense Council, The Nature Conservancy, Sierra Club, The Wilderness Society, and World Wildlife Fund. Jeffrey St. Clair and Joshua Frank, “Beyond Gang Green,” *NGOWatch*, July 14, 2010, <https://thewrongkindofgreen.wordpress.com/2010/07/14/the-changing-face-of-environmentalism/>.

<sup>21</sup> Richard Wolin, ed., “‘Only a God Can Save Us’: *Der Spiegel*’s Interview with Martin Heidegger (1966),” in *The Heidegger Controversy: A Critical Reader* (Cambridge, MA: MIT Press, 1992), 103.

globalisms,” which prompt the question of “whether the visions and vocabularies of the *Earthrise* era have inadvertently accelerated our planetary emergency as much as they have inspired us to slow it down.”<sup>22</sup> Finally, radical environmentalist rhetorics critiqued Earth Day’s failure to mitigate large-scale ecological devastation.<sup>23</sup> Arguing that more confrontational agitation would be necessary to effect environmental progress, these activists turned away from what they saw as Earth Day’s melioristic half-measures.

To enact their rejection of mainstream environmentalism these splinter groups catalyzed a second stage of environmental rhetoric that I will refer to here as *radical environmentalism*.<sup>24</sup> Radical environmentalist rhetors rejected what they saw as the institutionalization of ecological consciousness as it was performed by the organizations of mainstream environmentalism. From the radical perspective, the institutions that

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<sup>22</sup> Benjamin Lazier, “Earthrise; Or, The Globalization of the World Picture,” *American Historical Review* 116, no. 3 (June 2011): 608.

<sup>23</sup> Rhetorician Dustin Alexander Greenwalt argued that the event’s discourses relied on rhetorics of anxiety that, when coupled with calls to action that failed to confront the structural threat of industrialism, ultimately led to the failure of Earth Day to effect systemic environmental reform. Dustin Alexander Greenwalt, “The Promise of Nuclear Anxieties in Earth Day 1970 and the Problem of Quick-Fix Solutions,” *Southern Communication Journal* 81, no. 5 (2016): 330–45.

<sup>24</sup> My definition of radical environmentalism is not universally accepted. Scholars have advocated for myriad configurations of environmentalist discourses. For example, rhetorician Cheryl Jorgensen-Earp conceived of the spectrum as being comprised of three rough divisions: “strictly law-abiding constitutionalists; the nonviolent militants favoring dramatic activism embracing civil disobedience and mild forms of incidental or symbolic violence, and the violent militants, the radical or terrorist element.” In this formulation, mainstream environmentalists would fall under the category of constitutionalists, while Earth First! would be classified as nonviolent militants and, finally, ELF would be deemed violent militants. Cheryl R. Jorgensen-Earp, *In the Wake of Violence: Image and Social Reform* (East Lansing, MI: Michigan State University Press, 2008), 32.



dominated mainstream environmentalism were compromised ideologically by their willingness to negotiate with government and industry powers.

What does it mean to call the activist rhetorics of this second stage “radical”? The word comes from the Latin *radicalis*, relating to the root of a plant. As such, it is used in modern English to characterize social and political action that is far-reaching, extreme, and/or fundamental—reform efforts targeting the proverbial “root” of the problem.<sup>25</sup> Conceptualizations of radical activism often locate it on a spectrum of tactics and beliefs that range from the mainstream to the extreme. Efforts for social change invariably prompt the creation of organizations, political structures, and rhetorics that can be located on this spectrum depending on their methods and the degree to which they seek modifications to the status quo. On the traditional spectrum of political ideology that centers the moderate and conceives of liberal and conservative perspectives as left- or right-of-center, respectively, radical environmentalism is located at the far left of the spectrum.<sup>26</sup>

Yet, radical rhetorics cannot be conceptualized solely in terms of their relationships to more commonly accepted discourses. What *counts* as radical in the context of any given movement for social change shifts over time—after all,

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<sup>25</sup> “Radical, adj. and n.,” *Oxford English Dictionary Online* (Oxford University Press, December 2016), <http://www.oed.com.proxy-um.researchport.umd.edu/view/Entry/157251?rskey=PfmBnH&result=1&isAdvanced=false#eid>.

<sup>26</sup> Across many discourses of social change, radicalism is often associated with the liberal/left side of the spectrum. Craig Calhoun explained, “Radicalism is often seen as a more extreme, determined, or impatient version of liberal reformism.” *The Roots of Radicalism: Tradition, the Public Sphere, and Early Nineteenth-Century Social Movements* (Chicago: University of Chicago Press, 2012), 4.

contemporary political realities such as marriage equality, voting rights protections, and woman suffrage were once considered the pipe dreams of radical reformers. Moreover, as sociologist Craig Calhoun argued, the traditional spectrum metaphor cannot fully account for a great variety of efforts to enact change.<sup>27</sup> Rhetorician James Darsey underscored the historical treatment of radical reform rhetorics as “unmannerly” discourses that signified the decay of civil society. In these movements for change, the radical was contrasted not with the mainstream or the moderate, but with the “mannerly, the courteous, the amenable, [and] the proper.”<sup>28</sup> For Darsey, rhetorics called “radical,” “extremist,” and “revolutionary” were characterized as such vis-à-vis their failure to adopt the audience’s frame of reference.<sup>29</sup> As such, we can conceive of radical rhetorics, including radical environmentalism, as those which trouble the very systems that shape our social and political realities.

The rhetoric of radical environmentalism may be best encapsulated in the Earth First! slogan, “No Compromise in Defense of Mother Earth.”<sup>30</sup> Founded in 1980 but

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<sup>27</sup> Ibid., 43–81.

<sup>28</sup> James Darsey, *The Prophetic Tradition and Radical Rhetoric in America* (New York: New York University Press, 1998), 3.

<sup>29</sup> Ibid., 4.

<sup>30</sup> It is important to conceptualize radical environmentalism chiefly in terms of its rhetoric, *not* its organizations. Case in point: Greenpeace emerged in the 1970s as the Don’t Make a Wave Committee, a formative voice of radical environmentalism. These activists were motivated specifically by the refusal of mainstream environmental organizations (chiefly the Sierra Club) to engage in the fight against nuclear testing. However, as Rik Scarce argued, Greenpeace moved toward the mainstream rapidly, expanding into an international environmentalist powerhouse with significant political influence. Today, Greenpeace is considered by many to be part of Big Green, a far cry from its radical roots. As such, Scarce argued that Greenpeace is best considered a “bridge” between mainstream and radical environmentalism. Rik Scarce, *Eco-Warriors:*

active informally during the late 1970s, Earth First! was a leading voice of this second stage of environmentalism. The slogan's explicit rejection of compromise was a direct indictment of mainstream environmentalism's willingness to make concessions to industry and government. As communication scholar Jonathan Lange illustrated, Earth First!'s rhetoric of "refusal to compromise" maintained radical environmentalism's defining ideological purity.<sup>31</sup> Sociologist Rik Scarce put it this way: "[radical] environmentalists adopted a new attitude out of necessity. The mainstream scurried for a way to spend its new riches and still appear effective in the face of an intransigent administration. But to the radicals, pragmatism was the problem."<sup>32</sup>

In keeping with the philosophies of Gandhi and Martin Luther King, radical environmentalists adopted an approach of nonviolent, militant direct action that privileged adherence to moral principles over compromise with opposition forces.<sup>33</sup> As Earth First! co-founder Dave Foreman put it, "We must stop playing the games of political compromise the industrial power brokers have designed for us... We must place our bodies between the bulldozers and the rainforest; stand as part of the wilderness in

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*Understanding the Radical Environmental Movement*, Updated (Oxon, UK: Routledge, 2006), 49–56; For an extensive history of Greenpeace, see Zelko, *Make It a Green Peace!*

<sup>31</sup> Lange, "Refusal to Compromise," 489.

<sup>32</sup> Scarce, *Eco-Warriors*, 23.

<sup>33</sup> Jorgensen-Earp concisely explained nonviolent direct action: "dramatic activism embracing civil disobedience and mild forms of incidental or symbolic violence." Jorgensen-Earp, *In the Wake of Violence*, 32.

defense of herself; clog the gears of the polluting machine; and with courage, oppose the destruction of life.”<sup>34</sup>

Radical environmentalism’s use of this direct action approach garnered a great deal of support, and audiences across the country saw protest acts proliferate such as tree spiking, blockades, and extended tree sits. The idea was not that these actions alone would protect the environment. Rather, they were mechanisms for drawing greater public attention to the problems of ecological destruction. Foreman never called for activists to “stop” the destruction of life, but to *oppose* it—and in spectacular ways. Many of these radical discourses, which DeLuca theorized as image events, spread environmentalist messages by reconfiguring news viewers’ understanding of the human place in nature.<sup>35</sup> Once the public’s attention had been drawn to these issues because of radical environmentalist protest, the dominant voices of mainstream environmentalism faced pressure to attend to them via legal and legislative advocacy. Philosophically opposed on the question of tactics, yet operating in tandem politically for the sake of a common policy outcome, this productive tension between mainstream and radical environmentalist rhetorics shaped the environmental agenda in the late 1970s and 1980s.<sup>36</sup>

Yet, just like before, impatience grew among the activists most driven by the promise of systemic change. In this case, environmentalists committed to ideologies of anarchy, socialism, primitivism, radical liberation, and anti-capitalism found the status

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<sup>34</sup> Shabecoff, *Fierce Green Fire*, 252.

<sup>35</sup> DeLuca, *Image Politics*.

<sup>36</sup> Short, “Moral Confrontation.”

quo inadequate still. They were dismayed to see that even radical protest strategies were failing to produce their desired results. Many viewed mainstream environmentalism's symbiotic relationship with radical environmentalism as one built upon complicity with morally bankrupt social and economic systems. As Earth First! denounced tree spiking and Greenpeace turned into a behemoth organization, frustrated activists watched as they saw leading radical voices moving toward the mainstream. From their perspective, radical environmentalism had become ideologically compromised and ineffective at achieving systemic change—the same critiques that had been leveled against mainstream environmental voices years prior.

### **ELF's Eco-Revolutionary Voice**

Fed up with the failures of both mainstream and radical environmentalism, some activists turned to major property destruction as a means of environmental protest. This turn bore a third stage of environmentalism, which I term *eco-revolutionary activism* due to its environmentally motivated rejection of entire social, political, and economic systems.<sup>37</sup> Beginning in October 1996, anonymous eco-revolutionary activists began

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<sup>37</sup> Political scientist Sean Parson argued that ELF was “the first [environmental activist voice] to move towards an eco-revolutionary program... ELF rejects not only State Marxism, but also liberal, identity or other forms of single-issue politics.” Sean Parson, “Understanding the Ideology of the Earth Liberation Front,” *Green Theory & Praxis: The Journal of Ecopedagogy* 4, no. 2 (2008): 50. By contrast, Earth First!er Dave Foreman stated in no uncertain terms that eco-sabotage (or “monkeywrenching”) was *not* a revolutionary mode of activism. He wrote, “MONKEYWRENCHING IS NONREVOLUTIONARY, Monkeywrenchers do not aim to overthrow any social, political, or economic system.” Dave Foreman, ed., *Ecodefense: A Field Guide to Monkeywrenching*, 3rd ed., 1993, 10, <http://theanarchistlibrary.org/library/various-authors-ecodefense-a-field-guide-to-monkeywrenching.pdf>.

targeting timber industry stakeholders in western Oregon. News audiences heard reports about a spate of new acts of sabotage directed at the Forest Service that were significantly more drastic and economically damaging than Earth First!'s television-ready treesits.<sup>38</sup> On October 28, activists set fire to a USFS truck and vandalized the Ranger District Headquarters in Detroit, Oregon. Two days later, they burned down the Oakridge Ranger Station in Westfir, Oregon. The following March, tree spikes were found at the Robinson-Scott Timber harvest site in the Willamette National Forest. Graffiti at the scenes of these actions announced the birth of a new voice of eco-revolutionary activism: "Earth Liberation Front."

Although its presence became known in the U.S. with those protest actions in the fall of 1996, ELF was founded four years earlier across the Atlantic Ocean in Brighton, England. There, at the inaugural U.K. Earth First! meeting, a small group of activists splintered off to form their own group, which rejected existing nonviolent militant direct action practices as being too moderate.<sup>39</sup> ELF U.K. adopted the name "Earth Liberation Front" from the already-established Animal Liberation Front (ALF), which would go on to become a "sister organization" to ELF.<sup>40</sup> ELF U.K. engaged in some relatively minor protest actions in and around southern England, and similar cells developed in the

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<sup>38</sup> Rosebraugh, *Burning Rage*, 18–19.

<sup>39</sup> Alexandra Plows, Derek Wall, and Brian Doherty, "Covert Repertoires: Ecotage in the UK," *Social Movement Studies* 3, no. 2 (2004): 202.

<sup>40</sup> Many of ELF's protest actions in the U.S., especially during its early years, were claimed jointly by ALF and ELF. The difference between these two voices is understood best in terms of their rhetorics, not the identities of the activists who enacted the protests. Scarce, *Eco-Warriors*, 268.

Netherlands and Germany.<sup>41</sup> These activists publicized their actions after the fact by circulating an anonymous report, termed a communiqué, in which the saboteurs claimed responsibility for the fires, vandalism, sabotage, and other acts of destructive protest. This extreme voice remained dormant in the U.S. until the 1996 protest actions in Oregon.

The initial articulation of U.S. ELF's philosophies and goals came in 1997 from their first communiqué, which has since been dubbed the "Beltane Communiqué" due to its unusual time stamp.<sup>42</sup> This document was the closest thing to an ELF manifesto to be published, and some authors have even referred to it as such.<sup>43</sup> It read, in full:

Beltane, 1997

Welcome to the struggle of all species to be free. We are the burning rage of this dying planet... The war of greed ravages the earth and species die out every day. ELF works to speed up the collapse of industry, to scare the rich, and to undermine the foundations of the state. We embrace social and deep ecology as a practical resistance movement. We have to show the enemy that we are serious about defending what is sacred. Together we have teeth and claws to match our dreams. Our greatest weapons are imagination and the ability to strike when least expected.

Since 1992 a series of earth nights and Halloween smashes has mushroomed around the world. 1000's of bulldozers, powerlines, computer systems, buildings and valuable equipment have been composted. Many ELF

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<sup>41</sup> Tara the Sea ELF, "The Earth Liberation Front," *Earth First! Journal* 16, no. 7 (September 21, 1996): 18.

<sup>42</sup> Beltane is a Gaelic seasonal festival marking the beginning of summer, usually celebrated on or around May 1 in the Northern Hemisphere. In contemporary times, Beltane is celebrated by many neo-pagans, Wiccans, and Druids. Thus the Beltane Communiqué's date referenced the influence of nature religiosity on the ELF worldview.

<sup>43</sup> James William Gibson, *A Reenchanted World: The Quest for a New Kinship with Nature* (New York: Metropolitan Books, 2009), 138.

actions have been censored to prevent our bravery from inciting others to take action.

We take inspiration from Luddites, Levellers, Diggers, the Autonomie squatter movement, the ALF, the Zapatistas, and the little people—those mischievous elves of lore. Authorities can't see us because they don't believe in elves. We are practically invisible. We have no command structure, no spokespersons, no office, just many small groups working separately, seeking vulnerable targets and practicing our craft.

Many elves are moving to the Pacific Northwest and other sacred areas. Some elves will leave surprises as they go. Find your family! And let's dance as we make ruins of the corporate money system...<sup>44</sup>

The Beltane Communiqué situated ELF's eco-revolutionary ideology as a direct response to the failures of both mainstream and radical environmentalism. It explicitly articulated an anti-state, anti-civilizational philosophy in its call to "speed up the collapse of industry" and "undermine the foundations of the state." This was a stark contrast to the radical environmentalism espoused by voices like Earth First!, which treated environmental problems as systemic but did not prescribe economic collapse or overthrowing the government as antidotes. Its rejection of organizational hierarchy—"no command structure, no spokespersons, no office"—extended and intensified radical environmentalism's critique of institutionalization. The assertion that the eco-revolutionary activists who penned it had "teeth and claws to match [their] dreams," along with the plea to "show the enemy that we are serious about defending what is sacred," hinted toward condemnation of its radical predecessors as 'toothless' and ultimately not "serious" about achieving environmental goals without compromising.

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<sup>44</sup> Pickering, *Earth Liberation Front*, 10; ellipses in original.



The Beltane Communiqué offered a framework for understanding ELF as both an offshoot and an indictment of its radical environmentalist predecessors. The text rejected radical environmentalism on two counts. It asserted that radical environmentalism had lost its ideological purity—that its voices were no longer “serious” about defending Mother Earth, and that a full-out attack on the machinery of industrial capitalism was necessary to win the “war of greed.” As well, the communiqué condemned radical environmentalism as ultimately a failure, proved by the ongoing markers of total ecological devastation: “The war of greed ravages the earth and species die out every day.”

ELF activists shared the radical critique that had motivated voices like Earth First!, and used this critique to justify the turn to a third stage of environmental rhetoric when they surmised the second stage had failed. Thus, ELF expressed its turn to eco-revolutionary environmentalism as “a practical resistance movement.” This and subsequent communiqués, along with the material and visual rhetorics of their protest actions, constituted ELF’s distinct eco-revolutionary activist voice. ELF broke from radical environmentalism in three key ways: escalation of tactics, a leaderless cell structure, and further radicalization of purpose.<sup>45</sup>

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<sup>45</sup> My argument here is certainly not that ELF was the very first to adopt physically destructive tactics. For example, a small cell calling itself the “Environmental Life Force” claimed to have placed “napalm bombs” on crop dusters and to have shot through Sen. Dianne Feinstein’s windows with an air-powered firearm in the late 1970s. Founder John Hanna called his group the “original ELF,” and claimed that the Earth Liberation Front or “modern ELF” co-opted his tactics. John Hanna, “ELF (The Original) - Environmental Life Force,” *Original ELF*, n.d., <http://www.originaelf.com/>; Richard Cole, “ELF Declares ‘War’ on Pesticides,” *Santa Cruz Independent*, May 20, 1977. Due to the clandestine nature of these activities, we will probably never know exactly which activists were using certain tactics at any particular time. ELF achieved a degree of

First, ELF escalated its protest tactics actions significantly, causing far more economic damage and harm to material structures than did radical environmentalist voices like Earth First!. ELF justified the use of arson as a realistic means of achieving its goals: “When a piece of property exists to bring profits from the exploitation of communities and the destruction of natural elements that we all need to survive, then it is in everyone’s best interests to see that this situation no-longer exists. One realistic way that the Earth Liberation Front has achieved this is to burn that piece of property to the ground.”<sup>46</sup> The risks were greater for the activists as well, because their activities were classified as felonious. If an ELF activist was apprehended, they could be subjected to decades in federal prison (versus a hefty fine and perhaps a short jail sentence for less destructive protest activities).<sup>47</sup> ELF-affiliated activists’ use of extensive property destruction via arson and firebombing was extremely divisive among the broad spectrum of environmental activists mainstream and radical, with many national environmental advocacy groups quick to distance themselves from ELF publicly.

Second, ELF broke from its radical environmentalist predecessors by adopting an almost nonexistent organizational structure. ELF was comprised of anonymous cells located first throughout the Pacific Northwest, and eventually across the nation. These activists used a tactic called leaderless resistance, which up until that point had been

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notoriety unmatched by any of its predecessors, purported or actual, and it is this superlative degree of cultural attention and influence that led me to focus on ELF for this dissertation.

<sup>46</sup> North American Earth Liberation Front Press Office, “Welcome,” *Resistance* 2, no. 1 (Spring 2001): 1.

<sup>47</sup> Gibson, *A Reenchanted World*, 139.

much more common among radical right-wing activism. As an article in *The New York Times* put it, “There is no membership; there are only acts.”<sup>48</sup> ELF’s leaderless cell structure offered the instrumental benefit of making it extremely difficult for investigators to apprehend the saboteurs. Further, as sociologist Paul Joosse argued, this practice gave ELF the ability to embrace activists from a wider variety of ideological standpoints.<sup>49</sup> In addition to these logistical advantages, the use of leaderless cells fostered a distinct rhetorical presence that brought a new dynamism to environmentalist rhetorics. Operating within this distinct organizational structure, ELF’s voice was fractured, fragmented, and even inconsistent at times due to its public texts being composed by a variety of rhetors who did not collaborate among each other. Although many resistive rhetorics underscore the necessity of speaking with a unified voice, the polyvocalic nature of ELF communiqués meant that ELF’s discourses benefitted from ideological and stylistic élan.

The fractured nature of ELF rhetorics was balanced, to some degree, by the work of activists who served as press officers for the anonymous cells. The Beltane Communiqué was first sent to Craig Rosebraugh, a well-known antiwar and animal rights organizer in Portland, Oregon. He and colleague Leslie James Pickering, who together led a local activist coalition called the Liberation Collective, went on to serve as ALF/ELF spokespersons. They founded the North American Earth Liberation Front Press

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<sup>48</sup> Bruce Barcott, “From Tree-Hugger to Terrorist,” *The New York Times*, April 7, 2002, sec. Magazine, <http://www.nytimes.com/2002/04/07/magazine/from-tree-hugger-to-terrorist.html>.

<sup>49</sup> Paul Joosse, “Leaderless Resistance and Ideological Inclusion: The Case of the Earth Liberation Front,” *Terrorism and Political Violence* 19 (2007): 351–68.

Office (NAELFPO) as a means of publicizing ELF actions while maintaining the anonymity of the activists.<sup>50</sup> The press office served as a proxy for the saboteurs in the field by circulating communiqués, holding press conferences to announce ELF actions, and answering questions from journalists and lawmakers.

NAELFPO also penned several texts designed to educate the public about ELF's philosophies and tactics, including promotional videos, a short-lived journal entitled *Resistance*, and a lengthy "Frequently Asked Questions" booklet. There are many significant rhetorical differences between the discourses written by Rosebraugh and Pickering, and those coming from the activists on the ground who penned official ELF communiqués.<sup>51</sup> However, the fact that the activists continued to send their claims of responsibility to NAELFPO signaled at least some degree of consent to the office's participation in the articulation of this plural voice. Thus, I treat the texts together as being authored by ELF—a kind of rhetorical mosaic comprised of disparate contributions that together formed a holistic voice.

Third and most significantly, ELF broke from radical environmental efforts by embracing a distinctly intersectional, materialist, and comprehensive critique of capitalism and the state. Mainstream environmental organizations wanted to work with lawmakers through policy negotiation, bringing both government and industry into the

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<sup>50</sup> Rosebraugh, *Burning Rage*, 11–17; Pickering, *Earth Liberation Front*, 2–4.

<sup>51</sup> NAELFPO texts tended to be longer, more detailed, and more oriented toward justification than did communiqués submitted from the field. NAELFPO discourses tended to refer to illustrative examples more often, and were frequently grounded in scholarship and literature. Additionally, Rosebraugh and Pickering were arguably superior writers when compared to most of the affiliated saboteurs, whose communiqués were sometimes plagued by syntactical errors.

mix. Radicals like Earth First! elected to monkeywrench, targeting industry in a way that bypassed the legislative and legal systems. But ELF—along with a handful of other eco-revolutionary activist collectives such as ALF and the Sea Shepherd Conservation Society—sought to dismantle both industrial capitalism and the state apparatuses that protected it. This shift exemplified what sociologists David Pellow and Hollie Nyseth Brehm called a “frame transformation” in ecological social movements, wherein activists adopted a paradigm of “total liberation” that connected the oppression of nonhuman animals, plants, and other living things and ecosystems to all forms of oppression.<sup>52</sup> If we embrace the phytological metaphor of radicalism, this is arguably the *most* radical means of enacting environmental critique because it most directly and completely targets the “root” of the problem of ecological destruction.

Indeed, radical is too moderate a descriptor to characterize the extreme and comprehensive militancy of ELF’s protest rhetoric. That is why Parson argued that the formation of ELF gave birth to a new conceptualization of *revolutionary* environmental protest, influenced not only by deep and social ecology but also by green and anti-civilizational anarchisms. This instantiation of environmentalism treated property destruction as a standalone, offensive protest tactic, rather than the defensive strategy used by groups like Earth First! in conjunction with more traditional protest rhetorics such as lobbying Congress for legislative reform. ELF’s iteration of eco-tage “confront[ed] the social, economic, and political realities of the world and [undermined]

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<sup>52</sup> David Naguib Pellow and Hollie Nyseth Brehm, “From the New Ecological Paradigm to Total Liberation: The Emergence of a Social Movement Frame,” *The Sociological Quarterly* 56, no. 1 (2015): 185–212.

them through their active problematization.”<sup>53</sup> As an article in the *Earth First! Journal* reported, “ELF is not a ‘radical environmental group,’ it is an ecological resistance movement, that embraces eco-feminism, animal, earth and human liberation.” The piece went on to implore: “targets should not be only the vivisection labs, but also the very foundation of capitalism: the sources of profit.”<sup>54</sup> In this way, ELF enacted eco-revolutionary activism as a corrective to the failings of colluded radical and mainstream environmentalisms.

Though ELF’s eco-revolutionary rhetoric was innovative and unprecedented, it drew symbolic energy from its roots in historic American environmental discourse. The motives of conservation reverberated in ELF’s conceptualization of ecological destruction as an enactment of power. As well, ELF discourses drew on the preservationist ethic of environmental defense as a sacred duty. ELF rejected mainstream environmentalism’s logics of institutionalization, technologies of globalism, and melioristic discourses of unity. Yet, ELF communiqués maintained its emphasis on the necessity of pragmatism—albeit a very different conceptualization thereof. And although ELF was founded by activists unsatisfied with the progress of radical environmentalism, the radicals’ uncompromising rhetorics of ideological purity echoed in ELF protest actions. Thus, the eco-revolutionary rhetoric of ELF was both a rejection and a product of its discursive lineage within the tradition of environmental reform in the U.S. As one branch among many in the tree of environmentalist rhetoric, ELF may have jutted out the farthest—but it still drew discursive power from deep roots.

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<sup>53</sup> Parson, “Understanding,” 53.

<sup>54</sup> Tara the Sea ELF, “The Earth Liberation Front.”

## **The Emergence of Anti-ELF Rhetorics**

The rhetorics that challenged and ultimately overpowered ELF's eco-revolutionary discourse took shape along a markedly different trajectory. In the dialectic that this dissertation examines, ELF was targeted by an uneasy coalition of voices that were more often adversaries than allies: industry, government, and the mainstream environmental movement. The history and rhetorical texture of this strained confluence will unfold in my analysis, characterized in my study of key moments when ELF's actions thrust these two forces into the public arena in a contest to provide the most compelling interpretation of ELF and its distinct protest voice. By contrast to ELF's rhetoric, the opposition force that emerged in this dialectic enacted a consciously ahistorical discourse. Eschewing the historical rootedness enjoyed by ELF rhetorics that were nourished by decades of negotiating environmentalism, much of this opposition force's strategy was to articulate contemporary reactions to ELF without drawing on the rich legacies of the discourses they employed.

To be sure, this reactionary bricolage did not have to be the voice of ELF's opposing force. Its rhetors could have engaged extant anti-environmentalist discourses. For example, opponents could have chosen to exploit the rhetorical legacy of the Sagebrush Rebellion, a push to transfer control of federal lands to states for sale to farmers and ranchers during the 1970s and 1980s that articulated a case against the environmentalist agenda. In their persuasive appeals, Sagebrush Rebels drew on the rich discursive heritage of homesteaders and pioneers that extended back to the 19<sup>th</sup> century

West.<sup>55</sup> Although the Sagebrush Rebels failed to achieve their instrumental policy goals, they crafted an anti-environmentalist rhetoric so compelling that it was adopted by powerful voices up to and including President Reagan, who implored potential voters in Utah to “count [him] in as a rebel.”<sup>56</sup> ELF’s opponents, however, did not draw on this nuanced discursive tradition.

Instead, this dialectic’s emergent opposition force enacted a syncretic anti-ELF rhetoric that shifted over time as myriad voices entered and exited the fray. This outcome should not be entirely surprising—ELF’s dynamic rhetorics broke away from the environmentalist tradition in many ways, necessitating an equally novel opposition approach. Three fundamental commonalities took shape among the cacophony of voices in this assemblage, which I treat here as rhetorical strands in the discursive force that

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<sup>55</sup> Idaho politician and businessman Vernon Ravenscroft drew on the West’s rhetorical legacy as pioneers in his interpretation of the Sagebrush Rebellion: “Westerners are still near enough to the pioneer days that we’ve got a lot of rugged individuals who want to take care of themselves... They want to help people help themselves, not domesticate ‘em.” Haynes Johnson, “The Flint and the Fire of Idaho’s Sagebrush Rebellion,” *The Washington Post*, October 12, 1980, [https://www.washingtonpost.com/archive/lifestyle/1980/10/12/the-flint-and-the-fire-of-idahos-sagebrush-rebellion/7e5cc4f0-48eb-4cb6-9b74-cdbd46debfae/?utm\\_term=.bfe5abd0ab69](https://www.washingtonpost.com/archive/lifestyle/1980/10/12/the-flint-and-the-fire-of-idahos-sagebrush-rebellion/7e5cc4f0-48eb-4cb6-9b74-cdbd46debfae/?utm_term=.bfe5abd0ab69).

<sup>56</sup> Philip Bump, “That Time Ronald Reagan Joined a ‘Rebellion’ - but Still Couldn’t Change Federal Land Laws,” *The Washington Post*, January 4, 2016, [https://www.washingtonpost.com/news/the-fix/wp/2016/01/04/even-sagebrush-rebel-ronald-reagan-couldnt-change-federal-land-use-in-the-west/?utm\\_term=.9a21845870ca](https://www.washingtonpost.com/news/the-fix/wp/2016/01/04/even-sagebrush-rebel-ronald-reagan-couldnt-change-federal-land-use-in-the-west/?utm_term=.9a21845870ca). Reagan’s controversial Interior Secretary, James G. Watt, was a key advocate of the Sagebrush Rebellion. His anti-environmentalist rhetoric was far more graphic: “If the troubles from environmentalists cannot be solved in the jury box or at the ballot box, perhaps the cartridge box should be used.” Michael J. Dax, *Grizzly West: A Failed Attempt to Reintroduce Grizzly Bears in the Mountain West* (Lincoln, NE: University of Nebraska Press, 2015), 55.



opposed ELF.<sup>57</sup> As the dialectic played out, these disparate strands would sometimes rise to the surface of anti-ELF rhetorics, only to later be pushed to its margins as a new strand took center stage. This synthetic approach made the opposition to ELF agile and adaptable. As the dialectic evolved, two of these strands would ultimately fall away, subsumed into the rhetoric of terror that ultimately defeated ELF in the public imaginary.

The first strand of anti-ELF rhetoric claimed no issue with the activist's stated ends, rejecting only their chosen means of property destruction. This discourse is best characterized as one of *civility*—a call to engage in communicative acts that are polite and courteous, and which follow the prescribed norms of the democratic social order. This is the appeal invoked in the oft-heard refrain, 'I agree with what they're saying, but not how they're saying it.' It is an agile persuasive tool that rhetors can use to argue against discourses of change without appearing to oppose the stated goals of that effort.<sup>58</sup>

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<sup>57</sup> It bears mention that the discourse of property rights was conspicuously absent in the syncretic anti-ELF rhetoric that emerged. This discourse, which finds its roots in the political philosophies of John Locke and Jean Jacques Rousseau, centers the right to private property in a democratic society with a capitalist economy. I had expected to find appeals to property rights as a central theme in anti-ELF rhetoric, yet this discourse was functionally absent in the texts I examined. I speculate that this may have been a strategic omission: ELF activists argued that the industries they targeted were greedy and profit-driven; had opponents utilized the rhetoric of property rights, they might have played into that framing.

<sup>58</sup> Darsey's study of radical rhetoric throughout U.S. history demonstrated how such discourses were often treated as symptoms of social disorder due to their rejection of ancient Greek principles of civility and compromise. Darsey, *Prophetic Tradition*. Appeals to civility have such a strong presence in our national tradition that scholars of rhetoric were hesitant to treat uncivil discourses as legitimate subjects of critical analysis until well into the 20th century. Robert L. Scott and Donald K. Smith, "The Rhetoric of Confrontation," *The Quarterly Journal of Speech* 55, no. 1 (1969): 1–8; Edward P. J. Corbett, "The Rhetoric of the Open Hand and the Rhetoric of the Closed Fist," *College Composition and Communication* 20, no. 5 (1969): 288–96; James F. Klumpp, "Challenge of Radical Rhetoric: Radicalization at Columbia," *Western Speech* 37, no. 3 (1973): 146–56. Scholars of civility rhetorics have noted that calls for civil discourse

Although the rhetoric of civility has deep roots in the western tradition, ELF opponents did not draw on history to form their appeals, rather treating civility as an ahistorical given in democratic society.

ELF opponents marshaled the rhetoric of civility to reject ELF's protest practices as violent, while remaining strategically agnostic on the question of environmental reform. For example, Oregon Congresswoman Darlene Hooley implored her colleagues to support a bill that would make it easier for the federal government to combat ELF's protest practices by arguing, "We Americans fight for change at the ballot box and in the halls of legislatures—not with incendiary devices and pipe bombs."<sup>59</sup> The rhetoric of civility became a prominent strand in the anti-ELF appeals of mainstream environmental groups, who worked feverishly to distance themselves from ELF's eco-revolutionary protest discourse. Demonstrating this, Ancient Forest Rescue's (AFR) Jonathan Stauffer argued, "Radicalism and violence [are] not something I believe that the majority of environmentalists believe in."<sup>60</sup> Stauffer's bifurcation between environmentalism and the radicalism/violence dyad created a clean argumentative path for him to reject ELF while maintaining his commitment to environmental preservation. Thus, the rhetoric of civility

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nearly always turn out to be partisan appeals, marking a hesitation to embrace calls for civil discourse uncritically: "Civility is always at risk when we talk about things that matter." Thomas Benson, "The Rhetoric of Civility: Power, Authenticity, and Democracy," *Journal of Contemporary Rhetoric* 1, no. 1 (2011): 27. For a treatment of civic life in America that centers civility rhetorics, see Michael Schudson, *The Good Citizen: A History of American Civic Life* (New York: The Free Press, 1998).

<sup>59</sup> 147 Cong. Rec. 102, E1387 (2001).

<sup>60</sup> "The Earth Liberation Front," *World News Tonight with Peter Jennings* (ABC, October 22, 1998).

enabled interlocutors like Hooley and Staufer to advocate for many of ELF's ends, but to oppose ELF on the basis of its controversial means.

Unlike the discourse of civility, the second strand of anti-ELF rhetorics challenged the activists' environmental goals. It was a rhetoric of *development*, which posited that ecological preservation should be subordinate to economic progress. In that it linked the progress of civilization to the human mastery of the natural environment, this discourse was a modern, corporatized iteration of American environmental thought between the colonial era and the closing of the West. Yet, as with the rhetoric of civility, most ELF opponents did not mine this history in constructing their arguments. Much of this development rhetoric was sculpted by powerful industry lobbyists and conservative think tanks, which painted environmental protection in general—and ELF's strategies in particular—as little more than political road blocks created to hinder economic development in sectors like real estate, agriculture, and extraction industries. One of the most prominent voices of this development rhetoric was anti-environmentalist agitator Ron Arnold, who popularized the “movement” that he called “Wise Use.”<sup>61</sup> This phrase was appropriated from Gifford Pinchot, who used it in the 1910s. But in Arnold's hands, the term became an argument for an unregulated private sector as the most fitting steward of the Earth, thus employed to prop up the moneyed industries that funded these efforts in the 1980s and 1990s.

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<sup>61</sup> Although Arnold branded his project as the “Wise Use movement,” I put the word “movement” in quotation marks for two reasons. First, it embraces the problematic organizational logic of movements that McGee troubled in his essay, “Social Movement: Phenomenon or Meaning?” Second, although Arnold went to great lengths to depict Wise Use as a grassroots conservation movement, it was funded almost exclusively by environmentally destructive industries such as logging, mining, housing, and agriculture.

Stakeholders from government and industry alike engaged rhetorics of development to oppose ELF on the grounds that its eco-revolutionary activism was inimical to reasonable and beneficial economic progress. Arnold argued that ELF “burden[ed] private enterprise with economic loss,” invoking a Libertarian appeal to the fundamental sanctity of the free market as a driver of societal progress.<sup>62</sup> Many news outlets exploited this rhetoric of development to construct damning portraits of ELF activists. Reports about ELF actions frequently challenged their legitimacy as enactments of protest by focusing on the extent of the property damage, highlighting the estimated financial cost of the actions. Development rhetorics enabled ELF’s opponents to trump the saboteurs’ claims that their actions were nonviolent because they carefully avoided personal bodily injury. Language from a *TIME* Magazine article about the Vail fires illustrated this framing: “No one was hurt, but the damage totaled \$12 million.”<sup>63</sup> The disjunctive “but” signaled that although physical and economic harms were not equally valuable, economic concerns came in as a close second. The rhetoric of development enabled ELF opponents to reject ELF’s eco-revolutionary agenda on economic grounds, demoting environmental interests in order to privilege the security of the private sector.

Braided together with rhetorics of civility and development was a third strand of anti-ELF discourse: the rhetoric of *terror*. This would ultimately emerge dominant in the force that coalesced to oppose ELF, trumping civility and development appeals in the

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<sup>62</sup> Ron Arnold, *EcoTerror: The Violent Agenda to Save Nature: The World of the Unabomber* (Bellevue, WA: Free Enterprise Press, 1997), 35.

<sup>63</sup> John Cloud, “Fire on the Mountain,” *TIME*, November 2, 1998, [http://www.time.com/time/magazine/1998/dom/981102/crime.fire\\_on\\_the\\_mount14a.html](http://www.time.com/time/magazine/1998/dom/981102/crime.fire_on_the_mount14a.html).

post-9/11 era. This ubiquitous rhetoric had become part of daily living in U.S. culture, broadening its appeal and making it relevant to the quotidian experiences of all kinds of Americans.<sup>64</sup> It was tied up in conceptualizations of national identity, global peace and conflict, and practices of citizenship. It permeated public culture, serving as a “rhetorical spell of sacred duties and diabolical enemies” that intensified “an already traumatized nation’s appetite for retribution.”<sup>65</sup> ELF opponents treated terrorism in terms of recent attacks, most notably 9/11 and the Oklahoma City bombing before that. They did not reach back to the historical roots of this rhetoric, which traces to the French Revolution, instead enacting a purposefully contemporary discourse of terror vis-à-vis the painfully recent history of terrorist attacks in the U.S.

Although ELF activists were labeled as “eco-terrorists” by various opponents since the group emerged in the U.S. in the mid-1990s, it was the pall of terror anxiety that captured the nation in the aftermath of the September 11 attacks that gave this language its triumphant force.<sup>66</sup> Travis Wagner observed the power of eco-terrorism as a news frame in a study tracing the steady usurpation the eco-sabotage frame to the more powerful eco-terrorism frame.<sup>67</sup> One of the clearest instantiations of this power took shape in the rhetoric of Colorado Congressman Scott McInnis, who gave a Special Order

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<sup>64</sup> Marc Redfield, *The Rhetoric of Terror: Reflections on 9/11 and the War on Terror* (New York: Fordham University Press, 2009).

<sup>65</sup> Robert L. Ivie, *Democracy and America’s War on Terror* (Tuscaloosa: University of Alabama Press, 2005), 160, 151.

<sup>66</sup> It was none other than Ron Arnold who coined the term in the mid-1980s. Ron Arnold, “Eco-Terrorism,” *Reason*, February 1983.

<sup>67</sup> Wagner, “Reframing Ecotage as Ecoterrorism.”

Speech on the House floor discussing the threat of eco-terrorism just 22 days after the September 11 attacks. He singled out ELF and ALF in naming their protest actions as eco-terrorism, which he called “a level of terrorism that [had] been lost” in discussions of terrorism and national security.<sup>68</sup> In countless statements like this one, opponents demonized and vilified ELF with the all-consuming rhetoric of terror. They came from the halls of government, the board rooms of industry, and the offices of nonprofits. Storied enemies like timber companies and wilderness conservation groups came together in a mutual discourse of condemning ELF as a voice not of liberation, revolution, or environmental preservation, but of “terrorism, plain and simple.”<sup>69</sup>

As the rhetoric of terror took shape, it subsumed the civility rhetorics that formed the first strand in the braid of anti-ELF discourse. Appeals to civility, which insist that advocates fight for their causes in democratically prescribed modes, are about a hierarchy constituted by the ends and means of calls for change. The rhetoric of terror works by flattening this hierarchy, suggesting that terrorism is an end unto itself—that terrorists set out to enact violence and oppression for its own sake. President George W. Bush illustrated this shift in his nationally televised September 20, 2001, address to a joint session of Congress. Of the terrorists responsible for the 9/11 attacks, he implored, “We’re not deceived by their pretenses to piety,” and claimed that they had “abandon[ed]

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<sup>68</sup> 147 Cong. Rec. 131, H6238 (2001).

<sup>69</sup> “Eco-Terrorism and Lawlessness on the National Forests,” § U.S. House of Representatives, Committee on Resources, Subcommittee on Forests and Forest Health (2002), 59, Eco-terrorism and Lawlessness.

every value except the will to power.”<sup>70</sup> In this formulation, terrorists merely *pretend* to be fighting for the ends of particular values and ideologies; in reality, they desire only violent power. Bush and other leaders effected a transformation in the public conceptualization of terror, suggesting that terrorist acts were not tactics employed in service of a policy shift but, indeed, ends unto themselves. In this way, the rhetoric of terror subsumed the ends/means hierarchy of civility rhetorics, resulting in a forceful interpretive paradigm that ELF opponents marshaled in their efforts to depict ELF in the public imaginary.

Thus, the dialectic on ELF emerged, characterized by these two competing forces. One was a novel rhetoric with deep roots in American environmental thought—an organic outgrowth of an activist trajectory with an increasingly fervent desire to protect the Earth by any means necessary. The other was a syncretic rhetoric, cobbled together by an uneasy coalition. It drew upon historically decontextualized rhetorics of civility, development, and terror to craft a new anti-environmentalist discourse that targeted ELF’s eco-revolutionary voice specifically. Some voices were magnified, some were marginalized, and others were silenced altogether. Over the course of roughly a decade, the dominant interpretation of ELF as an eco-terrorist threat was forged in this antithesis.

As this dissertation unfolds, I will trace the development of these rhetorics as they engaged with each other. I argue that ELF opponents ultimately emerged victorious in this discursive contest by exploiting contemporary anxieties over terrorism. This opposition discourse was more powerful than alternative anti-ELF arguments, and more

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<sup>70</sup> “President Bush Addresses the Nation” (Washington, D.C.: CNN, September 20, 2001), [http://www.washingtonpost.com/wp-srv/nation/specials/attacked/transcripts/bushaddress\\_092001.html](http://www.washingtonpost.com/wp-srv/nation/specials/attacked/transcripts/bushaddress_092001.html).

compelling than ELF's own articulation of its enigmatic eco-revolutionary voice. This dialectic is the story of an interpretive contest played out in a multitude of arenas, including the news media, the halls of Congress, the offices of the executive branch, and the very sites of ecological destruction. Voices on both sides demonstrated rhetorical artistry and skill. As well, voices on both sides made costly missteps. This dissertation examines the successes and failures of both forces, tracing the evolution of the dialectic that invented ELF in the public sphere.



## CHAPTER THREE

### **Inventing ELF: Mediating Eco-Terrorism on Vail Mountain**

It was before dawn on October 19, 1998, when hunter Steve Gaal crept out of the tent he shared with his brother on Colorado's Vail Mountain. Gaal opened his eyes to a terrifying scene: a series of enormous fires burned atop the ridge above. Brilliant, orange flames glowed against the inky sky as they engulfed several structures owned by Vail Ski Resort. He scrambled to get dressed, preparing to run toward the nearby bathroom where another member of his hunting party was sleeping. As he hurriedly put on his boots, he shouted to his friend in the adjacent tent, "Dave, get up! Man, get up, the mountain's on fire!"<sup>1</sup> Gaal called the fire department immediately, and his party escaped without harm. Two days later they learned, along with news audiences across the nation, that a little-known group calling itself the Earth Liberation Front (ELF) had taken responsibility for setting the blazes.

When news of the Vail fires broke in October 1998, roughly two years after the first ELF protest actions were carried out in the western U.S., this eco-revolutionary voice exploded into the national consciousness. Rhetorics of the fires comprised a formative discursive constellation in ELF's contested history, introducing much of the viewing public to this enigmatic environmentalist discourse. The event received significantly greater media attention than previous ELF actions, making it a strategic opportunity for the widespread circulation of the saboteurs' messages. By the late 1990s,

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<sup>1</sup> Daniel Glick, *Powder Burn: Arson, Money and Mystery on Vail Mountain* (New York: PublicAffairs, 2001), 25.

the viewing public had become attenuated to the radical environmental protest discourses of ELF predecessors like Earth First! and Greenpeace, whose tactical utilization of media spectacle gleaned extensive news coverage. For ELF, this legacy was both a blessing and a curse. On one hand, radical eco-activists had used primetime-ready blockades and treesits to grab the attention of mainstream news viewers, and ELF activists thus enjoyed something of a captive audience. On the other, many of ELF's predecessors had been careful not to engage in any action that might be construed as violence. ELF's turn to strategic property destruction in the form of arson tested the limits of what the news media would frame as activism.<sup>2</sup>

With the Vail arsons of 1998, ELF emerged in the national imaginary. I argue in this chapter that news media discourses of the Vail fires, enacting the discourse of what journalism scholars call the "protest paradigm," invented ELF as a prototypical eco-terrorist threat. Initial reporting conveyed the few confirmed facts about the incident, and subsequent coverage moved quickly to speculation. Two days after the event, ELF released a communiqué that claimed responsibility and explicated the activists' motives. Yet news outlets eschewed much of ELF's rhetoric, instead adopting the familiar journalistic protest paradigm to paint ELF as terrorists and delegitimize their fiery mode of resistance. No single text more forcefully captured this depiction than a haunting

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<sup>2</sup> Terence Check's study of the Vail fires' media coverage suggested that ELF's use of violence against property illustrated the instrumental limitations of the image event. He wrote, "the thesis advanced by DeLuca and Peeples, that even violent image events are 'visual philosophical-rhetorical fragments, mind bombs, that expand the universe of thinkable thoughts,' must be re-considered given the nature of network news coverage of ELF actions." "The Framing of Radical Environmental Rhetoric: Television News Coverage of the Earth Liberation Front," in *Finding Our Way(s) in Environmental Communication* (Seventh Biennial Conference on Communication and the Environment, Silver Falls Conference Center, Sublimity, Oregon: Department of Speech Communication, Oregon State University, 2003), 419.

photograph of the resort's signature lodge consumed by flames, an image that became a visual synecdoche for this emergent account of ELF as a terrorist threat. News coverage of Vail was the first major salvo in the public contest to interpret ELF, and its texture influenced every aspect of the battle for dominance in this fraught dialectic.

### **Blue Sky Basin and the Elusive Canada Lynx**

Although the fires that burned atop Vail Mountain that October night were certainly the most visible emblem of conflict between environmentalists and resort executives, the tension that led to them was sparked many years prior. At the time of this writing Vail Ski Resort is the third largest single-mountain resort in the U.S. with 193 trails, 31 lifts, and more than 5,000 acres of skiable terrain. It has grown rapidly since its founding in 1962, an aggressive trajectory of expansion that led to significant conflict during the 1980s and 1990s. In his book, *Powder Burn*, journalist Daniel Glick chronicled the smoldering tensions between local business owners and environmentalists, and the New York-based executives who managed the resort after its purchase in 1985. "Led by reincarnated junk bond peddlers straight from the *Predator's Ball* crowd," Glick wrote, the company "had methodically, if unintentionally, begun alienating... locals."<sup>3</sup>

A proposed terrain expansion, one of the key points of disagreement between these factions, was the driving reason for ELF activists' decision to target Vail. In the mid-1990s, Vail Resorts announced its plan to construct a new ski area on the back slope

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<sup>3</sup> Glick, *Powder Burn*, 53.

of the mountain. The expansion was designed to add diversity to Vail’s already impressive selection of ski runs, with its ungroomed glades offering a more natural, backcountry-like skiing experience by comparison to the carefully manicured pistes that carved its existing slopes. The final product of the new development would ultimately be called Blue Sky Basin, a nod to the Ute Indians (sometimes called “Blue Sky People”) who originally dwelled in Vail Valley. During the planning process the development project was called the “Category III expansion,” or “Cat III” for short. Cat III was controversial in large part because of its encroachment on local wildlife habitat. The area’s 885 acres were important to local elk herds that calved in its alpine meadows in the spring and were hunted there in the fall. Yet it was a much smaller and more elusive forest dweller, the Canada lynx, that would become the central figure in the fight over Cat III.

The Canada lynx (*Lynx canadensis*, referred to hereafter simply as “the lynx”), one of seven wild cat species indigenous to the U.S., allegedly occupied the site of the proposed Cat III expansion. Slightly larger than a bobcat, the lynx is an intensely elusive animal. It hunts nocturnally, and each solitary lynx maintains a hunting area of up to 50 square miles.<sup>4</sup> As such, lynx sightings are rare even in confirmed habitat. Lynxes’ large eyes, round faces, and pointed tufts of fur on their ears and jaws make them appear delicate and infantile—characteristics that might have made the animal a powerful

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<sup>4</sup> The proposed Cat III expansion site was 885 acres, or about 1.4 square miles. This means the presence of even one lynx in the entire site would be biologically appropriate, and would confirm the area’s status as lynx habitat.

conservation symbol.<sup>5</sup> It is therefore unfortunate for activists opposing the Cat III expansion that most Coloradans had never observed a lynx in the wild.

Centuries of trapping and urban expansion reduced the lynx's habitat severely. The last confirmed sighting anywhere near Vail Mountain was in 1973, and the question of its presence in the area was at the crux of an extended legal battle between the resort and local environmental groups. Although abundant across Canada and Alaska, the lynx is threatened in the lower 48 states. The U.S. Fish & Wildlife Service (FWS) categorized the animal as a threatened species in the contiguous U.S. in 2000, meaning that it would likely become endangered without human intervention. Threatened status protects species from unregulated habitat destruction.<sup>6</sup>

Accounts of the extent to which Cat III would harm the lynx population varied greatly. Vail Resorts hired biologists who tracked the animals carefully for two years and turned up no confirmed sightings, buttressing the company's argument that the expansion would have no adverse effects. Yet, local naturalist Kim Langmaid insisted that she spotted a lynx in early 1998 near her home in Red Cliff, Colorado, just 16 miles from the

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<sup>5</sup> Psychologist Lewis Petrinovich explains that animals whose facial features are reminiscent of human babies make strong conservation symbols because they activate parental instincts. Petrinovich refers to this as the "Bambi effect." Lewis Petrinovich, *Darwinian Dominion: Animal Welfare and Human Interests* (Cambridge, MA: MIT Press, 2001), 387.

<sup>6</sup> Although the lynx was not yet listed as threatened in 1998 due to a moratorium on new Endangered Species Act listings, FWS officials were aware of efforts to get it listed and of the controversy surrounding the lynx's ostensible presence on Vail Mountain. See U.S. Fish & Wildlife Service, "Canada Lynx," *Endangered Species Program*, September 12, 2014, <http://www.fws.gov/mountain-prairie/species/mammals/lynx/>.

resort.<sup>7</sup> Conservation group Ancient Forest Rescue's (AFR) Ben Doon called the area "some of the last, best old-growth habitat for lynx in the southern Rockies," encapsulating the motivation for many to err on the side of caution by opposing the expansion plan.<sup>8</sup> Whether the animal occupied the Cat III site was a critical question. If FWS officials found that the area could reasonably be considered lynx habitat, the project would likely have been canceled.

After a protracted back-and-forth involving environmental impact studies, public hearings, boycotts, and federal court appeals, FWS approved the resort's development plan. Eagle County issued the requisite permits in early 1998, and construction was slated to begin in the fall. Its opponents were frustrated—they believed they had followed our political culture's prescribed process of enacting social change, but to no avail. Activists and concerned citizens wrote letters to elected officials, published op-eds in newspapers, attended public meetings to voice their concerns, and pursued action through the legal system, but were ultimately unable to halt the expansion plan. In the face of this defeat, some environmental groups escalated their tactics. Chief among these groups was AFR, who planned a blockade of the access road leading to the Cat III site. They camped out on

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<sup>7</sup> Glick, *Powder Burn*, 4–5.

<sup>8</sup> Ben Doon, "Super Vail... Super Ugly!," ed. Natalie Shapiro et al., *Earth First Journal* 18, no. 5 (June 1998): 27 Doon's warning proved prescient years later, when Colorado's Division of Wildlife declared their 11-year effort to reintroduce the lynx a success. See P. Solomon Banda, "Lynx Reintroduction Ruled a Success in Colorado," *The Denver Post*, September 18, 2010, [http://www.denverpost.com/ci\\_16107178](http://www.denverpost.com/ci_16107178); In hindsight, it has become clear that greater regulation was needed to protect the lynx in the years before and after the Cat III expansion. In 2014, a federal judge ruled that FWS were dragging their feet on implementing a lynx recovery plan. See Ben Berwyn, "Twelve Years of Foot-Dragging on Lynx Recovery," *The Colorado Independent*, May 23, 2014, <http://www.coloradoindependent.com/147563/twelve-years-of-foot-dragging-on-lynx-recovery>.

October 18, 1998, the night before the first phase of construction was set to begin. This would have allowed them to form the blockade bright and early the next day, where they planned to enact nonviolent resistance by stopping the construction equipment in its tracks. As they prepared for the occupation the next morning, however, they learned the jarring news that would overshadow their planned protest: someone had set fire to the resort.

### **Inventing ELF in News Mediations of the Vail Fires**

Shocked by the sight of the burning buildings, Steve Gaal called 9-1-1 immediately after confirming his companions were safe. Seven separate blazes went on to reduce several of the resort's structures to ashes. The most visually striking of the fires consumed the resort's centerpiece, the majestic Two Elk Lodge, illuminating the property's highest ridge like a beacon in the pre-dawn blackness.<sup>9</sup> Firefighters responded immediately, but weather and terrain challenges made it initially impossible to push their engines to the resort's impressive elevation. The first responders continued their ascent in a truck, forced to abandon the necessary equipment for extinguishing the massive fires. Trucks from across western Colorado responded and, eventually, a few made it up the ridge with the help of some snow cats. On top of these challenges, the fire damaged the radio system that the 170 responding firefighters and police officers needed to

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<sup>9</sup> Firefighters reported that the flames were visible from 15 miles away. Glick, *Powder Burn*, 31.

communicate with one another.<sup>10</sup> The good news: no one was killed and, miraculously, no one was injured. The bad news: seven structures were either damaged or destroyed, and nobody knew why.

Media networks spread news of the event rapidly, sending satellite trucks to the foot of the mountain while the fires still burned. In the days following the fires, I argue that the mainstream news media shaped the meaning of the event through conventional journalistic practices, calling on a culturally and historically grounded image of terrorism. Their coverage began with reports of the few confirmed objective details—in terms of journalism’s “Five Ws” framework, these stories attended to the questions of what, when, and where. When new facts grew scarce, reports turned focus to the question of how, speculating about whether the fires should be understood as terrorism. Then, on the Wednesday after Gaal’s frantic 9-1-1 call, ELF activists prompted a dramatic shift in coverage by releasing a communiqué that claimed responsibility for the fires and explained why they were set. Journalists immediately turned to who and why, framing the admitted perpetrators as terrorists and undermining the legitimacy of the fires as protest actions. My analysis illustrates how news stories of the Vail fires together depicted ELF as a new eco-terrorist threat in the national imaginary. This portrayal was surely disappointing to advocates who hoped that ELF’s desperation and commitment would illustrate the immense importance of the fight to protect the lynx and, more broadly, to save America’s wild spaces from the forces of industrial capitalism.

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<sup>10</sup> Ibid., 30–33.



## **What, Where, and When? Initial Reports Mediate the Mystery**

The fires on Vail Mountain were like many other acts of politically motivated property destruction in that they became known to the public via the mass media. Immediately after the fires were discovered, journalists committed to the goals of objectivity and speed answered the foundational questions of what, when, and where to report the few available facts. In conveying these initial facts, news outlets gave shape to the events for audiences. Journalistic production in the mainstream media is often influenced by systemic and institutional practices, including the pressure of immediacy and the expectation that coverage will strive to achieve an unbiased perspective.<sup>11</sup> These rhetorical norms guide reporters' praxis and, in so doing, shape the public's understanding of events in the news and how to interpret them.

The news media elevated the Vail story to the level of national and even international coverage, dramatically widening the scope of reporting on ELF actions. Although the Federal Aviation Administration ordered the airspace within a five-mile radius of the resort closed to civilians for safety reasons, a Denver news helicopter broke the restriction to provide live coverage on the morning of the fires. In the ensuing days, more than 40 newspapers and magazines across four continents reported on the event. The story appeared on the front page of the *New York Times*, *USA Today*, and the *Denver Post*. More than 30 newspapers reported on the fires in their front sections. Several local

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<sup>11</sup> Sandra Ball-Rokeach and Melvin DeFleur posited in their dependency model of mass media effects that audiences seek information from the media in order to make sense of changes in the world, particularly during times of crisis or uncertainty. Given this dependence on the media's interpretive schemas, time is of the essence during major events such as the Vail fires. "A Dependency Model of Mass-Media Effects," *Communication Research* 3, no. 1 (1976): 3–21.

news stations offered daily coverage, and many nationally broadcasted news programs picked up the story in their morning and evening reports, including ABC's *Good Morning America* and *World News Tonight*, CBS' *This Morning* and *CBS Evening News*, *NBC News at Sunrise*, *NBC Nightly News*, *CNN Today*, and NPR's *Morning Edition*. Vail Resorts CEO Adam Aron said of the media saturation, "Two Elk [Lodge] was on fire for five days, and it was still on fire when *Newsweek* came out the next Monday."<sup>12</sup> Aron highlighted the pervasive nature of the coverage, illustrating the degree to which the event played out through mediation for long after the embers had cooled.

Though the fires were shocking and the scope of their destruction was extensive, journalists working in the immediate aftermath of the event could confirm precious little about the incident. ABC's Antonio Mora reported, "The FBI is investigating suspicious fires at the Vail, Colorado, ski resort. They did about \$12 million in damage, just days after ground was broken on a construction project that is strongly opposed by environmentalists."<sup>13</sup> Brief dispatches like this conveyed what little they could. No deaths or injuries were reported. Seven structures were damaged, most of them destroyed entirely, including the resort's signature Two Elk Lodge. Roughly seventy federal investigators were on the scene. Beyond these basic facts—the what, when, and where of the incident—little was known for sure. News writers faced the challenge of keeping a massive public informed, despite a paucity of available information. To meet this challenge, some journalists dramatized the few existing details that they could report on reliably. They called on familiar tropes and characters, lending the events meaning not

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<sup>12</sup> Glick, *Powder Burn*, 191.

<sup>13</sup> "National and International News," *Good Morning America* (ABC, October 20, 1998).

through additional facts but by situating them in terms of the culture's shared rhetorical resources.

Some reports answered the question of where with a detailed and dramatic description of the scene. One such story described how firefighters worked to counter the blazes. The *Denver Post's* Steve Lipsher chronicled the work of the "nearly 200 firefighters [who] worked through the morning to extinguish the blazes."<sup>14</sup> Lipsher's account told the story of the fires in terms of the heroic firefighter trope, a familiar image that connotes bravery, sacrifice, and courage in the face of danger. Lipsher penned a similarly dramatized article which bore the thrilling headline, "Hunter escapes inferno." This piece chronicled the harrowing journey of Steve Gaal's hunting partner, Neil Sesbo, as he made his way down the mountain while the fires raged on the ridge above. This story called on another familiar trope, the gripping brush with death, to interpret the event by calling on a recognizable narrative.

Articles like these expanded on the few details available to the press, painting a more textured picture of how the events unfolded for audiences. Yet, these stories also set the stage for the moral evaluation of the fire and those involved that was to come. Lipsher's reports cast the first responders as brave protagonists, and the hunters as innocent victims of the fire's yet-unknown perpetrators. Although this framing might be called sensationalistic, it was comprised of undisputed facts about the scene of the event. The same could not always be said of the news dispatches that followed in a second wave of reporting.

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<sup>14</sup> Lipsher, Steve, "Remote Area Makes Fighting Fires Tough," *The Denver Post*, October 20, 1998, sec. A.

## How? Reporters Short on Facts Turn to Speculations of Arson

News outlets moved quickly beyond the event's basic facts, turning to the more intriguing controversy over exactly how the fires had started in the first place. Over time, as new facts grew scarce, the momentum of conventional journalistic practice drove news outlets from questions of what, where, and when to questions of how. Reporters began to offer speculative treatments of the fires as arson. For instance, NBC anchor Sara James reported, "In... Vail, federal agents are investigating a series of fires that caused \$12 million in damage. The ski patrol headquarters and a luxury restaurant were among the buildings destroyed. Work had just begun on a major resort expansion opposed by environmentalists."<sup>15</sup> The final sentence of James' report would have ordinarily been an unremarkable detail, yet its proximity to reports of the fire suggested tacitly that frustrated environmentalists might be to blame.

Exploring the question of how the fires began—asking, in other words, whether the event should be classified as an act of arson—was a natural next step in news media coverage of this incident. New stories are ultimately narratives, and journalists must make strategic choices about which frames to adopt when arranging facts into cohesive narratives.<sup>16</sup> Todd Gitlin defined media frames as "what makes the world beyond direct experience look natural," arguing that the utilization of media frames is critically important for journalists tasked with conveying and interpreting information to audiences

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<sup>15</sup> "Fires Damage Colorado Ski Resort of Vail," *Today* (NBC, October 20, 1998).

<sup>16</sup> Karen S. Johnson-Cartee, *News Narratives and News Framing: Constructing Political Reality* (Oxford, UK: Rowman & Littlefield Publishers, Inc., 2005).

in an efficient manner.<sup>17</sup> Reporters covering the Vail fires found themselves at a crossroads because the choice of which frame to adopt would influence their interpretive perspective moving forward. That decision would be fundamentally important in shaping the public image of the individual or group who turned out to be the fires' perpetrator(s).

To move forward with their coverage, reporters had to answer the question of how the fires were started. The problem for these journalists was that the authority figures best suited to answer that particular question weren't talking. Specifically, Kim Andree, spokesperson for the Eagle County Sheriff's Office, said on the afternoon of October 19: "It is not impossible that this was an accident."<sup>18</sup> Andree refused to speculate on a cause, acknowledging the suspicion of arson but reminding the press that the torched buildings had electricity and gas lines in common—a plausible, though unlikely, means for fire to travel between buildings more than a mile apart.

Some stories embraced the arson frame more directly by situating it as a suspicion. Dan Rather reported on the *CBS Evening News*, "In Vail, Colorado, the nation's busiest ski resort was hit today by a fire. At least three buildings, including a 550-seat restaurant, were destroyed. Firefighters were hampered by snow, rough terrain,

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<sup>17</sup> Gitlin explained, "Frames enable journalists to process large amounts of information quickly and routinely: to recognize it as information, to assign it to cognitive categories, and to package it for efficient relay to their audiences. Thus, for organizational reasons alone, frames are unavoidable, and journalism is organized to regulate their production." *The Whole World Is Watching: Mass Media and the Making and Unmaking of the New Left* (Berkeley: University of California Press, 1980), 7, *The Whole World is Watching*.

<sup>18</sup> James Brooke, "Fires Erupt Across Vail As It Begins An Expansion," *The New York Times*, October 20, 1998, Late edition, sec. A.

and a lack of water. Arson is suspected.”<sup>19</sup> The use of passive voice allowed Rather to convey the suspicion of arson, but without identifying *who* suspected it. This tactic elided the official position Andree offered in a statement delivered on the day the fires were discovered: “Everything about the fire is suspicious, but I think to call it an arson is irresponsible.”<sup>20</sup> Thus, although the law enforcement officer authorized to articulate the official account of events made it clear that adopting the arson frame was a leap of speculation, it nonetheless became the dominant interpretation of events in the news media.

The adoption of a news frame was necessary for journalists tasked not just with relaying facts but interpreting events for a curious viewing public, and the arson frame was the obvious choice. The stories that ran in news outlets across the nation transformed suspicions into truths through mass mediation. Despite Andree’s official caveat, the fires became arson in popular discourse. The arson frame enacted a morally charged interpretive schema that preemptively occluded the discursive channels through which mainstream news audiences might have otherwise been exposed to a sympathetic reading of the activists’ protest.

Thus, the question of how the fires were started had been all but settled: they were lit purposefully by someone with ill intentions. But who? Frustrated environmentalists were the obvious suspects, so much so that AFR put out a press release on the day of the

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<sup>19</sup> “Huge Fire Hits Busy Ski Resort in Vail, Colorado,” *CBS Evening News* (CBS, October 19, 1998).

<sup>20</sup> Steve Lipsher and Nancy Lofholm, “Arson Suspected in Vail Fires,” *The Denver Post*, October 20, 1998, 2nd edition, sec. A.

fires denouncing the incident.<sup>21</sup> But perhaps the resort destroyed its own buildings for a cool \$5 million in insurance money. Or maybe federal agents lit the fuse in an attempt to frame the radical environmental movement. As time went on, these and other suspicions emerged. Glick reported, “The suspect list was a crowded place.”<sup>22</sup> As the arson story solidified, the natural questions that followed were: who, and why?

### **“On Behalf of the Lynx”: ELF Activists Claim Responsibility**

On the afternoon of Wednesday, October 21, staff at two local news outlets received a message confirming suspicions that the fires were set deliberately. Finally, ELF’s voice had announced itself, claiming responsibility for the destruction but positioning the saboteurs’ actions as warning shots meant to defend the Colorado wilderness from irreparable harm. Their message read:

On behalf of the lynx, five buildings and four ski lifts at Vail were reduced to ashes on the night of Sunday, October 18th. Vail, Inc. is already the largest ski operation in North America and now wants to expand it even further. The 12 miles of roads and 885 acres of clearcuts will ruin the last, best lynx habitat in the state. Putting profits ahead of Colorado’s wildlife will not be tolerated. This action is just a warning. We will be back if this greedy corporation continues to trespass into wild and unroaded areas. For your safety and convenience, we strongly advise skiers to choose other destinations until Vail cancels its inexcusable plans for expansion.

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<sup>21</sup> Jeff Berman, “Ancient Forest Rescue Activists Adhere to Strict Non-Violence Code, Including Repudiation of Damage to Persons, Property, or Wildlife” (Press release, October 19, 1998).

<sup>22</sup> Glick, *Powder Burn*, 63.

- Earth Liberation Front (ELF)<sup>23</sup>

The communiqué's mysterious author sent this message to the *Vail Trail* newspaper via email, and to Colorado public radio station KCFR-FM via the station's online comment submission form. *Vail Trail* editor David Williams shared it with law enforcement officers, who attempted in vain to trace its origins but were foiled by the sender's use of proxy servers.

Although the communiqué confirmed the news media's speculation of arson, along with the suggestion that environmental activists were responsible for it, ELF's account diverged from existing interpretations by offering a justificatory explanation. The activists who penned the message articulated a why: ELF's anti-capitalist ideological framework. The authors indicted the resort's plans as "greedy" and emphasized an inverted moral hierarchy between financial profit and wildlife protection. In their telling, the elusive lynx was made to represent these wild spaces synecdochally, standing in for the other animals, plants, and ecosystems that would allegedly be harmed by "12 miles of roads and 885 acres of clearcuts." The message established a binary juxtaposition between the "wild" spaces (characterized by the lynx, wildlife more generally, and the absence of roads representing human civilization) and the resort (characterized by profit, greed, and a disregard for the natural environment). This diametric opposition conveyed ELF's position that property destruction is morally justified when enacted as a means to protest the immoral and unnecessary "trespass" of capitalistic development into pristine wilderness.

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<sup>23</sup> Pickering, *Earth Liberation Front*, 13.



The communiqué framed the fires as merely a “warning shot.” This characterization did counter the mainstream news accounts’ formulation of the event as potentially deadly or injurious to bystanders. But at the same time, the message’s final sentence introduced an eerie vagueness. It issued a warning. Was it also a threat? How would it play? Important context about ELF’s eco-revolutionary praxis was missing from the message. Readers familiar with ELF’s ideology and philosophy would not interpret this as a threat of violence toward skiers, because ELF protest actions were guided by a strict code of nonviolence toward living beings. Indeed, the activists who set the Vail fires later confirmed that they carefully checked the targeted buildings to ensure no one would be trapped inside.<sup>24</sup> However, ELF’s commitment to harming only property was articulated in texts with which the vast majority of audiences were unfamiliar. Further, the communiqué failed to reflect it in the closing line’s ominous warning to skiers. This permitted an interpretation of the final sentence as a threat of harm. ELF’s opponents could easily take advantage of this interpretation when they crafted rhetorics that situated ELF as a terrorist entity. Thus, in a truly counterproductive move, the eco-revolutionary activists who penned the communiqué may have unwittingly sown the seeds of the terrorist frame right into their own missive.

The voices of news outlets had been shaping the accepted account of this event all week, but now the perpetrators themselves gave voice to their motivations for the first time. The communiqué’s authors offered a powerful explanation for their actions,

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<sup>24</sup> William “Avalon” Rodgers was responsible for running along the ridge and setting fire to the homemade incendiary devices that he'd hidden in the snow over the preceding days. As he set the fires, he checked each building to ensure it was empty. Upon finding two hunters asleep in one of the structures, he shut the door and moved on. Karin J. Immergut et al., “Government’s Sentencing Memorandum,” May 4, 2007, 24, <http://www.targetofopportunity.com/358966.pdf>.

justifying the fires as a salvo against Vail Resorts and its profit motive. In just seven sentences the text answered the missing questions of who and why, which in combination with the already answered inquiries of how, what, when, and where formed a comprehensive account of the event's circumstances. Further, the communiqué provided an interpretation of the fires that paired who and why, introducing ELF to national news audiences as a formidable eco-revolutionary voice dedicated to the protection of the natural environment by any means necessary.

### **Who and Why? Framing ELF with the Protest Paradigm**

Despite ELF's rhetoric marrying the answers to the questions of who and why, the two were quickly severed in mainstream news accounts of the fire. After the communiqué's release, the media script carried journalists whose speculations of arson had been confirmed back to hard reporting. The focus now on the who and why of the arson overwhelmed ELF's ecological, political, and philosophical motivation through the historically and culturally authorized invention of ELF as a terrorist group. News reports embraced ELF as the who, but summarily abandoned the communiqué's articulation of the why. Anchor Tom Brokaw illustrated this separation on the October 22 episode of *NBC Nightly News*, when he introduced a segment on the fires: "One of the country's premier ski resorts is faced with a crisis tonight, just two weeks before the scheduled opening of what was supposed to be a banner season. But now three buildings and four chairlifts in Vail, Colorado, are in ruins, burned in an arson fire, and a little-known

environmental group says it is responsible... But why?"<sup>25</sup> Brokaw treated the event's perpetrators as a settled matter, yet framed the question of their purpose as something up for debate. In this vein, major news outlets went on to supply their own answer to this question by constructing ELF as a prototypical eco-terrorist voice.

Analysis of the news media's treatment of the Vail fires evinces patterns that, when taken together as a rhetorical form, created this initial public image of ELF. It may be surprising to observe how consistently news outlets embraced the terrorism frame over ELF activists' own explanation of their actions. After all, reporters could easily quote the communiqué in its entirety to provide a firsthand account of the activists' motives—why turn to competing interpretations of their purpose?<sup>26</sup> Scholarship on a news media model termed the *protest paradigm* elucidates why and how mainstream news outlets systematically undermine protesters and their importance to the democratic process.<sup>27</sup>

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<sup>25</sup> "Environmental Extremist Group Claims Responsibility for Arson Fires at Vail," *NBC Nightly News* (NBC Universal Media, October 22, 1998).

<sup>26</sup> In his analysis of network TV news reports on the incident, Check noted how little of the communiqué made its way into the broadcast news landscape. In major reports, NBC and CBS quoted only excerpts, and ABC did not quote it at all. CBS mentioned ELF's website, offering viewers merely a "hint that further information [could] be found elsewhere." Check, "The Framing of Radical Environmental Rhetoric: Television News Coverage of the Earth Liberation Front," 422.

<sup>27</sup> Douglas M. McLeod and James K. Hertog, "Social Control and the Mass Media's Role in the Regulation of Protest Groups: The Communicative Acts Perspective," in *Mass Media, Social Control and Social Change: A Macrosocial Perspective*, ed. David Demers and Viswanath Kasisomayajula (Ames, IA: Iowa State University Press, 1999), 305–30; Douglas M. McLeod, "News Coverage and Social Protest: How the Media's Protest Paradigm Exacerbates Social Conflict," *Journal of Dispute Resolution* 2007, no. 1 (2007): 185–94; Michael P. Boyle, Douglas M. McLeod, and Cory L. Armstrong, "Adherence to the Protest Paradigm: The Influence of Protest Goals and Tactics on News Coverage in U.S. and International Newspapers," *The International Journal of Press/Politics* 17, no. 2 (2012): 127–44; Summer Harlow and Thomas J. Johnson, "Overthrowing the Protest Paradigm? How The New York Times, Global Voices and

Journalism scholar Douglas M. McLeod explained that coverage of protest typically “disparages protesters and hinders their role as vital actors on the political stage.”<sup>28</sup> These accounts “obfuscate the underlying issues that have fueled the protests, serving to discredit the protesters and perhaps even dissuade potential supporters.”<sup>29</sup> When protesters threaten the status quo, as ELF surely did with its fiery act of resistance and the cryptic communiqué that accompanied it, journalists employ the protest paradigm as a rhetorical form that reaffirms the violated social norms and makes legible an initially inscrutable act of political dissent. Thus, for reporters the protest paradigm offered an effective strategy for navigating the twin imperatives of conveying factual information and articulating a familiar interpretive schema by which to make sense of the crisis atop Vail Mountain.

Scholarship on the protest paradigm has theorized its main dimensions and how, in concert, these elements serve to deflect both mainstream and radical protesters’ critiques of structural inequalities and systemic oppression. In their research, McLeod and coauthor James K. Hertog outlined five key characteristics of the protest paradigm: it employs news framing, relies on official sources and definitions, invokes public opinion to situate protesters as political minorities, delegitimizes protest actions, and demonizes the protesters themselves.<sup>30</sup> Analysis of the news media’s depiction of ELF in the wake

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Twitter Covered the Egyptian Revolution,” *International Journal of Communication* 5, no. Feature (2011): 1359–74.

<sup>28</sup> McLeod, “News Coverage and Social Protest: How the Media’s Protest Paradigm Exacerbates Social Conflict,” 185.

<sup>29</sup> Harlow and Johnson, “Overthrowing the Protest Paradigm,” 1361.

<sup>30</sup> McLeod and Hertog, “Social Control.”

of the Vail communiqué demonstrates how the strategic deployment of these five tactics invented ELF as an eco-terrorist voice.

*New Frames of Crime and Environmentalism*

The first characteristic of the protest paradigm is the use of news frames. In their coverage of the Vail fires, journalists employed binary news frames strategically to emphasize the evaluation of ELF as an extra-environmentalist, criminal voice. News reports had been framing the fires as arson through speculation well before October 21, and they set to framing those who lit the match as soon as ELF activists claimed responsibility in their cryptic communiqué. To be sure, ELF defied easy categorization—a politically motivated entity with an enigmatic structure comprised of anonymous and leaderless saboteurs, it did not fit into any standard model of activism. McLeod and Hertog noted that radical social protesters are especially likely to be the victims of oversimplified news framing, with reporters usually selecting the crime story, riot, and carnival frames over those which take seriously the role of protesters in the democratic process (e.g., the debate frame).<sup>31</sup> This was the case for ELF, which was framed in terms of crime and terror—but *not* environmentalism.

Many reports framed the ELF activists as criminals through binary juxtaposition with their less extreme counterparts, who were in turn granted the more sympathetic frame of environmentalism. On October 22, the day after two local media outlets received ELF's communiqué, *World News Tonight's* Tom Foreman reported updates from Vail. His story featured brief interviews with a variety of interlocutors, including

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<sup>31</sup> Ibid., 187.

Eagle County Sherriff A. J. Johnson and anti-environmentalist agitator Ron Arnold. Toward the end of Foreman’s broadcast the camera cut to Jonathan Staufer, labeled as an “Environmentalist” in the chyron. Staufer told the camera, “Radicalism and violence [are] not something I believe that the majority of the environmentalists believe in.” Foreman gave Staufer the last word among interviewees, concluding his field report immediately thereafter: “Indeed, they say, jail is the only place for the people responsible for this.”<sup>32</sup> ABC’s use of the “Environmentalist” chyron illustrated visually the news media’s use of such frames to make the enigmatic story of ELF’s protest action legible for popular news audiences. Staufer, the son of a local business owner, had become deeply invested in the effort to stop the Cat III expansion. He teamed up with AFR’s Ben Doon and Jeff Berman to become one of the main faces of the anti-Cat III effort, much to the consternation of locals who suspected outside activists were taking advantage of Vail’s own boy.<sup>33</sup> This interview and coverage like it created a dichotomy between mainstream environmental groups and the extremist ELF, reserving the environmentalist frame only for the former. By assuring the viewing public that most environmentalists do not “believe in” radicalism or violence, he articulated an ideological and tactical chasm between ELF and the perennially nebulous environmental movement. Tom Foreman’s closing line in his broadcast from the field, “Indeed, [environmentalists] say, jail is the only place for the people responsible” invoked the crime frame to depict ELF. Reserving the environmentalism frame for moderates like Staufer had classified ELF through

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<sup>32</sup> “The Earth Liberation Front.”

<sup>33</sup> Glick, *Powder Burn*, 66–70.

negation as decidedly *not* an environmentalist voice, and Foreman's closing remarks brought the report full circle by engaging the crime frame.

Thus, the news frames situated ELF on the losing end of a morally charged binary between environmentalism and crime. This binary harnessed the rhetorical power of antithesis, in which "elements are juxtaposed so as to introduce radical difference and evaluation. One element in the juxtaposed pair is subordinated to the other element on the basis of an implied value scale."<sup>34</sup> Binaries are powerful figures because they compel audiences to engage in moral evaluation via forced choice between two neatly defined opposites. They eliminate subtlety and nuance, artificially reducing complex controversies in a way that disciplines those who might attempt to challenge such a clean break. The use of antithetical opposition in the context of terrorism was perhaps illustrated most clearly in President George W. Bush's address to a joint session of Congress after the September 11 attacks, in which he famously implored: "Every nation, in every region, now has a decision to make. Either you are with us, or you are with the terrorists." This same binary logic was engaged repeatedly in mediations of the Vail fires when the crime frame was juxtaposed with the environmentalism frame.

By "carefully select[ing] information to limit [ELF's] message," the news media strategically omitted rhetorics that would have troubled the clean antithesis between arson and activism.<sup>35</sup> Yet, despite the compelling juxtaposition between the

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<sup>34</sup> James Jasinski, "Antithesis and Oxymoron: Ronald Reagan's Figurative Rhetorical Structure," in *Reagan and Public Discourse in America* (Tuscaloosa: University of Alabama Press, 1992), 123.

<sup>35</sup> Check, "The Framing of Radical Environmental Rhetoric: Television News Coverage of the Earth Liberation Front," 422.

environmentalist and crime frames, it was the terrorism frame that became the master interpretive schema in coverage of the Vail fires. Like the crime frame, the terrorism frame was frequently compared with the environmentalism frame in a discourse of antithesis that mitigated moral ambiguity in the public construction of ELF. Analysis of how these media rhetorics utilized the terrorism frame shows that it was a particularly powerful schema of interpretation because of the ways in which it had been defined and negotiated by official figures.

### *Calling on Official Rhetorics of Terrorism*

The second key feature of the protest paradigm is heavy reliance on official sources and definitions. McLeod explained how this practice routinely reifies the cultural dominance of hegemonic power structures: “When public officials are the predominant source of information for news stories, stories tend to be told from the perspectives of the powerful, downplaying perspectives that challenge that power.”<sup>36</sup> Nowhere in treatments of the Vail fires was this more evident than in the extensive invocation of authoritative treatments of terrorism when describing ELF. Journalists covering the Vail fires enacted this dimension of the paradigm by calling on official rhetorics of terrorism, often including law enforcement and other officials, which I suggest validated their use of the terrorism frame while discrediting the alternative interpretations of ELF offered by less powerful voices. Colorado’s then-governor, Roy Romer, spoke from his official capacity when he called the fires “an act of terrorism,” an assertion that was quoted verbatim in

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<sup>36</sup> McLeod, “News Coverage and Social Protest: How the Media’s Protest Paradigm Exacerbates Social Conflict,” 187.



news stories.<sup>37</sup> Calling on these authoritative sources in their stories validated journalist accounts, and it suggested to audiences that the question of whether ELF's distinct form of property violence constituted terrorism was a settled matter when, in fact, that controversy rages on at the time of this writing.

These official accounts rang true for audiences familiar with the federal government's historic discourses of terrorism. The dominant conceptualization of terrorism in the mainstream media's reporting on Vail had its roots in official treatments of terrorism spanning previous decades. The U.S. presidency has been perhaps the most powerful official voice tasked with defining terrorism as a frame that journalists can deploy. In a 1986 radio address to the nation, President Ronald Reagan dismissed the adage, "one man's terrorist is another man's freedom fighter." Reagan asserted that the lingering power of this clichéd phrase slowed the development of effective security policy, arguing that "one has to be blind, ignorant, or simply unwilling to see the truth" if they cannot discern the difference between a true freedom fighter and a terrorist.<sup>38</sup> Reagan based this conceptual separation on a notion of purpose, and his characterization of terrorism has been woven throughout ensuing presidential narratives about who terrorists are, what they do, and why they do it. Like juxtaposed frames in news media accounts, these official conceptualizations of terrorism called on the power of antithetical opposition to force a choice between two oversimplified worldviews. Bill Clinton

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<sup>37</sup> James Brooke, "Suspicious Fires Shed a Light on Dark Grumblings in Vail," *The New York Times*, October 21, 1998, Late edition, sec. A; Steve Lipsher, "Hunter Escapes Inferno," *The Denver Post*, October 21, 1998, 2nd edition, sec. A; Mark Riley, "Eco-Terrorists Lay Claim to Vail Fire," *The Age*, October 24, 1998, sec. News.

<sup>38</sup> Ronald Reagan, "Radio Address to the Nation on Terrorism," May 31, 1986, <http://www.reagan.utexas.edu/archives/speeches/1986/53186a.htm>.

referred to terrorists as “the enemies of peace,”<sup>39</sup> and George W. Bush would go on to call them “those who seek to impose the darkness of tyranny and terror upon the entire world.”<sup>40</sup> Reagan’s binary of terrorism and purpose was nuanced further in his successors’ characterizations, which pointedly rejected the complex impetuses for terrorist attacks such as intolerant religious beliefs, intractable political tensions, and the crushing weight of abject poverty. Instead, the presidents suggested, terrorists were motivated simply by a purposeless desire for tyranny and violence.

News media rhetorics of the Vail fires embraced this official formulation to frame ELF as a terrorist enterprise. These discourses often invoked the language of terrorism without offering a definition of the concept, suggesting that they referred to the official conceptualization that has become codified in the public sphere over decades of discourse about national security and moral outrage. Environmental lawyer and anti-Cat III expansion activist Ted Zukoski told the *Denver Post*, “No matter what cloak these people choose to masquerade in, they are terrorists and nothing more.”<sup>41</sup> Zukoski’s “and nothing more” reinforced the binary constructed in presidential accounts between purposeless terrorism and motivated resistance. On *CNN & Company*, Marcia Aronoff invoked the same logic of antithesis when she rejected the idea of ELF as an environmentalist group:

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<sup>39</sup> John M. Broder, “President Steps Up War on New Terrorism,” *The New York Times*, January 23, 1999, sec. U.S., <http://www.nytimes.com/1999/01/23/us/president-steps-up-war-on-new-terrorism.html>.

<sup>40</sup> George W. Bush, “President Bush’s Speech on Terrorism” (Washington, D.C., September 6, 2006), [http://www.nytimes.com/2006/09/06/washington/06bush\\_transcript.html?pagewanted=all&\\_r=0](http://www.nytimes.com/2006/09/06/washington/06bush_transcript.html?pagewanted=all&_r=0).

<sup>41</sup> Steve Lipsher and Kristen Go, “Group Claims It Set Vail Blazes,” *The Denver Post*, October 22, 1998, Second edition, sec. Denver and the West.

“This is not an act of environmentalism, this is an act of terrorism... We are a country of laws, not of terrorism.”<sup>42</sup> Her joining of these two dichotomies was particularly compelling for its elegant fulfillment of the mainstream environmentalists’ imperative to distance their movement from ELF and for its reinforcement of environmentalism’s foundational deference to the law for the viewing public. On CBS’ *This Morning*, AFR founder Marty Walter echoed the dichotomy and framed it as a personal attack, remarking that he was “offended” at the FBI’s effort to get in touch with AFR about the fires.<sup>43</sup> His comment underscored the gravity of terrorist accusations, illustrating the affective and personal differences between being labeled a radical environmentalist and the mere suggestion of being labeled a terrorist.

News outlets eagerly hosted and quoted officials, lending credibility to the coverage’s utilization of the terrorist frame. One of the most illustrative of these exchanges occurred on the October 25 episode of *Good Morning America*, when host Aaron Brown facilitated a discussion with Earth First!’s Karen Pickett, anti-environmentalist agitator Ron Arnold, and former FBI director Buck Revell. Although Revell was the only government official among them, Pickett and Arnold were both ‘officialized’ rhetorically—treated as official representatives of radical environmentalism and academia, respectively—via their purported experience and subject matter

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<sup>42</sup> “Eco-Terrorism: If You Can’t Beat ’Em, Burn ’Em,” *CNN & Company* (CNN, October 27, 1998).

<sup>43</sup> “Environmental Groups Being Questioned in Connection with the Fire That Destroyed a Vail, Colorado Ski Resort,” *CBS This Morning* (CBS, October 26, 1998).

expertise.<sup>44</sup> Brown began the discussion by pushing back at the notion that ELF's protest should be understood as terrorism by indirectly refuting the pervasive comparisons to domestic terrorists like McVeigh and Nichols. He asked Arnold, "On a day when they're breaking ground at what was the Federal Building in Oklahoma City, I don't want to get into a semantics debate here, but is this, in fact, terrorism?" Arnold affirmed that it was "exactly terrorism," which he justified using an unsourced definition: "Terrorism is simply the unlawful use of force or violence against persons or property. [It] doesn't make any difference, to intimidate or coerce people for a social or political reason. That's all there is to it. It's terrorism."<sup>45</sup> Brown immediately relinquished his reluctance to accept the classification of ELF as a terrorist group, then moved on to the next question. Brown's embrace of such an uncritical definition elided the moral and philosophical

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<sup>44</sup> More recent scholarship on the protest paradigm has extended McLeod and Hertog's original formulation of "official sources" to include individuals who do not represent the government, but who are officialized rhetorically in news media texts. For example, Shahin et al. coded official sources as those "belonging to the police, administration, or experts" (emphasis mine). Saif Shahin et al., "Protesting the Paradigm: A Comparative Study of News Coverage of Protests in Brazil, India, and China," *The International Journal of Press/Politics* 21, no. 2 (2016): 151.

<sup>45</sup> Although Arnold has published extensively about ELF and other so-called eco-terrorist voices, his work has not been subjected to scholarly peer review and is not generally understood to be academic scholarship. Arnold has gone on record stating that he wants to "destroy environmentalists by taking away their members." In 1993, he reportedly told CNN, "Environmentalists, I'm coming to get you... We're out to kill the fuckers. We're simply trying to eliminate them." He should thus be understood more as a political operative than an expert. The Center for Media and Democracy, "Ron Arnold," *Sourcewatch.org*, May 7, 2015, [http://www.sourcewatch.org/index.php/Ron\\_Arnold](http://www.sourcewatch.org/index.php/Ron_Arnold); Check commented on the arguably deceptive ways in which news outlets framed Arnold, along with fellow pseudo-expert Barry Clausen, as authorities on the subject of eco-terror. He observed: "Arnold's credentials [were] unquestioned (he [was] presented with the simple byline, 'author, 'EcoTerror,' which implicate[d] that he [was] a scholar." "The Framing of Radical Environmental Rhetoric: Television News Coverage of the Earth Liberation Front," 420.

complexity that undergirded ELF's complex ethos of eco-revolutionary protest, instead deferring to an alleged expert who'd been officialized rhetorically.

News outlets gave their proverbial megaphones to terrorism authorities who served an interpretive role in decoding the meaning of official actions related to the Vail fires. Later in the same discussion on *Good Morning America*, former FBI director Revell spoke in his capacity as a longtime FBI official: "After an incident like occurred in Vail, the Bureau in association with other agencies will be very active in this investigation. But prior to this, they may have had no basis for an active investigation of this particular element."<sup>46</sup> Revell here engaged his years of expertise as an FBI official to provide audiences an authoritative account of the Bureau's involvement. In his official capacity, Revell confirmed the magnitude of the fires assigned by the news media's coverage. What's more, his words endorsed the use of criminal and terrorist frames to understand what happened on top of Vail Mountain.

Such reliance on official rhetorics as interpretive schemas lent credibility to journalistic outlets while confirming the news' depictions of ELF as a terrorist voice. In most cases, stories about the fires did not feature counterpoints from those perspectives that, in McLeod's words, "challenge[d] that power."<sup>47</sup> Environmental advocates interested in distancing their work from ELF found common ground with journalists who benefitted from the prestige and efficiency of official sources, and together they embraced an authoritative account of terrorism as a dominant news frame. As a result,

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<sup>46</sup> "Ecoterrorism," *Good Morning America* (ABC, October 25, 1998).

<sup>47</sup> McLeod, "News Coverage and Social Protest: How the Media's Protest Paradigm Exacerbates Social Conflict," 187.

those voices that would have provided a more nuanced interpretation were silenced in mainstream coverage.

### *Strategic Engagements with Public Opinion*

Yet, public officials and other figures of authority were not the only ones whose assessments of ELF were featured prominently in the news media's rhetoric of ELF. The protest paradigm's third key characteristic, the invocation of public opinion, reifies the news media's hegemonic perspective by situating it as the will of the public writ large. I posit that news coverage of Vail reinforced officially authorized frames by invoking public opinion to present ELF as an isolated minority, robbing them of the power afforded to majority opinions in our democratic society. In the protest paradigm, media stories frequently marginalize activist perspectives against a manufactured consensus. The stories present protesters as an inconsequentially small segment of the population, ensuring that their claims will be perennially marked by the stigma of refusal to conform with commonly accepted social norms. McLeod underscored the artificial nature of these accounts, which tend to generalize public opinion without the support of empirical research.<sup>48</sup>

Rhetorics of public opinion upheld dominant cultural values by relegating ELF to a small corner of environmental thought, constructing them as “a lunatic segment of society.”<sup>49</sup> For example, Steven K. Paulson of the *St. Louis Post-Dispatch* quoted Ron Arnold in a story that ran a few days after the communiqué was received: “They’ve

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<sup>48</sup> Ibid.

<sup>49</sup> “Ecoterrorism.”

stepped over a line they've never crossed before. Now, they no longer care what the public thinks."<sup>50</sup> This observation treated ELF as a synecdochal representation of environmentalism, suggesting that this one protest voice had singlehandedly pushed environmentalist thought past a democratic 'point of no return.' Arnold's comments depicted ELF's dismissal of the majority opinion as unprecedented, marking an inexcusable moral departure from the norms of majority-led democratic practice.

Sources and guests of news programs frequently invoked public opinion to legitimize their news frames. Aronoff invoked public opinion as a moral barometer in an interview on *CNN & Company*, telling host Mary Tillotson, "I don't think that anybody in the environmental community identifies with this kind of action. It is totally beyond the pale of any type of legitimate protests, and it's not something that the country tolerates, for any reason."<sup>51</sup> Like Jonathan Staufer in his *World News Tonight* interview, Aronoff worked to retain the moral purity of the environmentalism frame by rejecting ELF's claims to legitimate ecological concern. She further called on public opinion as arbiter of acceptable social protest practices, authorizing her interpretation of the environmentalism frame as the will of "the country." By asserting that the country would not tolerate ELF's actions "for any reason," Aronoff preemptively dismissed justifications of their use of strategic property destruction as inherently unpopular and, therefore, morally problematic.

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<sup>50</sup> Steven K. Paulson, "Environmentalist Groups Grow Bolder; Vail Fires Surpass the Usual Tactics of Radical Groups; Blazes Are Labeled as Arsons," *St. Louis Post-Dispatch*, October 23, 1998, Five Star Lift edition, sec. News.

<sup>51</sup> "Eco-Terrorism."

Such invocations of public opinion reflected a strategic decision among most major news outlets not to question or challenge prevailing beliefs about the meaning of protest, violence, and the environment. To be sure, rhetors calling on constructions of public opinion to situate ELF among the minority of environmental extremists were correct. Yet these deployments of public opinion equated the violation of social norms with moral deviance.<sup>52</sup> News outlets passed up on the opportunity to trouble this sweeping equivocation. Had they been exposed to more information about the context of the fires—let alone been given a brief history lesson about sabotage as a tactic of progressive social reformers through U.S. history—perhaps this informed public would have warmed to the notion that ELF activists were more than the guileless vandals that opponents like Arnold made them out to be. This failure to contextualize set the stage for the final dimensions of the protest paradigm.

*Delegitimizing and Demonizing ELF's Eco-Revolutionary Voice*

The fourth and fifth characteristics of the protest paradigm are the delegitimization of protest actions and the demonization of the activists who protest. I treat these together in my analysis because reporting on ELF after the Vail fires often enacted both moves simultaneously. After discrediting ELF through officially and popularly authorized deployments of news frames, these stories demonized the activists by focusing on the fires' negative consequences and delegitimized the protests as ineffective by tactically ignoring arguments to the contrary. An article in *USA Today* quoted Vail's former mayor, Bob Armour: "It will take more trees to rebuild [Two Elk]

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<sup>52</sup> McLeod, "News Coverage and Social Protest: How the Media's Protest Paradigm Exacerbates Social Conflict," 187.



lodge than will be cut out of Category III. Where have we gotten with this? What have we gained?”<sup>53</sup> These stories centered on the damage the fires caused, emphasizing the magnitude of the resulting physical destruction and financial hardship. At the same time, many remained all but silent on the question of positive results (e.g., drawing attention to the issue of habitat destruction in the nation’s ski destinations). In so doing, they reinforced social norms and diverted audience attention away from the potentially unsettling critique of industrial capitalism that formed the foundation of ELF’s eco-revolutionary ideology.

Delegitimization and demonization worked in tandem to secure the dominance of the mainstream media’s account of ELF by avoiding arguments and perspectives that would have undermined this interpretive schema for news audiences. Delegitimization involves making protesters’ goals sound trivial or unreasonable by failing to “adequately explain the meaning and context of protest actions.”<sup>54</sup> Focusing on “tactics, spectacles, and dramatic actions” allowed the news media to provide a seemingly comprehensive account of events to readers while tacitly ignoring ELF’s divisive critique of the ski industry.<sup>55</sup> Similarly, stories engaging demonization “focus on the negative consequences

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<sup>53</sup> Patrick O’Driscoll, “Fire Ripes through Vail; Blazes Called ‘Suspicious,’” *USA Today*, October 20, 1998, Final edition, sec. News.

<sup>54</sup> McLeod, “News Coverage and Social Protest: How the Media’s Protest Paradigm Exacerbates Social Conflict,” 187.

<sup>55</sup> Harlow and Johnson, “Overthrowing the Protest Paradigm,” 1359.

of the protest, such as... violence, property damage... [and] expenditure of community resources.”<sup>56</sup>

Coverage of the Vail fires delegitimized their utility as a protest act using superlative expressions of the event’s negative outcomes. *Independent* reporter Mary Dejevsky identified the fires as ELF’s “most ambitious and costly action to date.”<sup>57</sup> CBS anchor Jane Robelot said the event “could [have been] the costliest act of eco-terrorism in America.”<sup>58</sup> On the *NBC Nightly News*, it was called “the nation’s costliest act of environmental terrorism.”<sup>59</sup> These discourses made salient ELF’s impact on the ski resort, impressing upon readers and viewers the remarkable nature of the fires’ destruction. Reporters used these rhetorics of the fires’ superlative magnitude to situate ELF as a newly serious threat. The *Denver Post*’s Al Knight wrote, “If the [ELF] claim of involvement in the Vail fires turns out to be true... [then] the Front has finally entered the criminal big time.”<sup>60</sup> Reports like these put the quantifiable impacts of the fires front and center to craft a dominant account that framed the protests solely in terms of their morally illegible property destruction, while ignoring the “latent functions of protest groups” like

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<sup>56</sup> McLeod, “News Coverage and Social Protest: How the Media’s Protest Paradigm Exacerbates Social Conflict,” 187.

<sup>57</sup> Mary Dejevsky, “Eco-Terrorists Burn Ski Resort,” *The Independent*, October 23, 1998, sec. News.

<sup>58</sup> “Environmental Group Claims Responsibility for Costly Series of Fires at Colorado Ski Resort,” *CBS This Morning* (CBS, October 22, 1998).

<sup>59</sup> “Environmental Extremist Group.”

<sup>60</sup> Al Knight, “Did Vail Arsonists Have Local Allies?,” *The Denver Post*, October 25, 1998, 2nd edition, sec. Perspective.

education, resource generation, and building public understanding of radical environmental activism.<sup>61</sup>

A notable exception to this dominant rhetoric of ELF's record-breaking appetite for destruction came from the *San Jose Mercury News*'s Julia Prodis Sulek. Her story was a rarity among post-communiqué coverage because it endeavored to actually explain the reasoning behind ELF's utilization of arson as a protest tactic. To accomplish this, she directly quoted NAELFPO leader Craig Rosebraugh's explanation of the necessity of ELF's spectacular and destructive environmental protest: "What else was there to do?... People who engage in these actions feel like they're taking up where the law left off."<sup>62</sup> Rosebraugh suggested that the activists' heightened sense of urgency was logical within the parameters of their moral universe, directly challenging the binary arguments that ELF was a terrorist voice "and nothing more" that permeated news media coverage of Vail. If more reporting had adopted such an orientation toward exploring ELF's purpose in utilizing such "ambitious" strategies, a more complex picture of ELF might have been painted in the public imaginary. As it stood, however, news discourses of the Vail fires' magnitude privileged the demonization of the actors and the delegitimization of their methods over thoughtful consideration of their motives.

As the story of the Vail fires matured, news media rhetorics overshadowed the activists' communiqué and successfully defined ELF in the familiar image of terrorism.

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<sup>61</sup> McLeod, "News Coverage and Social Protest: How the Media's Protest Paradigm Exacerbates Social Conflict," 187.

<sup>62</sup> Julia Prodis Sulek, "Evolution of a Movement: Environmental Terrorism Contrasts with Maturing Radicals," *San Jose Mercury News*, November 1, 1998, Final edition, sec. Front.

ELF had achieved a national image, but one that would prove problematic and demand rhetorical effort to overcome. Newsmakers faced with many choices in how to proceed with coverage of the suspicious fires, and in keeping with dominant patterns in the news media, enacted the protest paradigm in their reports. Coverage reified dominant voices and definitions, fostered a perception of public consensus, and strategically worked to delegitimize and demonize the controversial voice of ELF. This rhetorical form supplanted the group's self-defined identity and ideology with one imposed upon the activists by the mainstream news media.

Yet, verbal rhetorics of Vail in the news media were not the only components of this emergent discourse of ELF as eco-terrorist threat. To the contrary, the rhetoric of the news media's account of Vail was enacted visually in a photograph that circulated in the days and weeks following the incident. I focus the remainder of my analysis in this chapter on the photo's visual and affective rhetoricity—qualities that made it into a forceful depiction of ELF's threat in the public imaginary. The photo's depiction of ELF saboteurs' strategic property destruction took on a life of its own, carrying connotations and sensations of terror with it throughout public rhetorics long after Vail had become old news.

### **Imaging and Imagining ELF: The Two Elk Lodge Photograph's Rhetorical Force**

Most of the buildings ELF targeted on the chilly morning of October 19 were not beautiful. They were designed for utility, not grandeur, and were diminutive against

skiers' expansive views of the mountain's towering pines and crested snowdrifts. Four of the seven targets were small structures that housed machinery for chairlifts. Another was the resort's Ski Patrol headquarters, a shabby facility with meeting space, a small apartment, and electronic equipment in the basement. The sixth was a nondescript snack bar, which the resort did not bother to rebuild after the fires. These buildings were neither impressive nor costly. Their incineration in ELF's protest action did not present a major financial challenge for the company, and none mourned their aesthetic loss.

The seventh target, however, was as grandiose as the others were banal. Built in 1991, Two Elk Lodge housed shopping and dining facilities, including a 550-seat restaurant that pulled in up to \$40,000 per day during ski season. The lodge's impressive ridgepole was shaped from a 100-year-old Douglas fir, and its walls were constructed with beautiful Arizona pine and Oregon cedar. The building was 33,000 square feet of rustic wood and panoramic views—not to mention \$1 million worth of irreplaceable Ute art and artifacts. When it finally succumbed to ELF's firebombing, the firefighters reported “a stunning crunching of glass and timbers and flame.”<sup>63</sup> Two Elk Lodge became the dominant symbol of the fires, just as it had been a symbol of the resort since its construction in 1991.<sup>64</sup>

Firefighter Mark Mobley took a photograph of the lodge as it burned, which I will refer to here as the “Two Elk photo” (Figure 1; in black and white as Figure 2).

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<sup>63</sup> Glick, *Powder Burn*, 104.

<sup>64</sup> Vail Resorts Senior Vice President Paul Testwuide argued that the decision to target Two Elk was likely symbolic. Glick observed that the lodge was “the area's most magnificent structure and obviously the gateway to the new Cat III development. Perhaps not coincidentally, it was also one of the top on-mountain profit centers.” *Ibid.*, 40.



*Figure 1: Two Elk Lodge in flames. Used with permission of the Vail Fire Department.*



*Figure 2: The Two Elk photo in black and white, as it was reproduced in several newspapers.*

No rhetorical artifact burned the image of ELF as an eco-terrorist voice into the national consciousness as vividly as the Two Elk photo. The photograph synthesized and amplified the news media's account of ELF, giving this interpretation a lasting force over competing understandings of the activists and their work. The image was featured prominently in media coverage of the fires, and has since been utilized in a wide range of discursive contexts.<sup>65</sup> Journalist Will Potter called the photograph "an iconic image of the radical environmental movement."<sup>66</sup> Compelling and symbolically complex, it distilled the dominant treatment of the Vail fires into a single image that carried the news media's framing of ELF across space and time. No account of the Vail fires' role in the rhetorical constitution of ELF on the public stage would be complete without an examination of this photograph.

### **Aesthetic, Journalistic, and Ineffable Dimensions of the Two Elk Photo**

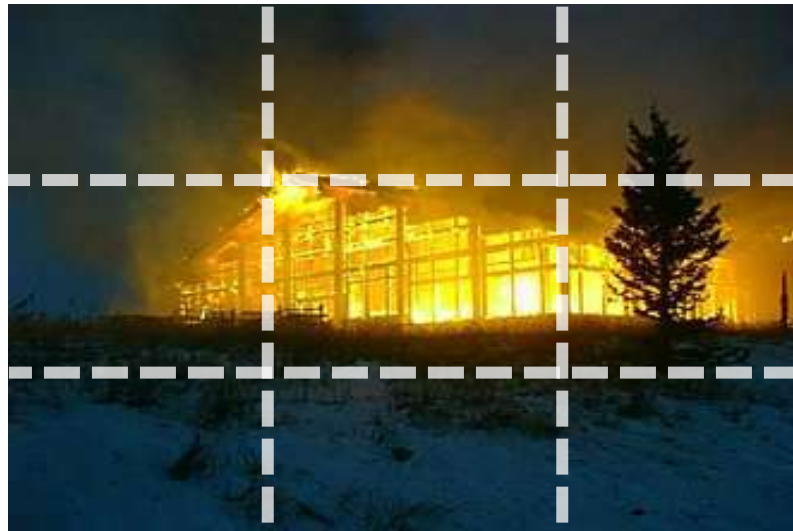
The Two Elk photo is visually striking for several reasons. First, the image's aesthetic qualities make it suitable for reproduction and circulation. It is well composed, with the bright flames seeming to jump off the page or screen even when printed in black and white. Its composition creates a pleasing depth of field, drawing the viewer first into the starkness of the fire and, next, to the softer contrast between the calm, blue-darkness of the pre-dawn sky and the pure white snow on the ground. It follows the rule of thirds,

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<sup>65</sup> These include multiple book covers, an advertisement placed in *Newsweek* by the Center for Consumer Freedom, an online encyclopedia entry, and ELF's own promotional materials.

<sup>66</sup> Potter, *Green Is the New Red*, 66.

one of photography's key guiding principles, particularly well.<sup>67</sup> As shown in Figure 3, its major focal elements fall roughly along the image's grid lines. The tree in the foreground combines with the natural horizon to frame the lodge. Additionally, the photographer left plenty of lead room between the roof of the lodge and the top of the image, creating a sense of movement as the viewer's eyes follow the flames licking the structure's apex upward into the night sky (Figure 4). News sources are motivated to run images that are not only informative, but also visually striking, to draw in more readers.



*Figure 3: The Two Elk photo is composed in accordance with the rule of thirds. The major elements of the image fall roughly along the guide lines, and elements of background and foreground meet at the intersection of those lines.*

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<sup>67</sup> Photographer Bert Krages called the rule of thirds the “best known of the compositional guidelines” in photography. Bert Krages, *Photography: The Art of Composition* (New York: Allworth Press, 2005), 22.





Figure 4: Notice how the lead room between the roof and the top of the frame facilitate the appearance of movement as the flames at the lodge's apex burn upward toward the sky.

Second, from an instrumental perspective, the Two Elk photo accomplished a central goal of photojournalism by offering objective documentation of a major event. Philosopher Charles S. Peirce called this quality “indexical,” identifying in his theory of semiotics the property by which indexical signs point to an object in the world.<sup>68</sup> Peirce wrote, “we know that [photographs] are in certain respects exactly like the objects they represent... this resemblance is due to the photographs having been produced under such circumstances that they were physically forced to correspond point by point to nature.”<sup>69</sup> Film scholar Tom Gunning referred to this quality as the photograph’s “truth

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<sup>68</sup> Albert Atkin, “Peirce on the Index and Indexical Reference,” *Transactions of the Charles S. Peirce Society* 41, no. 1 (2005): 161–88.

<sup>69</sup> Charles Sanders Peirce, “What Is a Sign?,” in *The Essential Peirce*, ed. Nathan Houser and Christian Kloesel, vol. 2 (Bloomington, IN: Indiana University Press, 1894), sec. 4, <http://www.iupui.edu/~peirce/ep/ep2/ep2book/ch02/ep2ch2.htm>.

claim.”<sup>70</sup> The Two Elk photo was a fitting image for widespread circulation in news texts because it offered indexical proof to legitimate the news media’s reporting of objective facts about the fires.<sup>71</sup>

Third, as with all captivating images, the Two Elk photo possesses a rhetorical force that is communicated experientially. Its ineffable power comes from what literary theorist Roland Barthes called the “third meaning.” Barthes theorized that images could be analyzed and appreciated at three levels: the indexical, the symbolic, and the “third meaning”: the obtuse.<sup>72</sup> Barthes described the standpoint of the viewer gazing upon the image after considering its indexical and symbolic dimensions: “Is that all? No, for I am still held by the image.”<sup>73</sup> His theorization of this “third meaning,” the indescribable

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<sup>70</sup> Tom Gunning, “What’s the Point of an Index? Or, Faking Photographs,” *NORDICOM Review* 5, no. 1–2 (2004): 39–49.

<sup>71</sup> Many critique the idea of photography having any indexical value. For example, Susan Sontag questioned the “presumption of veracity” in her landmark *On Photography*, arguing that photographs are interpretive because of the many technical elements that are left up to the inventive capacity of the photographer. Susan Sontag, *On Photography* (New York: Farrar, Straus and Giroux, 1973), 6–7; Arguments against photograph’s truth claim are especially powerful in the era of digital manipulation. Gunning, “What’s the Point of an Index? Or, Faking Photographs.”

<sup>72</sup> Barthes used the word “informational” to refer to an image’s indexical properties, which communicate simple facts about the material world. The symbolic level of meaning for Barthes was one of intentional and obvious meaning, where elements are imbued with references to broader concepts. In the case of the Two Elk photo, most viewers likely associated the lodge with the ski industry’s connotations of luxury, relaxation, and even nostalgia. By contrast, the symbolic power of fire comes from its vivid connotations of fear, death, and hell. The visual of the fire’s encroaching flames invoked the communiqué’s vague threat: “For your safety and convenience, we strongly advise skiers to choose other destinations until Vail cancels its inexcusable plans for expansion.”

<sup>73</sup> Roland Barthes, *Image-Music-Text*, trans. Stephen Heath (London: Fontana Press, 1977), 53.

quality that keeps us looking past the indexical and symbolic, elucidated the role of the imagination in the viewer's visual praxis. He conceived of the third meaning as "the epitome of a counter-narrative; disseminated, reversible, set to its own temporality, it inevitably determines... a quite different analytical segmentation... an extraordinary segmentation: counter-logical and yet 'true.'"<sup>74</sup> This capacity of a photograph to freeze a moment in time invites the reader to imagine a range of possible scenarios, expanding the interpretive utility of the image far beyond its indexical and symbolic values.

I suggest that the Two Elk photos' ineffable force—its third meaning—comes from its striking sense of disorder. In the tradition of ELF's predecessors, such as Earth First!, environmental activists have historically utilized protest tactics that catch the viewer's eye in initially confounding display of spectacle. DeLuca theorized that images of protesters engaging in activities like tree sits, human blockades, and the antagonism of whaling ships derived their rhetorical power from the forceful repositioning of familiar elements into unfamiliar configurations. He wrote that these activists facilitated social movement through shock, disorder, and acts that troubled "our age-old distinction between the Same and the Other."<sup>75</sup> Similarly, the striking image of Two Elk Lodge up in flames disidentifies through shock. The structure should not be on fire; the scene should not be so peaceful; the image of destruction should not be beautiful to gaze upon. And yet, these things are all true. Forced to grapple with the interpretive paradox of the image, the viewer lingers, having consumed but not understood yet what, exactly, is being depicted.

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<sup>74</sup> Ibid., 63.

<sup>75</sup> Borges, quoted in Foucault, quoted in DeLuca, *Image Politics*, 52.

## The Two Elk Photo as Visual Synecdoche

This photograph should be understood as a visual synecdoche for the dominant account of ELF as an eco-terrorist voice because of the image's synthetic function, which wove together and magnified elements of the news media's interpretive schema into a single text. Synecdoche is a literary device in which the part is substituted for the whole, or vice versa. Kenneth Burke identified synecdoche as a master trope due to its foundational utility in discovering and representing reality.<sup>76</sup> Indeed, the Two Elk photo was synecdochal in that an image comprising just one element of the Vail incident came to represent the whole account that emerged in the news media. It is likely that this interpretation of ELF as an eco-terrorist voice, which remains dominant to the present day, would not have achieved such cultural force if Mobley had left his camera at home on that frigid October morning.

The Two Elk photo emerged as a powerful visual synecdoche for two main reasons. First, its *synthetic* force made it a suitable container for the emergent interpretive schema of ELF's mode of political protest. The image contained the dominant account of the incident's symbolic landscape, collapsing a complex constellation of rhetorics articulated across time and space into a single, static artifact. The many dimensions not captured indexically—the fight to stop Cat III, the elusive arsonists, the investigation, the communiqué, the voices of radical and eco-revolutionary environmentalism, the very conflict between industry and preservation—were symbolically present in this haunting image. Like a rhetorical Big Bang, it unleashed a universe of controversies that played out over decades and across thousands of miles from an incredibly compact space. In this

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<sup>76</sup> Kenneth Burke, "Four Master Tropes," *The Kenyon Review* 3, no. 4 (1941): 421–38.

one frame, the viewer encountered the nuanced and multi-layered imagining of ELF as an eco-terrorist voice.

Because of this synthetic function, the photograph encapsulated some of the most damning elements of the news media's enactment of the protest paradigm. Its depiction of the burning building conveyed the criminal and terrorist frames, evoking so many local news images of houses burned under suspicious circumstances. Outside of its frame (both literally and figuratively) were the markers of environmental activism as popularly conceived—the threatened lynx, the protesters acting in defense of the natural world. Similarly, the protest's potential for productive contribution to the democratic process was made invisible in the photograph. This erasure of what might be interpreted as positive outcomes of the fire furthered the news media's delegitimization of the protesters. Most prevalently, the image encapsulated the news media's rhetoric of demonization by displaying in vivid detail the action's destructive outcome. The photograph centers the incident on the dangerous fire, cutting out of the frame any and all visual representations of ELF's justificatory rhetoric.

Second, the Two Elk photo was a powerful visual synecdoche because it *amplified* the visceral power of the dominant account of ELF in the audience's experience. It shifted the viewer's interpretive power from the verbal to the realm of the senses and emotions, cultivating an affective "sense" of ELF's protest as terroristic violence that would not have been possible through verbal description alone. Anthropologist Gregory Starrett argued that part of the work of documentary photographs is to "initiate contagion of an emotional worldview by displaying it," and the Two Elk photo communicated the fear and anxiety of the worldview that saw ELF as an eco-

terrorist threat. In written Vail rhetorics, many journalists called on the language of fire in an apparent attempt to express the perceptual dimensions of the incident. In these discourses, the protesters “torched buildings,” and the fires “blazed” and “raged” against the early morning sky.<sup>77</sup> These descriptive words surely invoked fiery imagery, but they could not express the sinking, pit-of-the-stomach dread embodied in the Two Elk photo. The *Denver Post*’s Jason Blevins described the photograph’s emotional and affective force: “As the dramatic photos of Vail’s showpiece restaurant, Two Elk, engulfed in flames made their way into administrative offices of ski resorts across the state, resort officials no doubt felt a stab of fear.”<sup>78</sup> Blevins’ story elegantly expressed the visceral power of the photograph as a visual synecdoche: it communicated the ineffable dread of terror anxiety in the depiction of ELF as eco-terrorist voice.

Part of the photograph’s sensory force comes from the fire’s brilliant colors. The blaze ranges from searing red to an almost white-hot yellow.<sup>79</sup> Its red edges most directly signal danger, dominance, and authority.<sup>80</sup> The contrast of such a brilliant red to

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<sup>77</sup> R. Weller, “Eco-Terrorists Torch Ski Resort,” *Courier Mail*, October 23, 1998, sec. News; Lipsher and Go, “Group Claims It Set Vail Blazes”; Steve Lipsher, “Arson Hunt Begins,” *The Denver Post*, October 24, 1998, Second edition, sec. Denver and the West.

<sup>78</sup> Jason Blevins, “Mountaintop Fires Defy Salvage Efforts,” *The Denver Post*, October 25, 1998, sec. Denver & The West.

<sup>79</sup> Of course, the photograph was often reproduced in black and white, especially in print newspapers. Though its chromatic dimensions were absent in such contexts, they remained tacitly. Even in monochrome, the flames suggest an alarming red against the crisp, blue-black sky of the early morning. Fire imagery was undoubtedly familiar to viewers, who could thus easily imagine the flames in vivid color.

<sup>80</sup> Andrew J. Elliot et al., “Color and Psychological Functioning: The Effect of Red on Performance Attainment,” *Journal of Experimental Psychology: General* 136, no. 1 (2007): 154–68.

environmentalism's decided greenness divorces the photograph's subject from familiar notions of environmentalism and, in turn, reinforces the mainstream movement's rejection of ELF as one of their own. Environmental rhetoric scholars Tobias Menely and Margaret Ronda theorized the role of red in an arson claimed jointly by ELF and ALF at an Oregon slaughterhouse in 1997. Theorizing what they called "red ecology," Menely and Ronda argued that the fire's red hue engaged a visual intervention in the dominant symbolic order.<sup>81</sup> They wrote, "ELF fires signify as consequently action and shadowy threat, as manifestations of 'burning rage,' and as promise of conflagrations to come."<sup>82</sup> So, too, did the brilliant red captured in the Two Elk photo express the threat and fear that characterized the news media's emergent account of this "shadowy threat."

Viewing the Two Elk photo in juxtaposition with another photograph constitutive of environmentally motivated activism illustrates its distinct affective properties. Specifically, it is instructive to view the Two Elk photo in conversation with astronaut William Anders' *Earthrise* (Figure 5).

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<sup>81</sup> Tobias Menely and Margaret Ronda, "Red," in *Prismatic Ecology: Ecotheory beyond Green*, ed. Jeffrey Jerome Cohen (Minneapolis: University of Minnesota Press, 2013), 22–41.

<sup>82</sup> *Ibid.*, 83.



Figure 5: Earthrise, *National Aeronautics and Space Administration*, 1968.

While *Earthrise* conveyed a sense of peaceful ecology, the Two Elk photo communicated terroristic destruction. The two images share key visual characteristics. Both are framed around a distant, central focal point. Both depict a figure in brilliant color that luminesces against the backdrop of a deep, dark sky. As well, both have become visual synecdoches that express accounts of nature, civilization, and the future. Yet, the differences between these images are much greater than their similarities. While *Earthrise* moved a generation to reconsider the fate of humanity in the age of ecological crisis, the Two Elk photo came to signify not conservation but terror. The calming blues and greens in *Earthrise* depicted the planet's familiar topography from a marvelously unfamiliar angle, facilitating a sense of wonder and awe. As well, the framing of the whole earth expressed a message of wholeness and unity among all those who dwell on this blue marble. By contrast, the Two Elk photo's chaotic reds and yellows conveyed threat and danger. Read against each other, the two images illustrate the visceral power of visual synecdoche in the environmental milieu.



The Two Elk photo also drew its cultural power from its capacity to engage the viewer's imagination. I suggest that the image invited viewers to conceive of contingent and counterfactual conclusions to the fires, activating their imaginative mode of interpretation. In this way, the photograph was very different from the images of perplexing environmental protests that came before it. Like the image events DeLuca theorized, it exploited the televisual age's penchant for visual spectacle, making it ripe for circulation. This image signaled the turn to more destructive means of environmentally motivated protest. ELF broke off from Earth First! precisely because its founding activists believed that the radical environmental movement was faltering in its efficacy as the novelty of its postmodern protest performances had started to wear off. To those who stood with ELF, the image encapsulated the initially illegible logic of direct action, drew attention to the fight to protect the lynx, and underscored the commitment of the activists who lit the fuse. In these ways, the photograph was the direct descendent of Earth First!'s image events—as Terence Check argued, ELF “raised the bar on image events.”<sup>83</sup> Yet, a key difference stands out: while the image events of Earth First! successfully reconfigured the public's interpretive praxis, the Two Elk photo encapsulated the dominant account of ELF as a terrorist voice. Why?

The Two Elk photo's interpretive ambiguity set it apart from other mediated images of environmental protest. In this way, I propose that the photograph marshaled the viewer's imagination in the service of the news media's interpretive schema. Its imagined visual rhetoric of possibility dramatically expanded the viewer's choices for interpreting the events that unfolded at Vail and, by extension, the newly infamous ELF.

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<sup>83</sup> Check, “The Framing of Radical Environmental Rhetoric: Television News Coverage of the Earth Liberation Front,” 418.

Communication scholar Barbie Zelizer called this capacity of photography its “subjunctive voice”—the “as if” moment that invites the reader to conceive of “contingent, imagined, or impossible conclusions to already-finished sequences of events.”<sup>84</sup> Zelizer argued that such images solidify meaning by representing different possibilities, which is critically important during times of ambiguity and contest.<sup>85</sup> The news viewer may have read verbal texts that accompanied the image, yet the photograph’s subjunctive voice implored audiences to imagine an alternate timeline in which it might have been saved (or caused by an accidental catalyst, such as a lightning strike). The photograph’s invitation to imagine these possibilities created a discursive space for reflexive engagement between the viewer and the lodge—or, more accurately, what the lodge represented: a place of recreation and beauty, consumed needlessly by the flames of terror.

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<sup>84</sup> Zelizer explained, “The voice of the visual is subjunctive in character. Taken... from linguistics, which defines subjectivity as the mood or voice of a verb used to express condition, desire, opinion, hypothesis, or statements that are contrary to fact, the subjunctive grammatically couches what is depicted in an interpretive scheme of ‘what could be’ rather than ‘what is.’” *About to Die: How News Images Move the Public* (New York: Oxford University Press, 2010), 14–15.

<sup>85</sup> Zelizer’s analysis focused on photographic depictions of what she called the “about to die” moment. While certainly not imbued with the same degree of moral drama as photographs of human beings on the brink of death, the Two Elk photo captured the same kind of powerful tension between potentiality and inevitability. This gave the photo a particularly salient force as a rhetorical resource in the struggle to make meaning out of ELF’s illegible protest praxis. Zelizer’s study of the “about to die” moment served as a “prism for addressing news images more broadly,” including photographs that depict the cusp of many actions: “about to win, about to kiss, about to set sail, about to separate, about to fight.” I suggest that “about to collapse” or “about to be incinerated” falls into this spectrum. See *ibid.*, 2, 65.

## Dominant and Divergent Circulation

The photograph's continued circulation in the months and years following the protest action at Vail proves its rhetorical power as visual synecdoche. Its largely decontextualized use in several anti-ELF texts illustrates its force as an expression of the depiction of ELF as eco-terrorist voice that emerged after the fires. For example, the photograph was the sole image featured in a full-page advertisement that ran in *Newsweek* in 2002. The ad was created by the Center for Consumer Freedom (CCF, now called the Center for Organizational Research and Education or CORE), a conservative organization that lobbies for the fast food and meat industries. The ad's stated purpose was not to condemn ELF, but rather to attack nonviolent animal rights organization People for the Ethical Treatment of Animals (PETA) for its alleged financial support of ELF protest actions. It marshaled the visual synecdoche of the Two Elk photo to connect PETA with ELF in an attempt to debunk perceptions of PETA as "warm and cuddly." The ad drew tenuous connections between PETA and the ELF activists who set the Vail fires in small text below the photo, but it was assuredly the vivid image of Two Elk up in flames that first grabbed viewers' attention.<sup>86</sup> CCF's use of the photo as a comprehensive

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<sup>86</sup> The ad claimed, "PETA uses their contributors' tax-exempt donations to support the North American Earth Liberation Front. This FBI-certified 'domestic terrorist' organization was responsible for this \$12 million fire in Vail, Colorado. PETA has admitted to giving more than \$100,000 to convicted arsonists and other violent criminals." CCF's use of the term "FBI-certified" is misleading, as the FBI does not "certify" terrorist groups. Further, although PETA has contributed substantially to legal defense funds and other support funds for activists involved in the criminal justice system, the vast majority of these contributions were to protesters unaffiliated with ELF. According to the organization's 990 tax forms, PETA did contribute \$1,500 to "North American Earth Liberation Front" in 2001 for the purpose of "support[ing] their program activities." Yet, one cannot donate money to ELF, as it has no central leadership or physical location. It is likely that this contribution was designated for NAELFPO; the

visual representation of the account of ELF that emerged in the news media four years earlier demonstrated its synthetic and amplificatory power, which remained imbued in the photo long after the Vail fires were old news.

Yet, the photograph's strategic use in rhetorics celebrating ELF and its eco-revolutionary ideology offers evidence of its ripeness for resistive viewing. In her analysis of Malcolm Browne's iconic photograph of Vietnamese Mahayana Buddhist monk Thích Quảng Đức on the cusp of death from self-immolation in 1963, rhetorical scholar Michelle Murray Yang explored the potential for such resistive viewing in her treatment of how the photograph was utilized politically after Đức's protest action.<sup>87</sup> She noted that appropriations of subjunctive news images use the questions, "What if?" and "What now?" to reach audiences via emotional engagement with these photographs, even in discursive contexts that depart significantly from that in which the depicted act took place. Murray Yang's analysis pointed to the use of that image in a counterpublicity campaign against the Diem regime, and to the use of similar images of Đức appropriated for rhetorics critiquing U.S. involvement in Vietnam.<sup>88</sup> Similarly, the Two Elk photo served in future rhetorics to emphasize interpretations that favored ELF and conflicted directly with the framework offered in mainstream accounts. It was selected as the sole

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address listed for "North American Earth Liberation Front" was NAELFPO's P.O. Box in Portland.

<sup>87</sup> Michelle Murray Yang, "Still Burning: Self-Immolation as Photographic Protest," *Quarterly Journal of Speech* 97, no. 1 (2011): 1–25.

<sup>88</sup> Note that these similar images featured the burning monk fully consumed by the flames, meaning that they should probably not be classified as "about to die" moments. Images of the dead do different rhetorical work than do images depicting the "about to die" moment. Rather than asking the subjunctive "What if?," these images can create space for agency by asking, "What now?" *Ibid.*, 14–16.

image on the front cover of major works published by NAELFPO and by its former leader, Leslie James Pickering.<sup>89</sup> It was featured on the homepage of the now-defunct ELF website, earthliberationfront.com, with the caption, “Every Night is Earth Night!” The “What now?” question for ELF was: could their celebratory rhetoric achieve greater prominence through media circulation, or perhaps even win dominance over the news media’s oppositional account? ELF’s public identity and philosophy had been supplanted through reporting that embraced the protest paradigm’s easy invocation of the terrorism frame, but ELF future protest actions would soon present opportunities for this enigmatic activist voice to correct the record in its favor.

The appropriation of the Two Elk photo by voices that both damned and uplifted ELF offers evidence of its intense force as a visual synecdoche. It encapsulated the news media’s oppositional rhetoric of ELF as an eco-terrorist threat for most audiences, yet it also signified radical solidarity to those motivated by ELF’s ideology. The use of the photo in subsequent treatments of ELF across many years attested to the pivotal symbolic transformation effected by discourses of the Vail fires. Despite later claiming responsibility for much costlier protest actions, it was the Two Elk photo that became the iconic symbol of ELF in popular discourses.

## Conclusion

In this chapter, I have examined the first moment that spurred the dialectic defining ELF. During this moment, news media coverage of the Vail fires overpowered

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<sup>89</sup> “Frequently Asked Questions”; Pickering, *Earth Liberation Front*.

the efforts ELF activists undertook to articulate the meaning behind the 1998 fires on Vail Mountain. Mainstream reports engaged the familiar form of the protest paradigm over complex articulations of ELF's eco-revolutionary philosophy, inventing ELF as an eco-terrorist voice in the national imaginary. Though some audiences in the Pacific Northwest were already familiar with its local protest actions, ELF saw the potential of a much more powerful megaphone in the national news media when the Vail fires' symbolic and material violations of the dominant social order propelled ELF into the spotlight.

Coverage of the Vail protest action was the first major salvo of ELF's opponents, and a powerful contribution to the lasting public construction of this enigmatic voice. ELF catalyzed an unlikely coalition of rhetors from industry, government, and the mainstream environmental movement who were drawn together in news media accounts by the imperative to condemn ELF's praxis of revolutionary sabotage. The vision of ELF that emerged elided the activists' own articulation of their work, supplanting it with the familiar and convenient form of the threatening eco-terrorist. Propelled by the synthetic and affective force of the Two Elk photo as a visual synecdoche for this depiction, the news media's interpretive schema rose immediately to dominance among mainstream audiences.

ELF and its advocates faced a formidable challenge in the public contest to craft the most compelling interpretation of this enigmatic protest voice. The Vail fires faded from the national spotlight over the weeks and months following the fires, but the image of ELF as a prototypical eco-terrorist group remained. It had been seared in the memories of news audiences through dismissive and vilifying news stories, and through the striking

photograph that reminded all who saw it of the terrible destruction the activists had wrought. With this new rhetorical power came greater capacity for engagement in the negotiation of symbolic protest and the limits of environmental protection in U.S. culture. ELF activists had their work cut out for them as they endeavored to articulate their complex ideology of liberation in a way that might resonate with audiences shaken by the possibility of a new brand of terrorists in their midst.

## CHAPTER FOUR

### **Dissociating Violence: Rhetorical Strategies of the Boise Cascade Fire**

In 1997 Boise Cascade, one of the largest pulp and paper companies in the world, announced a joint business venture with Chilean forest product manufacturer Maderas Condór. The two companies planned to build a \$180 million wood chipping and oriented-strand board (OSB) plant near Puerto Montt, Chile, to be called Cascada Chile (later renamed Compañía Industrial Puerto Montt, or CIPM).<sup>1</sup> The plant was to be the largest of its kind in the world, expected to double the extraction of native forests annually in Chile.<sup>2</sup> Despite protests and numerous lawsuits on behalf of the local salmon industry, nearby property owners, and citizens who felt that Chilean authorities had approved the venture too swiftly, the companies forged ahead in their plan to clear-cut massive areas of lush Valdivian rain forest. The hugely controversial plan divided residents of Chile's Lakes Region along political and class lines. Environmental advocates clashed with the impoverished residents who hoped the facility would provide jobs and stability for their local economy, which depended on a fluctuating tourism industry.<sup>3</sup>

Environmentalists' concerns were likely influenced by Boise Cascade's record of ecological damage. The Lakes Region's forests were robust and crucial to the health of

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<sup>1</sup> Rosebraugh, *Burning Rage*, 95–96.

<sup>2</sup> James Langman, "Eco-Activists Fight Projects Doubling Chile Forest Exports," *The Christian Science Monitor*, March 4, 1999.

<sup>3</sup> Clifford Krauss, "Under Chile's Volcanoes, A Blurring of Boundaries," *The New York Times*, May 16, 1999, sec. Business.



their biosphere, just like those in the Pacific Northwest before Boise Cascade wreaked havoc with clear-cuts, old growth logging, and massive water pollution.<sup>4</sup> Local environmental advocates, aware of incidents in Latin America where Boise Cascade opponents were violently silenced, may have been fearful of expressing vocal opposition.<sup>5</sup> Indeed, hindsight validates the concerns of many locals about the corporation's presence in Chile.<sup>6</sup>

When news of the Cascada Chile venture reached the United States, several environmental organizations began organizing opposition. The Rainforest Action Network (RAN) was chief among them, utilizing protests, demonstrations, letter-writing, and blockades in its Old Growth Campaign.<sup>7</sup> In one especially spectacular protest event, RAN floated a 120-foot dinosaur balloon that said, "Boise Cascade: I love logging old

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<sup>4</sup> For an account of Boise Cascade's environmental damage in one of its two home states, see William G. Robbins, *Landscapes of Conflict: The Oregon Story, 1940-2000* (Seattle, WA: University of Washington Press, 2014), 268–69.

<sup>5</sup> The 1995 protest in Guerrero, Mexico, was organized by a group of activist farmers called the Organization of Campesinos of the Southern Sierra (OCSS.) "Campesino" is commonly translated as "peasant farmer." See Bill Bigelow and Peterson, eds., "Mexican Peasant-Ecologists Fight to Preserve Forests" (Milwaukee, Wisconsin: Rethinking Schools, 2002), 281.

<sup>6</sup> In 1999, Chile's Court of Appeals fined Boise Cascade the equivalent of \$825,000 for destroying an archaeological site dating back 5,000 years. This fine was added to an already existing penalty for Boise Cascade's illegal timber harvest. See George Draffan, "The Global Timber Titans: Profiles of Four U.S. Wood Products Corporations Driving the Globalization of the Industry" (Seattle, WA: Public Information Network, June 1999), 7, <http://www.endgame.org/globaltimbertitans.pdf>.

<sup>7</sup> The Old Growth Campaign began in 1992 and was first targeted at another Northwest paper giant, Weyerhaeuser. RAN included Boise Cascade as a target after the announcement of the Chilean venture. See Annie Ran, "The Old Growth Campaign Victory - How Did We Do That?," *Rainforest Action Network Blog*, June 20, 2008, [http://www.ran.org/the\\_old\\_growth\\_campaign\\_victory\\_how\\_did\\_we\\_do\\_that\\_5rnoq\\_3791qd8p8ie1likojtys0w](http://www.ran.org/the_old_growth_campaign_victory_how_did_we_do_that_5rnoq_3791qd8p8ie1likojtys0w).

growth” above the company’s headquarters.<sup>8</sup> The company responded by publicly asking RAN to cut its ties to radical groups, insinuating to audiences on the fence of the issue that RAN was much farther left than they advertised. Boise Cascade also undermined RAN’s public credibility by prompting an Internal Revenue Service (IRS) investigation into its use of charitable contributions in an apparent attempt to get the network’s tax-exempt status revoked.<sup>9</sup>

Meanwhile, the project’s planners in Chile fought to keep the project on track. They dismissed the results of an environmental impact study demonstrating the unsustainability of the plant. At the same time, they deployed the rhetoric of development in local advertisements assuring residents that the plant would bring jobs and greater economic stability to the region.<sup>10</sup> Though its owners postponed the project in late 1999 citing fluctuations in the global OSB market, the project seemed to be moving forward despite monumental opposition.<sup>11</sup> For nearly two years, protesters across the Americas fought the venture while Boise Cascade marched forward with its plans, undeterred.

Until the elves got involved.

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<sup>8</sup> Judy Larkin, *Strategic Reputation Risk Management* (New York: Palgrave Macmillan, 2003), 134.

<sup>9</sup> Rauber, “Boise Cascade.” Boise Cascade has denied publicly that they were behind the IRS’ investigation of RAN.

<sup>10</sup> This rhetoric of development became one of three major strands of discourse in the rhetoric of opposition to ELF, as I discuss on pages 53-55. George Draffan, “Profile of the Boise Cascade Corporation” (Public Information Network, n.d.), <http://www.endgame.org/boise.html>.

<sup>11</sup> Gustavo González, “Massive Cascada Logging Project Called Off,” *Inter Press Service*, December 15, 1999, <http://www.ipsnews.net/1999/12/environment-chile-massive-cascada-logging-project-called-off/>.

On the morning of Christmas, 1999, four homemade incendiary devices exploded in Boise Cascade's 7,222-square-foot regional headquarters in Monmouth, Oregon. The damage was estimated at over \$1 million, making it the most costly Earth Liberation Front (ELF) protest event since Vail.<sup>12</sup> The building was declared unsalvageable, and local law enforcement investigated the incident as arson. A few days later, North American Earth Liberation Front Press Office (NAELFPO) leader Craig Rosebraugh received the following communiqué taking credit for the event:

Boise Cascade has been very naughty. After ravaging the forests of the Pacific Northwest, Boise Cascade now looks towards the virgin forests of Chile. Early Christmas morning elves left coal in Boise Cascade's stocking. Four buckets of diesel and gas with kitchen timer delay destroyed their regional headquarters in Monmouth, Oregon.

Let this be a lesson to all greedy multinational corporations who don't respect their ecosystems.

The elves are watching.

- Earth Liberation Front

Rosebraugh sent the text of Boise Cascade communiqué to national news outlets immediately, and later provided commentary and background information about Cascada Chile and the Boise Cascade fire.<sup>13</sup> In the ensuing months the incident was covered in local, national, and international news outlets. The communiqué and Rosebraugh's commentary—the only widely circulated texts to defend the Boise Cascade protest—

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<sup>12</sup> The building was valued at just over \$220,000. Adding the estimated cost of massive structural repairs put the price tag of the arson somewhere in the neighborhood of \$1 million. See Bryan Denson, "Eco-Terrorist Group Takes Credit for Fire," *The Oregonian*, December 31, 1999.

<sup>13</sup> Kim Murphy, "Disruption Is Activists' Business," *Los Angeles Times*, April 25, 2000, sec. News, <http://articles.latimes.com/2000/apr/25/news/mn-23149>.

asked audiences to understand the destruction of the headquarters as a political indictment of the Chilean venture. Predictably, most news coverage rejected this logic, relying instead on familiar conceptions of physical violence to frame elfish protest actions as terrorism.

Boise Cascade announced in February 2001 that it would officially call off the Cascada Chile project. Of course, ELF is not remembered in the public consciousness as the brave group of vigilantes who stopped an environmental catastrophe in Chile after other activist efforts had failed. ELF's reasoning surrounding the Boise Cascade arson was drowned out among the din of angry and impassioned indictments of their methods. ELF's articulations of strategic property damage were controversial and compelling, yet they were lost to the familiar condemnation of destruction as a means to enact change. ELF's opponents reacted to the fire by framing the activists as eco-terrorists, illustrating the shift from the rhetoric of civility to the rhetoric of terror, which ultimately subsumed treatments of civility in its centering of protest's means over its ends.<sup>14</sup>

How was the mere suggestion of ELF's instrumental success in stopping the Chilean venture from moving forward erased from public memory? This chapter explores two possible answers to this question. The first is a predictable response: The condemnation of violence from business owners and authority figures was more rhetorically powerful than ELF's defense of its explosive tactics. My analysis of ELF opponents' deployment of the rhetorical form of violence illustrates how this tactic upheld the dominant construction of ELF as an eco-terrorist voice, destabilizing justifications of property damage as a strategic discourse of social change.

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<sup>14</sup> I discuss this shift on page 57.

However, I will demonstrate that this answer is ultimately incomplete. We cannot simply chalk this victory of interpretation up to the immense rhetorical power of traditional notions of violence. Instead, I propose that ELF activists had the promising rhetorical resource of slow violence as a dissociative argument at their disposal, yet their failure to exploit this argument effectively allowed opponents to reify the eco-terrorist frame. Thus, this chapter examines a time when ELF's voice failed. Its controversial actions were overpowered in public discourses by our culture's comforting reliance on the monolithic rejection of extremism, despite the availability of promising discourses like the rhetoric of slow violence.

### **The Rhetorical Form of Violence**

Rhetors decrying the Boise Cascade fire called on the rhetoric of violence to reify the dominant conceptualization of ELF as an eco-terrorist voice that first emerged in the wake of the Vail fires. Though these interlocutors possessed different backgrounds and occupied different spaces within their communities, their salvos against ELF had in common a reliance on what I will refer to in this chapter as the "rhetorical form of violence." It may seem odd to use this phrase to characterize the form, but I do this to underscore the fact that to call an event "violence" is to make a rhetorical assertion. This rhetorical assertion claims that the act in question should be understood as an intentional use of force, designed to do harm. If an event is named as violence, it cannot be understood as accidental or benign. The rhetorical form of violence is a means of

containing the pain, fear, and anxiety that result in the wake of unsettling events. To call such an event violence is to flesh out its meaning and, as a result, grant the comfort of legibility. Thus, my term “rhetorical form of violence” identifies this comprehensive framework of interpretation, which makes sense of unsettling events in terms of a particular conceptualization of violence.

The strategic use of this rhetorical form marked ELF as immoral criminals, and indeed terrorists, serving to destabilize alternative readings and interpretations. I turn in this section to an interrogation of the form because the discourse of eco-terrorism that would emerge victorious in the dialectical negotiation of ELF’s distinct protest voice was predicated on understanding ELF’s protest actions as violence. The form facilitated the transformation of appeals to civility into the rhetoric of terror among anti-ELF rhetorics, centering the activists’ violent means while silencing their ends. Because terrorism is inherently violent, a rhetoric that could conceptualize ELF’s protest as nonviolent would undermine the logic of this dominant mode of interpretation.

Rhetorical forms are powerful because they help audiences understand the world. In Chapter Three, I discussed the protest paradigm as a form that framed news reporting. In the most foundational sense, forms act in this way—they give characteristic shape to rhetoric. But in order to understand the rhetorical form of violence, a deeper understanding of forms and their functions is necessary. Kenneth Burke wrote that form is about audience satisfaction, rooted in the psychology of a text’s audience. In the most commonly cited definition of Burkean form, he called it “an arousing and fulfillment of

desires,” suggesting that we can test whether a work has form on the basis of whether “one part of it leads a reader to anticipate another part,” offering audience gratification.<sup>15</sup>

But why does such a sequence gratify the audience? The answer, Burke explained elsewhere in *Counter-statement*, is that the arc of expectation and satisfaction gives audiences a sense of closure. Rhetors sometimes create these expectations through strategies like repetition. In other instances, the expectations come from broader cultural norms, conventions, and practices. The audience encounters “a temporary set of frustrations, but in the end these frustrations give way to a more involved kind of satisfaction, and furthermore serve to make the satisfaction of fulfillment more intense.”<sup>16</sup> Of particular relevance to this analysis of the rhetorical form of violence is Burke’s observation that “many aspects of form can be identified somewhat ‘negativistically,’ as fragments, distortions, or perversions of classical norms.”<sup>17</sup> Indeed, prominent in the rhetoric interpreting the Boise Cascade Fire were fragmented and incomplete accounts that, when filled out enthymatically, gave the rhetorical form its power and its gratification.

This gratification could be over something simple. Burke used the example of a playwright who mentions a meeting, leading the audience to expect a meeting scene and

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<sup>15</sup> Kenneth Burke, *Counter-Statement* (Berkeley, CA: University of California Press, 1968), 124.

<sup>16</sup> *Ibid.*, 31.

<sup>17</sup> Kenneth Burke, “Dramatic Form--And: ‘Tracking down Implications,’” *The Tulane Drama Review* 10, no. 4 (Summer 1966): 55.

to feel gratification in seeing it played out.<sup>18</sup> Rhetorics of the Boise Cascade fire, by contrast, constructed and met expectations of much more complex and emotionally fraught developments. Violence disrupts security and comfort; the rhetorical form restores it. In the wake of destruction like the Boise Cascade fire, we expect audiences to seek reassurance. They want to make meaning of tragedy—to make sense of the senseless. The promise of form lies in its ability to translate the complexity of politically motivated property destruction into one of these temporary frustrations, offering assurance that resolution will come. I will demonstrate how the rhetorical form of violence is uniquely suited to give comforting shape to otherwise puzzling—and frightening—acts of destruction. This form is the promise of light at the end of the tunnel.

### **The Rhetorical Form of Violence in Bill Clinton’s Oklahoma City Bombing Eulogy**

The rhetorical form of violence engaged in the wake of the Boise Cascade fire was particularly powerful because it drew on the anxieties of readers unsettled by an act of terrorism in the United States just five years prior. In the wake of the April 1995 bombing of the Alfred P. Murrah Federal Building in Oklahoma City, Americans grappled with the threat of terror on their own soil. This attack and the Boise Cascade arson were explosive acts of vigilantism carried out by rhetors with extreme ideological commitments, characterized by the lingering and ubiquitous threat of further attacks and condemned by public leaders. Interlocutors crafted accounts of both these events that made sense of politically motivated attacks using the rhetorical form of violence. The

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<sup>18</sup> Burke, *Counter-Statement*, 31.



form turned initially senseless actions into a legible narrative with familiar characters and motivations.

To illustrate this rhetorical form in action, we can look to then-President Bill Clinton's eulogy for the victims of the Oklahoma City bombing. Delivered four days after the attack, his remarks at the Oklahoma City Bombing Memorial Prayer Service served as a representative anecdote of the form that became dominant in interpreting ELF actions in the years following the bombing. The speech was a landmark in the development of contemporary discourses of politically motivated violence; more than any other instance of rhetoric, it served as an exemplar in its construction of an interpretive framework that offered reassurance, familiarity, and legibility to shaken audiences grasping for meaning.

Clinton's eulogy demonstrated the nuanced power of this rhetorical form to bring comfort and assurance to audiences.<sup>19</sup> The speech's subtle moves gave voice to the discursive form that would come to shape our understanding of domestic terrorism. Toward the beginning of the eulogy, Clinton said:

Today our nation joins with you in grief. We mourn with you. We share your hope against hope that some may still survive. We thank all those who have worked so heroically to save lives and to solve this crime—those here in Oklahoma and those who are all across this great land, and many who left their own lives to come here to work hand in hand with you. We pledge to do all we can to help you heal the injured, to rebuild this city, and to bring to justice those

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<sup>19</sup> Clinton's remarks received widespread critical acclaim, including praise from authors politically opposed to the president and his policies. See Valerie Lynn Schrader, "Teachable Moments in Presidential Eulogies: A Comparative Analysis of Ronald Reagan's Address to the Nation on the Challenger Disaster and William Jefferson Clinton's Oklahoma City Bombing Memorial Prayer Service Address," *Ohio Communication Journal* 47 (October 2009): 221.

who did this evil.<sup>20</sup>

Clinton's narrative in this passage conveyed three archetypal characters: the heroes, the victims, and the villains. Already, this framework was accessible to all listeners, for the story of Manichean struggle, of good versus evil, is inextricably embedded in the narrative bedrock of every culture on Earth. Calling on the dichotomy of good and evil set the Oklahoma City violence within a story we all already know. Once he had named the story's characters, Clinton offered a course of action for listeners, weaving together the processes of mourning and rebuilding with the pursuit of punishment for the unnamed McVeigh and his co-conspirators.

Clinton enacted a moral commitment through his emphasis on heroes and victims, offering them gratitude, sympathy, and the promise of a vigilant quest for justice. Family members of those killed in the blast surrounded the president, lending visual presence to the emotional trauma being discussed. Clinton depicted the victims with depth, describing them in terms of their civic and social participation in their communities: "For so many of you they were also neighbors and friends. You saw them at church or the PTA meetings, at the civic clubs, at the ballpark." The victims were framed not merely as innocent, but they were also humanized and honored as actively good.

To contrast, Clinton's words left the villains in near obscurity, nameless and defined only in terms of the pain they inflicted on blameless people. Though Timothy McVeigh and Terry Nichols were both in FBI custody and known widely as the key suspects at the time, the rhetoric with which he chose to describe them was purposefully

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<sup>20</sup> William Jefferson Clinton, "Oklahoma Bombing Memorial Prayer Service Address," April 23, 1995, <http://www.americanrhetoric.com/speeches/wjcoklahomabombingspeech.htm>.

anonymous and one-dimensional. Clinton's eulogy conveyed nothing about the bombers except to call them evil and sinful, and to promise that they would be held responsible. This limited discussion of the villains framed them as enigmatic and dangerous. But not for long—in pledging to bring these evildoers to justice, the rhetoric assured audiences that good would ultimately overcome evil in this story.

Clinton's remarks implicated all Americans as participants in a morally situated story of overcoming grief in order to repair communal life, with the President utilizing the word "we" to call on audiences as healers, menders, and pursuers of justice. Though the eulogy did not contain the word "terrorism," Clinton deftly constructed the haunting threat of further bombings. He called on listeners to "purge [our society] of the dark forces which gave rise to this evil," a respectfully vague way of establishing a need to snuff out the cultural flame of physically destructive dissent. He employed the archetypal metaphor of darkness, recognized globally as a negative value judgment.<sup>21</sup> This tactic extended the scope of his address far beyond the geographic and temporal locations of the Oklahoma City bombing, underscoring the necessity of vigilance to prevent future attacks. He implored audiences to "stand up and talk against" instances of "hatred" and "violence," crafting a dichotomy between dialogue and violence as different means to enact dissent. This dichotomy constructed violence as a choice—and, always, the wrong choice.

I emphasize the subtle power of this speech because of its contribution to how we talked about politically motivated acts of destruction in the years between the Oklahoma City bombing and the September 11 attacks. The rhetorical form articulated in Clinton's

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<sup>21</sup> Michael Osborn, "Archetypal Metaphor in Rhetoric: The Light-Dark Family," *The Quarterly Journal of Speech* 53, no. 2 (1967): 115–26.

eulogy became the conventional rhetorical response to instances of physically destructive protest. This led audiences to anticipate its use in the wake of the Boise Cascade fire. While this expectation was certainly met, the way in which rhetors responding to the Boise Cascade incident articulated the form was distinct.

Though the Oklahoma City eulogy demonstrated in a single speech the strategic range of the rhetorical form, the responses to the Boise Cascade arson were not nearly so complete. They appeared primarily in newspapers and periodicals—short articles that sometimes conveyed just a sentence or two about the fire. Read in a vacuum, these staccato responses said little about the event; but read together as fragments in the mosaic of anti-ELF discourse, they synergistically enacted the same powerful rhetorical form that took its complete shape in Clinton’s eulogy. As McGee argued, these textual fragments came together in the minds of audiences, who enthymatically constructed the full form of violence from the truncated components.<sup>22</sup> Thus their authors did not need to articulate each dimension of the rhetoric of violence—Clinton had already done so, the nation had listened, and now could anticipate the narrative in the pattern of the rhetorical form.

### **Key Moves in the Rhetorical Form of Violence**

The rhetorical form of violence is always defined by three key moves. First, it establishes characters—heroes, villains, and their victims, defining violence in terms of

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<sup>22</sup> McGee argued that the fragmented nature of rhetoric in the postmodern world compels us to reconsider our understanding of relationships between text and context. Specifically, he argued that texts are not the products of rhetors but of audiences and critics assembling and fixing fragments into meanings. Michael Calvin McGee, “Text, Context, and the Fragmentation of Contemporary Culture,” *Western Journal of Speech Communication* 54, no. 3 (Summer 1990): 274–89.

their Manichean struggle. Casting participants into these core roles satisfies the reader's desire to understand the event in familiar narrative terms, knowing where to direct their admiration, condemnation, and sympathy. Second, the form casts the violent act as one of destruction, precluding the possibility that violence could do good. This discursive move reifies our culture's celebrated belief in the virtues of order and *logos*, preemptively delegitimizing the ideological commitments of those who would commit violence in the name of change or progress. Third, the form prescribes condemnation and punishment as appropriate responses to violent acts. It delivers judgment, assigning guilt to the perpetrators of violence and finding its victims innocent. It calls for catharsis—a purging of corrupting toxins from the body politic—through the apprehension and prosecution of perpetrators.<sup>23</sup> It locates the purging in judicial proceedings rather than political or cultural changes. This form contains a vision of appropriate public response, inviting us to participate by aligning with the victims of violence and eschewing any suggestion that there might be more to violence than one-dimensional destruction.

Violence is inherently unsettling, both literally and figuratively. It moves things—bodies, objects, ideas—out of place. Unsettled audiences who hear about instances of violence find comfort and solace in the rhetorical form because, as a form, it answers key questions. What happened? Destruction, repugnant and irredeemable. Who was involved? An unjustified perpetrator and an undeserving victim. Perhaps most important: What is to be done? Uplift the victim, persecute (and prosecute) the perpetrator, and eschew the methods of violence in all their iterations. The rhetorical form of violence reifies the social order, returning listeners to normalcy and undermining discourses seeking to upset

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<sup>23</sup> Kenneth Burke, "On Catharsis, or Resolution," *The Kenyon Review* 21, no. 3 (Summer 1959): 337–75.

that order. These characteristics made it a strong strategy for rhetors seeking to articulate an interpretation of the Boise Cascade fire as, first and foremost, an instance of violence.

ELF opponents offered rhetorical fragments in their responses to the Boise Cascade fire which, in concert, employed the form to reify the dominant interpretation of ELF as an eco-terrorist voice. Although the fire received less public attention than some other ELF actions, there was a rhetorically compelling landscape of responses attempting to construct a dominant interpretation of this event, especially in the Pacific Northwest. I examined responses to the fire produced by a number of diverse rhetors: journalists, public officials, timber industry representatives, first responders, and mainstream environmental activists. Most of these responses were published in regional and national newspapers, though some came from other media sources such as blogs. The rhetorical form of violence was expressed in a fragmented way in most of these texts, thus calling upon the audience's familiarity with the rhetorical form implicitly to round out the account. Taken together, these staccato texts constituted the form in its entirety, fulfilling the promise of its power through enthymematic articulation.<sup>24</sup>

### **Victims and Villains: Familiar Characters in a Moral Struggle**

To fulfill audience members' desires for a satisfactory interpretation, the rhetorical form of violence first casts an event's participants as familiar characters in a

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<sup>24</sup> Enthymemes derive much of their rhetorical power from their participatory relationship with listeners. Audiences are asked to participate in argument construction by mentally completing the syllogism by supplying its implied premises. See, among many other sources, Aristotle's *Rhetoric* (1356b).

moral conflict: the hero, the villain, and his victim. Articulating the event in terms of a foundational conflict between good and evil offered a choice to listeners: Whose side are you on? Cultural norms instruct audiences as to where their allegiances should lie.

Operating enthymatically, most accounts of the events did not engage all three characters in depth. Further, their casting choices did not always align—one rhetor’s victim became another’s hero, demonstrating the adaptability of this form. It can be molded to suit different stakeholders’ purposes without losing its inherent structure. Despite these texts’ incomplete and even externally inconsistent invocations, a powerful rhetoric of violence emerged. Taken together in the landscape of public conversations about the fire, its constituent pieces invoked and affirmed each other. Audiences sewed these disparate pieces together to form a complete and nuanced discursive quilt, its image a familiar story of extremists’ misdirected rage.

Rhetors responding to the fire were quick to establish victims, highlighting their innocence to tacitly indict the villainous ELF. Some accounts framed Boise Cascade as the story’s corporate victim. Others highlighted the fire’s effect on the company’s employees. In an opinion article that ran in the *Bangor Daily News*, Boise Cascade’s then-Vice President of Corporate Communication and Investor Relations, Vince Hannity, criticized the *Earth First! Journal* for publicizing the fire:

Recently, a feature story in *EarthFirst!* [sic] *Journal* praised the actions of the Earth Liberation Front (ELF) for its eco-terrorism activities and encouraged continued and expanded acts of terrorism. Since the Earth Liberation Front claimed responsibility for the arson fire which destroyed our Monmouth, Ore., office on Christmas Day 1999, we have experienced firsthand the destructive

violence that EarthFirst! now publicizes.<sup>25</sup>

Hannity suggested here that Boise Cascade employees were the fire's victims, with ELF predictably cast as violent eco-terrorists. He emphasized workers' nearness to the fire, escalating the gravity of the attack despite the fact that no workers were on the premises at the time. In noting that Boise Cascade "experienced *firsthand* the destructive violence" (emphasis mine), Hannity buttressed his claims and built up his ethos as an authoritative speaker on the subject. Invoking the rhetorical form of violence not only identified the story's victim for audiences, but also gave that victim voice and discursive legitimacy. Hannity established Boise Cascade's employees as targets, and gave them the symbolic primacy of experience through the strategic ambiguity of "we"—though he did not work at the Monmouth office, he used his institutional relationship to the company to claim both victim status and vocal authority in this article.

Other discourses of the fire identified its victims in hypothetical terms, calling on the element of threat that defines discourses of terror. In some cases, first responders were framed as victims through emphasis on the fire's potentialities—though no firefighters were injured while putting out the blaze, rhetors were quick to emphasize how close these public servants came to mortal harm. John McArdle, mayor of nearby town Independence, emphasized this sense of grave potentiality in his remarks at the dedication ceremony for the newly rebuilt headquarters. The *Polk County Itemizer-Observer*, Monmouth's local newspaper, reported: "It makes [McArdle] angry when environmental terrorists say they don't hurt people. Firefighters feel differently, McArdle

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<sup>25</sup> Vince Hannity, "Boise Cascade Pans RAN Actions," *Bangor Daily News*, July 11, 2001, sec. OpEd.



said. ‘An arson fire is really personal. It's like shooting a gun at police officers.’<sup>26</sup>

Casting firefighters as the story’s victims transformed an act of arson against a private building into an act of public violence. McArdle framed ELF’s actions as an attack on the first responders tasked with keeping Monmouth safe for all residents both literally, in the case of firefighters, and symbolically through the metaphor of “shooting a gun at police officers.” He depicted ELF as responsible for the material and symbolic consequences of harming revered community protectors. The strategic invocation of the rhetorical form named ELF as the villains who *would have* killed the town’s rescue workers if the building had collapsed, and who *did* attack the community’s symbolic commitment to safety, civic order, and deference to the rule of law and those who enforce it.

In addition to its victims, firefighters were also cast as the story’s heroes, lending another compelling dimension to the moral struggle that framed the event. As reported the same article, Mayor McArdle made a subtle but rhetorically important shift from firefighters as victims to firefighters as heroes:

It's ironic that Monmouth Mayor Paul Evans is heading off for 70 days in Kuwait with the Oregon Air National Guard, McArdle said. Yet, as a volunteer firefighter, Evans faced as much danger from domestic terrorism than anything he will likely encounter in Kuwait. “The fire could have cost firefighters their lives,” McArdle said.<sup>27</sup>

In aiming this story’s spotlight on firefighters, an already venerated class of heroes celebrated for their courage and sacrifice, the rhetorical form of violence resonated.

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<sup>26</sup> Tom Henderson, “Boise Cascade Dedication a Statement against Terrorism,” *Polk County Itemizer-Observer*, June 27, 2001, <http://www.polkio.com/ns/gen/1141/boise-cascade-dedication-a-statement-against-terrorism>.

<sup>27</sup> *Ibid.*

McArdle made these heroes further compelling through comparison to military service members—perhaps the only occupational category revered more than civilian first responders. Through the mayor’s phrasing of, “Firefighters feel differently,” this report framed the argument that ELF’s actions “could have cost firefighters their lives” as the words of the firefighters themselves, expressed through his voice. This move lent further credence to the diametric opposition of hero firefighters and villainous ELF members.

In another iteration of this rhetoric, it was not firefighters but Boise Cascade, the company, who was cast in the role of hero. Accounts such as Hannity’s framed the company’s workers as victims through the real and potential impacts of the fire, but others celebrated a personified image of the company itself as a community hero. Audiences encountering a choice between two faceless entities—a corporation and a band of vigilantes—would be hard-pressed to form allegiances. Granting one party a heroic identity, however, made the reader’s moral choice clearer. At the dedication ceremony for the rebuilt headquarters, County Commissioner Mike Propes commented on Boise Cascade’s decision to rebuild on the same site: “[M]y respect really went up a few notches when they decided to rebuild in Monmouth. Morally... this was a very good decision. You can’t let people push you around. That would have been disastrous to our county, our state and our nation.”<sup>28</sup> Propes’ discourse of respect and admiration for the company’s choice drew on a rhetoric of resilience that often follows violence. Just as Bill Clinton, in the wake of the Oklahoma City bombing, called on audiences to follow St. Paul’s directive to “not be overcome by evil, but overcome evil with good,” Propes celebrated Boise Cascade’s decision to rebuild its headquarters, articulating it as a moral

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<sup>28</sup> Ibid.

choice to resist being overcome by ELF's evil intimidation strategies. Propes cleverly personified Boise Cascade—a multinational company—at a local level, establishing the fire as a personal act against a member of the Monmouth community. This symbolic move directly refuted ELF's argument that Boise Cascade had become a global bully, as exemplified by the Cascada Chile plan.

Although constructions of heroes and victims shifted across responses to the fire, one casting choice remained constant: ELF as villain. This consistency drew from the anticipated rhetorical form of violence, granting consensus across these disparate texts by their common moral condemnation of ELF's actions. ELF opponents' often fragmentary discourses provided the most basic elements of storytelling—the struggle between heroes, villains, and their victims—to meet audience expectations of responses to materially destructive political action. Just as Clinton did in his eulogy, which would become the exemplar for this rhetorical form of violence, these speakers and writers venerated the event's heroes, sympathized with its victims, and vilified its evil antagonists. They offered audiences an account of an otherwise tenuous event that was accessible and familiar, satisfying listeners' desires for conventional means of interpreting the fire.

### **Violence as Destruction: Undermining Creative Potential and Ideological Possibility**

Earlier I indicated that the rhetorical form of violence named the event it interpreted as “destruction.” Doing so cast the events in moral terms, drawing on the familiar good-versus-evil juxtaposition that casts participants as victims, heroes, and

villains. The evil captured in destruction necessarily rejects the possibility that violence might create or facilitate progress. It calls on audiences to understand complex actions in comfortably simple terms: bad people *doing bad things* to good people.

News coverage of the Boise Cascade event from local, national, and even international sources emphasized destruction, making salient its harms and erasing any nascent potential for the fire to effect moves toward environmental protection. In one of the first articles to cover it, *The Oregonian* went into great detail in quantifying the fire's material costs:

Fire erupted at Boise Cascade's 7,222-square-foot office along Oregon 99W in Monmouth shortly before 5 a.m. on Christmas. The blaze obliterated the building's roof but left walls standing. Flames destroyed files, computers and office equipment, but no one was hurt, said Fire Chief Roy O. Palmer of Polk County Fire District No. 1. Although the assessed value of the building was \$222,840, investigators estimated the replacement cost of the structure and its equipment at \$1 million.<sup>29</sup>

This detailed account drew on the power of the rhetorical figure of quantification to fix the magnitude of the fire. It recounted specifics of Boise Cascade's loss—in square feet, structural damage, items destroyed, and financial cost to rebuild. It painted a picture, in the absence of photographic evidence, of nearly totalizing devastation. Author Bryan Denson used forceful, action-oriented verbs such as “erupted” and “obliterated” to give the account a sense of immediacy and overwhelming force. Many other accounts of the fire engaged similar terms, creating in the mainstream news media an unwavering sense

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<sup>29</sup> Denson, “Eco-Terrorist Group Takes Credit for Fire.”

of mayhem around the fire.<sup>30</sup> This language employed the rhetorical form to emphasize the enormity of the damage, depicting the fire as monolithically destructive while sating the audience's appetite for details.

Some reports framed the fire's aftermath in terms of costs to other timber businesses, extending this sense of totalizing destruction from the material present to the abstract future. *Forest Magazine* reported, "ELF has fostered [an]... atmosphere of fear and animosity. Some building and timber-related businesses are employing a bunker mentality, drastically increasing security measures with better lighting, video surveillance, fencing and, in some cases, armed security personnel."<sup>31</sup> This report used the logic of quantification to characterize the fire as inherently destructive. The laundry list of costs these local businesses would incur through site upgrades and security equipment gave audiences another sense of the fire's monetary consequences.

Yet, perhaps even more powerful was this passage's emphasis on the psychological costs of the fire to local business owners. In deploying the language of the "bunker mentality," the article's author alluded to a harrowing vision of military combat and its effects on the psyches of soldiers. The bunker metaphor elevated the fire from a discreet crime to an act of symbolic war, drafting other timber businesses into the conflict and putting them on the front lines. Huddled in their symbolic bunkers, they were

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<sup>30</sup> The *Chicago Tribune* reported that the fire had "destroyed offices," *Forest Magazine* said the office was "set ablaze," *In These Times* noted that ELF had "torch[ed]" the building, to name a few other examples of this dramatic language of violent devastation.

<sup>31</sup> Drew Cherry, "If You Build It We Will Burn It," *Forest Magazine*, no. May/June 2001 (n.d.), <http://www.fsee.org/index.php/forest-magazine/200033>.

transformed into unwilling participants in an ideologically motivated battle. They stood to lose their businesses and their sense of physical security, and stood to gain nothing.

Perhaps even more forceful was the logical conclusion of this depiction—as always and totally destructive, violence could not engender good. The depictions seemed to preclude interpretations that ELF and other rhetors more generously called “economic sabotage.”<sup>32</sup> Some reports made this explicit, drawing a moral line between what they characterized as the productive protests of more mainstream environmental groups, and the wholly malevolent actions of ELF in Monmouth. In promoting legislation that would increase prison sentences for eco-terrorists, then-state representative Lane Shetterly argued, “Your mainstream environmental groups don’t want to be associated with these fringe groups. This is not the kind of environmental action they want to support.”<sup>33</sup> Echoing rhetors like Jonathan Staufer from Vail, Shetterly’s remarks drew on an antithesis to construct a dichotomy of legitimacy between “environmental action” supported by mainstream groups and the indefensible acts of ELF. *Forest Magazine* similarly lamented, “Despite the positive changes that legitimate protest groups bring about, ELF continues to choose violence.”<sup>34</sup> These authors drew lines in the sand, simplifying the complex spectrum of activist strategies into two demarcated categories with diametrically opposed moral overtones—a move in keeping with the Manichean framework that undergirds the rhetorical form of violence.

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<sup>32</sup> Foreman, *Ecodefense*.

<sup>33</sup> “Eco-Terrorism Bills Head for Senate,” *Polk County Itemizer-Observer*, March 14, 2001, <http://www.polkio.com/news/2001/mar/14/eco-terrorism-bills-head-for-senate/>.

These instantiations of the form turned on a mutually exclusive binary of environmentalist rhetorics. It was either creative or destructive; productive or violent. Expressing the mutual exclusivity of these categories lent power to this form by defusing the dangerous cultural paradox of physically destructive direct action. Though marginalized, a teleological ethics of political action—“by any means necessary”—will always be found at the extreme end of any movement’s ideological spectrum, and it will be inviting to audiences frustrated by the glacial pace of change. By pitting mainstream environmental actions in diametric opposition with those of ELF in the Boise Cascade event, the rhetorical form solved what might have otherwise appeared as a political paradox. Audiences unsettled by the idea of socially constructive violence could put their minds at ease—this discursive form’s conventions assured them that there was no such thing.

Thus, the binary reduced the complexities that would otherwise have marked the Boise Cascade fire. This simplification offered an attractive and strategically powerful interpretation of the fire, an incident that might otherwise engulf the reader in moral ambiguities, interrogations of extremism, and perhaps even the need for a dramatic shift in worldview. Rhetors castigated ELF on the basis of a tactical dichotomy between productive and violent political action, making salient only the tremendous damage—both material and symbolic—that their choices engendered. Given such a binary, readers seeking closure and comfort would likely be drawn to accounts offering instant assurance and moral judgment, rather than those that would challenge fundamental ethical principles.

The rhetorical form imparted moral judgment for readers by casting the Boise Cascade fire's participants in familiar narrative roles, and by categorizing ELF's actions as necessarily destructive and lacking potential for meaningful political change. With these interpretive paradigms established, audiences desired a prescriptive response to calm their anxieties and deliver the promise of redemption in this violent drama. Without a vision for the pursuit of justice and a return to normalcy, this violence would have left readers adrift in the stasis of uncertainty, abhorring the villainous ELF and its destructive actions but unsure of how to respond as discursive agents and members of victimized communities.

### **Reacting to Crime and Terrorism: Prescriptions for Responding to ELF**

Though a few of the responses to the Boise Cascade fire called explicitly for the formal punishment of ELF, most intimated a course of action through their strategic use of the rhetorical form. In addition to prescribing a path to justice for ELF's victims, these discourses called on audiences to respond by aligning with anti-ELF rhetors. Just as Clinton's eulogy asked audiences to "stand against the forces of fear" and "stand up and talk against [violence]," so too did constructions of the Boise Cascade fire situate their audiences as political and discursive participants in a moral struggle against violence. They did this through the classification of the fire as a crime, an act of terror, or, in some cases, both.

Much coverage of the Boise Cascade fire used the word "arson" to describe the event. The word appeared at least once in most of the texts analyzed in this chapter, and



was especially prevalent in the following article from Reuters, entitled in the *New York Times* as, “Environmental Group Takes Credit for an Arson.” It began: “A radical environmentalist group that has claimed responsibility for a series of arsons, including fires last year that caused \$12 million in damage to a ski resort in Vail, Colo., said it was also responsible for the Dec. 25 arson that destroyed the Oregon offices of the Boise Cascade Corporation, a paper manufacturer.”<sup>35</sup> Relying on the language of arson to define the fire offered a course of action to readers. Arson was understood as a crime, codified in criminal statutes and properly seen as criminality. Calling the fire “arson,” then, prescribed police investigation and the criminal prosecution of the arsonist as the appropriate response. Cultural connotations of arson—depictions in the news and fiction alike—tended to conceive of the arsonist as either mentally unstable or out to collect on property insurance.<sup>36</sup> In either case, the solution was simple: lock the perpetrator up. The rhetorical form employed notions of arson to situate ELF saboteurs as criminals and call for their conventional punishment as such.

This move was not particularly controversial—ELF even identified its own actions as arson in at least one communiqué.<sup>37</sup> So while this strategy fulfilled audience desires to understand the event in familiar terms, it did not rise to the level of admonition and ideological repudiation needed for these rhetorics to compete with ELF’s discourses

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<sup>35</sup> Reuters, “Environmental Group Takes Credit for an Arson,” *The New York Times*, January 1, 2000, <http://www.nytimes.com/2000/01/01/us/environmental-group-takes-credit-for-an-arson.html>.

<sup>36</sup> Note these connotations at work in Webster’s definition of arson: “the willful or malicious burning of property (as a building) especially with criminal or fraudulent intent.”

<sup>37</sup> Pickering, *Earth Liberation Front*, 38.

of revolutionary liberation. To do so, speakers seeking complete discursive domination in this contest needed to invoke the rhetoric of terror.

Returning briefly to Clinton's eulogy for the victims of the Oklahoma City bombing, I wish to draw attention to a curious observation. In his sorrowful yet uplifting speech, Clinton described the bombing using a variety of terms without ever uttering the word "terror." He used abstract terms of moral judgment, referring to the attack as a "sin." He once called it a "crime," underscoring the need to solve it and "to bring justice to those who did this evil," presumably through criminal prosecution. Not once did Clinton identify the bombing as an act of terror, though this conclusion was a broad political consensus that has since become woven into the fabric of our collective memory and historical consciousness without contest.

The absence of the literal language of terrorism in Clinton's eulogy demonstrates the power of cultural context to make meaning for audiences—what Joseph Campbell called the "psychic unity" of societies. Our notions of terrorism are informed by past events in our own history, along with developments on distant shores that we watch nervously on the evening news. Clinton did not *need* to identify the bombing as terrorism, or to call McVeigh a terrorist—those conclusions were foregone. In light of this observation, discourses surrounding the Boise Cascade fire become even more interesting when understood as invocations of the rhetorical form of violence. Specifically, it is of note that these texts cast the fire in terms of both crime and terror, a dual construction that prescribed satisfying responses to this event by capitalizing on the discursive contentions of criminality and terrorism.

In keeping with the strategic simplicity of the rhetorical form, many accounts labeled ELF as terrorists without engaging the complexities of defining terrorism. Rhetors drew strategic power from sidestepping the heated debate over the line between activism and terror. They simply situated ELF as terrorists, without explanation or acknowledgement of their reasoning. In an editorial from the local *Polk County Itemizer-Observer*, the paper endorsed Rep. Shetterly's proposed legislation that would allow actors like ELF to be prosecuted under RICO statutes. The article opened: "Eco-terrorists, like the ones who torched Boise Cascade's regional headquarters in Monmouth in late 1999, are not just dangerous and destructive. They are really, really irritating. Stupidity is one thing. Arrogant, aggressive stupidity is like nails across a chalkboard."<sup>38</sup> The piece identified ELF as eco-terrorists immediately and without definition or justification, as did many texts responding to the fire.<sup>39</sup>

Drawing on the complex and fragmentary body of meanings surrounding terrorism called on audiences to come together against ELF. Terrorism is a devil term in our culture, morally irredeemable and pervasively threatening. It haunts and threatens us at every turn; we wonder if we will be the next target or the next collateral fatality. It calls for unified and unequivocal action from morally outraged citizens. When an act of physical destruction occurs, audiences listen intently for leaders to categorize it, aching

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<sup>38</sup> "Terrorist Stupidity Should Be Outlawed," *Polk County Itemizer-Observer*, January 24, 2001, sec. Editorial.

<sup>39</sup> See Hannity, "Boise Cascade Pans"; "Rep. Hooley Sets Agenda for Battling Ecoterrorism," *Polk County Itemizer-Observer*, July 12, 2001; "Quick Action May Have Stalled Ecoterrorists," *Heartlander Magazine*, June 1, 2000, <http://news.heartland.org/newspaper-article/2000/06/01/quick-action-may-have-stalled-ecoterrorists>; Henderson, "Boise Cascade Dedication"; Reuters, "Environmental Group"; Henderson, "Boise Cascade Dedication"; "Nation in Brief," *The Washington Post*, December 31, 1999, sec. A.

for a framework of interpretation that suggests the fitting moral response. To name an act as “terrorism” is to satisfy this desire, and the rhetorical form of violence might be no more powerful and authoritative than it is in the instance of naming “terror.”

The choice to label ELF as “terrorist” was so rhetorically potent—so clearly and weightily defined in already existing discourses like Clinton’s eulogy—that the *Itemizer-Observer* editorial invoked it without acknowledging the starkly asymmetrical depiction of terrorism contained therein. The piece essentially called these terrorists a nuisance—an annoyance, comically illustrated using the metaphor of nails on a chalkboard. Terrorism as traditionally conceived is not merely annoying; it is evil, devastating, and malevolent. And so, despite the obvious imbalance in moral gravity between terrorism and “arrogant, aggressive stupidity,” the label retained its power because of the staggering enormity of what the term brings to mind. By employing the devastating language of terrorism in their labeling of the fire, texts like this editorial simultaneously elevated ELF to the highest level of evil *and* dismissed its actions as annoying and inconvenient antics as a means of castigation and public discipline. They gave audiences a satisfying sense of moral superiority in their rejection of ELF and its tactics—further gratification from the rhetorical form employed in the wake of the fire.

The rhetorical form of violence thus secured the public understanding of ELF’s protest against Boise Cascade as violence. The form gratified audiences by offering satisfaction and closure—a way to understand ELF’s initially illegible actions that lent naturally to the rhetoric of terror that followed, for although not all violence is terrorism, all terrorism is necessarily violent. It cast the participants in a familiar moral struggle, pitting the villainous ELF activists against the corporation and first responders who were

variously depicted as heroes and victims. This form established the protest as necessarily destructive and called on audiences to unite against the evil of eco-terror. Once understood as violence—a deliberate and unnecessary act of force, intended to cause harm—it was much harder to see the Boise Cascade fire as dissent, protest, or activism in the name of the environment. It was much easier, however, to see it as terror.

### **The Possibility and Actuality of Slow Violence**

The rhetorical form of violence was compelling, but so were ELF's responses to it. ELF's discursive power was so strong during the 1990s and 2000s that it became the FBI's top domestic terrorism concern, receiving major media attention while continuing to enact a total of nearly 200 protest events across the United States and sparking a conversation about the limits of environmental activism that still rages today. To say that ELF's rhetoric was weaker than the dominant narrative would be to only tell half the story. The other half, I contend, lies in ELF's flawed execution of a second—and perhaps equally powerful—discursive form, articulated in direct contention with the rhetorical form of violence.

In the communiqué released after the Boise Cascade fire for dissemination to the public through NAELFPO, ELF had the opportunity to articulate a justification for the protest action. The communiqué framed the fire as a defensive move, designed to stop Boise Cascade's planned expansion into the untouched forests surrounding Puerto Montt. It read:

Boise Cascade has been very naughty. After ravaging the forests of the Pacific Northwest, Boise Cascade now looks towards the virgin forests of Chile. Early Christmas morning elves left coal in Boise Cascade's stocking. Four buckets of diesel and gas with kitchen timer delay destroyed their regional headquarters in Monmouth, Oregon.

Let this be a lesson to all greedy multinational corporations who don't respect their ecosystems.

The elves are watching.

- Earth Liberation Front

This rhetoric positioned ELF's action as a direct response to Boise Cascade's planned expansion. Yet, this short message alluded to much more. It called on the corporation's record of environmental destruction in Oregon and Washington, and it constructed the fire as a mere slap on the wrist for the company's expanding its destructive empire to another environmentally pristine site. It called Boise Cascade greedy and disrespectful toward the ecosystems we must all share. It did not deny the violent nature of ELF's actions, but instead engaged a rhetorically compelling strategy: it suggested that Boise Cascade, in fact, was the violent one.

I have argued that the strength of the rhetorical form of violence, though strategically formidable, cannot alone account for the reification of the dominant means of publicly interpreting ELF in the wake of the Boise Cascade fire. ELF's articulation of Boise Cascade's sins had the potential to be extremely attractive to readers, offering them enlightenment and the elucidation of a deeper connection between our civilization and the non-built world. This leads us to ask: If ELF had at its disposal an inviting and revelatory discourse that was strong enough to combat the traditional rhetoric of violence, how can

we account for its strategic loss in the public contest to interpret this incident for a mainstream audience?

I propose that ELF's failure to dominate the conversation on the Boise Cascade fire is due not to the power of the rhetorical form of violence, but rather to ELF's instrumental failure in strategically deploying its alternative concept of violence. In the remainder of this chapter, I explore ELF's rhetoric of *slow violence*, a concept I invoke from Rob Nixon's scholarship on environmentalisms of the developing world. The immense discursive power of slow violence as an alternative rhetorical form invites audiences to reject traditional narratives in favor of a more holistic, temporally based, and ultimately unsettling vision of what it means to be violent in the context of contemporary industrial capitalism. However, as I argue here, ELF's failure to effectively utilize the rhetoric of slow violence fostered the dominance of mainstream interpretations of the Boise Cascade event. This discussion brings into focus the strategic limitations of ELF's discourses.

### **Slow Violence as Alternative Rhetorical Form**

When we talk about violence, what are we talking about? In the preceding section of this chapter, the reader might have noticed that I did not define the word "violence." A definition was not necessary—readers share an image of violence that is familiar to us all, created enthymatically through the same fragmentary process by which rhetorics surrounding the Boise Cascade fire invoked and affirmed the familiar form of violence. For most audiences in the contemporary U.S. context, violence is *fast*. It is discrete,

immediate, and often spectacular—it makes the front page and, like Supreme Court Justice Potter Stewart said of pornography, ‘we know it when we see it.’ The rhetorical form of violence relies on this construction to function. When ELF opponents engaged the three key elements of this form to constitute their public accounts of the Boise Cascade fire, they did so knowing that audiences would rely on such an understanding of the fundamental meaning of violence as a concept. Though this notion of violence is dominant, it is not without competing and alternative conceptions.

Rob Nixon argued in his 2011 book *Slow Violence and the Environmentalism of the Poor* that, apart from fast violence, there is also *slow* violence.<sup>40</sup> Nixon defined it as “a violence that is neither spectacular nor instantaneous, but rather incremental and accretive, its calamitous repercussions playing out across a range of temporal scales.”<sup>41</sup> Where fast violence is discrete, slow violence is discreet—quiet, out-of-sight, attritional, and, in most cases, perfectly legal and even celebrated as a driver of economic progress. The damage it does—if that damage is even acknowledged as such—is attributed to structural forces rather than agentic actors. Slow violence is often the violence of colonialism, of institutional racism, of cultural patriarchy, and, most important for this project, it is the violence of environmental devastation.

Nixon’s study treated slow violence as a rhetorical form, examining its articulations in key works of literature that attended to violent ecological practices in the developing world. This perspective is in contrast with a large number of scholarly

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<sup>40</sup> Rob Nixon, *Slow Violence and the Environmentalism of the Poor* (Cambridge, MA: Harvard University Press, 2011), *Slow Violence*.

<sup>41</sup> *Ibid.*, 2.



investigations of the theoretical antecedents of slow violence, which treated slow violence as an interpretive lens. To name just a few: Pierre Bourdieu understood class- and gender-based domination in terms of what he called symbolic violence,<sup>42</sup> Newton Garver theorized quiet violence to account for systematized discrimination,<sup>43</sup> and Johan Galtung conceived of structural violence to understand violent outcomes without individuals or groups as perpetrators.<sup>44</sup> In each of these cases, the idea of an alternative form of violence helps us account for systemic inequalities.

Nixon's formulation offered needed nuance to our understanding of the symbolic within the context of slow violence through contrast. Fast violence is spectacular, immediate, and visual, thus demanding of media attention (and, at least in some cases, public policy solutions). However, because slow violence is invisible and gradual, its symbolic value for news rhetors and policymakers will always be undercut by that of fast violence. In this way, the environmental enactments of slow violence especially—deforestation, ocean acidification, biomagnification, and other ecological catastrophes—are perpetually relegated to the back burner of public consciousness.<sup>45</sup> Various forms of environmental degradation illustrate the fundamental recursivity of slow violence in the 21<sup>st</sup> century. Nixon asked: “In an age when the media venerate the spectacular... a central

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<sup>42</sup> Pierre Bourdieu, *Outline of a Theory of Practice* (Cambridge, UK: Cambridge University Press, 1977); Pierre Bourdieu, *Distinction: A Social Critique of the Judgement of Taste* (Cambridge, MA: Harvard University Press, 1984); Pierre Bourdieu, *Masculine Domination* (Redwood City, CA: Stanford University Press, 2001).

<sup>43</sup> Newton Garver, “What Violence Is,” *The Nation*, June 24, 1968, 819–22.

<sup>44</sup> Johan Galtung, “Violence, Peace, and Peace Research,” *Journal of Peace Research* 6, no. 3 (1969): 167–91.

<sup>45</sup> Nixon, *Slow Violence and the Environmentalism of the Poor*, 16.

question is strategic and representational: how can we convert [attritional disasters] into image and narrative?"<sup>46</sup> This is a central question of environmental activists and, as I argue in this chapter, ELF failed to fully enact a rhetorically compelling response in the case of the Boise Cascade fire.

The rhetoric of slow violence has the power to cultivate and satisfy audience desires in unexpected ways. This form troubles the standard narrative of violence, elucidating for audiences a critique of capitalism and industry. Manifest in it is the potential to quench audience members' curiosity about eco-revolutionary activist voices like ELF: What do they believe in? and Why do they rely on the strategic use of property destruction? Slow violence can offer audiences satisfaction by making sense of something previously unknown—of possessing the key that can unlock the cultural enigma of eco-revolutionary protest. At the same time, slow violence can address the ever-growing environmental anxiety that has come to characterize daily life in the era of rapid climate change and imminent ecological catastrophe. It has the potential to motivate understanding—and even, perhaps, action—by drawing on the reader's fear of the coming environmental apocalypse. In this way, the rhetoric of slow violence is simultaneously satisfying and deeply unsettling to audiences. Like the traditional form of violence analyzed in the preceding section, it gratifies audiences while also establishing a foreboding sense of threat.

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<sup>46</sup> *Ibid.*, 3.

## Slow Violence as Dissociative Argument

Drawing on the pivotal work of Chaïm Perelman and Lucie Olbrechts-Tyteca, we can point to dissociative argument as the locus of slow violence's power as a rhetorical form. In *The New Rhetoric*, they theorized dissociation as a means to conceive of a seemingly contradictory concept in a way that is no longer contradictory, but that preserves the relationship between the incompatible elements.<sup>47</sup> Dissociation enables rhetors to modify audiences' preconceived understandings of systems, social norms, or even facts.<sup>48</sup> Because dominant notions of violence are immediate and visible, the very idea of slow violence might seem, on its face, to be a contradiction in terms. But the effectively articulated form of slow violence draws energy from this apparent inconsistency. It transforms the reader's conceptualization of what constitutes violence by maintaining the element of moral condemnation while expanding the scope of what violence *is*. The work of slow violence in constructing the Boise Cascade fire could prompt audiences to consider deforestation, rather than arson, as the dominant act of violence in this contested scene.

Dissociative arguments do more than alter audience perceptions. Perelman and Olbrechts-Tyteca demonstrated that the argumentative dissociation of concepts actually changes reality by enacting a discursive shift, moving phenomena and ideas from the realm of the presumed and unexamined into an arena of conscious and active

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<sup>47</sup> Chaïm Perelman and Lucie Olbrechts-Tyteca, *The New Rhetoric: A Treatise on Argumentation*, 2nd ed. (Notre Dame, Indiana: University of Notre Dame Press, 1969), 411–13.

<sup>48</sup> *Ibid.*, 190.

engagement. This change, they wrote, is “always prompted by the desire to remove an incompatibility arising out of the confrontations of one proposition with others, whether one is dealing with norms, facts, or truths.”<sup>49</sup> In the case of arguments against Boise Cascade, the dissociative shift had the potential to make the violence of environmental degradation into reality. The rhetoric of slow violence could call into existence a new reality of environmental devastation, one whose corporate perpetrators maliciously attack the land, its people, and the possibility of an ecologically sustainable future. The political implications of this move are enormous, due to their indictment of a broad body of actors—companies and industries, government administrations and agencies, etc.—who have long relied on hegemonic configurations of reality to protect them from criticism.

Slow violence had the potential to gratify the reader’s desire to understanding through a satisfying and engaging critique of the landscape of contemporary logging practices, making it particularly dangerous to the forestry industry’s beneficiaries. The Boise Cascade fire represented one nexus of the conflict between environmental preservation and industrial development, and the winner of the rhetorical contest to offer a dominant interpretation of the fire stood to gain, or lose, discursive control over an array of human engagements with the natural world. Though ELF had the potential to upend the traditional rhetoric of violence in this dialectic, the potential was not achieved. A close analysis of how ELF failed communicated the revolutionary logic of slow violence illustrates how anti-ELF rhetors ultimately emerged victorious in the dialectical contest to make sense of its actions.

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<sup>49</sup> Ibid., 413.

## The Unfulfilled Promise of Slow Violence in ELF's Boise Cascade Rhetoric

Both satisfying and unsettling, the rhetoric of slow violence could compel readers to reformulate their understanding of ELF's protest actions. Slow violence as a rhetorical form operates in two ways: First, it satisfies the need to blame someone for environmental devastation by situating capitalism and global industrial development as the forces engendering deforestation. Second, it situates audience members as potential victims of ecological destruction. Activists can utilize this move strategically to take advantage of contemporary environmental anxieties, transforming uncertainty into action by empowering audiences as change agents. Thus, the rhetoric of slow violence is compelling in unexpected ways, offering an uncertain but attractive departure from the familiar narrative of violence employed in dominant accounts of the Boise Cascade incident.

Slow violence, then, offered a solution to the rhetorical problem ELF faced in the Boise Cascade incident. Knowing that the fire would be characterized publicly in terms of the familiar rhetorical form of violence, the challenge for ELF's advocates was to present a competing construction of the fire that could overcome the discursive power of that form. If ELF could depict the fire as a justified response to Boise Cascade's violence, then audiences would be invited to understand the *timber company*, not the activists, as the perpetrators of violence in this complex rhetorical landscape.

Only two widely circulated texts promoted the fire explicitly: ELF's communiqué and the accompanying statement from NAELFPO's Craig Rosebraugh. These texts effectively employed certain elements of slow violence as a rhetorical form, but neglected to engage the dissociative move that would establish slow violence

argumentatively and conceptually for readers: situating audiences as potential victims of environmental violence. This fundamental shift undergirds the logic of slow violence, but it was left out of public justifications for the Boise Cascade fire. It was thus a failed enthymeme—with premises missing, audiences could not arrive at compelling dissociative shift of slow violence as rhetorical form.

*Recasting Victims and Villains: Placing the Blame for Slow Violence*

ELF's opponents framed the fire as the key act of destruction within this story, but the communiqué and its accompanying press release exploded the narrative framework of violence to include massive ecological devastation at the hands of Boise Cascade. These texts referenced the company's logging of old growth forests in the Pacific Northwest and asserted that it would soon exact the same ecological harm in "the virgin forests of Chile."<sup>50</sup> Deforestation epitomizes slow violence—it happens over decades and centuries, out of sight for most of us, and it facilitates corporate domination, a widening of the wealth gap, and other structural inequalities.<sup>51</sup> The communiqué evoked this totalizing devastation when it accused Boise Cascade of "ravaging" forests both foreign and domestic.

The communiqué used personification to situate Boise Cascade as the villain. This shift was necessary to invoke the familiar "good guy, bad guy" logic on which narratives of violence turn, while advancing the novel argument that the very Earth is the victim in the story of this fire. The communiqué's opening salvo read, "Boise Cascade has been

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<sup>50</sup> Pickering, *Earth Liberation Front*, 14.

<sup>51</sup> Nixon, *Slow Violence and the Environmentalism of the Poor*.

very naughty.” Apart from the seasonal pun, this statement made a key discursive move: it personified Boise Cascade, a corporation, as the agent of destruction within ELF’s framework of interpretation. Not Boise Cascade’s executives, shareholders, or mill workers, but Boise Cascade *itself*. In talking about the company as if it were a person, this language imbued Boise Cascade with tremendous power. Rather than the supply-and-demand logic used by timber industry apologists during past instances of environmental devastation in the Pacific Northwest (e.g., the spotted owl controversy), this communiqué asked audiences to consider old growth logging as the perverted actions of the “naughty” Boise Cascade—the real perpetrator of destruction, soon to enact his depravity on “the virgin forests of Chile.”

The communiqué invoked the language of sexual assault to cultivate a particularly disturbing vision of the damage wrought by Boise Cascade. Its second sentence read, “After ravaging the forests of the Pacific Northwest, Boise Cascade now looks towards the virgin forests of Chile.” This move effectively illustrated the dissociative power of slow violence, reifying the repugnance of rape as an especially disturbing act of violence while symbolically expanding the field of potential victims to include not just women, but also feminized ecosystems.<sup>52</sup> The communiqué constructed the Lakes Region’s “virgin forests” as helpless victims of imminent assault, arguing that action taken to stop the Cascada venture was morally required. Thus, readers were goaded to interpret ELF’s

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<sup>52</sup> Note that “ravage” and “rape” share a common Latin root, *rapio*. Although the rhetoric of virginity when applied to old growth forests is a helpful strategy for cultivating public support, environmentalists’ use of the terms “virgin” and “pristine” are not without problematic implications. As Darren Speece argued, this language implied that the forests were untouched by humans, when in fact indigenous peoples have been altering forest ecosystems for thousands of years. Darren Frederick Speece, *Defending Giants: The Redwood Wars and the Transformation of American Environmental Politics* (Seattle, WA: University of Washington Press, 2017), 11–12.

intervention on Christmas morning as nothing short of necessary to stop a serial rapist. This language strengthened and intensified the devastation of environmental destruction for readers, calling on the particularly unsettling vision of sexual violence and the cultural languages that constitute it to offer additional contour and depth to the text's violence of deforestation. It also attempted to turn the tables on rhetors who would situate Boise Cascade as a victim of ELF's lawless attack, instead positing ELF as a Good Samaritan intervening to protect Puerto Montt's ecological virginity from the lusty and depraved Boise Cascade.

The communiqué's accompanying press statement from Rosebraugh situated the fire as a philosophically justified counterstrike against the story's true villain, Boise Cascade. It called on the pervasive mythos of a David-like figure taking on a Goliath who has terrorized the community. Rosebraugh asserted that the Boise Cascade fire and other ELF events were "not random acts of lawlessness, but actions that have a definite purpose, and that is the end of abuses and exploitations."<sup>53</sup> This language furthered the discursive shift that situated Boise Cascade not as victim, but as his foil.

ELF was successful in casting Boise Cascade as the villain in this story. The corporation, personified as an agent of insidious and destructive violence, was depicted as a sweeping force of environmental threat who could only be stopped by the direct action of ELF. In turn, this argumentative move also situated ELF as morally justified actors, bravely resisting the totalizing devastation of the greedy company-cum-antagonist. However, to effectively enact the rhetoric of slow violence, ELF also needed to identify

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<sup>53</sup> "Quick Action."



readers as potential victims of this monolithic threat. This move, in contrast, was not engaged, costing ELF the ability to offer a dominant interpretation of the fire.

*Readers as Victims of Environmental Assault: ELF's Lost Opportunity*

Rhetorics supporting ELF and its actions engaged in a point-for-point contest with anti-ELF texts. This strategy was most clearly visible in their discursive work to situate capitalism, rather than vigilantism, as the situation's controlling ideological threat. In so doing, these discourses worked simultaneously to delegitimize the ideological authority of market-based arguments *and* to stabilize the moral superiority of worldviews that privilege ecological health. This move was illustrated beautifully in the communiqué's penultimate assertion: "Let this be a lesson to all greedy multinational corporations who don't respect their ecosystems." Rosebraugh went on to call ELF's actions "economic sabotage," giving new perspective to the ideological underpinnings of the event by invoking a widely utilized and powerful tactic of oppressed peoples. While the communiqué described the consequences of the fire with an almost disturbing level of objectivity—"Four buckets of diesel and gas with kitchen timer delay destroyed their regional headquarters"—Rosebraugh's statement assigned political meaning to this symbolic act by situating it within the rich history of sabotage as activism—a way of striking back against hegemonic power.<sup>54</sup>

Though these texts offered powerful indictments of the abstract threats of industry and capitalism, they failed to engage the rhetoric of slow violence's depiction of all

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<sup>54</sup> For an insightful discussion of economic sabotage's roots in the early U.S. labor movement, for example, see Mari Boor Tonn, "Elizabeth Gurley Flynn's Sabotage: 'Scene' as Both Controlling and Catalyzing 'Acts,'" *The Southern Communication Journal* 61 (1995): 59–75.

creatures of Earth as imperiled. Boise Cascade was the story's villain from this perspective, but its victims were woefully underdefined. Most importantly, popular audiences were not clearly designated as victims of this insidious ecological threat. Without the threat of deforestation on their doorsteps, readers could not be compelled to embrace slow violence's dissociative shift. Instead, they were lured back to traditional notions of violence in interpreting the Boise Cascade fire. Slow violence is a compelling form because it invites audiences to envision alternative possibilities for what violence looks like, and to conceive of themselves and their ways of life as its potential victims. But because ELF did *not* invite audiences attending to the fire in its historical moment to engage the conceptual stakes of the rhetoric of slow violence, the transformative power of their arguments was compromised.

Texts defending the fire identified ecosystems as victims, but not the human elements of those ecosystems, and not in language that impelled audiences to perceive themselves as victims of violent assault. Contrast the arguments surrounding the Boise Cascade fire to another ELF text: a promotional video entitled "Igniting the Revolution," released two years after the Boise Cascade fire.<sup>55</sup> This video addressed audiences directly, situating the dire threat posed to their own continued existence by the reckless destruction of natural environments across the globe. Rosebraugh implored in the video, "Destroying our natural environment is suicide," since "we all depend on air, water, and soil to survive." The video discussed the ways in which industry and technological advancement continued to degrade "the very life support systems that we all need to survive," and it situated audiences (specifically those in the U.S.) as potential victims of

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<sup>55</sup> *Igniting the Revolution*.

major health problems and even death as a result of the violence of environmental devastation. Such appeals completed the dissociative turn of slow violence by invoking audience's pervasive sense of environmental anxiety, fueled by ongoing cultural conversations surrounding climate change and other ecological horrors, to lend credence to the idea that even they are not exempt from the totalizing devastation of environmental violence. Unsettled by this threat, readers could be motivated to sympathize with ELF, framed as warriors in the fight to save not only abstract ecosystems, but also the readers' very lives. This move, however, was not completed in the case of ELF's interpretations of the Boise Cascade fire.

Thus, audiences attending to this incident were called to embrace the dominant rhetorical form of violence, within which ELF's reasoned appeals disintegrated into the sound and fury of archetypal extremists. Without feeling threatened by the slow violence of ecological degradation, Boise Cascade wasn't a depraved Goliath; it was just a company/victim. With its familiar logo and homegrown ethos, dominant accounts situated it as a local business—even a hero—operating lawfully to make the glossy printer paper and fir porch decking that formed the foundations of readers' everyday experiences. Outside the rhetoric of slow violence, ELF wasn't a heroic David; it was a group of reckless vigilantes, angry that the whole world didn't share their priorities.

## Conclusion

Why would ELF rely on the assumption that audiences already understood themselves as victims of a global legacy of attritional violence? It is possible that ELF's emphasis on the communiqué as a discursive format, with its limiting and brief structure, discouraged the author of the Boise Cascade communiqué from providing detailed and complex arguments in working to justify the fire. These arguments might have addressed readers directly and identified the ways in which ecological harms driven by capitalistic greed present immediate threats. Communiqués are defined by their brevity; easy to write and simple to fax or email, they require little time of their authors and their text fits in even the most conservative front-page news stories. Yet, as illustrated in this case, they can sacrifice complexity for concision.

Had the Boise Cascade communiqué identified the Maderas Condór project as a violent assault on readers and their homes, perhaps even calling on the clichéd indictment of powerful industries and the institutions that support them as “the *real* terrorists,” audiences reading the fire might have been able to fill in the missing premise in the dissociative argument of slow violence.<sup>56</sup> In some of their other texts, ELF and NAELFPO offered lengthy and compelling explanations of the ideological positions undergirding slow violence that deftly utilized evidence, reason, and emotional appeals geared specifically toward audience members. None of this, however, could be found in the 74 words of the Boise Cascade communiqué, evincing a perennial failure of ELF rhetors to invent rhetorical strategies sensitive to the rhetorics of their opposition.

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<sup>56</sup> Ibid.

Knowing that it would be met in the press by the powerful use of the rhetorical form of violence, the Boise Cascade arson presented a tremendous rhetorical challenge for ELF. An anonymous group of fringe activists—its ideologies eschewed by industry and mainstream environmentalism alike—challenged this dominant rhetoric of violence with a strategic and argumentatively compelling move: dissociating slow violence as a separate and powerful rhetoric. The execution of this move, however, was fatally flawed. Without seeing themselves as the victims of the destruction wrought by Boise Cascade and companies like it, audiences could not access the major premise in this otherwise persuasive enthymeme. The rhetoric of violence remained the dominant mode of interpreting ELF in the public imaginary, and the activists moved on to the next protest site.

## CHAPTER FIVE

### **Legislating Eco-Terror: ELF in U.S. Congressional Rhetorics**

In the late 1990s the federal government began to investigate the Earth Liberation Front (ELF) in earnest. The fires at Vail and Medford, along with dozens of other destructive protest actions for which the group claimed responsibility, fueled constructions of ELF as less of a local group of ruffians and more of a national threat. By mid-2005, government officials had named radical eco-activists as the country's top domestic terror threat.<sup>1</sup> The state's pursuit of the eco-terrorist menace played out along two initially disparate trajectories—one unfolding in the legislative branch, and the other in the judicial. First, lawmakers in Congress proposed a series of bills and resolutions between 1995 and 2005 that would have stiffened penalties for environmentally motivated property destruction. Subsequently, in late 2005 and early 2006, the Department of Justice (DOJ) executed a major sweep known as “Operation Backfire.” These two instantiations of federal interest in ELF originated in separate branches of government, yet were always entwined rhetorically by their shared constructions of radical and revolutionary eco-activism as a national terror threat. I focus on the former in this chapter, and move on to treat the latter in Chapter Six.

Lawmakers in Congress fulfilled a critically important role in the public contest to interpret ELF's unique brand of environmental protest. The rhetorics that would ultimately lead to ELF's downfall in the court of public opinion were first forged in

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<sup>1</sup> Henry Schuster, “Domestic Terror: Who's Most Dangerous?,” *CNN*, August 4, 2005, sec. U.S., <http://www.cnn.com/2005/US/08/24/schuster.column/index.html>.

congressional discourses about eco-terrorism. In this chapter, I argue that the institutional structures of Congress enabled lawmakers negotiating the meaning of ELF protest actions in the legislative arena to exploit this controversy for political gain by systematically occluding eco-revolutionary rhetorics. The protest actions of radical and revolutionary environmental voices, and ELF specifically, became fodder for legislators who used these controversial events to elevate their political status and expand their power as lawmakers. In the first part of this chapter, I suggest that such political exploitation of controversial developments is an integral dimension of our legislative system's machinery, though as citizens we are continually captivated by the comforting myth that our senators and representatives spend their time on Capitol Hill working exclusively in the people's best interest. With this understanding of Congress' nuanced contrivances in mind, I show how the process played out in congressional floor debate and committee hearings about radical environmentalism and eco-revolutionary activism between 1998 and 2005, when lawmakers jockeying for position strategically capitalized on ELF for political gain.<sup>2</sup> I evince the integral role of legislative maneuvering in producing the dominant construction of ELF as a domestic terrorist threat that persisted through the Justice Department's subsequent investigation and, indeed, to the present day.

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<sup>2</sup> I analyzed the Government Printing Office's official transcripts of hearings, as well as the *Congressional Record*, for remarks presented to both legislative bodies in Congress. Though these documents are imperfect representations of what was actually said, I maintain that they are the best available means of accessing the congressional rhetorics central to my study, particularly as most of the exchanges I analyzed do not appear to have been televised. Where possible, I have corroborated these texts with other records of the same events (including those published in news articles and books) as well as formal statements from witnesses that were posted publicly in other venues, such as organizations' websites.

## Political Influence in Congress

To understand how lawmakers exploited the controversy over ELF for political gain, it will be useful to explore a particular perspective on the rhetorical functions of the legislative process. We begin with a brief meditation on dominant cultural narratives of Congress' goals, practices, and purposes. We can learn much from prevailing accounts of governance by examining popular means of teaching civics. To wit, consider how legislative deliberation is framed in the *Schoolhouse Rock!* classic with which many readers are surely familiar, "I'm Just a Bill":

BILL<sup>3</sup>: I'm just a bill. Yes, I'm only a bill. And I'm sitting here on Capitol Hill. Well, it's a long, long journey to the capital city. It's a long, long wait while I'm sitting in committee. But I know I'll be a law someday—at least, I hope and I pray that I will. But today, I am still just a bill.

BOY: Gee, Bill. You certainly have a lot of patience and courage.

BILL: Well, I got this far. When I started, I wasn't even a bill—I was just an idea. Some folks back home decided they wanted a law passed, so they called their local congressman, and he said, "You're right; there out to be a law." Then, he sat down and wrote me out and introduced me to Congress, and I became a bill... Well, now I'm stuck in committee and I'll sit here and wait, while a few key congressmen discuss and debate whether they should let me be a law.<sup>4</sup>

"I'm Just a Bill" is far more than a children's song. Underneath the catchy tune and whimsical animation lies an articulation of a foundational civic myth that has shaped our

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<sup>3</sup> The character "Bill" is an anthropomorphic piece of legislation. He appears as a rolled-up piece of parchment. Bill is the size of a child, with arms, legs, a face, and a voice that he uses to express his feelings about moving through the legislative process.

<sup>4</sup> Jack Sheldon and John Sheldon, "I'm Just a Bill," *Schoolhouse Rock!* (ABC, March 27, 1976).



society's understanding of the lawmaking process since well before this particular telling captivated schoolchildren in 1976. It is a story of well-intentioned citizens, receptive elected leaders, vigorous (but consistently civil) debate, and a democratic system that works efficiently and effectively to solve public problems. It is, at its heart, a nationalist morality tale—an ethically normative expression of representative democracy. “I’m Just a Bill” portrays and perpetuates the spirit of our civic fealty to the policymaking process by depicting members of Congress acting in good faith, without ulterior motives, to pass legislation that improves the quality of life for all citizens. I refer to this assumption perpetuated in “I’m Just a Bill” as the “myth of pure legislative deliberation.”

### **The Myth of Pure Legislative Deliberation**

I begin by considering this particular political myth because of its ubiquity and moral force in our culture. Edelman defined myth as “an unquestioned belief held in common by a large group of people that gives events and actions a particular meaning.”<sup>5</sup> The myth of pure legislative deliberation supposes that the goal of lawmakers is to pass good public policy and, as a result, imbues their actions with moral valence depending on how well they end up fulfilling this ideal.<sup>6</sup>

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<sup>5</sup> Murray Edelman, *Politics as Symbolic Action: Mass Arousal and Quiescence*, Institute for Research on Poverty Monograph Series (New York: Academic Press, Inc., 1971), 53.

<sup>6</sup> I do not propose to know the privately held intentions of elected lawmakers. As sociologist Joseph R. Gusfield wrote, “It does not matter what are the actor’s motives, in political drama as on the theatrical stage. Even if there is no sincerity there... a deference to the values of the audience validates them.” Joseph R. Gusfield, *The Culture of Public Problems: Drinking-Driving and the Symbolic Order* (Chicago and London: University of Chicago Press, 1981), 185.

However, this myth does not capture many dimensions of what lawmakers do. In particular, it elides the largely unseen work of securing influence among colleagues in the House and Senate. Members of Congress can find themselves in a sort of Catch-22: they cannot make good public policy without political influence, yet they cannot secure such influence without a proven track record as an effective policymaker. In order to cultivate the power and influence that it takes to push legislation through, it is imperative that lawmakers engage in negotiation, compromise, and reciprocal arrangements with their colleagues. These necessary activities, however, are easily framed in a negative light—as “wheeling and dealing,” or playing “games” with taxpayers’ livelihoods. Politics is usually viewed as dirty and compromised, while policy is often treated as pure and democratic. That legislators are framed as selfish or even evil when they take actions designed to increase their political power illustrates the continuing cultural dominance of the myth of pure legislative deliberation.<sup>7</sup>

Of course, audiences are not stupid. We understand that Congress cannot work without legislators who make deals that, as constituents, we would find unsavory. In fact, we are captivated by it. The wild success of fictional political dramas that purport to

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<sup>7</sup> An illustrative example of this characterization comes from a celebrated episode of the hit series *The West Wing*. In “The Stackhouse Filibuster,” a senator is chided for filibustering a family health bill. White House staffers are frustrated when they learn of the senator’s actions, viewing his filibuster as a curmudgeonly expression of political power. When they learn that the senator’s true motive was to secure autism research funding in the wake of his grandchild’s autism diagnosis, the staffers change their tune completely and orchestrate a plan to help the filibuster succeed. This narrative demonstrates the dominant cultural framework of evaluating legislative actions, in which attempts to gain political sway are frowned upon but attempts to enact policies that help constituents are celebrated. In real practice, the lines between these goals are blurred, and I suggest that they are in fact two sides of the same coin. “The Stackhouse Filibuster,” *The West Wing* (NBC, March 14, 2001).

depict the authentic nature of Congress—think of shows like *The West Wing*, *Scandal*, and *House of Cards*—demonstrates broad recognition of the fact that legislators must “get their hands dirty” in order to turn the wheels of government.<sup>8</sup> Yet, these texts also convey a sense of optimism and hope—a belief that it doesn’t *have* to be this way; that legislators could act with integrity if they really wanted to; that Jefferson Smith could be a real senator. Our culture’s maintenance of this dual consciousness, in spite of all evidence to the contrary, serves as a testament to the myth of pure legislative deliberation and its power over how civic participants conceive of the political world.

More specifically, this dual consciousness testifies to public faith in Congress as an institution, which can be maintained even if we lose faith in the fallible individuals who comprise it.<sup>9</sup> When Congress fails to do its job, our tendency is to blame shortcomings on the petty machinations of a party, and we chalk their moral failings up to some contemporary political affliction. During the historically unproductive 113<sup>th</sup> Congress, for example, a pro-Democrat PAC called Senate Minority Leader Mitch McConnell “Washington’s top road block” in an online campaign. The group’s co-chair argued, “By acting as a road block for job creation, investment in education, and giving

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<sup>8</sup> Though it focused primarily on the presidency, *The West Wing* routinely depicted political maneuvering among members of Congress. As Parry-Giles and Parry-Giles argued, the show was successful in large part due to its mimetic function, offering an approximate vision of the political world that was both credible and romantic. Trevor Parry-Giles and Shawn J. Parry-Giles, “*The West Wing’s* Prime-Time Presidentiality: Mimesis and Catharsis in a Postmodern Romance,” *Quarterly Journal of Speech* 88, no. 2 (2002): 209–27.

<sup>9</sup> As Murray Edelman noted, constituents “may dislike a winning candidate, law, or judge’s decision, yet be reassured by the *forms* of the election, legislature, and court.” Murray Edelman, *The Symbolic Uses of Politics* (Urbana: University of Illinois Press, 1964), 12, emphasis in original.

law enforcement the tools they need, McConnell has proven he has forgotten about the people of the Commonwealth.”<sup>10</sup> This perspective blamed gridlock on a single ultra-partisan leader, sparing from public criticism the actors on both sides who refused to compromise, as well as the vagaries of the institution itself. We celebrate representatives for “reaching across the aisle,” as they are seen to be rising above the childish obstinacy of their truculent colleagues.<sup>11</sup> Their enactment of transcendent patriotism is framed as an exemplar of how legislators *should* act. Rarely do we consider the possibility that the institution is inherently designed for activities other than the selfless negotiation of policies that will make our lives easier and better.

The myth of pure legislative deliberation shapes public understanding of what lawmakers do and, consequently, why they do it. Many audiences are not likely to interrogate the political origins of rhetorics developed in legislative debate, and instead are liable to read these discourses through the lens of this powerful and pervasive cultural myth. As a result, rhetorics employed for strategic political gain often come to be viewed within broader cultural arenas as policy-driven conclusions about what is best for Americans.<sup>12</sup> Absent the subtext of politicians maneuvering for political dominance,

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<sup>10</sup> Michael Falcone, “Democrats Call Mitch McConnell ‘Washington’s Top Roadblock,’” *ABC News*, April 9, 2013, <http://abcnews.go.com/blogs/politics/2013/04/democrats-call-mitch-mcconnell-washingtons-top-roadblock/>.

<sup>11</sup> Despite electing increasingly partisan representatives in the House and Senate for decades, Americans’ negative perceptions of Congress are correlated with inaction due to partisan gridlock. Drew Desilver, “The Polarized Congress of Today Has Its Roots in the 1970s,” *Pew Research Center: Fact Tank*, June 12, 2014, <http://www.pewresearch.org/fact-tank/2014/06/12/polarized-politics-in-congress-began-in-the-1970s-and-has-been-getting-worse-ever-since/>.

<sup>12</sup> Not to mention what’s best for the people all around the world whose daily affairs and quality of life are dictated by U.S. foreign policy.

these rhetorics can serve to oversimplify nuanced issues and, in many cases, silence those voices that get in the way.

It is difficult to admit that our legislative system has always been characterized by political maneuvering in the pursuit of institutional power. Such an account of what political elites do behind closed doors flies in the face of our comforting belief in the moral purity of the U.S.’ particular formulation of representative democracy. Lloyd Bitzer expressed why the myth is so reassuring, saying that in the deliberative spaces of the legislature, “the probable truths and most reliable decisions will emerge.”<sup>13</sup> Bitzer’s superlative expression of faith in the legislative process suggested that any other system would lead to outcomes less fair and less true—and, worst of all, less moral. If Mitch McConnell and his ilk are alone in playing an elaborate game of skill with people’s livelihoods, then cynical Democrats can point their ire toward his actions as an individual. But if the Senate and House floors are functionally giant chessboards, the implications for our democracy appear grave refutations to our belief in benevolent lawmaking. The myth of pure legislative deliberation serves as a symbol of an unachievable ideal—an environment of selfless cooperation among elected officials that seems to have always been, yet never truly was.

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<sup>13</sup> Lloyd F. Bitzer, “Rhetorical Public Communication,” *Critical Studies in Mass Communication*, 1987, 426.

## A Policymaking Paradox? Pure Legislative Deliberation as a Rhetorical Resource

Some scholars conceive of the apparent mutual exclusivity between being a consummate politician and a consummate policymaker as a paradox. Political scientist Deborah Stone's book *Policy Paradox* set up the tension in this way:

Politicians always have at least two goals. First is a policy goal—whatever program or proposal they would like to see accomplished or defeated, whatever problem they would like to see solved. Perhaps even more important, though is a political goal. Politicians always want to preserve their power, or gain enough power, to be able to accomplish their policy goals.<sup>14</sup>

Communication scholar Damion Waymer offered a similar formulation: “paradoxically, although government administrators seek to advance their own interests (e.g., re-election, perceived success, or effectiveness), they also ostensibly work to guarantee all residents the right to pursue life, liberty, and happiness.”<sup>15</sup> Among many definitions of “paradox,” Oxford offers, “A seemingly absurd or contradictory statement or proposition which when investigated may prove to be well founded or true.”<sup>16</sup> Those who utilize the paradox frame to articulate the tension between legislators’ policy goals and their

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<sup>14</sup> Deborah Stone, *Policy Paradox: The Art of Political Decision Making*, 3rd ed. (New York and London: W. W. Norton & Company, Inc., 2001), 2. There are many examples of the paradox frame in treatments of legislative discourse within communication and political science scholarship. See also Stephen W. Stathis, *Landmark Debates in Congress: From the Declaration of Independence to the War in Iraq* (Washington, D.C.: CQ Press, 2009), 3.

<sup>15</sup> Damion Waymer, “Liberty and Justice for All? The Paradox of Governmental Rhetoric,” *Communication Quarterly* 57, no. 3 (2009): 335.

<sup>16</sup> “Paradox,” *Oxford Dictionaries* (Oxford University Press, n.d.), [http://www.oxforddictionaries.com/us/definition/american\\_english/paradox](http://www.oxforddictionaries.com/us/definition/american_english/paradox).

political goals are invoking this definition, which attends to the striking sense of incompatibility that lies between these two realities.

Yet, paradox may not be the most useful metaphor for understanding the relationship between securing political influence and promoting good public policy.<sup>17</sup> These functions are intrinsically intertwined. A full account of a legislator's work, then, must move beyond the apparent impossibility of these two practices' coexistence to address the ways in which they actually complement each other. A senator engaging in floor debate over the merits of a bill is, by necessity, making arguments about the bill's impact on the greater good while *also* enacting the posturing, bargaining, and pandering that make our democracy work. It all comes down to how the senator and her staff will present these actions to various audiences, including constituents and colleagues.

Political scholar Murray Edelman called the practice of managing these twin functions "political maneuvering." He explained, "In one sense [legislators] cope with problems, threats, and opportunities... but every action also helps construct beliefs about their status as leaders, allies, adversaries, or enemies."<sup>18</sup> Indeed, the relationship between these two sets of objectives is reciprocal, because greater influence in the chamber means greater ability to fight for the needs of a representative's constituents. Thus, elected officials do not find themselves in a paradox in the sense of an "absurd" or "intrinsically unreasonable" situation in which two mutually exclusive conditions are somehow both

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<sup>17</sup> Stone works to resolve the paradox framework by treating policymaking from a perspective emphasizing rhetoric and persuasion. Stone, *Policy Paradox*.

<sup>18</sup> Murray Edelman, *Constructing the Political Spectacle* (Chicago: University of Chicago Press, 1988), 125.

met, for in our political system, there is nothing absurd or intrinsically unreasonable about it.<sup>19</sup>

Legislators gain and exercise political influence by constructing reality strategically via explicit representation, omission, or modification in their articulations of public issues.<sup>20</sup> Each action taken by a member of Congress can be seen as a move to protect the public interest, and also as an attempt to gain political power. Successful lawmakers are adept at framing their work as one or the other, according to their audience. The myth of pure legislative deliberation assists them in this endeavor, since the voting public is eager to believe—and, indeed, to demand—that representatives in Congress focus their efforts on effective policymaking. The work of lawmakers “creates an orderly and morally directed society,” and we believe in the myth of pure legislative deliberation because it assures us that order and morality will be restored and protected.<sup>21</sup>

### **Five Strategies of Political Maneuvering in Congress**

In the pages that follow, I build on Edelman’s conceptualization of political maneuvering. I illustrate five ways by which members of Congress use symbolic language strategically to manage the dual demands of deliberating in the public interest

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<sup>19</sup> “Paradox.”

<sup>20</sup> M. Linda Miller, “Public Argument and Legislative Debate in the Rhetorical Construction of Public Policy: The Case of Florida Midwifery Legislation,” *Quarterly Journal of Speech* 85 (1999): 362.

<sup>21</sup> Gusfield, *Culture of Public Problems*, 185; See also Edelman, *The Symbolic Uses of Politics*, 12.



and securing power in their respective chambers. Edelman claimed that those of us who study the machinery of politics must attend to how political actions achieve tangible goals for certain groups, as well as how the public understands these actions; I submit that we must also unpack how politicians utilize rhetorical strategies to achieve what *they* want.<sup>22</sup> Having outlined these five strategies, I will then be able to move on to my analysis of how ELF and eco-terrorism functioned as discursive resources for lawmakers.

### *Interpreting Current Events*

First, legislators in Congress must construct interpretive frameworks of current events. Lawmakers benefit from formulating the news of the day in terms of the interests, agendas, and goals of their audiences. Constituents look to elected officials for guidance in understanding sociopolitical developments and their implications for different populations. Audiences grapple with difficult questions: Should we be worried about an uptick in crime rates? Do the latest jobs numbers mean bad news for the economy? Is our national security threatened by sectarian violence in a faraway land? Lawmakers provide answers to questions like these with interpretive frameworks that suggest a particular way to understand the situation, and benefit politically from constructing the most favorable frame for their audience of voters, party members, colleagues from across the aisle, committee members, donors, etc. Legislative rhetoric thus constructs the pragmatic and ethical dimensions of public controversies, shaping the audience's understanding of what occurred and what it means for the nation's moral landscape.<sup>23</sup>

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<sup>22</sup> Edelman, *The Symbolic Uses of Politics*, 12.

<sup>23</sup> Gusfield, *Culture of Public Problems*, 9.

One of the most common interpretive frameworks for legislators is the crisis, or “a state of affairs in which a decisive change for better or worse is imminent.”<sup>24</sup> The origin of this concept comes from the Greek *krisis*, which Aristotle theorized in terms of judgment.<sup>25</sup> Crises are occasions to exercise political judgment. Edelman explained, “the appearance of a crisis is a political act, not a recognition of a fact or of a rare situation.”<sup>26</sup> Far from rarities, crises dominate our public discourse so much that rhetorician James Pratt characterized American culture as having an “extensive ‘crisis’ orientation.”<sup>27</sup> Leaders adept at political maneuvering frame the actions they take in responding to crises strategically so they will be seen as both solving a public problem and demonstrating good judgment. By understanding events as crises, lawmakers can situate themselves as problem solvers—and they can situate their political opponents as causing or failing to mitigate the crisis.

The exigence of opioid addiction in the northeastern U.S. during the mid-2010s illustrated how lawmakers benefit from strategic crisis construction. Massachusetts

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<sup>24</sup> “Crisis,” *Oxford English Dictionary Online* (Oxford University Press, 2008), <http://www.oed.com.proxy-um.researchport.umd.edu/view/Entry/44539?redirectedFrom=crisis#eid>.

<sup>25</sup> For a detailed treatment of Aristotle’s treatment of rhetorical judgment, see Edwin Black, “Aristotle and Rhetorical Criticism,” in *Rhetorical Criticism: A Study in Method* (New York: Macmillan, 1965), 91–131.

<sup>26</sup> Edelman, *Political Spectacle*, 31.

<sup>27</sup> Pratt’s study of presidential crisis rhetoric offered an overview of the dramatically different rhetorical styles that Presidents Eisenhower, Johnson, and Kennedy used when addressing the nation about a crisis situation. His study suggested that, although there was no paradigmatic genre of crisis rhetoric, the crisis as political drama to which elected leaders must respond is a mainstay of our cultural scripts. James W. Pratt, “An Analysis of Three Crisis Speeches,” *Western Speech* 34, no. 3 (1970): 194.

Senator Ed Markey blamed the Food and Drug Administration in early 2016 for what he called the “opioid addiction [and] overdose crisis.”<sup>28</sup> As many critics have pointed out, lawmakers supported harsh penalties for opioid use when addicts came from marginalized populations, but constructed heroin addiction as a “public health crisis” and demanded funding for rehab programs when the epidemic plagued white people.<sup>29</sup> These discrepancies point to the rhetorical strategy of crisis language for legislators like Markey. Markey’s sudden concern about opioid abuse could be read as a means to position himself as a champion of his constituents, many of them white and middle-class suburbanites whose lives had only recently been affected by opioid abuse.

### *Performing Effective Leadership*

Second, lawmakers cultivate political influence by situating themselves as strong leaders. Each time a legislator takes action to solve a problem or to introduce a new program, they can articulate their effective policymaking as a mark of leadership. Much of political leadership comes down to managing competing interests, a challenge that has faced elected representatives since the nation’s founding. Using the pen name Publius, James Madison implored readers of the *New York Packet* to support ratification of the freshly penned Constitution in Federalist No. 10. To make his case, Madison underscored

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<sup>28</sup> Ed Markey, Twitter post. February 24, 2016.

<sup>29</sup> Andrew Cohen, “How White Users Made Heroin a Public-Health Problem,” *The Atlantic*, August 12, 2015, <http://www.theatlantic.com/politics/archive/2015/08/crack-heroin-and-race/401015/>; Katharine Q. Seelye, “In Heroin Crisis, White Families Seek Gentler War on Drugs,” *The New York Times*, October 30, 2015, sec. U.S., <http://www.nytimes.com/2015/10/31/us/heroin-war-on-drugs-parents.html>.

how the new union would enable representatives to manage competing interests, thus minimizing the detrimental impact of factions. He wrote:

A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of the government.<sup>30</sup>

Madison posited that even the most “enlightened statesman” would be unable to meet the demands of all competing interests while simultaneously serving the public good.

Excellence in political leadership, then, meant balancing these interests as effectively as possible—a task that requires extraordinary skills in negotiating, compromising, and persuasion. This perspective sees the policymaking process as an interaction among lawmakers and interests, where power is in the hands of stakeholders rather than institutions or systems. The successful leader positions themselves as someone who rises above the “structural influences, conflicts, unequal bargains, strategies, repressions, tensions, and failures characteristic of politics” in order to achieve the most favorable outcomes.<sup>31</sup> Legislators invoke political myths, such as the myth of pure legislative deliberation, because myth “substitutes heroes and villains for

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<sup>30</sup> James Madison, “Federalist No. 10: The Same Subject Continued: The Union as a Safeguard Against Domestic Faction and Insurrection,” *New York Packet*, November 23, 1787, <https://www.congress.gov/resources/display/content/The+Federalist+Papers#TheFederalistPapers-10>.

<sup>31</sup> Edelman, *Political Spectacle*, 60.

complicated social interactions.”<sup>32</sup> Lawmakers earn political influence from exercising judicious leadership—legislators can invoke a myth strategically, painting themselves as its heroes.<sup>33</sup>

To position themselves as effective leaders, lawmakers interpret the impacts of a policy action in terms of its beneficial effects on the many competing interests in play. This interpretive practice draws a causal link between the legislator’s work in Congress and beneficial outcomes for constituents. Kenneth Burke noted, “the more drastic [a] measure is in actuality, the more natural it would be for the politician to present it in a way that would allay fears and resentment.”<sup>34</sup> For example, throughout the Obama administration Americans heard dueling interpretations of the impact the Affordable Care Act (“Obamacare”) would have on workers, doctors, the economy, the healthcare industry, and many other stakeholders. Opponents of the law in Congress insisted that the legislation would increase healthcare costs, lower quality of care, and add half a trillion dollars to the national debt.<sup>35</sup> Yet, New Hampshire Senator Jeanne Shaheen (who voted for the bill in 2010) argued that, despite “a lot of misinformation” about the law, “[t]he

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<sup>32</sup> Murray Edelman, *Political Language: Words That Succeed and Policies That Fail* (New York: Academic Press, Inc., 1977), 143.

<sup>33</sup> As Edelman inquired, “what symbol can be more reassuring than the incumbent of a high position who knows what to do and is willing to act, especially when others are bewildered and alone?” *The Symbolic Uses of Politics*, 76.

<sup>34</sup> Kenneth Burke, *A Grammar of Motives* (Berkeley: University of California Press, 1945), 393.

<sup>35</sup> Republican National Committee, “The Case Against ObamaCare,” *GOP*, March 23, 2011, <https://www.gop.com/the-case-against-obamacare/>.

reality is it's beginning to work for people.”<sup>36</sup> Shaheen's bifurcation of rhetoric versus reality illustrated the different levels on which lawmakers must engage in symbolic action strategically. Republicans had achieved political power through message control surrounding Obamacare. When Shaheen pointed to the *reality* of the Affordable Care Act, however, she shifted from the political dimensions of the controversy to the policy dimensions. Regardless of public perception, Shaheen suggested, the law was working because it was accomplishing its policy goal of increasing the number of Americans with health insurance. Cultivating political influence among constituents and colleagues thus requires being seen by those groups as an effective leader—a lawmaker who effectively balances competing interests and the public good through exemplary prescience, wisdom, and good character.

### *Crafting Legible Policy Trajectories*

Third, legislators are tasked with marshaling rhetorical resources into legible policy trajectories. Lawmakers receive input from industry lobbyists, special interest groups, nonprofit organizations, advocacy groups, think tanks, social movements, and individual constituents. These stakeholders offer abundant reasons to support or oppose a particular policy action in the form of arguments, reports, research data, narrative accounts, and even protest actions. Lawmakers are tasked with assembling these fragments strategically, constructing a coherent policy trajectory from a cacophony of disparate ideas. They derive power from being the voice of these synthetic policy trajectories.

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<sup>36</sup> Reuters, “Democrats Try to Win the Obamacare Argument with Skeptical Public,” *Newsweek*, May 11, 2014, <http://www.newsweek.com/democrats-try-win-obamacare-argument-skeptical-public-250629>.

In this endeavor, committee and subcommittee hearings especially serve as “contexts for discovery” where policymakers encounter reasons articulated by those invited to testify.<sup>37</sup> Elected representatives can manipulate this process of discovery to their advantage, however, by inviting only those who can be counted on to offer accounts that support the lawmaker’s desired policies. This strategy draws directly on the myth of pure legislative deliberation, selecting only complementary discourses for inclusion in a process that ostensibly represents all relevant viewpoints and weighs them equally. Legislators establish the expertise and credibility of their invited participants, building support or opposition through appeals to these individuals’ authority. The utility of this strategy for legislators has become more prominent in the last few decades, when many argue that the committee room has overtaken the chamber floor as the primary site of legislative deliberation.<sup>38</sup> Due to this shift, it is increasingly necessary for lawmakers to use committee and subcommittee hearings as fora in which to present arguments in support of political positions, and to convene likeminded lobbyists, academics, and advocates to buttress those positions.

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<sup>37</sup> Daniel C. Brouwer, “ACT-ing UP in Congressional Hearings,” in *Counterpublics and the State*, ed. Robert Asen and Daniel C. Brouwer (Albany, New York: State University of New York Press, 2001), 97.

<sup>38</sup> Stathis, *Landmark Debates*, 4. In 2010, South Carolina Senator Jim DeMint famously argued that 94 percent of the bills that pass the Senate have no floor debate and are voted through unanimously. Although PolitiFact analyzed this assertion and determined it to be false (depending on which metrics are used, the figure is closer to half), DeMint’s remarks illustrate a sense of concern among lawmakers about how federal policymaking occurs behind the closed doors of committee hearing rooms. Louis Jacobson, “DeMint Says 94 Percent of Bills Are Passed Unanimously,” *PolitiFact*, June 17, 2010, <http://www.politifact.com/truth-o-meter/statements/2010/jun/17/jim-demint/demint-says-94-percent-bills-are-passed-unanimous/>.

Communication researcher Richard Besel illustrated the complex decision calculus involved in selecting who should testify at such hearings in his case study of congressional debate over the Climate Stewardship Act of 2003.<sup>39</sup> He concluded that a climate bill with bipartisan and public support was defeated in the Senate due to strategic miscalculations by the senators supporting the legislation. Besel found these lawmakers made critical errors when anticipating which oppositional arguments they and their witnesses would encounter during committee hearings. The bill's co-sponsors (particularly Republican Senator John McCain) predicted scientific objections to the legislation's proposed carbon emissions rollbacks, and so filled a series of hearings with testimony from scientists and environmental policy experts to construct a strong scientific frame. However, during floor debate the bill encountered economic opposition over potential job losses. Supporters were unprepared for this shift in argumentative framing, and the bill failed. Besel's analysis demonstrated the strategic importance of witness selection for legislators, who jockey for political position through the selective presentation of rhetorical resources like expert testimony.

#### *Developing Political Alliances*

Fourth, legislators derive influence from developing coalitions and political partnerships. They foster strategic alliances, convening groups around common interests and deriving power from their position as coalition-builders. Without the support of

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<sup>39</sup> Richard Besel, "Prolepsis and the Environmental Rhetoric of Congressional Politics: Defeating the Climate Stewardship Act of 2003," *Environmental Communication* 6, no. 2 (2012): 233–49.



colleagues, no representative can be politically successful.<sup>40</sup> In its simplest form, this can mean working to reach the majority needed to push legislation through. In other contexts, consensus takes the form of complex alliances and coalitions among and within parties, voting blocs, caucuses, and other factions. M. Linda Miller argued that “the primary commitment of legislative discourse is to the formation of strategic alliances,” centering the legislative process on the creation of mutually beneficial partnerships.<sup>41</sup> For example, Blue Dog Democrats were successful in cultivating bipartisan support for gun rights protections and limitations to government spending in the late 1990s and early 2000s. This coalition of conservative, mostly Southern Democrats derived power from brokering deals across party lines, manufacturing productive consensus in an era of congressional gridlock.<sup>42</sup> Voters likely read the compromises that they brokered in terms of the myth of pure legislative deliberation, seeing the Blue Dogs as dedicated officials who honorably privileged policymaking above the demands of liberal constituents, moneyed interests, and powerful lobbyists. At the same time, these lawmakers benefitted from their status among colleagues as negotiators. They gained exclusive access to GOP leadership due to their status as willing to negotiate on behalf of the party when mainstream Democrats refused to budge.

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<sup>40</sup> Kenneth M. Dolbeare and Murray J. Edelman, *American Politics: Policies, Power, and Change* (Lexington, MA: D. C. Heath and Company, 1971), 272.

<sup>41</sup> Miller, “Public Argument,” 376 Although Miller’s study treated legislative deliberation at the state level, the same principles apply to Congress.

<sup>42</sup> The *Washington Post* noted that, in their late-2000s heyday, the Blue Dogs were “the most influential voting bloc on Capitol Hill.” Paul Kane, “Blue Dog Democrats, Whittled down in Number, Are Trying to Regroup,” *The Washington Post*, January 15, 2014, [https://www.washingtonpost.com/politics/blue-dog-democrats-whittled-down-in-number-are-trying-to-regroup/2014/01/15/37d4e7e2-7dfd-11e3-95c6-0a7aa80874bc\\_story.html](https://www.washingtonpost.com/politics/blue-dog-democrats-whittled-down-in-number-are-trying-to-regroup/2014/01/15/37d4e7e2-7dfd-11e3-95c6-0a7aa80874bc_story.html).

Yet, legislators who refrain from working *too* cooperatively with colleagues on the other side of the aisle are often rewarded internally for their loyalty. In her 2009 study of the Senate, Frances E. Lee troubled the notion that congressional gridlock is the result of competing ideological perspectives. She explained instead, “parties’ competition for elected office and chamber control systematically shapes members’ behavior in office.”<sup>43</sup> In other words, while many voters read refusal to compromise as a sign of strength and commitment to a moral principle (or, on the other hand, as a mark of truculence and immaturity), it is often best understood as a tactical move in the fight for party resources.

### *Interpreting and Influencing Public Opinion*

Fifth and finally, legislators interpret public opinion in order to organize consensus among voters. They construct symbolic realities by articulating an advantageous reading of popular sentiment, which they subsequently use to justify future policy actions.<sup>44</sup> Members of Congress adopt synthetic rhetorics that both call on and shape public opinion, performing fidelity to shared values while also persuading audiences to support a particular position.<sup>45</sup> During the 2012 Senate race, Massachusetts candidate Elizabeth Warren expressed a populist justification for her assertive approach to progressive tax reform: “You built a factory out there? Good for you. But I want to be

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<sup>43</sup> Frances E. Lee, *Beyond Ideology: Politics, Principles, and Partisanship in the U.S. Senate* (Chicago: University of Chicago Press, 2009), 3.

<sup>44</sup> Lisa M. Gring-Pemble, “Legislating a ‘Normal, Classic Family’: The Rhetorical Construction of Families in American Welfare Policy,” *Political Communication* 20 (2003): 475.

<sup>45</sup> Daniel M. Filler, “Making the Case for Megan’s Law: A Study in Legislative Rhetoric,” *Indiana Law Journal* 76, no. 2 (2001): 321–22.

clear: You moved your goods to market on the roads the rest of us paid for; you hired workers the rest of us paid to educate; you were safe in your factory because of police forces and fire forces that the rest of us paid for.”<sup>46</sup> Warren’s language constructed a community of people who support her plan for tax reform because business owners have systematically taken advantage of publicly funded goods without contributing their fair share to the economy. Warren expressed the social value of hard work and envisioned an economic landscape long overdue for major reform. From the perspective of marginalized taxpayers, Warren’s antipathy toward tax breaks for the wealthiest Americans was nothing less than an expression of the people’s will.

On the flip side, elected leaders can benefit from *refusing* to follow the demands of the public. Legislators can derive immense political power from maintaining a position supported by a small but powerful minority. A politician’s unwillingness to negotiate on an issue can signal a deep moral commitment, while their colleagues whose positions reflect the majority opinion look as malleable as reeds in the wind. Paul Ryan’s controversial remarks about low-income Americans in 2011 illustrated this well: “Seventy percent of Americans want the American Dream. They believe in the American idea. Only 30 percent want their welfare state. Before too long, we could become a society where the majority of Americans are takers, not makers.”<sup>47</sup> Ryan’s insistence that

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<sup>46</sup> Lucy Madison, “Elizabeth Warren: ‘There Is Nobody in This Country Who Got Rich on His Own,’” *CBS News*, September 22, 2001, <http://www.cbsnews.com/news/elizabeth-warren-there-is-nobody-in-this-country-who-got-rich-on-his-own/>. Warren’s attack on the One Percent gained enough traction that President Obama offered a similar iteration the following summer, prompting controversy especially related to his claim, “You didn’t build that.”

<sup>47</sup> Ryan’s comments echoed the infamous remarks of his 2012 running mate, Mitt Romney, who asserted at a private fundraiser that 47 percent of Americans would vote to

the nation's share of "takers" was growing while the "makers" declined drew an ideological line in the sand, allowing him to position himself as a brave lawmaker standing up against a rising tide of entitlement. He downplayed the importance of public opinion in his comments, insisting that he would support the "makers" regardless of their popularity because they were morally in the right.<sup>48</sup> Contrast Warren's expression that the disenfranchised middle class was on her side with Ryan's assertion that he would stand his ground no matter whose sentiment was most popular. In both cases, the legislators strategically manipulated public opinion to posit their platforms as preferable and their actions as noble.

A final example illustrates all five of these strategies in action, attesting to the complexity of how members of Congress engage in political maneuvering. In June 2016, following the mass shooting at Pulse nightclub in Orlando, Florida, Democrats in both houses of Congress engaged in a series of high-profile moves aimed at forcing legislative action on gun control. At the time of this writing, their policy efforts have been unsuccessful, since no comprehensive reform bills on the issue have been passed. Yet, as

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re-elect Obama due to their inflated sense of entitlement. Ryan Grim, "Paul Ryan: 30 Percent 'Want Welfare State,' 70 Percent 'Want the American Dream' (VIDEO)," *The Huffington Post*, October 2, 2012, sec. Politics, [http://www.huffingtonpost.com/2012/10/02/paul-ryan-30-percent-welfare-state\\_n\\_1933730.html?utm\\_hp\\_ref=elections-2012](http://www.huffingtonpost.com/2012/10/02/paul-ryan-30-percent-welfare-state_n_1933730.html?utm_hp_ref=elections-2012).

<sup>48</sup> Ryan's self-depiction as a principled defender of Republican Party principles during his time in Congress paid off in 2015 when his GOP colleagues elected him Speaker of the House.

a *New York Times* article suggested, “the fact that a legislative response remains elusive does not mean there has been no movement on the issue.”<sup>49</sup>

In the immediate aftermath of the shooting, Senator Chris Murphy began a 15-hour filibuster demanding Senate action on gun control despite steadfast partisan gridlock. Murphy implored, “I’m going to remain on this floor until we get some signal... that we can come together [in order to] get a path forward on addressing this epidemic in a meaningful, bipartisan way.”<sup>50</sup> His invocation of the epidemic frame to describe American gun violence in the 21<sup>st</sup> century situated the issue as a crisis. Murphy’s filibuster demonstrated judicious leadership, constructing himself as the herald of politically imperative compromise. He capitalized on the frustration of his Democratic colleagues, persuading 36 of them to join him in the filibuster by the night’s end.<sup>51</sup>

Days later, Republican senator Susan Collins of Maine put forward a bipartisan proposal to ban people on the government’s no-fly list from purchasing firearms. She offered a legible policy trajectory, marshaling the rhetorical resources from both pro- and anti-gun control groups in order to enact a voice of reason and compromise. This move also

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<sup>49</sup> Carl Hulse, “Gun Control Wall, Bolstered by Republicans, Shows a Crack,” *The New York Times*, June 29, 2016, sec. Politics, [http://www.nytimes.com/2016/06/30/us/politics/gun-control-republicans-congress.html?\\_r=0](http://www.nytimes.com/2016/06/30/us/politics/gun-control-republicans-congress.html?_r=0).

<sup>50</sup> Seung Min Kim and Burgess Everett, “Democrats End Filibuster, Announce GOP to Hold Gun Votes,” *Politico*, June 15, 2016, <http://www.politico.com/story/2016/06/sen-chris-murphy-starts-talking-filibuster-over-gun-control-224369>.

<sup>51</sup> Nancy LeTourneau, “Live-Blogging Sen. Chris Murphy’s Talking Filibuster on Gun Violence,” *Washington Monthly*, June 15, 2016, <http://washingtonmonthly.com/2016/06/15/live-blogging-sen-chris-murphy-talking-filibuster-for-action-of-gun-safety/>.

allowed Collins to develop strategic political alliances, attempting to accrue the 60 votes needed to pass the bill outright. Collins was able to persuade eight Republican senators to join her bipartisan coalition, earning praise from colleagues and in the media.<sup>52</sup> Collins' performance of leadership through compromise and coalition-building, however, was not adequate to achieve her policy goal; the bill fell eight votes short. Explaining why Senate Majority Leader Mitch McConnell fought hard to block the compromise, the *New York Times* reasoned that he did "not want to be remembered as the leader of a Republican-controlled Senate that defied the gun rights group, one of the most powerful allies of his party."<sup>53</sup> McConnell had to choose between leading via compromise with Democrats or via honoring his commitments to the powerful gun lobby, both of which involved serious policy repercussions as well as consequences for McConnell's political power.

After the Senate bill failed, House Democrats took a more direct approach by staging a sit-in. Rep. John Lewis, a veteran of the civil rights movement, led the 25-hour protest. He framed the group of representatives who participated as embodying public opinion on gun control, arguing, "The American people are with us."<sup>54</sup> This assertion cast Lewis as a representative of the people's will and also defined the normative perception

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<sup>52</sup> Perhaps most notably, the proposal earned the praise of Sen. Chuck Schumer, predicted at the time of writing to be the Senate's next Democratic leader. Dierdre Walsh et al., "Collins Rolls out Gun Plan to High Hurdles, NRA Opposition," *CNN*, June 21, 2016, sec. Politics, <http://www.cnn.com/2016/06/21/politics/susan-collins-guns-plan-congress/>.

<sup>53</sup> Hulse, "Gun Control Wall, Bolstered by Republicans, Shows a Crack."

<sup>54</sup> David M. Herszenhorn and Emmarie Huetteman, "Democrats End Sit-In After 25 Hours, Drawing Attention to Gun Control," *The New York Times*, June 23, 2016, sec. Politics, <http://www.nytimes.com/2016/06/24/us/politics/senate-gun-control.html?action=click&contentCollection=Politics&module=RelatedCoverage&region=EndOfArticle&pgtype=article>.

on gun control, simultaneously interpreting and influencing public opinion.<sup>55</sup> Conversely, it situated House Speaker Ryan as an adversary of the people when he pushed an appropriations bill through without debate and assertively adjourned the session.

The controversy surrounding the sit-in turned on the question of whether it was a “publicity stunt” and “fundraising scheme,” as Ryan alleged, or a moral manifestation of popular resistance to the powerful gun lobby. These two ways of seeing the sit-in functioned as competing interpretive frameworks from which colleagues, voters, donors, advocacy groups, and other stakeholders must choose before engaging in alliances or voting on policy proposals. They illustrate the fundamental power of symbolic speech in the legislature, which enables lawmakers to achieve the goals of both politics and policy through the articulation of a public culture in which a symbolic drama is underway. Although comprehensive gun control reform has not been passed at the time of writing, the Democratic coalition has been credited with achieving the policy goal of creating “momentum that would ultimately lead to legislation.”<sup>56</sup> These leaders gleaned political power by exercising the necessary judgment to be on the right side of history.

Thus, the myth of pure legislative deliberation offers a romanticized account of the work lawmakers do to protect and uplift their constituents. It is a perennial symbol of an unachievable ideal, and it serves as a rhetorical resource for members of Congress in their performances of effective policymaking. As I have demonstrated, lawmakers draw

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<sup>55</sup> See Edelman, *Political Language*, 45–50 and Edelman, *Politics as Symbolic Action*, 175.

<sup>56</sup> Herszenhorn and Huetteman, “Democrats End Sit-In After 25 Hours, Drawing Attention to Gun Control.”

on this and other such resources strategically in the delicate balancing act of legislative politics. They work to achieve the twin goals of securing political influence and creating effective public policy through rhetorics of crisis construction, performing effective leadership, creating legible policy trajectories, developing political alliances, and engaging discourses of public opinion. With this understanding of political maneuvering in mind, we can now turn to my analysis of how legislators utilizing these strategies exploited ELF for political gain.

### **Exploiting ELF: Legislators Target Eco-Revolutionary Activism**

For decades, the preservation of the natural environment has been a political football in the United States. Environmentalism has been difficult for many politicians to grapple with because it is nebulous, comprised of disparate ideologies, policy goals, and modes of agitating for change. Historically, environmental advocacy has been heavily partisan; it originating with moneyed sportsmen fighting for wildlife protections in order to preserve game hunting yet is now so imbued with leftist politics that conservative environmentalists often feel unwelcome.<sup>57</sup> Though most Americans support the goals of the movement, lawmakers cannot count on it as the defining plank of their platforms.<sup>58</sup>

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<sup>57</sup> Ronald J. Rychlak, “Changing the Face of Environmentalism,” *Fordham Environmental Law Review* 8, no. 1 (2011): 115–22.

<sup>58</sup> Riley E. Dunlap, “The State of Environmentalism in the U.S.,” *Gallup*, April 19, 2007, <http://www.gallup.com/poll/27256/state-environmentalism-us.aspx>. Even the Green Party, which has never come close to providing a viable third-party candidate for president, maintains a comprehensive agenda that expands well beyond environmental concerns.



Most politicians must show at least some concern for environmental issues in order to avoid alienating constituents, yet their concern must often remain cursory because amplifying it could cause them to lose important strategic partnerships and support from industry groups and voters.

Environmentalism has also traditionally presented a strategic challenge for lawmakers whose constituents demand protections for industries with inherent ecological harms, such as agriculture, manufacturing, and energy production. Members of Congress must tread carefully when considering legislative efforts with environmental implications, allying with colleagues whose environmental records are poor, and crafting policy trajectories that purport to balance often-conflicting needs of industry and ecology. Speaking at a town hall in March 2016, presidential candidate Hillary Clinton demonstrated how a misstep in this delicate balancing act could backfire. Discussing her energy plan, Clinton said, “We’re going to put a lot of coal companies and coal miners out of business.”<sup>59</sup> This statement was not inaccurate—her plan involved converting local economies from coal mining to clean energy production, ostensibly preserving jobs and keeping coal country communities economically stable. However, in her apparent fervor to appeal to environmentally motivated voters, Clinton seriously alienated not just coal industry workers, but also her former colleagues in Congress who represented them.<sup>60</sup>

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<sup>59</sup> Tim McDonnell, “Clinton Says She’ll ‘Put a Lot of Coal Companies and Coal Miners Out of Business,’” *Mother Jones*, March 14, 2016, <http://www.motherjones.com/blue-marble/2016/03/hillary-clinton-will-probably-regret-comment>.

<sup>60</sup> Sen. Rand Paul of Kentucky was particularly quick to lambast Clinton, capitalizing on her statements to promote his own Senate campaign promise to “stop the national [D]emocrats from killing more coal jobs.” *Ibid.*

The advent of radical and eco-revolutionary environmentalist rhetorics offered lawmakers a valuable means of navigating the complex tensions between ecological and economic interests. Legislators learned quickly that they could appeal to environmentally minded constituents and colleagues, while still upholding promises to the polluters who paid for their campaigns, by targeting radical and eco-revolutionary voices. ELF quickly became this target's bullseye, as savvy legislators utilized the strategies explored above to exploit ELF for political gain. I examine five episodes of congressional discourse between 1998 and 2005 that illustrate how lawmakers capitalized on discourses of eco-terror to win legislative influence, manage competing interests, perform leadership, and persuade audiences to view ELF as Public Enemy No. 1 in the fight against domestic terror. These episodes trace rhetorics about ELF between 1998 and 2005, while also showcasing the many different dimensions of the quest for political influence in Congress today.

### **Establishing the Exigence of Eco-terror in the 1998 House Crime Subcommittee Hearing**

The summer of 1998 saw the first congressional hearing dedicated specifically to radical and eco-revolutionary environmental activism. Entitled, "Acts of Ecoterrorism by Radical Environmental Organizations," the hearing was held before the House Judiciary Committee's Subcommittee on Crime. It established the exigence of eco-terror as a political resource for members of Congress, setting an anti-environmental radicalism agenda that responded to public problems with policy solutions, and garnered political

influence for its chair. This lawmaker, Republican Rep. Bill McCollum of Florida, was the first of several to capitalize on ELF to accomplish his political goals.

In acting as the catalyst for this hearing, McCollum seized a potential opportunity to mitigate his poor environmental record. Although McCollum had already accrued a good deal of political influence during the 17 years he had served thus far, he was an anti-environmentalism candidate in an era when ecological issues were enjoying greater consideration on the national stage. McCollum had longstanding relationships with major trade associations such as the National Association of Home Builders and Associated Builders and Contractors, both major opponents of laws to increase environmental standards for residential developments in real estate-oriented Florida. McCollum also supported Clinton-era legislation to roll back much of the protections afforded by the Clean Water Act.<sup>61</sup> The League of Conservation Voters' David Daniel later argued that McCollum "stands with polluters" at a press conference denouncing the Congressman's record.<sup>62</sup> McCollum used his position as chair to perform leadership on ecological issues, possibly mitigating some of the intense criticism he faced from environmental advocates among his constituency and in the House.

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<sup>61</sup> McCollum supported a 1995 House bill that would have functionally gutted the Clean Water Act, greatly lessening the EPA's power to regulate water quality standards, storm and farm runoff, and industrial pollutants. President Clinton panned the bill as the "Dirty Water Act" and threatened to veto it. See Carl M. Cannon, "Clinton Assails GOP Changes in Clean Water Act," *The Baltimore Sun*, May 31, 1995, [http://articles.baltimoresun.com/1995-05-31/news/1995151013\\_1\\_water-act-clean-water-write-a-bill](http://articles.baltimoresun.com/1995-05-31/news/1995151013_1_water-act-clean-water-write-a-bill).

<sup>62</sup> William Dean Hinton, "Bill McCollum's History of Quashing the Little Guy," *Orlando Weekly*, October 25, 2000, sec. News, <http://www.orlandoweekly.com/orlando/bill-mccollums-history-of-quashing-the-little-guy/Content?oid=2262413>.

As chair, McCollum began the hearing with an opening statement. He used his position to frame the issue of environmental extremism as a crisis, setting the foundation for a series of rhetorical maneuvers that established him as a friend to both conservationists and business interests. He asserted:

There is no question that society has a large responsibility for protecting our planet. We must be concerned about issues such as wholesale deforestation of the rain forests and the extinction of some species of plant or animal. Environmental groups have been very successful in heightening our collective awareness of the limits of our natural resources.

We know that [we] must plant new trees in place of the old, and we must set up protective habitats for birds, fish, and other animals. Human beings have an obligation to be good stewards of our environment. Yet the very fact that we are already taking these important strides underscores how inexcusable and unnecessary violent and destructive behavior in the name of this cause really is.

Peaceful education and consistent advocacy in defense of plant and animal life has been proven to work. We simply cannot and will not tolerate domestic terrorism in the name of Mother Nature.<sup>63</sup>

McCollum's opening statement offered an interpretive framework for environmental radicalism and eco-revolutionary activism that set these modes of protest apart from legitimate environmental activism. This rhetoric of separation between the "peaceful education and consistent advocacy" of mainstream environmental groups on the one hand, and "domestic terrorism in the name of Mother Nature" on the other, was critical for McCollum's rhetorical strategy. It was now logically possible for him to attack environmentalists, thus upholding his promises to industrial interests, but without

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<sup>63</sup> "Acts of Ecoterrorism by Radical Environmental Organizations," § House of Representatives Committee on the Judiciary, Subcommittee on Crime (1998), 1–2.

alienating environmental advocates—a new opportunity afforded by his rhetorical delineation between necessary and unnecessary conservation work.

McCollum appealed tacitly to public opinion in his opening statement with a narrow framing of environmentalism that centered on two of its most familiar causes: species loss and deforestation. These were two of the most politically “safe” environmental challenges in the late 1990s, and McCollum could reasonably treat them as necessary without drawing ire from the business sector.<sup>64</sup> Unlike issues including climate change, alternative energy, and large-scale agriculture, McCollum’s selections of rainforest preservation and biodiversity went uncontested as worthy environmental challenges in the eyes of all but the staunchest industry advocates. When McCollum said, “We must be concerned about issues such as wholesale deforestation of the rain forests and the extinction of some species,” his implication was that other environmental causes were perhaps *not* cause for concern—a most conservative take on what constituted legitimate environmental advocacy.<sup>65</sup>

McCollum used this narrow framework to situate himself as a leader on environmental issues, *contra* his anti-environment image. If effective, this strategy could

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<sup>64</sup> These issues are the subjects of multimillion-dollar public service campaigns, and they receive widespread support from the scientific community as subjects of serious concern. They are standard elements of K-12 science education and see no major opponents—unlike climate change, for example, nobody on the public stage is denying the reality of deforestation.

<sup>65</sup> McCollum’s emphasis on the issues that usually draw a good deal of support from white, highly educated, middle- and upper-class voters is likely no accident. Marginalized and minoritized communities have traditionally been the voices of advocacy surrounding waste disposal, food safety, toxics, and clean air and water—the issues on which McCollum had drawn criticism for his opposition to reform. Joseph E. Taylor III and Matthew Klinge, “Environmentalism’s Elitist Tinge Has Roots in the Movement’s History,” *Grist*, March 9, 2006, <http://grist.org/politics/klinge/>.

have led to key gains in both his policy goals and his political goals. He'd be better able to form strategic alliances with colleagues and organizations that previously refused to go near him, for fear that his abysmal environmental record might taint their public image.<sup>66</sup> Similarly, his remarks praising the work of environmental advocates might have won him moderate votes for his next House race by softening his image among constituents as a friend to polluters.<sup>67</sup> He conceded ground to his pro-environment adversaries by admitting in his opening statement that there is “no question” about the environment as a social responsibility, and by praising the “very successful” work of environmental groups. Such concessions indicated his willingness to compromise and work together with conservation-oriented lawmakers and organizations.

Perhaps even more important than situating himself as a friend of the environment, however, was McCollum's framing of ELF's actions as constituting a crisis. His emphatic proclamation, “We simply cannot and will not tolerate domestic terrorism in the name of Mother Earth,” configured ELF as a moral exigence that demanded quick and judicious action from lawmakers. In McCollum's formulation the

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<sup>66</sup> According to the League of Conservation Voters National Environmental Scorecard, McCollum cast “anti-environment votes” in a whopping 74% of recorded votes during his career in the House. He voted against legislation to increase funding for alternative energy research, opposed regulation for toxic waste disposal, and voted in favor of the highly divisive “Global Warming Gag Rule” bill in 1998. His few “pro-environment” votes included support for more mainstream causes such as tropical forest conservation and the creation of wildlife refuges. “National Environmental Scorecard: Representative Bill McCollum (R),” *League of Conservation Voters*, n.d., <http://scorecard.lcv.org/moc/bill-mccollum>.

<sup>67</sup> McCollum's opponent in the 1998 House race was former actor Al Krulick, whom McCollum had defeated handily in 1996. Krulick is a far-left perennial candidate who later ran on the Green Party ticket. It's safe to say that Krulick presented no threat to McCollum in 1998. However, McCollum was gearing up for a 2000 Senate bid, and so had reason to be concerned about his anti-environmental record.

activities of ELF and groups like it were threats to security—a cherished value so important to American audiences that it is arguably the “primary political symbol.”<sup>68</sup> Activism he framed as illegitimate was a problem to be solved by public policy, and McCollum set himself up as the leader of that effort. His statement linked the relatively unknown practices of radical and revolutionary environmentalists to the familiar crisis of domestic terrorism. With this connection established, any legislative action taken to curb such enactments of environmentalism became an anti-terrorism measure. His statement called into being a political scene in which Americans faced a new crisis—the threat of environmentally motivated domestic terrorism—and he as the hearing’s convener led the charge to protect the public from this incipient threat.

McCollum construed the activists responsible for this crisis as enemies of the public, business interests, and legitimate environmental groups. In *Political Language*, Edelman noted how public officials often construct enemies in surprising ways. These enemies are usually not, at first, seen as enemies by the general public. Instead, they are “a relatively powerless segment of the population and often a small minority” who, largely unbeknownst to the public, are “engaged in secret subversion, dangerous to others and themselves.”<sup>69</sup> This was the case when McCollum zeroed in on environmental voices like ELF and Earth First! Largely unknown to most audiences, these activists were indeed involved in secret subversion, and comprised a segment of the population too weak in number to have political clout. They were an ideal target—a manufactured enemy that

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<sup>68</sup> Edelman, *Political Language*, 4–5.

<sup>69</sup> *Ibid.*, 34.

allowed McCollum and his colleagues to play environmental heroes in the drama that unfolded in this subcommittee hearing and subsequent legislative events.

McCollum set Congress' anti-environmentalist agenda in this hearing not only through his own words during the opening statement, but also through his strategic selection of the witnesses who testified. He invited Barry Clausen and Ron Arnold, two well-known opponents of environmental reform, to serve as expert witnesses who would confirm his extremely narrow framing of eco-activism. Clausen, author of the book *Walking on the Edge: How I Infiltrated Earth First!*, introduced himself as a thought leader and researcher. He told the assembled lawmakers, "In 1990, with the knowledge of two federal agencies... I infiltrated [Earth First!] and spent an entire year as one of them. During that time, I discovered how militant and violent the group was."<sup>70</sup> Clausen made a career of opposing environmental reform. He has been called a "professional snitch," "a fraud who aims to discredit the environmental movement by any means necessary," and "nothing but a pain in the ass" by activists and advocates.<sup>71</sup> Yet, absent the context of these scathing criticisms, Clausen came off as a consummate expert as he affirmed McCollum's crisis framing.

Witness Ron Arnold, who tacitly represented industrial and agricultural interests, also expressed the need for Congress to take action on the crisis posed by Earth First!, ELF, and other extreme environmentalist voices. Arnold's testimony appeared to come from a place of journalistic reporting—he presented himself as the author of the book

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<sup>70</sup> Acts of Ecoterrorism by Radical Environmental Organizations, 24.

<sup>71</sup> Bruce Barcott, "Snoop: The Secret Life and Prying Times of Barry Clausen," *Outside*, October 1, 2000, <http://www.outsideonline.com/1927716/snoop-secret-life-and-prying-times-barry-clausen>.



*EcoTerror*, and explained to the audience, “in researching that book, I have investigated and reported on organized vandalism, called by environmentalists ‘monkeywrenching.’”<sup>72</sup> His language of investigation and research, coupled with use and explanation of jargon, evoked the rhetoric of expert testimony. Yet, Arnold’s background is not in reporting. He is a founder of the Wise Use movement, an anti-environmentalist coalition of industry workers and lobbyists that advocates for nearly unrestricted use of natural resources by corporations.<sup>73</sup>

Selecting Arnold and Clausen as witnesses allowed McCollum to put forward a legible policy trajectory that appeared to be informed by sound research, but was actually part of an industrial, anti-environmentalist agenda. If such hearings are “contexts of discovery,” as Brouwer argued, then the only discovery to be made in this context was that activists who dared venture outside of the environmental mainstream were dangerous. For McCollum, it was the best of all possible worlds. He advocated for the goals of his supporters in ecologically harmful industries, but wasn’t visibly allied with them. He paid lip service to environmental causes, but kept activists from commenting on the record about the realities of eco-revolutionary practices. Most of all, he benefitted from ownership of the synthetic policy rhetoric that emerged. In this new crisis, he would be seen by voters, colleagues, and supporters as the leader who fought back.

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<sup>72</sup> Acts of Ecoterrorism by Radical Environmental Organizations, 27.

<sup>73</sup> In fact, Arnold is credited for inventing the very configuration of radical activism as domestic terrorism that McCollum espoused in his opening statement. The term “ecoterror” first appeared in print in an article penned by Arnold in the early 1980s. “Eco-Terrorism” See pages 83-84 for a discussion of how Arnold was depicted as an expert and rhetorically “officialized” in mediations of the Vail fires.

McCollum established himself as the catalyst for a new policy agenda, and the leader of a fight to protect Americans from the exigence of dangerous environmental militants. His framework for understanding environmentalism would be invoked by many elected officials to follow, all of whom similarly stood to advance their policy and political goals by exploiting ELF and voices like it. The hearing he chaired set the stage for many to come in both the House and Senate, where other lawmakers would capitalize on this poorly understood school of environmentalism in order to accrue greater political influence.

In the wake of the 1998 hearing, multiple lawmakers proposed federal legislation that would toughen penalties on activists engaging in the broad spectrum of activities labeled as “eco-terror.” Although most of these died in committee, the preponderance of legislative activity surrounding ELF and voices like it during this time proved how fruitful it promised to be as a political opportunity. Tracing the rhetoric advocating this legislation illustrates how the interpretive framework initially offered by McCollum was refined and expanded over time. As more members of Congress recognized the political windfall they would claim from the rise of radical and revolutionary environmentalism, they shaped how their colleagues, supporters, and the public came to view ELF. Of course, their machinations of power and influence likely did not occur to most audiences among the general public. If the average news viewer heard about these bills at all, they likely understood the efforts of their elected officials in terms of the myth of pure legislative deliberation—such actions were noble attempts to combat a growing crisis, and not carefully orchestrated political maneuvers designed to appease as many parties as possible.

## **Environmentalism's Means and Ends: Rep. Hooley Refines the Crisis of Eco-terror**

In July of 2001, Democratic representative Darlene Hooley of Oregon's Fifth District proposed a House bill called the Environmental Terrorism Reduction Act (ETRA). Previous legislation that would have created legal remedies for combatting eco-revolutionary activism had died in committee, and Hooley sought to succeed where these other bills had failed. Hooley's bill purported to make it easier for the federal government to combat eco-terrorism by creating increased funding opportunities for agencies investigating environmentally motivated property crimes, and by creating a national clearinghouse of data on environmental extremism. She seized on the political opportunity developed first by McCollum in his 1998 hearing, and refined his interpretive framework to focus on the question of radical and revolutionary environmental activism's means as opposed to its ends. By substituting the activists' protest goals with their tactics, Hooley made the case against ELF and groups like it even stronger.

Legislators representing districts and states in the American West must form their persuasive appeals in ways that resonate with the distinct land ethic that shapes westerners' politics and identities. Conservation issues related to the government's management of public lands in the form of state and national parks, forests, and wilderness areas are of major concern to western constituents, due in large part to the sheer amount of federally owned land.<sup>74</sup> In 2007, Forbes called Oregon and Washington

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<sup>74</sup> To say nothing of state- and county-owned land, the U.S. government (Bureau of Land Management, Fish & Wildlife, National Park Service, and Forest Service) owns 47 percent of land in the western U.S. The distinctly western controversy over public lands

“synonymous with environmentalism.”<sup>75</sup> One need only watch an episode of *Portlandia* to see evidence of the national stereotype that westerners are overly concerned with environmental issues and, indeed, that they enact a bioregional identity.<sup>76</sup> Yet, the same western states are home to large-scale industrial enterprises that tend to run counter to environmental goals—logging, ranching, and mining in particular. The West is defined by what Mark P. Moore called “competing social realities,” which influence how constituents and other political stakeholders will react to legislation with environmental implications.<sup>77</sup>

In order to grow her political influence, Hooley was tasked with navigating the challenge of attending to powerful regional interests. Like many congressional districts west of the Rockies, Oregon’s Fifth District is home to significant populations of

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management, much of which hinges on environmental concerns, was highlighted most recently by the contested occupation of the Malheur Wildlife Refuge in rural Oregon during the winter of 2016. See Quoc Trung Bui and Margot Sanger-Katz, “Why the Government Owns So Much Land in the West,” *The New York Times*, January 5, 2016, [http://www.nytimes.com/2016/01/06/upshot/why-the-government-owns-so-much-land-in-the-west.html?\\_r=0](http://www.nytimes.com/2016/01/06/upshot/why-the-government-owns-so-much-land-in-the-west.html?_r=0).

<sup>75</sup> Brian Wingfield and Miriam Marcus, “America’s Greenest States,” *Forbes*, October 17, 2007, [http://www.forbes.com/2007/10/16/environment-energy-vermont-biz-beltway-cx\\_bw\\_mm\\_1017greenstates.html](http://www.forbes.com/2007/10/16/environment-energy-vermont-biz-beltway-cx_bw_mm_1017greenstates.html).

<sup>76</sup> Scott Timberg, “The Novel That Predicted Portland,” *The New York Times*, December 12, 2008, sec. Fashion & Style, <http://www.nytimes.com/2008/12/14/fashion/14ecotopia.html>; Kelton Sears, “The People Who Wouldn’t Mind If the Pacific Northwest Were Its Own Country,” *VICE News*, September 3, 2014, <http://www.vice.com/read/we-went-to-a-festival-for-people-who-wouldnt-mind-if-the-pacific-northwest-was-its-own-country>.

<sup>77</sup> Mark P. Moore, “Constructing Irreconcilable Conflict: The Function of Synecdoche in the Spotted Owl Controversy,” *Communication Monographs* 60, no. 3 (1993): 258–74; See also Jonathan I. Lange, “The Logic of Competing Information Campaigns: Conflict over Old Growth and the Spotted Owl,” *Communication Monographs* 60, no. 3 (1993): 239–57.

environmentalists, as well as workers in the forestry and agriculture industries. It includes major cities such as state capital Salem, as well as some of Portland's toniest suburbs—liberal areas with concentrations of voters likely to be motivated by appeals to environmental conservation. Yet, the Fifth also includes rural areas in Clackamas and Tillamook counties whose economies are driven by agriculture and forest products. The district is so politically diverse that Hooleys' successor, Rep. Kurt Schrader, was the first representative in its history to belong to the same political party as the outgoing member.<sup>78</sup>

Hooley negotiated this rhetorical challenge by refining the legislature's dominant interpretive framework of radical and revolutionary environmentalism, created by McCollum, to focus specifically on activists' tactics. As she called on her colleagues to support ETRA, she implored:

America has a long tradition of civic activism. From the anti-slavery movement to women's suffrage to the civil rights era, citizen activists have accomplished many important social reforms by working together through peaceful means to influence their friends and neighbors and building support for change. We Americans fight for change at the ballot box and in the halls of legislatures—not with incendiary devices and pipe bombs.<sup>79</sup>

Hooley's rhetoric elided the radical and revolutionary environmentalists' goals, painting them as purposeless vandals. She engaged the rhetoric of civility by calling for decorous responses to environmental injustices, remaining tactically silent on the question of

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<sup>78</sup> According to the Cook Partisan Voting Index, Oregon's Fifth is one of a very small group of House districts with no political leaning by comparison to the nation as a whole.

<sup>79</sup> 147 Cong. Rec. 102, E1387 (2001).

whether ELF's ends were noble. Whereas McCollum had acknowledged advocates' conservationist motives with characterizations like "domestic terrorism *in the name of Mother Nature*," Hooley stopped at "domestic terrorism."<sup>80</sup> This move helped manage her challenge of balancing environmental and industrial interests because, in Hooley's refined formulation, ELF and groups like it were not treated as environmental interests in the first place.

Hooley's framework of this activism as wanton violence made ELF's voice even more threatening, heightening the persuasive appeal of the crisis frame and intensifying the depiction of activists as enemies. Perelman and Olbrechts-Tyteca theorized the ends/means formulation found in Hooley's characterization of these advocates: "[T]here exists an interaction between the aims pursued and the means used to realize them... Certain means can be identified with ends, and can even become ends, leaving the purpose they may serve in the vague, shadowy realm of possibility."<sup>81</sup> Hooley certainly recognized that the stated goals of ELF and similar voices—like greater protections for ecosystems and tougher regulations on corporate polluters—would be most desirable for some of her supporters. By eliminating these goals from her introduction of ETRA, she facilitated the movement from means to ends that Perelman and Olbrechts-Tyteca described. Thus, she invited audiences to enthymatically substitute means for ends in their conceptualizations of ELF.

Hooley marshaled public opinion in the form of appeals to collective values and identity. She used synecdoche to create an us-vs.-them dichotomy, casting political

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<sup>80</sup> Emphasis mine.

<sup>81</sup> Perelman and Olbrechts-Tyteca, *The New Rhetoric*, 274.

mobilization “at the ballot box and in the halls of legislatures” as a normative part of the American experience.<sup>82</sup> She called on familiar exemplars from our shared political history—“From the anti-slavery movement to women’s suffrage to the civil rights era”—to paint a picture of what acceptable activism looks like. By contrast, her configuration relegated those voices who used “incendiary devices and pipe bombs” to the realm of the enemy. This move collapsed the broad spectrum of environmental advocacy into just two categories, crystallizing the drama of these two competing sides and sublimating complex ideological formulations into a Manichean dualism.

Hooley’s strategic maneuvering in her statement before the House depicted her as a savvy elected official, capable of doing what so few can: manage competing interests effectively, and subsume them to the public good. Recall that even Madison expressed doubt in Federalist No. 10 about the ability of a political leader to accomplish this delicate balancing act. Hooley appealed specifically to voters, donors, and colleagues in the timber industry by recalling her visit to the site of the Boise Cascade regional headquarters building in Monmouth, which was the target of the ELF action that I discussed in Chapter Four. She recounted:

Earlier this month I visited a timber company facility in Monmouth, Oregon, that had been burned down in an arson perpetrated by the Earth Liberation Front. In the Monmouth attack, which roused firefighters out of bed on Christmas morning, the arson caused the roof to collapse only minutes after those who were fighting the fire pulled out. Paul Evans, the mayor of Monmouth and a volunteer firefighter who fought the blaze... told me he narrowly escaped injury or death... Ironically, Paul, who is now serving a military tour of duty in the Persian Gulf,

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<sup>82</sup> This appeal is targeted clearly to her colleagues rather than her constituents—Oregonians have voted by mail exclusively since 1998, so the experience of fighting for change “at the ballot box” is unknown to many.

was probably in more danger in his own town than he now is in Kuwait.<sup>83</sup>

Hooley used this harrowing story not only to warn her colleagues about the dangers of ELF, but also to depict her as a friend of the forest products industry (as well as firefighters and even service members). In most legislative contexts, to ally with timber interests is to privilege them over environmental preservation. Yet, Hooley was able to avoid this politically perilous choice by framing the issue as a matter of public safety for first responders. She effectively subsumed both timber and environmental interest to the public good, demonstrating her capacity for effective leadership. Hooley's narrative identified anti-eco-terrorism measures as necessary dimensions of "abstract, empirically undefinable good" of public safety, forestalling potential critiques.<sup>84</sup> Indeed, Hooley became well known for her moderate positions, and gained power from her ability to work with colleagues from across the political spectrum.<sup>85</sup>

Hooley's bill never reached the House floor for a vote. Her use of the eco-terrorism "crisis" as a political opportunity demonstrated its lasting appeal, and we can see how the rhetorical dimensions of this opportunity developed by tracing the ways that

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<sup>83</sup> 147 Cong. Rec. 102, E1387 (2001).

<sup>84</sup> Edelman, *Politics as Symbolic Action*, 12.

<sup>85</sup> Dave Hogan, "Rep. Hooley Solidifies Base by Staking out Center on Some Tough Issues," *The Oregonian*, September 24, 1998, sec. Local Stories. Hooley kept her seat easily until she announced that she would not run for re-election in the 2008 House race. She built a strong resume as a bipartisan leader on many issues, and was praised by Democrats and Republicans alike for her pragmatism. Her rhetoric surrounding eco-terrorism during her first term reflected her approach to congressional leadership, which centered on identifying opportunities for innovative alliances built on shared political interests. Jeff Kosseff and Charles Pope, "Rep. Hooley Will Not Run for Re-Election," *The Oregonian*, February 7, 2008.



Hooley refined the interpretive framework initially offered by McCollum. Though these anti-ELF rhetorics clearly had political staying power, the failure to pass legislation illustrated the constraints that lawmakers faced in motivating their colleagues. Just two months after Hooley introduced ETRA, however, the political landscape was rocked by the terrorist attacks of September 11, 2001. The events of 9/11 traumatized a nation and, much to progressive activists' chagrin, stifled debate over otherwise controversial policies like domestic surveillance. The September 11 attacks offered fear and anxiety as rhetorical resources for political maneuvering, and a small group of legislators capitalized on these opportunities with gusto.

### **ELF, 9/11, and Atavistic Nationalism: Terror Anxiety as Political Resource**

The events of September 11, 2001, permanently changed how we talk about terrorism in the United States. In his book on the attacks and subsequent War on Terror, Marc Redfield posited that media culture in the U.S. is characterized by “atavistic nationalism.” Drawing on Benedict Anderson’s conceptualization of nations as “imagined communities,” Redfield argued that the 9/11 attacks “inevitably unleashed powerfully nationalist feelings and acts of mourning and anger.”<sup>86</sup> The visceral responses of traumatized Americans dominated the political landscape, leading to new challenges and opportunities for the leaders jockeying for power in a drastically altered social imaginary. Some lawmakers capitalized on this powerfully shaken public affect surrounding terror and terrorists in order to achieve political goals.

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<sup>86</sup> Redfield, *The Rhetoric of Terror*, 4.

One such leader was Rep. Scott McInnis, a Republican from Colorado who led the charge against eco-revolutionary activism in congressional discourses following the 9/11 attacks. McInnis had strong motivations for taking on eco-saboteurs—and ELF specifically—as the representative for Colorado’s Third District, home to the Vail Ski Resort. The congressman received thousands in campaign contributions from Vail Resorts’ Andrew Daly, as well as other donors representing interests targeted by ELF, suggesting a political imperative for McInnis to publicly vilify activists.<sup>87</sup> Further, McInnis was vying to be the next leader of the House Committee on Natural Resources.<sup>88</sup> To his colleagues, a record of leadership on the controlling exigence of eco-terror would likely be seen as evidence of his suitability for the position.

In order to heighten his political profile, McInnis took advantage of the anxiety surrounding the recent 9/11 attacks to go after radical and revolutionary environmentalist voices. This link may seem tenuous given the significant incongruity of scope—even ELF never killed anyone, while nearly 3,000 lives were lost on September 11. Yet, McInnis doggedly pursued legislative action based on his connection between eco-terrorism and Al Qaeda in a series of remarks on the House floor and in committee hearings. He redirected the legislative conversation on terrorism to environmental

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<sup>87</sup> Some of McInnis’ top donors included the American Medical Association and GlaxoSmithKline (advocates of biomedical research), Dairy Farmers of America (an industry group opposed by many animal rights organizations), and Contran Corporation (a holding company owned by anti-environmentalist and notorious Texas polluter Howard Simmons). Center for Responsive Politics, “Rep. Scott McInnis,” *OpenSecrets.org*, n.d., <https://www.opensecrets.org/politicians/summary.php?cid=N00006213>; Central Staff, “Individual Contributions to Rep. Scott McInnis,” *Colorado Central*, March 1, 1999, <http://cozine.com/1999-march/individual-contributions-to-rep-scott-mcinnis/>.

<sup>88</sup> Rosebraugh, *Burning Rage*, 226.

activism, offering an adapted interpretive framework of ELF and groups like it. Rather than framing the advent of militant environmentalist discourses as a discrete crisis, McInnis' rhetoric was a calculated and strategically powerful means to subsume it under the much more pressing crisis of global terrorism in the post-9/11 landscape.

*McInnis' October 2001 Special Order*

McInnis first compared ELF to Al Qaeda in a speech given on the House floor on October 3, 2001—just 22 days after the September 11 attacks. He was granted one hour to give a Special Order Speech (shortened to “Special Order”), which the Congressional Research Service notes is “one of the few opportunities for non-legislative debate in the House.”<sup>89</sup> He introduced his remarks:

Obviously, the issues that are on this floor, the issues that have overwhelmed the United States since the ugly events of September 11 have centered on terrorism and centered on defense and the home security of this nation. This afternoon I want to spend a few minutes of my Special Order talking about... a level of terrorism that has been lost in the battle, and that is the concept called ecoterrorism that is occurring within the borders of the United States.<sup>90</sup>

Immediately, McInnis portrayed himself as a leader in the fight against terrorism by suggesting that eco-terror, though just as grave a concern for lawmakers and voters, has been “lost” in the national conversation about terror sparked by the events of September 11. By bringing the issue to his colleague's attention, he was poised to be the heroic luminary who recovered it on behalf of eco-terrorism's implied innocent victims.

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<sup>89</sup> Judy Schneider, “Special Order Speeches: Current House Practices,” CRS Report for Congress (Washington, D.C.: Congressional Research Service, April 1, 2008), i, [http://archives.democrats.rules.house.gov/CRS\\_Rpt/rl30136.pdf](http://archives.democrats.rules.house.gov/CRS_Rpt/rl30136.pdf).

<sup>90</sup> 147 Cong. Rec. 131, H6238 (2001).

McInnis went on to explain his emphasis on eco-terrorism in the wake of the September 11 attacks, directing his comments specifically toward his peers in the House.

He implored:

I want my colleagues to understand that it is the goal of my committee that I chair, the Subcommittee on Forests and Forest Health... that our committee is considering this a priority, and in light of the horrible terrorist act that occurred on September 11... our subcommittee intends to aggressively pursue those people who condone or somehow participate in ecoterrorism.<sup>91</sup>

McInnis underscored his subcommittee chair position, further buttressing his case that he was acting as a leader on the issue of eco-terrorism. By directing his comments to his colleagues specifically, McInnis acknowledged and appealed to the political power that they can grant him through their support and cooperation. During this time all eyes were on the agencies, institutions, and committees tasked with maintaining national security—in the House particularly, this meant attention was devoted to members in the Armed Services and Foreign Affairs committees.<sup>92</sup> McInnis used his Special Order to redirect attention to the work he was doing in the Forests and Forest Health Subcommittee, coopting the political energy of fighting terrorism for his efforts in further criminalizing radical and revolutionary environmental activism. Edelman explained this strategy in terms of what Derrida called “the graft,” wherein language about a political problem “can be recognized as a proliferating chain of texts that are grafted onto each other,” making it

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<sup>91</sup> Ibid.

<sup>92</sup> Readers are reminded that the House Committee on Homeland Security was not created until 2002.

“easy to link issues in dubious and challengeable ways.”<sup>93</sup> McInnis’ remarks strike this contemporary reader as *highly* dubious, yet in the post-9/11 atmosphere such connections were rarely challenged.<sup>94</sup> At the end of the day, the association of ELF with Al Qaeda was never about reason; it was about fear and political opportunism. The anxiety that permeated daily life for all Americans following September 11, which arguably fueled the U.S.’ disastrous entrance into the Iraq War, is one of the most salient examples of how lawmakers’ rhetorics of enmity rob stakeholders of the ability to reason soundly.

McInnis further positioned himself as an effective leader through his rhetoric of consensus and coalition building. He smoothed over massive disparities between members’ voting records on environmental issues, assuring his colleagues that they all agreed on his message: “Sure, we have different debates on how to interpret [the protection of the environment]. But nobody on this floor, I would hope, would condone ecoterrorism in this country.” This assertion appealed to McInnis’ colleagues who might have been skeptical about the connections he was drawing between eco-terrorism and 9/11. His contention that all 435 members were more or less in agreement on the rejection of ELF as anything but a terrorist organization depicted unanimous consensus—an attractive rarity among any group of assembled representatives, especially the heavily

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<sup>93</sup> For example, Edelman explained, “A racist or sexist practice can be linked to the issue of states’ rights,” and protecting “the health of workers bears the aura of bureaucratic intervention in a private matter.” Edelman, *Political Spectacle*, 117.

<sup>94</sup> As with all historical eras characterized by heightened vigilance regarding matters of national security, speaking out against such fear mongering becomes politically foolish. No representative stood to gain from questioning McInnis’ framework in his Special Order; the radical environmentalist vote is simply not that powerful. As well, the very structure of the Special Order prevented dissenting opinions, as members were not given the opportunity to engage in debate as they ordinarily would be during open deliberation on the chamber floor.

divided 107<sup>th</sup> Congress.<sup>95</sup> This comment positioned him as a broker of consensus, identifying commonly held beliefs as a starting point for political action. Yet, McInnis' comment also intimated that an expression of such skepticism should be read as an endorsement of the eco-terrorist agenda. The certitude with which he claimed universal agreement hinted at the possibility of political reprisal for anyone who might challenge his framework.

McInnis used the Special Order to announce that he would be building a coalition of environmental organizations against eco-terrorism. Immediately after he argued that all members opposed eco-terrorism as he had framed it, he asserted:

[In] the not-too-distant future, we ought to have people like the national Sierra Club, like Earth First!, like the Conservation League, without prompting from the United States Congress—these organizations ought to step forward and actively condemn acts of ecoterrorism to try and forward some type of environmental agenda.

Journalist Will Potter likened this demand for a coalition of environmental organizations against militant activism to the loyalty oaths many public employees were forced to take during the McCarthy era.<sup>96</sup> McInnis' call capitalized on the “with us or against us” mentality that persisted in the months and even years following the September 11 attacks, perhaps articulated most forcefully by President George W. Bush in his address to Congress on September 20, 2001.<sup>97</sup> By adopting this rhetoric, McInnis situated himself as

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<sup>95</sup> The 2000 midterm election marked the slimmest victory held by either party since 1952, with 221 Republican seats and 212 Democratic seats won.

<sup>96</sup> Potter, *Green Is the New Red*, 191.

<sup>97</sup> In his televised remarks, Bush asserted famously, “Either you are with us, or you are with the terrorists.” Though the “you” in that statement contextually referred to nations

a tough and dedicated leader who would protect constituents through productive legislative action such as coalition building. Moreover, he put environmental organizations in a painful double-bind: either publicly come out against eco-revolutionary and radical activism (read: loudly support the work of a congressman with a profoundly anti-environment voting record<sup>98</sup>), or be accused of harboring pro-terrorist sentiments when the dust at Ground Zero had not yet settled. Rather than pandering to the environmental lobby, he extorted them on the House floor.<sup>99</sup>

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that might be considering providing assistance to suspected terrorists, the president's direct address of the camera and the hypervigilant political climate seemed to suggest that his warning applied to law-abiding American citizens as well. "President Bush Addresses the Nation" In McInnis' remarks to the House on November 27, 2001, the congressman invoked Bush's assertion directly when characterizing the letter he sent to environmental advocacy groups demanding they publicly disavow radical environmental activism. He defended the letter by saying he was simply "asking them to join our team, kind of like the president said -- either you are with us or you are not with us." Of course, the president's articulation of the sentiment was a bit more eloquent. See 147 Cong. Rec. 161, H8403 (2001).

<sup>98</sup> Over the course of his time in Congress, McInnis earned an abysmal 15% lifetime score from the League of Conservation Voters. "National Environmental Scorecard: Representative Scott McInnis (R)," *League of Conservation Voters*, n.d., <http://scorecard.lcv.org/moc/scott-mcinnis>.

<sup>99</sup> Even the tone of McInnis' comments can be read as threatening. In his follow-up remarks on the House floor in November, McInnis suggested that radical environmental activism "makes the people who really care about the environment—the organizations like the national Sierra Club and others—it kind of draws them in by association. Even though they are not associated, it draws them in by association and starts to give a black eye to what otherwise might be a legitimate cause." One can almost hear a stereotypical gangster demanding protection money: "Nice environmental nonprofit you got there. It would be a shame if something... *happened to it*." Of course, few reasonable people would associate ELF with above-board organizations like the Sierra Club; the mere suggestion is ironic since McInnis actually *was* drawing connections between ELF and mainstream organizations, without a single piece of evidence to back him up. 147 Cong. Rec. 161, H8403 (2001).

McInnis continued to capitalize on the threat of eco-terrorism to force a coalition of environmental organizations reluctantly united against ELF and other voices. Despite insisting that his coalition should come into being “without prompting from the United States Congress,” he and several colleagues prompted environmental organizations to denounce eco-terrorists in a letter sent to prominent national environmental advocacy groups later that month.<sup>100</sup> It began:

As our Nation begins the recovery and healing process following the tragedy of September 11, we believe it is critical for Americans of every background and political stripe to disavow terrorism in all its forms and manifestation. No matter its shape, source, or motivation, Americans simply cannot tolerate, either overtly or through silence, the use of violence and terror as an instrument of promoting social and political change. With this understanding, we are calling on you and your organization to publicly disavow the actions of eco-terrorist organizations like the Earth Liberation Front (ELF) and Animal Liberation Front (ALF).<sup>101</sup>

As with his remarks during the Special Order, McInnis’ letter capitalized on age-of-terror anxiety to draw unproven connections between these environmental activists and 9/11. The letter suggested that simply failing to respond would be an endorsement of terrorism by asserting, “Americans simply cannot tolerate, either overtly *or through silence*, the use of violence and terror” to effect reform. McInnis was tightening his grip on the nation’s largest and most powerful environmental organizations, including the Sierra Club, Earthjustice, the Natural Resources Defense Council, the National Wildlife Federation, the World Wildlife Fund, and the League of Conservation Voters.

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<sup>100</sup> McInnis’ GOP coauthors were: Rep. James V. Hansen (R-UT), Rep. John Peterson (R-PA), Rep. Bob Schaffer (R-CO), Rep. Greg Walden (R-OR), Rep. J.D. Hayworth (R-AZ), and Rep. George Nethercutt, Jr. (R-WA).

<sup>101</sup> Reproduced in Rosebraugh, *Burning Rage*, 222.



McInnis continued to perform political leadership and push for his anti-eco-terror policy trajectory in remarks to the House on November 27. He reiterated his arguments for why this campaign was necessary, acting as an indefatigable advocate for the interests ostensibly threatened by ELF. McInnis again directly compared eco-terrorism with the terrorist attacks of 9/11, saying that he invited organizations to “come out as a coalition—just like we have done for international terrorism—to come out as a coalition and speak against domestic terrorism under the name of the environment.”<sup>102</sup> Similarly, McInnis invoked President Bush’s address to the nation from September, saying the letter’s purpose was “asking [environmental organizations] to join our team, kind of like the President said—either you are with us or you are not with us.”<sup>103</sup> In these discourses, McInnis attempted to elevate his stature to nearly insolent proportions by comparing his work on eco-terrorism to President Bush’s work on global terrorism generally, and the hunt for the architects of the 9/11 attacks specifically. As *Salon* put it, McInnis was vying to become “America’s eco-terrorism czar,” and he needed an aggressive push for political authority in order to achieve this goal.<sup>104</sup> Yet, in the political context of late 2001, it was as if no argument against terrorism was beyond reproach, and McInnis continued to cultivate political power by exploiting his constituents’ and colleagues’ newly found fear of terrorist attacks on the homeland.

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<sup>102</sup> 147 Cong. Rec. 161, H8403 (2001).

<sup>103</sup> *Ibid.*

<sup>104</sup> Paul Tolme, “Terrorizing the Environmental Movement,” *Salon*, November 26, 2001, <http://www.salon.com/2001/11/26/ecoterror/>.

McInnis' update portrayed him as an effective leader who has the political prowess to strong-arm organizations into compliance. From his perspective, McInnis had single-handedly earned the acquiescence of some of the most powerful environmental groups in the country. He said that he got "some very mature responses," a condescending phrase that suggested the organizations that failed to respond (or that were anything less than effusive in their support) were necessarily immature, adding to his superior political position. He read the Natural Resources Defense Council's response in its entirety, praising the organization for their reply. This highly public reading confirmed that the Council was no longer the target of McInnis' ire, for they had taken the loyalty oath. The National Wildlife Federation "not only responded to McInnis' letter, but sent their own to the *New York Times* urging others to issue condemnations."<sup>105</sup> The organizations' willingness to acquiesce to these largely insulting demands demonstrated the political utility of eco-terrorism as a manufactured crisis, and nobody exploited it more aggressively than Scott McInnis.

Even the environmental organizations that were outraged by McInnis' demands still replied, begrudgingly, to the letter. The Sierra Club and Greenpeace sent bristling and curt responses that underscored their rejection of eco-terrorism throughout both organizations' histories. Sierra Club executive director Carl Pope noted that the group had offered monetary rewards for the capture of destructive environmental activists in the past, asserting that the Sierra Club had "been denouncing eco-terrorism since before Scott McInnis knew it even existed."<sup>106</sup> Greenpeace's letter suggested elected officials would

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<sup>105</sup> Potter, *Green Is the New Red*, 191.

<sup>106</sup> Tolme, "Terrorizing."

be better suited to “rooting out terrorists and protecting the nation from anthrax rather than wasting taxpayer dollars to harass environmentalists.”<sup>107</sup> Despite their brash words, the groups *did* respond with a denunciation of eco-terror—and that response gave McInnis political power. He was then able to demonstrate to colleagues that, through strategic maneuvering, he could get even his harshest critics to do his bidding. Perhaps most compellingly, the congressman put a wedge into the powerful mainstream environmental movement with his letter, officially dividing the usually cooperative groups into two factions—those who played along in earnest, and those who responded with resentment and righteous indignation. A lawmaker with this track record would make a strong ally in a voting bloc and a formidable committee chair.

*McInnis at the February 2002 Oversight Hearing*

McInnis continued his push for anti-eco-terrorism policy early the following year. He led an oversight hearing for the Subcommittee on Forests and Forest Health on February 12, 2002, focusing on “the violent and increasingly frequent attacks of environmental terrorist groups like the Earth Liberation Front and the Animal Liberation Front.”<sup>108</sup> Voters guided by the myth of pure legislative deliberation would be liable to view this hearing as evidence of the continuing crisis of eco-terrorism. It appeared to the casual observer as a formal legislative setting during which members of the House could learn more about the problem from expert witnesses and shape the policymaking process in a way that privileged constituent needs and public safety. However, the hearing might

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<sup>107</sup> Ibid.

<sup>108</sup> Eco-terrorism and Lawlessness on the National Forests, 1.

be better understood as political theater, since the only individuals invited to testify about eco-terrorism were legislators attempting to profit politically from this now well-established crisis, and a lone activist whom McInnis interrogated assertively.

This hearing extended McInnis' coalition-building work on the matter of environmentalism by giving three of his colleagues a platform to promote legislation they were sponsoring designed to create stiffer penalties for eco-saboteurs. In this way, McInnis followed in the footsteps of Bill McCollum; both congressmen used their capacities as committee chair to form an interpretive framework of eco-revolutionary activism shaped by strategic witness selection. The first witness panel was comprised of Rep. George Nethercutt of Washington, and Reps. Darlene Hooley and Greg Walden of Oregon. These three used the opportunity to engage in some political maneuvering of their own, proving their continued commitment to agriculture, timber, and research sectors through the sponsorship of bills that targeted radical and revolutionary environmentalists.<sup>109</sup> In offering the podium to these three colleagues, McInnis cultivated a legislative space in which to grow the alliance of lawmakers who are 'tough on eco-terror.' He was now the architect behind two distinct coalitions of stakeholders: one in the nonprofit sector and the other within the House of Representatives.

McInnis also made strides in his tacit campaign to become "eco-terror czar" by subpoenaing North American Earth Liberation Front Press Office (NAELFPO)

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<sup>109</sup> Nethercutt promoted H.R. 2795, the Agroterrorism Prevention Act. Hooley and Walden touted their co-sponsored bill 2538, the re-introduced Environmental Terrorism Reduction Act (ETRA).

spokesman Craig Rosebraugh to testify at the hearing.<sup>110</sup> Rosebraugh and his attorney understood the motive of the hearing not as a “context for discovery,” but rather as a fishing expedition. The FBI had been investigating the activist for years, yet could not prove his involvement in any illegal activities.<sup>111</sup> If McInnis could get Rosebraugh to crack under the pressure of this hearing, the lawmaker could elevate his status as an anti-terror leader even further.

The hearing culminated in an intense exchange between McInnis and Rosebraugh, who served as personifications of their respective factions in the controversy over eco-terrorism. Rosebraugh’s request to have his attorney sit next to him echoed the drama of a police interrogation, and McInnis’ denial of this request reinforced his authority as committee chair-cum-unofficial detective. Rosebraugh invoked the Fifth Amendment more than 50 times, avoiding McInnis’ pointed questions about everything from statements Rosebraugh made to the press to the source of ELF’s budget. After several minutes of this, McInnis finally became fed up with Rosebraugh’s refusal to answer:

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<sup>110</sup> Rosebraugh responded by organizing a National Day of Action Against Government Repression, also to be held on February 12. The stated goal of this demonstration was to show “support for the ELF, ALF, and direct action in general, while denouncing attempts by the government to indict anyone involved in these activities.” Rosebraugh, *Burning Rage*, 227.

<sup>111</sup> Rosebraugh managed to avoid incriminating himself before a grand jury several times beginning in 1997. Although he had stepped down as NAELFPO spokesperson nine months prior, following a disagreement with ELF activists about their arson at a tree farm, he remained a political target for the federal government. Getting Rosebraugh to incriminate himself would allow the responsible entities to claim a victory in the fight against domestic terror, and would present an opportunity to pry information from Rosebraugh about other activists through a plea deal. Bryan Denson, “Once the ‘Face of Eco-Terrorism,’ Former Portlander Craig Rosebraugh Is Now Lawyer, Filmmaker,” *The Oregonian*, March 3, 2013, sec. Portland, [http://www.oregonlive.com/portland/index.ssf/2013/03/once\\_the\\_face\\_of\\_eco-terrorism.html](http://www.oregonlive.com/portland/index.ssf/2013/03/once_the_face_of_eco-terrorism.html).

“What we will do is we will submit written questions. Makes it easier for us, more difficult for him.”<sup>112</sup> He threatened to hold Rosebraugh in contempt of Congress, underscoring, “I fully intend to proceed with that.”<sup>113</sup> McInnis ended this part of the hearing by chastising Rosebraugh for his continued commitment to ELF’s cause, and called the committee’s attempts to glean information Rosebraugh “a waste of time.”

Yet, the clash between McInnis and Rosebraugh was certainly not a waste of time when viewed in the context of McInnis’ political maneuvering. On the contrary, it bolstered his power in multiple ways. McInnis strengthened his alliance with his burgeoning coalition of anti-eco-terror representatives by giving them a microphone to promote their sponsored legislation in a targeted manner. He demonstrated his value as an ally of the federal judicial branch, lending a hand to the FBI by interrogating Rosebraugh in a context where his Fifth Amendment rights were called into question.<sup>114</sup> McInnis further refined the interpretive framework of eco-terrorism as domestic terrorism through selective inclusion of witnesses, equating the revolutionary wing of the environmental movement with the disempowered Rosebraugh due to his status as its only official representative.

Perhaps most of all, the hearing was a political win for McInnis because it put him in a position of direct, authoritative confrontation with a symbolic manifestation of ELF and other voices of eco-terrorism. McInnis had the upper hand during the entire

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<sup>112</sup> Eco-terrorism and Lawlessness on the National Forests, 46.

<sup>113</sup> Ibid.

<sup>114</sup> Along with Rep. Jay Inslee, McInnis questioned the validity of Rosebraugh’s invocation of his Fifth Amendment rights. Specifically, he accused Rosebraugh of attempting to invoke these rights on behalf “a corporation” and “an artificial entity,” neither of which he claimed had legal merit. Ibid., 44–47.

exchange—he subpoenaed Rosebraugh, restrained his lawyer, asked dozens of accusatory questions for which Rosebraugh had no rhetorically compelling response, and dismissed him at will. McInnis followed up on his threat to force Rosebraugh to provide written responses to questions, which are available in the updated hearing transcript. Rosebraugh would later report jokingly that he saw “smoke rising out of McInnis’ head,” and suggest that McInnis “obviously knew the hearing had been a complete failure.” The benefits to McInnis in terms of exhibiting leadership, crafting political alliances, and framing eco-terrorism in legislative discourses, however, point to a different conclusion.

Unfortunately for McInnis, his attempt to succeed James Hansen as committee chair failed. In 2003, Rep. Richard Pombo of California was selected to serve as the new Natural Resources chair. Though McInnis failed to secure this coveted position, his maneuvering for political influence should not be understood as unsuccessful. To the contrary, the remainder of his term in the House reflects a good deal of power among colleagues and constituents alike. Similar to Darlene Hooley, McInnis’ strategic targeting of controversial environmentalist voices enabled him to balance competing environmental and industry interests, heightening his profile as an effective negotiator and coalition-builder. Impressively, McInnis won awards from both the Colorado Association of Homebuilders and the Colorado Wildlife Federation—two advocacy organizations that clash directly and fiercely over environmental issues but, nonetheless, were in McInnis’ corner.<sup>115</sup> McInnis’ legacy extends well beyond his work on eco-

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<sup>115</sup> This information about McInnis comes from his now-unavailable profile on the website of the law firm where he worked after retiring from politics, Hogan Lovells. It was accessed via archive.org. “Scott McInnis,” *Hogan Lovells*, July 20, 2010, <https://web.archive.org/web/20100720071643/http://www.hoganlovells.com/scott-mcinnis/>.

terrorism, but as this analysis has demonstrated, the congressman played an integral role in developing the crisis of eco-revolutionary activism as a political resource for legislators. Yet, all things must pass eventually, and the strategic utility of this crisis would soon begin to wither.

### **The 2005 Environment and Public Works Hearing: Alternate Frameworks**

#### **Emerge**

In the final legislative episode that I examine here, lawmakers began to signal the waning utility of exploiting radical and eco-revolutionary environmental activism for political gain. On May 18, 2005, the Senate Committee on Environment and Public Works held a hearing entitled, “Eco-Terrorism Specifically Examining the Earth Liberation Front and Animal Liberation Front.” Committee members used the hearing to present the results of their investigation into ELF and ALF, sharpening their focus to omit mention of more moderate groups such as Greenpeace and Earth First!. This signaled that the anti-radical coalition was moving on from tactics targeting aboveground environmental organizations, most notably McInnis’ loyalty oath campaign. The mainstream groups had been put on notice, but their lack of involvement in arson and more serious property crimes meant they offered little value to legislators as political enemies.

ELF and ALF, however, remained active, dangerous, and fugitive. In the nearly seven years since McCollum called his 1998 hearing to order, these two leaderless groups had claimed responsibility for more than 100 protest actions, several involving millions



of dollars in property damage. Despite these figures, law enforcement appeared no closer to apprehending or even identifying the affiliated activists than they were years prior.<sup>116</sup> If lawmakers were to squeeze the last drops of political expediency out of the eco-terrorism crisis, they would have to limit their discussion to the elusive elves.

Committee chair James Inhofe, a Republican representative from Oklahoma, began the hearing by invoking the familiar framing of radical and revolutionary environmentalism as a pressing policy exigence. A well-known opponent of environmental reform (and perhaps the most famous climate change denier in Congress at the time of writing), Inhofe received significant political and financial support from the conventional energy and forest products sectors.<sup>117</sup> Inhofe followed in the footsteps of McCollum and McInnis to position himself as a valiant leader in the effort to suppress this crisis using legislative solutions, honing his rhetorical framework even further to focus specifically on ELF and ALF. Inhofe said, “Just like Al Qaeda and other terrorist movements, ELF and ALF cannot accomplish their goals without money, membership,

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<sup>116</sup> I say “appeared no closer” because at this time, a multi-agency task force led by the U.S. Department of Justice was in the process of investigating several activists using information they gleaned in a plea bargain from former ELF activist and informant Jake Ferguson. Just seven months later, law enforcement would arrest about a dozen activists and announce the outcomes of the investigation publicly. During the Senate hearing discussed in this section, however, the details of the investigation were tightly held secrets, presumably unknown to the lawmakers present.

<sup>117</sup> The Center for Responsive Politics reports that Inhofe’s top contributors in his 2004 Senate campaign included Murray Energy, Koch Industries, ConocoPhillips, and the National Propane Gas Association. These donors depended on resistance to industry regulation in Congress, making it imperative for Inhofe to undermine environmental interests. Of course, attacking ELF and ALF with broad strokes was a proven strategy to achieve this goal. Center for Responsive Politics, “James M. Inhofe,” *OpenSecrets.org*, n.d., <https://www.opensecrets.org/politicians/contrib.php?cycle=2004&cid=N00005582&type=I&newmem=N>.

and media.”<sup>118</sup> His words echoed those of McInnis during his Special Order in 2001, in which McInnis also compared environmental activists to Al Qaeda—the only difference this time was Inhofe’s specific focus on ELF and ALF. Given this striking similarity, an observer would be likely to surmise that the hearing would play out as the others had, with an alliance of lawmakers using the manufactured crisis of eco-terror to cultivate alliances, articulate policy priorities, and perform leadership in order to secure political influence. However, in the first few minutes of the hearing, it became clear that this time would be very different.

In a stark departure from previous deliberative episodes, Inhofe’s colleagues rejected this rhetorical form that had been dominant in legislative discourses about ELF. The choice to distance themselves from this rhetorical strategy—a strategy that had been successful for legislators like McCollum, Hooley, and McInnis—signaled recognition that targeting ELF might have actually been a disadvantageous long-term strategy. For these lawmakers, questioning the dominant interpretive framework of ELF was a means of performing leadership. They demonstrated the political wisdom to know when a rhetorical form had outlived its usefulness, and enacted leadership by offering alternative policy trajectories—leaving Inhofe, the lone member of a now-defunct coalition, to go down with the proverbial ship in this hearing.

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<sup>118</sup> “Eco-Terrorism Specifically Examining the Earth Liberation Front and the Animal Liberation Front,” Pub. L. No. S. HRG. 109-947, § Environment and Public Works (2005), 2.

The first to dissent was Sen. James Jeffords, an Independent from Vermont whose political career had benefitted from questioning dominant legislative practices.<sup>119</sup> Jeffords proposed a jurisdictional challenge to the premise of Inhofe’s hearing, suggesting that “[s]uch matters are more appropriate addressed by the Judiciary or Homeland Security Committees.”<sup>120</sup> This move undermined the Inhofe’s legislative logic and challenged his leadership, subtly calling the senator out for using the committee’s time to investigate matters not in their purview.

Shortly thereafter, Sen. Frank Lautenberg directly challenged Inhofe’s equivocation of Al Qaeda and ELF/ALF. He implored:

You, Mr. Chairman, have been touched by terrorism in your home state. I have been touched by it, by the loss of friends and neighbors who died through the attacks on the Trade Center on 9/11... When we look at what we are seeing here, I think we must be careful in our anger and our disgust at the unlawful actions that some of these people have taken... To suggest that this is a terror ring and intimate that environmental organizations are all kind of tinged or come under the umbrella of terrorism—I think it is unfair and unwise. I condemn unlawful acts wherever they occur... But the label of a terrorist—a terrorist conspiracy that

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<sup>119</sup> Jeffords surprised even Washington insiders when, in 2001, he announced that he would leave the Republican Party to become an Independent and caucus with the Democrats. Having become increasingly dissatisfied with the conservative wing’s marginalization of more moderate Republicans, he left the party on principle to a generally favorable reaction. He did not seek re-election in 2006, though most believed he could win. As part of the Aiken-Gibson wing of the Vermont Republican Party, he helped set the precedent for Independents to follow, including his successor, Sen. Bernie Sanders. As reporter Paul Kane observed after Jeffords’ passing in 2014, the senator “single-handedly bent the arc of politics” by dissenting loudly on matters of principle. Paul Kane, “How Jim Jeffords Single-Handedly Bent the Arc of Politics,” *The Washington Post*, August 18, 2014, <https://www.washingtonpost.com/news/the-fix/wp/2014/08/18/how-jim-jeffords-single-handedly-bent-the-arc-of-politics/>.

<sup>120</sup> Eco-terrorism Specifically Examining the Earth Liberation Front and the Animal Liberation Front, 4.

spreads through the environmental community—I think, is excessive name-calling, and we ought not to engage in it.<sup>121</sup>

Lautenberg’s rejoinder to Inhofe used what Perelman and Olbrechts-Tyteca called dissociative argument—a separation between appearance and reality—to delimit actual terrorism from the environmentally motivated property damage enacted by ELF. He called on analogous examples to make his case, noting that Timothy McVeigh’s membership in the NRA did not make it a terrorist organization, nor did Eric Rudolph’s pro-life ideologies mean the National Right to Life Committee was rife with terrorists.<sup>122</sup> Calling the work of ELF “unlawful acts” and “unlawful actions,” he offered a competing framework for understanding radical and eco-revolutionary activism. Framing ELF and ALF protest events as crimes rather than terrorism allowed Lautenberg to maintain the position that these acts were wrong and their perpetrators should be punished, while also reaping the political benefits of adopting a more moderate approach.

Going toe-to-toe with Inhofe on eco-terror was strategically advantageous for Lautenberg for multiple reasons. By invoking September 11 as the exemplar of modern terrorism, he asserted his political authority on the subject. Lautenberg represented New Jersey, a state whose culture, economy, and constituents were deeply impacted by the 9/11 attacks due to its geographic proximity to New York City. He understood that to characterize any and all political violence as terrorism, which Inhofe had done by comparing ELF and ALF to Al Qaeda, was to diminish the pain of the families in his state who lost loved ones in the World Trade Center. Lautenberg’s rejection of this

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<sup>121</sup> Ibid., 5.

<sup>122</sup> Ibid., 6–7.

equivocation demonstrated leadership by validating his constituents' experiences. His nod to the Oklahoma City bombing in 1995 ("You, Mr. Chairman, have been touched by terrorism in your home state") served a similar function. With this reference, Lautenberg stood up for victims and their families by demarcating the unique moral crisis of deadly terrorist attacks. Lautenberg challenged Inhofe's leadership as well, insinuating that the senator should know better than to suggest the pain his constituents felt when their spouses and children were murdered was the same pain felt by business owners who lost only property.

Lautenberg's dissent was also important for maintaining his strong alliances with the environmental movement. After he confronted Inhofe about minimizing the experiences of actual terrorism victims, he accused the senator of "excessive name-calling" directed at environmental organizations and activists. Lautenberg, a Democrat, was a major advocate of environmental regulation and maintained a strong working relationship with many powerful environmental organizations. The League of Conservation Voters gave the senator a lifetime score of 93%, and his commitment to environmental policy was honored in 2015 when a major update to the Toxic Substances Control Act was renamed the Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act.<sup>123</sup> A 2002 *New York Times* article noted that Lautenberg demonstrated the relatively rare ability to maintain a strong legislative record while often behaving boldly in the

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<sup>123</sup> "National Environmental Scorecard: Senator Frank Lautenberg (D)," *League of Conservation Voters*, n.d., <http://scorecard.lcv.org/moc/frank-r-lautenberg>; Brendan T. Byrne, Thomas H. Kean, and Christine Todd Whitman, "Federal Chemical Safety Bill Would Honor Frank Lautenberg's Environmental Legacy," *Star-Ledger*, March 16, 2015, sec. Opinion, [http://www.nj.com/opinion/index.ssf/2015/03/federal\\_chemical\\_safety\\_bill\\_would\\_honor\\_frank\\_lau.html](http://www.nj.com/opinion/index.ssf/2015/03/federal_chemical_safety_bill_would_honor_frank_lau.html).

Senate: “In an institution largely known for its protocol and collegiality, Mr. Lautenberg was well known as a brash, stubborn and combative figure. But for all that, he managed to assemble a legislative record that even his critics grudgingly admired.”<sup>124</sup> The exchange between he and Inhofe during the ELF/ALF committee hearing was demonstrative of these characteristics, with Lautenberg supporting environmental protection in his signature confrontational manner.<sup>125</sup>

Freshman senator Barack Obama joined the chorus of lawmakers distancing themselves from the dominant framing of ELF and ALF as terrorist networks. Though he could not attend the hearing in person, he submitted an opening statement and follow-up questions for witnesses. In his statement, Obama echoed Lautenberg and Jeffords by suggesting that the pursuit of eco-revolutionary activists was not a fitting priority for the committee. Instead, he suggested policy trajectories aimed at tackling the problems of environmental injustice and hate crimes:

We also need to put these violent acts into context. The FBI has indicated a downward trend in the number of crimes committed by [ELF and ALF]... While I want these crimes stopped, I do not want people to think that the threat from these organizations is equivalent to other crimes faced by Americans every day. According to the FBI, there were over 7,400 hate crimes committed in 2003, half of which were racially motivated. More directly relevant to this committee, the FBI reports 450 pending

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<sup>124</sup> Raymond Hernandez, “Lautenberg Known for His Brawls and Record,” *The New York Times*, November 1, 2002, sec. N.Y./Region, <http://www.nytimes.com/2002/11/01/nyregion/lautenberg-known-for-his-brawls-and-record.html>.

<sup>125</sup> *Ibid.*

environmental crimes cases involving worker endangerment or threats to public health or the environment.<sup>126</sup>

Obama further specified by pointing to high lead levels in the blood of “hundreds of thousands of children” across the country as evidence of the more urgent threat facing the committee, environmental crimes committed against communities of color. He used this opportunity to perform leadership, exercising the judgment to contest Inhofe’s policy trajectory and standing up for the rights of his constituents who had been systematically subjected to disproportionate environmental harms.

The hearing did not result in a definitive consensus on what should be done about ELF. However, it is of great importance to the present study because it signaled a major shift in the legislative rhetorics that would go on to shape public treatments of ELF outside of the insular meeting rooms on Capitol Hill. Senators Jeffords, Lautenberg, and Obama formed a new political alliance, exposing the limited utility that remained in exploiting ELF and other environmental voices for political gain. The fervor that permeated public discourse in the immediate wake of 9/11 had died down, and political observers were left with a lot of questions about what the government was really doing to protect Americans from being targeted again. With the Bush administration facing heavy criticism and Al Qaeda still at large in the Middle East, the time had come for lawmakers to reconsider how much they could benefit from rallying around the charge that a few activists with homemade firebombs were truly the “No. 1 domestic terrorism threat”

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<sup>126</sup> Eco-terrorism Specifically Examining the Earth Liberation Front and the Animal Liberation Front, 37.

facing their constituents, political allies, and vested interests.<sup>127</sup> These senators challenged prevailing interpretive frameworks, distanced themselves from Inhofe and McInnis' potentially toxic anti-environmental hysteria, and suggested alternative policy priorities designed to protect their constituents. They demonstrated what many savvy lawmakers know—that can be *disadvantageous* politically to fall in line with the dominant political sentiment.

### Conclusion

This analysis of how ELF and other environmentalist voices were constructed in congressional discourses has elucidated the political utility of environmental extremism for lawmakers. Although the episodes I chose to focus on here did not comprise the totality of rhetoric about ELF in Congress, they were representative of how policymakers exploited enactments of environmental radicalism and eco-revolutionary activism to accrue greater influence among their colleagues, donors, key interests, and constituents. Although the goal of enacting effective public policy went arguably unmet (as most of the legislative remedies to the crisis of eco-terrorism that they proposed died in committee), the political goals of building alliances, performing effective leadership, and accruing tacit influence were accomplished. As with so many progressive social movements, lawmakers seized on the opportunity to construct these activists as nothing

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<sup>127</sup> Schuster, "Domestic Terror."



short of terrorists, knowing that they lacked the cultural power to counter such a narrative.

Beginning with the 1998 House hearing, legislators offered interpretive frameworks of ELF and other groups in order to position themselves as judicious leaders who envisioned policy strategies to combat this manufactured crisis. As with so many progressive social movements, lawmakers seized on the opportunity to construct these activists as nothing short of terrorists, knowing that they lacked the cultural power to counter such a narrative. They formed political alliances among their colleagues, inviting lawmakers to testify at hearings that gave these legislators a platform to advocate for the bills they sponsored. They shut militant voices out of congressional discourses, forestalling the discovery of meaningful policy alternatives while arguing that their positions represented the will of the public. And finally, in Inhofe's 2005 Senate hearing, it was politically safe for a small group of lawmakers to enact a different vision of leadership by troubling the dominant interpretive framework.

My analysis has illustrated some of the complex and dynamic relationships between policy and political goals for members of Congress in the context of the environmental movement and ecological controversies. The advent of radical environmentalism and eco-revolutionary activism offered an enticing solution to the double-bind faced by legislators in managing the vagaries of environmental politics. With each move, lawmakers deftly attended to the imperatives of voters, advocacy groups, donors, and the institution of Congress. McCollum's crisis framework allowed him perform judicious leadership for his colleagues *and* address the needs of his constituents. Hooley honed this framework to conflate ELF's ends with its means, fulfilling her

obligation to timber interests *and* supporting public safety as a policy priority. McInnis' equivocation of ELF with Al Qaeda functioned as a fitting response to the exigence of domestic terrorism *and* as a powerful statement about his fittingness to lead the Resources Committee. Finally, when Lautenberg and two of his colleagues deemed it politically expedient, their dissent affirmed important alliances with stakeholders *and* advocated for responsible governance.

Unfortunately for ELF and its advocates, the flicker of hope found in the rhetorics of Jeffords, Lautenberg, and Obama in 2005 was not sustained. Just as it seemed lawmakers were ready to abandon the atavistic nationalism that drove discourses of ELF in the aftermath of the September 11 attacks, the Department of Justice would announce a major breakthrough in the quest to find and apprehend activists affiliated with ELF. Presumably unbeknownst to the lawmakers who participated in the exchanges analyzed in this chapter, a multi-agency task force of local and federal law enforcement was investigating ELF activists while legislators were negotiating eco-terrorism in Congress' committee rooms and chamber floors. Craig Rosebraugh did not turn out to be the terrorist mastermind that McInnis suspected, but the FBI accomplished its goal of uncovering incriminating evidence through other means. In just a few months, the Department of Justice would arrest a dozen alleged ELF activists and announce a staggering 65-count indictment that connected them to protest actions spanning several years and the western United States—the result of a multi-agency investigation called Operation Backfire.

Federal law enforcement would use this revelation to shift the center of anti-ELF discourses from the relatively insular halls of Congress to the airwaves of the news

media. In so doing, judicial branch officials would call heavily on the rhetorical forms that legislators cultivated during seven years of employing the ostensible threat of ELF for political gain. In the seven years of legislative discourse that this analysis has analyzed, three key themes emerged that would go on to serve as crucial rhetorical resources in the Department of Justice's account of Operation Backfire.

### **Crisis Construction**

One of the key strategies for anti-ELF rhetors in Congress was to construct eco-terrorism as a growing and dangerous threat for constituents. The crisis framework is politically advantageous for legislators and law enforcement officials alike because these actors can offer the interpretation that makes them look the most like judicious problem solvers.<sup>128</sup> When McCollum introduced eco-terrorism as a new threat to Americans, he called on expert witnesses who attested to his interpretation of environmentally motivated sabotage as a crisis. Ron Arnold's argument that eco-terrorism was "a broad and pervasive crime that [was] seriously underreported because the victims [were] terrorized and fear[ed] reprisals" illustrated the plasticity of ideologically complex protest actions such as sabotage.<sup>129</sup> When the announcement of Operation Backfire shifted the primary site of anti-ELF rhetoric from the legislative arena to the domain of law enforcement, audiences encountered an explosion of arguments interpreting an arguably centuries-old protest tactic as a new, ubiquitous, and uniquely threatening crisis for all citizens.<sup>130</sup>

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<sup>128</sup> Edelman, *Political Spectacle*, 42.

<sup>129</sup> Acts of Ecoterrorism by Radical Environmental Organizations, 27.

## Means as Ends

This is the strategy by which legislators effectively conflated ELF's ends (a more environmentally just world, an end to corporate pollution, etc.) with the voice's tactics (economic sabotage in the form of arson and vandalism). As Perelman and Olbrechts-Tyteca argued, "the use of the means may be blameworthy in itself or have disastrous consequences outweighing the end one wished to secure."<sup>131</sup> In the case of congressional treatments of ELF, legislators argued that both of these results were inevitable for the activists' engagement with property destruction as a protest tactic. Rhetors in each legislative discourse I examined in this chapter rallied their colleagues in rejecting economic sabotage, suggesting as Hooley did that ELF's use of strategic property damage was in fact an end unto itself. As well, McInnis' extended volley with well-known environmental organizations illustrated that lawmakers could effectively make the case that ELF undermined even mainstream environmental goals. In the rhetoric of ELF that would emerge with the government's announcement of Operation Backfire, the group's protest tactics would be discussed in conjunction only with limited, inert articulations of ELF's actual goals—if their political objectives were treated at all.

The discourse that materialized conflated ELF's means as its ends, suggesting enthymatically that the purpose of the activists' protest actions was to cause chaos and destruction. This shift moved beyond the rhetoric of civility, which I identified in Chapter Two as the first of three key strands of discourse that constituted anti-ELF rhetoric.

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<sup>130</sup> Though ELF was not active in the U.S. until 1997, the use of sabotage to protest industrial capitalism is at least as old as the Luddites of the early 1800s.

<sup>131</sup> Perelman and Olbrechts-Tyteca, *The New Rhetoric*, 276.

Rather than calling for decorous rhetoric, the conflation of ends and means facilitates a shift from civility to terror. Civility rhetoric says, ‘I agree with what you are saying, but not how you are saying it.’ To contrast, the means-as-ends strategy refuses to acknowledge that the activists had a message beyond that of their violent discourse.

### **Eco-terrorism as Melodrama**

The third key move that would become a key rhetorical resource for law enforcement rhetorics of ELF was the articulation of the relationship between activists and the government in terms of melodrama.<sup>132</sup> Elisabeth Anker argued that, particularly in the post-9/11 world, melodrama functioned as a discursive practice that made “truth and justice legible by demarcating a clear boundary between right and wrong.” In legislative treatments of ELF, rhetors deftly reduced the complex landscape of environmental activism down to a two-dimensional and largely Manichean framework in

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<sup>132</sup> Gregory Desilet and Edward C. Appel defined melodrama as an alignment of “conflict according to highly polarized, value-weighted extremes consistent with traditionally clear dichotomies between good and evil, right and wrong, innocent and guilty.” See Gregory Desilet and Edward C. Appel, “Choosing a Rhetoric of the Enemy: Kenneth Burke’s Comic Frame, Warrantable Outrage, and the Problem of Scapegoating,” *Rhetoric Society Quarterly* 41, no. 4 (2011): 347; Rhetoric scholars, particularly those treating the corpus of Kenneth Burke, continue to debate about the possibilities and limitations of Burkean melodrama in juxtaposition with Burke’s comic frame. My purpose in this chapter is not to engage that debate, and so I am using the definition of Desilet and Appel because it most aptly articulates the principles of melodrama I found in my analysis of U.S. Congressional ELF rhetorics. For a richer engagement with Burkean melodrama, see Herbert W. Simons, “Burke’s Comic Frame and the Problem of Warrantable Outrage,” *KB Journal* 6, no. 1 (2009), <http://www.kbjournal.org/content/burke%E2%80%99s-comic-frame-and-problem-warrantable-outrage>. Note that I do not agree with the position that the comic frame is inherently superior to melodrama in the context of environmental deliberation especially, as Steven Schwarze demonstrated elegantly in his essay on the subject. See Steven Schwarze, “Environmental Melodrama,” *Quarterly Journal of Speech* 92, no. 3 (2006): 239–61.

which innocent business owners were victims, ELF activists were villains, and government actors seeking justice were heroes. This was illustrated perhaps most clearly by Congressman Greg Walden of Oregon, who said in the 2002 oversight hearing:

I represent the people in a district larger than any state east of the Mississippi with more than half of those lands controlled by the government. Too often the men and women in federal service have been the targets of intimidation, ridicule and abuse by those who blame them for the federal policies they are paid to implement. They and their families deserve better than to live in fear that because of the uniform they wear or the color of the truck they drive, they somehow are to blame... Let us call ELF and ALF for what they truly are: terrorist organizations. Their combatants wear no uniform. They blend in with the civilian population. They destroy private and government property. They teach others how to conduct dangerous and illegal acts, and they try to intimidate those who speak against them.<sup>133</sup>

Walden's treatment situated forest service workers as demoralized victims, ELF and ALF activists as terroristic villains, and—most notable for the present examination of political maneuvering—he and his colleagues as heroes for taking on the task of correcting these injustices. Walden's rhetoric belied some troubling details that might complicate this formulation, such as the ways in which many federal workers have indeed participated in the systemic destruction of important ecological habitats, not to mention the displacement of entire human populations.<sup>134</sup> Such oversimplification of a profoundly complex issue is

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<sup>133</sup> Eco-terrorism and Lawlessness on the National Forests, 10.

<sup>134</sup> Walden referred specifically to workers with the U.S. Forest Service, U.S. Park Service, and U.S. Fish & Wildlife Service. Those workers have each played small but meaningful parts in carrying out the directives of these agencies, many of which have historically led to ecological imbalances and the displacement of poor people and Native Americans occupying public lands. To say that these workers are either innocent or guilty in these endeavors is melodramatic—the issue is far more sophisticated, and Walden's

characteristic of the melodramatic rhetorics that would soon circulate in law enforcement discourses of ELF.

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Manichean framework cannot account for the centuries-long legacy of hegemony, bureaucracy, and the contested politics of conservation at play in contemporary volleys between environmental activists and federal employees.

## CHAPTER SIX

### **Operation Backfire: Spectacle, Catharsis, and the End of the Earth Liberation Front**

At mid-day on January 20, 2006, CNN International anchor Zain Verjee reported on a ruling from the Turkish Supreme Court during a broadcast of *Your World Today*. The Court had ruled that Mehmet Ali Ağca, who attempted to assassinate Pope John Paul II in 1981, must return to prison after being released early due to good behavior. As Verjee informed audiences of the ruling's details, another anchor stopped him mid-sentence: "I'm Daryn Kagan at CNN World Headquarters in Atlanta. We're going to interrupt our international coverage for a major development here in the U.S.: the Justice Department announcing the indictments of 11 different people allegedly involved in eco-terrorism." The network cut to a live feed of a press conference where four federal officials, led by U.S. Attorney General Alberto R. Gonzales, announced an Oregon grand jury's 65-count indictment<sup>1</sup> against activists affiliated with the Earth Liberation Front (ELF).<sup>2</sup> So began the climactic final act in the decade-long public controversy over ELF in the U.S.

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<sup>1</sup> In my research, I found both the singular "indictment" and the plural "indictments" used interchangeably. In legal parlance, an indictment is a written accusation of a crime that a prosecuting authority presents to a grand jury. As such, the singular "indictment" is appropriate when referencing the document that Gonzales announced at the press conference. Although some journalists reported using the plural "indictments" to refer to each accusation, the correct term for these individual units would be "charges." The Law Dictionary, "What Is INDICTMENT?," *Black's Law Dictionary Free Online Legal Dictionary*, n.d., <http://thelawdictionary.org/indictment/>.

<sup>2</sup> "Pleas for Jill Carroll's Release; Bin Laden Threat; 11 Indicted in Ecoterrorism Plots," *Your World Today* (CNN, January 20, 2006).



I turn my attention in this chapter to the climactic moment in the saga of ELF in the United States. I argue that voices defending ELF's eco-revolutionary rhetoric were overpowered in this moment by the government's cathartic media spectacle and, as a result, finally lost the public contest to interpret these protest actions. As I demonstrated in Chapter Five, lawmakers maneuvering for political gain in Congress developed the rhetorics that would come to define ELF in the public arena. Yet, it was federal law enforcement officials with the U.S. Department of Justice (DOJ) who would later marshal these rhetorical resources in the ultimate symbolic blow against the activists. DOJ officials were equipped with carefully refined arguments, and they were in the uniquely powerful position to designate an official account of events. Although these officials were constrained by formal limitations to their rhetorics, no such limitations existed in the mainstream media landscape, where the spectacle of Operation Backfire was perfected. The pall of anxiety surrounding the War on Terror motivated a frightened people to take comfort from sensationalistic and cathartic discourses in this hyperreal crisis.<sup>3</sup>

These factors resulted in a decisive victory that can be seen through the time of this writing, when alarmist eco-terrorism discourses continue to shape public

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<sup>3</sup> The hyperreal nature of the postmodern world, in which reality and fiction are so seamlessly blended together that it becomes impossible to distinguish between the two, means that the political "realities" used to justify a wide variety of actions are rhetorical inventions. For an in-depth treatment of how hyperreal images affect our political culture, see Shawn J. Parry-Giles and Trevor Parry-Giles, *Constructing Clinton: Hyperreality and Presidential Image-Making in Postmodern Politics* (New York: Peter Lang Publishing, Inc., 2002).

understandings of militant environmental activism.<sup>4</sup> Although the indictment and associated arrests were instrumentally successful in stopping a handful of activists from staging further protest events, it was the symbolic power of the government's account at the press conference—and the news media's subsequent amplification of that account—that sealed ELF's fate in the public arena. Journalist Vanessa Grigoriadis called it “the end of an era” for environmental activism, but for ELF and similar eco-revolutionary voices, it was simply the end.<sup>5</sup>

The announcement of the Operation Backfire indictment was the moment when voices defending ELF's eco-revolutionary rhetoric finally lost the public contest to interpret their protest actions. In slightly oversimplified terms, ELF was defeated by a press conference. This may come across as unexpected or even ironic, given the juxtaposition between a typically restrained press conference and a spectacular act of politically motivated property destruction. However, this outcome is neither unexpected nor ironic. Dissenting voices could not compete with the government's cathartic account of ELF as homegrown terrorists. After the press conference, ELF's cultural force quieted

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<sup>4</sup> For example, on a September 2016 episode of a radio program Eureka, California, Police Chief Andy Mills told host Brian Papstein, “Up here, eco-terrorism I think should always be a threat domain. Because we've had that. Now, with logging dwindling off and fishing not doing so well as it has in the past, maybe it's lessened. But it's still something certainly we should monitor and think about.” In this exchange, the only justification Mills offered of his continued concern over eco-terrorism was the fact that it occurred in the area decades prior, yet the fear and uncertainty associated with discourses of eco-terrorism sometimes dismiss the need for rational analysis. Hank Sims, “KINS Asks Eureka Police Chief If He's Prepared to Fight 'Ecoterrorists,' the Station's Imaginary Boogeymen of 25 Years Ago,” *Lost Coast Outpost*, September 5, 2016, <https://lostcoastoutpost.com/2016/sep/5/kins-asks-eureka-police-chief-if-hes-prepared-figh/>.

<sup>5</sup> Vanessa Grigoriadis, “The Rise and Fall of the Eco-Radical Underground,” *Rolling Stone*, August 10, 2006, <http://www.rollingstone.com/culture/news/the-rise-fall-of-the-eco-radical-underground-20110621>.

from a roar to a whimper. The outcome of the public contest to interpret ELF attests to the enormous symbolic force of the media spectacle, and to the nearly limitless power of contemporary terrorism rhetorics to motivate audiences.

### **Background: Operation Backfire**

The federal government’s multi-agency investigation of suspected ELF activists, known as Operation Backfire, was a direct response to the failure of law enforcement to make serious progress in identifying and apprehending the perpetrators of dozens of ELF actions dating back to 1995. The decentralized structure of authority among different agencies—including a variety of Assistant U.S. Attorneys’ offices along with state, county, and city police agencies—kept investigators from sharing information efficiently. For example, an ELF arson in Eugene, Oregon, might very well have been committed by the same group of Portland-based individuals who targeted government-owned horse corrals in Litchfield, California, and Rock Springs, Wyoming. However, under the existing investigative structure, the officers working on these three cases had no mechanism for sharing information and resources in a way that would draw meaningful connections between the geographically disparate events.<sup>6</sup>

Operation Backfire was born in late 2000, when Assistant U.S. Attorney Kirk Engdall led the effort to reorganize these investigations under a collaborative interagency

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<sup>6</sup> Deshpande and Ernst, “Countering Eco-Terrorism.”

framework. The involved agencies were eager to cooperate, and Engdall's approach created a more effective and informed investigative project with full participation from the U.S. Attorney General's office, the Federal Bureau of Investigation (FBI), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF),<sup>7</sup> the U.S. Forest Service (USFS), the Bureau of Land Management (BLM), the Oregon State Police, the Eugene Police Department, the Portland Police Bureau, the Oregon Department of Justice, and the Lane County Sheriff's Office.<sup>8</sup> These agencies began working together after Engdall proposed the new structure, although the project (first known as Major Case #220) would not be officially condensed from seven separate cases until 2004.

Law enforcement officials appropriated a term from the lexicon of firefighting when they dubbed the investigation "Operation Backfire."<sup>9</sup> Backfires are controlled burns that firefighters can set in the path of an approaching wildfire. When executed correctly, the backfire robs the wildfire of its fuel, slowing or even halting its devastating progress. The government's use of this term refers in particular to ELF's frequent use of arson as a protest tactic, and also nods to law enforcement's willingness to use ELF's symbolic resources against the cause of revolutionary environmentalism. The investigation's name subtly signaled a new trajectory in the government's pursuit of eco-revolutionary activists

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<sup>7</sup> A brief note on nomenclature: ATF, previously the Bureau of Alcohol, Tobacco and Firearms, became the Bureau of Alcohol, Tobacco, Firearms and Explosives with the passage of the Homeland Security Act of 2002. However, it continued to use the initialism "ATF," which was coined in 1968.

<sup>8</sup> ELF stronghold Eugene, Oregon, is located in Lane County.

<sup>9</sup> It is important to recognize the distinction between this meaning of "backfire," as opposed to two other, common meanings: a startling explosion in a combustion engine's intake manifold, and an event in which a plan or strategy produces an undesired effect. Deshpande and Ernst, "Countering Eco-Terrorism."

in which law enforcement would be prepared to utilize the tools of the enemy—media spectacle and the manipulation of televisual logics—to win the interpretive contest over ELF in the public eye.<sup>10</sup>

The first major break in the newly connected team came in March 2001 when Eugene, Oregon, police linked an arson fire at a local car dealership to suspected ELF activist Jacob Ferguson.<sup>11</sup> Investigators conducted surveillance on Ferguson and subpoenaed his roommates for questioning by a grand jury. By 2003, the Assistant U.S. Attorney's office had accumulated enough evidence to link Ferguson to several ELF actions in and around western Oregon, and they offered him a deal: his freedom and \$50,000 in exchange for incriminating evidence against his co-conspirators. By this time, his ELF cell had disbanded due to personal conflicts and disagreements about how to

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<sup>10</sup> More specifically, the name “Operation Backfire” signaled a willingness to break the law in order to secure a moral victory, just as ELF saboteurs argued they were doing when they destroyed the machinery of industrial capitalism. Years later, Operation Backfire was scrutinized for its use of underhanded and arguably unconstitutional investigative practices. Documents suggest that a paid FBI informant illegally entrapped activist Eric McDavid by engaging in a romantic relationship with him. McDavid was released from prison in 2015 after serving nine years of a 19-year sentence when it was revealed that the Justice Department failed to disclose relevant documents to McDavid's counsel during the trial. Federal judge Morrison England ruled that the disclosure breach violated McDavid's Fourteenth Amendment rights, while the Justice Department continues to insist that the lack of disclosure was merely an accidental oversight. Ed Pilkington, “Role of FBI Informant in Eco-Terrorism Case Probed after Documents Hint at Entrapment,” *The Guardian*, January 13, 2015, <http://www.theguardian.com/us-news/2015/jan/13/fbi-informant-anna-eric-mcdavid-eco-terrorism>; Seth DeMuth and David Naguib Pellow, “Terrorizing Dissent and the Conspiracy against ‘Radical’ Movements,” in *The Terrorization of Dissent: Corporate Repression, Legal Corruption, and the Animal Terrorism Enterprise Act*, ed. Jason Del Gandio and Anthony J. Nocella, II (New York: Lantern Books, 2014), 135.

<sup>11</sup> Potter, *Green Is the New Red*, 67–68.

move forward with their activism.<sup>12</sup> The FBI sent him around the country for more than a year to meet up with his co-conspirators and prompt them to reminisce about old actions. All the while, Ferguson was wearing a wire and the FBI was listening with baited breath to every word. The tapes he amassed formed the cornerstone of the government's cases when prosecuting Ferguson's associates.<sup>13</sup>

Armed with audio recordings from Ferguson's conversations with eight fellow activists, along with 40,000 pages of transcripts, photographs, and police reports, the Justice Department was poised to move forward with apprehending the accused saboteurs. A grand jury in Oregon handed down an indictment with 65 separate counts for the following activists: Joseph Dibee, Chelsea Gerlach, Kendall (Sarah) Tankersley, Daniel McGowan, Stanislas Meyerhoff, Josephine Overaker, Jonathan Paul, Rebecca Rubin, Suzanne Savoie, Darren Thurston, and Kevin Tubbs. Shortly thereafter, Justin Solondz and Brianna Waters were indicted in connection to the same crimes. The government began arresting suspected ELF members as part of Operation Backfire in December 2005. William Rodgers, an unindicted, alleged co-conspirator who was also arrested in December, committed suicide in his jail cell shortly after being apprehended. The first round of arrests netted investigators two more cooperating witnesses, who received deals similar to Ferguson's. In early 2006, this led to the subsequent arrests of Nathan Block, Eric McDavid, Zachary Jenson, Lauren Weiner, and Joyanna Zacher.

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<sup>12</sup> Grigoriadis, "The Rise and Fall of the Eco-Radical Underground."

<sup>13</sup> Many in the radical environmental activist community have shunned Ferguson since his role as cooperating witness was made public. In a nod to his deceptive actions, he is now referred to frequently as "Jake the Snake." Curry and Cullman, *If a Tree Falls*.

The 65-count indictment that Attorney General Gonzales announced on national television covered 11 activists and just 17 protest actions—far fewer than the 100-plus claimed by ELF individually and jointly with the Animal Liberation Front (ALF) since the group’s 1992 inception. As a direct result of Operation Backfire the majority of these individuals were convicted and sentenced to prison for their involvement with ELF protests. Multiple suspected ELF activists have since eluded capture and even identification, yet ELF is essentially silent in the U.S. today.

My critical focus in this chapter is on the Justice Department’s January 2006 press conference announcing the Operation Backfire indictment.<sup>14</sup> Though the press conference was just 15 minutes in length, this event was the central component of Operation Backfire’s rhetorical success. Gonzales hosted the press conference on January 20, 2006, at 12:30 PM at the U.S. Department of Justice Headquarters in Washington, D.C. Joining Gonzales onstage were FBI Director Robert S. Mueller, ATF Director Carl Truscott, and Assistant Attorney General Alice Fisher. Gonzales began by announcing the indictment and describing the alleged crimes. He updated the press and viewers on the most recent whereabouts of the indicted activists, many of whom had been arrested in the preceding weeks. After this brief overview, he thanked the many agencies that worked together on the investigation. Gonzales then turned the microphone over to Mueller and then Truscott, who each commented on what the indictment symbolized for their respective

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<sup>14</sup> “Domestic Terrorism Indictment” (Washington, D.C.: C-SPAN, January 20, 2006), <http://www.c-span.org/video/?190819-1/domestic-terrorism-indictment>. I also examine the rhetoric of the accompanying DOJ press release. U.S. Department of Justice, “Eleven Defendants Indicted on Domestic Terrorism Charges,” January 20, 2006, [www.usdoj.gov/opa/pr/2006/January/06\\_crm\\_030.html](http://www.usdoj.gov/opa/pr/2006/January/06_crm_030.html).

agencies in terms of the government's pursuit of terrorists.<sup>15</sup> Gonzales then returned to the podium and solicited questions from the press. After eight questions were asked and answered, Gonzales thanked the attendees and the event drew to a close.

In their remarks, the three speakers framed Operation Backfire as a breakthrough success in the fight against terrorism. Mueller claimed: "Today's indictment marks significant progress in our efforts to combat animal rights extremism and eco-terrorism." From their commentary alone, it would appear that Operation Backfire was an uncontested tactical victory for law enforcement investigating ELF, ALF, and other revolutionary environmentalist voices. Yet, even those sympathetic to the government's goals were not uncritical of the investigation. A 2007 report from the National Consortium for the Study of Terrorism and Responses to Terrorism (START) noted, "it is difficult to isolate the degree to which reductions in eco-terrorist activity in general are the result of [Operation] Backfire's successful apprehension of key participants in the movement."<sup>16</sup> The report further concluded that Operation Backfire did not seem to have made a lasting impact on law enforcement practices: "There is no evidence that Operation Backfire has changed police operations against radical environmentalists or other extremist groups that engage in violent activity."<sup>17</sup> Nick Deshpande suggested that, from a security and police perspective, traditional counterterrorism strategies such as those implemented in the Justice Department's investigation are incomplete solutions to the threat of eco-terrorism because they lack mechanisms to delegitimize movement

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<sup>15</sup> Fisher appeared on stage as co-host of the press conference, but did not speak.

<sup>16</sup> Deshpande and Ernst, "Countering Eco-Terrorism," 27.

<sup>17</sup> *Ibid.*, 29.



leaders' narratives and, thereby, prevent further radicalization.<sup>18</sup> However, these assessments of Operation Backfire's legacy benefitted from the accuracy of hindsight. In its historical moment, the indictment was framed convincingly as a true breakthrough in the government's fight against terrorism.

### **The Press Conference: Setting the Stage for Media Spectacle**

The rhetoric of federal officials speaking at the press conference suggested that they strategically anticipated how the news media would cover the event. They articulated a familiar narrative of Operation Backfire as the climactic moment in a dramatic story of eco-terror, offering journalists an authoritative framework for what would ultimately become a media spectacle. The speakers navigated the rhetorical restrictions placed upon federal authorities artfully in order to capitalize on the opportunity to offer a powerful interpretive paradigm for understanding the indicted activists and their motives.

The rhetorical possibilities available to the speakers were constrained by the formal requirements of legal press conferences. The official *United States Attorneys' Manual* (USAM) recognizes the public's right to know about developments in investigations, but insists that the public interest must be balanced with the interests of the accused (specifically, their right to a fair trial) and the government's ability to enforce

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<sup>18</sup> Deshpande, "Radical Stakeholders and the Craft of Environmental Public Policy: Security Dimensions, Considerations and Implications."

the law.<sup>19</sup> Its guidelines for interacting with the news media instruct Justice Department officials to hold press conferences “only for the most significant and newsworthy actions,” and underscore the importance of exercising “prudence and caution” when holding a press briefing or any other communication with the news media.<sup>20</sup> In perhaps the clearest instantiation of this limitation at the Operation Backfire press conference, Gonzales was compelled to remind his audience that the activists were entitled to the presumption of innocence: “As... criminal indictments are not evidence of guilt, the defendants named in this indictment are presumed innocent until proven guilty.” Confined to the banal discourse of statutes and procedures, these speakers had far fewer rhetorical resources at their disposal than did the journalists who would cover the briefing for news audiences.

At the beginning of his statement, notice how Gonzales constructed the official account of the ELF saboteurs’ actions:

Yesterday, a grand jury in the District of Oregon returned an indictment charging eleven members of a Portland-based cell of animal rights and environmental extremists for their roles in a pattern of domestic terrorism activities. The 65-count indictment includes numerous charges of arson, attempted arson, conspiracy to commit arson, use and possession of a destructive device, and destruction of an energy facility. The indictment tells a story of four-and-a-half years of arson, vandalism, violence, and destruction...

In the first two sentences of his statement, Gonzales presented a neutral report of the indictment. His words were carefully objective and rooted firmly in the legal facts of the

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<sup>19</sup> Executive Office for United States Attorneys, “United States Attorneys’ Manual” (United States Department of Justice, 2009), sec. 1–7.110, <https://www.justice.gov/usam/united-states-attorneys-manual>.

<sup>20</sup> *Ibid.*, sec. 1–7.401.

case—where and when the indictment was returned, along with the quantity and official titles of the counts charged. In the third sentence, however, Gonzales rapidly pivoted to interpretation, invoking narrative rhetoric to claim that the indictment “told a story” of not just arson, but also “vandalism, violence, and destruction.” These terms, imbued with profound moral resonance, are nowhere to be found in the relevant criminal code.

Gonzales was no longer reporting news of the indictment to the press and viewers in an objective, detached fashion. Instead, his editorializing situated the indictment strategically within a broader and more familiar sociopolitical context. His rapid shift from legal fact to moral interpretation was representative of the entire press conference, in which he and his colleagues worked to balance the dry, agnostic language of criminal procedure with the dramatic rhetoric of terrorism.

The government’s account drew on the rhetoric of eco-terrorism as a crisis that had been forged in the legislative arena. This conceptualization depicted ELF protest actions as immediate threats to the safety of innocent stakeholders, the severity of which merited intervention at the highest levels of government. Gonzales’ deployment of acute characterizations of ELF protest actions—“a story of four-and-a-half years of arson, vandalism, violence, and destruction,” and “their trail of destruction across the Pacific Northwest and Beyond”—invoked the rhetoric of crisis’ focus on intensity and danger. Mueller similarly drew on this rhetoric of crisis when he told the audience, “The FBI becomes involved, as it did in this case, only when volatile talk crosses the line into violence.” Whereas legislators constructing the crisis of eco-terror often used it to depict themselves as problem solvers, Mueller situated federal law enforcement agencies as the heroes tasked with intervening when criminal activity reaches a level of crisis.

Indeed, regardless of how the Justice Department officials chose their words, the very fact that they chose to hold a press conference framed ELF's protest praxis as a crisis. USAM states specifically:

There are... circumstances involving substantial public interest when it may be appropriate to have media contact about matters after indictment or other formal charge but before conviction. In such cases, any communications with press or media representatives should be limited to the information contained in an indictment or other charging instrument, other public pleadings or proceedings, and any other related non-criminal information.<sup>21</sup>

Per these guidelines, the Justice Department established Operation Backfire as a "circumstance involving substantial public interest" simply by holding this briefing before a conviction had been rendered. The substantial public interest in this case was the emergent crisis of ELF, which rhetors in the legislative arena had framed as an immediate threat to the public generally. Although ELF activists targeted specific companies for their ecologically harmful industrial activities, legislators like McInnis had re-framed their potential victims as innocent bystanders through his comparisons with groups like Al Qaeda. Thus, by depicting the indictment as a matter of "substantial public interest," DOJ officials extended legislators' strategy of asserting that ELF's actions constituted a crisis vis-à-vis their purported threat to the public at large.

Similarly, the precedent set by negotiations of ELF in the legislative arena gave officials at the press conference license to conflate ELF's ends with its means through the strategically limited articulation of the activists' goals. Just as lawmakers depicted ELF's use of property destruction as an end unto itself, DOJ rhetors offered flat, inert,

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<sup>21</sup> Ibid.

incomplete treatments of the activists' motives. Gonzales said the protest actions had "been executed on behalf of the Animal Liberation Front or Earth Liberation Front—extremist movements known to support acts of domestic terrorism." His omission of even a cursory articulation of the activists' environmental and animal rights goals tactically suggested to audiences that the groups existed to support domestic terrorism—that this was their purpose. In the few instances during the press conference when their goals were articulated, they were coupled with the language of extremism and terrorism: "animal rights and environmental extremists," "acts of domestic terrorism on behalf of animal rights or the environment." This suggested that their desired end was extremism, not protections for the natural environment or liberation for all living beings.

Gonzales and his colleagues navigated strict constraints on legal press conferences while constructing a powerful narrative. This briefing was an ideal venue for government rhetors to tell their story of ELF. Just like the Super Bowl or a political scandal, high-profile press conferences have the power to capture audiences' attention with the promise of symbolic drama. As sociologist Joseph Gusfield wrote, "The press conference is itself a drama of participation and governmental accountability."<sup>22</sup> Working within procedural constraints, rhetors can exploit the opportunity to present carefully constructed narratives as organic developments, converting policy into theater in the brackish waters where governance and journalism intermingle. The rhetorical challenge for federal officials at the Operation Backfire press conference was to frame the indictment with appropriately restrained language, while giving journalists just enough juicy morsels of symbolic drama to construct a compelling and exciting account of it.

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<sup>22</sup> Gusfield, *Culture of Public Problems*, 179.

Gonzales and his colleagues met this challenge by becoming official raconteurs, shaping their statements in the form of powerful stories. Utilizing a narrative framework made their announcement legible for a press and public audience enmeshed in dominant rhetorics of crime, law enforcement, and national security in the post-9/11 era.

### **Eco-terror as Melodrama**

Of the three key strategies forged in the legislative arena that were pulled through in the rhetoric of Operation Backfire, melodramatic narratives of eco-terror were most essential. To exploit their opportunity, the speakers told a story of ELF's downfall at the hands of the law enforcement community. In terms of Walter Fisher's narrative paradigm, their version of events achieved both narrative coherence and narrative fidelity. Fisher argued that all people engage in rational decision-making about the world using, in part, their sense of narrative coherence, or "what constitutes a coherent story."<sup>23</sup> In laying the groundwork for mediation, the press conference speakers needed to ensure first and foremost that they would meet the burden of narrative probability. They did this by framing the indictment in the form of melodrama.

Melodramatic narratives are characterized by stark contrasts between moral extremes, played out by actors who are often more like one-dimensional caricatures than complex human beings. The melodramatic plot follows a mortal threat posed by a villain,

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<sup>23</sup> Narrative coherence is sometimes referred to as narrative probability. Fisher, "Narration," 8.

and the brave action that the story's hero takes to dispatch it.<sup>24</sup> Melodramas are stories we all already know, meaning they already possess the internal consistency of a coherent narrative and the familiarity of fidelity.<sup>25</sup> Melodramatic form often connotes excess—emotional, aesthetic, and narrative. Film scholar Ben Singer defined melodrama as a “cluster concept” characterized usually by five key constitutive features: strong pathos, overwrought emotion, moral polarization, nonclassical narrative structure (a greater tolerance for inconsistencies and coincidental plot structures such as *deus ex machina*), and sensationalism.<sup>26</sup>

Melodrama is a more powerful rhetorical form than we tend to acknowledge in contemporary culture. Literary scholar Peter Brooks noted that melodrama “has a bad reputation and has usually been used pejoratively.”<sup>27</sup> Melodramatic works are often

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<sup>24</sup> See pages 219-220. I am using Gregory Desilet and Edward C. Appel's definition of melodrama: “conflict according to highly polarized, value-weighted extremes consistent with traditionally clear dichotomies between good and evil, right and wrong, innocent and guilty.” Gregory Desilet and Edward C. Appel, “Choosing a Rhetoric of the Enemy: Kenneth Burke's Comic Frame, Warrantable Outrage, and the Problem of Scapegoating,” *Rhetoric Society Quarterly* 41, no. 4 (2011): 347.

<sup>25</sup> This conceptualization of melodramatic narratives focuses on their content—the diametrically opposed hero and villain characters, and the rising action in which the villain poses a grave threat and the hero ultimately mitigates that threat. Other definitions of melodrama highlight its stylistic features, including the use of very emotional and moral language. In the case of Operation Backfire, press conference officials faced institutional constraints that prevented them from adopting a heavily emotional or moral style.

<sup>26</sup> Ben Singer, *Melodrama and Modernity: Early Sensational Cinema and Its Contexts* (New York: Columbia University Press, 2001), 44–49.

<sup>27</sup> Peter Brooks, *The Melodramatic Imagination: Balzac, Henry James, Melodrama, and the Mode of Excess* (New Haven and London: Yale University Press, 1976), 11. Similarly, media wiki *TV Tropes* explained that although melodramatic form is pervasive across popular texts, it is “usually associated with everyone acting like a Large Ham.”

derided for being cliché or derivative. Yet this very familiarity gives the stories discursive force, invoking already-established narrative structures and social values with ease.<sup>28</sup>

Film scholar Linda Williams warned against the shallow categorization of melodrama as simply a mode of excess. Instead, Williams implored audiences to view melodramatic narratives as tools for social change vis-à-vis their emphasis on justice: “Neither excessive music nor the defeat of evil by good is essential to melodrama. What is essential... is the dramatic *recognition* of good and/or evil and in that recognition the utopian hope that justice might be done.”<sup>29</sup> Williams recognized melodrama as “the dramatic convention in which timely social problems and controversies are addressed,” and the legacy of the Operation Backfire press conference attests to the enormous cultural power of melodrama for contemporary audiences seeking a clear delineation between good and evil, along with a vision of just conflict between these diametrically opposed forces.<sup>30</sup>

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See “Melodrama,” *TV Tropes*, 2017, <http://tvtropes.org/pmwiki/pmwiki.php/Main/MeloDrama>.

<sup>28</sup> In his landmark essay, “Environmental Melodrama,” environmental communication scholar Steven Schwarze defended melodrama’s utility as a critical rhetoric of social change by examining its pervasive use across environmental activism discourses. Schwarze pointed to melodrama as an inventional resource that can transform public controversies and interrogate hegemonic discourses of ecological destruction. It is thus somewhat ironic that the federal government would go on to engage melodramatic form as a means of vilifying some of the same activist communities that had been successfully marshaling this oft-maligned genre. “Environmental Melodrama.”

<sup>29</sup> Linda Williams, *On The Wire* (Durham, NC: Duke University Press, 2014), 113.

<sup>30</sup> Williams elaborated, “Whether it is the oft-told American story of the conquest of the West, or the more recent story of the invasion of Iraq, in our popular melodramatic imagination we either portray ourselves as suffering at the hands of villainous others or, as became more prevalent in the American reports toward the end of the Vietnam or Iraq wars, we are forced to see ourselves as the villains. As long as we can see ourselves as



Gonzales used melodrama in this way to interpret and grapple with the social controversy over ecologically damaging industrial activities. Gonzales framed the Justice Department's indictment of ELF activists in terms of melodrama's familiar structure, telling a morally polarizing story of good triumphing over evil. His interpretation of the indictment constructed an antithesis that contrasted "terrorists" supporting an "extremist movement" with the law enforcement officers who he said were "working hard with a number of partners to find these individuals and bring them to justice." This antithesis echoed the Manichean dualism of good and evil at the heart of the Bush Administration's framing of the War on Terror.<sup>31</sup> Bush's famous assertion that each of the world's nations was either "with us or... with the terrorists" established simplistic, ubiquitous, and unforgiving dichotomies between good and evil, freedom and fear, civilization and barbarism.<sup>32</sup> Countless rhetorics about terrorism, including the words of Gonzales and his colleagues, embraced these dualisms' persuasive power.

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victims, then we seem to morally deserve to conquer and invade -- to otherwise occupy the position originally occupied by our injurer. Such is our deeply flawed, and deeply familiar, melodramatic sense of justice." Ibid., 113–14.

<sup>31</sup> Bush did not establish this dichotomy implicitly. He called the 9/11 attackers and their actions "evil" no fewer than four times in his address to the nation on the evening of September 11 alone, including an excerpt from Psalm 23 that suggested the Judeo-Christian god would protect Americans from such evil: "Even though I walk through the valley of the shadow of death, I fear no evil, for you are with me." George W. Bush, "9/11 Address to the Nation," September 11, 2001, <http://www.americanrhetoric.com/speeches/gwbush911address-to-the-nation.htm>.

<sup>32</sup> Chin-Kuei Tsui explored how President Bush utilized the "civilization-barbarism strategy" that had been marshaled by his predecessors, especially Bill Clinton. Tsui's treatment of this strategy provides a myriad of examples illustrating how such antitheses have shaped U.S. foreign policy for decades. Chin-Kuei Tsui, "Writing American National Identity: Narratives and the Social Construction of Terrorism as a Negative Ideograph," in *Clinton, New Terrorism and the Origins of the War on Terror* (Routledge, 2017), 125.

Next, Mueller gave the story its melodramatic action by putting Gonzales' morally juxtaposed characters into an exciting plot:

Today's indictment marks significant progress in our efforts to combat animal rights extremism and eco-terrorism... We in the FBI will continue to work with our partners to investigate and bring to justice extremist movements whose criminal acts threaten the American economy and American lives.

Mueller's interpretation painted a familiar picture in black and white—*good guys pursue bad guys*.<sup>33</sup> He traced the story's rising action (the years-long investigation), climax (the mitigation of ELF's threat via the indictment), and dénouement (continual vigilance and persecution of similarly evil extremists). Throughout three sets of remarks and the Q&A session, the Justice Department's melodramatic telling of Operation Backfire gave audiences a powerful framework of heroes and villains with which to make sense of the investigation, ensuring that they met the burden of narrative probability in their telling.

The officials took advantage of their position as the story's architects to assign the motivations and extreme moral alignments of its characters. As the absent subjects of the indictment, the activists lacked the ability to represent themselves as multi-dimensional individuals. They were instead hidden from view, enabling the official storytellers to depict the activists as one-dimensional villains in a melodramatic tale where good and evil are easy to recognize. Gonzales was careful to characterize ELF acts without articulating the well-established motivations behind them, explaining the protest actions

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<sup>33</sup> The gendered dimensions of this narrative, while not the subject of my analysis here, are worth mentioning. Although Assistant Attorney General Alice Fisher was onstage with the three men who spoke, she neither offered a prepared statement nor responded to a single inquiry from the press pool. Her silence reified the dominant construction of law enforcement as a masculine space, tacitly affirming the depiction of the "good guys" as necessarily *guys*.

simply as “attempt[s] to influence the conduct of government and businesses.” His description called on the language of the law, echoing one of the most prominent official definitions of terrorism. U.S. Code specifies that terrorism involves activities that “appear to be intended... to influence the policy of a government by intimidation or coercion; or... to affect the conduct of a government by mass destruction, assassination, or killing...”<sup>34</sup> Gonzales’ paltry explication did not begin to scratch the surface of deep ecology, eco-anarchism, anti-capitalism, or any of the other philosophical and political strands that informed ELF activists’ rhetorical acts. To contrast, a more complex treatment might have painted the activists as misguided but well-intentioned, doing ‘the wrong things for the right reasons.’<sup>35</sup> Gonzales’ incomplete conceptualization shrewdly utilized the broad brush of melodrama to paint the activists as uncomplicated villains.

Despite generally depicting his story’s villains in broad strokes, Gonzales did provide some degree of depth to them when he enacted a terministic progression that escalated the ELF saboteurs from vandals to terrorists. Gonzales articulated this movement of terms through his word choice and his nonverbal communication strategies. After greeting the audience and introducing his colleagues at the beginning of the press conference, he announced, “Yesterday, a grand jury in the District of Oregon returned an indictment charging 11 members of a Portland-based cell of animal rights and environmental extremists for their roles in a pattern of domestic terrorism activities.” As he read this sentence from the papers in front of him, Gonzales kept his eyes facing

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<sup>34</sup> 18 U.S. Code § 2331.

<sup>35</sup> This is the angle taken by a number of more recent contemporary treatments, such as the documentary film *If a Tree Falls*.

downward to his podium almost constantly. Yet, he emphasized the words, “indictment,” “cell,” “extremists,” and “terrorism” by looking up as he spoke each. Such selective use of direct address added symbolic weight to each of these four terms, directing the audience’s attention to them via ocular expression. Further, he raised his voice slightly when he uttered each of these words. His shift in pitch and tone also served to isolate these four terms from the rest of the sentence. The words “cell” and “extremists” are commonly used in discourses of terrorism, and deploying them strategically in his opening statement allowed Gonzales to apply the moral force of anti-terrorism messages in his treatment of ELF.

Gonzales’ nonverbal emphasis was clearest when he spoke the word “terrorism” itself. He paused before saying it, looked up at the off-screen reporters, and noticeably lowered his vocal tone between the words “domestic” and “terrorism.” This progression employed the fundamental excess and moral polarization of melodrama, where the heroes are purely good and the villains must be equally bad. Since there is perhaps no villain more despised than the terrorist, this strategy was most fitting. Gonzales’ formulation in this passage also contributed to the story’s narrative development. He thickened the plot of Operation Backfire with a frightening backstory of a growing threat. Thus he established a sense of urgency in the tale’s actions, framing the investigation as a gripping race against time.

Having sketched out their story’s evil villains, the speakers further developed their melodramatic story of Operation Backfire through the familiar characterization of its heroic protagonists in law enforcement. Melodramatic narratives are defined by the stark juxtaposition of heroes and villains, which are usually marked by obvious moral

polarization.<sup>36</sup> The role of the hero is a familiar one in depictions of law enforcement officers, specifically those affiliated with the Department of Justice, who are situated as valiant protagonists in exciting true crime dramas that earn them news coverage and institutional power. The FBI's first director, J. Edgar Hoover, was instrumental in developing this strategy. He pushed to expand the Bureau's powers through the use of compelling narratives that pitted brave G-men against notorious Depression-era gangsters like Machine Gun Kelly, John Dillinger, and Alvin "Old Creepy" Karpis.

Stephen M. Underhill's study of the FBI's public rhetoric surrounding Karpis' arrest illustrated the FBI's long-term investment in melodramatic crime narratives.<sup>37</sup> Underhill postulated that Hoover cultivated a symbiotic relationship with the press, wherein he offered exaggerated stories of spectacular showdowns between G-men and gangsters and the press reciprocated by building up Hoover's heroic public image. In this way, Hoover's office became an effective domestic propaganda machine. Underhill explained, "By placing their perceptions in print, audience members made themselves a part of the spectacle as their words were reproduced by wider audiences. The federal government... became a national stage for crime dramas with Hoover cast as the leading symbol of national strength."<sup>38</sup> The tactical deployment of these dramas facilitated an

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<sup>36</sup> As the author of a literary manual for writers of melodramatic films put it, "The hero and the heroine are very, very good; the villain and the adventuress are very, very bad." Henry Albert Phillips, *The Photodrama: The Philosophy of Its Principles, the Nature of Its Plot, Its Dramatic Construction and Technique Illumined by Copious Examples* (Larchmont, NY: The Stanhope-Dodge Publishing Company, 1914), 154.

<sup>37</sup> Stephen M. Underhill, "J. Edgar Hoover's Domestic Propaganda: Narrating the Spectacle of the Karpis Arrest," *Western Journal of Communication* 76, no. 4 (2012): 438–57.

<sup>38</sup> *Ibid.*, 452.

heroic role for FBI directors during the Cold War, the Civil Rights Movement, the Vietnam War, and the Red Scare.

Extending this trajectory into the Bush Administration, there are compelling similarities between the 1930s War on Crime and the ongoing War on Terror. Although separated by decades of political history, technological advancements in journalism, and the exponential growth of news media outlets, both eras saw the federal government using melodramatic narratives to control public opinion about law enforcement practices. Action in these stories was driven by fear of a rapidly growing threat, and these tales situated the federal government specifically as the protectors of American lives and values.

Of course, law enforcement rhetorics have changed since Hoover was lauded as a brave protector of American freedoms and values. Most notably, officials at the Operation Backfire press conference constructed their story's heroes collectively, in terms of a heroic law enforcement *community*. Rather than praising the actions of any single agent, these treatments celebrated cooperation across departments and agencies. Gonzales introduced this communal framework:

The investigation, arrests, and indictments in this case are the result of widespread cooperation and coordination throughout the law enforcement community. I'd like to thank the U.S. Attorney's office in Oregon and the many prosecutors and investigators from a host of law enforcement agencies at every level for their work on this case and their continued determination to help protect Americans from the threat of terrorism both foreign and domestic.

Given Gonzales' terministic escalation from individual criminal to terrorist network when depicting Operation Backfire's villainous activists, it was fitting that the danger posed by this evil organization would be defeated by an equally networked community of law enforcement officers. Gonzales' articulation of the law enforcement community as the barrier between innocent Americans and violent terrorists marshaled the symbolic power of the social contract. A foundational value in western democratic practice, the social contract promises safety in numbers, upholding the Leviathan of government as the only means of protecting individuals from perpetual war amongst each other. In the press conference's official treatment of Operation Backfire, the law enforcement community's good intentions were inferred based on the social contract's promise of security through government by an "Assembly of men" tasked with maintaining citizens' safety and freedom.<sup>39</sup>

Two of the press conference's co-hosts, Mueller and Truscott, extended Gonzales' depiction of the law enforcement community as collective hero in the story of Operation Backfire. Mueller exalted "the outstanding cooperation and strong partnerships we've had, both at the federal level [and] the state and local level." Yet it was Truscott, whose

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<sup>39</sup> More specifically, Hobbes theorized that groups of individuals could move beyond the infamously "solitary, poor, nasty, brutish, and short" state of nature by forming a commonwealth. Commonwealths derive their power from the consent of the governed, and in Hobbes' formulation there are three kinds: monarchy, aristocracy, and democracy. Hobbes privileged monarchy as superior on practical grounds, but future theorists (especially Locke and Rousseau) challenged this conclusion in their work on social contract theory. Hobbes wrote that commonwealths are formed when individuals "conferre all their power and strength upon one Man, or upon one Assembly of men, that may reduce all their Wills, by plurality of voices, unto one Will." Thomas Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge, UK: Cambridge University Press, 1996), 120. In the case of DOJ's Operation Backfire rhetoric, it was this "Assembly of men" that formed the collective law enforcement community. They were presumed to act on behalf of all Americans, and the consent of the audience is assumed.

remarks were shortest among the three, who crystallized their vision of the law enforcement community as protagonist. Truscott first outlined the role of his agency (ATF) before asserting:

ATF will continue to work with the Department of Justice. We will continue to work with the U.S. Attorneys' Offices for a successful prosecution. The indictments announced today clearly demonstrate what tenacious law enforcement can achieve when we work together, when we bring our varied expertise to the table, and when we effectively share information, and when we effectively share intelligence. Arson is an extremely difficult crime to solve. But, the message to any person or group that seeks to further its cause through crimes of violence is this: we will be relentless in finding you and bringing you to justice.

Truscott's repeated use of the pronoun "we" underscored the agents' emplotment as part of a larger whole that emerged triumphant through mutual dedication and shared labor. He characterized this collectively constituted law enforcement community as heroic: "tenacious," "effective," and "relentless." His presence on the stage next to Gonzales, Mueller, and Fisher reinforced this construction visually, with each official standing in for a branch of the Justice Department. Truscott cemented the government's account of a melodramatic contest between two exaggerated foes—one a shadowy network of domestic terrorists, the other a valiant community of public servants committed to justice, law, and order.

This story passed the test of narrative probability by spinning a familiar yarn about the triumph of good over evil, with a contemporary twist that privileged collectives over individuals. The officials' version of events shed Hoover's model of the heroic individual officer, supplanting this figure with a collective body more suitable to 21<sup>st</sup> century narratives and practices of governance. President Bush's War on Terror rhetoric



emphasized the necessity of collectives to defeat terrorists. In his first address to the nation after the 9/11 attacks he said, “we stand together to win the war against terrorism.” This rhetoric of unity was central in his rhetorical configuration of the attacks as the opening salvos in an ideologically motivated conflict. In this framework, individuals are not capable of defeating terrorists; only the unity of a collective can do that. Justice Department rhetors marshaled this officially sanctioned framework as they told their story of heroes taking dramatic action to stop dastardly foes from continuing their villainous crusade of terror.

### **Harnessing the Rhetorical Energy of the War on Terror**

Yet, heroes and villains alone do not a story make. The government’s account passed the test of narrative coherence, but what of narrative fidelity? Fisher noted that, as natural storytellers, humans’ sense of rationality is also constituted by narrative fidelity, which he described as the quality by which stories “ring true” with the narratives that form our worldviews.<sup>40</sup> Government rhetors acted on the imperative to situate the story of Operation Backfire synecdochally within a contemporary saga with which audiences were already well acquainted. They had a myriad of options from which to choose. For example, the case could have been treated as the latest installment in the heavily mediated “war in the woods,” the ongoing conflict between eco-activists and logging companies that formed the setting for the Pacific Northwest’s battle over the spotted owl in the early 1990s. Or it might have been lauded as a victory for new criminological

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<sup>40</sup> Fisher, “Narration,” 8.

technologies, which Truscott hinted at when he praised the integral work of ATF scientists in their cutting-edge forensic laboratory. Instead of these options, however, officials located their fable within the Bush Administration's omnipresent War on Terror.

Of all the settings available to Gonzales and his colleagues within which to situate the saga of ELF, none was a more prescient choice than the War on Terror. In early 2006, rhetorics of terrorism remained pervasive. The trauma of the September 11 attacks had long since become "a part of everyday American cultural life."<sup>41</sup> The War on Terror dominated the news media, affecting public attitudes and creating a heightened sense of terror threat among viewers.<sup>42</sup> Douglas Kellner and Steven Best called the War on Terror a megaspectacle—an event that dominates our media culture.<sup>43</sup> Megaspectacles "signal to the public what is important and generate a media bandwagon effect."<sup>44</sup> It was this bandwagon effect that gave Justice Department officials the foresight to predict how their announcement would ripple through public culture via media circulation. Stories about the federal government targeting alleged terrorists, like the one that took shape at the Operation Backfire press conference, could easily "ring true" for audiences attuned to the nearly constant barrage of similar accounts.

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<sup>41</sup> Redfield, *The Rhetoric of Terror*, 13.

<sup>42</sup> Michael Barkun, *Chasing Phantoms: Reality, Imagination, and Homeland Security Since 9/11* (Chapel Hill: University of North Carolina Press, 2011), 105.

<sup>43</sup> Best and Kellner are cognizant of the fact that wars are events with tangible and often catastrophic implications for the immediate physical well-being of real people. Yet, they note that wars are also texts: "they do have a textual dimension and they are presented to the public as spectacles, as narratives, and as discursive constructs." Steven Best and Douglas Kellner, *The Postmodern Adventure: Science, Technology, and Cultural Studies at the Third Millennium* (New York: The Guilford Press, 2001), 62; *ibid.*, 227.

<sup>44</sup> Douglas Kellner, *Media Spectacle* (London: Routledge, 2003), 119.

The post-9/11 rhetoric of terrorism served as a lens through which all stories about terrorism, even those completely unrelated to jihadist violence, would be evaluated. Rhetorician Robert Ivie explained the enormous power of this cultural lens: “Terrorism in our time operates under a rhetorical spell of sacred duties and diabolical enemies.”<sup>45</sup> The Bush Doctrine’s embrace of preemptive war transformed rhetorics of U.S. foreign policy, making national security a primary concern for the first time since the Cold War.<sup>46</sup> Bush had defined the country’s relationship to the September 11 perpetrators using the language of war immediately after the attacks, shifting the country into a mindset of perpetual conflict.<sup>47</sup> As a dominant framework for public interpretation and a megaspectacle within the news media, the War on Terror defined our public culture. There was a common presumption that nearly any act committed by the federal government could be understood as part of the War on Terror—a commonplace that elided incentives to invoke other frameworks of interpretation for understanding the news

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<sup>45</sup> Ivie, *Democracy and America’s War on Terror*, 160. Ivie’s melodramatic formulation highlighted the importance of Manichean juxtaposition in contemporary terrorism rhetorics, with heroes carrying out these “sacred duties” to defuse the threat posed by “diabolical enemies.”

<sup>46</sup> Robert Singh, “The Bush Doctrine,” in *The Bush Doctrine and the War on Terrorism: Global Responses, Global Consequences*, ed. Mary Buckley and Robert Singh (Oxon, UK: Routledge, 2006), 12–31; David Cole and Jules Lobel, “Preventive War,” in *Less Safe, Less Free: Why America Is Losing the War on Terror* (New York: The New Press, 2007), 70–92.

<sup>47</sup> Ivie, *Democracy and America’s War on Terror*, 128–33, 149. Ivie called the Bush Administration’s strategy an “unrelenting discourse of vilification and victimization” that served to intensify “an already traumatized nation’s appetite for retribution” and to exacerbate the conditions that actually gave rise to terrorist activities. Ivie’s explanation sheds light on the question of why the Administration would continue to pursue its reactionary approach to terror threat, even in the face of mounting evidence that such an approach was, in fact, counterproductive. *Ibid.*, 151.

of the day.<sup>48</sup> The news media normalized the War on Terror as a standard way of seeing developments foreign and domestic. Like the Vietnam and Gulf Wars before it, the War on Terror dominated public discourse through hyperreal mediation.<sup>49</sup>

By the time of the press conference, a particularly unsettling rhetoric of the War on Terror had become front and center: arguments claiming that the U.S. was losing. The years following the September 11 attacks saw a quieting of the intense patriotic fervor that Americans had used to soothe the trauma of their loss. The flags slowly weathered, and citizens became less and less likely to encounter a “Never Forget” bumper sticker. As the visceral grief grew distant, all eyes turned toward the complex global entanglements that arose—some legitimately, others arguably not—in the wake of the attacks. Anxieties about the nation’s ability to win this largely symbolic war nipped at the heels of government authorities who insisted that America and her values would prevail. With headlines like, “U.S. Figures Show Sharp Global Rise in Terrorism” filling newsstands and living rooms, terror anxiety rhetoric was pervasive.<sup>50</sup> One of the most conspicuous voices in this chorus was former CIA analyst Michael Scheuer, whose book *Imperial Hubris: Why the West is Losing the War on Terror* made waves upon its 2004 release.<sup>51</sup>

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<sup>48</sup> Ivie, *Democracy and America’s War on Terror*, 6–7.

<sup>49</sup> Steven Best and Douglas Kellner, “Modern/Postmodern Wars: Vietnam, Iraq, and Beyond,” in *The Postmodern Adventure: Science, Technology, and Cultural Studies at the Third Millennium* (New York: The Guilford Press, 2001), 57–99.

<sup>50</sup> Susan B. Glasser, “U.S. Figures Show Sharp Global Rise in Terrorism,” *The Washington Post*, April 27, 2005, sec. Nation, <http://www.washingtonpost.com/wp-dyn/content/article/2005/04/26/AR2005042601623.html>.

<sup>51</sup> Although the book’s first edition was published anonymously, Scheuer’s identity as author was leaked in the weeks leading up to its release. Michael Scheuer, *Imperial*

In an interview with *60 Minutes*, the analyst summarized his thesis: “[Osama bin Laden’s] genius lies in his ability to isolate a few American policies that are widely hated... And that growing hatred is going to yield growing violence. Our leaders continue to say that we’re making strong headway against this problem. And I think we are not.”<sup>52</sup> The growing momentum of claims like Scheuer’s presented an opportunity for the government to apply a rhetorical salve. Interlocutors arguing that the U.S. was losing the War on Terror challenged federal officials to supply evidence that their anxieties were unfounded. If the government failed to deliver, the public’s trust could be lost.

With Scheuer’s sentiment gaining traction in the mainstream news media, treating ELF as a vast terrorist network promised to legitimate the government’s claims of making strides in the War on Terror.<sup>53</sup> Consequently, this could retain federal officials’ political authority. As Grigoriadis put it, “In a post-9/11 world where every FBI agent

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*Hubris: Why the West Is Losing the War on Terror* (Washington, D.C.: Potomac Books, 2004).

<sup>52</sup> Rebecca Leung, “Bin Laden Expert Steps Forward,” *CBS News*, November 12, 2004, <http://www.cbsnews.com/news/bin-laden-expert-steps-forward-12-11-2004/>.

<sup>53</sup> Concern grew that the U.S. counterterrorism strategy was proving to be a failure, citing significant increases in terror attacks around the world. As the *Washington Post* reported, “Terrorist incidents in Iraq... dramatically increased, from 22 attacks to 198, or nine times the previous year’s total -- a sensitive subset of the tally, given the Bush administration’s assertion that the situation there had stabilized significantly.” Glasser, “U.S. Figures”; John Arquilla, “On the Fourth Anniversary of 9/11, the War on Terror Isn’t Going Well,” *San Francisco Gate*, September 11, 2005, sec. Opinion, <http://www.sfgate.com/opinion/article/On-the-fourth-anniversary-of-9-11-the-war-on-2569887.php>; James Fallows, “Success Without Victory,” *The Atlantic*, 2005, <https://www.theatlantic.com/magazine/archive/2005/01/success-without-victory/303660/>. Bush acknowledged later in 2006, for the first time publicly, that the United States was losing the War in Iraq, which he blamed on the “challenges of a long-term global struggle against terrorists.” Peter Baker, “U.S. Not Winning War in Iraq, Bush Says for 1st Time,” *The Washington Post*, December 20, 2006, sec. Politics, <http://www.washingtonpost.com/wp-dyn/content/article/2006/12/19/AR2006121900880.html>.

wants to catch a terrorist, an ‘eco-terrorist’ [was] better than nothing.”<sup>54</sup> Officials speaking at the press conference may have understood the indictment as a kairotic opportunity to regain lost ground in the War on Terror. Although the term “eco-terror” had been around for years, the modifying prefix “eco” suggested to audiences that such acts of sabotage in the name of environmental conservation were something apart from the primary, abject *terror* whose utterance necessarily evoked the painful, routine memory of the September 11 attacks and other large-scale national tragedies. This created a rhetorical vacuum in public sentiment. As the attacks grew distant and the wounds of the trauma began to heal, public discourse suffered a dearth of soothing accounts designed to assure audiences of their safety and of America’s inevitable victory. Gonzales, Mueller, and Truscott wisely framed the Operation Backfire indictment as a win in the War on Terror, offering audiences a conciliatory message of hope that echoed Bush’s dogged insistence in late 2001 that the U.S. way of life would prevail.

The failure of the U.S. military to apprehend Osama bin Laden was an especially potent dimension of anxieties over the War on Terror. As the architect of the 9/11 attacks, bin Laden served as a synecdochal representation of the global terror threat. His was “a death wanted by the entire planet—or at least its civilized side, the one ‘fighting against terror,’” and each day he spent free served as a subtle public reminder that the American global counterterrorism strategy had failed to exact revenge on the West’s Public Enemy No. 1.<sup>55</sup> Assuredly aware of how his continued evasion of capture vexed the West, bin

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<sup>54</sup> Grigoriadis, “The Rise and Fall of the Eco-Radical Underground.”

<sup>55</sup> Monica Mitarcă, “A Televised Mythological ‘Arch’: The Princess, the Beatification, the Death,” *Romanian Journal of Journalism & Communication* 7, no. 3/4 (2012): 24.

Laden released and/or was featured in more than 30 widely publicized video and audio recordings between October 2001 and May 2011, each one further frustrating the efforts of the U.S. and its allies to apprehend him. President Bush explained after the release of one such video: “The tape is a reminder of the dangerous world in which we live, and it is a reminder that we must work together to protect our people.”<sup>56</sup> Read another way, it was a reminder that the world was *still* dangerous in part because bin Laden remained free and active.<sup>57</sup>

During the Q&A period, Gonzales and Mueller capitalized on a recent development in the hunt for bin Laden to draw ELF into the Justice Department’s construction of domestic terrorism. News broke on the day before the press conference that Bin Laden had released his first new audiotape in over a year. Putting to rest speculations that the infamous terrorist had died or relinquished his position, the tape warned that Al Qaeda continued to plan attacks against the United States. The news was most disheartening. The painful symbolism of bin Laden’s continued activity was again at the forefront of audiences’ minds. Even more unsettling was Bin Laden’s insistence in the video that Al Qaeda was gaining ground. He taunted: “Our situation is getting better

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<sup>56</sup> Lou Noueihed and Randall Mikkelsen, “Bin Laden, in New Video, Says U.S. Is Vulnerable,” *Reuters*, September 7, 2007, <http://www.reuters.com/article/idINIndia-29404420070908>.

<sup>57</sup> Indeed, the failure to bring bin Laden to justice, whether by capture or assassination, presented a stubborn recalcitrance in the face of arguments that the U.S. would emerge victorious in the War on Terror. When news of his death in 2011 reached the U.S., audiences across the nation erupted in an impromptu celebration as his dead body became “a venue for political legitimacy and patriotic sentiment in relation to a symbolic rebirth of the American polity.” Melissa Schrift, “Osama’s Body: Death of a Political Criminal and (Re)birth of a Nation,” *Mortality* 21, no. 3 (2016): 281.

while yours is getting worse.”<sup>58</sup> The tape suggested, yet again, that Scheuer might have been correct about the West losing ground in this devastating conflict.

In light of this development, reporters at the press conference initially focused their questions on the Bin Laden tape. The first to be called on asked, “Mr. Attorney General, how seriously should Americans take the threat from Osama bin Laden?” Such a shift away from the Operation Backfire indictment threatened to bury the Justice Department’s claims of victory under more bad news. The officials could have chosen to respond to these questions by overtly redirecting the press to the subject at hand. Instead, however, they wisely took advantage of this opportunity to enhance their depiction of ELF activists as villainous terrorists by equating them to the already notorious Al Qaeda. Gonzales responded to the first reporter’s question, “Well, Peter, we, of course, have been very concerned about the threat of terrorism generally since the attacks of 9/11.” This pivot to “terrorism *generally*” expanded the discussion from the Bin Laden tape specifically to the general, omnipresent anxiety of terror threat that had been plaguing Americans for years. He continued:

And obviously, we expect the American people to live their life as normally as possible, but those of us in government, particularly those of us in the law enforcement community, we clearly understand that we have a very real threat against the United States—United States interests here and abroad—and that we ought to be doing everything that we can do to protect America against that threat.

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<sup>58</sup> Hassan M. Fattah, “Bin Laden Re-Emerges, Warning U.S. While Offering ‘Truce,’” *The New York Times*, January 19, 2006, sec. International, [http://www.nytimes.com/2006/01/19/international/middleeast/19cnd-tape.html?\\_r=2&pagewanted=all&](http://www.nytimes.com/2006/01/19/international/middleeast/19cnd-tape.html?_r=2&pagewanted=all&).



The rhetorical work of this move can be understood in terms of Kenneth Burke's victimage ritual. As sociologist Michael Blain argued, the discourse of terrorism is "tactically polyvalent"—it can be utilized by a variety of hegemonic voices to attack any person or group accused of violating the liberal social order.<sup>59</sup> Blain posited that Burke's victimage ritual plays out in rhetorics of terrorism in two distinct steps: 1) constituting enemies as terrorists, and 2) constructing government authorities, such as police and federal investigators, as heroes.<sup>60</sup> This discourse is driven by the same moral polarization and Manichean dualism that define melodramatic narratives—the victimage ritual can be, in many ways, a melodramatic form. Indeed, Gonzales answered the reporter's question at the Operation Backfire press conference in these two steps. First, he expanded the focus of discussion to "the threat of terrorism generally," marshaling the War on Terror's logic of moral antithesis to put both Bin Laden and ELF under the same insidious umbrella. Second, Gonzales depicted his colleagues in law enforcement agencies as members of a heroic community with a special understanding of the situation. His assertion that "those of us in government, particularly in the law enforcement community, understand that we have a very real threat against the United States," suggested that he, Mueller, Truscott, and Fisher had an exceptional understanding of the situation and were taking the lead on protecting Americans from evil terrorists. These words reinforced their story's dramatic treatment of investigation as heroic action taken by the law enforcement community.

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<sup>59</sup> Michael Blain, *The Sociology of Terrorism: Studies in Power, Subjection, and Victimage Ritual* (Boca Raton, Florida: Universal-Publishers, 2009), 116.

<sup>60</sup> *Ibid.*, 118.

Officials' responses to questions about the Bin Laden tape centered Operation Backfire within the War on Terror's moral conflict between secular democracy and religious ideology.<sup>61</sup> Specifically, their rhetorics exerted a strategic commitment to what Max Weber called disenchantment. In his 1918 address, "Science as a Vocation," Weber argued that modern scientific and technological advances had led to "the disenchantment of the world."<sup>62</sup> Weber's disenchantment reflected the rise of secular rationality, science, and law in the West, along with a corollary decline in magic and mysticism as cultural forces.<sup>63</sup> In his analysis of homeland security discourses since 9/11, Barkun extended Weber's conceptualization to discourses of jihadist violence in the present-day War on Terror. In many of these rhetorics, a 'clash of civilizations' schema pitted the secular, rationalist, disenchanted West (specifically the U.S.) against the devout, mystical, enchanted East (specifically the Islamic world).<sup>64</sup> Extending this argument, anthropologist Arthur Saniotis argued that present-day terrorist attacks targeting sites of government and commerce in the U.S. can be understood as a form of violent re-enchantment—a last-ditch means to protect the magical and sacred in a world of aggressive secularization.<sup>65</sup>

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<sup>61</sup> For an extensive treatment of the anti-democratic dimensions of the U.S. War on Terror, see Ivie, *Democracy and America's War on Terror*.

<sup>62</sup> Max Weber, "Science as a Vocation," in *From Max Weber: Essays in Sociology*, ed. H. H. Gerth and C. Wright Mills (New York: Oxford University Press, 1946), 129–56.

<sup>63</sup> Richard Jenkins, "Disenchantment, Enchantment and Re-Enchantment: Max Weber at the Millennium," *Max Weber Studies* 1, no. 1 (2000): 12.

<sup>64</sup> Barkun, *Chasing Phantoms*, 13–18.

<sup>65</sup> Arthur Saniotis, "Re-Enchanting Terrorism: Jihadists as 'Liminal Beings,'" *Studies in Conflict and Terrorism* 28 (November 2005): 533–45.

Justice Department officials exploited an ideological similarity between revolutionary eco-activists and jihadi terrorists. Despite their many differences, these two groups share deep commitment to an enchanted worldview so extreme that it is illegible to outsiders. Consider Barkun’s description of al Qaeda: “Their world is enchanted, and explicitly so in its rejection of modernity.”<sup>66</sup> So, too, was the world of ELF, whose press office implored in a 2001 publication: “Particularly with the advent of the industrial revolution, the westernized way of life has been in complete violation of natural law,” with natural law defined as humans’ “dependence on clean air, water, and soil.”<sup>67</sup> ELF communiqués frequently referenced mythical figures like elves, and many were punctuated with references to natural mysticism, paganism, and other trappings of the eco-spirituality that Bron Taylor called “dark green religion.”<sup>68</sup> As such, the Justice Department’s performance of moral commitment to disenchantment—and its affiliated values of rationality, secularism, and the law—presented an interpretive heuristic by aligning the Operation Backfire defendants with the jihadist terrorists more recognizable to news consumers in the post-9/11 milieu.

Thus, government officials made the press conference into a demystification ritual. They exploited the latent ideological similarities between ELF and jihadist terrorists, constructing an account of Operation Backfire that put the law enforcement

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<sup>66</sup> Barkun, *Chasing Phantoms*, 17.

<sup>67</sup> “Frequently Asked Questions,” 6.

<sup>68</sup> In the fourth chapter of this book, Taylor treats the particular “bricolage” of nature spirituality that forms the basis of many radical environmental worldviews, including those of ELF-affiliated activists. Taylor, *Dark Green Religion: Nature Spirituality and the Planetary Future*.

community at the front lines in this clash of civilizations. Their characterizations of eco-revolutionary protest—“terrorism is terrorism, no matter what the motive”—explicitly rejected ELF’s imaginary where mythical creatures protect the sacred Earth. In the government’s story, the forces of reason and logic embodied by the law had prevailed over the natural mysticism that motivated the indicted saboteurs. Thus, officials prompted audiences to see this story as a direct refutation of the unsettling claim that the U.S. was losing the War on Terror. Analyzing the press conference as a demystification ritual illuminates how government officials used the indictment as a political salve, capitalizing on this kairotic moment of escalating terror anxiety.

The event’s official rhetors constructed a strategically conventional narrative wherein a heroic community of law enforcement officers worked together tenaciously to mitigate the threat of a sinister domestic terrorist network. By locating their account within the most compelling possible context—the seemingly perpetual War on Terror—officials made the story of a 65-page legal document into a satisfying saga while remaining within the rhetorical boundaries of their institution. In so doing, they made clear their attempt to bridge the gap between the constraints of this official rhetoric and the full symbolic drama of media spectacle. Mueller even invoked the language of drama to claim that he and his team “had a dramatic impact” on the fight against revolutionary environmentalism. Their strategic rhetorics in this short press conference set the stage for Operation Backfire’s popular mediation.

The strategic prowess of the Justice Department’s rhetors lay in their aptitude for taking advantage of the contemporary press’ televisual logic to achieve their symbolic goals. Without the cooperation of journalists, the press conference would have been

barely a blip on the public's radar screens. In the form of this melodramatic tale, reporters were given a compelling interpretive framework of transcendence through which the story of ELF could be told. The government's rhetoric of terror threat rejected myriad potential readings of the event—as a bureaucratic formality, as a procedural disciplining of ordinary criminals, or as a façade of success to veil the disastrous failure of the Bush Doctrine. Instead, the officials portrayed Operation Backfire as a heroic blow to a dangerous terrorist network in an era dominated by national security anxieties. They could predict that their remarks would be framed in terms of the War on Terror as megaspectacle, amplifying the rhetorical power of this account so as to sound the death knell for ELF in the public imaginary.

### **Winning the War: Operation Backfire as Media Spectacle**

The melodramatic story of Operation Backfire that Justice Department leaders offered at the press conference passed the tests of narrative probability and fidelity. Yet, the official rendition was not quite ready for primetime. This account was constrained by the limits of official government rhetorics, which prohibited the kind of overt sensationalism that made news stories like those of the indictment appealing to mass audiences. I argue that the news media perfected media spectacle of Operation Backfire, transforming the Justice Department's limited account of ELF into *the* definitive account in public discourse. Through the power of media spectacle, news producers picked up the narrative threads woven loosely throughout the officials' statements to transform this legal melodrama into a thrilling political victory. Their treatment of the indictment reified

dominant cultural values during a time of uncertainty surrounding questions of homeland security, secular democracy, and the future of American geopolitical power.

I embrace Douglas Kellner's definition of media spectacles: "phenomena of media culture that embody contemporary society's basic values, serve to initiate individuals into its way of life, and dramatize its controversies and struggles, as well as its modes of conflict resolution."<sup>69</sup> Kellner's formulation is designed to guide diagnostic critiques of media culture, making it especially relevant for my analysis of the news media's failure to serve as a government watchdog in the case of eco-revolutionary activists. Because media spectacles "naturalize and idealize the given social system," he called them urgent targets of critical interrogation.<sup>70</sup> His book *Media Spectacle* extended and updated Guy Debord's theory of spectacle for the contemporary media landscape, focusing on the technologies that make present-day spectacles possible (hence the specification of *media* spectacle), and on the sites of resistance against these new forms of spectacle.<sup>71</sup>

Justice Department officials constrained by formal limitations to their public rhetorics demonstrated prescience when they framed the Operation Backfire investigation

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<sup>69</sup> There are, of course, many strands of scholarly literature theorizing the spectacle in both historical and contemporary eras of mediation. Spectacle theory arguably began with Henri Lefebvre's *Critique de la Vie Quotidienne* and rippled throughout many trajectories of Marxist, Dadaist, and socialist philosophy, most notably that of Guy Debord and Situationist International. I engage Kellner's definition in this study because it attends most clearly to the process by which Operation Backfire unfolded as a media spectacle set against the backdrop of the global War on Terror. Douglas Kellner, *Media Spectacle* (London: Routledge, 2003), 2.

<sup>70</sup> *Ibid.*, 28.

<sup>71</sup> *Ibid.*, 10–11.

in terms of melodramatic form. News media coverage of the story amplified and dramatized this account, transforming it into the media spectacle of ELF's downfall. Situated strategically within the megaspectacle of the War on Terror, this version of the investigation was imbued in its mediation with an irresistible discursive force that lent finality and closure to the moral drama of ELF in the public sphere. In my analysis of these rhetorics, I encountered a stark difference in style and tone between the federal government's restrained official account of these events and the media spectacle that played out in news coverage. The latter exhibited the animated moral drama, emotional resonance, and intriguing details that compelled viewers to keep watching. Thus, I suggest that these sensationalistic news stories about Operation Backfire exploited the full discursive force of melodramatic style that was sketched initially by government officials at the press conference.

### **Sensationalistic News Reporting on Operation Backfire as Melodramatic Style**

Journalistic treatments of the Operation Backfire indictment derived their rhetorical force in part from their use of sensationalist language. By "sensationalist," I refer to a quality of news coverage that is more concerned with what is interesting and popular among audiences than what experts might deem to be most important on the public agenda. Political scandal, violent crime, and personal drama are sensational. To contrast, business, polycraft, and routine governance tend not to be. This characteristic has been derided by critics, often using pejorative terms like "tabloid journalism."<sup>72</sup>

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<sup>72</sup> Although tabloid journalism is the paragon of sensationalist news media, we must be careful not to dismiss this mode of reporting outright. Despite millennia of consternation,

Sensationalistic news coverage utilizes exaggeration, extremism, and dramatic language to make its subjects more compelling, and its content more accessible, to mainstream news audiences. It is marked by blatant appeals to readers' emotions, and particularly the twin feelings of hope and fear.<sup>73</sup> Given its penchant for excess and pathos, we might do well to understand sensational news reporting as something akin to journalistic melodrama.<sup>74</sup> Perhaps most important, sensationalistic narratives promise to assuage public anxieties—like those surrounding the War on Terror—by reflecting and demystifying the audience's experience within predictable and safe discursive frameworks.<sup>75</sup>

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emotional appeals are not inimical to rational thinking. To the contrary, sensationalism can actually close the knowledge gap on important issues between higher and lower education groups by personalizing the news and thereby making viewers more eager to become informed. Ozen Bas and Maria Elizabeth Grabe, "Emotion-Provoking Personalization of News: Informing Citizens and Closing the Knowledge Gap?," *Communication Research* 42, no. 2 (2013): 159–85.

<sup>73</sup> Robin L. Nabi and Abby Prestin, "Unrealistic Hope and Unnecessary Fear: Exploring How Sensationalistic News Stories Influence Health Behavior Motivation," *Health Communication* 31, no. 9 (2016): 1115–26.

<sup>74</sup> Indeed, Singer identified sensationalism as a key characteristic of melodrama in his treatment of melodramatic form in cinema. Singer, *Melodrama and Modernity: Early Sensational Cinema and Its Contexts*, 49.

<sup>75</sup> Sensationalistic texts have for decades served to help audiences make sense of their changing worlds, especially when it comes to grappling with the vagaries of modernity. Siegfried Kracauer wrote in the 1920s of Berlin's grandiose cinemas, or "picture palaces," as spaces wherein a "cult of distraction" was formulated and practiced. He suggested that going to the cinema was an experience of distraction for these audiences in that the films and the spaces in which they were screened reflected "the disastrous and chaotic state of the world," but attempted to "glue the pieces [of reality] back together after the fact and present them as organic creations." So, too, does the news media's fragmented and sensationalist reporting allow mass audiences in the contemporary era to make sense of social and political disintegration in the era of globalization by crafting a textual mosaic that allows viewers to process their experiences of the broken world without sinking into despair. Siegfried Kracauer, "Cult of Distraction: On Berlin's



Sensationalistic rhetorics in this media spectacle transformed Operation Backfire's tedious legal announcement into an enticing production set in the hyperreal post-9/11 landscape that played well to primetime audiences. Several reports mined the 65-count indictment carefully for its most salacious and emotionally compelling details, elevating these dimensions of the story to create a melodrama of nearly cinematic proportions. Media spectacles work by placing current events into frameworks that promote dominant social values, heightening their relevance and entertainment appeal for popular audiences.<sup>76</sup> Nothing in the media's treatment of Operation Backfire illustrated this strategy more clearly than journalists' heavy reliance on the idea that the indicted ELF activists referred to their cell as "The Family."

This morsel of information was front-and-center in many stories from newspapers and TV news stations across the country. The reports opened with lines like this one from the *Christian Science Monitor*'s Brad Knickerbocker: "The group called itself 'The Family.' After meticulously casing a horsemeat packing plant in Redmond, Ore., they made a firebomb using soap and petroleum products (a napalm-like substance known as 'vegan Jell-O') and a time-delayed incendiary device called a 'Cat's Cradle.'"<sup>77</sup> Knickerbocker's article used the "Family" moniker to invoke the storied antagonism between the FBI and family-based criminal enterprises like the New York Mafia.

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Picture Palaces," in *The Mass Ornament: Weimar Essays*, trans. Thomas Y. Levin (Cambridge, MA: Harvard University Press, 1995), 327–28.

<sup>76</sup> Kellner, *Media Spectacle*.

<sup>77</sup> Brad Knickerbocker, "Backstory: Evo-Vigilantes: All in 'The Family'?" *The Christian Science Monitor*, January 30, 2006, <http://www.csmonitor.com/2006/0130/p20s01-sten.html>.

Encapsulated in this colorful detail was an immense cultural library of references to thrilling cat-and-mouse games between dangerously violent families and the dedicated law enforcement officers who try to stop them from wreaking havoc on innocent victims. Media accounts seized on this sensationalistic plot point as symbolic shorthand, framing the clandestine activist cell in the more familiar and piquant terms of organized crime.

The disparity between government officials' passive reference to the "Family" factoid and the news media's centering of entire stories on this one detail shows how journalistic coverage worked to transform Operation Backfire into a gripping crime drama. Gonzales referenced this detail only briefly in the press conference, explaining, "the indictment alleges that a group of defendants, who referred to themselves as 'The Family,' worked together with extensive planning..." The text of the indictment also treated this element as an insignificant detail, noting as just one point among 22 in a section titled, "Manner and Means of the Conspiracy" that *some* of the defendants used the "Family" moniker.<sup>78</sup> This particular piece of minutia held little practical importance to investigators, but it embodied immense cultural power for reporters because it bridged readers' knowledge gap between the recondite ELF and the omnipresent mafia family. No matter to most journalists that this intriguing nugget may well have been fabricated for the exact rhetorical purposes described here. Will Potter noted that, according to one of the defendants who did not cooperate with the FBI, "There was no Family. Some of the defendants did not even know each other."<sup>79</sup> The *Toronto Star* corroborated Potter's

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<sup>78</sup> Karin J. Immergut, *U.S. v. Dabee*, No. 06-60011-AA (United States District Court for the District of Oregon 2006).

<sup>79</sup> Potter, *Green Is the New Red*, 81.

finding: “Romantic relationships played a key role in the cell’s bonding and recruitment. But [indicted activist Kevin] Tubbs rejects the cell name ‘The Family,’ used by prosecutors, journalists and academic researchers. ‘I have never heard the name “The Family” in reference to our group until long after my arrest,’ he wrote in an email exchange.”<sup>80</sup>

The lively prose of sensationalistic Operation Backfire reporting intensified the heroism of the story’s protagonists in law enforcement. When San Francisco affiliate KGO’s Cheryl Jennings introduced the story shortly after the press conference, for example, she said: “The federal government has just announced a *major takedown* of a number of eco-terrorists in the Northwest.”<sup>81</sup> “Takedown” is a colloquial term that the Oxford English Dictionary defines as “humiliating or humbling someone... *esp.* an act of humiliating someone or something by means of mockery or criticism; a devastating critique.”<sup>82</sup> This opening line made Jennings’ report reminiscent of color commentary from a sports journalist, announcing the play-by-play between rival teams DOJ and ELF. Jennings’ use of “takedown” articulated the finality of Operation Backfire in familiar terms that originated in the popular world of competitive sports. It suggested that the

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<sup>80</sup> Sandro Contenta, “The Rise and Fall of ‘Eco-Terrorist’ Rebecca Rubin,” *The Star*, February 2, 2014, sec. News, [http://www.thestar.com/news/insight/2014/02/02/the\\_rise\\_and\\_fall\\_of\\_ecoterrorist\\_rebecca\\_rubin.html](http://www.thestar.com/news/insight/2014/02/02/the_rise_and_fall_of_ecoterrorist_rebecca_rubin.html).

<sup>81</sup> *Ibid.*, emphasis mine.

<sup>82</sup> Emphasis in original. The term is utilized mainly in the U.S. At some point in the 20th Century, the common usage appears to have collapsed the term from “take down” into the one-word “takedown.” “take-down, n. and adj.,” *Oxford English Dictionary Online* (Oxford University Press, 2008), <http://www.oed.com.proxy-um.researchport.umd.edu/view/Entry/230192?rskey=XhVOvM&result=1&isAdvanced=true#eid14317774>.

government's action was an insurmountable challenge for the activists, and harkened viewers to root for their team: the federal government. One dictionary notes that "takedown" is a term of art in wrestling, defined as "a move or series of maneuvers that succeeds in bringing a standing opponent down onto the mat."<sup>83</sup> Through such popular word choice, Jennings crafted a sensationalistic account of the indictment that decidedly declared the contest over. The formerly upright ELF, in her telling, was powerfully dispatched by the Justice Department's deft legal—and rhetorical—maneuvers. This rhetoric of rivalry amplified the government's account of the investigation as a thrilling, Manichean cat-and-mouse game, and sensationalized the story by putting it in terms of a popular athletic competition. In qualifying this takedown as "major," Jennings lifted the indictment up to a greater level of political importance. Her use of this powerful language affirmed the government's depiction of Operation Backfire as a win in the War on Terror, interpreting the scope and impact of the investigation in keeping with the extreme discourse of sensationalist journalism. She cued audiences to view this "major takedown" as a central plot point not only in the story of ELF, but in the broader drama of counterterrorism.

Reporters like Knickerbocker sensationalized the indictment with vivid word choice and thrilling prose, eliding the story's mundane procedural details to craft a narrative that could dominate public attention because it was accessible and exciting. Shaw and Slater argued that sensationalism in news reporting is just as much about style as it is about substance, and this was certainly the case when it came to journalistic

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<sup>83</sup> "Takedown," *Dictionary.com Unabridged*, n.d., <http://www.dictionary.com/browse/takedown>.

accounts of Operation Backfire.<sup>84</sup> These stories utilized an approachably brief, dramatic, and suspenseful linguistic style that would be wildly inappropriate if used by government officials. The resulting discourses made the government's story sound, in the words of Potter, "like a spy novel or a gritty true-crime drama."<sup>85</sup> Knickerbocker's article, which illustrated most clearly the rhetorical texture of these sensationalistic reports, continued:

Arriving at the staging area after dark, they dressed in dark clothing, masks, and gloves, and checked their walkie-talkies and police radio scanner. Quietly, they crept through the sagebrush toward the target. They drilled holes through the wall so the fuel would pour into the building. Then, they set the firebomb against the wall and retreated to the staging area. There, they dumped their dark clothes and shoes into a hole and poured in acid to destroy DNA and other evidence. By the time the packing plant, Cavel West, Inc., was engulfed in flames, "The Family" had vanished into the night.<sup>86</sup>

Knickerbocker lifted specific details from the indictment up to the forefront of his narrative to set a dramatic scene that read less like a news report and more like a Tom Clancy novel. The rich imagery—the masks and dark clothing, the *Breaking Bad*-like use of noxious chemicals to dissolve evidence, the quiet approach and final vanishing act—painted a vivid picture that could connect with readers at a deeper affective level than even the most detailed statement from an Attorney General. Such cinematic prose evinced the rhetorical power of hyperreality, wherein real-world events unfold "just like a movie," to captivate audiences.

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<sup>84</sup> Donald L. Shaw and John W. Slater, "In the Eye of the Beholder? Sensationalism in American Press News, 1820-1860," *Journalism History* 12, no. 3-4 (1985): 86-91.

<sup>85</sup> Potter, *Green Is the New Red*, 80.

<sup>86</sup> Knickerbocker, "Backstory: Eco-Vigilantes: All in 'The Family'?"

Just as they magnified the victory of law enforcement, sensationalistic news reports intensified the threat of eco-terrorist violence, exaggerating the danger that officials insisted ELF posed to citizens. Journalists assuredly familiar with the adage, “If it bleeds, it leads” treated ELF as violent and unrepentant, embracing the government’s melodramatic plot and amplifying references to the chilling violence that drives page views. Local news broadcasts described the protest actions as, “a well-coordinated series of violent attacks,”<sup>87</sup> “numerous violent acts,”<sup>88</sup> and “a story of violence, destruction, and intimidation.”<sup>89</sup> As I discussed at length in Chapter Three, violence is a profoundly complex concept that the state often marshals in order to suppress dissent and criminalize arguably nonviolent protest actions. Yet, the common connotation of violence involves an individual needlessly inflicting harm upon another individual. Thus, the focus on violence in these news stories flattened the moral complexities of ELF into a one-dimensional caricature of a band of aggressive foes. It also invoked the familiar sensationalism of stories about thrilling violence.<sup>90</sup> Such provocative accounts of violence intensified the official account of ELF beyond what would have been appropriate from Justice Department officials. These rhetorics of violence achieved the moral function of media spectacle by reinforcing social values—namely, the hegemonic privileging of

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<sup>87</sup> *5 O’Clock News* (Oakland, CA: Channel 2 KTVU, January 20, 2006).

<sup>88</sup> *6 O’Clock News* (San Jose, CA: KNTV, January 20, 2006).

<sup>89</sup> January 20, 2006.

<sup>90</sup> Sensationalistic depictions of violence undergird some of the most conventional melodramatic narratives, which often enact the genre’s tropes of murder, torture, and unnatural death. Singer, *Melodrama and Modernity: Early Sensational Cinema and Its Contexts*, 48–49.

civility and “nonviolent protest.” Although audiences rely on news reporters to find and convey the truth, media spectacles can compromise this goal by representing ideology as fact.

### **Authorizing the Federal Government’s Story of ELF**

Journalists, in their capacity as disseminators of important information, were tasked with informing the public of the Operation Backfire indictment. The extent to which the story circulated in the mainstream news media demonstrated conclusively that they achieved this objective. Yet, journalists were arguably also responsible for interrogating the government’s version of events.<sup>91</sup> I turn my attention now to the news media’s prompt authorization and amplification of the story Justice Department officials told, which ultimately led to a dramatic and premature conclusion to the labyrinthine story of ELF when it was transformed into the authoritative account in news media rhetorics.

Consider the following early references to the “fourth estate,” an unofficial branch of government that influences, and is influenced by, its formally recognized institutions:

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<sup>91</sup> Of course, there is no universally accepted, objective standard for determining the responsibility of journalists. However, in most western nations including the U.S., the dominant mode of professional engagement among journalists is what Thomas Hanitzsch termed the “detached watchdog.” This professional milieu is defined by the belief that journalists are tasked with “providing the audience with political information,” and articulating “s[k]eptical and critical attitude[s] toward the government and business elites.” Thus, in the context of the contemporary U.S., I do think it’s fair to say that many journalists are obligated culturally and professionally to act as watchdogs. Thomas Hanitzsch, “Populist Disseminators, Detached Watchdogs, Critical Change Agents and Opportunist Facilitators: Professional Milieus, the Journalistic Field and Autonomy in 18 Countries,” *The International Communication Gazette* 73, no. 6 (2011): 485.

“[Edmund] Burke said there were Three Estates in Parliament; but, in the Reporters’ Gallery yonder, there sat a Fourth Estate more important [by] far than they all.”

– Thomas Carlyle<sup>92</sup>

“None of our political writers... take notice of any more than three estates, namely, Kings, Lords, and Commons, all entirely passing by in silence that very large and powerful body which form the fourth estate in this community... *The Mob*.”

– Henry Fielding<sup>93</sup>

In the U.S., the term “fourth estate” has come to refer most commonly to the news media, as reflected in Thomas Carlyle’s account of Edmund Burke’s words in 1787. However, as indicated by Henry Fielding’s argument, several other bodies of influence have historically been identified as a fourth estate of civil society. Fielding’s fourth estate was the proletariat, while Burke’s was the press. Despite being centuries old, these two ways of conceptualizing unofficial political influence reflect a fundamental tension in the news media’s relationship with the government in the era of global terror anxiety. The press has the power to act as the fourth estate, holding the government accountable and shining the light of publicity into its dark corners. However, enlightening the public tends to

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<sup>92</sup> Thomas Carlyle, “Lecture V: The Hero as Man of Letters: Johnson, Rousseau, Burns,” in *On Heroes, Hero-Worship, & the Heroic in History* (London: James Fraser, 1840), 392. Though Carlyle’s reference to Edmund Burke coining the phrase has been embraced widely, including by notable literary figures such as Oscar Wilde, OED notes that it has never been confirmed. “Estate, N.,” *Oxford English Dictionary Online* (Oxford University Press, 2008), <http://www.oed.com.proxy-um.researchport.umd.edu/view/Entry/64556#eid5267370>.

<sup>93</sup> Henry Fielding, *The Works of Henry Fielding, Esq.*, ed. James P. Browne, vol. 5 (London: Bickers and Son, 1903), 83, emphasis in original.



spark flames of dissent, the most powerful of which could threaten crucial national security objectives. Journalists must constantly decide whether and when to trouble the government's accounts of events—to serve as “watchdog or lapdog” to the institutions charged with keeping citizens safe and free—and the post-9/11 years have been no exception.<sup>94</sup>

In the case of Operation Backfire, most major journalistic outlets enacted a position more lapdog than watchdog. They augmented the government's version of events with little to no consideration of competing accounts, reifying and amplifying the depiction of a heroic law enforcement community achieving a dramatic victory over a villainous terrorist network. By actively embracing this account, these outlets authorized the federal government's story as the authoritative interpretation of ELF.

The news media's empowerment of the federal government's story played out in two key moves. News coverage isolated the official narrative, silencing counternarratives that were thus relegated to alternative press outlets. As well, stories in the mainstream news media tended to draw external support only from sources that corroborated the story Gonzales and his colleagues laid out. Through these largely uncritical performances of isolation and source confirmation, major news sources gave their proverbial seals of

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<sup>94</sup> As Nicola McGarrity wrote, “The media plays a particularly important role in holding government agencies to account for their application of... counter-terrorism laws. It forces agencies to explain their actions, and thereby enables an intelligent and cool-headed assessment of whether these are proportionate to the threat of terrorism.” Though McGarrity's inquiry focused specifically on the role of the news media in covering counter-terrorism efforts in Australia, the imperative for the press to serve a watchdog function was and continues to be a topic of fierce debate in the U.S. milieu. Nicola McGarrity, “Fourth Estate or Government Lapdog? The Role of the Australian Media in the Counter-Terrorism Context,” *Continuum: Journal of Media & Cultural Studies* 25, no. 2 (2011): 274.

approval to the federal government's rendition of Operation Backfire and its players. Their choice to adopt and intensify the government's familiar melodrama of terror threat eclipsed stories that might have otherwise emerged to challenge or add nuance to the hegemonic interpretation. This closed audiences off from the generative possibilities of controversy and deliberation, sealing ELF's fate in the public sphere.<sup>95</sup>

With few exceptions, journalists declined the opportunity to give their proverbial megaphones to the activists, politicians, watchdog groups, and everyday citizens who challenged the Justice Department's depiction of ELF and the indicted saboteurs. Laws like the Patriot Act granted unprecedented powers to the federal government, which many argued made it "imperative that the media scrutinizes both the laws themselves and [their] application" in investigating alleged terrorists.<sup>96</sup> However, news coverage of the Operation Backfire indictment failed to engage such scrutiny. Case in point: just a few hours after the January 20 press conference, millions of Americans tuned in to the *CBS Evening News*. The program amplified the story Gonzales and his colleagues told, framing the activists as terrorists and subtly chalking the indictment up as a win for the federal government's heroic crime-fighting efforts. Anchor Bob Schieffer reported:

There was yet another move by the government today against crimes known as eco-terrorism. A federal grand jury in Oregon indicted 11 people for allegedly setting fires and destroying property in a series of violent incidents across western states that date back to 1996. The Justice Department says the crimes were

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<sup>95</sup> See G. Thomas Goodnight's landmark treatise on the possibilities of controversy and oppositional argument as the engines of democratic practice. G. Thomas Goodnight, "Controversy," in *Argument in Controversy: Proceedings of the Seventh SCA/AFA Conference on Argumentation*, ed. Donn W. Parson (Annandale, VA: Speech Communication Association, 1991), 1–13.

<sup>96</sup> McGarrity, "Fourth Estate or Government Lapdog?," 274.

committed in the name of organizations such as the Animal Liberation Front and the Earth Liberation Front.<sup>97</sup>

Throughout Schieffer's brief report, precise discursive choices reflected his exclusive embrace of the federal government's interpretation of ELF and Operation Backfire. His use of the phrase "crimes known as eco-terrorism" eschewed the language of "eco-tage" and "radical environmentalism" that the mainstream press had traditionally used, which were more reflective of the complexities inherent in ELF's philosophy of direct action.<sup>98</sup> Instead, Schieffer deployed the government's term "eco-terrorism" as definitive.

In the final sentence of his report, Schieffer nodded to the fact that he was presenting just one account of the indicted activists and their crimes, as shown in his use of the phrase, "The Justice Department says..." This framing appeared auspicious, hinting at the polyvalent nature of the news. Schieffer's phrasing sounded if a competing account were set to follow, in a "he said, she said" format.<sup>99</sup> Unfortunately, no competing interpretation followed, further impressing upon audiences the government's power of normativity. Compare Schieffer's report with how National Public Radio's Ari Shapiro treated the story on *All Things Considered*. He announced news of the indictment, including audio clips of Gonzales and Mueller at the press conference. Shapiro then directed his audience to the other side of the story: "But according to the government and

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<sup>97</sup> *CBS Evening News* (CBS, January 20, 2006).

<sup>98</sup> Travis Wagner, "Reframing Ecotage as Ecoterrorism: News and the Discourse of Fear," *Environmental Communication* 2, no. 1 (March 2008): 25–39.

<sup>99</sup> For example, compare Schieffer's wording with this segue into a story about the indictment on CNN's *The Situation Room*: "They say they're friends of the earth. The government says they're eco-terrorists." "New Mining Crisis in West Virginia," *The Situation Room* (CNN, January 20, 2006).

independent monitoring groups, eco-terrorist groups have never actually killed anyone.”<sup>100</sup> Next, Shapiro gave the mic to the Southern Poverty Law Center’s Mark Potok, who criticized the government’s treatment of eco-activists as the top domestic terror threat. This depiction of a dissenting perspective challenged the ostensible conclusiveness of the government’s story. However, such multifaceted treatments were few and far between in the mainstream news media.

In most cases, the story federal officials told was the only story that made it to airwaves and front pages. This isolation of the government’s version of events flew in the face of the journalistic axiom that there are “two sides to every story.” Sociologist Gaye Tuchman identified such presentation of conflicting possibilities as one of the key ways journalists can fulfill the strategic ritual of objectivity.<sup>101</sup> Although the media spectacle of Operation Backfire largely neglected this imperative, reports on the indictment often embraced another main objectivity procedure: the reliance on supporting evidence from sources.<sup>102</sup> However, in so doing, news writers enacted a second key move in authorizing the government’s story of ELF: the selective inclusion of only corroborating sources.

By quoting only sources that confirmed and celebrated the government’s account, many news reports on Operation Backfire created the appearance of a thorough

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<sup>100</sup> “Eleven People Charged with Domestic Terrorism,” *All Things Considered* (National Public Radio, January 20, 2006).

<sup>101</sup> Tuchman identified objectivity as strategic in that it is utilized as a defense mechanism among journalists seeking to deflect criticism. Gaye Tuchman, “Objectivity as Strategic Ritual: An Examination of Newsmen’s Notions of Objectivity,” *American Journal of Sociology* 77, no. 4 (1972): 665–67.

<sup>102</sup> *Ibid.*, 667–68.

explanation without challenging or problematizing the official version of events. Even when these accounts offered relatively in-depth stories that incorporated voices from outside the federal government, they tended to include only those perspectives that praised and upheld the interpretive framework that had been presented at the press conference. A 1,200-word piece published in the *Register-Guard* of Eugene, Oregon, on the Monday following the press conference illustrated the extent to which reporters authorized the government's account of Operation Backfire. It began, "Federal investigators issued a 65-count indictment against 11 suspects Friday, painting a broad portrait of a cell of radical activists who conspired to commit arson and acts of sabotage totaling more than \$20 million in five states over a five-year period."<sup>103</sup> In this opening sentence, authors Bill Bishop and David Steves used the metaphor of portraiture to acknowledge the subjective, interpretive nature of the government's report. Yet, in the detailed story that followed, no other "portraits" were so much as mentioned. The three official sources cited had not spoken at the previous Friday's press conference, but they were all heavily involved in the case: Karin Immergut, U.S. Attorney for the District of Oregon (and the indictment's official author), the Eugene Police Department's Captain Chuck Tilby (who led Eugene's local investigative work on the case), and Assistant U.S. Attorney Steven Peifer (who would go on to prosecute several of the defendants). The *Register-Guard* article illustrated the extent to which journalistic outlets avoided troubling the government's version of Operation Backfire, magnifying instead the

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<sup>103</sup> Bill Bishop and David Steves, "Documents Detail Eco-Sabotage Case," *The Register-Guard*, January 23, 2006.

appearance of a singular narrative in which the heroic law enforcement community finally triumphed over a shadowy terrorist network.<sup>104</sup>

### **Purging Moral Toxins from the Body Politic: Resolution through Catharsis**

News rhetorics transformed Operation Backfire into a compelling and timely media spectacle that punctuated a period of ubiquitous national anxiety, however briefly, with the hopeful promise of justice. I posit that, as the climactic moment in the saga of ELF's public interpretation, news of the indictment offered viewers a cathartic release of the disquieting tension that had been building throughout years of the Bush Administration's War on Terror. No competing interpretive paradigm—no other story—had the power to alleviate this national distress. Interpretations from the activist community pointed not just to the government's failure to protect its citizens, as critics like Scheuer had done; these stories also shed light on the Justice Department's sacrificial exploitation of eco-activists in a symbolic victimage ritual, a conclusion that was too painful to accept and too unpatriotic to air. Above all else, the utility of this catharsis for

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<sup>104</sup> It bears mention that, if any mainstream news source were to lend its microphone to the voices of the movement, it would probably have been the *Register-Guard*. This local newspaper had a readership much more immersed in contemporary countercultural discourses than most, since Eugene is a heavily liberal college town and a contemporary center of radical environmental thought. Eugene has been well known as a hotbed of environmental organizing for decades, and was home to many of the indicted ELF activists. However, much reporting from the *Register-Guard* article omitted reference to such sentiments. Instead, it praised “the dogged persistence of coordinated law enforcement agencies” and characterized the indictment as “a tale of destruction,” amplifying and elevating the moral valences that Gonzales and his colleagues offered at the press conference. *Ibid.*

audiences ensured that the government's account of ELF became definitive in mainstream culture.

Aristotle theorized catharsis as a medicinal metaphor within the context of poetry, treating it as a cleansing purgation of “tensions that upset the equilibrium.”<sup>105</sup> Catharsis was formulated as a kind of emotional laxative, or a “curative cleansing” that brings bodily relief through the expulsion of toxic affective conditions.<sup>106</sup> Yet it was Kenneth Burke who expanded our understanding of catharsis from the realm of poetry to the broad scene of symbolic interaction that he affectionately called the “human barnyard.” It is Burke's comprehensive theory of catharsis that guides my argument in this section.

Burke's conceptualization of catharsis as a restorative purgation of the body politic helps locate the slippery power of Operation Backfire as a media spectacle. The event was cathartic for viewers in whom the sickening tension of the War on Terror had been brewing for years, fed by daily news broadcasts and bellicose rhetoric from leaders like President Bush. The activists' indictment offered a victory for these audiences' shared values, and a reassurance that all might again be right with the world. On a societal level, the spectacle of Operation Backfire was a purgative performance of Burke's victimage ritual. The indicted activists were scapegoats in this story, serving as human manifestations of reactions to the War on Terror that might have threatened the

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<sup>105</sup> Richard H. Thames, “Nature's Physician: The Metabiology of Kenneth Burke,” in *Kenneth Burke and the 21st Century*, ed. Bernard L. Brock (Albany, NY: State University of New York Press, 1999), 32 endnote 28.

<sup>106</sup> Star A. Muir, “Toward an Ecology of Language,” in *Kenneth Burke and the 21st Century*, ed. Bernard L. Brock (Albany, NY: State University of New York Press, 1999), 56.

social order. These rogue elves had been fighting a litany of our society's dominant values and modes of public engagement. By all mainstream accounts, the saboteurs had been working to undermine capitalism, the rule of law, family businesses, loggers, farmers, homebuilders, first responders—in a word, progress.

Audiences attuned to the government's treatment of ELF and ALF observed the escalation of this conflict and, as *Homo narrans*, were enculturated to expect a climactic resolution in which one party emerged victorious. Leland Griffin wrote that the “symbolic rejection of the existing order is a purgative act of transformation and transcendence,” hinting at the transformative potential of social movements to upend our known social structures through cathartic purgation.<sup>107</sup> In light of Griffin's observation, the rising tension between the government and eco-revolutionary activists needed to result in one of two possible outcomes: either the activists would be successful in transforming the social order by purging our culture of environmentally disastrous systems and ideologies, or they would be defeated and exiled by agents of those systems and ideologies. In either case, cathartic purgation would restore order and equilibrium. Gonzales' announcement that the activists had been identified, charged, and (in most cases) apprehended meant that these dangerous outliers and the political conflicts they represented had finally been purged from the body politic. Good people of the world could rejoice, for the aggravating toxin had finally been expelled.

The saga of Operation Backfire played out in three acts. First, rhetors from the Justice Department announced the outcome of the investigation, navigating the legal

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<sup>107</sup> Leland M. Griffin, “A Dramatistic Theory of the Rhetoric of Movements,” in *Critical Responses to Kenneth Burke*, ed. William H. Rueckert (Minneapolis: University of Minnesota Press, 1969), 465.



system's constraints by spinning a melodramatic tale out of the indictment's litany of banal facts. Next, the news media became the rhetor, enthymatically extending the government's narrative with sensationalist language and authorizing federal officials' version of the tale. In the third act, however, it was none other than these audiences who became the rhetors. Traumatized, anxious, and desperate for a return to safety and equilibrium, these viewers sought cathartic release. The spectacle of Operation Backfire filled the void in their experience, transforming a ragtag group of activist vandals into terrorists in a melodrama where the U.S. finally came out on top. If we embrace Michael Calvin McGee's fragmentation thesis and view rhetoric as an "arrangement that includes all facts, texts, and stylized expressions deemed useful in explaining its influence," the total lack of incentive to challenge the media spectacle of Operation Backfire becomes clear.<sup>108</sup> Audiences evaluate rhetoric in terms of its usefulness in their lives, and this spectacle delivered on its promise of catharsis. Operation Backfire was viscerally, affectively, and ideologically useful in a time when it was needed most. This cathartic power carried the government's account to total dominance in the media landscape. It sealed the fate of ELF not only in this discrete controversy, but also in the broader fight to interpret this voice's enigmatic identity and protest practices through its synecdochal placement within the War on Terror.

The symbolic drama of Operation Backfire—a media spectacle sketched in official discourses and perfected in mainstream news coverage—finally sealed the government's account of ELF in the national imaginary. The government's interpretive paradigm had been gaining dominance in fits and starts for years, but had not yet

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<sup>108</sup> McGee, "Text, Context, and the Fragmentation of Contemporary Culture," 279.

unfolded as such a gripping morality tale. Like other legal dramas that captivated audiences as media spectacles (for example, the O. J. Simpson trial) the story of Operation Backfire was really a story about something else entirely. It was a tale of normative cultural values being challenged and affirmed. It played out in the mainstream news as a morality tale that was not just gripping, but in fact quite comforting. This story offered relief to audiences who believed their way of life was constantly under attack from strange terrorists seeking to re-enchant American society through senseless violence.

Mediations of Operation Backfire offered viewers a sense of closure, figuring the indictment as an act of coming full circle after years of anxiety. Note the way that Denver NBC affiliate Channel 9 KUSA painted the event as a satisfying epilogue to the story of the 1998 arsons at Vail. On the day of the press conference, anchor Carrie McClure announced the story briefly before turning to field reporter Matt Renoux, who broadcast a special report from the snowy streets of Vail. Renoux summarized the role of the Vail fires in the indictment, then said, “We did also hear from Vail Resorts Chief Executive Officer Adam Aron, who issued a written statement that [he] would like to thank and congratulate the many law enforcement bodies who worked so hard over such a long period of time to find the individuals who are allegedly responsible.”<sup>109</sup> Viewing Aron as a victim who finally got to see his attacker brought to justice—a familiar trope in reporting about crime and crime victims—gave the story a sense of integrity, closure, and finality. It assured viewers that good had prevailed over evil, and that upstanding business owners would no longer be targeted in their own communities.

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<sup>109</sup> *4 O’Clock News* (Denver, CO: 9 News KUSA, January 20, 2006).

Empirically speaking, almost no Coloradan watching KUSA had reason to believe ELF would target them. Yet, this detail was of no matter. Viewers had been interpellated symbolically by the drama playing out on their screens. The War on Terror blanketed the media landscape with an “unrelenting discourse of vilification and victimization,” perpetuating an anxious sense of threat that seemed like it would never end.<sup>110</sup> Despite government rhetors’ insistence that the U.S. was ordained to win this conflict, mounting evidence suggested the impossible—that we were losing, and badly. Enticing narratives like that of Adam Aron seeing his antagonists brought to justice had an irresistible dénouement for news viewers: the promise of a return to normalcy after years of strife.

### **Eclipsing Alternative Accounts**

The story of ELF did not have to end like this. The news media had a myriad of options when considering how to present Operation Backfire to audiences. Of the approximately 250 news reports that I analyzed, a great majority enacted a sensationalized account of Operation Backfire that authorized, amplified, and dramatized the government’s official interpretive framework. Yet a handful of reporters resisted. Their stories enacted the ongoing imperative for journalists to act as watchdogs and embody their role as the storied fourth estate, to present the public with alternative interpretations from which to select. Even when age-of-terror anxieties threatened to retaliate with poor readership or accusations of terrorist sympathizing, these voices at the

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<sup>110</sup> Ivie, *Democracy and America’s War on Terror*, 151.

margins of deliberation about ELF and eco-terror embraced the travails of truth over the comfort of catharsis. However, their counternarratives fell flat. The cathartic power of Operation Backfire as media spectacle prevented alternative treatments of ELF from flourishing.

Yet, some reporters were careful not to empower the government's account exclusively. These pieces tempered the heroic depiction of a collaborative law enforcement community protecting citizens from domestic terrorists that was proffered by the Justice Department and most mainstream media sources. In one such article, reporter Blaine Harden quoted criminology professor Gary Perlstein, who expressed a skeptical view of this account: "Our law enforcement has a lousy record of catching these people... unfortunately, I think the message you can take away from these indictments is that you can get away with these kind[s] of crimes for a long time."<sup>111</sup> By featuring Perlstein's perspective, Harden contradicted the glowing narrative of triumph over terroristic evil that formed the bedrock of the government's interpretive framework. Instead, the report depicted investigators as inefficient at best, and ineffective at worst. One could not help but hear shades of the bin Laden saga in Perlstein's words about terrorists getting away with terroristic crimes for "a long time."<sup>112</sup> Coverage like Harden's invites us to consider what might have happened if other critical and skeptical

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<sup>111</sup> Blaine Harden, "11 Indicted in 'Eco-Terrorism' Case," *The Washington Post*, January 21, 2006, Final edition, sec. A.

<sup>112</sup> Roughly seven years had elapsed between the major protest actions featured in the indictment and its announcement at the press conference. Somewhat similarly, it had been more than four years since the September 11 attacks when bin Laden released his January 19 tape. In the end, it would take much longer to bring about bin Laden's demise—he was killed by Navy SEALs in Abbottabad, Pakistan, on May 2, 2011, nearly a decade after 9/11.

views—like those of Will Potter or even the government’s own OIG report—had been allowed to mature in mainstream news coverage of the indictment.

It should be noted that Harden’s story humanized the indicted activists in a way that I did not observe in almost any other coverage.<sup>113</sup> Harden wrote, “Among those arrested in connection with the 17 attacks are college students from Virginia and Arizona, a firefighter from Oregon, and a woman who works in a group home for the developmentally disabled.”<sup>114</sup> Rarely would readers suspect social workers, firefighters, and college students of domestic terror crimes.<sup>115</sup> Harden’s description had the powerful effect of imagining the indicted as contributing members of society, focused on education and service to those in need. Such complex characterizations, however, were not in keeping with the straightforward, cut-and-dry, morally polarized melodrama that drew readers seeking thrilling accounts of newsworthy crimes. Competing accounts were quickly drowned out by the rhetorical force of Operation Backfire as media spectacle, which offered audiences unparalleled relief through the cathartic cleansing of the social order against the backdrop of the War on Terror as megaspectacle. As such, alternative takes on this story were few and far between in the grand landscape of media coverage during this most pivotal moment in ELF’s public story.

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<sup>113</sup> I found a total of seven published pieces that went into any meaningful degree of detail about the indicted activists’ personal lives outside of their involvement in ELF (e.g., their occupations). This figure constitutes fewer than one in ten of the total news reports examined here.

<sup>114</sup> Harden, “11 Indicted in ‘Eco-Terrorism’ Case.”

<sup>115</sup> The fact that indicted activist Jonathan Paul was a volunteer firefighter likely did not go unnoticed by readers. It hinted at the complexities and ethical grey areas that animate this case, but that were not explored sufficiently in mainstream media accounts.

The degree to which news producers authorized the official account of Operation Backfire as singular was unusual, even among media spectacles. Kellner's theorization of the contemporary media spectacle underscored the fact that networked technologies have facilitated its evolution into contested terrain. Kellner left behind Debord's conceptualization of the 20<sup>th</sup>-century spectacle as a "quasi-totalitarian nexus of domination." Instead, Kellner wrote, "it is preferable to perceive a plurality and heterogeneity of contending spectacles."<sup>116</sup> While this perception may be preferable, it was not possible for audiences consuming the mainstream mediation of the Operation Backfire indictment. This suppression of the alternative perspectives that motivated Kellner's optimism made the spectacle of Operation Backfire uniquely powerful. By amplifying only the government's account, the news media facilitated the development of the Justice Department's rhetoric into a spectacle that retained the hegemonic power of Debord's formulation of spectacle—but without the liberatory potential of Kellner's contemporary treatment.

The distinct political vagaries of the War on Terror may have played a role in motivating mainstream news outlets to amplify the federal government's interpretive paradigm exclusively. News reporters and producers stood to benefit from embracing the official treatment of Operation Backfire during an era of increased scrutiny that press freedom advocate Joel Simon called a "war on journalists."<sup>117</sup> Press coverage of social protest actions is often associated with instrumental outcomes that compromise the

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<sup>116</sup> Kellner, *Media Spectacle*, 11.

<sup>117</sup> Joel Simon, "How 'War on Terror' Unleashed a War on Journalists," *CNN*, September 9, 2011, sec. Opinion, <http://www.cnn.com/2011/OPINION/09/08/simon.press.freedom.911/>.

government's desire for complacency and control among the public, up to and including mobilization. Perhaps even more important, media coverage of social protest serves the symbolic purpose of legitimation.<sup>118</sup> As Kellner argued, media spectacles embody social values and indoctrinate viewers into a normative way of acting in society. Giving air time to dissenting accounts of Operation Backfire could be interpreted as a legitimating move—a subtle endorsement of ELF and, consequently, eco-terrorism as a tactic of political reform.

A more complete story of Operation Backfire would have demanded an overview of the obscure events that gave birth to ELF's intersectional liberation ethic. It would have necessitated of the reader an open-mindedness approaching moral relativism, a healthy distrust of capitalism, and, above all else, a weary skepticism toward the federal government—admittedly, a tall order in the contemporary media landscape. Even when reporters dared to acknowledge the limits of what the government knew and how they knew it, they still gave the Justice Department the benefit of the doubt. No news report illustrated this more clearly than Ari Shapiro's *All Things Considered* story. Shapiro interviewed Portland *Oregonian* reporter Bryan Denson, who explained:

If the government has their story straight, they're saying that these saboteurs took oaths of secrecy. They called themselves "The Family," they gathered in small cells among themselves. They built a variety of firebombs, they dressed in black, they set up little command posts outside, [and] they did dry runs of these various alleged crimes and then committed them time after time.<sup>119</sup>

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<sup>118</sup> William A. Gamson and Gadi Wolfsfeld, "Movements and Media as Interacting Systems," *The Annals of the American Academy of Political and Social Science* 528 (1993): 114–25.

<sup>119</sup> "Eleven People."

Right out of the gate, Denson acknowledged the fact that the government's accounting of the events detailed in the indictment was a "story." He qualified his explanation as dependent upon the validity of the Justice Department's interpretation, pronouncing a skepticism altogether absent in most news coverage of Operation Backfire. Denson's words had the potential to complicate the mainstream media's account, forestalling for just a moment the satisfying finality of catharsis with the generative possibility of competing interpretations.

### **Conclusion**

The story of ELF did not have to end like this, but it did. After nearly a decade of contest between divergent accounts of ELF's distinct and divisive protest rhetoric, the media spectacle of Operation Backfire won this interpretive battle with its cathartic melodrama of eco-terror. Although ELF remained active in the years following the press conference and its sensationalistic mediation, the public dialectic over how to understand the affiliated activists' enactments of property destruction as symbolic protest had been decided. A conclusive victory for ELF's opponents—chiefly, the federal law enforcement voices that conceived of the group as the nation's top domestic terror threat—ensured that ELF would continue to be painted as a shadowy network of morally bankrupt eco-terrorists in the public imaginary.

The success of Operation Backfire rhetorics in winning the public contest to define ELF demonstrates one way in which the state has harnessed the power of the



media spectacle as a discursive formation. In his theorization of the image event as a novel mode of radical environmental protest, DeLuca argued that the rhetorical artistry of radical environmental activists came from their skillful exploitation of the postmodern logics of the televisual public sphere.<sup>120</sup> The Justice Department officials who spoke at the Operation Backfire press conference demonstrated a similar understanding of how to engage strategically with the forms and practices of the news media. In both cases, rhetorics initially constrained by structural limitations laid the groundwork for mediation as spectacle, suggesting a masterful prescience on the part of the rhetors. As mainstream news outlets mediated their discourses, the initially constrained spectacles were free to grow to their full potential, enrapturing audiences with thrilling accounts that gave viewers tools for making sense of social and political controversies. Thus, the media spectacle of Operation Backfire invites us to conceive of the televisual media landscape as a space ripe for exploitation by voices both powerless and powerful.

The mediation of Operation Backfire illustrates key dimensions of the relationship between the government and the news media during a time of pervasive terror anxiety. My analysis has demonstrated how sensational narratives of terrorism can begin as staid, objective government discourses. These constrained accounts of militant protesters as terrorists blossom into thrilling stories when transported into the news media landscape, free from the restrictions faced by official rhetors. By tracing the development of these discourses from formation to fruition we observe the transformative power of mediation, the rhetorical force of finality, and the irresistible appeal of sensationalism and catharsis in a time of terror both real and manufactured.

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<sup>120</sup> DeLuca, *Image Politics*, 19–22.

## CHAPTER SEVEN

### Reflections on the Dialectical Construction of the Earth Liberation Front

In this dissertation, I have argued that ELF's opponents emerged victorious in the public dialectic on ELF's protest practices due to their strategic utilization of the rhetoric of eco-terrorism. ELF's use of symbolic property destruction prompted a clash between two competing forces: the discourses of ELF rooted deeply in the soil of U.S. environmental thought, and the consciously ahistorical rhetoric of an unlikely chorus of opponents from industry, government, and the mainstream environmental movement. By tracing the dialectical enjoinder of these trajectories, I have shown how the rhetorical forms of anti-ELF discourses—violence, the protest paradigm, melodrama, and spectacle—were molded and exploited by those who stood to lose money, influence, and power had ELF secured dominance in this interpretive contest.

The story of this dialectic is unlike many narratives in that so much of its plot was hidden from view. Elusive ELF activists worked at night, building their homemade bombs in rural hotel rooms and quietly emailing their communiqués from public libraries. Legislators negotiated eco-terrorism laws behind closed doors in nondescript Congressional office buildings. Federal investigators kept their work top-secret, only occasionally leaving evidence of their massive surveillance efforts.<sup>1</sup> News viewers tuning

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<sup>1</sup> Former NAELFPO leader Leslie James Pickering only learned that his mail was being tracked by law enforcement when a postal worker accidentally delivered notice of the surveillance order to Pickering along with his mail. Ron Nixon, "U.S. Postal Service Logging All Mail for Law Enforcement," *The New York Times*, July 3, 2013, sec. U.S., <http://www.nytimes.com/2013/07/04/us/monitoring-of-snail-mail.html>.

in to the Operation Backfire press conference witnessed this story's cathartic climax, yet a veil of secrecy had concealed so much of its rising action from the public.

With so much of this plot occurring out of the public's view, powerful rhetors in the government, law enforcement, and news media filled in the gaps. In the pursuit of narrative cohesion they sacrificed complexity and nuance in their tellings. As a result, most audiences were never given a fair chance to understand the motives of ELF activists. Of course, it is true that most news consumers would have dismissed ELF's justificatory rhetorics out of hand if given the chance—not many were prepared to get on board with the tenets of eco-revolutionary activism. Though most news viewers would still have rejected ELF's tactical decisions, it might have been at least a little clearer why they chose property destruction as a mode of protest, and why they were so desperate to be heard. Perhaps these audiences would have been given the chance to feel some empathy for the affiliated activists. Then again, empathy and complexity rarely make for entertaining television.

The indictment of ELF activists during and after Operation Backfire took away their anonymity, one of the most crucial elements of their rhetoric's strange allure. Before this climactic moment, there was a powerful mystery surrounding them and their motives. Though opponents crafted forceful salvos against ELF's rhetorical choices, their inscrutable performances of an unfamiliar and unyielding discourse of environmentalism tempted the imagination. There was something magical and enchanted about the enigmatic elves. But when news of the Operation Backfire indictment and subsequent prosecutions hit the airwaves, all that wondrous possibility fell away. There was no mystery left for audiences.

This dissertation project illustrates the failure of ELF activists and their advocates to invent rhetorical strategies sensitive to the discourses of their opposition, and to the experiences and values of their audiences. ELF's synthetic voice, a mosaic of texts crafted by disparate rhetors often unknown to each other, was both a blessing and a curse. This fragmentary authorship gave the rhetoric much of its unique appeal, yet also evinced a fundamental conflict among activists about their goals. Advocates like Craig Rosebraugh and Leslie James Pickering of the North American Earth Liberation Front Press Office (NAELFPO) went to great lengths to explain and justify ELF's eco-revolutionary ethos through approachable texts, yet many ELF activists denounced attempts to make their liberation ethic legible within the culture's dominant interpretive paradigms. This prompts the question of whether ELF *should* have invented rhetorical strategies that would be appreciated by a broader range of audiences. On the one hand, this rhetorical sensitivity might have helped their cause, as it had with ELF's radical predecessors. On the other, such adaptation could be read as a means of ideological compromise—anathema to the activists who most militantly embraced environmentalism's radical critique.

### **Lessons on the Practice of Rhetorical Criticism**

Writing this dissertation has taught me a great deal about the practice of rhetorical criticism. First, it reaffirmed my belief in the value of an eclectic approach to criticism. The reader has surely observed by now the enthusiasm with which I embrace theories and

critical perspectives outside of my native rhetoric, which have improved my critical praxis by lending their incisive expertise and judgment. I remain, in the words of Brock and Scott, a “conscientious eclectic... more interested in the immediacy of experience than the abstract integrity of a system or method.”<sup>2</sup> I have utilized this pluralistic approach to draw on scholarship from the traditions of journalism, mass media, film studies, photography, political science, sociology, and history to argue my claims. At times, reaching to these scholarly constellations has given me access to helpful disciplinary vocabularies, such as my use of photography’s “rule of thirds” in Chapter Three’s analysis of the Two Elk photo. At other times, it has offered foundational insights into the motives driving the symbolic performances I have analyzed, such as my engagement with scholarship on melodrama from film studies in Chapter Six’s treatment of the Operation Backfire press conference rhetoric. In answering the question of how ELF opponents came to secure the dominant public account of this enigmatic protest voice, I have embraced Burke’s thesis that symbolic action is the foundation of rhetoric. Accordingly, I have called on the theories and concepts that I have found most suitable for analyzing the symbolic world, be they published in journals of rhetoric, communication, or another scholarly discipline. Using this eclectic approach has empowered me to avoid the pitfalls associated with an orthodox adherence to methods, which rhetorician Karlyn Kohrs Campbell argued “become screens through which we view this symbolic world, and in most cases, these screens distort, alter, or damage what they are intended to explain and reveal.”<sup>3</sup>

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<sup>2</sup> Brock and Scott, *Methods of Rhetorical Criticism*, 91.

<sup>3</sup> Campbell, “Rhetorical Criticism 2009,” 101.

Second, I refined my critical perspective by meeting the challenge of listening and appreciating texts, even when I disagreed vehemently with the claims they made. As an ardent environmentalist, I admit that I began writing the dissertation with a hearty disdain for the voices who opposed ELF. Although I started out convinced that ELF saboteurs unquestionably occupied the moral high ground in the entrenched battle over how we should treat the natural environment, this process has heightened my sensitivity to the rhetorics that resisted ELF's eco-revolutionary ideology. By listening to and appreciating these opposition voices, I learned to better understand why they perceived ELF activists' use of property destruction not as a creative mode of symbolic protest, but as a threat to their safety and livelihoods. I can better appreciate mainstream environmentalists' frustration with ELF's militancy, having carefully listened to their accounts of how public reactions to ELF set back institutionalized environmental work simply by association. While I still contend that ELF's calls for revolutionary reform were morally justified, my critical praxis has made me sympathetic to the anxieties of the small business owners, law enforcement officers, scientific researchers, home builders, and first responders who struggled to understand why, from their perspective, a shadowy terrorist network chose to target them.

Similarly, I came to understand and appreciate ELF's rhetorics at a much deeper level through the process of writing this dissertation. Reading their communiqués closely, considering the material and affective rhetorics of their protest actions, and listening carefully to their explanations for their actions helped me to identify not just with their ideologies, but with their experiences of frustration with the status quo. I came to respect and admire their dedication and their sincerely held belief in the morality of strategic

property destruction as a means of dissent. I grappled with their fragmented discourses, at once confounding for their inconsistencies and brilliant in their rejection of the hegemonic power structures that most of us take for granted every day. Daniel McGowan reflected on his motivations in *If a Tree Falls*: “I have memories of... seeing log trucks and being like, ‘whoa.’ You saw the mills, or you go into the forest and you stumble upon a clear cut... It just blew me away. Just the arrogance of it... It made me think, ‘why are we being so gentle? Why are we so gentle in our activism when this is what’s happened?’” As a native Oregonian who has stumbled upon many clear cuts, I identified with McGowan’s pain, and with his reasoning. Although I have never participated in symbolic property destruction and have no plans to start, I now understand why ELF activists did. Thus, the process of studying this dialectic from the perspective of a rhetorical critic has added incalculable depth to my understanding of the many interlocutors who participated in it.

Third, and most important, writing this dissertation confirmed my faith in what Klumpp and Hollihan referred to as criticism’s moral imperative. They wrote, “the contemporary critic approaches morality as a quality that inheres in rhetoric, and in criticism as rhetoric.”<sup>4</sup> Nearly 30 years later, I embrace this same conceptualization of the critic’s moral work as a social actor. Writing this dissertation afforded me the opportunity to appreciate rhetorics that embraced, questioned, troubled, and overtly rejected the social order. It forced me to grapple with the moral dimensions of ELF’s eco-revolutionary activism, and of the rhetorics that emerged to suppress it. My interest in this project grew from my belief that it is the duty of people with power to act in defense of the natural

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<sup>4</sup> Klumpp and Hollihan, “Moral Action,” 94.

world, leveraging that power to protect the Earth and her inhabitants from the devastating effects of industrial capitalism. ELF's enigmatic voice fascinated me from the start because it embraced this belief so fervently, so uncompromisingly, that its enactments of this moral duty appeared illegible to audiences attuned to my culture's commonly embraced values.

When I began this dissertation, I thought I would ultimately make the argument that, in so many words, ELF was right and its critics were wrong. However, as the reader has observed, this is not the conclusion at which I arrived. Instead, I emerged with a much more nuanced understanding of the moral dimensions of ELF's rhetorics and those that emerged to contest them. I have attempted to appreciate ELF-affiliated activists' expressions of political dissent for their innovation, their ideological commitment, and for their many missteps. As well, I have sought to trouble the morality of the dominant social order that trotted out the terrorist bogeyman in a desperate effort to silence ELF's passionate, conflicted, flawed voice. Scott and Smith insisted that "civility and decorum serve as masks for the preservation of injustice," and I have demonstrated in these pages how anti-ELF rhetorics did indeed invoke the rhetoric of civility—ultimately transformed in the contemporary political age into a rhetoric of terror—to mask the injustices of attritional environmental violence.<sup>5</sup> Klumpp and Hollihan wrote, "By raising the issue, the critic destroys the mystery's power to carry an unquestioned framework of values," and I have worked to demystify the rhetoric of terror in order to show how its value framework is dangerous to the fundamental tenets of democratic dissent.<sup>6</sup> Finally,

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<sup>5</sup> Scott and Smith, "The Rhetoric of Confrontation," 8.

<sup>6</sup> Klumpp and Hollihan, "Moral Action," 90.



DeLuca argued that “the critical rhetorician can help reconfigure the grid of intelligibility so that the tactics, acts, and images of radical environmental groups... can be recognized as legitimate political acts that call into question the morality and legality of acts by corporations that displace people and ravage the environment,” and I have endeavored to extend this critical reconfiguration to the realm of ELF’s eco-revolutionary voice by defending the fundamental morality of the activists’ refusal to sit idly by while the machinery of industrial capitalism charged ever onward.<sup>7</sup>

### **Afterword: Constructions of ELF Since 2006**

From the critical perspective I have just articulated, it is instructive to consider a few important developments since the end of the dialectical engagement I have examined in this dissertation. Although the Operation Backfire indictment was the moment when ELF’s opponents emerged victorious in the dialectical struggle to interpret this distinct protest voice, ELF activists remained active in North America for years thereafter. ELF claimed politically motivated enactments of property destruction in Pasadena, California; Salem, Oregon; Seattle, Washington; Ontario, Canada; and Guadalajara, Mexico, in 2008 and 2009. Most recently, in December 2016, an ELF cell claimed credit for an explosion at a branch of the Federal Electricity Commission in Mexico City.

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<sup>7</sup> DeLuca, *Image Politics*, 154.

In a communiqué circulated online, the Mexico City activists explained that they were protesting their government's ecologically damaging exploration of geothermal energy sources in the Primavera Forest. They wrote:

At exactly midnight on December 24<sup>th</sup> we placed an explosive charge inside an ATM at the Federal Electricity Commission branch on the corner of Sempoala [S]treet and Eouchenia [A]venue in Benito Juarez, Mexico City to make it clear to them that as long as they continue to authorize and support the destruction of the Earth we will continue to burn and destroy their institutions. We will not participate in the theater of the organizations that work within the law such as Greenpeace or the committees demanding the cessation of planned (and already operational) mega-projects, not only in Mexico but worldwide. For we know that they only seek to reap economic benefits for their party while they deceive the world with the fantasy of a technological paradise of comfort and prosperity. We are not seeking a reorganization of services or a fulfillment of our demands. We seek the total destruction of this industrial-technological civilization.<sup>8</sup>

This communiqué showed that ELF's eco-revolutionary rhetoric is alive and well up to the time of this writing. It embraced environmentalism's radical critique enthusiastically, dismissing voices like Greenpeace as participating in nothing more than political theater. It centered the protest on ELF's anti-industrial, anti-state, anti-civilizational liberation ethic with an uncompromising statement of ideology and purpose. Though silent in the U.S., ELF's voice continues to reverberate across time and space in an era of unprecedented ecological devastation.

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<sup>8</sup> "Mexico City, Mexico: Explosive Attack against a Federal Electricity Commission Branch by Earth Liberation Front," *Insurrection News*, December 28, 2016, <https://insurrectionnewsworldwide.com/2016/12/28/mexico-city-mexico-explosive-attack-against-the-federal-electricity-commission-by-earth-liberation-front/>.

## Reviving Complexity and Nuance in Popular Rhetorics about ELF

I am heartened by a recent resurgence of interest in ELF's enigmatic protest praxis in popular culture. The 2011 film *If a Tree Falls: A Story of the Earth Liberation Front* received acclaim from critics and popular audiences for its thoughtful and sophisticated portrayal of eco-revolutionary activist politics in the era of the War on Terror. The film tells the story of ELF through the eyes of activist Daniel McGowan, whose affable personality humanizes ELF and reminds the viewer that the activists were not shadowy elves but people—complex individuals with sincerely held beliefs about their responsibilities to the Earth and all the living beings who share it.<sup>9</sup> Writing for the *New York Times*, Andrew C. Revkin called the film a “fearless exploration of complexity in a world drawn to oversimplified depictions of events and problems, heroes and villains.”<sup>10</sup> Revkin's praise pointed toward the argument I have made in this dissertation: that ELF was defeated in public discourse by a sensationalist and melodramatic rhetoric of eco-terror. The success of *If a Tree Falls* proves that even popular audiences hunger for sophisticated explorations of violence, terrorism, activism, environmentalism, and the politics of negotiating these slippery concepts.

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<sup>9</sup> McGowan was released on parole in 2013. During and after his time in prison, McGowan engaged in activism surrounding prisoner's rights and the government's use of restrictive “Communication Management Units,” or CMUs, to further punish political prisoners. Camilla Mortensen, “Former ELF Eco-Saboteur Speaks at the UO,” *Eugene Weekly*, April 6, 2017, <http://www.eugeneweekly.com/20170406/news-features/former-elf-eco-saboteur-speaks-uo>.

<sup>10</sup> Andrew C. Revkin, “If a Tree Falls, Can It Win an Oscar?,” *The New York Times*, December 13, 2011, [https://dotearth.blogs.nytimes.com/2011/12/13/if-a-tree-falls-can-it-win-an-oscar/?\\_r=0](https://dotearth.blogs.nytimes.com/2011/12/13/if-a-tree-falls-can-it-win-an-oscar/?_r=0).

Similarly, journalist Will Potter's 2011 book *Green is the New Red: An Insider's Account of a Social Movement Under Siege*, received widespread acclaim for its comprehensive treatment of the government's efforts to silence eco-revolutionary activists, including ELF, its sister group the Animal Liberation Front (ALF), and Stop Huntingdon Animal Cruelty (SHAC). Potter's analysis in the book and accompanying blog conceptualizes this work as the "Green Scare," comparing it to the judicial and legislative overreach of the Red Scare, led by Sen. Joseph McCarthy and FBI Director J. Edgar Hoover in the 1940s and 1950s. The book reveals the federal government's collusion with industry powerhouses, and the ways in which this powerful alliance has employed state apparatuses to harass, intimidate, and imprison activists using newly expanded terrorism laws. Potter's work frames the dialectic that I have examined in this dissertation project as a culture war, pitting animal rights and environmental activists against corporate interests in a conflict over fundamental values. The popularity of his work shows that audiences are willing to listen to the clarion calls of dedicated advocates who have committed their lives to the causes of systemic justice and liberation, and that the government's assault on those activists' civil liberties will not go unnoticed by ordinary people.

### **Lessons from the Dialectic on ELF**

Despite the promise of complexity offered by *If a Tree Falls* and *Green is the New Red*, the rhetoric of eco-terrorism remains a dominant mode of suppressing dissent

enacted via strategic property destruction. Case in point: on April 21, 2017, the FBI announced a \$25,000 reward for information leading to the conviction of the ELF activist(s) responsible for the 2003 burning of residential condominium construction complexes in La Jolla and San Diego, California. A press release from the San Diego field office began: “As we approach Earth Day 2017, the FBI is announcing a reward of up to \$25,000...”<sup>11</sup> This introduction engaged the dialectic on ELF by juxtaposing Earth Day—one of the moments that catalyzed environmentalism in the U.S. and a synecdochal representation of prescribed norms of environmental advocacy—with the costliest protest action in ELF’s divisive history.<sup>12</sup> The press release suggested that the aggressive pursuit of eco-revolutionary activists was a legitimate means of performing environmental stewardship, and assured audiences that the offer of a monetary reward “reaffirm[ed] the commitment of the FBI to bring those who participate in acts of eco-terrorism to justice.”<sup>13</sup>

This dissertation has argued that ELF’s opponents won the interpretive battle to define its eco-revolutionary voice in the public imaginary due to their strategic marshaling of the all-powerful rhetoric of terror. Though this opposition rhetoric braided discourses of terror together with those of civility and development, it was the

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<sup>11</sup> Butler Davene, “\$25,000 Reward Offered in Eco-Terrorism Arson Case” (Federal Bureau of Investigation, April 21, 2017), <https://www.fbi.gov/contact-us/field-offices/sandiego/news/press-releases/25000-reward-offered-in-eco-terrorism-arson-case>.

<sup>12</sup> The cost of the La Jolla arson was estimated at \$50 million, over twice the financial damage of the Vail fires. Kristina Davis, “Ecoterror Arsons Unsolved 10 Years Later,” *San Diego Tribune*, September 14, 2013, sec. News, <http://www.sandiegouniontribune.com/news/crime-courts-fire/sdut-ecoterror-arsons-elf-fbi-2013sep14-htmlstory.html>.

<sup>13</sup> Davene, “\$25,000 Reward Offered in Eco-Terrorism Arson Case.”

overwhelming force of terror that cemented the opponents' victory in a long-fought interpretive contest. Thus, one of the lasting lessons of this project is that the rhetoric of terror trumps almost any discourse it comes up against. Since ELF was borne of dissatisfied Earth First!ers back in 1992, the face of terror has changed. ISIS has usurped Al Qaeda as the ascendant face of terror on the other side of the world, brought to audiences by political rhetorics replete with the same entrenched Islamophobia disguised as patriotism. Similarly, constructions of domestic terrorism—once the domain of far-right “lone wolves”—were employed to discipline ELF’s unique brand of protest by property destruction. Responding to these transformations, some have argued that the word is no longer a meaningful tool for making sense of unsettling events.<sup>14</sup> Yet despite—or perhaps because of—its nebulous meaning, its force persists.

U.S. culture remains under this rhetoric of terror’s spell (or, perhaps I should say, “the terror of this rhetoric”), with its multitude of embodiments and its insurmountable affective power. This dissertation has demonstrated the nearly limitless cultural influence of this rhetoric, illustrating how its agility and malleability made it the most effective interpretive framework for suppressing ELF’s eco-revolutionary discourses. Many have pointed out how this rhetoric is so powerful that it distorts our judgment about what our

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<sup>14</sup> Sociologist Laura Beth Nielsen asked, “What work is the word ‘terrorism’ doing in these conversations? Is it helping us to make sense of things or is it subtly becoming a kind of shorthand for the people we do not like and the motives that are unfavourable?” Laura Beth Nielsen, “What Is Terrorism?,” *Al Jazeera*, April 17, 2013, <http://www.aljazeera.com/indepth/opinion/2013/04/20134179548891867.html>. See also David Shariatmadari, “Is It Time to Stop Using the Word ‘Terrorist’?,” *The Guardian*, January 27, 2015, <https://www.theguardian.com/global/commentisfree/2015/jan/27/is-it-time-to-stop-using-the-word-terrorist>; Rick Hampson, “Is the Word ‘Terror’ Losing Its Punch?,” *USA Today*, May 22, 2013, <https://www.usatoday.com/story/news/world/2013/05/22/terror-word-meaning-london-attack/2351713/>.

priorities should be as a society. While the U.S. Department of Justice spent years investigating the Operation Backfire defendants, executives at Monsanto and BP lined their pockets and skirted responsibility for the devastation they wrought on already fragile ecosystems. While news audiences were inundated with reports about ELF's acts of "terror," which never killed a single person, environmentally induced cancers quietly killed 30,000 Americans each year.<sup>15</sup> And although then-Senator Barack Obama cautioned his colleagues about the reckless pursuit of eco-terrorists at the expense of environmental justice back in 2005 at the Environment and Public Works hearing, at the time of this writing in 2017, the city of Flint, Michigan, is still without safe drinking water. The rhetoric of terror has thus proven to be an indispensable tool for the hegemonic forces profiting from industrial activities that do irreparable harm to living things.

This dissertation has also evinced the complex processes by which rhetorics are transformed and exploited as they circulate within and across discursive arenas. Rhetors faced unique restrictions in the many disparate contexts where they engaged in the dialectic on ELF, from the news media to the halls of Congress to the executive branch. Though they met as foes in a public dialectical contest, ELF's eco-revolutionary voice and the force that challenged it were alike in the sense that they were each a synthetic bricolage of discourses from a myriad of authors often unknown to each other. The rhetorical resources they created were not static—they traveled far, changing impact and meaning as they emerged from the lips of a timber company representative, then a

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<sup>15</sup> Brett Israel, "How Many Cancers Are Caused by the Environment?," *Scientific American*, May 21, 2010, <https://www.scientificamerican.com/article/how-many-cancers-are-caused-by-the-environment/>.

western congressman, then a Justice Department official, then a TV news anchor. ELF activists accused the federal government of colluding with ecologically devastating industries by creating laws and policies that suppressed the dissent of environmental advocates, but more important to the coalition's victory in this dialectical contest was the way these interests worked together rhetorically. The anti-ELF rhetoric they forged was consciously ahistorical, engineered for the specific purpose of defeating the cry of eco-revolutionary dissent.

Most of all, this dissertation has appreciated the innovation and artistry of ELF's enigmatic voice. In 1992, activists committed to an ideologically pure enactment of environmentalism's radical critique left Earth First! to pursue the ends and means of eco-revolutionary activism. They put their livelihoods, relationships, and futures on the line in the uncompromising pursuit of environmental justice for all living beings. From their vantage points, they risked their freedoms so that others might be liberated. They did so out of desperation—perceiving that they and the environmentalists who came before them had exhausted all other available means of bringing about change, they turned to property destruction to make their voices heard. Yet, it was not only this instrumental motivation that drove ELF to burn down buildings and sabotage property. It was also a deep-seated belief in the necessity of revolutionary change. What ELF sometimes failed to articulate in the language of popular audiences was a holistic and intersectional critique of enormous systems—capitalism, the state, and indeed civilization itself—that shape our daily lives. ELF's philosophical platform, fragmented though it often was, held that efforts for social change enacted within the parameters of these hegemonic systems were incapable of producing the degree of reform needed to protect the natural



environment and to liberate not only people, but plants, nonhuman animals, and entire ecosystems from the clutches of consumption, greed, and the slow violence of catastrophic environmental devastation. As such, ELF activists used property destruction because they held it was the only way to remove the profit motive from harmful industrial activities.

When people are backed up against a wall—when they have tried all the prescribed options to no avail—they will fight back with whatever tools are available and efficacious. Instead of jumping to condemnation, we must listen to their voices and try to understand their motives. If a cultural trump card as powerful as the rhetoric of terror emerges, it is up to each of us to remain vigilant defenders of reason and empathy, preventing such rhetorics from being used to suppress the ideas and concerns of the disempowered. The joy of rhetorical criticism is also its moral duty—listening, reading, challenging, and, most of all, *appreciating* the texts by letting them speak to us. Many audiences read ELF’s fiery protest actions and cryptic communiqués as nothing more than the sound and fury of a new generation of disgruntled hippies. Others read these texts in far more sinister terms, embracing the comforting familiarity of the rhetoric of terror to guide their interpretive praxes. Like so many innovative discourses, ELF’s protest actions came off to most readers as illegible, misguided, dangerous, and even evil. Instead of writing them off, we must seek to understand them. The careful practice of rhetorical analysis empowers us to do so. When we adopt both the moral and rhetorical imperatives of criticism, we are empowered to read much more in these texts—a passionate sense of justice, a commitment to the liberation of organisms and ecosystems, and an optimism that skillful sabotage might just halt the industrial machine in its tracks

for a moment. If, in that moment, we can reflect on where we have been and where we are going as a society with regard to our treatment of the natural world and everyone who lives in it, then ELF's contested activism will have accomplished its purpose after all.

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## CURRICULUM VITAE

### Jade C. Olson

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#### Education

Ph.D., Communication. University of Maryland, College Park, Md., 2017. Focus in Rhetoric and Political Culture. Co-advisors: Dr. James F. Klumpp and Dr. Shawn J. Parry-Giles.

Dissertation: “The Rhetoric of Eco-Revolutionary Activism: Constructing the Earth Liberation Front.”

M.A., Communication. University of Maryland, College Park, Md., 2011. Focus in Rhetoric and Political Culture. Advisor: Dr. James F. Klumpp.

B.A., Rhetoric and Media Studies. Willamette University, Salem, Ore., 2009. *Magna cum laude*. Advisor: Dr. Robert Trapp.

#### Employment History

Director, Oral Communication Center, Department of Communication, U. of Maryland, 2016–present.

Adjunct Faculty, College of Online and Continuing Education, Southern New Hampshire U., 2015–present.

Graduate Teaching Assistant, Department of Communication, U. of Maryland, 2009–2016.

Communications Specialist, Equal Justice Works, Washington, D.C., 2014–2015.

#### Publications

Jade Olson, “Activist or Terrorist? Negotiating Discourses of Eco-Terror in *If a Tree Falls*,” *Applied Environmental Education and Communication*, forthcoming (recommended for publication July 2017).

Jade Olson, Review of *The Rhetoric of Terror: Reflections on 9/11 and the War on Terror*, by Marc Redfield. *Southern Communication Journal* 75 (2010): 536–538.

### Selected Refereed Paper Presentations

- Jade Olson, "Ecodefense as Strategic Violence: The Earth Liberation Front's Communicative Paradox." A paper presented at the annual convention of the National Communication Association, Chicago, Ill., Nov. 2014.
- Michael Steudeman and Jade Olson, "'It Just Depends What You Want to Consider': Reflexive Phronesis as Epideictic Rhetoric in David Foster Wallace's Kenyon College Commencement Address." A paper presented at the biannual convention of the Rhetoric Society of America, San Antonio, Tex., May 2014.
- Jade Olson, "Constructing Platonic Environmentalism: Preservation and Conservation in the *Phaedrus*." A paper presented at the annual convention of the Eastern Communication Association, Providence, R.I., April 2014.
- Jade Olson, "Activist or Terrorist? *If a Tree Falls*' Negotiation of the Discourses of Ecoterror." A paper presented at the annual convention of the National Communication Association, Washington, D.C., Nov. 2013.
- Jade Olson, "Science, Morality and Global Warming: Visual Representations of Data in *An Inconvenient Truth*." A paper presented at the annual convention of the Eastern Communication Association, Pittsburgh, Pa., April 2013.
- Jade Olson, "Al Gore as Eco-Prophet: Discourses of Science, Morality and Global Warming." A paper presented at the annual convention of the National Communication Association, New Orleans, La., Nov. 2011.
- Jade Olson, "Retail Resistance: Whirl-Mart's Symbolic Construction of the New Public Sphere." A paper presented at the annual convention of the Eastern Communication Association, Arlington, Va., April 2011.
- Jade Olson, "Discourses of Domination and Liberation: The Image Event's Problematic Potential." A paper presented at the annual convention of the National Communication Association, San Francisco, Calif., Nov. 2010.
- Jade Olson, "Fault and Asphalt: A Burkean Analysis of Blame Construction in Portland's Commuter Culture War." A paper presented at the annual convention of the Northwest Communication Association, Coeur d'Alene, Id., April 2009.
- Jade Olson, "A Road By Any Other Name: Rhetoric, Whiteness and Power in the Interstate Avenue Renaming Controversy." A paper presented at the annual convention of the Western States Communication Association, Phoenix, Ariz., Feb. 2009.

### **Selected Refereed Paper Panels and Roundtable Discussions**

Jade Olson, "Creative Collaborations to Promote the Center." A Great Idea for Teaching Students (G.I.F.T.S.) presented at the annual convention of the National Association of Communication Centers, Grand Rapids, Mich., April 2017.

Jade Olson, panelist, "Discourses of the 2016 Presidential Election: A Public Debate." A debate presented at the annual convention of the Eastern Communication Association, Baltimore, Md., April 2016.

Janna Söder and Jade Olson, "Unlikely Allies? Framing the Cowboy and Indian Alliance's Anti-Keystone Protest." A paper presented at the annual convention of the National Communication Association, Las Vegas, Nev., Nov. 2015.

Jade Olson, "Bare Life in Puerto Montt: Rhetorics of Sovereignty and Ecology in the Cascada Chile Debate." A paper presented at the annual convention of the National Communication Association, Las Vegas, Nev., Nov. 2015.

Jade Olson, panelist, "Is Adnan Syed Guilty? Embracing Opportunities for Public Deliberation and Debate through 'Serial.'" A roundtable discussion at the annual convention of the National Communication Association, Las Vegas, Nev., Nov. 2015.

Jade Olson, "Visualizing Ecofeminism, Visualizing Objectification: Pornographic Form in Environmental Activism." A paper presented at the annual convention of the National Communication Association, Chicago, Ill., Nov. 2014.

Jade Olson, "The Trouble with Wilderness (Defense): The Earth Liberation Front's Troubled Appeals to Ideal Nature." A paper presented at the annual convention of the National Communication Association, Chicago, Ill., Nov. 2014.

Jade Olson, panelist, "Lyndon B. Johnson's War on Poverty: Where We Stand 50 Years Later." A panel presented at the annual convention of the Eastern Communication Association, Providence, R.I., April 2014.

Jade Olson, "Al Gore Comes to South Park: Global Warming and the Politics of Celebrity." A paper presented at the annual convention of the Eastern Communication Association, Cambridge, Mass., April 2012.

Jade Olson, panelist, "Arguing the Issues in Campaign 2012: A Public Debate." A debate at the annual convention of the Eastern Communication Association, Cambridge, Mass., April 2012.

Jade Olson, panelist, "Politics, Pedagogy, and Postmodernism: Conflicting Notions of Objectivity in Argumentation." A panel presented at the annual convention of the Eastern Communication Association, Arlington, Va., April 2011.



### **Selected Invited Presentations**

Jade Olson and Taylor Hahn, "Making Persuasive Arguments." An invited workshop presented at the Oral Communication Center, U. of Maryland, Oct. 2015.

Andrew Lind, Heather Lindenman, Jade Olson, and Elanor Spadafora, "Assessment Practices at UMD: Understanding and Comparing Student and Teacher Perspectives." An invited workshop sponsored by the Teaching and Learning Transformation Center, U. of Maryland, March 2015.

Jade Olson and Thomas McCloskey, "Crafting Your Poster Presentation: An Argumentation Perspective." An invited presentation to students in the College Park Scholars Environment, Technology and Economy program, U. of Maryland, Feb. 2015 and March 2014.

Jade Olson, "A Rhetorical Perspective on Feminist Theory." A guest lecture in SOCY203: Sociological Theory, U. of Maryland, Aug. 2014.

Thomas McCloskey, Jade Olson, and Michael Steudeman, "Political Media Literacy." An invited presentation at the Maryland Communication Workshop, a mini-conference for U. of Maryland students, faculty, and staff, Oct. 2013.

Jade Olson, "The Fundamentals of Effective Classroom Communication." An invited presentation at the Center for Teaching Excellence Graduate Teaching Assistant Orientation, U. of Maryland, Aug. 2012.

Theresa Donofrio and Jade Olson. "Public Speaking Strategies for Poster Presentations." An invited presentation to students in College Park Scholars, U. of Maryland, March 2012.

Jade Olson, "Discourses of Domination and Liberation: The Image Event's Problematic Potential." An invited colloquium presentation, Department of Communication, U. of Maryland, Nov. 2010.

### **Competitive Professional Conferences and Programs**

Advancing Professional Track Faculty Program, ADVANCE Program for Inclusive Excellence, U. of Maryland, accepted as member of 2017-18 cohort.

University Teaching & Learning Program, Teaching and Learning Transformation Center and the Graduate School, U. of Maryland, completed May 2016.

"Rhetoric and Sensation" seminar, Rhetoric Society of America Biennial Summer Institute, Madison, Wisc., June 2015.

“Whither ‘Social Movement’ in Rhetorical Studies?” workshop, Rhetoric Society of America Biennial Summer Institute, Madison, Wisc., June 2015.

Lilly International Spring Conference on College and University Teaching and Learning, Bethesda, Md., May 2014.

Arnold-Ebbitt Interdisciplinary Rhetoric Institute, hosted by the Pennsylvania State University Center for Democratic Deliberation, State College, Pa., Feb. 2013 and Feb. 2012.

### **Selected Fellowships, Honors, and Awards**

Award-winning presentations at Graduate Research Interaction Day, U. of Maryland

- First Place in “Culture, Literature, and Society” panel, \$600 (April 2014)
- First Place in “Culture, Literature, and Society” panel, \$600 (April 2013)
- First Place in “Culture, Literature, and Society” panel, \$600 (April 2011)
- Second Place in “Addressing Environmental and Energy Issues” panel, \$400 (April 2012)

Department of Communication Graduate Student Awards

- Outstanding Service Award (May 2013)
- Outstanding Teaching Award (May 2012)
- Raymond Ehrensberger Award for Outstanding M.A. Student (May 2011)

College of Arts and Humanities Graduate Student Service Award, U. of Maryland, \$1,000, Sept. 2016.

Finalist, Graduate Student Distinguished Service Award, U. of Maryland, April 2015.

Graduate Lilly Fellowship, Center for Teaching Excellence, U. of Maryland. \$1,000 stipend, \$500 travel stipend for Lilly D.C. Conference, 2013–2014.

Distinguished Teaching Assistant Award, Center for Teaching Excellence, U. of Maryland, April 2013.

Top Paper Panelist, Feminist/Women's Studies Division, annual convention of the National Communication Association, San Francisco, Calif., Nov. 2010.

Top Student Paper, Northwest Communication Association Conference, April 2009.

Member, Phi Beta Kappa, Willamette University, inducted Spring 2009.

## **Grants**

Peng Wang, Jade Olson, and Shawn Parry-Giles. National Communication Association Advancing the Discipline Grant, on behalf of the Community Language Initiative, Graduate Studies in Interpreting and Translation, U. of Maryland, \$5,000, awarded 2015.

Yvonne Slosarski, Elizabeth Gardner, Kimberley Hannah, Jade Olson, and Meridith Styer. National Communication Association Advancing the Discipline Grant, on behalf of the Recovering Democracy Archive Project, Center for Political Communication and Civic Leadership, U. of Maryland, \$5,000, awarded 2014.

Jade Olson and William Howell, Office of Sustainability Mini-Grant for the Graduate Communication Curriculum Digitization Project, on behalf of the Department of Communication Sustainability Initiative, \$849, awarded 2014.

Jade Olson, Pepsi Enhancement Fund Grant for the Second Annual Maryland Communication Workshop, on behalf of The Association of Communication Graduate Students at Maryland, \$1,050, awarded 2013.

Jade Olson, Pepsi Enhancement Fund Grant for the Maryland Communication Workshop, on behalf of The Association of Communication Graduate Students at Maryland, \$800, awarded 2012.

## **Professional Service**

Elected offices held – Argumentation & Forensics interest group, Eastern Communication Association

- Chair (2017–2018, including interest group planner for 2018 convention)
- Executive Council Representative (elected 2015 to serve 2016–2018)
- Chair (2014–2015, including interest group planner for 2015 convention)
- Vice Chair (2013–2014)

Reviewer – conferences (by division)

- National Communication Association – Public Address, Visual Communication, Environmental Communication, D.C. Connections (special division, 2013)
- Eastern Communication Association – Argumentation & Forensics, Rhetoric and Public Address, James C. McCroskey & Virginia P. Richmond Undergraduate Scholars Conference

Chair – conference panels

- “The Rhetoric of Music: Politics, Parody, and Paradox,” ECA (April 2016)
- “On Deliberation and Democracy: Honoring the Work of James F. Klumpp,” ECA (April 2015).

- “Argumentative Innovation in Policymaking, Forensics, and Policy Debate: Selected Papers in Argumentation and Forensics,” ECA (April 2015).
- “Standardized Testing in Teacher Evaluations: A Public Debate,” ECA (April 2014).
- “Assessing Arguments in the 2012 Presidential Debates,” ECA (April 2013).

Judge – forensics tournaments

- Washington, D.C. Muslim Interscholastic Tournament (2012 and 2013)
- National Catholic Forensics League Grand National Tournament (2011)

Respondent, “Environmentalism, Climate Change, and the Future,” NCA (Nov. 2015).

Editorial Assistant, *Communication Quarterly*, 2009–2011.

### **University Service**

Faculty Member, University Student Judiciary, Fall 2016–present.

Graduate Peer Teaching Mentor, University Teaching and Learning Program, Fall 2014–present.

Member, Rainbow Terrapin Network (LGBTQ advocacy organization), Fall 2011–present.

Member, Search Committee, Dean of Undergraduate Studies and Associate Provost, Spring 2015.

Member, Campus Affairs Committee, University Senate, 2015–2016.

Canvasser, United Academics of Maryland (graduate student unionization effort), 2012–2014.

Member, Selection Committee, Graduate School–Teaching and Learning Transformation Center Graduate Teaching Fellows Program (formerly Graduate Lilly Fellowship Program), Sept. 2014.

### **Departmental Service**

Elected offices held – COMMgrads (graduate student association at UMD)

- Chair, Faculty Appreciation Committee (2015–2016)
- Graduate Representative to Departmental Assembly (2013–2014)
- President (2012–2013)
- Vice President (2011–2012)

- Secretary/Treasurer (2010–2011)

Member, Grants & Development Task Force, Department of Communication, 2015–present.

Member, Grants Committee, Recovering Democracy Project, 2014–present.

Founding Member, Chelóna RSA (Rhetoric Society of America graduate student chapter), 2015.

Co-chair, Environmental Sustainability Initiative, 2014–2015.

Admissions Ambassador, 2010–2015.

Chair, Maryland Communication Workshop Planning Committee, 2015 and 2012.

Graduate Student Representative, Departmental Self-Study Committee, 2013–2014.