

# POV

Community  
Engagement & Education

## DISCUSSION GUIDE

### **If a Tree Falls: A Story of the Earth Liberation Front**

Directed by Marshall Curry  
Co-directed by Sam Cullman



[www.pbs.org/pov](http://www.pbs.org/pov)

NEW YORK, 2011

The making of **If a Tree Falls: A Story of the Earth Liberation Front** consisted of a series of surprises.

The first surprise hit on a cold December afternoon about five years ago, when my wife came home from her job at a public relations firm and told me that four federal agents had entered her office and arrested one of her employees — Daniel McGowan — for “eco-terrorism.” He was being charged with arson against two Oregon timber companies.

We were shocked. I had met McGowan through my wife, and he did not fit my expectation of what an “eco-terrorist” would be like. He had grown up in Rockaway, Queens, was the son of a New York cop and had been a business major in college. He didn’t look or talk like a revolutionary, and to me he seemed less like Che Guevara or Malcolm X than a typical “boy next door.” Whenever reality cuts against a stereotype, and I discover that the world doesn’t work the way I thought it did, I become curious.

How had someone like McGowan taken part in setting these fires and found himself facing life in prison for terrorism? What could lead someone to decide that arson was a reasonable response to environmental problems? How had this shadowy group to which he belonged — the Earth Liberation Front (ELF) — been formed, and how had the investigators cracked it? Sam Cullman (cinematographer/co-director) and I decided to find out.

At first, we thought we’d make a short film on the subject, but the more we dug in, the more interesting it became. There’s a saying that the deeper you go, the muddier the water gets, and I think that was true in this case.

Everywhere we looked, our expectations were challenged. People said the opposite of what we anticipated. Those we assumed would be fanatical — on one side or the other — turned out to be thoughtful and conflicted. Things we expected to be clear-cut were actually quite complex. And there were no easily identified heroes or villains. There were flashes of unanticipated drama, and we discovered archival footage that amazed us.

When I began editing the film with Matt Hamachek, we tried to build those moments of surprise into the film and give the audience an experience similar to ours — we aimed to create for viewers an unsettling ride that shifts their sympathies and leaves them with a more nuanced view of the world.

Right after McGowan’s arrest, when we were first considering making a film on the ELF, we were surprised to discover that no one had ever made a film on the subject. But once we began working on our project, we discovered one reason why — getting access was an enormous challenge. Many of the subjects were facing life in prison as we were shooting, and the high stakes made people understandably skittish about going on camera. They had also seen the way that media sensationalized their crimes and branded them terrorists, and they didn’t want to risk that happening again. The prosecutor, the detective and the arson victims were also reluctant to talk with us at first. They didn’t want to get sandbagged by a filmmaker with an agenda who would edit their words out of context.

But we were patient (we spent four years shooting the film), persistent and honest with people, and eventually we won their trust.

I’m not that interested in movies that set up straw men just to knock them down. It seems more interesting to let strong personalities and arguments bang up against each other and see what happens. And I like allowing viewers’ sympathy to shift around during a film — sometimes in a way that makes them uncomfortable.

**If a Tree Falls: A Story of the Earth Liberation Front** is a film that asks questions more than it answers them. And by the end of it, I think the audience is left not with a single, easily directed feeling of outrage — though there is plenty in the story to inspire outrage — but with an uneasy sense that things are more complicated than they seem on the surface.

**Marshall Curry**, director/editor/writer



Director Marshall Curry  
Photo courtesy of Bill Gallagher



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ELF Fire at Superior Lumber  
Photo courtesy of Roy Milburn

**If a Tree Falls: A Story of the Earth Liberation Front** (90 minutes) explores two pressing issues — environmentalism and terrorism — by lifting the veil on a radical environmental group the FBI calls America’s “number one domestic terrorism threat.” In December 2005, Daniel McGowan was arrested by Federal agents in a nationwide sweep of radical environmentalists involved with the Earth Liberation Front (ELF). Using intimate interviews with McGowan, his family, friends and colleagues and the law enforcement who tracked and prosecuted him, the film looks at what turned this working-class kid from Queens into an eco-warrior. By focusing on the transformation and radicalization of one ELF member, the filmmakers provide a nuanced and provocative account that is part coming-of-age story, part cautionary tale and part cops-and-robbers thriller.

As an outreach tool, **If a Tree Falls: A Story of the Earth Liberation Front** provides an excellent springboard for deep discussion about the tensions inherent in social change movements. It explores differences among people who want to work within the system, those who support a strategy of civil disobedience and those who choose to “fight fire with fire” (literally and figuratively). As it asks hard questions about environmentalism, activism and the way we define terrorism, the film helps viewers reach beyond simplistic public policy debates to uncover the complex and passionate lives behind the headlines and statistics.





**If a Tree Falls: A Story of the Earth Liberation Front** is well suited for use in a variety of settings and is especially recommended for use with:

- Your local PBS station
- Groups that have discussed previous PBS and POV films relating to civil disobedience or environmental activism, including *The Camden 28*, *The Most Dangerous Man in America: Daniel Ellsberg and the Pentagon Papers*, *Better This World* and *Thirst*, or other POV films by Marshall Curry (*Street Fight*, *Racing Dreams*)
- Groups focused on any of the issues listed in the Key Issues section
- High school students and college students
- Faith-based organizations and institutions
- Cultural, art and historical organizations, institutions and museums
- Civic, fraternal and community groups
- Academic departments and student groups at colleges, universities and high schools
- Community organizations with a mission to promote education and learning, such as local libraries

**If a Tree Falls: A Story of the Earth Liberation Front** is an excellent tool for outreach and will be of special interest to people looking to explore the following topics:

- Activism
- Deforestation
- Domestic terrorism
- Economic development
- Environmentalism
- FBI
- Forest service
- Freedom of assembly
- Freedom of speech
- Global warming
- Law enforcement
- Oregon
- Political protest
- Public lands/land use policy
- Public relations
- Social movements
- U.S. Constitution
- Violence
- World Trade Organization and the Seattle protest

## USING THIS GUIDE

This guide is an invitation to dialogue. It is based on a belief in the power of human connection, designed for people who want to use **If a Tree Falls: A Story of the Earth Liberation Front** to engage family, friends, classmates, colleagues and communities. In contrast to initiatives that foster debates in which participants try to convince others that they are right, this document envisions conversations undertaken in a spirit of openness in which people try to understand one another and expand their thinking by sharing viewpoints and listening actively.

The discussion prompts are intentionally crafted to help a wide range of audiences think more deeply about the issues in the film. Rather than attempting to address them all, choose one or two that best meet your needs and interests. And be sure to leave time to consider taking action. Planning next steps can help people leave the room feeling energized and optimistic, even in instances when conversations have been difficult.

For more detailed event planning and facilitation tips, visit [www.pbs.org/pov/outreach](http://www.pbs.org/pov/outreach)



Scene from the film  
Photo still from “If a Tree Falls”

## Notable Moments in the Environmental Movement

**1892.** John Muir co-founds the Sierra Club. Over the course of his life, Muir will successfully lobby Congress and the White House to protect Yosemite and Sequoia National Parks.

**1972.** The environmental and anti-nuclear organization Don't Make a Wave Committee changes its name to Greenpeace. The group popularizes the use of “direct action” by sailing into nuclear test zones, disrupting whaling efforts and occupying coal facilities. In one landmark case, Greenpeace activists are put on trial for painting a message on a 500-foot smokestack at a British coal power station. The activists are acquitted when they argue in court that their actions were legally justified because they helped prevent climate change, which would cause far more damage around the world. In 1985, French intelligence services plant a bomb on the Greenpeace ship *The Rainbow Warrior* to prevent it from interfering with French nuclear testing. The ship is destroyed and one crewmember is killed in the attack; the French agents plead guilty and serve just over two years in prison.

**1975.** Edward Abbey publishes *The Monkey Wrench Gang*, a novel about four friends who decide to sabotage polluters and developers using vandalism — or “monkey wrenching.” The book inspires frustrated environmentalists and popularizes the term (and concept) “monkey wrenching.”

**1980.** Dave Foreman, Mike Roselle and other disaffected members of the mainstream environmental movement found Earth First! (The exclamation point is part of the group's proper name.) The group is more of a philosophy than an organization, and it has no formal membership roles or leadership. Its slogan is “No compromise in defense of Mother Earth,” and in 1985, Foreman publishes *Ecodefense: A Field Guide to Monkeywrenching*, which explains how to disable logging equipment and sabotage development projects.

**1990.** A bomb explodes in the car of prominent Earth First! activists Judi Bari and Darryl Cherney. The FBI publicly accuses Bari of transporting a bomb for terrorism purposes,



which she denies, pointing to numerous death threats she has received due to her environmental work. In 2002, a jury orders the FBI and Oakland police to pay Bari's estate \$4.4 million for false arrest and violation of her First and Fourth Amendment rights.

**1996.** Feeling that the tactics of Earth First! were not effective or radical enough, Jake Ferguson and friends commit the first Earth Liberation Front (ELF) arsons in the United States at two Oregon ranger stations. The ELF looks to its sibling organization, the Animal Liberation Front (ALF), for inspiration and adopts its guidelines: 1) Cause as much economic damage as possible; 2) Use the actions to educate the public; 3) Take all precautions to make sure no life is harmed in the actions. In the ensuing years, both the ELF and the ALF will claim responsibility for many fires. As ELF actions spread during the 1990s and early 2000s, they are condemned by activists from the Sierra Club and Greenpeace and even by some Earth First! members.

#### Source

If a Tree Falls Press Kit.

<http://www.ifatreefallsfilm.com/press.html>

### From Earth First! to the Earth Liberation Front

The 1970s saw an explosion of interest in environmental issues, in part simply because of growing awareness, and in part because of the establishment in the 1970s of Earth Day, which united various environmentally related issues under one larger umbrella. As environmental awareness increased, new environmental groups formed all over the United States and in Europe.

Before too long, members of the movement became frustrated with the failures of traditional protest and legislative action and turned to more radical methods to have their voices heard. Earth First! (the exclamation point is part of the group's proper name) grew out of the desire on the part of many individuals to take environmental action into their own hands. These people saw other envi-

ronmental groups' tactics as not effective or radical enough. Earth First! relied on sabotage and property damage (sometimes called "ecotage") and participated in acts ranging from monkey-wrenching logging equipment to defacing billboards and tree-spiking, an act that involves driving metal spikes into the trunks of trees designated for removal. By the 1990s, the group was under increasing pressure from the FBI, and state and federal laws had been passed in an effort to stop it. Around this time the Earth Liberation Front (ELF) began surfacing in the United Kingdom and Jake Ferguson and friends committed the first ELF arsons in the United States at two Oregon ranger stations.

ELF is more of a grassroots movement or philosophy than a centralized group, and its origins are not easily traced. Like



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**Earth First!**

**Round River Rendezvous**

**Calendar**

**June 19-26 SEACotopia 1997**  
National Summer Gathering of the Student Environmental Action Coalition, the largest student environmental organization in North America.

**June 30 to July 8 Earth First! Round River Rendezvous**  
International Gathering of the Earth First! Movement. (See lower left box)

**July 3 Sovereignty Potluck**  
Picnic-Potluck Hosted With Earth First! Rendezvous. International Exchange of Food, Stories, & Music.

**July 25-27 Annual Protect the Earth Gathering, Mole Lake**  
Join in this annual coming together of the Upper Great Lakes Anti-Mining Community. Tribal and non-tribal folks welcome and invited. Mole Lake Powwow Grounds.

**contacts**

**North America:**  
tollfree @ 1-888-875-2233 ext 0797  
or help cut costs and call: 608-250-8378  
731 State St. Four Lakes Madison, Wisconsin 53703 c/o Greens Infoshop  
<http://www.geocities.com/rainfores/4101>

**Regionally:**  
East - Katuah EF! (TN) - 423-624-3939  
South - EF! Austin (TX) - 512-478-7666  
West - Bay Area EF! (CA) - 510-848-8724  
Earth First! Journal - 541-741-9191

A flyer for the environmental action group, Earth First!  
Photo still from "If a Tree Falls"





Caval West Horse Processing Plant,  
the site of an ELF arson  
Photo still from **"If a Tree Falls"**

the Animal Liberation Front (ALF), the ELF employs a "leaderless resistance" structure. Designed to reduce risk of infiltration by law enforcement, leaderless resistance eschews centralized authority and chain of command. The ELF has found that "this cell structure has been extremely effective in ensuring the continuation of the organization with minimal arrests."

In an effort to reduce a sense of hierarchy, cells are linked only by shared ideology. The only way to "join" a group with a leaderless resistance structure is to form a cell and, in the case of the ALF and the ELF, launch a direct action against a corporation or organization that acts in a way that is in conflict with the group's core values. The American branch of the ELF was itself formed in this way, when a group committed arson against a U.S. Forest Service truck in Oregon's Willamette National Forest in 1996. Once a cell's action has been completed, the cell may dissolve completely.

While many ELF supporters consider such actions to be in the revolutionary tradition of the Boston Tea Party (symbolic property destruction designed to draw public attention to important issues), they also recognize the

danger and unanticipated consequences of arson. As a member of the ELF, Daniel McGowan took part in two multimillion dollar fires in Oregon — one against Superior Lumber, a timber company engaged in old-growth logging, and the other aimed at the Jefferson Poplar tree farm, which he believed (incorrectly) was involved in genetic engineering projects. After that second fire, McGowan began to question the use of arson as a tactic.

Other notable actions mentioned in **If A Tree Falls: A Story of the Earth Liberation Front** include arsons targeting the Oakridge Ranger Station, the Cavel West plant, a Bureau of Land Management office, a \$12 million ski lodge in Vail, Colorado, a biology lab at the University of Minnesota, the Center for Urban Horticulture at the University of Washington and the Joe Romania truck center.

# Arson suspect freed on \$1.6 million bail

Man accused in eco-sabotage conspiracy  
allowed to return home to New York City



**Daniel McGowan**  
will be under  
tight  
restrictions  
— including  
electronic  
monitoring —  
after returning  
to New York  
to await trial.



## to save s

Current efforts won't sus  
another century, Salmon

By WINSTON  
The Register-

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These are just a few of the co  
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policy analysts and advocates w  
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The volunteer participants o  
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Four key factors will reduce  
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- ♦ A likely quadrupling of po  
to an estimated 65 million by 21
- ♦ Increased scarcity and com
- ♦ A system of commerce th

Please

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An article in *The Register-Guard* (an Oregon newspaper) follows Daniel McGowan's release on bail as he awaits trial under house arrest  
Photo still from "If a Tree Falls"

### "Eco-terrorism"

The term "eco-terrorism" is widely understood to have been coined by Ron Arnold, executive vice president of the Center for the Defense of Free Enterprise, an education and research organization affiliated with the mining and timber industries. Sometimes referred to as the "father of the wise use movement," Arnold has gained recognition as a fighter for individual liberties, property rights and limited government. In a 1983 article in *Reason* magazine, Arnold first used the term "eco-terrorism" and defined it as a "crime committed to save nature"; five years later, the term appeared in congressional testimony in relation to radical environmental activists. In 1997, Arnold published a book titled *Ecoterror: The Violent Agenda to Save Nature - The World of the Unabomber*.

In 2002, The FBI's domestic terrorism section chief, James F. Jarboe, said in congressional testimony that the animal-rights and environmental movements had increasingly turned to vandalism and "terrorist activity" to further their





causes. Such acts, said Jarboe, constituted “eco-terrorism,” a form of action he traced back to 1977, when members of Greenpeace formed the Sea Shepherd Conservation Society and attacked commercial fishing operations by cutting drift nets.

Around the time of the Sea Shepherd Conservation Society attack, the American branch of the Animal Liberation Front (ALF) formed, and it soon began to launch protests against fur companies, mink farms, restaurants and animal research laboratories in the form of illegal acts that have led to its classification as a terrorist group by the FBI. In the 1990s, the Earth Liberation Front (touting a mission similar to ALF’s) was formed, in part by former Earth First! activists, and embraced radical tactics to call attention to environmental issues.

In 2008, the FBI estimated damage from previous “eco-terrorist” attacks at well over \$100 million and listed 180 ongoing investigations into “eco-terrorist” crimes.

There has been some debate even within law-enforcement circles about the use of the term “terrorist” to describe the sorts of acts carried out by the ALF and the ELF, and about whether crimes that typically target property rather than people are best handled under the counterterrorism program. No one has ever been hurt in an ELF arson, and some critics believe the term “domestic terrorism” is used by law enforcement in an effort to receive more funding and press attention.

In a 2003 recommendation, the office of the inspector general suggested that such cases be relocated from the counterterrorism to the criminal investigative division in order to free up counterterrorism resources for international targets, such as Al Qaeda. The FBI responded by saying that the counterterrorism unit is best suited for such work, as organizations like the ELF and the ALF are organized along the same lines as terrorist cells.

McGowan feels that “terrorism” has become a term that people use to win public relations battles against their political opponents. His sister points out that she witnessed the violence and devastation of 9/11 first hand, and it’s hard to see the same word used to characterize the actions of both Al Qaeda and her brother, who took care to make sure that no one was hurt by his actions. Still, the victims of his arsons did feel terrorized by the fires, and one prosecutor says, “You don’t have to be Bonnie and Clyde to be a bank robber, and you don’t have to be Al Qaeda to be a terrorist.”

## Domestic Terrorism in the United States

### Defining the Term

The USA PATRIOT Act amended the list of federal crimes of terrorism contained in the U.S. Code of laws (section 2331 of title 18) and provided new and enhanced laws to prosecute terrorism. Section 802 of the USA PATRIOT Act expands the type of conduct the government can investigate when investigating “terrorism” and provides a definition of “domestic terrorism.”

According to section 802, “A person engages in domestic terrorism if they do an act ‘dangerous to human life’ that is a violation of the criminal laws of a state or the United States, if the act appears to be intended to: (i) intimidate or coerce a civilian population; (ii) influence the policy of a government by intimidation or coercion; or (iii) to affect the conduct of a government by mass destruction, assassination or kidnapping. Additionally, the acts have to occur primarily within the territorial jurisdiction of the United States and if they do not, may be regarded as international terrorism.”

Still, there is no one universal definition of terrorism. Different wording is used by federal agencies from the U.S. Department of Homeland Security to the U.S. State Department to the FBI itself, and the United Nations has struggled to define terrorism for decades.

### U.S. Domestic Counterterrorism

At the helm of the domestic counterterrorism effort is the FBI, which works closely with state, local and other federal agencies to gather, archive and analyze massive amounts of information on U.S. citizens and residents reported by law enforcement officers or fellow citizens to be acting suspiciously.

While the initial charges that triggered potential terror enhancements for McGowan were derived from laws written in the wake of the 1995 Oklahoma City bombing, 9/11 has emboldened domestic law enforcement personnel, who have received increased funding and resources to pursue cases.

Days after the 9/11 attacks, then-recently appointed FBI director Robert Mueller sent his field offices a memo that made prevention of any future terrorist attacks the FBI’s “one set of priorities.” According to the FBI’s website, the FBI “needed to become more adept at preventing terrorist attacks, not just investigating them after the fact.” The key





to actualizing these priorities, said Mueller, was intelligence. In November 2001, the U.S. Department of Justice began conducting investigations, seeking individuals whose intentions, rather than actions, constituted a threat. This precedent has since been institutionalized as a permanent law enforcement priority.

According to a 2010 investigation by *The Washington Post*, there are currently 3,984 federal, state and local organizations working on domestic counterterrorism. Of those, 934 have been created since the 9/11 attacks. Since 2003, the U.S. Department of Homeland Security has awarded \$31 billion in grants to state and local governments to improve their ability to find and protect against terrorists.

After the Animal Enterprise Terrorism Act was passed by Congress in 2006, the law extended the range of legal prosecution of activists, making it a criminal offense to interfere with not only "animal enterprises" but with any property of a person or entity having a connection to, relationship with, or transactions with an animal enterprise (food or fiber production, zoos, pet stores, clothing stores and medical research, among others). Tying prison terms and fines to tiers of 'economic damage' experienced by victims, the law criminalizes actions that intentionally damage property, cause profit loss and/ or place a person in "reasonable fear" of death or serious bodily injury by a course of conduct that does not necessarily have to include physical violence — but involve any two of the following actions: "threats, acts of vandalism, property damage, criminal trespass, harassment or intimidation."

In 2008, FBI special agent Richard Kolko said that special-interest extremism "remains what we would probably consider the number one domestic terrorism threat."

To read the full Animal Enterprise Terrorism Act, visit:  
<http://www.govtrack.us/congress/billtext.xpd?bill=s109-3880>

### ***The USA PATRIOT Act***

In the wake of the events of September 11, 2001, the USA PATRIOT Act was passed on December 6, 2002. The act reduces restrictions on law-enforcement officials' ability to gather and share information on suspected terrorists.

One of the provisions provided by the act is the sharing of information between intelligence and criminal investigators, which expands the scope of investigations and cooperation between departments. Additionally, in terrorism investigations, federal judges now have the authority



A U.S. Marshall leads McGowan into a law enforcement vehicle  
 Photo still from "If a Tree Falls"

to grant search warrants outside their districts, including providing access to electronic sources such as emails, and the authority to issue "sneak and peek" warrants, which authorities may use to search homes or businesses before notifying the suspects. "Roving wiretaps" now permit investigators to follow suspects continuously through various devices, including cell phones, Blackberry devices and computers, without requiring separate court authorization for each. The group of people the FBI can pursue has also





expanded to include those who support terrorist organizations by providing them material resources.

Among the newer initiatives of the USA PATRIOT Act was the establishment of the Joint Terrorism Task Force (JTTF), which the FBI defines as “small cells of highly trained, locally based, passionately committed investigators, analysts, linguists, SWAT experts and other specialists from dozens of U.S. law enforcement and intelligence agencies. It is a multi-agency effort led by the Justice Department and FBI designed to combine the resources of federal, state and local law enforcement.”

Critics of the USA PATRIOT Act maintain that such provisions lack the transparency to prevent abuses, allowing the government to access and amass information about, as well as search the property of, non-criminal citizens. The FBI defends its change in practices against public criticism of its constitutionality. In a 2004 statement, FBI director Robert Mueller said, “Many of our counterterrorism successes, in fact, are the direct results of provisions included in the Act . . . Without them, the FBI could be forced back into pre-

Mug shots of fourteen members of the ELF, including Daniel McGowan (top center) and Suzanne Savoie (bottom right)  
Photo still from “If a Tree Falls”

September 11 practices, attempting to fight the war on terrorism with one hand tied behind our backs.”

On May 27, 2011, President Obama signed into law a four-year extension of the USA PATRIOT Act.

To read the full act, visit:  
[www.fincen.gov/statutes\\_regs/patriot/index.html](http://www.fincen.gov/statutes_regs/patriot/index.html)





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## Selected People Featured in *If a Tree Falls: A Story of the Earth Liberation Front*

### • ENVIRONMENTAL ACTIVISTS



**Daniel McGowan** is the primary subject of the film. He was arrested in 2005 by four federal agents in a nationwide sweep of radical environmentalists involved with the Earth Liberation Front.



**Jake Ferguson** is the quiet, charismatic “pirate” who took part in the first ELF arson in the United States.



**Suzanne Savoie** is McGowan’s ex-girlfriend and took part in two fires with him.



**Tim Lewis** is an activist/filmmaker who lives in a one-room cabin in the mountains of Oregon. He captured on film the environmental movement that spawned the ELF.



**Bill Barton** is a contractor and small timberland owner who has worked as a logger, geologic technician and environmental advocate at the Native Forest Council.

## Selected People Featured in *If a Tree Falls: A Story of the Earth Liberation Front*

### • FAMILY



**Jenny Synan** was McGowan's girlfriend and is now his wife.



**Lisa McGowan** is Daniel McGowan's sister; Daniel McGowan lived with her while under house arrest.

### • LAW ENFORCEMENT



**Kirk Engdall** is the assistant U.S. attorney general who prosecuted McGowan's case and holds a nuanced view of the group by the end of the film.



**Greg Harvey** is a police detective who describes the day he and his partners broke McGowan's case as "one of the best days I've ever had."



**Chuck Tilby** is the captain of the Eugene, Oregon police department and was a leader of the Operation Backfire investigation that led to the arrest of Daniel McGowan.



## GENERAL DISCUSSION QUESTIONS

POV

Immediately after the film, you may want to give people a few quiet moments to reflect on what they have seen. If the mood seems tense, you can pose a general question and give people some time to themselves to jot down or think about their answers before opening the discussion.

Please encourage people to stay in the room between the film and the discussion. If you save your break for an appropriate moment during the discussion, you won't lose the feeling of the film as you begin your dialogue.

One way to get a discussion going is to pose a general question such as:

- If you could ask anyone in the film a single question, who would you ask and what would you ask him or her?
- What did you learn from this film? What insights did it provide?
- Describe a moment or scene in the film that you found particularly disturbing or moving. What was it about that scene that was especially compelling for you?



Early mug shot of Daniel McGowan following his arrest at an EarthFirst! demonstration in Crandon, WI  
Photo still from "If a Tree Falls"





Demonstrators in New York City question the term “eco-terrorism”

Photo still from “If a Tree Falls”

## The “Terrorist” Label

- Detective Greg Harvey says, “Some people have a problem with calling this ‘terrorism,’ but when you’re basically making the threat where people go home at night wondering if they’re going to be a target, that’s what terrorism is.” Lauren Regan (a member of Daniel McGowan’s legal team) offers this opinion: “The word ‘terrorism,’ to me, is about killing humans. It’s about ending innocent life. And that is the antithesis of what these people did.” Which of these definitions of terrorism most closely matches your own views? Do you think that what McGowan did qualifies as “terrorism”? Why or why not?
- McGowan says, “It’s hideous to be called a terrorist. There was no one in any of these facilities. No one got hurt, no one was injured and yet I’m facing life plus 335 years.” In your view, is it appropriate to try ELF members as terrorists? Why or why not?
- Lauren Regan notes that, “Concern for life was a very big part of the plan and implementation of these actions and is *why* no one was ever harmed or injured

in them. Twelve hundred incidents are being credited to the ELF and the ALF in this country and not a single injury or death. Those statistics don’t happen by accident.” In terms of identifying an act as terrorism or not, should the government have also considered the ELF’s core motivation to protect the environment — and not harm life? What role does “intent” play?

- A woman who participated in the World Trade Organization protests in Seattle objects to the ELF’s destruction of property, saying, “Vandalism is vandalism. Destruction is destruction. Whether it’s of lives or property, it’s not acceptable.” In your view, are there meaningful distinctions between targeting lives or targeting property, or is all destruction the same? Should the label “terrorism” be reserved for the targeting of people, or are acts targeting property also “terrorism”?



The ELF leaves its mark on the shed of Jefferson Poplar Farms after an arson

Photo still from **"If a Tree Falls"**

- What do you think the experience of the arson was like for property owners like Steve Swanson at Superior Lumber? Did they experience the action as terrorism? In your view, is it the victim's experience or the arsonist's intent that should determine whether or not an act is labeled "terrorism"?
- Even after the government had gotten McGowan to confess to participating in arson, it wanted a federal judge to rule that these actions constituted terrorism. Why do you think this was important to the government?
- Who benefits and who is damaged by the use of the phrase "eco-terrorism"?
- Assistant U.S. attorney general Kirk Engdall says of the ELF members he prosecuted, "And you look at their background and you look at their childhood and you look at how they've evolved from the days when they committed all these crimes. Then, instead of just being a cold mug shot on a piece of paper, they become human beings, and so you begin to understand them. And you're not saying you approve of their conduct or their behavior. But, you gain an understanding, an insight, as to how it came to pass that they started doing these things." What insights about ELF members did you gain from viewing the film?

### The Power of Language

- In your view, what is the significance of the film's title, **"If a Tree Falls"**? Why do you think the subtitle of the film says it is a story of the ELF and not *the* story?
- Consider the choice of the group name "Earth Liberation Front." What other kinds of groups use the terms "liberation" or "front" in their names? What (if anything) do they have in common with the ELF? What ideas do you think group members might have been trying to convey with this name?
- The FBI labeled the ELF one of the "most dangerous" groups in the country. What do you think of that label? To whom did the ELF pose a danger?
- Lisa McGowan says, "I'd be a liar if I called myself an environmentalist. I mean, I care about the environment. I think about the environment . . . I recycle. But, I don't recycle every piece of paper like Danny does." Steve Swanson, lumber company owner, says, "Being an environmentalist is simply





Protestors rally against the Cavel West Plant  
Photo still from "If a Tree Falls"

respecting the land and the atmosphere around you. In that regard, I'm an environmentalist." What does the label "environmentalist" mean to you? What do people have to do to earn that label?

- Bill Barton of the Native Forest Council says that, "The industry tends to call the environmentalists radical. The reality is that 95 percent of the standing native forest in the United States has been cut down. It's not radical to try and save the last 5 percent. What's radical is logging 95 percent.

This is radical." Why is the label "radical" important? What role does it play in public discourse?

### Working for Social Change

- List all the protest and activism strategies shown being used throughout the film (letter writing, street protest, monkey-wrenching, filmmaking, disabling bulldozers with sugar in gas tanks, arson and so on). Rate each strategy on a scale of zero to five, with five being extremely effective and zero being not effective at all. Share your ratings with other group members and explain your reasoning. Then, discuss what



made arson seem like an effective strategy to members of the ELF

- Protestors at the World Trade Organization meeting in Seattle react to the destruction of property, saying, “This was not what the protest was about!” How did/does property destruction undermine or support the efforts of environmentalists working within the system or participating in peaceful protest? The film describes a split within the environmental movement between those who “cheered the arsons” and those who argued that “in a democracy, public protest was still a better way of making change.” Which side of the split do you think you would have been on and why?
- Lisa McGowan tells a story about her brother removing the labels from all her canned goods, recalling, “He was like, ‘If we recycle we have to take the labels off the cans.’ I said, ‘But you took the labels off every can. I don’t even know what I have in the cans now. I don’t know if they’re soup. I don’t know what kind of soup. I don’t know if they’re peas, or they’re corn.’ And he’s like, ‘I never thought of that.’” Have you experienced moments when commitment to ideology seemed to clash with practical life situations? What happened and how did you respond? What could people involved in social change movements do to ensure the integration of ideals with day-to-day practical concerns?
- McGowan says that documentary films provided his “a-ha moment.” Before seeing those films, he recalls, “I had never seen with my own eyes what kind of world we lived in.” Why do you think that was the case? Why was he so surprised by what he saw? Was there an “a-ha moment” in this film for you? If so, what was it? Does it inspire you to take action?
- Reflecting on the outcome of the protest over removal of heritage trees to make way for expansion by the Symantec corporation in Eugene, Oregon, Tim Lewis says, “the argument that you need to work within the system was pretty well dashed by what the cops did on that day in Eugene.” How did the city’s actions encourage the very “radicalism” it was intending to suppress? What might have happened if it had conducted a legitimate hearing? Where else were there opportunities to de-escalate?
- At one point in the film, McGowan says, “I think people have a very Pollyanna viewpoint of social change. No real social change has happened without pressure, without force, without, some would say, intimidating governments and corporations into changing their behavior.” He also

wonders about the impact of such actions (after unintended collateral damage from the University of Washington fire and the torching of a lumber company based on misinformation), saying, “There’s got to be better ways of addressing what’s going on in the world than just burning things down.” How would you respond to McGowan’s comments? What would you list as the things most likely to bring about social change?

- Former ELF member Suzanne Savoie says, “Consumer America is destroying the world and destroying the planet.” Would you agree? Is capitalism inherently bad for the planet? Make the case for and against Savoie’s view.
- Savoie says, “One really sad thing about a lot of social movements — but I think ours, especially, because we all are so critical of the world and of the way people live in the world and how they interact with the natural world — that we sometimes are extremely critical of each other and that is definitely part of our downfall as . . . as a movement.” Tim Lewis adds the observation that they all thought they had the answers, saw themselves as the most radical and didn’t listen to others. What did you learn from the experiences of people in the film about social change movements? What strategies could social change agents adopt that would help them to sustain their efforts and cultivate broad movements around their causes?
- Reflecting on his experiences, McGowan says, “The situation with the environment is not getting better — it’s getting worse. And I’m not suggesting that the path of destruction and destroying everything is the right path. But I didn’t know what to do. It’s like, when you’re screaming at the top of your lungs and, like, no one hears you, like, what the hell are you supposed to say? You know? What are you supposed to do?” How would you answer him?

## Environmental Issues

- What did you learn about environmental issues from the film? Which of the events and issues that it covered were new to you and which were familiar? What are your best sources for information about environmental issues and what convinces you that they are credible?
- McGowan says that the first time he ever slept outside was at age 22 on a trip to Wisconsin. Does nature play a role in creating an environmentally conscious population? What opportunities to connect with nature exist for children where you live?



MILWAUKEE JOURNAL SENTINEL MONDAY, JULY 7, 1997 3B

children  
violators',  
parents  
be cited

# Crandon mine protest planned

Company tightens security;  
Earth First! demonstrators  
camp in nearby forest

Associated Press

Crandon — Locked doors and security guards are among a mining company's plans for greeting a protest by environmentalists scheduled for today.

Members of Earth First! have been camped for nearly a week in Nicolet National Forest, preparing for a rally at the site where Crandon Mining Co. wants to dig a shaft to a copper deposit.

"We're keeping the door locked," said Dick Diotte, a

company spokesman. "We don't normally have security guards but we will on Monday."

Diotte said he doubts the rally will hurt mine efforts. Crandon Mining is a Wisconsin partnership formed by Exxon Coal and Minerals, of Houston, and Rio Algom Ltd., of Toronto. It needs state and federal permits to remove 55 million tons of zinc and copper ore from the proposed mine.

Earth First! customarily holds its national camp-outs in western states. It chose northern Wisconsin this time in the hope that hundreds of people would demonstrate against the proposed mine, which critics call a pollution threat.

After its beginnings on the

West Coast in the 1970s, Earth First! was accused of driving spikes into trees to discourage loggers with chain saws, and of vandalizing machines that are used in logging and mining operations. That brought on the ire of businesses and the concern of law enforcement agencies.

During last year's Earth First! outing in Idaho, demonstrators blocked road construction in a forest by perching atop 30-foot-tall log tripods. Two years ago, some Earth First! members refused to leave the mining company's headquarters in Rhineland.

University of Wisconsin professor Harvey Jacobs, who teaches a course on green politics, said the movement "came

about because of what they see as a failure of mainstream environmentalism."

Existing environmental-protection laws are not strong enough to suit the members, Jacobs said. "They believe their approach is both essential and warranted, given what is going on in the world environmentally," he said.

Lynn McKee, owner of a sawmill about five miles south of the campgrounds, said many loggers despise the organization because of the 11-inch spikes found driven into trees.

An unsuspecting logger could be injured if a chain saw hit a spike. Earth First! has disavowed the tactic.

"We don't need them up here

telling us how to run the country," McKee said. "I guess if they don't bother me, I won't bother them. The national forest is for everybody."

About a dozen campers ran to the campgrounds entrance when a guard's radio announced the arrival of "freaks," a term for federal officers.

Pancho-Smith, the U.S. Forest Service law enforcement superintendent for Wisconsin and Minnesota, was told the campers had misplaced a permit that is required for gatherings of more than 75 people.

"Do you guys want to make a test case out of this?" Smith asked. "You're absolutely welcome out here but when you break the law, we'll have a talk."

From page 1

sky, who is in charge of the Sauk Police Department's juvenile division.

The ordinance is narrowed by police and municipal court to target violations by juveniles, alcohol use, disorderly conduct and retail theft.

Officials compared the number of violations from Jan. 1 through 1995 and 1996, they said. The total number of violations for those years was 367 to 291 — a decline.

On, the number of violations dropped from 30 to 15, said.

Think some of those declines are due to the ordinance.

sends letters to parents to get them to the ordinance. The parenting classes are the first and second

**Construction**

**Metro-area freeway work**

**IN PROGRESS THIS WEEK**

Direction	Location	Lanes	Hours
For east-west I-94 construction see PAGE 2A			
southbound	at 13th St.	TWO RIGHT LANES	MON: 9 a.m.-2 p.m.
southbound	at Holt Ave., Howard Ave. and Becker St.	ON-RAMPS	MON: 9 a.m.-2 p.m.
northbound	from Mitchell Interchange to 13th St.	TWO RIGHT LANES	WED: 9 a.m.-2 p.m.
northbound	from Mitchell Interchange to 13th St.		

## Flood/Residents want low taxes and crisis help

- Why are so many of the activists in the film concerned with deforestation, especially of old growth forests? Why aren't they satisfied with logging practices that require timber companies to replace every tree they harvest with six new trees?

### Public Policy

- The Warner Creek timber sale highlighted the conflict over the role of the U.S. Forest Service. As activist Tim Lewis observed, "I think most of America feels that the U.S. Forest Service's job is to protect the forest. But the Forest Service is a part of the Department of Agriculture and the Department of Agriculture looks upon these forests as crops." How would you define the proper role of the U.S. Forest Service?
- McGowan describes his reaction to police treatment of peaceful protestors in Eugene, Oregon, saying, "When those people were getting attacked and stepped on and pepper

A Milwaukee news article covers an Earth First! meeting in Crandon, WI, attended by McGowan  
Photo still from "If a Tree Falls"

sprayed in their face while they were locked down, I thought, 'Protest and civil disobedience — what's the point?'" On the other hand, the police captain says rocks and other things were thrown at force members at other protests. How do you think police should respond to protests? What tactics are permissible and what should be prohibited?

- Armed with charges that carried mandatory minimum sentences, prosecutors were able to leverage the threat of long-term imprisonment (possibly for life) for defendants to compel their cooperation — and in many instances their testimony against each other. What do you think of the government's deal with Jake Ferguson to turn in the others in exchange for not serving jail time? In your view, are such deals good policy? Why or why not?



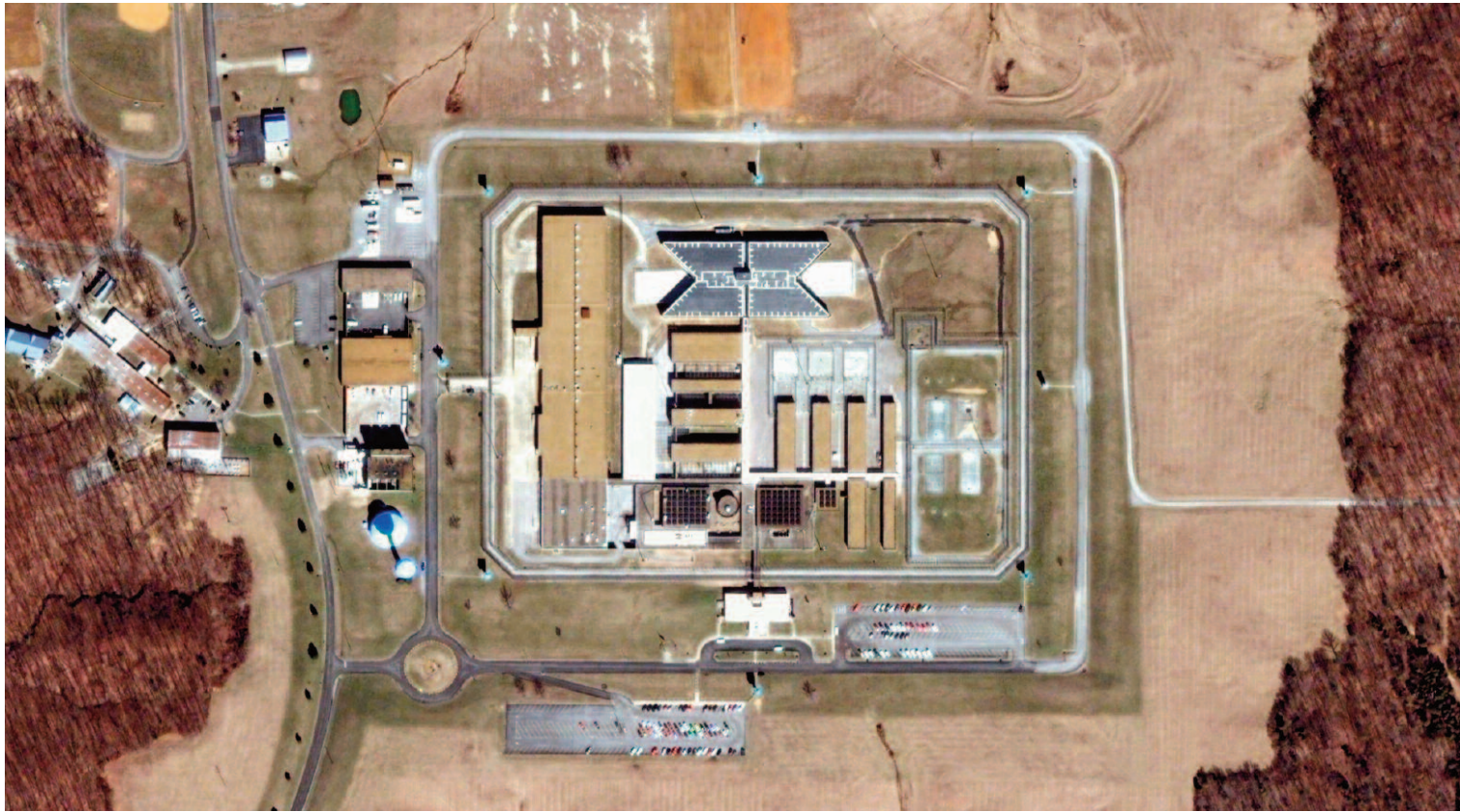


Felled trees in western Oregon  
Photo still from "If a Tree Falls"

- Democracies rely on citizens believing in their system of justice. How do terrorism enhancement and harsh potential sentences in McGowan's case work to support or undermine that faith?
- Echoing the rhetorical debate between those who see his prosecution as evidence of a well functioning system and those who ask why senseless property damage is treated so differently than the politically motivated kind, McGowan asks, "Why do kids who burn cars and riot in the streets after a sports match typically get not much more than criminal mischief charges, while environmentally and ideologically motivated arsons are met with terrorism enhancements and the threat of life in prison?" How would you answer McGowan's question?

**Additional media literacy questions are available at:**  
[www.pbs.org/pov/educators/media-literacy.php](http://www.pbs.org/pov/educators/media-literacy.php)





Aerial view of a prison in Marion, Illinois, which contains an ultra restrictive facility for convicted terrorists

Photo still from “If a Tree Falls”

- Host a screening of **If a Tree Falls: A Story of the Earth Liberation Front** as part of an Earth Day observance. While adults are watching the film, offer a story hour for children in which they read and talk about Dr. Seuss’ *The Lorax*.
- Research environmental issues in your local community and develop a project to address them. For ideas on possible ways to address your issue(s), you might make a quick list of the legal initiatives that you see or hear about in the film, e.g., recycling and the Wetlands bar (which hosted educational events and used the profits to run an environmental center).
- Investigate the role that public relations firms like the one that employed McGowan (Burson-Marsteller) play in media reports, debates and legislation on environmental policy issues. You might start with resources from the Center for Media and Democracy’s PR Watch ([prwatch.org](http://prwatch.org)).
- Initiate a dialogue with local and state police about their policies on responding to public protest or civil disobedience. Include in the discussion the permitted use of pepper spray and Tasers, as well as the use of cameras (both by police and by civilians).
- List all the protest and activism strategies shown being used throughout the film (letter writing, street protest, monkey-wrenching, filmmaking, disabling bulldozers with sugar in gas tanks, arson and so on). Rate each strategy on a scale of zero to five, with five being extremely effective and zero being not effective at all. Share your ratings with other group members and explain your reasoning. Then, discuss what made arson seem like an effective strategy to members of the ELF



## FILM-RELATED WEB SITES

### **If a Tree Falls: A Story of the Earth Liberation Front** **[www.pbs.org/pov/ifatreefalls](http://www.pbs.org/pov/ifatreefalls)**

Visit the filmmaker's website to learn more about the film, the filmmaker, cast and crew and upcoming screening events.

### **Original Online Content on POV Interactive ([www.pbs.org/pov](http://www.pbs.org/pov))**

The **If a Tree Falls: A Story of the Earth Liberation Front** website

#### **[www.pbs.org/pov/ifatreefalls](http://www.pbs.org/pov/ifatreefalls)**

looks at eco-terrorism cases from the past 40 years and compares the outcomes in cases before and after 9/11. Viewers can pore over annotated court documents from the actual case using DocumentCloud. Users can also **test their knowledge** of war on terror terminology, **watch an extended video interview** with filmmaker Marshall Curry and **participate in a live chat** with Curry the day after the broadcast..

## **What's Your POV?**

*Share your thoughts about **If a Tree Falls: A Story of the Earth Liberation Front***

*by posting a comment on the POV Blog*

*[www.pbs.org/pov/blog](http://www.pbs.org/pov/blog) or send an email to [pbs@pov.org](mailto:pbs@pov.org).*

### **EARTH LIBERATION FRONT (ELF)**

**[earthliberationfront.org](http://earthliberationfront.org)**

The Earth Liberation Front website describes the group's actions and philosophy.

### **EARTH FIRST!**

**[earthfirst.org](http://earthfirst.org)**

Earth First! gave rise to the Earth Liberation Front. This group's website includes news on current environmental issues, events and actions, as well as an extensive set of links to other environmental organizations.

### **CENTER FOR CONSTITUTIONAL RIGHTS (CCR)**

**[ccrjustice.org](http://ccrjustice.org)**

In 2010, the Center for Constitutional Rights (CCR) initiated a lawsuit challenging the existence of and conditions in so-called "Communications Management Units," the types of restricted spaces within prisons where McGowan has been serving his sentence since 2008. Citing alleged violations of due process rights and claims of retaliation against prisoners by the Federal Bureau of Prisons, CCR has argued that these special prisons unfairly monitor, punish and discourage political speech.

### **THE CENTER FOR MEDIA AND DEMOCRACY'S PR WATCH**

**[prwatch.org](http://prwatch.org)**

This project of the Center for Media and Democracy tracks and reports on corporate public relations efforts to influence public perception and policy debates. Search for the term "environment" to find specific reports related to environmental issues.





### **CIVIL LIBERTIES DEFENSE CENTER**

**[www.cldc.org](http://www.cldc.org)**

The Civil Liberties Defense Center is a nonprofit organization focused on defending and upholding civil liberties through education, outreach, litigation, legal support and assistance. Lauren Regan, the group's executive director, is interviewed in the film and provided legal council to McGowan and other defendants in the case.

### **FBI (FEDERAL BUREAU OF INVESTIGATION)**

**[fbi.gov](http://fbi.gov)**

A search for the term “eco-terrorist” yields a list of links to news releases, reports and proceedings related to the FBI’s pursuit of environmental “extremists.”

### **NATIVE FOREST COUNCIL**

**[forestcouncil.org](http://forestcouncil.org)**

In the film, this organization is mentioned by activist Bill Barton. Its website features articles and other resources related to the protection and preservation of public lands in the United States.

### **SUPPORT FOR DANIEL MCGOWAN**

**<http://www.supportdaniel.org/>**

Family and friends of Daniel McGowan have created a website to set up public events about the Green Scare and provide financial, logistical, legal and emotional support to Daniel throughout his sentence. The website also provides details about Daniel’s trial and a link to Daniel’s blog where he occasionally posts from prison.



## HOW TO BUY THE FILM

For questions regarding domestic distribution of **If a Tree Falls**, please contact [info\(at\)marshallcurry.com](mailto:info(at)marshallcurry.com) or Oscilloscope Laboratories: 212-219-4029, Festivals/Non-theatrical: [jacob@oscilloscope.net/](mailto:jacob@oscilloscope.net/); Theatrical: [Liz@oscilloscope.net](mailto:Liz@oscilloscope.net)



Produced by American Documentary, Inc. and beginning its 24th season on PBS in 2011, the award-winning POV series is the longest-running showcase on American television to feature the work of today's best independent documentary filmmakers. Airing June through September with primetime specials during the year, POV has brought more than 300 acclaimed documentaries to millions nationwide and has a Webby Award-winning online series, *POV's Borders*. Since 1988, POV has pioneered the art of presentation and outreach using independent nonfiction media to build new communities in conversation about today's most pressing social issues. Visit [www.pbs.org/pov](http://www.pbs.org/pov).

### POV Digital [www.pbs.org/pov](http://www.pbs.org/pov)

POV's award-winning website extends the life of our films online with interactive features, interviews, updates, video and educational content, as well as listings for television broadcasts, community screenings and films available online. The *POV Blog* is a gathering place for documentary fans and filmmakers to discuss their favorite films and get the latest news.

### POV Community Engagement and Education [www.pbs.org/pov/outreach](http://www.pbs.org/pov/outreach)

POV films can be seen at more than 450 events across the country every year. Together with schools, organizations and local PBS stations, POV facilitates free community screenings and produces free resources to accompany our films, including discussion guides and curriculum-based lesson plans. With our community partners, we inspire dialogue around the most important social issues of our time.

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### American Documentary, Inc. [www.amdoc.org](http://www.amdoc.org)

American Documentary, Inc. (AmDoc) is a multimedia company dedicated to creating, identifying and presenting contemporary stories that express opinions and perspectives rarely featured in mainstream media outlets. AmDoc develops collaborative strategic-engagement activities around socially relevant content on television, online and in community settings. These activities are designed to trigger action, from dialogue and feedback to educational opportunities and community participation.

### Join our Community Network! [www.amdoc.org/outreach/events](http://www.amdoc.org/outreach/events)

Learn about new lesson plans, facilitation guides and our other free educational resources and find out about screenings near you. Joining our network is also the first step towards hosting your own POV screening.

You can also follow us on Twitter @POVengage for the latest news from POV Community Engagement & Education.

Front cover: Protester  
Photo courtesy of T. J. Watt



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