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ALEXANDER COCKBURN AND JEFFREY ST. CLAIR

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The U.S. Government Won't Be Charged With Perjury, Even When It's Caught in a Lie

By Sally Eberhardt

A chilling court decision unsealed at the end of April by a federal judge in California's Central District reveals that the Obama administration is not only prepared to take advantage of the lies of the Bush administration, but is willing to up the ante. In a case that involved extensive surveillance of Muslim community groups and leaders, the Obama administration has now argued that the government not only can lie about its surveillance activities to American citizens but can, in turn, lie to federal judges when "national security" is involved. And, despite his strongly worded April 27 decision censuring the government for lying, U.S. District Judge Cormac J. Carney ultimately ruled that the government can both withhold the requested surveillance documents and escape censure for lying.

Carney's ruling, which has gone under the radar of most mainstream and independent media (with a lone 420-word editorial in the *Los Angeles Times* being the only mainstream coverage), chastises the U.S. government. But, that's as far as Carney would go. The government will not be charged with contempt of court or perjury nor will it face any other kind of official sanction. In effect, the government can lie and conduct whatever kinds of surveillance it wants without accountability or repercussions for overreach.

The origins of the current case, *Islamic Shura Council of Southern California et al. v. the Federal Bureau of Investigation, et al.*, stretch back to 2006 and involve six Muslim organizations – the Islamic Shura Council of Southern California, the Council on American Islamic Relations-California (CAIR), the Islamic Center of San Gabriel Valley, the Islamic

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How Tre Arrow Became America's Most Wanted Environmental "Terrorist"

By Joshua Frank and Jeffrey St. Clair

That Tre Arrow, a tree-hugging vegan who espouses nonviolence and lives by the airy and somewhat nebulous philosophy of Gaia, would top the FBI's Most Wanted list only reaffirms the notion that the Bureau's energy is being exerted in specious directions.

On August 12, 2008, after a tumultuous seven-year investigation, Arrow was sentenced in Federal court to six-and-a-half years for lighting three cement haulers ablaze at the notorious Ross Island Sand and Gravel, in Portland, Oregon, as well as firebombing two trucks and one front loader, owned by the Ray Schoppert Logging Company, near the timber town of Estacada, Oregon. The acts were in protest of the Eagle Creek timber sale in Mt. Hood National Forest in the late 1990s.

Located in a roadless area within Oregon's Clackamas River watershed, the streams that snake through the old growth groves of Eagle Creek provide drinking water for over 185,000 people in the greater Portland area. Critics of the plan to log Eagle Creek argued that the forest's steep slopes were in the "transient snow zone" and would likely lead to future landslides and mass flooding, which would ultimately spoil water quality during the region's frequent rain-on-snow events. Arrow was one of the most creative and articulate activists opposing the sale.

A grim-faced, 34-year-old Arrow listened warily as Judge James Redden read his sentence. At the behest of his lawyers, Bruce Ellison and Paul Loney, Arrow earlier signed off on a plea deal with the U.S. Department of Justice and accepted responsibility for his role in the arsons,

even though for years he denied any involvement.

"[I'm] true to a higher power ... I don't feel I need to be rehabilitated," Arrow stated in a verbose speech to the court upon hearing the ruling. "Corporations have usurped much of the governmental power. Corporations seem to be able to get away with poisoning the very entity we rely on for our well-being with no punishment, or very little punishment."

The closing of the case was seen as a major victory by the FBI, which had long promoted Arrow as America's most notorious and dangerous ecoterrorist.

Tre Arrow, born Michael James Scarpitti, was raised in Jensen Beach, Florida, in a suburban community on the outskirts of Palm Beach. His mother was a real estate agent and his father owned a plumbing and air conditioning business. Arrow was your average middle-class kid who scored good grades in school and steered clear of trouble. As a young teen, he was a star wrestler but later abandoned the sport to pursue his love for music, hoping to one day make it a full-time career.

Arrow's parents supported Tre's aspirations but pushed him to enroll at Florida State University upon graduation. It wasn't long before he began dabbling in environmentalism, from initiating a recycling program at his dormitory to embracing veganism and speaking out against animal cruelty. Music, however, was the young activist's passion, and his college band, Soya Bean Fields, played at coffeehouses and other venues in and around Tallahassee.

After completing an associate's degree at FSU, Arrow headed up to Cincinnati,

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Center of Hawthorne, the West Coast Islamic Center, the Human Assistance and Development International, Inc. – and five Muslim community leaders. These men and groups were among the first Muslim Americans to meet and share information with the FBI after 9/11, and include individuals like Mohammed Abdul Aleem, who served as a government witness for the U.S. Department of Justice in a 2004 terrorism case in Idaho.

However, by May 2006, the plaintiffs began to feel increasingly that they themselves had become the targets of extensive government surveillance and so filed a joint request for their FBI files under the Freedom of Information Act (FOIA) for any records detailing their monitoring or surveillance. After almost a full year had elapsed, on April 27, 2007, the government told nine of the plaintiffs that they had “no records responsive” to their request, and, in June 2007, the FBI sent a single redacted page to CAIR and three redacted pages to Hussam Ayloush, CAIR’s Executive Director, and a plaintiff. Unconvinced by this report, the plaintiffs brought a lawsuit against the government, challenging the adequacy of the FBI’s search.

In light of the lawsuit, the FBI conducted new searches and produced some 120 pages of documents that they

heavily redacted or withheld entirely because they were claimed to be “outside the scope” of the FOIA request. This – it would later turn out – was the government’s first instance of lying to the court. They had, of course, already lied to the plaintiffs in their previous correspondence with them which, as Judge Carney cited in his decision, was a curious tactic to take – as, under FOIA, they could have simply identified the “statutory and factual basis” for not releasing certain documents and, so, would have been well within current legal bounds for not issuing requested documents.

Faced with cross-motions by the government and the plaintiffs in the case, in April 2009 the Court ordered an *in camera* review of the FBI’s searches (with only the government present) in order to determine the “propriety” of the FBI’s “outside the scope” determinations. Shortly after this order was given, the government – which had now shifted from the Bush administration to the Obama administration – revealed to the court that it actually *had* identified other “responsive” documents but had never disclosed them to the court or to the plaintiffs. It was at this juncture, under Obama’s watch, that the government asserted that it actually had the *right* to lie to the court because of national security.

Realizing that the government had, as Judge Carney’s decision later worded it, “provided false and misleading information to the Court,” Carney ordered two *in camera* hearings, again with only the government present, after which he issued a sealed order in June 2009. But the government immediately appealed this order and sought an emergency motion to stay the decision. In its ruling, the appellate court supported government secrecy. Judge Carney’s decision – amended as per the appellate court’s order to eliminate all statements which the government designated too sensitive – finally saw the light of day two years later, at the end of this April.

Citing the case of *United States v. Richard M. Nixon*, to explain why “the very integrity of the judicial system and public confidence in the system depend on full disclosure of all the facts,” Carney rebuked the government’s attempts to claim that its representations to the Court were not “technically false,” writing that the government “cannot negotiate the truth with the Court” nor “under

any circumstance affirmatively mislead the Court.”

He went on to write that “the Government argues that there are times when the interests of national security require the Government to mislead the Court. The Court strongly disagrees. The Government’s duty of honesty to the Court can never be excused, no matter what the circumstance.”

But despite these fine sentiments, Carney (who is a George W. Bush appointee) was ultimately unwilling to impose any kind of penalty or even order that the requested FOIA documents be released, leaving the U.S. government with nothing to stop it from lying in court in the future. Under the basic rules of court, the actions of the FBI’s lawyer, Marcia K. Sowles, appear to be clearly unethical; yet Judge Carney did not refer Ms. Sowles to a state bar for, at the very minimum, a disciplinary investigation. By failing to hold the government in any way accountable for lying, Judge Carney has succeeded only in ultimately bolstering the government’s confidence in acting with impunity.

The government itself hinted at the new level of unfettered reach they now want in one section of their appellate brief that was not under seal, writing that the courts need to “give special deference to the Executive Branch when it invokes national security concerns.”

That our government, four decades after the Pentagon Papers, is able to lie in a federal court, get caught and have no price to pay speaks volumes about the state of justice in the United States right now. While there are many things that shock the conscience about how this case played itself out, what might be most shocking is how it reveals the U.S. government’s current understanding of the rule of law. As President Nixon once did, the current administration appears to see itself above the law. And despite issuing a strong rebuke in his decision, Judge Carney has given a green light both for the government’s lying and for its invasive surveillance. CP

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Neoliberalism meets cosmetic surgery

Giving Unemployment a Face-Lift

By Mona Chollet

During a conference call from Middlebury College, Vermont, Laurie Essig said in spring 2007 that the United States was on the verge of a major crisis. Her level of economic expertise barely allows her to sort out her coffee break bill, but her area of sociological research – cosmetic surgery – perfectly positions her to observe “the sub-prime mortgage crisis of the body.” (This and other references unless otherwise stated are from Laurie Essig, *American Plastic: Boob Jobs, Credit Cards, and Our Quest for Perfection*, Beacon Press, Boston, 2011.)

People in the U.S.A. pay for 85 per cent of cosmetic procedures (surgery, laser and injections) by borrowing. There is no minimum down payment, as is required in every other country except Mexico and Australia. This is the result of measures Ronald Reagan introduced after he became president in 1981: the authorization of medical advertising and credit deregulation. The institutions that specialize in financing medical procedures – the largest is CareCredit, a subsidiary of General Electric – approve loans widely and easily. Interest rates can reach 28 per cent, and double if a debtor misses a single monthly payment. Cosmetic surgery was once only available to the wealthy, but has become an enormous industry producing “a much more widespread standardization of Americans’ faces and bodies”. A practitioner said it now attracts “everyone from hairdressers to Wal-Mart executives’ wives.” Patients are 90 per cent female and 80 per cent white, and, between 2000 and 2010, spent almost \$12.5 billion annually.

Sector growth, at 465 per cent over the past decade, has kept up with the widening of the gap between the rich and poor. Essig believes that it is the result of an attempt to resolve the contradiction between grandiose dreams, intensified by media depictions of the way of life of a privileged class, and decreasing real incomes. It also fits with the neoliberal vision of a malleable subject, free from predetermined traits and expected to work continuously toward personal perfection. It is based on the conviction that

responsibility for everything – problems as well as solutions, failure as well as success – lies with the individual rather than society.

The industry did not suffer much from the great financial crisis. Essig noticed that, in fact, people became more determined to change their appearance, even if that meant a second mortgage on their home. She thought they viewed their bodies as assets that had to be managed in order to grow in value on the market (love or labor), to have any chance of fulfilling the American dream. Upgrading the body seemed a sensible investment. A friend of Essig’s is self-employed and, although penniless – or, rather, because she’s penniless – has spent \$800 on injections to fill in the nasolabial folds (between the nose and the corners of the mouth). “I thought maybe if I didn’t look so old, so tired, I’d get more clients,” she said. The procedure was her only possible response to her insecurity and lack of external control.

Essig reminds us that neoliberal ideology relies on the belief in freedom of choice, but her interviewees seem helpless and say things like: “Appearance is all that counts in our society,” or, “The job always goes to the one who looks youngest.” She says facelifts and Botox seem to them as inevitable as death and taxes. In fact, the interviewees create a reality over which they claim to have no control, and thereby constantly escalate demands – foreheads must be ever smoother, features ever more frozen, and breasts ever larger. The ubiquitous images of models’ and celebrities’ smooth, shiny, artificial faces and bodies set a precedent, and feed anxiety, contempt and hatred of the real body.

What about the cosmetic surgery practitioners? Most began by wanting to do something else, something better, especially reconstructive or reparative surgery; but they ended up doing breast implants and liposuction because they had loans (often for medical education) to repay. Some claim that their work is pro-feminist, as it allows women to “gain more self-esteem.” Laurie Essig points out that cosmetic surgery has always

been an attempt at normalization that is as much racial as sexual: it aimed to erase marks of “non-whiteness,” and deliver patients from their inferior bodies; it was also meant to accentuate the difference between the sexes. In the early days, “Jewish or Irish noses” were corrected; now an Iranian surgeon says, “Disney made the Persian nose a problem.”

“To be more feminine,” “to increase self-confidence”: in France, such objectives are at the heart of the “makeover days” organized by the French job center Pôle Emploi for women who have been unemployed long term. The center works in partnership with the Erel Fund, a charity that has on its board two deputy mayors from the wealthy 16th arrondissement of Paris, the Hôtel Matignon’s chef de cuisine, and the philosopher Cynthia Fleury; its informal patron is the British-born wife of the French prime minister, Penelope Fillon. The project has provoked bad reactions – the satirical weekly *Le Canard Enchaîné* wrote, “On the website of the makeover studio responsible for this war-painting of unemployed women, every model who arrived with a frizzy mop left a few hours later with her hair straightened or more formally curled.”

At the January launch of the makeovers, which got a lot of media coverage, the actress Marie-Anne Chazel said she believed “girly tricks” could overcome mass unemployment. Fillon was seen in the press photos, wearing black and grey: maybe she should have been in warmer tones, with a lower neckline, and scarlet lipstick? Bernard Debré, an MP, honorary president of the Erel Fund and a regular contributor to the weekly magazine *Valeurs actuelles*, where he discusses “the paradox of egalitarianism,” said of the guinea pigs: “For months, and sometimes even longer, they’ve been out of the habit of getting up, doing their hair, putting on makeup.” Should we conclude that there will soon be a special facelift fund for those on social welfare? **CP**

Translated by Ursula Meany Scott.

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Ohio, where he fathered a child with a bandmate before heading off to Sedona, Arizona, and then Boulder, Colorado. Arrow was in search of a place to call home, and that home would soon come in the form of the rain-soaked and tree-lined streets of Portland, Oregon.

Arrow left behind a life he was trying hard to forget. He changed his name, disconnected from old friends, and altered his lifestyle so as to be in more direct contact with the natural world. While still pursuing music, Arrow became more and more involved in environmental causes. He ditched his shoes, rarely showered, and only ate raw, uncooked food. He embraced a new kind of religion, what some may call Deep Ecology – that the living environment as a whole has the same rights as humans. But Arrow's beliefs were all his own, shaped by what he was witnessing firsthand in the mountains of the Pacific Northwest – the ruin left in the wake of President Clinton's Northwest timber plan, Option 9, which restarted the logging of ancient forests throughout the West.

It was hypocrisies and compromises

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such as Clinton's that invigorated a new breed of radical, direct-action-oriented environmentalism throughout the region. Forest activists and environmental lawyers viewed the Clinton plan as undermining the well-being of the northern spotted owl and endangered salmon and steelhead trout. In retrospect, Option 9 was nearly as bad as proposals sought during the first and second Bush administrations. Some claimed, with considerable justification, that it was worse. Portions of the plan were deemed illegal by federal courts, and scientists predicted that the policy would not halt the spotted owl's slide toward extinction. Bill Clinton, Al Gore, and Secretary of the Interior Bruce Babbitt pushed their plan forward despite these concerns, steamrolling their former allies in big green groups. By 1994, new timber sales in old-growth forests were being offered for sale to timber companies for the first time in six years – a feat that eluded Bush the Elder. These were Clinton-created clearcuts.

The fight to save the wild forests of the Pacific Northwest was well underway by the time Tre Arrow arrived in Portland, with his guitar strapped to his back. But it was in the midst of these worthy struggles that he became radicalized, witnessing firsthand the unharnessed pillage of our national forests.

On the afternoon of July 7, 2000, Tre Arrow, perhaps unwittingly, became the idol of a reinvigorated environmental movement: one that was radically creative, action-oriented, nonviolent, and uncompromising. Passion for the wild drove the agile Arrow, barefoot, in shorts and a T-shirt, to scale the wall of a U.S. Forest Service Regional Headquarters in downtown Portland, where he would remain perched on a small window ledge for 11 consecutive days.

Earlier that morning, in what the government saw as a huge victory against a batch of dangerous environmentalists who were fighting timber sales in the Mt. Hood National Forest, federal agents razed a camp and road barricades set up by Cascadia Forest Alliance to stop the logging of Eagle Creek. In the predawn hours, Forest Service henchmen, donned in camouflage and bearing assault rifles, charged in on all-terrain vehicles to bust up the blockades.

High above the forest floor, activists constructed an intricate swinging platform made up of rope and plywood that

swayed back and forth between two large conifer trees. Thirteen people swung from oversized hammocks supported by the makeshift web. If the trees or ropes were cut, these forest defenders would have fallen to their deaths. Many activists surrendered immediately upon the feds' arrival. But not all. Emma Murphy Ellis, who called herself "Pitch," wrapped a noose around her neck and threatened to commit suicide if the armed agents moved any closer. Ellis' tactic held the officers off for more than seven hours.

In response to the feds' interruption, thousands of protestors began to amass 30 miles away, in Portland, in front of the Forest Service's regional headquarters building. Tre Arrow was more than sympathetic to the Eagle Creek cause, gathering supplies and rallying support around the city. He often visited the resistance site, helping to build the structures that hung between two large conifer trees. Many activists deemed the site to be the spiritual nucleus of their movement. Like so many, Arrow was galvanized by the experience and joined the rally outside Forest Service headquarters to carry on the struggle against the logging of Eagle Creek. But the protest seemed to be going nowhere.

"Tre was saying, 'Man, something else has to happen,'" said Arrow's friend and fellow forest activist Samantha Waters. "I nodded my head, then turned away for a moment, and, when I turned back, Tre was already halfway up the wall."

Perched on his ledge, Arrow became an immediate media sensation. News broadcasts and papers across the country told of his act, and the Forest Service was forced to make the next move. The agency had to decide how best to pursue the government's tenuous plan to reintroduce logging in the Mt. Hood forest.

"They raided our camps – the pods we had set up – and that's one reason I went on the building when I did, to protest the way they handled our activists out there," Arrow explained.

Comrades on the ground set up shop and passed a bullhorn and banners to Arrow, who hung the signs below his feet for the world to see. From above the crowded sidewalk, Arrow articulated the concerns of many who opposed the logging. With every word, it seemed, more support flooded to the cause. Arrow spent hours on a cell phone talking to reporters, telling them what was happening

to the forests he had grown to love.

After agreeing to abide by a court order, a weary Arrow finally rappelled down from his lofty post, telling the mob of supporters and passerbys, “This is not over by a long shot. Everyone get on buildings! Everyone get to the woods! I love you!”

Arrow’s spontaneous act of resistance was not only passionate but articulate. He got his point across and brought more attention to the plight of Eagle Creek than all previous actions combined. He didn’t have the luxury of media access or the backing of a big environmental group. He did not own a law degree or hire a public relations team to craft his message. Arrow had only his rage against a corporate machine he saw destroying not only the fragile ecosystem of Eagle Creek, but also the vitality of the entire planet.

Almost overnight Tre Arrow became the Mick Jagger of the radical environmental movement. And he reveled in it.

The campus of Portland State University was bustling with left-wing students in the fall of 2000. Many cut their teeth as young activists a year earlier, when they hopped on buses and jammed into cars to race up the I-5 corridor to protest the World Trade Organization in Seattle. Some choked on pepper spray for the first time, while others were arrested and brutalized by violent cops dressed in black stormtrooper gear. The smell of rebellion was still fresh in the air.

At the same time, the Earth Liberation Front (ELF) was dispatching regular communiqués through its unofficial spokesman, Craig Rosebraugh, who lived in Portland. Since 1997, the secret members of the ELF took credit for virtually all of the ecoarsons throughout the country. Typically, one or two days after ELF activists tagged the group’s initials near one of their alleged firebombings, Rosebraugh would receive an anonymous statement that he, in turn, would submit as a press release to the local and national media outlets. Needless to say, Rosebraugh drew a lot of attention.

“While innocent life will never be harmed in any action we undertake, where it is necessary, we will no longer hesitate to pick up the gun to implement justice and provide the needed protection for our planet that decades of legal battles, pleading, protest and economic

sabotage have failed so drastically to achieve,” one incendiary press release read after an arson in Pennsylvania. “The diverse efforts of this revolutionary force cannot be contained, and will only continue to intensify, as we are brought face to face with the oppressor in inevitable, violent confrontation.”

The aftershocks of the ELF’s frequent attacks reverberated throughout the Northwest, and the amorphous band of rebel enviros soon won many sympathizers up and down the West Coast. Rosebraugh was their collective voice. With his wire-rimmed glasses, shaved head and punk-rock persona, the scrawny vegan with a tattoo wrapped around his arm gave the ELF underground legitimacy – and, more importantly, appeal. He was quoted frequently in the press, defending the group’s numerous actions. Aside from Tre Arrow, the sharp-tongued Rosebraugh was, perhaps, the most revered militant environmentalist on the West Coast. And, like Arrow, he was getting addicted to the spotlight.

Arrow’s run for Congress garnered more votes throughout Portland than did Ralph Nader’s.

If Rosebraugh and the fire-starters at ELF represented the militant wing of the radical environmental movement in the Northwest, Arrow and the Cascadia Forest Alliance were viewed by many radicals as the “acceptable alternative.” The philosophy Arrow espoused publicly was that of peace and nonviolence and finding harmony with nature. He disavowed property damage and arson.

It was also a presidential election year, and Ralph Nader’s campaign for president was filling arenas across the country. Eddie Vedder, Susan Sarandon, Michael Moore and a host of celebrities were supporting Nader’s campaign. So, too, was Tre Arrow. The Pacific Green Party (PGP) got word and approached Arrow to entice him to run for U.S. Congress from the state’s Third District against incumbent Democratic Representative, Earl Blumenauer. Arrow agreed, and from his stage the wild-eyed Green lambasted the Clinton administration for passing Option 9 and was quoted in *The Oregonian* as calling Al Gore’s Portland stump speech on the environment, “A

total lie.”

Arrow was a star activist and fast became the public face of the PGP – an image not all members were willing to embrace. “When Tre Arrow ran for Congress, the PGP was eagerly searching for candidates willing to run for public office. There was not, at that time, a thorough vetting process for examining the background and campaign strategy of individual candidates, nor was the party endowed with any significant financial resources,” said Lloyd Marbet, a local Green Party activist, who himself has run for office several times. “Tre raised important forest issues that resonated with party members, but he lacked political experience, and I do not think he ran a well-organized political campaign.”

“Yes,” responded Portland-based lawyer and devoted Nader supporter Greg Kafoury. “What Tre Arrow did was to risk his life (by climbing the Forest Service building) over a rather extended period of time for an issue he believed in. That’s a pretty serious message, and in an age where politicians are processed like cheese, someone who is real carries a lot of weight.”

He may not have been politically knowledgeable candidate, but the only progressive that seemed as popular as Nader around Portland that year was Tre Arrow. Arrow’s congressional campaign was run a lot like his Eagle Creek protests. He became a frequent agitator at local Democratic campaign events. When the band Everclear rocked a rally in support of Al Gore at PSU, there was Arrow swinging high above it all, gripping on to scaffolding with one hand and brandishing a bullhorn with the other, criticizing the Democrat’s environmental policies.

In the end, Arrow’s run for Congress garnered more votes throughout Portland than did Ralph Nader’s. He continued to make frequent visits to speak to local campuses and became a hero at PSU among the school’s activist cliques, where he spoke at meetings put on by Students for Unity, among others.

One of the PSU students Arrow befriended at the time, Jacob Sherman, would later prove to be an unfortunate acquaintance. Sherman, a Portland native, was not unlike many of his cohorts. The shadows of the great forests he grew up beneath were dwindling, and the young college freshman knew exactly

who the culprit was: corporations and their political allies. As the FBI would later argue, it was under the spell of Tre Arrow that Jacob Sherman was seduced into radical environmentalism.

In the fall of 2000, Sherman became intensely involved in Ralph Nader's presidential campaign and was active in several progressive organizations on campus. Sherman and Arrow became close. By winter quarter, Sherman not only adopted a few of Arrow's granola routines, such as refusing to bathe and going barefoot, he also began mimicking his forms of protest.

In the Portland suburb of Clackamas, Sherman helped to lead a protest in February of 2001 against an old-growth timber sale that was to take place in the Mt. Hood National Forest. Like the action Tre Arrow had carried out almost a year earlier, Sherman climbed to the top of the logging company's building and rallied the crowd that amassed below. "Sherman initially refused to come down from the roof," the FBI later wrote in a court affidavit, "but later agreed to cooperate with authorities in lieu of being arrested."

As the FBI and media outlets would later tell it, Sherman was under the persuasive sway of Tre Arrow. He was seen as an obedient pawn, who followed Arrow into battle, which was ignited two months later at Ross Island Sand & Gravel in southeast Portland. On the night of April 15, 2001, three of the company's rigs were destroyed by fires sparked from gas-filled milk-jug bombs. Investigators later learned that Sherman sent Craig Rosebraugh an anonymous note a week later, claiming responsibility, and blamed the company for "stealing soil from the earth." Rosebraugh released a press statement, claiming members of the ELF had been responsible.

In the fall of 2001, Tre Arrow and the Cascadia Forest Alliance turned their focus from Mt. Hood to the mossy rain forests of the Oregon Coast, where the Acey Line timber sale, consisting of over 120 acres of some of the oldest trees in Oregon, scheduled this old growth to be cut in what known as Gods Valley, nestled in the heart of the Tillamook State Forest.

"It is part of what little remains, on the coast, of an actually intact forest. Even though it was logged more than a century ago, it has naturally reseeded itself,"

Arrow explained at the time. "It is lush, it is biologically diverse and full of life, it's perfect habitat for wildlife. This is a rain forest. The forest floor is like a sponge ... The U.S. Forest Service and ODF [Oregon Department of Forestry] figure that most citizens don't care much if it's just trees being cut from public lands. Unfortunately, they're right, most people are too busy to pay attention to the complexities of forest management."

Over 2.5 million board feet of timber was purchased by Christian Futures, Inc. of Springfield, Oregon, for the meager sum of \$400,000. Several conservation

Arrow barely survived the fall. He suffered a fractured shoulder, shattered pelvis, torn knee ligaments, and broken ribs. His brain and internal organs were bleeding. His lung was pierced and collapsed.

groups earlier in the year contested the plan, arguing that logging trees in Gods Valley would further endanger marbled murrelets (a seabird that nests only in old-growth forests) and northern spotted owls, both of which are federally listed as threatened species. Activists, including Arrow, descended on the area in hope of disrupting the logging operations.

Forest management on state lands in Oregon leaves little room for the public to weigh in and voice objections. The public is not allowed to comment on sales of state land to timber companies, and there is no way to appeal them once they are in place. The Endangered Species Act, however, does apply to state land in Oregon, and most fights against such land deals challenged in the courts stem from these federal protections. But when those battles in the legal world fall short, forest activists take it upon themselves to stand up and defend what they rightly see as an environmental injustice.

On the morning of October 4, Arrow and his fellow members of Cascadia Forest Alliance and Hard Rain Alliance came head to head with forest officials in Gods Valley to protest the Acey Line

sale. In typical Arrow fashion, Tre taunted loggers and the ODF, leading them on a wild chase through the forest, climbing 80 feet up a tree to escape being caught. The reaction became a defining moment to save Gods Valley. Arrow remained high in the hemlock fir for two days, where he was exposed to physical and emotional torment. "We're not sleepin', so you're not sleepin'," yelled the men below. When fellow activists attempted to pass up food and water, they were arrested immediately. The plan was to cut Arrow out of the tree, or keep him awake so long that he would end up collapsing, plummeting to his death.

"A logger began to cut the lower branches of the tree I was in, working his way up the tree as he cut. I became seriously concerned about my ability to stay in the tree safely. When the logger was right below me with his chainsaw, I jumped to the next tree over. Once I was in that tree, the logger proceeded to cut the first tree into three sections, taking it completely to the ground," Arrow told *Alternatives* shortly after the incident.

"They then made an announcement over their bullhorn that they were going to cut all the trees around me. I jumped into a third tree, the largest in that group of three, to try to protect it. At that point, the loggers proceeded to cut every tree within a thirty-foot radius around me, including trees only a few feet away from me. It was dangerous," he said. "That night, I tried to sleep, but the activities of the men on the ground made it impossible. They'd call out 'Knock knock! Wake up! Wake up!' on their bullhorn and do the siren thing, and smash things against the tree ... What resulted was exhaustion and sleep deprivation due to their deliberate tactics of keeping us, activists, awake day and night. Finally, at 2 a.m. on October 6th, I fell out of the tree I was in from roughly 100 feet height."

Arrow barely survived the fall. He suffered a fractured shoulder, shattered pelvis, torn knee ligaments, and broken ribs. His brain and internal organs were bleeding. His lung was pierced and collapsed. The forest officials did their best to kill Arrow, most likely in an attempt to teach his fellow activists a lesson, forcing them to retreat from Gods Valley. "We don't know where he started his fall," says Clatsop County Sheriff John Raichl, "but they heard the crashing. Even with the floodlights, it was dark. One of the depu-

ties is an emergency medical technician and started working on him. He is very, very lucky to be alive.”

While they threatened a sleep-deprived, malnourished tree-hugger with the threat of violence, Arrow and his friends reciprocated only with defiance, not aggression. At one point during the tree-sit, a logger climbed up to coax him down, when Arrow noticed that another official on the ground was pointing a rifle at him. He knew if he were to come down, he was not going to be embraced with open arms.

“I am totally confident we did the right thing,” Sheriff Raichl told *The Oregonian*. Oregon Governor Kitzhaber wasn’t so sure, and ordered an investigation into the matter while the logging continued. Arrow was charged with trespassing on public land and interfering with a forestry operation.

As Arrow was nursing his injuries in a hospital bed, FBI agents were investigating an arson that took place six months prior. On the night of May 31, 2001, Jacob Sherman borrowed his mom’s truck, told her he was going to run some errands, and picked up Arrow along with two other fellow PSU students, Angie Cesario and Jeremy Rosenbloom. They headed to the timber town of Estacada, where the Eagle Creek logging contractor, Ray Schoppert, kept the company’s logging trucks.

“Jake (Sherman) told [his girlfriend] that, on that same night, Jake, Jeremy and Angie went with Tre to a place where logging trucks were parked,” government investigators would later assert. “Jake kept saying he didn’t want to do it. Tre said they were here to do this and that’s what they were going to do.”

Sherman was boastful and told several girlfriends in detail his version of the events that took place that night. As he recounted it, Cesario was the lookout and stayed in the truck, while Rosenbloom, Arrow and Sherman took eight gasoline-filled jugs and positioned them under the logging trucks. As Sherman lit one jug, it flared up and scorched his eyebrows, hair and clothing. They then immediately left the scene, leaving four of the incendiary jugs unlit. The other four milk jugs ended up burning two trucks and one front loader, causing a total of \$100,000 in damage.

Sherman had not been an especially careful saboteur. The truck smelled of

gasoline, and he dumped his clothes in the trash bin when he returned that night at 2 a.m., asking his brother to tell his parents that he had returned home at 10:30 p.m. Sherman’s father, Tim Sherman, who did not live with the family, contacted the FBI telling them he believed his son was involved in the arson. To this day it is unclear as to what prompted Tim to believe his son was involved. The day after his father phoned FBI, agents interviewed Sherman’s parents and friends. But it is still uncertain if the FBI was also looking into Arrow’s involvement at this time. Arrow wasn’t hard to find during most of the investigation, from October to November he was essentially captive in Emanuel Hospital in Portland, healing his battle wounds from his fall in Gods Valley.

During FBI questioning, Sherman buckled and pegged Arrow as the ring-leader, who along with Sherman, allegedly burned the Ross Island Gravel trucks. In July 2002, Arrow, Sherman, Rosenbloom and Cesario were indicted for their alleged participation in the fire-bombing in Estacada. But Arrow somehow escaped the FBI’s Joint Terrorism Task Force dragnet, despite the fact that his lawyer, Stu Sugarman, was helping Arrow with civil lawsuits following the Gods Valley incident and was arranging to have his client appear in court at the same time.

A trial and conviction could have meant 30 years in prison. The defendants were strong-armed into striking plea deals, all eventually pointing the finger at Tre Arrow to reduce their sentences. This was a departure from earlier testimonies, when both Cesario and Rosenbloom did not name Arrow as the instigator, but Jake Sherman. Arrow fled across the country. The FBI believed Arrow might have been involved in many ELF actions, from Colorado to Pennsylvania. But his friends at Cascadia Forest Alliance didn’t buy it. All of the activists who were called before the Grand Jury to indict Arrow pled the Fifth Amendment, refusing to turn on their friend and fellow activist.

In the end, the Schoppert fire in Estacada proved to be a huge boost for the plight of Eagle Creek. Timber sales in the forest began to unravel immediately after the flames torched the logging trucks, with several timber outfits pulling out of their deals. The arsons seemed to have forced the companies to reconsider

logging in an area that was so contentious – exactly the outcome many active in the struggle were hoping for.

Radical environmentalism had been successful, at least for the moment – a fact not many people inside or outside of the movement were willing to admit. While the media may portray radical activists that turn to violence to defend the Earth as deranged psychopaths, there is an underlying ethic that drives their actions. Radical environmentalists believe the culture and economic system are inherently exploitative and corrupt. They believe we are making far too many intrusions on the natural world and must stop at once. Focusing their efforts to stop logging on public lands is only one tactic in the greater struggle to bring human existence back into balance with the natural order.

Now Tre was no longer dangling from a limb to save a tree; he was on the lam to avoid being imprisoned. On October 18, 2002, Jake Sherman was indicted on four counts, including the fires at Ross Island Sand & Gravel. Since Sherman claimed Arrow was involved, the charges against the AWOL environmentalist immediately doubled. Arrow’s parents hadn’t heard from him in months, few friends admitted to having correspondence. It was clear that Arrow, now a fugitive, was trying to avoid arrest. His story appeared on *America’s Most Wanted* and the FBI was confident their man would come out of hiding at any moment.

It wasn’t until March 13, 2004, that the FBI learned exactly where Tre Arrow was. He hadn’t turned himself in, but he was in handcuffs. Arrow had been caught stealing bolt cutters from a hardware store in Victoria, British Columbia. He had been on the run for 19 months. “The only thing I was going to use the bolt cutters for was to ‘liberate,’ as we call it, dumpsters [and share the waste].”

Canadian officials ran Arrow’s prints and fast became aware that he was a wanted man in the States. Arrow immediately began to fight extradition, as he felt that he would not receive a fair trial in the paranoid and punitive post-9/11 political climate. “The media has already convicted me not just of the crimes, but of ecoterrorism,” Arrow told *Willamette Week* from his jail cell. “They don’t bother to use the word ‘alleged’ or ‘accused,’ just flat-out ‘terrorist,’ with my name attached.”

return service requested

He outright denied involvement in any firebombings or affiliation with the ELF. "I emphatically express that I am not involved in the ELF and never have been. And, at the same time, I don't condemn the activists that are involved in the ELF for the actions they engage in."

From his small cell, Arrow essentially embarked on a protest fast, as a strict raw vegan diet was continuously denied. He lost nearly 40 pounds, and many were concerned about his deteriorating health. Arrow approached a Canadian immigration panel, seeking to be awarded refugee status because he and his lawyers claimed he'd already been labeled guilty by the media and would not receive a fair trial. The motion was denied.

Arrow spent much of his time fleeing the FBI by roaming around Canada. "When he showed up in Halifax, Arrow said he had an aunt living just outside the city. He came from the West Coast and didn't talk much about his past. I got to know him as Josh Rivers, the ever-so-vegan couch surfer who defended Mother Earth," writes Chris Aresenault in *This Magazine*. "He spent nights tearing around the city on a borrowed bicycle

to scavenge paper from recycling bins so we wouldn't have to print leaflets on 'dead-tree bleached sheets' ... [Some] respected and admired him, while others found him off-the-wall, if not downright offensive ... He was kind and diligent, yet overzealous and a little hot-headed; passionate and contradictory. While incarcerated, he refuses cooked food, in part because of the fossil fuels used in cooking. Yet he chomps bananas shipped from Latin America at a far greater environmental (and social) cost. Lots of fury, a little short on thought."

Eventually Arrow stopped fighting extradition and accepted a plea agreement, stating he had been involved in both the Ross Island and Schoppert arsons. On August 12, 2008, Arrow was sentenced to 78 months in federal prison, but was given credit for the time he had already served in Canada. Arrow would walk free in four years. He could have faced 40 years in prison and been forced to pay a fine of \$500,000.

"Some may look at this non-cooperation plea agreement as a victory. Some may see it as a defeat. It's really neither! It's simply another step in this journey

as i walk my path of conscience," decried Tre Arrow in a message to his supporters after he agreed to the plea deal. "You see, it's never been about me. From before the days of the ledge-sit, right thru till today, this has been and will always be about the commitment to leave our Earth Mother in a healthier, more beautiful state than when i arrived. This is about taking back our power from the government and corporate entities that would have us believe that monetary wealth and the acquisition of material objects is more important than the health of the planet." **CP**

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