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Monkeywrenching, Perverse Incentives and Ecodefence

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ABSTRACT

By focusing too narrowly on consequentialist arguments for ecosabotage, environmental philosophers such as Michael Martin (1990) and Thomas Young (2001) have tended to overlook two important facts about monkeywrenching. First, advocates of monkeywrenching see sabotage above all as a technique for counteracting perverse economic incentives. Second, their main argument for monkeywrenching – which I will call the eco-defence argument – is not consequentialist at all. After calling attention to these two under-appreciated aspects of monkeywrenching, I go on to offer a critique of the eco-defence argument. Finally, I show that there is also a tension between the use of cost/benefit analysis to justify particular acts of ecosabotage and the clandestine nature of those acts.

KEY WORDS

Cost/benefit analysis, deep ecology, eco-defence, ecosabotage, monkeywrenching

1. MONKEYWRENCHING

In the early morning hours of 22 August 2003, three separate acts of ecosabotage were carried out against car dealerships in southern California. At a Chevrolet dealership in West Covina California, saboteurs painted slogans such as 'Polluter', 'Fat, lazy American', 'American Wastefulness', and 'ELF' on sport-utility vehicles.¹ Pictures of the burned out Hummers called to mind

images of destroyed American Humvees in Iraq. On the website of the Earth Liberation Front, a press release dated August 22, 2003 stated that 'although the ELF Press Office has received no communications about these actions from the persons responsible, spraypainted signatures at all scenes indicates [sic] claims of responsibility by ELF activists'.²

There has been little discussion of ecosabotage in the environmental ethics literature, and most of the discussion so far has focused on consequentialist arguments for ecosabotage. For example, Michael Martin asserts that 'at present, there is no reason to suppose that some acts of ecosabotage could not be justified on consequentialist grounds, but ... advocates of ecosabotage such as Dave Foreman have not provided a full consequentialist justification of its use in concrete cases' (1990: 310). More recently, Thomas Young, after considering some more refined objections to monkeywrenching, has concurred that there is no 'a priori obstacle to a consequentialist justification of particular acts of ecosabotage' (2001: 385). Martin and Young seem to agree that there could, in principle, be a good consequentialist argument for ecosabotage, but they do not go so far as to give a consequentialist argument for any particular act of ecosabotage.

It is not surprising that these writers should conclude that if ecosabotage can be justified at all, the justification would have to be consequentialist. Aside from the fact that it is illegal, ecosabotage involves damage or destruction of someone else's property, which is *prima facie* morally impermissible. Indeed, the most serious and most obvious objection to strategic monkeywrenching is simply that it is wrong to damage or destroy other people's property. In order to justify such actions as the destruction of the Hummers, proponents of ecosabotage would need to show that other considerations sometimes trump the moral prohibition against damaging or destroying another's property. One natural way of doing this is to argue that the *prima facie* prohibition is trumped by cost/benefit considerations. Consider, by way of analogy, arguments concerning the morality of lying. There is a *prima facie* moral prohibition against lying, but some have held that there are situations in which this *prima facie* prohibition gets trumped by cost/benefit considerations. For example, a doctor may be tempted to lie to a terminally ill patient, and to say, 'Your condition is bad, but there is at least a chance that you will get better and be able to return home.' The doctor might try to justify the lie by reference to its good consequences as well as the bad consequences of telling the stark, painful truth.

In addition, Thomas Young (2001) has shown how some of the most serious objections to ecosabotage can, at least in principle, be answered from a consequentialist perspective. Consider, by way of an example, what Young calls the *argument for moral consistency*:

If X believes that it is morally permissible for her to perform acts of sabotage (e.g., destroying bulldozers) to further a cause which she values highly (protect-

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ing the environment), then, by parity of reasoning, she must acknowledge that it would be morally permissible for Y to perform acts of sabotage (e.g., bombing abortion clinics) to further a cause which he values highly (protecting fetuses) (2001: 387).

The proponent of ecosabotage who does not wish to endorse the activities of those who bomb abortion clinics needs to identify a relevant difference between the two kinds of sabotage. Young suggests that in this case, 'X could appeal to probable consequences: ecosabotage (done properly) maximises utility, other forms of sabotage (usually) do not' (2001: 389). It would take some empirical work to show that ecosabotage, done properly, does in fact maximise utility, and that this distinguishes it from other forms of sabotage, but there is no reason in principle why this could not be done. The fact that this and other objections to ecosabotage can be answered from a consequentialist perspective lends further support to the idea that the most natural way to go about trying to justify ecosabotage is the consequentialist route.

There are, however, two reasons to think that those who try to justify ecosabotage on consequentialist grounds run the risk of misconstruing it. First, the reliance on cost/benefit analysis does not square very well with the philosophical background beliefs of some proponents of ecosabotage. For example, since Dave Foreman has expressed sympathy with deep ecology, it seems ironic that he would stake the entire case for ecosabotage on cost/benefit analysis, an approach that is widely seen as being at odds with non-anthropocentric philosophy. Young notices this tension, and in a telling footnote to his paper he writes that someone like Foreman could argue that 'with so much at stake there is no sense in being a slave to (what Wordsworth called) "foolish consistency"' (201: 393 n.10). Surely a more charitable approach would be to try to identify some other argument that does cohere well with the background philosophical assumptions of, say, deep ecology.³ Referring to the activists associated with Earth First!, Dave Foreman writes that 'we have brought the discussion of biocentric philosophy – Deep Ecology – out of dusty academic journals' (1991: 215). One goal of this paper is to explore the connection between deep ecology and radical environmental activism.

Second, when the chips are down, proponents of ecosabotage seem to rely on the following non-consequentialist argument, which I will call *the ecodefence argument*:

If a stranger batters your door down with an axe, threatens your family and yourself with deadly weapons, and proceeds to loot your home of whatever he wants, he is committing what is universally recognized – by law and morality – as a crime. In such a situation the householder has both the right and the obligation to defend himself, his family, and his property by whatever means necessary. This right and this obligation is universally recognized [sic], justified, and even praised by all civilized human communities. Self-defense against attack is one

of the basic laws not only of human society but of life itself, not only of human life but of all life.

The American wilderness, what little remains, is now undergoing exactly such an assault (Abbey 1987: 7).

For many of us, perhaps, for most of us, the wilderness is as much our home, or a lot more so, than the wretched little stucco boxes, plywood apartments, and wallboard condominiums in which we are mostly confined ... (1987: 8).

There is not so much as a whiff of cost/benefit analysis here. The thought, rather, is that violations of the *prima facie* prohibition against destroying someone else's property might sometimes be justified by appeal to an even higher (or more basic) moral law: the law of self-defence against attack. Dave Foreman has also endorsed this argument (1991: 140–1).

Some remarks made by Martin (1990) suggest another, less obvious reason to explore the possibility of running a non-consequentialist argument for ecosabotage. Martin draws an analogy with civil disobedience to help us get our bearings with respect to the ethics of monkeywrenching.⁴ He acknowledges that there is at least one significant difference between civil disobedience and ecosabotage. Civil disobedience usually involves public violation of the law, whereas ecosaboteurs work clandestinely. In spite of this difference, Martin develops the analogy in a number of fruitful ways. For example, he points out that those who engage in civil disobedience have traditionally sought to justify breaking the law in either of two ways: by calling attention to the good consequences of doing so, or else by arguing that the law in question is trumped by an even higher moral law. Yet Martin almost immediately dismisses this 'higher law' defence in order to focus exclusively on the possibility of developing a consequentialist defence of ecosabotage analogous to the consequentialist defence of civil disobedience. But if we take that analogy seriously (as Martin clearly does), we should at least entertain the possibility of defending ecosabotage by appeal to a higher law. Edward Abbey in fact does appeal to a higher law – the law of self-defence against attack.

The notion of a higher law needs some clarification. On the one hand, a higher law could be a moral law whose source is, in some sense, higher than that of ordinary moral laws – for example, a law that derives its authority from God or from pure reason. For present purposes, we can say that a moral law *L2* is higher than *L1* just in case (i) *L2* permits violations of *L1* and (ii) *L2* has (in some sense) greater authority than *L1*. *L2* could well derive this greater authority from its source – i.e. from God, or pure reason, or whatever. For purposes of this paper, though, all we need to keep in mind is that the higher (or more basic) law trumps the lower (or less basic) one, in the sense just specified.

In a footnote to his paper, Martin gives three reasons for dismissing any attempt to defend ecosabotage by appeal to a higher law, but his reasons are unconvincing. First, he worries that 'there seems to be no objective way to decide

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what these higher laws are'. Second, he worries that 'principles of higher law are usually stated vaguely and abstractly. Consequently, it seems impossible to reach any objective decision on how they apply to concrete cases' (1990: 299 n.29). These are important considerations, but they apply with just as much force to first-order moral laws (e.g., the prohibition against damaging or destroying someone else's property) as to higher laws. So far, Martin has just raised some worries about moral laws in general, without giving us any specific reasons to be sceptical about appeals to higher law.

Martin's third argument on this score is more promising than the first two. He draws a distinction between *direct* and *indirect* civil disobedience. Direct civil disobedience involves violating the very law or laws that one finds morally objectionable. In other cases, though, an activist 'disobeys some law that he or she has no objection to because the disobedience is a means to eliminate some serious injustice in a related area' (1990: 299 n.29). Ecosabotage more closely resembles indirect than direct civil disobedience. Surely the activists who set fire to the Hummers had no particular beef with the laws prohibiting arson. The idea, rather, is that by disobeying laws against arson, they could 'eliminate some serious injustice in a related area'. Now Martin argues that since the appeal to higher law can only justify direct civil disobedience, there is not much hope of justifying ecosabotage by appeal to higher law. However, his own definition of indirect civil disobedience suggests one way in which higher laws might come into play: If there were a higher law prohibiting the 'injustice in a related area', perhaps one could justify a first-order violation by appeal to that higher law. I conclude that Martin prematurely dismisses any attempt to justify ecosabotage by invoking a higher moral law.

If we want to understand how ecosaboteurs themselves conceive of what they are doing, then we need to explore the possibility of giving a non-consequentialist argument for ecosabotage. In this paper, I will focus in particular on the ecodefence argument that Edward Abbey presents in the passage quoted above, an argument that has not yet received the attention it deserves. I will show (in section 3) that the ecodefence argument fails to justify ecosabotage.⁵ First, however, I want to call attention to another fact about ecosabotage that has gone largely unnoticed, namely that the 'strategy' in 'strategic monkey-wrenching' is an economic one. Rather than using cost/benefit calculations to justify their destruction of other people's property, ecosaboteurs use property destruction to influence other people's cost/benefit calculations. If the problem is that cost/benefit reasoning too often leads people to behave in ways that are destructive of the natural environment, the solution is to alter the existing structure of economic incentives and disincentives. Somewhat ironically, ecosaboteurs subvert the market by disregarding other people's property rights, even while they proceed on the assumption that the best way to change people's behaviour is to modify the existing market incentives and disincentives. I aim to show how this economic strategy is linked, via the ecodefence argument, to the biocentric

philosophical outlook of deep ecology. Then, after offering a critique of the ecodefence argument, I go on (in section 4) to discuss the prospects for the consequentialist justification of particular acts of ecosabotage.

2. PERVERSE INCENTIVES

Perhaps some readers will think that the most pressing and most interesting question about ecosabotage is whether it should be classified as a form of terrorism.⁶ This question may seem especially urgent at a time when political leaders in the U.S. argue that we are involved in a 'war on terror'. To be sure, there is at least one important similarity between the burning of the Hummers, say, and other clear-cut cases of terrorism, such as suicide bombing or the public execution of hostages. The monkeywrenchers are, after all, sending a message: 'If you continue to do *X* (e.g., if you continue to sell Hummers), do so with the understanding that we may damage or destroy your property at any time.' This obviously resembles the message that terrorists have wanted to send: 'If you do not do *X* (e.g., if you do not release so-and-so from prison, or if you do not withdraw your troops, or whatever), then we will publicly execute a hostage.' Like many terrorists, ecosaboteurs seek to modify people's behaviour by means of threats. On the other hand, there are equally obvious and important differences between ecosabotage and clear-cut cases of terrorism. Dave Foreman, for example, has stressed that monkeywrenching 'is aimed at inanimate machines and tools. Care is always taken to minimize any possible threat to other people' (1987: 14). Monkeywrenchers do not try to injure or kill people.

Where does this dialectic lead? Proponents of monkeywrenching will stress the differences between monkeywrenching and clear-cut cases of terrorism, as well as the similarities between monkeywrenching and other instances of politically motivated property destruction – such as the Boston Tea Party of 1773 – that few would want to classify as terrorism. On the other hand, those who favour the label 'eco-terrorism' will emphasise the similarities between ecosabotage and clear-cut examples of terrorism. We should avoid getting caught up in this dialectic, because it threatens to distract us from the more important question whether there are any good arguments for committing ecosabotage. It is possible to assess the arguments for ecosabotage – including both the consequentialist arguments and the ecodefence argument – while remaining neutral as to whether ecosabotage should be classified as a form of terrorism. On the other hand, if someone insisted upon applying the label 'eco-terrorism' to the destruction of the Hummers in southern California, then we should just insist that it is an open question whether such acts of eco-terrorism can be morally justified (i.e., that it is not an analytic truth that every terrorist action is wrong) and that the only way to settle this question is to examine the relevant arguments.

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Ecosabotage may have at least one thing in common with clear-cut examples of terrorism (i.e., both involve threats), but it also has a lot in common with the widespread practice of using economic sanctions to achieve foreign policy goals. In general, the purpose of an economic sanction is to create a disincentive. For example, suppose a state is seeking to develop nuclear weapons. When other countries impose economic sanctions against that state, they say, in effect: 'You may develop nuclear weapons, but we are going to make it very expensive for you to do so – so expensive, in fact, that if you were to run a cost/benefit analysis you would find that it is in your own best interests to abandon your nuclear weapons programme.' Ecosabotage is a lot like this, and Dave Foreman's claim that monkeywrenching is nonviolent must be understood in the light of this comparison.

Ecosaboteurs seek to protect the environment by influencing other people's cost/benefit calculations. According to this view, strategic monkeywrenching involves a kind of economic jujitsu: 'Monkeywrenching', says Foreman, 'is like an Eastern martial art that turns an opponent's superior strength against himself' (1991: 132). Monkeywrenchers see that there are currently plenty of economic incentives – we might say, perverse incentives – for people to damage or destroy the environment, and they aim to counterbalance these with new economic disincentives.

By inflicting as much economic damage as possible, the ELF can allow a given entity to decide it is in their best economic interest to stop destroying life for the sake of profit.⁷

An example, based loosely on recent events in my own neighbourhood in rural Connecticut, will help to illustrate this point about perverse incentives.

A parcel of undeveloped woodland in my neighbourhood belongs to a person who lives far away and seldom visits the property. The owner's distant cousin, a recluse who is known locally as 'the Caretaker', lives in a small house off in the woods on one corner of the property. Some years ago, the owner purchased a backhoe and a small dump truck for the Caretaker's use. The Caretaker promptly began using the backhoe to clear several acres of forest, scraping the ground completely free of vegetation, leaving what one neighbour has described as a 'moonscape' in the middle of the woods. The Caretaker dug numerous pits and sold sand and gravel to local construction companies for use in new housing developments. This small-scale excavation operation was technically illegal, because it violated town planning and zoning regulations. But when neighbours filed the appropriate complaints with the town planning and zoning commission, they got no response. (The neighbours speculate that the landowner exerts no small influence at the town hall.) Now the Caretaker occasionally parks his backhoe in the clearing well out of sight from his house. How easy would it be to sneak out at night and sabotage the backhoe by filling the gas tank with the very sand that he hopes to sell for profit? Such an act would pose no risk of

injury to the Caretaker himself. The existing market for gravel means that there is an incentive (and arguably, a perverse one) for the Caretaker to destroy the environment. A saboteur could counterbalance that perverse incentive with new disincentives by forcing the Caretaker to make expensive repairs to his backhoe, hire a security guard, etc. The idea is to make it so expensive for the Caretaker to destroy the environment that he will no longer have any economic incentive to do so. Indiscriminate destruction of the Caretaker's property will not do. Instead, the conscientious saboteur would target only the tools that enable the Caretaker to damage the local environment, and in a way that creates a strong disincentive to engage in ecologically destructive activities.

The methods that ecosaboteurs use to create economic disincentives are both illegal and *prima facie* immoral, and this brings us back to square one: What sorts of considerations could justify sabotaging the Caretaker's backhoe? Would such an action be justifiable at all?

3. ECODEFENCE

The ecodefence argument, as applied to the example of the Caretaker's excavation operation, runs as follows:

- P1. We are entitled to defend ourselves and our homes against invasion or attack.
- P2. The Caretaker is attacking the local forest.
- P3. The local forest is our home – that is, it is home to those of us who live in the neighbourhood. The forest is just as much our home as are the wooden structures in which we live.
- C. Therefore, we are entitled to take measures (such as sabotaging the backhoe) to defend the local forest against the Caretaker's attack.

This argument is an example of the appeal to higher law, because the thought is that the law of self-defence (P1) trumps the *prima facie* prohibition against destroying another's property.⁸ The law of self-defence permits violations of the *prima facie* prohibition against damaging or destroying another's property, and the law of self-defence is here assumed to have greater authority than the law of respect for property. Although this under-appreciated argument is absolutely central to the ecosaboteurs' own conception of what it is they do, there is at least one very good reason for us to reject it.

To begin with, suppose that Waldman lives in our neighbourhood in rural Connecticut, that there are many trees growing on Waldman's property, and that Waldman is the sort of person who takes great pleasure in swinging an axe. Waldman cuts down a carefully selected tree on his lot, saws it into pieces, and spends a weekend splitting firewood, which he then sells for a profit. Each year,

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Waldman conscientiously plants a new tree to replace the one he cut down. Suppose that the Caretaker witnesses this attack against the local forest and, while Waldman is not looking, sneaks into his yard, saws the handle of Waldman's axe in two, and then pours sand in the gas tank of Waldman's chainsaw. When Waldman complains that the Caretaker had no right to destroy his tools, the Caretaker answers with the ecodefence argument. He asserts that the forest is his home too (call this premise P3*); that Waldman was attacking it (P2*); and that he has the right to defend his home against attack (P1*). The Caretaker points out that if the ecodefence argument would justify someone's sabotaging his backhoe, then clearly it would also justify his sabotaging Waldman's axe and chainsaw.

Now I, at least, have the strong intuition that it would be wrong for the Caretaker to sabotage Waldman's tools. After all, Waldman is not doing any serious environmental harm. And since Waldman owns the tree, he ought to be able to do with it what he wants. But if this intuition is correct, then there must be something wrong with the ecodefence argument. In the remainder of this section, I will show just where the argument goes wrong.

One could try to preserve the intuition that it would be wrong for the Caretaker to sabotage Waldman's tools *and* maintain that the ecodefence argument is a good argument by saying that the Caretaker's clearing of the woods constitutes an attack against the land (so P2 is true), whereas Waldman's chopping down a tree does not constitute such an attack (so P2* is false). However, this move creates a problem of line-drawing: What if Waldman cuts down ten trees? And what if the Caretaker only clears a quarter of an acre? At what point, exactly, does tree removal become an attack against the land? Furthermore, we can suppose, if only for the sake of argument, that the cases are similar in every other relevant respect. For example, we can suppose that the Caretaker and Waldman have the same motives (profit, or just recreation), that their actions are both legal or both illegal, and so on. Therefore, it seems that if Waldman can use the ecodefence argument to justify sabotaging the Caretaker's backhoe, the Caretaker can avail himself of argument, too.

Whether the ecodefence argument is cogent may well depend on how we choose to interpret the word 'home'. P1 is highly plausible if the term 'home' is taken to mean 'property'. Call this the *narrow sense* of 'home'. But if we take 'home' to mean 'property', then P3 is patently false. The Caretaker is not attacking or invading anyone's property or violating anyone's property rights, since we may suppose that he is acting with the permission of the person who owns the land. So if we interpret 'home' narrowly, the ecodefence argument fails. On the other hand, P3 comes out true if we interpret 'home' more loosely. In this second, *wide sense*, the word 'home' could just refer to one's surroundings or to one's environment. It is surely correct to say that the local forest is home (in the wide sense) to all of us who live there. So perhaps we should construe ecodefence as defence of one's home (in the wide sense). But then, in order to

avoid the fallacy of equivocation, proponents of the ecodefence argument would also need to take the word 'home' in P1 in the wide sense. And this brings us to the crux of the issue: the right of self-defence, as it is ordinarily understood, is quite limited. According to the ordinary understanding of self-defence, we are entitled to defend (at most) ourselves, other persons, and our property against attack. Proponents of monkeywrenching are basically saying that we need to think of the right of self-defence in a much more expansive way than we are used to doing.

It turns out that there are three distinct lines of thought that might lead us to take this more expansive view of the right of self-defence: (1) We can think of 'home' in a more expansive way, while supposing (as in P1) that we all have the right to defend our homes against attack; (2) We can identify with the wilderness, by coming to think of ourselves as being one with nature. In that case, an attack upon the natural environment would literally be an attack against us, and we would be entitled to defend ourselves. Thus, in addition to adopting a more expansive conception of home, we could also adopt a more expansive conception of self. Dave Foreman articulates this idea as follows:

When we fully identify with a wild place, then, monkeywrenching becomes self-defense, which is a fundamental right. It is important to note that this kind of self-defense is done in humility. The ecodefender is not a superior being protecting something less than herself, but is an antibody of the wildland acting in self-defense ... (1991: 140).

This fits well with one of the basic principles of deep ecology: self-realisation. Deep Ecologists such as Devall and Sessions (1985) have drawn upon William James's notion of the expanding self to show how it might be possible for us to identify ourselves with the land, with ecosystems, and so on. (3) It might also be possible to justify a more expansive view of the right of self-defence by appeal to the deep ecologists' principle of biocentric equality, which says that 'all organisms and entities in the ecosphere, as parts of the interrelated whole, are equal in intrinsic worth' (Devall and Sessions 1985: 67). According to Devall and Sessions, this is equivalent to saying that all living things have 'an equal right to live and blossom'. That would seem to imply that when people such as the Caretaker violate the rights of other living things to live and blossom, we are entitled to step in and defend those other living things against attack.⁹

Proponents of ecosabotage wish to expand our conception of self-defence in one or more of these three ways: by adopting a more expansive conception of home, a more expansive conception of self, and/or a more expansive conception of the right to live. (Foreman, for his part, seems to endorse all three of these strategies.) According to the ordinary, restricted conception of self-defence, I am not entitled to protect the woods by sabotaging the Caretaker's equipment, because the Caretaker is not attacking any persons or violating anyone else's rights. But according to the more expansive view of the right of self-defence,

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my act of sabotage could be an act of self-defence (insofar as I identify with the woods, or think of the woods as my home), or it could be a permissible intervention in defence of the living things whose rights to live and blossom the Caretaker has violated. Now the proponent of the ecodefence argument is basically saying that the expanded law of self-defence sometimes trumps the prohibition against destroying or damaging another's property. In other words, the expanded law of self-defence is the higher law that is supposed to justify ecosabotage.

Notice, however, that if we go along with this proposed expansion of the right of self-defence, then we must admit that the Caretaker is simply engaging in self-defence when he sees Waldman's axe handle in two and sabotages Waldman's chainsaw. For he can say: (1) that in chopping down the tree for firewood, Waldman is, as it were, invading his home (in the wide sense); or (2) that he identifies with that tree to such an extent that in chopping it down, Waldman is attacking *him*; or (3) that since the tree has intrinsic value, it has as much right to live and blossom as Waldman does. The Caretaker is therefore entitled to protect the tree against Waldman's attack, which would violate that right. He can argue that in this case, the law of self-defence trumps the *prima facie* prohibition against damaging or destroying other people's property (i.e., Waldman's axe and chainsaw). Of course, proponents of the ecodefence argument may wish to bite the bullet here and embrace the conclusion – however implausible it may seem – that the Caretaker would be doing nothing wrong if he sabotaged Waldman's tools. But that should make us wonder whether there are any cases at all in which the expanded law of self-defence would *not* trump the *prima facie* prohibition against damaging or destroying another person's property. Suppose that I purchase one acre of undeveloped woodland, fair and square, from the absentee owner. It seems that the Caretaker (who presumably thinks of the land I have purchased as his home, in the wide sense) could use the ecodefence argument to justify a campaign of sabotage intended to make it prohibitively expensive for me to do anything at all with the land, other than simply leave it alone.

Edward Abbey offers no further argument for P1, where the word 'home' in P1 is interpreted in the wide sense rather than the narrow, proprietary sense. But perhaps it is possible to defend the expanded law of self-defence by appeal to some of the tenets of deep ecology. According to Devall and Sessions (1985), self-realisation and biocentric equality are both 'ultimate norms' of deep ecology. To say that these principles are ultimate norms is to say that no further arguments can or need be given to support them. Deep ecologists also sometimes refer to them as 'basic insights' or 'basic intuitions'. To begin with self-realisation, Devall and Sessions write that 'the deep ecology sense of self requires a further maturity and growth, an identification which goes beyond humanity to include the nonhuman world' (1985: 67). Only by identifying ourselves with – that is, by becoming one with – non-human nature 'can we hope

to attain full mature personhood and uniqueness'. As for biocentric equality: 'All things in the biosphere have an equal right to live and blossom and to reach their own individual forms of self-realization within the larger Self-realization' (1985: 67). These two ultimate norms suggest two different paths to an expanded conception of self-defence. The norm of self-realisation suggests a more direct path: Insofar as I identify with non-human nature, any attack upon non-human nature is an attack against me. The norm of biocentric equality suggests a less direct path: Those who can do so are entitled to come to the aid of other living creatures whose right to live and blossom has been violated, when those other creatures are unable to defend themselves.

This linkage between the precepts of deep ecology and the notion of self-defence is crucial to understanding strategic monkeywrenching, but it creates a serious problem for anyone who hopes to evaluate the ecodefence argument.¹⁰ The claim that self-realisation and biocentric equality are ultimate norms functions as a philosophical conversation stopper. Those who (like me) harbour serious doubts about such claims may wonder why anyone should believe them. What are the arguments for them? Of course, deep ecologists will just reply, in a fashion reminiscent of Thomas Kuhn's discussion of scientific paradigms, that every philosophical outlook has certain foundational commitments that cannot be defended by further argument, and the choice between such outlooks is more like a religious conversion than a decision based on careful consideration of reasons and evidence. Thus, Dave Foreman writes that 'there is ultimately no resolution on some matters between persons holding diametrically opposed worldviews and value systems (1991: 120). Perhaps the ecodefence argument is one of those arguments that will look good to anyone who already accepts a certain paradigm or outlook – i.e., to someone who accepts the basic commitments of deep ecology – but not to anyone else. Of course, none of this is very helpful to those who do not happen to share the outlook or the basic philosophical commitments of deep ecology.

To summarise the results so far: The ecodefence argument is an attempt to justify violations of the *prima facie* prohibition against damaging or destroying someone else's property by appeal to a higher law. The higher law, in this case, is the expanded law of self-defence. There are, I have suggested, three different ways in which to motivate a more expansive view of self-defence: (1) Think of 'home' in a wide non-proprietary sense; (2) Appeal to William James's notion of the expansive self, or to the deep ecologists' related notion of self-realisation, and/or (3) appeal to the deep ecologists' notion of biocentric equality. I have been arguing that it is a bad idea to accept this expanded law of self-defence, because that law has some consequences that are highly implausible – consequences that even the most enthusiastic monkeywrenchers would probably disavow. For example, the expanded law of self-defence implies that it is morally permissible for the Caretaker to sabotage Waldman's tools. It is impossible for anyone who takes property rights at all seriously to endorse the

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expanded law of self-defence, because such a law would imply, bizarrely, that the Caretaker is entitled to defend some of Waldman's property (that is, the tree in his yard) against Waldman himself by damaging some other of Waldman's property (that is, the axe and chainsaw), even in a case where Waldman is not doing any serious environmental harm.

But we can now go further and identify two distinct objections to the eco-defence argument: First, proponents of the eco-defence argument have given no good reason why people who are not already committed to the basic principles of deep ecology should accept the expanded law of self-defence in the first place. Nor have they given any reason for thinking that the expanded law of self-defence should trump the *prima facie* prohibition against damaging or destroying another person's property, rather than *vice versa*.

This last problem is a general one that confronts any such appeal to a higher-order law. Suppose we agree that we are governed by two moral laws, *L1* and *L2*, and that in some cases, *L2* permits (or even requires) us to do something that is forbidden by *L1*. How do we know which law has more authority than, or which trumps the other? Anyone who appeals to *L2* in order to justify a violation of *L1* must explain what it is that makes *L2* higher than *L1*. This problem is only compounded when, as in the present case, *L1* (the *prima facie* prohibition against damaging or destroying another's property) is a law whose normative force virtually everyone recognises, whereas *L2* (the expanded law of self-defence) is highly controversial.

4. ASSESSING THE COSTS AND BENEFITS OF CLANDESTINE ACTS

My conclusion that the eco-defence argument fails seems to reinforce Martin's and Young's intuition that if there are any arguments sufficient to justify particular acts of ecosabotage, those arguments would have to be consequentialist. These two authors differ somewhat, however, in their assessment of the prospects for justifying particular acts of ecosabotage on consequentialist grounds. To begin with, Martin (1991) is more pessimistic because he takes seriously what I will call *the problem of alternative tactics*. In order to justify sabotaging the Caretaker's backhoe, one would have to show that in this case the clandestine tactic of ecosabotage has a greater expected net benefit than alternative public acts of civil disobedience, such as lying down in front of the backhoe. Or to return to the example with which I began the paper: What reason is there to think that the clandestine destruction of sport-utility vehicles has a greater expected net benefit than, say, publicly forming a ring of protesters around a Hummer that is parked in the lot at the supermarket? This will not be an easy case for the proponent of ecosabotage to make.

Young, for his part, is more optimistic about the prospects for a consequentialist justification of particular acts of ecosabotage. Since ecosabotage,

by definition, means inflicting economic damage, it seems that an assessment of the costs and benefits of a particular act of ecosabotage will always start out in the hole, so to speak. But Young offers an initially promising solution to this problem. He argues that proponents of ecosabotage would do best to rely on what he calls *rational preference utilitarianism*. This view differs from more traditional varieties of utilitarianism in two ways. According to rational preference utilitarianism, our cost/benefit calculations should include the satisfaction and frustration the preferences of non-human sentient animals as well as future humans. Second, our cost/benefit calculations should exclude the satisfaction and frustration of speciesist or otherwise irrational preferences. So for example, if an act of ecosabotage frustrates someone's irrational preference for driving a Hummer rather than a fuel-efficient compact car, this frustrated preference should not figure as a cost in our assessment of the costs and benefits of the act of ecosabotage. Thus, many if not most of the costs resulting from ecosabotage are not *real costs*. Rather, they are only *pseudo-costs*, because they involve the frustration of irrational preferences. Notice also that ecosaboteurs do not need to impose real costs on other people in order to influence other people's cost/benefit calculations. All that matters for the creation of a disincentive is that other people will perceive the destruction of the Hummers, or the damaging of the backhoe, as costs.

This distinction between real costs and pseudo-costs might also shed some light on the ecosaboteurs' insistence that their tactics are nonviolent, because they take measures to avoid injuring anyone. Whether destruction of property is a kind of violence is a terminological issue that we can safely set to one side, along with the question whether ecosabotage is a kind of terrorism. The point is just that most people prefer not to be injured, and that preference is not speciesist or irrational. If an act of ecosabotage caused any injuries or worse, then those costs would have to count as real costs, and the consequentialist justification of the act of ecosabotage really would start out in the hole. So when ecosaboteurs carefully plan their actions so as to maximise property damage while minimising injury to people, they may charitably be seen as trying to maximise pseudo-costs (and hence increasing the disincentives to act in ways that damage the environment) while minimising real costs. Young is right that if we adopt the perspective of rational preference utilitarianism, the prospects for a consequentialist justification of particular acts of ecosabotage begin to look reasonably good. Perhaps irrational preferences, such as (arguably) the preference for driving Hummers, ought not to be satisfied in the first place. Frustrating people's irrational preferences, by carrying about acts of ecosabotage, might also be one effective way of inducing people to revise those preferences, at least in some cases.

One potential problem with Young's rational preference utilitarianism, however, is that it is hard to see how there could be any mutually agreeable way of distinguishing rational from irrational preferences, or of distinguishing real costs from pseudo-costs. It is not clear what we should say to someone who insists

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that his preference for driving a Hummer is perfectly rational (they are safe, they can go anywhere, etc.). A second potential problem is that even after we exclude people's irrational preferences from consideration, it seems reasonable to suppose that most people would prefer not to have their property vandalised, sabotaged, or destroyed. This does not seem like an irrational preference at all. Since any act of ecosabotage will frustrate this perfectly rational general preference not to have one's property destroyed, it seems that the economic costs of ecosabotage will have to be counted as real costs after all. Still, these problems do not necessarily undermine the consequentialist arguments for particular acts of ecosabotage. Could there be cases in which the expected good consequences of an act of ecosabotage justify the damage to someone else's property, even when the damage done is counted as a real cost?

Although a rigorous and thorough evaluation of the consequentialist case for any particular act of ecosabotage is more than I can offer here, I wish to point out in conclusion that any attempt to justify an act of ecosabotage by appeal to expected costs and benefits will be in tension with the clandestine nature of the act in question. The problem is that in order to carry out the sort of cost/benefit assessment necessary to show that the expected net benefit of a proposed act of ecosabotage is such as to justify violating the *prima facie* prohibition against damaging someone else's property, the prospective saboteurs would almost certainly have to go public. A serious assessment of costs and benefits requires some empirical inquiry, and it would be hard for ecosaboteurs to conduct such an inquiry without giving themselves away. Once again, I will try to drive this point home with reference to the example of the Caretaker.

Suppose that Waldman is deliberating about whether to sabotage the Caretaker's backhoe. First, assuming that Waldman does not know very much about backhoes (other than what he has read about them in Foreman's book, *Ecodefense*), there is one obvious way for him to determine the costs that his proposed act of ecosabotage will inflict on the Caretaker. He can call a mechanic to find out how much it would cost to repair certain damages. He could also make inquiries to determine how much it would cost to purchase a brand new backhoe, since complete destruction of the thing by arson is also a possibility. He should also try to find out how much it would cost the Caretaker to hire a security guard, what sort of insurance policy the Caretaker (or the absentee landowner) has, and so on. But he would have to conduct all of these inquiries in such a way as not to arouse any suspicion.

I argued in section 2 that ecosaboteurs aim to protect the environment by counterbalancing perverse economic incentives with new disincentives. One problem confronting anyone who is contemplating an act of ecosabotage is to figure out just how much economic damage to inflict. Would it be sufficient to burn a single Hummer? Or would it be better to burn twenty? Should one cause minor damage to the backhoe? Or would it be better to set the thing ablaze? In order to answer these questions in a rational way, the prospective ecosaboteur

would have to know something about the perverse incentives that he aims to counterbalance. In the present case, that would mean finding out how much money the Caretaker can make by selling certain quantities of sand and gravel on the local market. If the perverse incentive is small, then perhaps minor damage to the equipment is all that would be warranted. But on the other hand, if the perverse incentive is large, so that the Caretaker will continue to make money from the sale of gravel even after paying for repairs, minor damage will be ineffective. Thus, Waldman will need to know something about existing market conditions in order to determine how much damage to do. In this case, he could call local construction companies in order to find out how much they pay for gravel. As before, he will have to do this while concealing both his identity and his designs.

Perhaps most important of all, in order to do a conscientious assessment of the costs and benefits of the proposed act of sabotage, Waldman will need some measurement of the benefit (ecological, aesthetic, and otherwise) of halting the Caretaker's environmental depredations. But the ecological issues are complex, and Waldman should not simply assume that deforestation is bad. For example, New England is home to a number of species of birds whose preferred habitat is meadow. The reforestation of much of New England over the last century has resulted in the elimination of many of the fields and meadows where these species once thrived, to the point where some local conservationists now argue that we should clear some parcels of forest – much as the Caretaker has done! In order to determine the benefit of preventing the Caretaker from clearing more of the land, Waldman will surely need to consult with ecologists who have a good understanding of what can be expected to happen in the wake of the Caretaker's ecological disturbance. And once again, Waldman will have to carry out this inquiry without giving himself away.

Unless he can come up with reasonable estimates of these three quantities – (1) the amount of economic damage that different actions would inflict on the caretaker; (2) the size of the existing perverse incentives that need to be counterbalanced, and (3) the ecological benefit that would result if the action is successful – Waldman will not be in a position to give a consequentialist justification of his proposed act of ecosabotage. Indeed, there is other information that one might also think Waldman should try to acquire. For example, how safe is it to assume that the Caretaker will react to new economic disincentives in a rational way? What if the act of sabotage so angers the Caretaker that he continues to clear the woods even though he now operates his excavation operation at a net loss? Waldman might need to estimate the probabilities of different reactions on the part of the Caretaker. He might also need to consider the preferences of other people who live in the neighbourhood. Perhaps all the neighbours would prefer it if the Caretaker ceased to clear the woods. But

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perhaps many people in the neighbourhood have an even stronger preference to live in a place where people respect one another's property. In order to make a convincing consequentialist argument for sabotaging the Caretaker's backhoe, Waldman would, in short, have to gather a lot of information. It is hard to see how he could possibly go about doing this without leaving clues that could lead investigators to him after the act has been committed. In order to conduct a responsible cost/benefit analysis of the proposed act of ecosabotage, Waldman would surely have to reveal himself.

Notice how this problem is related to Martin's problem of alternative tactics: Martin worries that the proponent of ecosabotage would somehow have to show that clandestine tactics have a greater expected net benefit than public acts of civil disobedience, and he expresses some doubts about anyone's ability to show this. To his argument I have added the following consideration: it is hard to see how anyone could carry out the cost/benefit assessment necessary to meet Martin's challenge while remaining clandestine. The idea of using cost/benefit reasoning to justify violations of the *prima facie* prohibition against damaging or destroying other people's property is clearly in tension with the clandestine nature of strategic monkeywrenching. Paradoxically, those who want to get away with ecosabotage would be wise not to conduct the sort of inquiry that would be needed to justify their actions on consequentialist grounds.

5. CONCLUSION

One way to pull together the various arguments I have offered in this paper is to set up the following dilemma for proponents of ecosabotage: They must be able to give some argument that justifies violating the *prima facie* prohibition against damaging or destroying another's property. This argument must either be consequentialist or non-consequentialist. The trouble with the consequentialist route, as I tried to show in section 4, is that it would require a careful assessment of the expected costs and benefits of the proposed act of ecosabotage. Prospective saboteurs will find it difficult to remain clandestine if they carry out the empirical inquiries necessary for such cost/benefit assessments. On the other hand, proponents of ecosabotage have themselves tended to favor the non-consequentialist route and the ecodefence argument, which has the advantage of cohering well with the principles of deep ecology. But I hope to have shown, in section 3, that the ecodefence argument fails to justify ecosabotage. Unless someone can show the way out of this dilemma (which I doubt), we should conclude that it is simply wrong for ecosaboteurs to damage or destroy other people's property.

NOTES

Simon Feldman, Thomas Young, and one anonymous reviewer provided valuable comments on earlier versions of this paper. I am also greatly indebted to Thomas Young for suggesting to me that the ecodefence argument might deserve a paper-length treatment. Gerald Visgilio gave me the idea that ecosaboteurs aim to counteract perverse economic incentives. Finally, I am indebted to students at Connecticut College, whose interest in this topic gave me the incentive to examine the arguments more carefully.

¹ For the details, see Tamaki, Chong, and Landsberg (2003). On April 18, 2005, William Jensen Cottrell, a graduate student in physics at the California Institute of Technology, was found guilty of carrying out the attacks and sentenced to 8 years in federal prison. See the press release from the U.S. District Attorney's Office, available online at <http://www.usdoj.gov/usao/cac/pr2005/059.html>.

² Formerly available online at <http://earthliberationfront.com/news/2003/082203.shtml>, last accessed on November 15, 2004. The ELF press release can also be found at www.geog.ucsb.edu/~sweeney/g108/lectures/ELF7.pdf, last accessed May 31, 2005.

³ Young has a point, since Foreman (1991: vii) openly admits that his philosophical view contains inconsistencies, almost as if that were a point of pride. Still, charity requires us to look past such admissions to see if it might be possible to give an argument for monkeywrenching that coheres with the monkeywrenchers' own biocentric views.

⁴ Martin treats ecosabotage and civil disobedience as two species of 'conscientious wrongdoing'. This terminology is strange, since the very question at issue is whether ecosabotage is a kind of wrongdoing, and since Martin himself clearly thinks that civil disobedience need not involve any wrongdoing. Interestingly, Welchman (2001) argues that the traditional understanding of civil disobedience is too narrow. On the more liberal conception of civil disobedience which she favours, some acts of ecosabotage could be classified as civil disobedience. My own view is that questions about how to classify ecosabotage – i.e., whether it is a kind of civil disobedience, a kind of conscientious wrongdoing (or better, conscientious lawbreaking), or perhaps a kind of terrorism – are less important than the question whether the arguments for ecosabotage are any good.

⁵ See also Turner (2004), where I criticise a related argument for ecosabotage which proceeds from the premise that humans are at war with nature.

⁶ Not surprisingly, philosophers have written quite a bit about the definition of 'terrorism' over the last couple of years. See, for example, Coady (2004), Held (2004), and Waldron (2004). According to some of the proposed definitions of terrorism, ecosabotage would indeed qualify as a kind of terrorism. To give one example, Coady holds that terrorism is 'the organized use of violence to attack noncombatants or innocents (in a special sense) or their property for political purposes' (2004: 772). Ecosaboteurs clearly do attack people's property for political purposes, though the ecosaboteurs might deny that there are any noncombatants in the war that human beings are waging against nature. See also Taylor (1998) for a discussion of the relationship between terrorism and radical environmental activism.

⁷ 'What is the Earth Liberation Front?' *Satya Magazine*, March 2004. Available online at <http://www.satyamag.com/mar04/elf.html>, last accessed June 2, 2005. This quotation originally appeared in a set of answers to frequently asked questions, formerly available

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online at www.earthliberationfront.com/library/elf_faq.pdf, last accessed November 15, 2004.

⁸ One reader has suggested that the ecodefence argument could be reinterpreted as a consequentialist argument. For example, one could argue that we are entitled to use sabotage in cases where the good (perhaps a non-anthropocentric good) of protecting the environment is great enough to justify the damage done to someone's property. I will consider this line of argument in section 4. For purposes of this paper, I will use the term 'ecodefence argument' to refer only to the non-consequentialist argument offered by Edward Abbey.

⁹ Compare also Claudia Card's (2004) discussion of environmental atrocities. If it is possible to make sense of the notion of an environmental atrocity, then perhaps one could argue that ecosabotage is justified insofar as it prevents such atrocities from occurring.

¹⁰ This connection between the basic principles of deep ecology and the expanded conception of self-defence has also gone unnoticed in recent discussions of deep ecology – see, for example, the papers collected in Katz, Light, and Rothenberg (2000). For some reason, contributors to the mainstream environmental ethics literature have tended to downplay the connection between deep ecology and radical environmental activism.

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