

ENVIRONMENTAL POLICY

NEW DIRECTIONS FOR THE
TWENTY-FIRST CENTURY

Sixth Edition

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A Division of Congressional Quarterly Inc.
Washington, D.C.

Maintaining Presence: Environmental Advocacy and the Permanent Campaign

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Earth Day 2004 (April 22) was a busy one for President George W. Bush. That morning, clad in appropriate outdoor apparel, he appeared before the assembled national press at an estuarine preserve in southern Maine to promote his commitment to wetlands protection and to extol his administration's environmental achievements. "My administration has put in place some of the most important anti-pollution policies in a decade," the president proclaimed, "policies that have reduced harmful emissions, reclaimed brownfields, cut phosphorus releases into our rivers and streams. Since 2001, the condition of America's land, air and water has improved."¹

Later that day, back in his usual business suit, the president hosted a White House ceremony honoring winners of the President's Environmental Youth Awards—young people from around the nation recognized by the ten regional offices of the U.S. Environmental Protection Agency (EPA).² The next day, once more in casual attire, he appeared at an estuarine preserve in Florida to again promote his wetlands plan and, by extension, his overall environmental record with the approaching presidential election in mind. "I know there's a lot of politics when it comes to the environment," the president said before taking a few minutes to prune some nonnative plants. "But what I like to do is focus on results, and you've got yourself a results-oriented governor when it comes to protecting this environment."³

Each of these carefully staged events attracted the desired local and national media coverage and sent the intended message: President Bush cares about the environment. That he felt compelled to take time away from such pressing matters as the conflict in Iraq to make Earth Day-related appearances also said volumes about the centrality of environmental issues in U.S. politics. As every occupant of the Oval Office has understood since the first Earth Day in 1970, no president can afford to appear hostile to environmental protection.

Despite the president's public appearances that week, environmental groups were intent on using their own Earth Day events to take aim at the Bush administration's record on the environment. Three in particular, joined under the banner of the Environmental Victory Project, announced a multi-million-dollar ad campaign to target voters in swing states such as Florida, Oregon, New Mexico, and Wisconsin.⁴ The Natural Resources Defense Council (NRDC) released a report lamenting the president's "unambiguous"

assault on the environment,⁵ and the Sierra Club promoted its director's new book, *Strategic Ignorance: Why the Bush Administration Is Recklessly Destroying a Century of Environmental Progress*.⁶ The League of Conservation Voters, in a fit of whimsy, topped them all. Having previously awarded the president its first-ever "F" for his environmental record on its annual report card, League staffers sent a "nice lunch of tuna fish sandwiches" to Bush-Cheney campaign headquarters in Arlington, Virginia, with a wry note attesting to its safety.⁷ They had asked the deli to "hold the mercury."⁸

The rhetoric used by environmental advocates may have appeared harsh, even vitriolic at times, but to environmentalists George W. Bush had become, unquestionably, the "archenemy."⁹ In their view, he had taken every opportunity to roll back policies that safeguard air and water from harmful pollutants. He had pushed to open public lands in the West to commercial logging, and encouraged oil exploration in the Arctic National Wildlife Refuge (ANWR). They believed that he wanted to weaken key provisions of laws such as the Endangered Species Act¹⁰ and the National Environmental Policy Act,¹¹ while offering slight initiatives of his own under the guise of "Clear Skies" and "Healthy Forests." That only some of those plans had succeeded politically was in their view a testament to how far out-of-step with mainstream America Bush had become.

Environmentalists were outraged, in particular, at the president's use of the Earth Day stage to claim credit for achievements that were (like progress on brownfields) the culmination of years of work by previous administrations, or (like the rule on wetlands) little more than a strategic retreat from original intentions.¹² Months earlier the EPA had proposed to loosen federal protection of wetlands, only to backtrack under White House orders when it became clear that the plan faced major legal hurdles, as well as political opposition from state governments and moderate Republicans in Congress. They also knew that what the administration gave with one hand it might take away with the other. Even as the president talked of protecting a million acres of wetlands, his administration was accused of considering the exclusion of twenty million more from protection under the Clean Water Act, and of failing to fund a program that encouraged farmers to preserve wetlands on their property.¹³

The tussle over wetlands was just one episode in what had become, for environmentalists, an endless struggle with an administration that had pursued a far more ideological tack on environmental and energy issues than many had thought possible given the president's narrow victory in 2000. It had been a bitter time: seemingly endless legal battles to force the administration to enforce existing law,¹⁴ rear-guard actions in Congress to stave off undesirable statutory and appropriations actions, and efforts to blunt the policy influence of federal officials recruited from the industries they were supposed to regulate.

But none of this was publicly apparent that Earth Day as the cameras captured a president at ease in nature and not, as was the view of his critics, more consistently hostile to environmental values than any president in

memory. Environmentalists may have wanted to expose “the Bush campaign’s photo ops as cynical attempts to disguise his dirty environmental record,” but the capacity of the presidency to command the symbolic and rhetorical stage was on full display. If only for a moment, there was little environmentalists could do about it.¹⁵

This chapter examines the opportunities and constraints facing environmentalists in the early twenty-first century. We look first at trends in public opinion on environmental issues and at how a sagging economy at home and the war on terrorism abroad have insulated the president from public disapproval of his environmental record. By emphasizing the importance of agenda setting and issue framing, we then discuss the challenges environmentalists face in translating environmental concern into concrete support for political candidates and their policies. In doing so, we look at factors that influence the electoral behavior of voters but also at the larger constraints of party politics, where environmentalists have long debated whether they should promote their agenda within the existing two-party system or promote Green Party candidates instead. Between elections, of course, environmental groups are like any other organized interest, and so we evaluate also the strategies used by major organizations that comprise the national environmental advocacy community. Granted little access to decision making under the Bush administration, they face more difficult political terrain than any other in a generation.

Public Opinion on the Environment

Despite the president’s assurance on Earth Day that the environment had improved under his stewardship, few Americans seemed willing to agree. When asked by the Gallup Organization in March 2004 how they would rate the “overall quality of the environment in this country today,” a majority of those polled described it as “only fair” (46 percent) or even “poor” (11 percent). When pressed further, 58 percent feared that things were “getting worse.” Granted, that appraisal was no more negative than it had been at the start of Bush’s term, but it was no better either.

In early 2001 the public had appeared eager to support and fund efforts to improve environmental quality. Within months of Bush assuming the presidency, 61 percent of those polled by Gallup said they were either active in or sympathetic to the environmental movement. Some 57 percent thought that environmental protection should be given priority, “even at the risk of curbing economic growth.” Most important of all, despite long-standing concerns about the size and scope of government, 55 percent believed that the United States was doing “too little” to address environmental problems; just 11 percent said it was doing “too much.”¹⁶ In the political arena, where issues rise and fall on the public agenda according to both chance and circumstance, each of those measures stood at its highest level in a decade, creating a window of opportunity for the new president to seize or ignore. By the summer of 2001, the latter seemed more likely. In light of what they saw as a

disconnect between public demands on the one hand and presidential obstinacy on issues such as global warming and arsenic on the other, the editorial desk at the *New York Times* warned that Bush was “alarmingly out of touch with what Americans are thinking,” and that his aggressive tactics on the environment reflected a “grievous misreading of the public temper.”¹⁷

Ultimately, however, the president’s environmental record did little to harm his image, and even less to impede his reelection in the fall of 2004. During a heated campaign season, few respondents polled by Gallup were willing to credit Bush with strengthening the “nation’s environmental protection policies” (6 percent), but many supposed that his administration had kept things “about the same” (53 percent). A more pointed question about the president’s handling of environmental issues tracked a 10-percentage-point decline over three years in the number of respondents who felt he was doing a “good job,” but for a president embattled by a war on terrorism abroad and economic concerns at home, it was a trend overshadowed in magnitude by growing doubts about his leadership in other areas.¹⁸

Why did support for the president’s environmental record stay relatively stable despite negative publicity in the news media? Why did voters and taxpayers, many of whom believed that the state of the environment was “only fair” and “getting worse,” not blame the president more directly for the conditions they observed? As the editors of the *New York Times* noted, “President Bush’s critics have watched with mounting frustration as his administration has compiled one of the worst environmental records in recent history without paying any real political price.”¹⁹ In the eyes of some scholars, simultaneous support for the president and for an environmental agenda he opposed is an “anomaly” that demands explanation.²⁰ Five factors, closely intertwined, seem to be at play.

Declining Concern

First, public concern about the environment experienced a slow but steady decline throughout Bush’s first term in office, weakening potential opposition to his agenda. In March 2004 the Gallup Organization asked a national sample of 1,008 adults how much they personally worried about “a list of problems facing the country.” When prompted to consider “the quality of the environment” as an issue, nearly two-thirds said that it upset them “a great deal” (35 percent) or at least “a fair amount” (27 percent). Only 7 percent worried “not at all.” When pressed further, it became clear that the targets of their concern stretched along a wide array of environmental problems: air and water pollution, the extinction of plant and animal species, ozone depletion, and global warming. Even the subject lowest on the list—acid rain—generated significant concern among nearly half of those polled (46 percent).²¹ The cumulative results seemed to confirm what scholars and political pundits have long recognized: Americans care deeply about the environment.

Those data, however, deserve a broader context. Concern for the quality of the environment in general may have appeared high to the untrained eye

but had in fact declined by 15 percentage points over the previous three years.²² The “personal worry” respondents felt for specific environmental problems had likewise fallen on every item. When averaged across the eleven topics included on the questionnaire, the 2004 results marked their lowest point since Gallup introduced that battery of questions in 1989.

The Gallup study published in the spring of 2004 held still more bad news for environmentalists.²³ First, the percentage of Americans who labeled themselves as either “active in” or “sympathetic to” the environmental movement had dropped to its lowest combined total since April 2000. Even more telling was that the proportion of those who believed that environmental protection should be given priority, “even at the risk of curbing economic growth,” had eroded by a staggering 20 percentage points over the same period of time. The number of Americans willing to “prioritize protection of the environment” over the economy (49 percent) was now the lowest on record, extending back a full twenty years to Gallup’s first query on the subject in 1984 (Figure 4-1). Within the span of three short years, environmental concern had somehow tumbled from decade highs to all-time lows.

The decline in environmental concern was the product of an unfortunate and quite extraordinary confluence of events. It coincided roughly with the terrorist attacks of September 11, 2001, but also with energy shortages and blackouts, soaring gasoline prices, and rising unemployment. Under conditions of crisis, and ultimately war, issue displacement came as no surprise. In a new frame of mind, Americans worried less not only about the environment but also, according to Gallup, about other issues: hunger and homelessness, crime and violence, drug use, and race relations. Whereas in the past, efforts to expand environmental policies had benefited from well-publicized disasters—such as those that occurred at Love Canal, Three Mile Island, Chernobyl, or Prince William Sound, where massive quantities of oil were spilled by the *Exxon Valdez*—the terrorist attacks on New York and Washington had a contrasting, even debilitating, effect. Those constraints may loosen in the near future, depending on perceived success in waging the war on terror, but they create rocky terrain for environmental advocates in the meantime, as well as leeway for the president’s agenda.

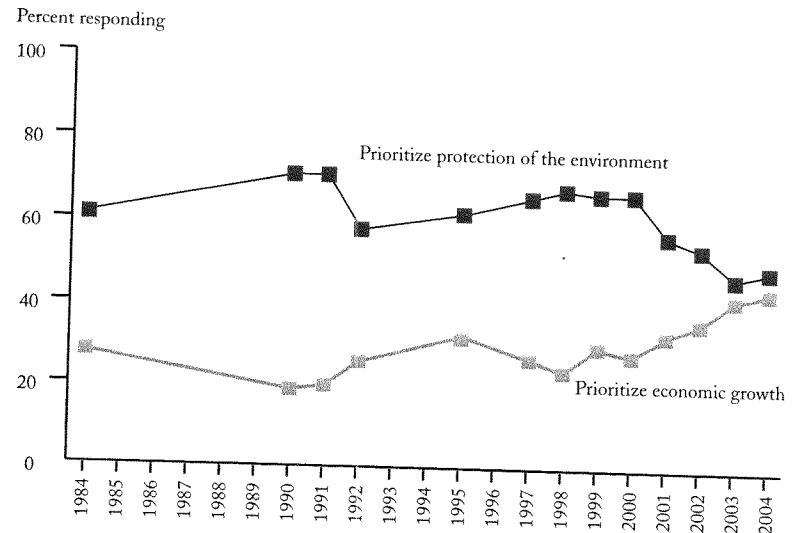
Low Issue Salience

Second, public reaction to the president’s environmental record was muted by low salience, as economic unease and terrorist concerns dominated public energy and attention. When prompted by eager pollsters, Americans may say they worry about a great many things, but not all issues generate an intensity of feeling strong enough to motivate action and consequence.

To measure just how prominent an issue is in an individual’s mind, pollsters often record unprompted, open-ended answers to questions that ask people to name the nation’s “most important problem.” Under those conditions, the environment fares badly indeed, mentioned by just 2 percent of those polled in the fall of 2004—a figure not appreciably higher or lower

Figure 4-1 Trends in Willingness to Prioritize Protection of the Environment over Economic Growth, 1984–2004

“With which one of these statements about the environment and the economy do you most agree: Protection of the environment should be given priority, even at the risk of curbing economic growth (or) Economic growth should be given priority, even if the environment suffers to some extent.”



Source: The Gallup Organization (September 1984; April 1990; April 1991; January 5–March 31, 1992; April 17–19, 1995; July 25–27, 1997; April 17–19, 1998; April 13–14, 1999; April 3–9, 2000; March 5–7, 2001; March 4–7, 2002; March 3–5, 2003; March 8–11, 2004). Data retrieved from www.gallup.com/poll/content/default.aspx?ci=1615.

than that found by most other surveys over the past thirty years.²⁴ Because the concept of salience lends itself to comparison, however, an alternative (and more useful) approach uses lists of questions compiled by survey companies like Gallup to determine the implied rank of social priorities. If respondents express concern for an issue like the environment, it may be difficult to gauge interest by reference to the environment alone. Batteries of questions that prompt them to consider a wider range of issues allows researchers to form a frame of reference that uses those measures to speak in terms of “more” or “less.”

The issue of global climate change offers an instructive example. A majority of Americans polled by Gallup in March 2004 believed that the problem was real and that human activities were its dominant cause. Most were also persuaded that the long-term effects of global warming were serious. Some 38 percent thought that the threat was “exaggerated,” but a majority felt that news of the problem was either “generally correct” (25 percent) or

“underestimated” (33 percent). A total of 51 percent feared that warming trends had “already begun.”²⁵

Yet even though respondents were aware of the dangers of global warming, few seemed to feel a great sense of anxiety or alarm. When asked how much they worried about each of eleven environmental problems, respondents ranked the “greenhouse effect” second to last.²⁶ The environment itself, meanwhile, placed ninth out of eleven issues in the number of respondents who reacted with intense concern. Only illegal immigration and race relations placed lower. In the end, a fair interpretation of the poll would need to note that global warming ranked near the bottom of a list of environmental problems, which themselves ranked near the bottom of a broader list of social priorities. Those results, of course, identify a nagging problem for environmental advocates but an opportune outcome for an administration whose priorities lay elsewhere. The environment as an issue had failed once again to generate the intensity it needed to muscle its way into the top tier of the public agenda.

Selective Attention

Third, declining concern combined with low issue salience meant that distracted voters had little interest, and even less incentive, to pay attention to President Bush’s record on the environment. Just 28 percent of those polled by the Pew Research Center for the People and the Press in April 2001 knew that the president had decided not to place limits on carbon dioxide emissions from power plants. Fewer still were aware that he delayed tighter standards on arsenic in drinking water (20 percent), or that he opposed the Kyoto Protocol (20 percent)—all largely unpopular decisions when presented to respondents.²⁷ Those conditions created, in the words of V. O. Key, a “permissive consensus,” in which the administration could enjoy latitude to pursue its environmental agenda free from a watchful public eye.²⁸

Three years later the issues had changed, but again in Bush’s favor. According to the Pew Center, “the high price of gasoline” dominated public attention in the summer of 2004. Legal sovereignty had been transferred to a new Iraqi government just weeks before, and violent conflict involving U.S. soldiers stationed in the region continued, but far more respondents said they followed news stories on gasoline prices “very closely.”²⁹ President Bush used the opportunity to press to open more federal lands to oil drilling to reduce American dependence on reserves abroad. “These measures have been repeatedly blocked by members of the Senate,” he said, “and American consumers are paying the price.”³⁰

Ambivalence

Fourth, popular opinion on environmental issues is ambivalent and ill informed under the best of conditions. When the environment collides with other desirable goals, as it did beginning in 2001 with energy and national

security, the signals citizens send to policymakers grow even more confused. In early March, prior to the president’s rejection of the Kyoto Protocol and the release of the administration’s energy plan, respondents in a Gallup survey were asked with which statement about energy and the environment they most agreed: “Protection of the environment should be given priority, even at the risk of limiting the amount of energy supplies—such as oil, gas and coal—which the United States produces,” or the “development of U.S. energy supplies—such as oil, gas, and coal—should be given priority, even if the environment suffers to some extent?” The results seemed impressive: When prompted to consider the costs associated with protective environmental policies, 52 percent of those responding prioritized environmental protection, whereas 36 percent opted for the development of energy.³¹

That choice, however, was neither static nor indisputable. With talk of an impending recession and a growing “energy crisis” permeating the news media in the months that followed, respondents by late spring were inclined to believe that the energy situation had become “very serious”—more serious, in fact, according to poll trends, than at any time since 1977.³² Although a steady majority in the Gallup study continued to oppose drilling in ANWR, impressive numbers by May supported the broader goals of “drilling for natural gas on public lands,” and “investing in more gas pipelines.” More than half were willing to go so far as to offer tax breaks to corporations to provide incentives for drilling to be done.³³ In the end, despite a firm belief in the value of energy efficiency and conservation, a combined 70 percent warned Gallup that it was either “very important” or “extremely important” that the president and Congress *increase* oil and gas production—something the Bush administration had intended regardless.³⁴ To argue, then, that the president ignored the public will in dealing with the environment is to fail to recognize that more than one “public will” often operates at the same time.

Issue Framing

Finally, as the energy issue demonstrates, President Bush diffused opposition to his environmental record by defining the terms of debate in ways sympathetic to his cause. As one team of scholars writes, “which general attitudes influence policy preferences partly depends on the particular symbols that become associated with a proposal—that is, on how the issue is symbolically framed.”³⁵ Facing a valence issue they could not win, the administration directed public attention to a broader set of concerns by reference to a weakening U.S. economy and an emerging “energy crisis,” reminding voters of soaring gasoline prices and electrical blackouts, both of which provided defensible ground for a rollback of environmental regulations.

The Bush administration’s strategy was crafted, in part, on the advice of Republican pollster Frank Luntz. In a lengthy memo to party leaders, Luntz advised them to assure voters that they were committed to “preserving and

protecting” the environment, but it could be done “more wisely and effectively.”³⁶ He instructed Republicans to emphasize “sound science” and “common sense” in the debate over global warming, and to put the cost of environmental regulation in human terms by demanding on behalf of taxpayers “a fair balance” between the environment and the economy. Luntz’s talking points soon defined the core message of the administration and helped Republicans in Congress to neutralize attacks on their own environmental records in key 2002 Senate races, which enabled them to regain control of the chamber.³⁷

Critics were quick to dismiss the strategy as little more than misdirection, but it resonated with voters’ emotions nevertheless by promoting simple goals with accessible language such as “safer,” “cleaner,” and “healthier.” The *New York Times* may have mocked the president for playing an environmental word game that “underestimates the public and its capacity to distinguish rhetoric from reality,” but given the public’s slender knowledge of environmental problems, much less the science and policy behind them, the *Times* was almost certainly wrong.³⁸

Issue Voting and the Environment

Activists watching President Bush’s approval ratings on Iraq and the economy tumble throughout the spring and summer of 2004 began to believe that his environmental record would become a similar liability at the ballot box—not a large one, perhaps, but one strong enough to sway voters at the margins in key battleground states. Ever since 1994, when the new Republican majority in Congress began scaling back wildlife protection and pollution control laws, environmentalists had waited in vain for the environment to emerge as a potent wedge issue to attract young, socially moderate voters away from the Republican party.³⁹ Aside from the few voters who backed Green Party candidates, the environment had not been a factor in the 1996 or 2000 presidential campaigns. Given the generally negative reviews of President Bush’s environmental record, however, the likelihood of a green revolt looked more promising in 2004.

The willingness of voters to cast ballots on the basis of candidates’ environmental records and positions is crucial, not just to Democrats who want to win elections but also to those who place faith in public opinion as an engine of democracy. Issue voting would seem to ensure an active link between the views of citizens and those of elected officials in a way that ultimately enhances popular sovereignty and collective responsibility.⁴⁰ By nearly every account, however, that link fails to function well on the environment, where the subject has been so weak that scholars and political pundits seem ready to dismiss it as a political paper tiger, long on talk but short on action.⁴¹

The 2004 campaign forced no one to reconsider that position. Environmentalists may have found solace in the results of several congressional races, in which the group’s “more aggressive and comprehensive approach can and did produce proenvironment results,” according to League of Con-

servation Voters president Deb Callahan. But the presidential race, admittedly, left them “deeply disappointed.”⁴² As a campaign issue the environment generated just one question from a moderator across a span of three ninety-minute debates, and the candidates’ tepid responses to it did little to ignite enthusiasm. Ultimately the Democratic Party was unable to create a political advantage out of its environmental agenda because comparatively few voters saw differences between the parties on environmental issues, and because those concerns failed to matter to them personally with enough intensity to override long-standing partisan commitments.⁴³

Issue Salience

In an August 2004 poll administered for the Pew Research Center, respondents were asked to rate the importance of various issues when making a decision about who to vote for in the upcoming presidential election. A majority (55 percent) predicted that the candidates’ positions on the environment would be a “very important” consideration for them. When compared with other topics, however, the subject settled toward the middle of a long list, above abortion and same-sex marriage, but well below health care, education, and the economy, not to mention national security concerns involving the conflict in Iraq and the broader war on terrorism.⁴⁴ Among those asked to explain their vote after the election, only 1 percent said the environment was the “one issue” that “mattered most.”⁴⁵

Quite simply, although Americans place genuine value on environmental quality, that concern is forced to compete for room on a crowded political agenda. Cross-pressured in many different ways, most voters have neither the time nor the inclination to view elections as a referendum on the president’s environmental record.

Perceptions about Candidate Differences

Even if the salience of environmental issues were to rise suddenly due to media attention, ecological catastrophe, or politicians intent on using the bully pulpit to heighten awareness of environmental problems, voting green requires more. It is contingent on the ability of citizens to distinguish accurately between the policy positions of the candidates.⁴⁶ Clarity about political issues, in this sense, depends on clarity of choice, without which voters are left by default to decide based on other issues and considerations.⁴⁷

Polling data routinely show that the environment is a strong issue for the Democratic Party and its candidates, but in the heat of a presidential campaign that advantage is often less significant than it appears. In a September 2004 NBC/*Wall Street Journal* poll, respondents preferred the Democratic candidate, Sen. John Kerry of Massachusetts (50 percent) by a wide margin over incumbent president George W. Bush (25 percent) as the “better” candidate on that issue. Yet when asked four months earlier if there were “real and important” differences between the candidates on the subject,

or only “small and unimportant” ones, the environment ranked comparatively low, below the war in Iraq, jobs and unemployment, taxes, and health care. Some 20 percent conceded that they were simply “not sure” where the candidates stood. Only on the topics of education and moral values were the candidates’ positions any less distinct in the eyes of voters, a result that pulls the environment into a distinct disadvantage.⁴⁸

Partisan Loyalty

Finally, the weight of partisanship also plays a role in muting the impact of environmental concern in elections. Survey data show that judgments about a candidate’s record on the environment change slowly in response to new information and are filtered through long-standing party loyalties.⁴⁹ Because voting green often demands that Republicans cross party lines to vote for liberal political candidates or strict regulatory policies, voters psychologically anchored to their party may be reluctant to make those decisions on principled grounds. Voters also tend to adhere to well-established patterns and traditions that consider ballots cast for a third-party candidate to be wasted votes, leading many of those who are sympathetic to Green Party candidates, like Ralph Nader, to abandon them in the end because of the “cold-feet factor.”⁵⁰

In short, elections are imperfect vehicles for representing the environmental views of the electorate, much less selecting environmentally friendly officeholders. Environmentalists, like so many other issue advocates, must look for other ways to influence policy agendas and hold elected officials accountable. For the most part, that task is left to environmental groups.

The Bumpy Terrain for Environmental Advocacy

The organizational roster of environmental advocacy in the United States is dominated by household names: Sierra Club, Audubon Society, National Wildlife Federation, The Nature Conservancy, and Greenpeace, to name but a few (Table 4-1). So permanent are these organizations as fixtures in national politics that their presence elicits little comment. Only their failures appear noteworthy. Indeed, organized environmentalism has been found wanting almost continuously since environmental issues first climbed the nation’s agenda in the late 1960s.⁵¹ National environmental organizations, in particular, *always* seem to have less influence than imagined by their foes or hoped by their friends, and they *always* seem to veer between their desire to push the cause and the more prosaic dictates of organizational survival. Mark Dowie, a trenchant critic of the major organizations, makes such an argument:

American land, air, and water are certainly in better shape than they would have been had the movement never existed, but they would be in far better condition had environmental leaders been bolder; more diverse in class, race, and gender; less compromising in battle; and less gentlemanly in the

Table 4-1 Snapshot of National Environmental Organizations, 2004

Organization	Year Founded	Members ^a	2003 Revenue (in millions)	Web Site
Sierra Club	1892	736,000	\$83.7 ^b	www.sierraclub.org
National Audubon Society	1905	550,000	\$78.6	www.audubon.org
National Parks Conservation Association	1919	375,000	\$20.9	www.npca.org
Izaak Walton League	1922	45,000	\$4.3	www.iwla.org
The Wilderness Society	1935	225,000	\$18.8	www.tws.org
National Wildlife Federation	1936	650,000	\$102.1	www.nwf.org
Ducks Unlimited	1937	656,000	\$125.1	www.ducks.org
Defenders of Wildlife	1947	463,000	\$21.8	www.defenders.org
The Nature Conservancy	1951	972,000	\$972.4	www.nature.org
World Wildlife Fund—U.S.	1961	1,200,000	\$93.3	www.worldwildlife.org
Environmental Defense	1967	350,000	\$43.8	www.environmentaldefense.org
Friends of the Earth	1969	35,000	\$3.8	www.foe.org
Natural Resources Defense Council	1970	450,000	\$46.4	www.nrdc.org
League of Conservation Voters	1970	60,000	\$7.0 ^b	www.lcv.org
Earthjustice	1971	70,000	\$17.9	www.earthjustice.org
Clean Water Action	1971	300,000	\$14.5 ^b	www.cleanwateraction.org
Greenpeace USA	1971	250,000	\$25.9 ^b	www.greenpeaceusa.org
Trust for Public Land	1972	45,000	\$126.5	www.tpl.org
Ocean Conservancy	1972	100,000	\$8.9	www.oceanconservancy.org
American Rivers	1973	30,000	\$5.5	www.amrivers.org
Sea Shepherd Conservation Society	1977	35,000	\$1.0	www.seashepherd.org
Center for Health, Environment and Justice	1981	28,000	\$1.0	www.chej.org
Earth Island Institute	1982	20,000	\$4.9	www.earthisland.org
National Park Trust	1983	33,000	\$1.2	www.parktrust.org
Conservation Fund	1985	16,000	\$60.1	www.conservationfund.org
Rainforest Action Network	1985	35,000	\$2.2	www.ran.org
Conservation International	1987	70,000	\$222.7	www.conservation.org
Earth Share	1988	n/a	\$7.9	www.earthshare.org
Environmental Working Group	1993	n/a	\$1.8	www.ewg.org
National Environmental Trust	1994	n/a	\$10.7	www.net.org

Source: Annual reports, IRS form 990. See also Christopher J. Bosso, *Environment, Inc.: From Grass-roots to Beltway* (Lawrence: University Press of Kansas, 2005).

Note: n/a indicates no membership in the classic sense.

^a Includes “members” or “supporters,” where known or possible to estimate.

^b Indicates combined revenues of related entities, or for tax-exempt affiliate.

day-to-day dealings with adversaries. Over the past 30 years environmentalism has certainly risen close to the top of the American political agenda, but it has not prevailed as a movement, or as a paradigm.⁵²

Not bold enough; not diverse enough; too willing to compromise; too gentlemanly: Dowie’s disappointment with mainstream environmentalism is

widely shared among activists. Yet any assessment about success or failure must take into account the profound changes in the political terrain on which environmentalists operate. Taken together, these changes have forced environmental groups to reconfigure their tactics and, indeed, their very role in the political system. As they well understand, the potential cost of not adapting is at best policy failure and at worst irrelevance.⁵³

Conservatives Ascendant

The big story of the past thirty years is the ascendance of the conservative wing of the Republican Party at the expense of the more liberal wing once key to bipartisan agreement on environmental policy matters.⁵⁴ The result is a more homogenous Republican majority, now rooted in growing southern, southwestern, and Rocky Mountain states. The parallel leftward movement of the Democrats, despite the centrist tendencies of Jimmy Carter and Bill Clinton, by the 1990s had produced a partisan polarization that gives the nation more clearly demarcated—even “responsible”—parties but which affords environmental activists remarkably little room to maneuver. Despite campaign contributions to moderate Republican candidates and efforts to include Republicans on the boards of directors of environmental organizations, it seems clear that environmentalists must depend on the Democratic Party if their goal is to work through the existing two-party system.⁵⁵ Partisan polarization has, ironically, narrowed environmentalists’ tactical options.

One need only recall the 2000 election to understand this reality and, for environmentalists, the strategic dilemma it poses. On one hand, most major environmental groups looked beyond their disappointment with the Clinton administration to back Al Gore as the only alternative to Republican nominee Bush. Such pragmatism was rooted in their realization that holding onto the White House was their sole bulwark against an ideologically hostile one-party government. That choice was unacceptable for activists on the left, however, because for them the parties are barely distinguishable defenders of corporate capitalism and unfettered global trade. The “greens” who fought the North American Free Trade Agreement (NAFTA) marched in Seattle against the World Trade Organization, and boycotted Shell Oil for its support of the military regime in Nigeria saw Democrats like Gore as only too willing to accept half measures that still favored corporate interests. Ultimately that discontent found a repository in Ralph Nader, whose decision to stand as the candidate of the Association of State Green Parties (ASGP) reflected his own belief that a third party alone could force a profound change in national discourse. To the Naderites, the Democratic Party itself was the problem.⁵⁶

This was an old debate to be sure, but its effects in 2000 were significant and lasting. Votes for Green Party congressional candidates arguably cost Democrats several House seats that year.⁵⁷ Given the narrow majority by which Republicans held onto the House when Congress convened in

2001, it was no wonder that Democrats and their allies in the environmental community were bitter about the Green Party challenge. More important, Nader’s small fraction of the vote as a presidential candidate—just 2.7 percent nationwide—may well have contributed to Gore’s hairbreadth loss. Indeed, a shift of just one-half of one percent of Nader’s support in Florida alone could have given Gore the state’s twenty-five electoral college votes, and with it the presidency itself.⁵⁸ From the standpoint of the mainstream environmental movement, then, it is not hard to imagine why many Greens refused to back Nader’s renewed efforts in 2004.⁵⁹

The probability that conservatives will continue to dominate the Republican Party for years to come forces environmentalists to think hard about how close they can get to the Democrats. For those in old-line organizations like the National Wildlife Federation and the National Audubon Society, in particular, overt partisanship is unacceptable to their cultural orientations and membership base. Yet at the national level at least, Democrats may be the only option for groups that want to make policy, not just make a statement. In short, current conditions have forced environmentalists into an ideological and partisan box. With more at stake, and considerably more to lose, it makes the dilemma of *how* to participate in electoral politics even more acute.⁶⁰

Counter-Mobilization

This recent surge of political conservatism has steered opposition to the environmental movement from business and industry nationwide. The mobilization of business beginning in the late 1970s was in many ways a reaction to the growth of environmental and other public interest advocates in the previous decade.⁶¹ By the early 1980s the explosion in the number of business lobbyists based in Washington was but one indicator that corporate America no longer was content to rely on its “privileged position” to defend its interests.⁶²

The development of a powerful business lobby at the same time that Ronald Reagan entered office forced most environmental organizations to establish or expand their presence in the nation’s capital. But such moves proved unpopular with grassroots activists for whom “Washington politics” meant succumbing to, in the words of Kirkpatrick Sale, “the inherently conservatizing pressure to play by the ‘rules of the game’ in the compromise world of Washington, D.C.”⁶³ This balancing act became more difficult when many environmental organizations were hit with shrinking membership rolls and softening revenues during the recession of the early 1990s, but their need to be in Washington to counteract the greater physical presence of industry interests arrayed along K Street offered little choice.

At the same time, environmentalists increasingly encountered well-organized and well-funded opposition at the state and local levels from a variety of property rights and “wise use” groups.⁶⁴ Although the true size and grassroots nature of these groups were always hard to gauge, their activists undoubtedly helped to elect fellow conservatives to local, state, and federal

office; shaped public debates on land use and resource issues; won lawsuits in federal courts populated by Reagan and George H. W. Bush appointees; and exploited their access to more sympathetic parts of the federal bureaucracy. Even with the apparent ebbing in their fervor by the late 1990s, their ties to conservative House Republicans, in particular, continued to give them a degree of influence in setting the agenda and crafting legislation, privileges enjoyed by environmentalists when Democrats ruled the Hill.

Conservative mobilization at the state and local levels also grew in importance as more authority over environmental implementation and enforcement was shifted to the states.⁶⁵ Greater state responsibility now meant that environmentalists had to extend their attention (and scarce resources) to many more venues at more levels of government.⁶⁶ As Sierra Club executive director Michael Fischer put it in 1990 in arguing about the need to shift Club resources from Washington to the states, "we'll have to be covering our opponents because the Wise Use movement and other folks are going to the statehouses. But look, we've just won the Clean Air Act. The next step is implementing the Clean Air Act at the state level. We've got Superfund problems. There are problems at the state level."⁶⁷

In short, mobilization by business in Washington forced environmentalists to strengthen their presence there even as they were compelled to pay more attention to the grassroots in response to mobilization by property rights and wise use groups. Chapter-based organizations such as the Sierra Club, National Audubon Society, and National Wildlife Federation first felt the cross-pressures as activists became entangled in battles over land use and wilderness protection, often prompting accusations that national leaders were placing undue emphasis on national and international politics over local needs.⁶⁸ By the mid-1990s almost every national organization had gone through identical and often traumatic strategic planning exercises, in each instance deciding how to allocate their energies and budgets to cover more ground at all levels of government, if only to keep their opponents from solidifying their gains.

A Less Congenial Congress

In the past, whatever else was happening, environmentalists could depend on access and support in the legislative branch. Democratic control of Congress had been essential to the passage of major environmental laws under Republican presidents Nixon and Ford. Their control over the House enabled Democrats to blunt Reagan's initial efforts to remake environmental policy, and under George H. W. Bush their renewed dominance in both chambers enabled Democrats to convene committee investigations into the actions of the executive branch and enact the 1990 amendments to the Clean Air Act. If conservative southern Democrats wrangled often with their liberal colleagues over the scope of federal action, their shared desire to maintain party control led to compromises that served to advance environmental protection.⁶⁹

That access and leverage has since evaporated, starting with the shift of congressional control to Republicans in 1995. In the decade that followed, environmentalists found themselves essentially excluded from the innermost circles of House decision making, and watched as their legislative proposals virtually disappeared from the agenda. The situation in the Senate was marginally better given the relatively even balance between the two parties and the chamber's strong norms of collegiality, but even there the slim majority won by Republicans affected the chamber's agenda and the access it granted to outside advocates. Republican gains in 2004, particularly an additional four Senate seats obtained at the expense of southern Democrats, further solidified their control over both chambers. Consequently, environmental groups must spend their time fighting attempts to roll back existing laws or to tuck antienvironmental riders into appropriations bills.⁷⁰ It is an essentially defensive stance imposed by the realities of the moment.

Presidential Power

As of January 2005 Republicans have controlled the presidency for twenty-four of the previous thirty-six years—or about two-thirds of the contemporary environmental era. President Bush's reelection extends that dominance and underscores the point that, since 1970, Republican presidents have shaped most of federal environmental policy, whether through legislative proposals, budget allocations, clearing regulations through the Office of Management and Budget, or appointments to federal agencies and the judiciary.⁷¹ More important, as Bush underscored in reversing Clinton's support for the Kyoto Protocol and pushing for drilling in ANWR, presidents set the national agenda.

Presidents also decide who gets access. Whatever their disappointment about the Clinton administration, environmentalists knew that their views were heard at the highest levels, that the top layers of the bureaucracy were in friendly hands, and that Clinton would fight off most of the antienvironmental initiatives pursued by congressional conservatives. None of this has been true with Bush, save for an occasional meeting with "hook-and-bullet" organizations such as Ducks Unlimited and the National Wildlife Federation.⁷² As far as the executive branch was concerned, under the Bush administration environmental organizations were on the outside looking in. They could still file Freedom of Information requests, offer comments on proposed regulatory actions, and even get invited to participate in the odd forum run by a marginalized EPA, but they had less access to and influence on executive decision making than even under Reagan. Their prospects are unlikely to improve in Bush's second term.

A More Restrictive Federal Judiciary

Republican dominance of the presidency has contributed to the increasingly conservative orientation of the federal judiciary on environmental and

related regulatory matters. Federal judges in the early 2000s are more reluctant to extend standing to environmental claimants, more willing to give priority to property rights over environmental goods, and less likely to grant discretion to federal regulatory agencies and, even, to Congress with respect to the constitutional powers of the states.⁷³ The expectation that Bush will appoint at least two Supreme Court justices, not to mention uncounseled lower federal court judges, will solidify these trends.

As a result, lawsuits that once shaped environmental policy are increasingly little more than narrow-gauge tools for forcing overburdened regulatory agencies to adhere to the letter of existing law. So low has the lawsuit fallen in favor that the two major "science and law" organizations, Environmental Defense and NRDC, now use it as a minor part of their tactical toolbox, below lobbying, research, and public communication. "We concentrate more on the promotion of ideas and programs dreamed up by economists and scientists," one Environmental Defense official commented. "Rather than go to court, we lobby, write reports, court the media."⁷⁴ Only Earthjustice, a "boutique" shop by comparison, continues to use lawsuits as a core tactic, augmented by lobbying and public communications.⁷⁵

Outsiders, Again?

In May 2004 a federal district judge in Miami dismissed criminal charges brought against Greenpeace stemming from the arrest of two of its activists after they climbed aboard and displayed a protest banner on a ship thought to be carrying illegally harvested Brazilian mahogany. The activists originally were charged with misdemeanor trespass, but federal prosecutors later relied on an 1872 law, intended to deter brothel keepers from boarding ships to lure sailors to their establishments, to levy felony charges against the organization as an entity. The federal government's novel application of a law that had not been used in over a century was widely interpreted among activists as an effort to "chill" the use of civil disobedience.⁷⁶

This episode underscores the contextual basis of advocacy. We tend to believe that organizations are free to select whatever tactics they deem optimal to meet their goals. To some degree they are—Greenpeace chooses to engage in civil disobedience, just as the apolitical Nature Conservancy does not—but the context in which issue advocacy occurs also imposes constraints. Not all environmental organizations want to use the same tactics, but the tactics *any* of them can use are affected by the political opportunities of the moment as much as, if not more than, they are shaped by the values of their members or the attitudes of political leaders.

Consequently, changes in that opportunity structure—such as how one administration interprets the current applicability of an old law—affect what tactics are available and, more important, deemed effective. In the 1970s, Jeffrey Berry suggested, environmental organizations and other citizen groups of the time "succeeded precisely because they quickly emerged as well-functioning bureaucracies. The watchword of these organizations was not

'power to the people' but 'policy expertise.'"⁷⁷ Environmentalists developed professional lobbying operations and legal teams because they needed to do so.

But strategies appropriate thirty years ago no longer suffice, particularly when access to decision making is shut off or otherwise limited by those in power. As a result, Robert Duffy notes, "environmental groups are devoting unprecedented resources and energy to framing issues and perceptions of candidates, in the hope that their preferred policies will be adopted and their preferred candidates will be elected."⁷⁸ Tactics such as lobbying and lawsuits no longer suffice in a time when everyone professes to support environmental goals. Defining those goals, and ranking them against other needs, makes tactics such as agenda setting and issue framing more nakedly imperative than ever.

In pursuit of these objectives, two trends are worth particular attention. One is use of the Internet to communicate directly with the public and supporters. The other is the greater attention being paid to members, not simply as financial backers but as elements of a real grassroots force. These trends are intertwined and must be understood in light of a general recognition that, in Robert Putnam's blunt assessment, the national environmental community had become a "defensive light air force, not a massed infantry for change." What is missing, he argues, is a "deep, active, and growing environmental grassroots."⁷⁹ Activists and scholars might challenge Putnam's empirical evidence,⁸⁰ but nobody disputes his larger point.

Both of those strategies may seem predictable, even conventional in an era in which the demands of democracy are increasingly driven by technology, but the alacrity with which environmentalists now concentrate on public communications and grassroots mobilization reflects the realities of the moment. In part, it is a consequence of the maturation of a policy domain characterized by an immense body of long-standing laws, regulations, and court precedent at all levels of government. Thirty-five years after passage of the National Environmental Policy Act, environmental concerns seem interwoven into the everyday fabric of American life. Just getting an issue atop an already crowded—or consciously constricted—agenda takes extraordinary effort, as Greenpeace knew when it sent its activists to that ship off Miami.

The widespread commitment to strategies designed to set agendas and mobilize supporters also reflects the opportunity structure of the moment. If "the environment" is woven into the fabric of everyday life, *who* defines its meaning is an open question. Given conservatives' success in reshaping the ideological center of U.S. politics since the environmental era began, it stands to reason that their definition of "common sense" environmental policy is positioned to dominate debates over issues ranging from ANWR to climate change for years to come. Despite their resources and their hard-won legitimacy, environmentalists know that they must offer a compelling and practical alternative if they are to win the discursive battle for the hearts and minds of the American people. The reelection of George W. Bush puts an exclamation point on that reality.

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