



It's Captain Obvious!

Mayor Bloomberg's endorsement of President Obama on climate-change grounds is depressing because it is so surprising. It tells us something quite bleak that 1) someone had to make clear the relevance of climate to Hurricane Sandy; and 2) someone doing so came as a shock to people. Indeed, through the campaign, climate has been essentially ignored as a political issue. Why is that?

Obviously, the reason is complicated, and much of it concerns the Great Recession. In such circumstances, environmental issues will often take a back seat. But not always. Congress reauthorized the Clean Air Act in 1990, during the middle of a recession. Instead, we need to frankly admit that environmental organizations have not done an effective job at building a **political** constituency for saving the planet.

This observation hardly implies that major environmental organizations have been ineffective. Far from it. Most importantly from a law professor's perspective, organizations like NRDC, EDF, and CBD have conducted an enormously effective *legal* strategy, from blocking many of the Bush Administration's most egregious attempts at despoiling the environment to preventing the licensing and expansion of coal-fired power plants. And they do superb research work.



Impossible, Today

But the environment has ceased to be a potent *political* force in the United States. In the early 1970's, Richard Nixon and Senator Edmund Muskie (whom everyone assumed would be the Democratic nominee in 1972), competed vigorously as to who could be seen as a better environmental protector. It's almost impossible to imagine that now.

So what happened? Here are a few tentative ideas:

1) *Environmental organizations do a poor job of grass-roots organizing.* With the important exception of the Sierra Club, environmental organizations do not have local chapters. I am a member of the Natural Resources Defense Council and the Environmental Defense Fund, but there is no Los Angeles chapter. There are no armies of door-knockers and GOTV people present in congressional districts such that legislators realize that developing strong alliances with them could mean the difference in marginal races both on the state and federal levels.

2) *Electoral politics is not seen as a primary activity in the environmental movement.* Environmental organizations stress issue advocacy — climate, Keystone XL, ANWR (always ANWR) — and urge their members to “make your voice heard” in the halls of power. But they do not work at getting people elected to those halls in the first place. For more than 30 years, evangelical Christians have been organizing to get their members on local school boards, city councils, and state legislatures. That isn't what environmental organizations generally do. I am a member of my local Sierra Club chapter, and it is fair to say that while local political organizing is one potential activity among others, it is not stressed by

the chapter.

3) *The Republican Party's rejection of science and environmentalism has undermined environmentalism's political leverage.* My previous analysis has ignored the League of Conservation Voters (LCV), which actually *does* focus on electoral politics. But LCV's strategy has failed, for reasons beyond its control: the Republican Party has decided to reject science — which forms a crucial part of environmentalism — as a matter of principle. This has upended LCV's principal political strategy, i.e. support environmentalists in both parties as a way of pushing environmental legislation. The idea, I think, is that LCV can say, "if you don't support us in this campaign, we will back your opponent, who also has a pretty good record." But with the current GOP, that will never be the case. What exactly are environmentalists supposed to do when President Obama makes the horrible decision on ozone regulations; threaten to walk and support Mitt Romney?

4) *Many if not most pro-environmental voters embrace it as one of a cluster of issues: their vote does not ride on environmental issues.* The National Rifle Association is powerful because even though its membership is relatively small, it has a small number of people in dozen of swing congressional districts who will vote on guns and guns alone. Maybe that's only 2% of the electorate, but that 2% will make the difference. I seriously doubt that environmental voters are the same way. They won't oppose, say, a pro-choice candidate with a bad environmental record, because they will like his or her record on choice.

5) *Donors to environmental causes are uninterested in political organizing.* At least so I hear. And no, this isn't about 501(c)(3) status: there are lots of ways around that if you think through it. Many voter registrations organizations have tax-exempt status. But political organizing requires "patient capital". It could take years to pull off, and requires a whole lot of false starts, small victories, bigger defeats, trial and error, identifying voters, etc. etc. This is a familiar story to anyone in progressive politics: the Right had a series of foundations that knew what they wanted and were prepare to invest in it for years. There are no counterparts on the Left, and "mainstream" foundations want The Next Big Thing, Which Will Of Course Become Self-Sustaining In Three Years.

These are formidable problems. In the coming weeks, I will try to write a little on how the environmental movement might try to overcome them. But I can't say that I have particularly innovative or brilliant answers. If there were solutions out there, someone much more savvy than I am would have already put them together.