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Author

Mitchell, Brent A.

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REFOUNDATION: DOES PLACE-BASED CONSERVATION IN AMERICA NEED TO START OVER?
REBECCA CONARD, ROLF DIAMANT, DAVID HARMON & JOHN REYNOLDS, THEME EDITORS



Mystic Chords of Memory

BRENT A. MITCHELL

Stone cairns, granite ledges, 3,500-foot elevation gain—I started writing this essay on a ten-mile birthday/Father’s Day hike with my daughter. As we sheltered from strong winds behind a pile of stones atop South Baldface Mountain (Evan’s Notch, Maine/New Hampshire border), I meditated on how lucky we are to have a national forest a few hours’ drive away. And I appreciated that we have federal agencies charged with stewarding such places where we can go to disconnect from the troubles of the world. An opportunity to re-create ourselves in nature, as Thoreau would say, if only for a day.

My meditative mountain moment was snapped by the sudden memory of the deadline for this essay.

I had puzzled for months about how to open this piece, how to entice you to continue reading one of many essays on the same topic in the same volume. What opening lines might capture your attention? Suspecting that my international experience is part of the reason I was invited, I had sought inspiration in Central Europe on a return trip in May. (In the 1990s my wife and I played a small role in helping the “refoundation” of land stewardship in the region, after the collapse of Soviet control.) Back in Czechia, I gazed up the long Wenceslas “Square” at the commanding neo-Renaissance National Museum, which Soviet tanks had attacked during the 1968 Prague Spring, mistaking it for the Parliament. I could not find my intro in that first attempt at freedom, but I did recall that moment recently while watching news of the Lincoln Memorial Reflecting Pool, and the damage done by a similarly incompetent and autocratic government.

These essays look forward to a better political climate for place-based conservation. (Such a corrective course cannot be taken for granted, but the prospect of continuing the current descent is too terrible to contemplate.) I assume others in this volume will catalogue the toll that a “unitary executive” has taken on resource management agencies. I will just say that it will take a generation to recover from the demolition of federal programs and structures committed in just the last 18 months.

My mind immediately looked for prescriptions of how to prevent such depredations in the future, and as recently as two years ago I might have suggested institutional adjustments. But now I conclude that resilience cannot be built at the agency level, not when Congress abdicates its role to check the executive and the highest judiciary tips the balance towards another “co-equal” branch of government. More on that later, but here in the middle I offer some observations on what to retain, what to restore, and what to change in a future refoundation.

RECOVERING LEADERSHIP

First, it is fundamentally important to restore and maintain the reputation of the United States as a leader in the stewardship of conservation areas, at home and abroad. I need not repeat the famous quote of Wallace Stegner; it is known around the world. American conservationists have a proud history, and thus a responsibility to maintain it.

Second, a word on terminology, which I hope will not cause you to stop reading further! This issue is on *place-based conservation*. I write in terms of *conservation areas*, a term not yet in systematic use, but that I find simpler than terms in vogue around the world. For example, in 1962 and 1972, the US hosted the first World Conferences on *National Parks*. The fourth such conference was on *national parks and protected areas*, while the 2003 and 2014 titles moved to World Parks Congress. We are currently planning the next iteration, to be hosted in 2027 by Panama, with the unwieldy name of World *Protected and Conserved Areas* Congress. If negotiations on the Convention on Biological Diversity continue their current trajectory, the next congress might be on *protected and conserved areas and indigenous and traditional territories*. (To be clear, I actively support recognition of conservation by people who identify as Indigenous and/or from traditional communities. But we need a new vocabulary.) Perhaps more important than simplicity, the term *conservation area* infers that conservation is ongoing in a place. *Protected* and *conserved* suggest a state of completion, but conservation is never done. We are part of an ongoing struggle, a struggle that is intense at this moment in the United States.

WHAT TO RETAIN

In the United States we tend to take for granted that natural and cultural heritage are managed together, or at least by the same institutional divisions of government. This is particularly evident in the National Park Service (NPS), but increasingly has been true in other agencies, or at least it had been. Canada is similar, and to some extent Australia, New Zealand, and the United Kingdom.

But in most other countries cultural conservation areas are managed by entirely separate agencies, usually within different ministries (departments). Our combined approach is profoundly important, as it provides mechanisms for coordinated action and opportunities to address multiple human interests under the same administrative roof. Recall that passage of the Antiquities Act, which has led to the proclamation of tens of millions of acres of national monuments (and hundreds of millions of acres of ocean), was impelled by the need to protect cultural artifacts from looting.

We should also maintain the practice of distributing natural resource management responsibilities among different agencies and even departments. Above I argued for managing natural and cultural resources for individual sites together, but there are important advantages to keeping sites and collections of sites (national parks, wildlife refuges, national forests, marine sanctuaries) distributed across bureaucracies. For one, it makes conservation areas as a whole less of target if they are managed by different entities across the federal government.

WHAT TO RESTORE

Science: the means to pursue it and mechanisms to apply it. Full stop. (I include here traditional knowledge, as it is increasingly recognized as a kindred source of knowing.)

Somewhat relatedly, we need to manage and further promote conservation areas as places to come face-to-face with reality, with the real world. I believe the root of our current political dilemma is that many Americans perceive different realities, fed by baseless claims, monetized social media sensation, and increasingly sophisticated tools to alter images realistically. (To believe that a mysterious deep state is manipulating the weather for political advantage is to have a very tentative grip on reality.) But when you visit a natural area, unless you chose the blue pill, a tree is a tree, a stream is a stream. Your mind sharpens as you search for birds, and your attention resets in a forest bath. *Conservation areas offer a path to better distinguish reality from fiction in other aspects of our lives.*

Conservation globally, and to some extent at home, had been linked to international aid. All of our federal resource agencies had international assistance programs to varying degrees. And the United States Agency for International Development (USAID) was critically important to conservation area establishment and management in many countries. These programs were a highly cost-effective form of soft power. Contrary to popular depictions, they do not involve shipping bales of cash off-shore. Most funding comes back to the US, or never leaves, in the form of purchased equipment, food and material, and salaries for Americans to provide services and administer the program. They also create laboratories for learning how we can improve management at home, and prevent contagions from reaching our people, livestock and wildlife. *Restoring these programs, and USAID, would help conserve nature and restore our reputation abroad.*

WHAT TO CHANGE

Our federal land management agencies are expected to manage resources in the public interest in perpetuity on annual appropriations from Congress. Meanwhile, it is extremely difficult for agencies such as NPS to accept gifts in service of their mission. Several years ago, NPS conducted a study on how to expand fundraising authorities. We interviewed other federal entities that had more options according to their charters. (Ironically, one of the entities we interviewed was the John F. Kennedy Memorial Center for the Performing Arts.) That exploration should be picked up as part of the hoped-for refoundation.

Similarly, our stewardship agencies need greater authority and direction to work through partnerships. We must always have federal civil servants looking after the national interest, but they do not always have to be the direct actors.

Send a message to the world that the US will again behave according to international norms by ratifying the Convention on Biological Diversity. President Bill Clinton signed this treaty from the landmark Rio Convention but, unlike the UN Framework Convention on Climate



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Change, Congress did not ratify, the only UN member state that failed to do so. Time to make that right.

In our legal system, nature does not have inalienable rights, but why not? If corporations are granted the rights of citizenship by the Supreme Court, why not the rights of the ecosystems on which our lives depend?

I mentioned the Antiquities Act as something to retain. But one thing needs to be changed. Supplemental legislation should make it nearly impossible to un-proclaim a national monument.

RESILIENCE TO FUTURE SHOCKS

None of these things I've outlined here would have prevented the wholesale dismantling of federal stewardship of conservation areas that we are witnessing, even if all of them had been in place two years ago. If we do manage to reframe our government in the next two years to function as the framers had intended, we must build in new safeguards, not specific to conservation but across government. We've learned that too many guardrails were dependent on tradition and precedent, assuming at least some intent to govern responsibly, and thus they were easily smashed.

For conservation, the future of resilience to political shocks does not lie at the level of bureaus or technical practitioners, but in the people. It is true that nature conservation in general, and national parks in particular, have long enjoyed bipartisan support in Washington. But a unitary executive can ignore bipartisanship. Thus, the refoundation of place-based conservation must rely on the ultimate source of authority in our democracy, We the People.

So, if we accept that only through broad public support can our federal stewardship agencies continue their missions, it follows that the bedrock of refoundation should be in deepening the sense of value of conservation to and within the American people. The work of

making that case already happens, but it should be redoubled, and more.

Further, and calling back to where I started about natural and cultural resources being managed together, our federal agencies must do even more to use conservation areas to educate all Americans not only about how the planet functions, but about how our democracy works. In recent decades our federal colleagues were telling ever more complete stories about our nation, the good, bad and ugly. Recent efforts to sanitize those stories have been clumsy but still have an effect. As the Russian saying goes, "These days we live in a country with an unpredictable past."

We have an urgent need to scale civics lessons to the public, and historic sites are perfect places to do that. Ron Chernow, biographer of George Washington, is quoted recently as saying, "You can't begin to explain to [people] that the system the founders created is being trampled on if they don't have the rudimentary sense of what the whole design was supposed to be. That's why memory is so important."

Eight years ago, I tried to persuade my colleagues in the National Park Service to imagine just such a scaling of effort in advance of the semiquincentennial this year. The Mystic Chords of Memory project (named for one of my favorite examples of soaring rhetoric) never even got to the drafting board but, in hindsight, that may be just as well. It would have been aborted, and my colleagues likely would have been shown the fork in the road. But something along those lines should be a renewed priority in any refoundation.

We do have examples of hope. When I visited Czechia in May everyone I knew was elated at the recent elections in Hungary. Victor Orbán, an autocrat who ruled the country for 16 years, promoted Christian nationalism, and had the full support of the White House (the vice president even stumped for him in Budapest, a diplomatic taboo),



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was ousted in a popular election. Orbán had abolished the ministry of environment but the new government is restoring it, hiring professionals from WWF to new positions of undersecretary of state for climate change and for biodiversity and nature conservation. Salutory refoundations. The man who defeated Orbán, in a landslide, is named Peter Magyar. The name of Hungary in their language is Magyarország, “Land of the Magyars.”

An autocratic ruler was literally defeated by the people.

Two hundred and fifty years after we revolted against a “unitary executive” and loyalists fled to Canada, we are once again in a time of deep internal division, socially

and politically. So, I’ll end with a quote from yet another period of dangerous division, taken from President Abraham Lincoln’s first inaugural address,

I am loath to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battle-field and patriot grave, to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature.

Brent A. Mitchell is a vice chair of the IUCN World Commission on Protected Areas.