

The Anti-Environmental 'Wise Use' Movement in America

By Harvey M. Jacobs

One of the social values which seems to most characterize America today is widespread support for the environment. Public opinion polls consistently show a significant proportion of the U.S. public who identify with environmental values and back public policy action to protect the environment. See R. Dunlap, *Trends in Public Opinion Toward Environmental Issues*, 4 *Society and Natural Resources* No. 3 at 285-312 (1991). In fact, it has gotten to the point that almost all politicians find it necessary to identify themselves as "environmentalists" as a basic condition for credibility in running for office.

But the supporters of environmentalism were destined to have to share the political stage with its opponents. On the political right, during the early years of the Reagan presidency, a movement emerged to attack environmentalism and environmentalists as elitist and out of touch with the values of the common person. See R. Dunlap and A. Mertig, *The Evolution of the U.S. Environmental Movement from 1970 to 1990: An Overview*, 4 *Society and Natural Resources*, No. 3 at 209-218 (1991). What happened instead was a surge of support for environmental organizations, with increases in membership, activism, and influence. However, as the 1980s ended and the runaway economy of the period gave way to global economic recession, environmental values, policies, and programs were under attack once again. This time the attacker was the self-proclaimed, self-described "wise use movement." According to the environmental community, the wise use movement is really an anti-environmental movement.

The wise use movement is an umbrella for a broad range of groups discontented with the current power of mainstream environmental activism. The movement's focus is promotion of a *wise use* alternative to what they characterize as the more radical, restrictive focus of mainstream environmental policy. From a wise use perspective, current environmental activism and policy illegitimately fosters an anti-private property and anti-people focus.

The movement characterizes environmentalism as seeking to create *the new feudalism*—a set of institutional relations where the individual will hold little freehold property, and will instead be dependent on a central authority (government) to dispense use rights as it sees fit. The argument from wise use advocates is that freehold property is inextricably linked to the existence of a modern democratic state, and that

actions which increase the power of the state over the individual decrease the institution of democracy.

This article is an exploration of the wise use movement's institutional precepts, content, and strategies, with a special focus on their position on private property. I focus on private property because it is the organizing conceptual theme in the movement's structure. My interest is in the theoretical foundation of this challenge to environmentalism. In this article, I discuss the social conflict over property rights, and the movement's history, theoretical basis, strength, and future.¹

MOVEMENT'S HISTORY AND NATURE

The wise use movement emerged from a 1988 conference convened by the Center for the Defense of Free Enterprise. The Center is the vehicle for the work of its two key employees—Ron Arnold and Alan Gottlieb. Arnold is the intellectual leader of the wise use movement. He comes to it as a former Sierra Club member, knowledgeable about the values and strategies of mainstream environmentalism. In the 1970s, a decade before the movement took formal shape, Arnold wrote a series of articles in which he pointed out the need for an alternative activist movement to counter the political power of environmentalism. See K. O'Callaghan, *Whose Agenda for America?*, 94 *Audubon* 89-91 (September/October 1992).

The tangible result of the 1988 conference was *The Wise Use Agenda* (1989) by Alan Gottlieb. The conference was convened as the Multiple Use Strategy Conference. But the notion of "wise use" came into being as a conscious attempt to echo the turn-of-the-century debates within the environmental movement between John Muir, founder of the Sierra Club, and Gifford Pinchot, founder of the national forest service. Muir championed the position of the sanctity of nature and the necessity for natural area preservation; Pinchot pioneered the idea of utilitarian, multiple/wise use resource management. See S. Fox, *The American Conservation Movement: John Muir and His Legacy* (1985). Through this century their conflict has defined a major axis within the U.S. environmental movement. Reverberating with Pinchot's rhetoric, the preface to the *Agenda* states that humans "must find ways to use the earth wisely and find ways to understand that *the earth can be used wisely*" (emphasis in original).

The *Agenda* contains a series of goals. Most broadly, these goals are tied together by a perspective that public lands are to be actively used for economic development and in economic production, and public actions that impact private property rights must be compensated. Among the top goals of the *Agenda* are opening all public lands to commercial mineral and energy production, commercial clear cutting of old growth forests on national forest lands, rewriting the Endangered Species Act to substantially weaken it as a tool for environmental protection, allowing commercial oil drilling in the Arctic National Wildlife Refuge, promoting commercial development within the national parks, and

1. Data for my characterization of the wise use movement comes from its principal self-statement, in combination with a set of recent articles in the environmental press. Gottlieb's *Wise Use Agenda* (1989) and 16 articles that appeared in the period of 1991-1993 in magazines such as *Buzzworm*, *E*, *National Parks*, *National Wildlife*, *Outside*, *Sierra*, and *Wilderness* were major resources culled from a detailed search of four CD-ROM data bases. The portrayal of the wise use movement in these articles allows me a high degree of confidence in this presentation.

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establishing private property rights in lease-based grazing arrangements on public lands.

The wise use movement itself is a coalition of local and regional groups pursuing political action on the individual goals. Wise use leaders claim an array of 500 constituent groups. See W. Poole, *Neither Wise Nor Well*, 77 *Sierra*, No. 6 at 58-61 (November/December 1992). One listing shows half of these to be snowmobiling clubs, and the rest mineral extraction, energy, and forestry corporations. See W. Nixon, *Wising Up to Wise Use*, 3 *E: the Environmental Magazine* 34 (September/October 1992). The influence of large corporate capital within the movement is significant. One example is the funding and leadership of People for the West, a prominent member of the wise use campaign. According to one investigation, 96 percent of their funding came from corporate sources, and 12 of the 13 members of their board were associated with the mining industry. See O'Callaghan. Other examples abound. See T. Lewis, *Cloaked in Wise Disguise*, 30 *National Wildlife* 4-9 (October/November 1992) and C. Deal, *The Greenpeace Guide to Anti-Environmental Organizations* (1993). The 1992 wise use conference was co-sponsored by groups such as the American Mining Congress, National Cattlemen's Association, Independent Petroleum Association of America, and the American Forest Council (Stapleton 1992).

The actual membership of the movement is hard to quantify. Wise use promoters suggest an active membership of five million, with a pool of up to 120 million sympathizers. Of course, critics suggest these are self-serving, wildly inflated estimates. See M. O'Keefe and K. Daley, *Checking the Right: Conservative Backlash Against the Environmental Movement*, 5 *Buzzworm*, No. 3 at 38-44 (May/June 1993). Many of their most sympathetic members come from the western states where most of the public land is, and where some states are dominated by the land-use decisions of federal land agencies.

Ron Arnold's rhetoric leaves no doubt about the wise use movement's own sense of the importance of its mission. One writer says Arnold's words struck him as putting the wise use movement up front in the cosmic struggle between good and evil. See Lewis. Regardless of whether Arnold or wise use members would go this far in their own characterizations, Arnold is blunt. He has said that "environmentalism is the new paganism, trees are worshiped and humans are sacrificed at its altar. It is evil. And we intend to destroy it." See Nixon at 34.

Evil, war, and destruction are consistent themes in his rhetoric. From Arnold's point of view, the goal is to "destroy the environmental movement once and for all." See D. Baum, *Wise Guise*, 76 *Sierra* 70-73 (1991). Why? Because according to Arnold, mainstream environmentalism has run amuck; it is wrecking America, in part by "trashing the economy." See R. Arnold and A. Gottlieb, *Trashing the Environment: How Run-away Environmentalism is Wrecking America* (1993). In fact, "if things continued like the way they were going, the environmentalists were going to destroy all industry and private property within twenty years." See Lewis at 6.

The Movement's Success

Since its formation, the wise use movement has had formidable success. It was instrumental in bringing about major modifications to plans for integrated land-use management

for the greater Yellowstone network of national park, forest, and wildlife refuge lands. See R. Stapleton, *On the Western Front*, 67 *National Parks* 32-36 (1993). Movement leaders are also the intellectual leadership behind President Reagan's Executive Order 12630 in 1988. See M. Pollot, *The Effect of the Federal Takings Exactions Executive Order*, 41 *Land Use Law & Zoning Digest*, No. 5 at 3 (1989). This order, titled "Government Actions and Interferences with Constitutionally Protected Property Rights," required, in essence, preparation of a private property rights impact statement on all federal regulatory action. Bills put forth in the U.S. Senate and sponsored by President Bush's administration sought to codify this order. See Gottlieb and Lewis. These legislative proposals have continued unabated and, in the 1994 session of Congress, were of great concern to a coalition of environmental, urban planning, and labor groups monitoring their progress and support.²

Even under the Democratic Clinton administration, the wise use movement has had significant influence. Efforts to float grazing fees on federal lands to market levels have been hampered by wise use lobbying, as have efforts to close federal lands to off-road vehicle use. Most dramatically, efforts to elevate the Environmental Protection Agency to a cabinet department were derailed by wise use-related private property concerns. See J.H. Cushman Jr., E.P.A. Critics Get Boost in Congress, *The New York Times*, Feb. 7, 1994, at A1, A15.

During 1993, the wise use movement targeted legislation to create a National Biological Survey and amendments to the Endangered Species Act. In each case they attempted to insert a "takings" amendment that would ensure financial reimbursement to affected landowners for any federal regulatory action which substantially decreased property value. The movement has also been associated with efforts to get similar legislation passed by states. In 1994, 88 bills were offered in 33 states. Some form of legislation was adopted in an additional five states. Since 1991, takings legislation of some form has been passed in 10 states.³ Action in the first part of 1995 is expected to be equally robust.

Credibility of the Movement

A common presumption is that the wise use movement is just a 1990s version of the Sagebrush Rebellion—the anti-federal public lands movement of the early Reagan years. See F. Popper, *The Timely End of the Sagebrush Rebellion*, *The Public Interest*, No. 76 at 61-73 (1984). However, observers suggest that while many of the underlying corporate-capital interests are the same, there is a qualitative difference. See R. Stapleton, *Green vs. Green*, 66 *National Parks* 32-37 (November/December 1992) and Lewis. The Sagebrush Rebellion was a blatant and disorganized effort by corporate interests

2. In the fall of 1993, groups as diverse as the National Wildlife Federation, the Alliance for Justice, the American Planning Association, the National Trust for Historic Preservation, and the United Steel Workers of America (among others) sponsored an invitation-only "Citizen Activists Meeting on Takings." The meeting focused specifically on the wise use movement, its position on private property, and the likely actions in Congress and state legislatures in the upcoming legislative sessions.

3. See R. Freilich and R. Doyle, *Taking Legislation: Misguided and Dangerous*, 46 *LAND USE L. & ZONING DIG.*, No. 10 at 3 (1994).

to seek privatization of western public lands. The wise use movement is highly organized. It learned strategy from environmental activism; its interests are now clothed in the guise of grassroots, populist citizen action; and the agenda is broader, speaking to a larger segment of the American people. See Stapleton, Lewis, and Baum.

Another interesting difference is that the wise use movement has both a sense of strategy and a sense of humor (or more likely its sense of humor is part of its strategy). In California, there is an organization called the Sahara Club—a name suspiciously similar to the Sierra Club. The name is supposed to evoke an image of the desert and attract desert users as members. This club focuses on the rights of off-road vehicle users to pursue their sport, often on desert public land. Its co-founder talks of the need to deal with “anti-land-use-scum.” See Baum at 73. Drawing directly from the model of radical environmentalists such as Earth First!, Sahara clubbers engage in disruptive, confrontational, and sometimes intimidating action, often directed at radical environmentalists. See Baum; D. Russell, *The Monkeywrenchers*, 9 *The Amicus Journal*, No. 4 at 28-42 (1987); C. Manes, *Green Rage: Radical Environmentalism and the Unmaking of Civilization* (1990); and P. List, *Radical Environmentalism: Philosophy and Tactics* (1993).

The grassroots authenticity of the wise use movement is challenged, however, by the actions of Alan Gottlieb, the other half of the Arnold-Gottlieb team. He is a direct mail wizard, long associated with fund-raising for conservative causes. In a *New York Times* interview in 1991 he spoke about the need, from a business point of view, to create a new “evil empire” to replace communism. See T. Egan, *Fund-raisers Tap Anti-Environmental Sentiment*, *The New York Times*, December 19, 1991 at A1. His publishing firm, which distributes wise use books, also sells volumes on gun rights and the illegitimacy of the federal income tax system.

Gottlieb at least—if not all of the wise use movement’s affiliated groups and members—acknowledges the movement’s congruence with the broader agenda of the radical and racist right. See O’Keefe and Daley. Because of this, some citizen activists from groups that the wise use movement believes should be under its umbrella, have refused recognition by or connection with the wise use coalition. See O’Callaghan.

Despite this, the wise use movement raises a set of genuine and important issues, both activist and theoretical. Wise users are having an impact upon policy formation, and their impact draws from their theoretical presentation. Wise users are not wholly wrong when they suggest that contemporary environmentalism is premised on an evolution of private property rights. Yet, the individualist social myth represented by these rights resonates strongly with many Americans. So, while public opinion polls show environmental protection is supported by most Americans, many of these same citizens can be deeply disturbed by public regulatory programs to achieve this goal.

THE PROPERTY RIGHTS DEBATE

The wise use movement has raised two broad private property rights issues. One is the reasonableness of regulatory approaches to environmental policy, because existing private property rights are suppressed. The second is the unreasonableness of public lands grazing practices, because

private property rights are not created. The two issues are linked by a theory of private property rights, which the movement seeks to implement through state and national legislation. See Lewis. I will discuss the first issue.

The contemporary theoretical position for the wise use movement predates the movement by almost 20 years. It is linked to the origins of the modern environmental movement and the strong land-use legislation of the time. In particular, it is linked to the so-called quiet revolution in land-use control, and the critical conservative commentary on this activity. See F. Bosselman and D. Callies, *The Quiet Revolution in Land Use Control* (1971). The quiet revolution was a move by states to reassert their constitutional authority to regulate private lands at more central levels of government. It contrasted with decades of political practice, in which land-use planning and policy had largely been an activity of local government. See H. Jacobs, *Localism and Land Use Planning*, 6 *Journal of Architectural and Planning Research*, No. 1 at 1-17 (1989). The quiet revolution was born, in part, out of an environmentalist frustration with the fragmentation and parochialism of local control.

The rationale for the contemporary slew of takings bills at the state and federal level was well laid out by McClaughy in his reaction to the quiet revolution. See J. McClaughy, *The New Federalism*, 5 *Environmental Law*, No. 3 at 675-702 (1975) and the same author, *Farmers, Freedom, and Feudalism: How to Avoid the Coming Serfdom*, 21 *South Dakota Law Review*, No. 3 at 486-541 (1976). McClaughy uses a libertarian lens to put the quiet revolution into a historical and theoretical perspective. His point is that an abrogation of private property rights through centralized, uncompensated regulation violates a founding principle of U.S. democracy. In and of itself, this is not an unusual conservative position. See, for example, D. Coyle, *Property Rights and the Constitution: Shaping Society through Land Use Regulation* (1985) and R. Epstein, *Takings: Private Property and the Power of Eminent Domain* (1985).

For McClaughy, one of the main reasons for settlement in early America was a lack of access to private property rights in Europe. As Europe moved from feudalism to capitalism, its property rights structure did not respond in a flexible enough way. Private property remained concentrated, and common property was privatized. The unlanded citizen had little hope of securing any rights. Colonial America provided a chance for access to rights. The political and policy history between colonial America and England demonstrated the danger of property rights that were not freehold and that were controlled by a distant sovereign.

American founders drew from these experiences and provided special provision for private property in the closing clause of the Fifth Amendment to the U.S. Constitution. (The clause reads, “. . . nor shall private property be taken for public use without just compensation.”) As a constructionist, McClaughy sees the Fifth Amendment clause functioning in an environment where individuals are presumed to hold all rights not specifically removed from them.

For McClaughy, the important historical lesson is that American founders were escaping from a feudalistic property regime. By coming to colonial America, they could establish a non-feudal, democratic society. Following from John Locke, freehold property is inextricably linked with

democracy. To the extent private property ceases to exist, McClaughry questions the viability of democratic society.

McClaughry suggests that the environmental and land-use legislation of the early 1970s created a social condition analogous to feudalism—in his words, a “new feudalism.” In the contemporary feudal state, citizens appear to have freehold property, but the state is free to regulate any portion of it. It appears to him that soon there will be no limits to regulation; the working rule seemed to be evolving to the point that unless the state actually took the property by act of eminent domain, the provision of the Fifth Amendment did not apply. For McClaughry this drift in policy structure, plus the movement for evermore centralization in policy administration, seems conclusive evidence for his characterization.

To a large extent, McClaughry’s analysis and the wise use movement’s portrayal are correct—environmentalism is premised on an alternative notion of private property. I will discuss this in two ways, legally and conceptually.

In *The Taking Issue* in 1973, F. Bosselman, D. Callies, and J. Banta investigated the origin and evolution of the Fifth Amendment’s takings clause. Their analysis shows that the concepts that make up the clause, and the clause itself, have varied considerably through the centuries. In fact, they argue that the clause has functioned as a set of guideposts for negotiating the balance of individual rights and duties with social rights and duties. In particular, individual rights have been required to be responsive to changing social mores and practices, and changing technology.

So, for example, under a 19th century definition of private property, an individual owned land *cuius est solum eius est usque ad coelum et usque ad inferos* (all the way to heaven and all the way to the depths). Under this constructionist, restrictive definition, an airplane would be guilty of trespass when it passed through the air space of an individual land owner. As air travel went from a novelty to a commercial enterprise, this definition of private property was no longer socially functional. If individual landowners could claim trespass of their property by airplanes, air travel would become either too cumbersome or too expensive. So, in the early 20th century, U.S. courts “publicized” air rights above a certain elevation without requiring compensation under the Fifth Amendment. Individual owners no longer owned *est usque ad coelum*. In effect, the courts created a new commons where one had not existed before. The creation of this new commons responded to changing social needs pushed by changing technology.

Bosselman et al. (1973) demonstrate that the interrelationship of private and public rights and duties is extensive and continuous, and that the actual constitutional limits of regulatory action under the takings clause are relatively small. Hecht provides a non-environmental example of this. See N. Hecht, *From Seisin to Sit-In: Evolving Property Concepts*, 44 *Boston Law Review* 435-466 (1964). He discusses the civil rights movement and racial integration in the early 1960s. In particular, he examines the public preemption of the private property right of a commercial establishment operator to refuse service. For over a century it had been assumed that the extension of commercial service was a private property right that individual operators could exercise as they best saw fit. Changes in social mores resulted in a removal of this right from the property bundle, again absent compensation.

As modern environmentalism matured, it has continually sought to exploit this trend and flexibility. Large uses the famous case of *Just v. Marinette County*, 210 N.W.2d 761 (Wis. 1972), to argue for a greatly reduced set of private property rights. See D. Large, *This Land Is Whose Land? Changing Concepts of Land as Property*, 4 *Wisconsin Law Review* 1041-1083 (1973). In *Just*, the court found that landowners had no reason to assume any use rights other than land use in a natural state. The right for land development rested with the state, and the state could decide to dispense it as best fit the public’s agenda. This takes the formulation McClaughry defends, and stands it on its head. In a similar vein, Stone has argued for the idea of reconceptualizing private property so that natural objects themselves held some of those rights. See C. Stone, *Should Trees Have Standing? Toward Legal Rights for Natural Objects* (1974).

More recently, Hunter (1988) and Rieser (1991) have extrapolated this line of reasoning to suggest that the public’s right in environmental protection and integrity coexists with the individual’s rights, but because of the broader public interest served by the public’s rights, they must circumvent individual rights. See D. Hunter, *An Ecological Perspective on Property: A Call for Judicial Protection of the Public’s Interest in Environmentally Critical Resources*, 12 *Harvard Law Review*, No. 2 at 311-383 (1988) and A. Rieser, *Ecological Preservation as a Public Property Right: An Emerging Doctrine in Search of a Theory*, 15 *Harvard Environmental Law Review*, No. 2 at 393-433.

So, it can be argued that the wise use movement does understand the legal basis of modern environmentalism—environmental action is, in fact, directed at a diminution of private property rights. From an environmental perspective such rights are seen as dysfunctional to contemporary social mores, and public action through regulation is viewed as an appropriate and reasonable vehicle for achieving public policy goals.

The conceptual differences between the wise use and environmental perspectives is fundamental. Bromley (1993) provides a succinct explanation for understanding the environmental position (though this is not his actual purpose). See D. Bromley, *Regulatory Takings: Coherent or Logical Contradiction*, 17 *Vermont Law Review*, No. 3 at 647-682. Bromley demonstrates that the very notion of property is itself a social construct. Private property exists only because society recognizes it and establishes a set of rules to enforce what society defines and accepts as private. Drawing from Kant, Bromley develops the notion of *intelligible possession*, and distinguishes it from the idea of *empirical possession*. See Bromley at 653-654 (emphasis in original). Intelligible possession recognizes that “rights can exist only when a social mechanism that gives duties and then binds individuals to those duties exists. In the starkest possible terms, what I own is a function of what the members of the polity say I own—not what I say I own.” *Id.* at 653.

The implication is that because the very nature of property originates with society, society is never illegitimate in its action toward private property. When its actions appear to represent a departure from a prior set of rules governing individual-social interaction, society is merely articulating new rules that reflect new social circumstances and necessities. Society is not obliged to any *a priori* rule structure. For Bromley, property is a completely moldable

social construct, established by society to fulfill social needs, and thus changeable as social circumstances require it. As an example, Bromley notes the widespread acceptance of public action that prevents a landowner from cultivating marijuana or running a house of prostitution. He ponders why this is socially acceptable, while regulatory action to protect wetlands or farmlands is not. More precisely, Bromley wonders why one action is not a violation of private property rights under the provisions of the Fifth Amendment and the other is.

Presaging the tactics of the wise use movement, Bromley summarizes his position by acknowledging that "land use and environmental policy is contentious precisely because it joins claims of individual freedom and private property rights." *Id.* at 682. He then reflects the environmentalist response by talking about the "myth of the overarching sanctity of private property," and arguing that "the public cannot continue to be held hostage to the extortion that emanates from this view." *Id.* He concludes that this myth and view has "no basis . . . in economics, in philosophy, or in the law." *Id.*

Of course, McClaughry and wise use proponents could not disagree more. For them, private property is an immutable concept. It is precisely its *a priori* nature which is so important. They take the freehold nature of private property as the starting point for private-social relationships. The presumption of property legitimacy is with the landowner. Society must demonstrate the validity of any proposed intrusive actions. Where proposed actions are valid, society must compensate the owner for the diminution in property value and rights. To the extent the environmental community in particular, and society in general, attempts a continued policy of non-compensation for land-use regulations, the wise use movement intends to use all available political strategies to present its case and win people over to its position.

Social Conflict over Property Rights

That there should be social conflict over property rights is, in and of itself, not surprising. Given the historical role of private property in American social history and cultural myth, strong regulations are bound to meet resistance. See, for example, P. Wolf, *Land in America: Its Value, Use and Control* (1981) and J. Logan and H. Molotch, *Urban Fortunes: The Political Economy of Place* (1987). What is significant is the apparent strength and organization of the wise use movement against the environmental community.

Modern environmental activism is premised on a redefinition of private property rights. The environmental community continually stresses how the public interest is not served by private property, and how it could be better served by a shrinking private bundle and an expanding public one. Examples of this change abound, from 1950s style urban renewal activities to more contemporary movements for historic building, site, and landscape preservation, agricultural land protection, and wetland preservation. In each case, arguments are made about the social failure of private property, and thus the need to redefine the social bounds of acceptable private property use.

THE MOVEMENT'S FUTURE

Two questions present themselves. Is it possible to reach a working coalition between the wise use movement and main-

stream environmentalists, and how durable is the wise use movement itself?

The answer to the first question appears to be "no." Even if we look beyond the verbal stridency of the wise use movement relative to mainstream environmentalism, what exists is conflict in fundamental values. If the experience of the Muir-Pinchot debate is any guide, proponents of preservation and proponents of multiple use are operating with two entirely different world views. These world views encompass ideas about what constitutes ownership, and whether natural resources exist for any purpose other than use by humans. The history of the modern environmental movement shows that the conflict Pinchot and Muir articulated at the turn of the century has no easy resolution. See P. Shabecoff, *A Fierce Green Fire: The American Environmental Movement* (1993). When parties to a conflict define it as based in fundamental values, mediated, collaborative solutions are nearly impossible to develop. See D. Amy, *The Politics of Environmental Mediation* (1987). And, if solutions are developed they are unlikely to endure.

This conclusion is not surprising. The more interesting question, then, may be the second—how durable is the wise use movement? Informed speculation on this matter can be drawn from the experience of a social movement with seemingly opposite goals—the European green parties, especially the German green party. The German greens came together in 1979 from ostensibly disparate, pre-existing social movements—peace, feminist, and environmental being the most prominent. See C. Boggs, "The Green Alternative in West Germany," in *Social Movements and Political Power: Emerging Forms of Radicalism in the West* at 170-221 (1986). These movements buried their differences for the advantage that a coalition offered them.⁴ Much to their own surprise, they achieved rapid and significant success in the early 1980s and sustained this success through the decade. See W. Hulsberg, *The German Greens: A Social and Political Analysis* (1988). With success, however, came serious internal tensions about priorities. As greens moved from the position of outside-the-system critics to that of inside-the-system players who had to propose solutions and be part of governance, the party's coalition structure began to fracture. By the late 1980s, the party began to come apart and reform itself as several smaller parties. See B. Doherty, *The Fundi-Realo Controversy: An Analysis of Four European Green Parties*, 1 *Environmental Politics*, No. 1 at 95-120 (1992).

Like the greens, the wise use movement is a coalition movement. At this early stage it appears that what draws members of the coalition together is stronger than that which might drive them apart. But, as with the greens, the umbrella is so wide that tensions are bound to develop. Some already have. The fact that some of the movement's

4. In Germany this is quite significant, because groups that organize as political parties and then receive more than five percent of the vote in elections become a formal part of the legislative body. Party status also provides access to federal funds, given in proportion to vote totals, and the credibility of presenting a public position under the auspices of a national political party. See C. Schmid, *The Green Movement in West Germany: Resource Mobilization and Institutionalization*, 15 *J. OF POLITICAL AND MILITARY SOCIOLOGY*, No. 1 at 33-46 (1987).

Commentary

"natural" allies are shunning it is indicative of this. If the movement continues to overtly ally itself with the agenda of the radical and racist right in America, it is likely to thwart its own growth.

But there can be no foregone conclusions about the movement's future. The greens in Germany have not been killed by their internal debates and difficulties; in fact, throughout Europe and globally, green politics is growing. Likewise with the wise use movement. Regardless of their affiliations, the corporate influence on its agenda, and even the forthright cynicism of one of its co-founders, the move-

ment exists and has influence precisely because its message strikes a chord with the American citizenry.

Wise use is not a question of law or philosophy, it is a question of cultural myth and politics. The wise use movement is tapping into and exploiting a cultural myth about private property that runs deep with the American people. Logic and precedent will not turn them or potential supporters aside. With the birth of the wise use movement, the politics of environmental policy in the U.S. has become more sharpened, more contentious, and more dimensional. At least for the near future, its influence is likely to grow, not weaken.