

# Between Orwell And Mccarthy: The Crucifixion Of Marie Mason

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<em>

Fifth Estate</em> contributor Marie Mason was sentenced to nearly 22 years in prison on February 5 in a Lansing, Michigan federal courtroom, after pleading guilty to two acts of eco-sabotage.

(See also Summer and Fall 2008 *Fifth Estate*.) Mason is now serving the longest sentence of any environmental activist in the US; an appeal is currently underway. Her sentence was one of the latest in a string of recent arrests and convictions of environmental and animal liberation activists, which has been dubbed the Green Scare. Throughout the Green Scare, environmental and animal liberation activists have been charged with inflated sentences (often Life in prison), and have been publicly and legally labeled “terrorists”—though no one has been hurt in their acts of economic sabotage. The term Green Scare is an allusion to the Red Scare of the '50s, when Communists were persecuted on the basis of new laws targeting them for their beliefs and not their actions, and creating a climate of panic and hysteria in an attempt to intimidate supporters and sympathizers.

A mother of two, Mason lived and worked in the Detroit area for most of her life. Like the late Earth First! (EF!) organizer, Judi Bari, she was part of a generation of radicals who worked to link the environmental and labor movements, and was jointly active in both EF! and the Industrial Workers of the World (IWW). It was this alliance which led to the initial success of the anti-globalization movement such as at the 1999 anti-WTO demonstration in Seattle. Mason was an editor of the Industrial Worker, the IWW newspaper, and a musician who recorded a neo-folk album, Not For Profit, with fellow EF!er Darryl Cherney in 1999. She also worked with numerous political as well as traditional charity groups.

Three *Fifth Estate* staffers attended her hours-long sentencing hearing, which marked a new and radically severe change in how the federal prosecutors and judges are handling these cases. The outrageous sentence Mason received should initiate a rethinking of the strategies for those resisting the Green Scare, as well as those who advocate economic sabotage as a tactic.

Mason was never offered a full non-cooperating plea agreement by the government, as was the case with many other Green Scare arrestees—allowing them to plea guilty and perform a debriefing about their own actions, without requiring them to implicate other activists. After refusing to cooperate with authorities and name other activists, Mason was eventually offered an 11<sup>th</sup> hour plea agreement for a sentence in the 15–20 year range. It stipulated only that she confirm statements that her ex-husband, Frank Ambrose, had already made.

Both Mason and Ambrose eventually admitted to committing 14 acts of property destruction together. One of these actions, an attempt to destroy the Nestle-owned Ice Mountain bottled water pumping station, had always been denied by Mason, and activists close to her speculate that she was forced to accept guilt for it in order to accept the plea bargain. (It is a common police tactic to force defendants to accept blame for unsolved crimes in order to close investigations.)



In the preceding years, Mason and Ambrose had been questioned multiple times by authorities, summoned to grand juries, and forced to surrender DNA evidence; at one point authorities attempted to affix a GPS tracking unit to Mason's car. (See Spring 2008 *Fifth Estate*.)

In early 2007, however, something happened, and Ambrose became an informant for the FBI. He traveled around the Midwest, spying on activists (including many working in legal groups) and tape-recording their conversations with a concealed wire. He filed for divorce the day that Mason was arrested. While he was on bond, Ambrose circulated emails attempting to entrap even more activists. He was eventually sentenced to nine years in prison (four more than requested by the prosecution), and has offered to give workshops to law enforcement officials about Earth Liberation Front (ELF) organization and security culture. Aren Burthwick and Stephanie Fultz, who were charged with participating in one action with Mason and Ambrose, were also sentenced in February. Burthwick received 14 months, while Fultz was placed on probation for two years and ordered to perform 100 hours of community service. Apparently both have also cooperated with authorities.

## MASON'S SENTENCE

Mason accepted a plea bargain for 15–20 years, but Chief US District Judge Paul L. Maloney sentenced her to 21 years and 10 months and ordered restitution of \$4.1 million to the sites damaged by her acts. Part of Mason's plea agreement stipulated that she had to accept the so-called Terrorism Enhancement designation, which provided for broad discretion in sentencing. (Before the sentencing, people close to Mason speculated that she might receive as long as 30 years.) The judge was able to consider the 12 other actions Mason admitted to (but was not being charged with) for the purpose of her sentencing.

There were other moments of interest at the sentencing. Assistant US Attorney Hagen Frank purposely attempted to link Earth First! and the Earth Liberation Front via guilt-by association, by calling EF! a "related organization." FBI Special Agent Jim Shearer, called to testify during the sentencing hearing by the prosecutor, referred to EF! as an "environmental activist extremist group" and labeled Green Scare prisoner Eric McDavid a "radical environmental anarchist extremist."

But Hagen Frank's best moment was when he read a line from Mason's Myspace page which said, "In short, my organizing and carousing career is about to take a sharp turn into the modern equivalent of a monastery." He ludicrously claimed that Mason's reference to "carousing" was meant as a code word for clandestine actions. Mason's attorney, John Minock, pointed out that the passage in question ends with a call to "tip a shot of Jameson"—because the end of "carousing" clearly referred to an end to her days of drinking and dancing!

Judge Maloney said that Mason "took license based on her ideological views," but he claimed that this "case is not about a prosecution for holding political viewpoints." He then condemned Mason's actions as an "abandonment of the marketplace of ideas."

Journalist Will Potter of [greenisthenewred.com](http://greenisthenewred.com) has noted that four men who committed racist assaults on three black men, on the night of Obama's presidential victory, received plea bargains of 10–12 years. Al Qaeda operative Christopher Paul / Abdul Malek, who planned to attack targets in the US and Europe, received 20 years. John Minock noted that the average sentence for arson in federal court is seven years, while the average sentence for murder is 22 years.

The government claims that the prosecution of Mason and the other Green Scare defendants is not about the suppression of environmental and animal-liberation politics, but a brief glance at these cases shows the State's claim to be hollow. Both the public and legal labeling of these acts as "terrorism," and the long sentences sought, reveal that activists are being punished specifically for their political views and not simply for criminal acts they have committed.

The State is mobilizing all its resources to crush those who oppose capitalism's program to commodify all elements of the natural world, to alter the genetic code of living beings in the search for new sources of profit, and to continue the legacy of colonialism by exploiting the agricultural sector of unindustrialized countries with genetically modified plants. The State seeks, not merely to break the arms of its opponents, but to grind their bones into dust and to scatter their ashes; it seeks to bury them forever in its dungeons in a desperate bid to silence their

voices, even as the environmental catastrophe becomes more difficult to ignore or avoid every day. This logic is clear but crazy: as the market seeks to destroy the world, the State will act as its bodyguard to neutralize those who have the audacity to attempt to defend the earth.

## SUBTEXT

Most glaring was the subtext of the market, which was invoked numerous times at Mason's sentencing. Judge Maloney's admonition of Mason for violating the "marketplace of ideas" was widely quoted in the corporate press. It reflected the sentencing statement of Ian Grey, a bureaucrat representing Michigan State University (MSU), which was the target of one of the acts of property destruction. He described Mason's actions as an "assault on the core values of free and open inquiry" and an attempt to "derail the open marketplace of ideas", saying nothing is "more precious" than academic freedom for college faculty.

Since when have ideas been part of a "marketplace"? Intellectual thought, at its best, has always been a deeply subversive enterprise, unconstrained by the society in which it germinates.

Situationist theorist Guy Debord declared that in modern society the commodity form had colonized all aspects of everyday life, and both Grey and Maloney's statements illustrate this. They cannot even talk about ideas, which are free, without framing them in the language of the market. Socrates committed suicide as a testimony to the power of critical ideas to resist the social norms of society. Grey and Maloney do everything in their power to make ideas beholden to the ruling logic of capitalist society.

The market is, in fact, deeply implicated in Mason's actions. Without defending her tactics, it is important to understand the role of capitalism in the exploitation of the natural world, the development of genetically modified organisms (GMOs) and the reasoning behind the acts of Mason and other ELF members. Opposition to GMO research is not (just) grounded in a defense of the natural code against human interference; it addresses issues of the influence of capitalism on knowledge, imperialism and democracy.

GMO seeds and foods were developed in search of new profits for corporate entities. The scientific establishment is in close alignment with the bureaucratic state, most obviously in State-funded universities like MSU. In these institutions, hard science closely follows the dictates of corporate funding and needs. One does not need to study the power/knowledge theories of philosophers like Michel Foucault to understand what is going on: corporations provide funding for certain kinds of research, and scientists develop knowledge in these areas.

For example, scientists know all about how to destroy the ecosystem via exploitation, but very little about how to repair it. We know how to alter a genetic code but comparatively little about how cancer is caused by non-genetic environmental factors—like exposure to corporate-manufactured artificial materials. Bureaucrat Grey's Orwellian invocation of the "core values of free and open inquiry" in the university are shown as the sham they are by the practices of the university itself. Scientists are some of the least free of all researchers; they are beholden to the corporate funders. Scientists are workers in the knowledge factory, creating products as directed. And one of their best "products" is an alteration in the genetic code—something created with no democratic oversight or input from the world's population. A tiny technocratic elite has determined an irreversible fundamental change in the future history of every living creature.

The MSU office that was attacked belonged to a researcher who was receiving money from both Monsanto (an agricultural biotechnology corporation) and USAID (a federal agency) to develop GMOs. Monsanto GMO seeds were being sold to poor farmers overseas; but the plants had been modified not to reproduce seeds, thereby forcing farmers to purchase new seed again every year from Monsanto. This reduced self-sufficiency and depleted seed stock and plant biodiversity. Far from freeing third world nations from poverty, as the GMO advocates claimed, GMO crops were being designed so that industrialized countries could maintain economic dominance over the peripheries, a contemporary form of "imperialism without colonies."

Mason said at her sentencing that she wanted to "inspire thought and compassion, not fear." The State in turn treated her as a murderer, when the only thing she killed was corporate profits.

## **SABOTAGE**

In the 1980s and '90s, activists who engaged in acts of property destruction were routinely labeled non-political vandals; today the same acts are now considered to be political terrorism. Sabotage is not terrorism—at least not to those whose consciousness is free from colonization by the Orwellian State. The ELF's acts of economic sabotage are specifically intended not to harm living beings. (We should be clear that any time arson is used, there is always the chance that people may get injured or killed; but it should also be noted that in all of the ELF actions, which number perhaps in the hundreds, this has never happened.)

In the eyes of the State, however, this sabotage—when inspired by environmentalism or animal rights—is now considered terrorism. This has everything to do with politics and little or nothing to do with the risk those actions pose to other humans. The State and Capital have joined hands to crush those who oppose the circulation of capital in its attempts to commodify the most intimate aspects of the world, including the genetic code itself.

For several years I lived in an apartment building on a crowded residential street on one of the last ungentrified blocks in my neighborhood. In one year, the buildings on both sides of my dwelling mysteriously burned. In their place, condos were built. No charges were filed; the police, the courts, and the city government smiled upon these “accidental” fires. The lives of dozens, if not hundreds, of people were put at risk.

Mason and Ambrose, on the other hand, burned down an unoccupied research building in the middle of the night, far from residential housing. No one was intended to be hurt and no one was.

The difference is that their acts were an attack on the “marketplace”—not on humans. Attack the marketplace and you are a terrorist in the eyes of the State. Threaten the lives of hundreds of low-income residents to build condos and you are an entrepreneur and an upstanding citizen.

## **MANUFACTURING “TERRORISTS”**

There is no organization called the “Earth Liberation Front”; there are only activists who take actions which are claimed for the ELF. Actions can be claimed as ELF if they fall within the simple written guidelines, which were modeled after those of the Animal Liberation Front (ALF). The ELF Press Office website lists them as: 1. To educate the public on the atrocities committed against the environment and all of the species that cohabitate in it. 2. To inflict maximum economic damage to those who profit from the destruction of the natural environment. 3. To take all necessary precautions against harming any animal—human or non-human.

There have, however, been ELF cells. The largest was the West Coast group formed around environmental activist Bill Rodgers; 18 people who did actions as part of this group were indicted in late 2005 and early 2006 as part of the FBI's Operation Backfire. (Fourteen were arrested, including Rodgers—who committed suicide while in custody. Four others have not been apprehended.) But others arrested for ELF actions have been lone wolves, and there is at least one case of someone who had no political connections and whose motivation was unclear. While a few cases are high profile, there are dozens and dozens of people who had been arrested for ELF acts over the years.

Although obviously ELF actions are illegal, activists probably did not expect to receive more than a few years for their actions, as they were specifically not directed at harming anyone. However, the companies who trafficked in exploitation of the natural world and animals had other ideas. They mobilized their powerful lobbying mechanisms to insure that the kinds of actions taken by the ELF and ALF were applicable under the new terrorism laws, such as the 1996 Antiterrorism and Effective Death Penalty Act.

After September 11, 2001, government agencies became flush with money to “fight terrorism,” and the bureaucracies needed to show results. What happened was a win-win situation for the corporate exploiters and State apparatchiks. Wielding fistfuls of money, but faced with an embarrassing lack of domestic terrorists (there were only so many gullible Muslim men who could be recruited into fake Al Qaeda cells by undercover FBI agents), the State developed a new strategy: they would produce new terrorist subjects. That is, if no terrorists were available, they would have to be invented.

Accordingly, sabotage became redefined as terrorism. The bureaucrats succeeded in filing their “terrorist” quotas. The exploiters got the State to act as their own free security force. And the eco-saboteurs, who only a few years

ago had been dismissed as apolitical vandals, were now the FBI's Number One Domestic Terrorist Threat in the US.

The embarrassing lack of a trail or bodies, or even a single body—or, for that matter, even one person who had been hurt by these so-called “terrorists”—necessitated even further Orwellian turns on the part of the State. Just as War is Peace, Freedom is Slavery and Sabotage is Terrorism, the resistance to the labeling of these activists as terrorists is cast by the State's apparatchiks as proof of the necessity of the harsh punishment sought.

Every time there is a Green Scare arrest, the defendant must decide several things. Obviously, whether they will stay steadfast to the principles and not rat out their friends is the first decision. But the second is if they will allow a fully legal public support campaign, which usually consists of activities like websites, fundraisers and press releases. The existence of a support campaign is often used against Green Scare activists at their sentencing. Before Mason was sentenced, the newspapers were filled with ridiculous lines about “her allies on the Internet who promote her poetry and music and sell pro-Mason T-shirts.” At the sentencing, Prosecutor Frank made a big point of the need to give Mason a long sentence because she had many supporters.

We can see the chain of events:

1. authorities arrest activists who are charged with property damage, declare them to be terrorists, and make outrageous charges against them;
2. other activists defend them on the basis of the false claim that they are terrorists and the outrageous sentences they are threatened with;
3. authorities use the very existence of these sympathizers (which include such organizations as the National Lawyers Guild, the ACLU and the Civil Liberties Defense Center) to justify the long sentences. You must be treated as a dangerous terrorist because people object to you being classified as a terrorist.

## ERODING THE LINE

Currently, Green Scare resources only go to those dubbed as non-cooperating defendants. The Spring 2008 issue of the CrimethInc magazine *Rolling Thunder* included a long article [“Green Scared? Preliminary Lessons of the Green Scare”], complete with a stylish chart, illustrating how the non-cooperating defendants received sentences that were only moderately longer than those who cooperated. The article says: “The Green Scare cases show that cooperating with the government is never in a defendant's best interest. On average, the non-cooperating defendants in Operation Backfire are actually serving less time in proportion to their original threatened sentences than the informants, despite the government's efforts to make an example of them.”

Partly on the basis of these sentencing differences, Green Scare support activists have pushed those arrested to hold out for full non-cooperating plea agreements. But some of the original sentencing differences were the result of four of the Operation Backfire arrestees—Daniel McGowan, Johnathan Paul, and Exile and Sadie—making a deal for a ‘global plea agreement’. Because they pleaded as a package, it gave them far more leverage than if they had done so individually.

Federal agents are keenly aware of the internal dialogue among supporters, and they are doing everything they can to disrupt the support networks. Whereas in the other cases, there was a relatively small sentencing disparity between those whose plea bargains stipulated that they cooperate and those whose plea bargains did not, Ambrose received nine years while Mason received 22. (Another Green Scare arrestee, Eric McDavid received a 19 year sentence, but he had gone to trial.) And Mason was never offered a no-strings-attached non-cooperating deal, as the others had been.

It seems highly likely that non-cooperating pleas may no longer be extended to Green Scare arrestees. The State seems to be working hard to erase the line between “snitches” and “non-cooperating defendants,” even with those who are already in jail. Daniel McGowan was recently called before a grand jury. If he testified, he would be labeled a snitch, but if he refused, he would be prosecuted for perjury and face up to three years in jail—time which would be added to his existing sentence. The State is now using Grand Juries to punish those who have resisted becoming snitches.

## **A LAST WORD FROM SENATOR JOE**

Before and during her sentencing, the State made much of Mason's refusal to turn in her fellow activists, as compared to her ex-husband, Frank Ambrose. Ambrose was allowed to go on vacation in Florida before his sentencing. Mason, on the other hand, had her bail revoked months before her sentencing, and the week prior to the date, she was summoned before a grand jury. She refused to cooperate or answer questions; when asked by the FBI if this was the choice she wanted to make, she told them it was "the only choice possible." At her sentencing, her refusal to cooperate was brought up as one of the many reasons she should receive a long sentence. In comparison, praise was heaped on Ambrose for turning in his wife and facilitating the harassment of both her children and her mother, whose house was raided after Mason's bond was revoked.

Wisconsin Senator Joe McCarthy led the hysterical witch hunts against the US Communist Party in the 1950s. Like the Green Scare, activists were persecuted on the basis of their politics and not their actions, and national hysteria was whipped up around them. McCarthy was finally stopped after leading his paranoid crusade against the US Army. At a 1954 televised Congressional hearing, he was famously challenged by attorney Joseph Welch, who asked him: "You have done enough. Have you no sense of decency, sir, at long last? Have you left no sense of decency?"

The same is true for the federal bureaucrats. They have labeled saboteurs as terrorists, destroyed lives and families, and spent federal tax dollars to defend exploiters of the earth and animals just so that they can check off a box marked 'terrorist convictions' and submit it for their next promotion. Now, they praise a man for turning in his own family to save himself a few years in jail. We would like to ask: do federal prosecutors have no sense of decency?

But there is no need to ask; we already know the answer.

## **About Marie Mason**

Marie Mason is a loving mother of two and a long-time activist in the environmental and labor movements. In March 2008, she was arrested by federal authorities for charges related to two acts of property destruction that occurred in 1999 and 2000; no one was injured in either of them. She accepted a plea bargain in September 2008 and was sentenced on February 5, 2009 to just under 22 years. This is the longest sentence to date for any "Green Scare" prisoner.

The "Green Scare" is the name given to the recent arrests of animal rights and environmental activists who have been charged with acts of economic sabotage. Federal authorities have sought outrageous sentences (often Life in prison) and have publicly and legally labeled the activists as "terrorists"—despite the fact that no one has been killed or injured in any of the acts.

Supporting Marie Mason does not mean agreeing with the actions that she took—but it does mean opposing the fear-mongering tactics of the federal government and the outrageous sentences they are seeking.

For more information, see:

<http://www.supportmarie.org>

or

<http://www.freemarie.org>

For in depth coverage and support websites for all Green Scare prisoners, see [www.greenisthenewred.com](http://www.greenisthenewred.com)

Web Archive update 2-11-2019: for the above, see <https://supportmariusmason.org/>



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