



How Conservatives Have Undermined U.S. Environmental Policy

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For decades, conservative activists in the United States have worked to roll back the nation's environmental laws and cut off new initiatives. The results of their efforts have been mixed. All of the landmark laws of the 1970s – the Clean Air Act, Clean Water Act, and Endangered Species Act – remain on the books and the Environmental Protection Agency continues to be active. But a careful look at conservative efforts over the long run reveals that they have made considerable headway, changing bit by bit the terrain on which environmental issues are fought and regulations are implemented.

The Evolution of Conservative Tactics

Activism against environmental regulations was born as a war of ideas responding to perceived threats. From a conservative perspective, U.S. environmental efforts launched in the 1970s threatened unprecedented federal intrusion into the workings of the private sector. Energized by cash infusions from galvanized business interests, conservative think tanks started churning out antiregulatory manifestos. Their purpose was to disparage environmentalists as out-of-touch elitists, minimize environmental risks, dramatize curbs on individual property rights, and depict restrictions on business as economically disastrous.

Conservative ideas gained footholds in the federal government during the 1980s, when President Ronald Reagan appointed hostile administrators and slashed the budgets of environmental agencies. But the limits of such frontal assaults soon become apparent. Environmentalists and their allies in Congress fought back, keeping laws and rules in place. Major environmental groups saw spikes in their budgets and memberships. The same cycle happened in the mid-1990s, when conservative Republicans took control of Congress.

Recognizing the drawbacks of highly public efforts to undercut laws, conservative activists and lobbyists turned to an array of low-profile tactics. These included:

- Chipping away at laws and administrative practices by repeatedly changing the wording, interpretation, or enforcement of existing rules.
- Giving the states greater responsibility for interpreting and enforcing environmental rules. Without strong mandates or administrative capacities, state officials are often easier for business interests to influence.
- Encouraging lawsuits by development interests, declining to appeal judicial rulings that benefit developers, and settling pending lawsuits on terms favorable to industry.
- Downplaying, denying, or even modifying scientific analyses highlighting environmental threats.

While continuing to pursue all of the above tactics, conservatives have recently added another approach to their repertoire. They clothe efforts to weaken rules or pass exemptions in the language of moderation, or even environmental improvement. This defuses public concerns about environmental threats and confuses all but the most expert observers.

As Conservatives Make Gains, Environmentalists Pull Back

The greatest achievement of long-term conservative efforts has been to raise public doubts about environmental activists and ideals, while heightening concerns about the inefficiencies and intrusiveness of regulation. By disseminating new stories and ways of looking at the world, conservatives have helped to block new legislation, most notably to address the problem of climate change.

Conservatives have also greatly influenced enforcement. Worried about provoking a backlash, Democratic administrations have turned to incentive-based and voluntary approaches, while Republican administrations

delay, relax, and sometimes just decline to enforce environmental rules. Conservative attacks have had another consequence, too. The environmental debate has become increasingly vitriolic and polarized. As a result, prospects have faded for bipartisan reforms to improve existing laws and tackle new challenges.

Meanwhile, human pressures on the environment are increasing rapidly. The world's fisheries and forests are being depleted, and in 2010 global emissions of carbon dioxide jumped by the largest amount ever recorded. Environmentalists feel the imperative of meeting these threats, but are beleaguered by intensive conservative opposition to governmental solutions.

Despairing over gridlock at the federal level, many environmentalists have abandoned national politics in favor of working directly with corporations, "buying local," or promoting individual behavior change. Yet opting out of politics is no solution. Politics ultimately determines the policies that structure the economy, which in turn heavily influences the health of the environment. To be effective, environmentalists and their allies need to fight antiregulatory ideas with ideas of their own. Like conservatives, environmentalists need to craft a narrative rooted in ideas and values and use it to assemble a coalition capable of counteracting the right-wing mobilization – and perhaps co-opting some of its sympathizers. A war of ideas about America's role in safeguarding the environment cannot be fought with bureaucratic defenses and cultural gestures alone.

Read more in Judith A. Layzer, *Open for Business: Conservatives' Opposition to Environmental Regulation* (MIT Press, 2012).