

**"Saving the Land We Love:  
Land Conservation and American Values"  
Keynote Address for the Land Trust Alliance Rally  
Madison, Wisconsin, October 17, 2005**

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**Introduction**

Welcome to Madison, welcome to my home state of Wisconsin, welcome to the great American Middle West. There are deep conservation traditions here, home of John Muir, Aldo Leopold, and many others—and one of the loveliest cities in America

I spoke to this group in October, 1998, when the Rally first came to Madison, and it's both an honor and a privilege to be able to do so again.

I looked over my notes for that talk before preparing this one, and was struck to see that my title then was "Conserving Nature in Time." I'm now completing a book entitled *Saving Nature in Time: The Past and the Future of Environmentalism* (forthcoming, W. W. Norton & Co., Fall 2006), and I hadn't remembered that I was already zeroing in on that title and theme seven years ago when I last met with you.

In that talk, my main focus was on biological conservation, the conservation of ecosystems and organisms and non-human nature, and my core argument was that we do this best if we understand that the nature we strive to protect exists *in time*: it is neither static nor timeless, but dynamic and historical. Only if we recognize its dynamism will we succeed in protecting its essential qualities.

This remains a vital concern for all land conservation and hence for the work of land trusts, but I do not want to repeat an old argument that you've heard from me before.

Instead, today I want to talk about another aspect of "saving nature in time" that I'm discussing at much greater length in the book of this title that I'm now finishing. Before I'm done, I want to talk at least a little about the current state of environmental politics in the United States, and why land trusts and land conservation seem to me absolutely essential to the work of environmental protection in the twenty-first century. I'll try to suggest ways we might work to rebuild a bipartisan consensus in support of land

conservation and environmental protection, and I'll argue that no part of the environmental movement can make more important contributions to this effort than those like all of you who work on land conservation.

### **Nature as Cultural Landscapes**

There are lots of ways of describing the natural places we protect in the land conservation movement:

- \* We often call them "natural areas," "green spaces," "open space";
- \* Or we describe them as biological habitats with labels like forest, wetland, or prairie;
- \* Or we refer to them according to regional landscapes like the Eastern Woodlands, Great Plains, Rocky Mountains, Desert Southwest, Boreal Forest, and so on (each of which poses very different challenges, ecological, cultural, political: land conservation must inevitably change depending on the landscapes and communities in which we do this work).

But today I want to argue that the natural places we protect need also to be described and understood as **cultural** landscapes. In the United States, we typically arrange these along a continuum as follows:

**City > Suburb > Working Landscapes > Wilderness**

One of the reasons I'm proud to be on the board of the Trust for Public Land is TPL's great insight, which it embodies as well as any organization I know, that if we fail to protect nature in all of these cultural landscapes, we will fail to protect nature in any of them. TPL has always had the wisdom to recognize that none of these is more important than any of the others. It seems to me that this insight is shared by the land trust movement in general, and expresses one of our most important core values.

Why do I say this? Because the protection of nature is a cultural project, not just a biological one. Whether we protect deep wilderness or an inner city community garden, from a human cultural point of view we are protecting a human ***symbol*** of nature. These symbols are crucial in reminding us of the nature that is all around of us, crucial in reconnecting us to the natural world, crucial in helping us raise children to care for the world that sustains us all.

And let's not forget: *these cultural landscapes, from wilderness through working landscapes to the inner city, are equally crucial to sustaining the national political consensus that protecting land and environment is among our most vital commitments as a nation.*

So what I want to offer you as we prepare to depart is that land trusts are in the business not just of conserving lands, not just of protecting ecosystems and ecological services, not just of preserving biodiversity...but of conserving the human values those lands embody.

These *values* are the reason why our society has created technical tools like conservation easements and special tax treatments for agricultural and undeveloped lands: we have declared a public commitment to the public good that is served by such tools.

And because we do this work in the United States, the values we seek to conserve have a peculiarly American flavor that is worth remembering especially at a time when Americans are anxious about the role their nation plays in the modern world, and when, at least on the surface, we appear to be more deeply divided about core American values than has been the case for a long time.

### **Core American Values of the Cultural Landscapes We Protect**

In the interest of time, I'll be very schematic. Each of the four cultural landscapes I've named—city, suburb, working landscape, wilderness—embodies core American values that are absolutely central to what we believe ourselves to be and what we aspire to become as a nation. [Because my time is limited this morning, I'll omit the suburb from this discussion; again, the book *Saving Nature in Time* will have much to say about it.]

At the wilderness end of the spectrum, for instance, we are the nation that invented the idea of a national park, and later on we created the first legally designated wilderness areas in the world, concepts that have since gone on to have enormous influence all across the planet.

We did so because, as a nation born of the romantic era, we saw in our wildest and most beautiful natural lands symbols of the sublime—sacred places where the divine presence of God is most immanent in the world—and also because we saw in them monuments to our most powerful myth of

national origin, the long frontier struggle to carve a civilization from a wilderness.

Although today we also protect wild places to preserve biological diversity and other values, we should never forget how deeply they are tied to American ideas of God and nation.

At the other end of the spectrum, *the city* at its best has stood for the civilized world we have fashioned from our wilderness. Like each of these cultural landscapes, it has a negative set of values to accompany its positive ones, so that it is sometimes easy—especially (and unfortunately) for environmentalists—to view the city as fallen, corrupt, polluted, unnatural.

But this is not what we aspire for an American city to be. Remember the words of John Winthrop as the Puritans were just beginning their settlement of Massachusetts Bay:

*we shall finde that the God of Israell is among us, when tenn of us shall be able to resist a thousand of our enemies, when hee shall make us a prayse and glory, that men shall say of succeeding plantacions: the lord make it like that of New England: for wee must Consider that wee shall be as a Citty upon a Hill, the eies of all people are uppon us; soe that if wee shall deale falsely with our god in this worke wee have undertaken and soe cause him to withdrawe his present help from us, wee shall be made a story and a byword through the world, wee shall open the mouthes of enemies to speake evill of the wayes of god and all professours for Gods sake*

The notion that America is a "Citty upon a Hill" standing as a beacon for all the world to see, an inspiration for what a community in the service of God and the common good might accomplish, is deeply embedded in our collective sense of what the nation is and should be. Many of our greatest reform movements—from antislavery to conservation—have been inspired by what has become a vision of social and moral progress.

When we protect natural areas and green space in the city, we do so partly because we believe that even urban dwellers—perhaps especially urban dwellers—need regular reminders of the natural world that sustains their lives, and that green respites from the hurried lives we live in the city make urban life more humane and sustainable.

But notice too that green open space in the city has stood since at least the days of Frederick Law Olmsted as an expression of that which we hold in

common. Most powerfully embodied in New York City's Central Park, our urban parks have symbolized the civic space where we gather and affirm our membership in a shared community, where we reenact the democratic values of a free republic so that this American experiment of what Lincoln called "government of the people, by the people, for the people shall not perish from the earth."

I don't think it's too much of a stretch to say that we live at a political moment in our nation's history when it has become rarer for Americans of different beliefs and convictions to gather in common spaces to affirm the underlying values that they share in common.

This is precisely what civic space in the city should do for us at its best. It is what all our common lands should do.

And then there is the *working landscape*, which we know variously as farm, ranch, timberland, mine. These are landscapes which in European cultural history have sometimes been gathered under the term "*pastoral*," an ancient icon of beautiful nature that goes back at least to Virgil and Roman antiquity. (Indeed, many of our most cherished ideas about wilderness in the United States ultimately derive from different versions of pastoral nature in the history of European thought.)

Working landscapes are of course the parts of nature that sustain our material lives, a fact that those who regard such landscapes as intrinsically fallen and profane and desecrated too frequently forget. We do not get our food or fiber or material sustenance from the wilderness any more than we do from the city.

Wilderness provides essential ecological services, and our hearts soar skyward in the presence of the wild. But our material lives are sustained even more by the working landscape, and we love their pastoral beauty too.

The working landscape is the land we harvest to sustain our human lives, and I have said in other contexts that one of the most urgent tasks of environmentalism and conservation is to reclaim an ethical and aesthetic vision of what I would call the *honorable harvest* as a symbol of the human good.

Our failure to do this is a key reason why some of the angriest and most volatile environmental conflicts of the past several decades have happened on the margins of urban and wild lands on the one hand, and working lands

on the other. If you reflect on the electoral maps that received so much attention in the last two presidential elections, and think about the states and counties that came to be divided by the red/blue divide, you will quickly see that the boundary between working and non-working landscapes has become one of the most fraught political divides in our national life.

This does not seem to me a good thing.

For now, I'll simply note that one of the most compelling visions of our republican democracy was of small landholders earning their livings from the soil and building communities on the land as the best bulwark for defending democracy and liberty in our national life. This was the vision that underlay the celebrated Homestead Act of 1862. And it was of course the core of Thomas Jefferson's vision of what would best sustain American democracy in the long run.

Although we long ago ceased to be a predominantly rural nation, this vision of landed property as a foundation for both liberty and democracy remains among the most dearly held values of the American people.

### **Protecting Land Means Protecting Human Values**

I could go on at much greater length about the really quite fascinating history of the ideas and values we attach to our national landscapes, and much of my book *Saving Nature in Time* will explore these themes much more fully when it is published next year.

But today I want to close by suggesting why it can be immensely helpful to remember that the work of land conservation is not just about protecting material nature—plants, animals, and ecosystems—but also about protecting human values and cultural landscapes.

**Put simply: we protect nature because we love the land.**

We protect preserves and natural areas and open space because they stand for some of our most dearly held values.

In the decades following the American Revolution, the United States created itself as a nation as part of the great international movements that we today label as the Enlightenment and Romanticism. Among the most important

achievements of these two movements was the effort to detach the nation from aristocratic privilege and the divine right of kings, and to relocate it onto three alternative sources of political and moral authority that have today become second nature for us.

Rather than look to the Crown, we now appeal to **the People** as the source of legitimacy for democratic rule. And to affirm our love of the nation that the People have constructed, we celebrate two things: the **history** of our common struggle to build a democratic republic that loves liberty and justice, and **the land** that embodies our love of country.

History and the land are the core of our patriotism as a nation, and sustain our vision of what the United States is and should be as a nation: our best dream of what we aspire to become.

Why is it important for all of us involved in land conservation to remember that the work we do is about affirming core American values?

I have many answers to this question, but today I will simply point to the troubling loss of bipartisanship that has come to characterize our national political life vis-à-vis conservation and environmental protection since the heady days of the 1970s when it seemed that everyone was eager to call themselves an "environmentalist." By some measures, the percentage of Americans who willingly attach that label to themselves has dropped below 20%, even though a very large majority of Americans still say that they strongly support environmental protection.

For most of the twentieth century, both of our national political parties, Democrats and Republicans alike, strongly supported conservation and environmental protection, albeit with different emphases and different policy strategies. Most of our greatest conservation achievements, from the founding of the national parks to the passage of the 1964 Wilderness Act to the flood of legislation that now provides most of our legal framework for environmental protection at the national level, was passed with overwhelming bipartisan support.

We too often forget that most of our key federal statutes for environmental protection date from the Nixon Administration, and were passed with large majorities because of fierce competition between a Republican White House and a Democratic Congress over which was more committed to environmental protection.

That competition essentially came to an end in the 1980s, and the consequences have not been good for the environment, for our national politics, or for our core values as a nation.

The history of these changes is far too complicated for me to narrate today, but I can easily summarize one obvious cause.

The late twentieth century saw a conservative reaction against the state in defense of American ideas of liberty.

It is vital to remember that this American suspicion of state power goes back to the Revolution itself, which was anti-statist and libertarian in many important ways. Our Constitution and Bill of Rights both reflect deep anxieties about the potential tyranny of state power.

The conservative reaction against environmentalism in 1980s arguably flowed from this source. It represented not a failure to love the land, but a fear that the environmental laws and regulations of the 1970s at least potentially represented a new form of state tyranny.

The collapse of bipartisan support for environmentalism (which to my mind is among the greatest losses to our national politics in the past quarter century) was primarily a reaction not against nature, not against the environment, not against the American land, but against centralized government power and its feared abuse.

I do not intend to take a position today regarding the conservative reaction against state power as expressed in environmental law, nor do I want to criticize the Republican Party for moving away from its longstanding tradition of environmental protection.

Instead, I want to express regret that the two parties no longer compete nearly as much as they once did over their commitment to environmental protection.

We all suffer from this change in our politics.

In my view, it is little short of a national disaster for the environment to look as if it is somehow a one-party issue.

It is also very far indeed from being an accurate reflection of core American values: all Americans love their land.



## **Land Conservation as American Democracy**

This is why I cannot think of a better place than the land conservation movement to begin the great work of reforging a bipartisan national commitment to protecting the environment and caring for the land we all hold dear.

Because we work at the interface between public and private land, we affirm the value of both. No comprehensive vision of environmental protection can limit itself to one or the other. Both are essential if we are to take responsibility for the good of the whole.

We are not about assertions of state power; we are about communities expressing shared values and working to make sure that the lands they love will continue to embody those values for all time to come.

It seems to me that one of the greatest contributions land trusts can make is to help all of us remember this great truth. ***Public land does not mean land that belongs to or is controlled by government. Public land is land we hold together, land that reflects and stands for the values we share: We, the People.***

Against the heroic vision of government power that characterized so much of the twentieth century, for good and for ill, we should set the older traditions of republican democracy that have been part of American life from the beginning:

- \* the volunteerism lies that is so much a part of both our public and our private lives;
- \* the covenanted communities of colonial New England, and the many churches that have succeeded them;
- \* the joint stock companies that were modeled on these same contractual covenants;
- \* the remarkable document called Robert's Rules of Order which without forced statutory authority nonetheless organizes an extraordinary range of democratic decision-making processes in all parts of American life;

- \* American federalism, from the national to the state to the local level, yielding a republican government committed to the practice of democracy on at all scales.

This is the true genius of American democracy: it is owned and practiced not by the state but by the people, not just in government offices and elections, but in churches, schools, voluntary associations, corporations...and non-profit organizations like every land trust represented in this room.

We do not just protect land and environment; we help sustain the democratic traditions of this nation.

Remembering these democratic traditions can help protect us from the political perils we currently face, perils to which the prior two speakers this morning, Assistant Interior Secretary Lynn Scarlett and IRS Commissioner [for Tax Exempt and Government Entities] Steven Miller, have already alluded.

The nation's willingness to give generous tax and legal protection to land conservation exists because the government and the American people have long recognized that our work serves a profound public good.

We must not abuse that trust.

Land protection for the sake of narrow economic self-interest, whether in the form of illegitimate tax benefits or lands protected to benefit only the privileged few: we should hardly be surprised if these come under attack, for they betray the core democratic values that our work should always strive to defend.

We are given tools like conservation easements and tax deductions because we serve a public good. If we abuse those tools, not only our own work will suffer; so will the public good.

I would add in response to one of Commissioner Miller's earlier remarks that we should be careful not to impose such burdens on local land trusts that it becomes impossible for small volunteer organizations to do the work that Assistant Secretary Lynn Scarlett so eloquently described as "citizen stewardship."

Although we should certainly set high standards and oppose corrupt practices, it would be a tragedy if new accounting rules or financial

requirements had the effect of professionalizing land conservation to such an extent that only government agencies and large regional and national organizations could possibly do this vital work.

Much of the best work of land conservation is done at the local level, and the IRS should be careful not to promulgate standards that may seem to make sense to a Washington bureaucrat but that are impossibly burdensome for ordinary citizens to meet. Land trusts should be held to standards no lower and no higher in this respect than churches or private land owners operating on similar scales.

We will all lose—and so will the American people—if new IRS rules have the unintended consequence that only accountants and lawyers and land trust professionals can create and sustain land trusts.

If I'm right that land conservation expresses some of our deepest American values, then local communities and regular citizens should be able to participate in and lead this process.

At their very best, land trusts should be about ordinary people protecting the places they love.

### **Making Our Land Worth Defending**

To repeat: Land conservation protects nature. But it also protects community and democracy and our core values as a nation.

This is what the Trust for Public Land celebrates when it declares its commitment to protecting "land for people." I believe this is the very heart of the land trust movement in America. Our job should be to defend the true meaning of "the public" in American life. The public good is a value we enact in all aspects of our lives, powerfully embodied in the lands we cherish and share together

At its core, land conservation is an expression of our patriotism and our love of country.

Let me close with the words of a friend of mine, the filmmaker Ken Burns. A few years ago, the Wisconsin Historical Society, on whose Board of Curators I serve, was facing huge budget cuts that threatened to undermine

its ability to carry out its mission as one of our greatest repositories not just of Wisconsin history, but of American history in general.

As part of our efforts to defend the Society, we asked prominent historical thinkers to write letters on its behalf, and the most eloquent letter we received came from Ken Burns. Here's what he wrote:

*I know things are tight (they are everywhere) and quite often cultural resources are the first to feel the budgetary ax, as if these critical institutions aren't as important as other more 'obvious' groups essential to our safety like the fire department or the National Guard. I know, too, that the Wisconsin Historical Society has nothing to do with the actual defense of our land. It only makes our land worth defending. To gut these programs is to erase our past. Without a past, we have no future. It's as simple as that.*

It seems to me that what Ken Burns said of the Wisconsin Historical Society applies just as profoundly to land conservation, so let me close with a slight modification of his eloquent words.

**"I know...that the lands we protect have nothing to do with the actual defense of our nation. They only make our nation worth defending."**

Thanks to all of you for the extraordinary work you do on behalf of the environment, on behalf of the land, on behalf of the people, and on behalf of what we want the United States of America to be and become in the future.

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