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Author: VAN PUTTEN, MARK

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Toward a New Environmental Insurgency

MARK VAN PUTTEN

The US environmental movement is in the throes of self-examination—some would say self-mortification—triggered by the results of the 2004 presidential election and the publication of a controversial pamphlet, *The Death of Environmentalism* (Shellenberger and Nordhaus 2004). Many national environmental groups did all they legally could to defeat President Bush, and they remain dispirited by his victory. *The Death of Environmentalism* (Shellenberger and Nordhaus 2004) charged that "the environmental movement's foundational concepts, its method for framing legislative proposals, and *its very institutions* are outmoded. Today environmentalism is just another special interest" (emphasis in original; p. 8). Coauthored by the founders of a self-described "progressive" policy research and strategy firm and funded by a long-time financial supporter of many of the environmental groups it criticizes, this essay has received widespread attention and spawned a number of responses (Louv 2004, Barringer 2005, Kristof 2005, Krupp 2005, National Public Radio 2005, Pedersen 2005).

The debate about the future of environmentalism may turn out to be healthy, if it rises above the partisan gridlock in Washington, DC, and is based on a thoughtful examination of the root causes of the movement's current lack of national political salience. To a large extent, these causes can be found in changes in America's political culture, which must be understood before effective strategies for reinvigorating environmentalism can be developed. A variety of useful perspectives on this cultural context can be found in recent books by a former leading environmental official, two of the most successful conservative political organizers, a journalist examining the dynamics of so-called progressive politics, and a leading environmental law scholar.

In *It's My Party Too: The Battle for the GOP and the Future of America* (2005), former US Environmental Protection Agency (EPA) administrator and New Jersey governor Christine Todd Whitman decries the conservative takeover of the Republican party and, as the book's title indicates, calls for moderates to mobilize to regain influence. Richard Viguerie, one of the architects of the modern American conservative movement, and his coauthor David Franke offer an insider's view of this takeover in *American's Right Turn: How Conservatives Used New and Alternative Media to Take Power* (2005). *National Review* White House correspondent Byron York analyzes the response of the progressive wing of the Democratic party in the 2004 election cycle in *The Vast Left Wing Conspiracy: The Untold Story of How Democratic Operatives, Eccentric Billionaires, Liberal Activists, and Assorted Celebrities Tried to Bring Down a President—and Why They'll Try Even Harder Next Time* (2005). And, on the academic front, Georgetown University law professor Richard J. Lazarus describes the history and speculates about the future of federal environmental law in *The Making of Environmental Law* (2004).

A view from the top

Whitman's book deserves attention, and not only because of her service as EPA administrator. In her policies and politics, she hearkens back to the moderate Republican tradition embodied by Senators Edward Brooke, Charles Mathias, John Chafee, and Jacob Javits, and by Governors Nelson Rockefeller, Russell Peterson, and—my political hero and mentor—William Milliken. The decline of pro-environment Republicans in Congress and in the party is one the main reasons for the diminished influence of environmental groups on national policy. Today, generally speaking, Republicans don't listen to these groups and Democrats take them for granted. Whitman responds, as do most of the remaining Republican environmentalists, by claiming the legacy of Theodore Roosevelt. She argues that Republicans should view environmental protection as a political opportunity, not as inherently inimical to other core Republican principles.

Whitman's book blends autobiography with a timid manifesto calling on Republicans to expand the "big umbrella" by reaching out to African-Americans, pro-choice women, and people who care about the environment. Her environmental ethic developed from her upbringing of weekends spent on a family farm and vacations out west, an experience of the natural world not uncommon to that of Republicans' core constituency in America's suburbs. She asserts that there are many Republican environmentalists at the local and state levels, and argues that these "radical moderates" must fight for their place in the party and become "activists for the sensible center" if the party is to survive and thrive. Whitman's call for more pragmatism and less ideology in environmental policymaking is welcome, but is undermined by her selective defense of the Bush administration's environmental policies and by her lack of strategic and tactical recommendations.

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Whitman simplistically dismisses much of the criticism of EPA policies during her tenure as originating with a self-interested "environmental lobby," a phrase she repeatedly uses disparagingly and imprecisely. Her broad-brush criticism is reminiscent of *The Death of Environmentalism* and, similarly, is inadequately supported by the facts. She offers only a few specific examples of environmental groups overreaching and ignores many instances when these groups tried to work with her. For example, she laments the "once reasonable National Wildlife Federation" demanding an end to President Bush's "war on the environment," without mentioning the repeated efforts by the NWF (during my tenure as its president) and other groups to work with her and other administration officials to craft a shared, commonsense agenda. She never mentions significant examples of environmental groups working with her and the administration on, among other things, restoring the Everglades and collaborating behind the scenes to derail a proposed narrowing of the scope of the Clean Water Act.

Having been governor of a major state, and mentioned as a potential vice presidential candidate, Whitman was an EPA administrator with unusual political clout. But she quickly found herself marginalized. Early in her tenure, President Bush renounced his campaign promise to regulate the global-warming gas carbon dioxide as a pollutant. The reversal happened within 10 days of Whitman's return from a meeting with G8 environmental ministers, at which she had reaffirmed the president's promise. Her credibility domestically was undercut by the inelegant way in which she suspended a Clinton-era regulation reducing the level of arsenic allowed in drinking water. The partisan sniping that resulted, in which some environmental groups joined, put the administration and Whitman on the defensive, and her description of this incident reveals that it still rankles.

Whitman correctly decries "the ridiculously extreme rhetoric used by all sides in what passes for debate on environmental issues these days." But, ever loyal to President Bush—for whose reelection she campaigned after resigning from the EPA—she blames unnamed Republican leaders and administration officials for undermining the president's vision of "finding new, innovative ways to advance environmental goals." At no point does she fault the president for his failure to advance the kind of pragmatic, commonsense environmentalism she advocates. In her telling, it's as though she and he were thwarted in their designs by Republican extremists on the Right and the "environmental lobby" and their Democratic allies on the Left.

Political organizing for change

Richard Viguerie and David Franke have written a fascinating history of the conservative movement's ascendance. They speak from personal experience as important figures in conservatives' success in wresting control of the Republican party from people like Whitman. As might be expected, they emphasize those aspects of this history, especially direct mail, in which they played a critical part. Still, there is much that can be learned from their book about rebuilding an effective environmental movement, even though environmental issues are hardly mentioned.

The origin of the conservative movement, like that of the environmental movement, is rooted outside the contemporaneous political power structure. Both were movements launched by "insurgents"—to use Viguerie and Franke's term—who relished being outsiders, articulated a coherent message of impending doom, mastered the techniques of alternative media and direct mail fund-raising, and developed a mass constituency to influence national policy. Viguerie and Franke's recipe for creating a mass movement could just as well describe the history of environmentalism over the past 30 years: "issues that motivate, a dedicated vanguard, self-identification as a movement, communication networks, money to fund the revolution." Most of the book describes how the conservative movement applied this recipe to gain the influence it has today.

Viguerie and Franke's history of contemporary conservatism begins with ideas and the intellectuals, like William F. Buckley, who shaped a unifying ideology of anticommunism around which to rally conservatives. Viguerie and Franke emphasize the importance of "getting the message straight" as a precondition to building a movement, and then of finding the right messenger. For conservatives, Goldwater emerged to energize the true believers, and Ronald Reagan broadened the appeal to mainstream Americans. The medium was as important as the message. Perceiving the mainstream media as hostile to their cause, conservatives resorted to alternative media, especially direct mail and talk radio. Direct mail became the "secret weapon" for conservatives, and Richard Viguerie became its master.

Viguerie used direct mail to test and refine the conservative message and to find the right messengers. (He tells a cloying story of how Ronald Reagan agreed to sign a Young Americans for Freedom fund-raising letter in 1962.) Equally important, beginning with the names of contributors to Goldwater's 1964 presidential campaign, Viguerie built a list of conservative donors and activists that, in his telling of the story, eventually resulted in Ronald Reagan's election as president. Apart from any inflation of his own importance, Viguerie's analysis focuses on direct mail as a means by which



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"insurgents" formulated and spread a compelling message that not only raised money but also could be translated into votes and volunteers for the conservative cause. He highlights the fact that direct mail allowed conservatives to circumvent the Republican establishment controlled by wealthy donors, with 75 percent of Reagan's campaign funded by direct mail.

Viguerie and Franke tell a similar tale of conservative "insurgents" developing talk radio and, more recently, cable television news channels because they were denied access to the "liberal" mainstream media controlled by the broadcast networks. (Belatedly, they acknowledge in the closing chapter the significance of the Federal Communications Commission's abolishment of the "fairness doctrine" in 1987.) They attribute conservatives' advantage over liberals in talk radio, as in direct mail, to "the #1 marketing law: 'The Law of Leadership: It's better to be first than it is to be better.'" They extend this insight about effective insurgency into their predictions about the role of the Internet, citing the impact of the Drudge Report in "bypassing the gatekeepers of the media establishment" to break the story of President Clinton's relationship with Monica Lewinsky. However, they fear that here, for once, the Left is first in using the Internet for political organizing, citing Howard Dean's insurgent campaign for president and MoveOn.org. They point out that MoveOn has over two million members, a political action committee that contributed $3.5 million in the 2002 elections, and the fourth largest "527" independent expenditure organization going into the 2004 election cycle. Writing just before the 2004 presidential election, they end with premonitions of "the perfect liberal storm."

Byron York picks up the story in his recounting of progressives' attempt to defeat President Bush in the 2004 election. Environmental groups, if not environmental issues, play a big part in this story. Whitman is partly correct in that there is an element in the national environmental movement that is ideologically aligned with a liberal, or progressive, political agenda and with the Democratic party. The authors of *The Death of Environmentalism* are in this camp, arguing for greater ideological integration of environmental groups with other progressive groups, such as unions, gay rights groups, and pro-choice groups. York describes the first major attempt to implement this strategy, albeit from the perspective of a conservative loyalist.

York describes the creation in 2003–2004 of a campaign infrastructure outside the Democratic party, financed by a few wealthy individuals such as George Soros. Taking advantage of the new McCain-Feingold election law, these wealthy individuals collaborated with Democratic partisans, union leaders, and leaders of some environmental and other advocacy groups to build an infrastructure that included new umbrella groups such as America Coming Together, the Media Fund, and America Votes. These groups raised money, coordinated the voter registration and mobilization activities of a variety of groups, and purchased advertising. Their primary motivation, according to York, was not so much a shared policy agenda as a visceral dislike of President Bush.

York ultimately concludes that these efforts ended up as nothing more than preaching to the choir, despite their innovative tactics and despite spending approximately $200 million. He uses a variety of seemingly tangential statistics—such as comparison of the relative performance in different markets of the movies *Fahrenheit 9/11* and *The Passion of the Christ*—to argue that "the Left" remains outside of mainstream America and, as the election results demonstrated, was unable to mobilize a majority of voters. Ironically, he ignores the fact that the Bush campaign's successful strategy focused on identifying and mobilizing its base—in York's term, preaching to the choir (and getting it to the polls).

Most interesting, York argues that the fundamental failing of this well-financed coalition was a failure of ideas. It built a movement infrastructure bereft of a core unifying idea—disliking President Bush not being enough to motivate mainstream America. York's argument is compelling in light of Viguerie and Franke's recipe for success, with its emphasis on first getting the right message and messenger. Desperate to regain political power, progressive organizations built their infrastructure first, with an agenda contrived as the lowest common denominator on which the participating groups could agree.

Not only did this strategy fail to win the 2004 election, but it further marginalizes environmental issues in an already toxic partisan political environment. It presumes there is an inherent ideological alignment between environmental protection and a suite of issues on the cutting edge of the culture wars; in other words, that environmentalism is naturally part of a progressive ideology. It makes progress on protecting the environment dependent on the prospects of the Democratic Party. It frames environmental issues as wedge issues, instead of bridge issues. It fosters the divisive tactics and rhetorical excesses bemoaned by EPA administrator Whitman. It confirms the death, and makes less likely the rebirth, of a mainstream, pragmatic, bipartisan environmentalism.

An academic view

Professor Lazarus's history of environmental law is a welcome relief from the other authors' explicitly partisan perspectives on environmentalism. (Perhaps his lack of an axe to grind explains the brevity of his book's title.) He avoids a myopic academic focus on doctrinal developments and analyzes the decline in salience of national environmental issues. To his credit, Lazarus examines the underlying interest-group dynamics and politics that affect the context in which laws are enacted and in which the judges who interpret them are selected.

Lazarus views environmental laws as having a "radical redistributive thrust" that makes their enactment extraordinary and the constancy of support for them over the past quarter-century surprising. He argues that environmental laws are inevitably controversial because of the characteristics of ecological injuries, the uncertainties involved in assessing them, and an asymmetry between their distributional costs and benefits. The structure of US lawmaking institutions, he

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argues, creates obstacles to effective regimes for environmental protection. Environmental laws are especially difficult to enact given the inherent difficulty in effectively organizing the diffuse shared interests that benefit from environmental protection, in the face of opposition from a clearly identifiable group of interests adversely affected by regulation.

Moreover, there is a misalignment between the time frame within which such benefits are realized and the political calendar. The economic costs of environmental controls are likely to be felt within the tenure of an elected official, while the environmental benefits will not be realized on such a short timetable. It explains President Nixon's view that environmental protection was a "defensive" political issue, setting the stage for "greenwashing" by politicians who wish merely to appear committed to environmental protection while they actually pursue an anti-environment agenda.

Lazarus's historical survey of federal environmental law identifies its origins in "a [small R] republican moment" of "democratic participation and ideological politics" epitomized by Earth Day and rooted in the Vietnam–Watergate era's culture of distrust and adversarialism. Early federal environmental laws fed this cycle of distrust and confrontation with sweeping goals of healthy air, fishable and swimmable waters, and thriving wildlife. Inevitably, implementation fell short in fulfilling these promises. The second era summarized by Lazarus, the so-called "Reagan revolution," is notable in his view for how little impact it had on federal environmental law, notwithstanding—or, perhaps, because of—the forthrightness of Secretary of the Interior James Watt's and EPA Administrator Anne Gorsuch's anti-environment agenda. A hostile Democratic Congress, especially House Commerce Committee Chair John Dingell, thwarted much of this agenda, and the sweep and significance of environmental law only expanded.

The real change in the political milieu of environmental law began, according to Lazarus, in 1994. The "Contract with America" that helped Republicans gain control of the House of Representatives and propelled Newt Gingrich into the Speaker's chair included direct challenges to the regulatory underpinnings of environmental law. The Clinton administration counterattacked by using the environment as a partisan wedge issue, to which Lazarus attributes the "wholesale political polarization of the environmental legislative agenda." As a consequence, he characterizes the 1990s as a period of stagnation or stalemate in the development of federal environmental law.

Today, Lazarus argues, environmental law faces a (capital R) "Republican moment." He expresses concern over the unprecedented partisan divide in environmental law that affects all three branches of the federal government. Much of the progress in environmental law over the last several decades "can be traced either to the bipartisan appeal of environmental issues or to the politically divided nature of the federal government." Now we have neither. Lazarus attributes national environmental groups' ineffective response to this new "Republican moment" to an astute stealth attack by Republicans on environmental law and the redirection of public attention away from environmental issues after the 9/11 terrorist attacks. He sees a future marked by an accelerating demand for resource consumption, a "cognitive separation for consumers between environmental cause and effect," a reduction in people's attention span and long-term perspective, the globalization of economic activity and environmental impacts, and an inability of science to determine fixed standards of minimal ecosystem protection. Although Lazarus declines to speculate on the likelihood of future success in the evolution of environmental law, he ends on a gloomy note:

> The aging of environmental law and environmentalism raises the larger issue of whether environmental law can maintain the passion and commitment needed to rebuff the never-ending efforts to make it more responsive to the concerns of the here and now at the expense of those in seemingly distant places and future times. The current winds of domestic political polarization, international instability, and armed conflict would seem to make it difficult to be optimistic that the nation and international community will soon be ready to work together to negotiate effective and equitable ways for addressing ever-looming global environmental problems. (Lazarus 2004, p. 254)

Toward a new environmental insurgency

As I've argued elsewhere, national environmental groups have contributed to their marginalization by aligning themselves with a progressive ideology and with the Democratic Party (Van Putten 2005). The complexity of the context in which these groups operate is illustrated well by these four books. While it may not amount to a death pronouncement for environmentalism, the current political context helps explain why national environmental groups are on the defensive at best and irrelevant at worst. In short, the time is ripe for a new environmental insurgency.

Environmentalism will not be reinvigorated by Whitman's intraparty rallying of marginalized moderate Republicans. Environmentalists will not recreate a "small-R" republican moment by cobbling together with other special interests an all-or-nothing progressive ideology. They will not regain effectiveness just by exploiting loopholes in campaign finance laws and spending millions on campaign tactics and infrastructure. They will not mobilize a mass movement of mainstream Americans through Internet technologies alone and top-down, "astroturf" approaches to grassroots organizing.

What are the ideas around which to rally a new environmental movement? Who are its messengers? What should be its strategy and tactics? The answers to these questions are likely to arise outside of government and apart from the current status quo in the national environmental movement. This does not mean that its agenda must be antigovernment. Just as government action was a necessary tool to implement conservatives' unifying idea of defeating communism, government action will similarly play an essential role in the new environmentalism.

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The urgent unifying idea for a new environmental insurgency can be distilled from the findings of the Millennium Ecosystem Assessment (MEA). Four years in the making, it involved more than 1300 experts and focused on an assessment of 24 ecosystem services essential to human well-being. It found that, notwithstanding technological progress, people today depend on a healthy environment for survival and well-being as much as in the past (MEA 2005). And it concluded that most of the ecosystem services on which people depend are declining rapidly. The urgency of this threat is made clear in the opening words of the MEA board's statement: "At the heart of this assessment is a stark warning. Human activity is putting such strain on the natural functions of the Earth that the ability of the planet's ecosystems to sustain future generations can no longer be taken for granted" (MEA Board 2005, p. 2). This message of impending doom is no less compelling than was the threat of communism in the 1950s. It offers a message on which a vanguard can build a movement.

Surprisingly, likely leaders of the new vanguard include businesses, especially those operating in the global marketplace. Innovative thinkers such as Paul Hawken, Amory and Hunter Lovins, and Lester Brown have provided theoretical blueprints for business leadership of a new environmentalism (Hawken et al. 1999, Brown 2001). Prominent business leaders have become increasingly vocal in demanding effective government action to address climate change and other environmental threats. Less publicly, they are also changing fundamental business practices. General Electric CEO Jeff Immelt and Interface, Inc., founder Ray Anderson are only two examples of the new breed of environmental leaders among businesses.

Their motives are not primarily altruistic. Business reasons are driving business leadership on the environment. Whatever the history of business-led opposition to environmental laws, businesses are no longer reflexively antiregulation. Rather, businesses crave certainty and consistency to minimize what Cinergy CEO James Rogers calls the "pen risk" of unpredictable changes in regulatory regimes. Now that the Kyoto Protocol has entered into force, this desire for consistency and certainty is driving business leaders to call on the US government to develop mandatory controls on greenhouse gases.

The preeminence of global brands creates additional business incentives for environmental leadership and sustainable business practices. Companies with global brands, like Coca-Cola, have learned that allegations of poor environmental practices in one part of the world can undermine their brand and threaten shareholder value. Despite the outsourcing of production by many global companies, they have also learned that they cannot outsource responsibility for environmental stewardship. Poor environmental performance anywhere in the supply chain can threaten a company's brand.



Environmental leadership by businesses is about more than reducing risks. Large and small businesses see enormous market opportunities in environmental technologies and services, especially in rapidly developing countries such as China and India. The most striking recent example is Jeff Immelt's announcement of an "Ecoimagination" initiative to invest in clean energy and clean water technologies and improve environmental practices company-wide. This commitment by General Electric, the fifth largest US company, is noteworthy because it is based on perceived business opportunities, not altruism, and because it recognizes the continuing role of government regulation in setting the rules without which effective markets cannot operate.

Obviously, these and other companies are not perfect when it comes to past and current environmental practices. Only time will tell whether their business behavior is truly transformed by a new environmentalism. However, it's notable that in this time of gridlock on US environmental policies, prominent business leaders are confronting the "capital-R" Republican moment, which has failed genuinely to incorporate environmental leadership into its agenda and which remains locked in an archaic antigovernment ideology. Environmentally minded businesses can provide the kind of outside leadership to which Viguerie and Franke attribute creative change—if it can be coupled with a mass movement.

Intuitively, Americans are realizing in their daily lives the decline in ecosystem services documented by the Millennium Ecosystem Assessment. Environmental protection has become a quality-of-life issue in communities across the country. It spans exurbs and suburbs choked by congestion from poor land-use practices, and poor inner cities where polluted "brown fields" are an obstacle to economic revitalization. Community-based groups—often composed primarily of volunteers—have sprung up to address these issues at the local level. They range from so-called environmental justice groups focused on racial inequities in pollution patterns to "friends" groups organized to protect and restore a local stream, lake, wetland, or open space. They share a perspective that healthy human communities require a healthy environment, and a civic spirit rooted in a belief that they can change ill-advised government policies. And they have.

According to the Trust for Public Land (2005), in the 2004 election cycle, 121 communities in 24 states passed ballot measures for $3.25 billion in public funding for parks and open space. In the last decade, 78 percent of the nearly 1500 conservation measures on the ballots of 43 states have passed, raising over $31 billion for land conservation. Community-based groups have also organized cleanup days of local streams and parks. They have mobilized their members and volunteers to change local government policies that inadequately protect the environment and quality of life. Community-based environmental insurgents have even taken control of local governments, especially

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where officials have not adequately responded to congestion and poorly planned growth.

The strength of this movement is twofold. First, it integrates concern for community and quality of life with environmental protection. Environmental issues become bridge issues, uniting people of diverse backgrounds, ethnicities, and partisan allegiances, instead of wedge issues manipulated for partisan gain. Second, it relies primarily on volunteers, reclaiming the origins of the environmental movement in people fighting to save the places they know and love. It is a genuine, organic, powerful mass movement that has yet to be effectively mobilized to transform national environmental policymaking. What is needed is the secret weapon for mobilizing this movement around the urgent idea that underpins the Millennium Ecosystem Assessment—effectively connecting local concerns and passions with global issues. Proven grassroots organizing techniques and new Internet-based technologies can integrate these groups into a mass movement by offering shared access to detailed landscape-level information resources, distilling and cataloging best practices for influencing policy, fostering a convergence of concern for local communities with national and global environmental issues, and nurturing an insurgency that becomes an irresistible constituency for change in both political parties.

Whether community-based conservation can be linked to corporate environmentalism is open to question. On the surface, there is an inherent contradiction between the disparate government actions prompted by community-based groups and the desire of businesses for consistency across the jurisdictions in which they operate. However, diverse local actions can become a form of leverage, moving businesses to help craft workable solutions at appropriate national and international scales. For example, state and local global warming policies have influenced prominent businesses to call for national regulation coordinated with an international regime of controlling greenhouse gas emissions.

The time is right for a new environmental insurgency, and not necessarily because environmentalism is dead. It's because the strategies of many national environmental groups are outdated and misplaced. And it's because the current Republican—with a capital R—moment, as all of these authors acknowledge, has become less about ideas and more about retaining and enjoying the corrupting fruits of power. The culture of K Street—that corridor housing powerful lobbyists for special interests, embraced by the leadership of the House of Representatives—may have marginalized environmentalism and environmentalists, but it also has Republicans much more conservative than Governor Whitman complaining. These Republican leaders' ideological rigidity and increasing intolerance for others' ideas foster a sense of outrage and of outsider status that is essential, in Viguerie and Franke's recipe, to a successful insurgency.

Everything is in place for a rebirth of the environmental movement. The environmental challenges we face today are no longer the "quiet crisis" described by then Secretary of the Interior Stewart Udall at the birth of the modern environmental movement in 1963 (Udall 1963). Today, the urgency of the environmental crisis is better documented by science and more widely understood by the public. All that is needed is the leadership to articulate effectively this urgent unifying idea, to knit together the diverse coalition of voices who share this core conviction, and to dedicate itself to the long-term, difficult work required to mobilize a mass movement. The challenges are great, the opportunity is here, and the cause, as Secretary Udall wrote, is one of the most noble in our society: "Beyond all plans and programs, true conservation is ultimately something of the mind—an ideal of [those] who cherish their past and believe in their future. Our civilization will be measured by its fidelity to this ideal as surely as by its art and poetry and system of justice" (Udall 1963, p. 188).

Mark Van Putten (e-mail: mvp@conservationstrategy.com) is president of ConservationStrategy LLC and past president of the National Wildlife Federation. *© 2005 American Institute of Biological Sciences.*

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