

## Political Aspects of Stewardship for Wildlife in the U.S.

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### Abstract

This paper analyzes the political dynamics behind the emergence of concern for preserving other species in the U.S. It begins by detailing the Endangered Species Act (ESA) passed in 1973 that forbade harm to protected species regardless of economic costs thus articulating an impressive commitment to stewardship. The history of U.S. protections for wildlife are traced from their origins with concern for ensuring game trophies by elite hunters through expansion to non-game species. It shows how despite early efforts at preservation, a utilitarian ethos dominated U.S. government actions though some species beloved by humans such as birds were protected for intrinsic value reasons. A combination of fortuitous forces led to the ascendance of intrinsic appreciation of other species and the passage of the ESA. A primary underlying force for stewardship is the remarkable passion that many humans have for animal species. Scientists have tried to broaden this attachment to entire ecosystems rather than focus on individual species. However, with the ESA's implementation, suddenly its costs to humans became sharply apparent and since then, there have been consistent battles between industries whose profits are threatened by the ESA and conservationist groups. Administrators of the Federal government's ESA program, especially beginning with the Clinton Administration, have established mechanisms to achieve compromise between these opposing interests such as employment of a "stakeholder" approach and use of mitigation efforts to compensate for harm. Still, the effectiveness of this approach has depended on the existence of a strongly worded law that U.S. Federal Courts have been willing to enforce. At the state level, there are major institutional forces that have generally favored consummatory values of groups such as ranchers, the energy industry, farmers, and hunters over conservationist interests. These institutions include the nature of the funding system for state wildlife management agencies that largely derives directly or indirectly from hunters and anglers. Thus, despite the fact that surveys of the general populace at both the Federal and state levels demonstrate the vast majority of the public favors conservation of species even if it necessitates economic sacrifice, the nature of the politics over stewardship has meant at best compromise at the Federal level and often dominance of consummatory values at the state level. Nevertheless, the persistence of the ESA in the face of constant attacks for more than forty-five years has resulted in notable achievements, though the most recent years under the Trump Administration have resulted in a strong emphasis on utilitarian exploitation of these resources.

In 1973, President Nixon signed the Endangered Species Act (ESA) into law "to provide a program for the conservation of endangered and threatened species" because "they have been rendered extinct as a consequence of economic growth and development untempered by adequate concern and conservation" (Endangered Species Act of 1973.) The Act covers virtually all wildlife not just popular mammals and birds but mollusks, crustaceans and insects-the only exception being insects designated officially as pests. The Act forbids anyone to "harass, harm,

pursue, hunt, shoot, wound, kill, trap, capture, or collect” endangered species. The Act enables the government to purchase land and designate “critical habitat” necessary to protect these species and requires that monitoring and “recovery plans” be established for species. The language of the ESA is forceful and does not allow economic costs to be considered in listing species to be protected. In short, this Act codifies a system of stewardship of humans for other species that is impressive in its comprehensiveness and apparent willingness to prioritize needs of endangered species over human activities that would threaten them. The ESA’s significance has been even greater because similar laws have been adopted by many other countries throughout the world. This chapter investigates the politics involved with the attempt to provide stewardship over wildlife. It presents an intriguing question: since it is difficult to provide protections for many humans (e.g., minorities) who participate directly in the body politic, it would seem even more challenging to get society to commit to stewarding flora and fauna that have no direct participation or “political resources of their own” and whom humanity has viewed for most of its existence as resources to be exploited. In short, how did such a powerful system of protections for wildlife evolve and how have these stewardship efforts worked in practice?

### Origins of Ideas of Protecting Wildlife

The idea of protecting wildlife dates back to early Colonial days of the U.S.—by the time of the Revolutionary War, all colonies except Georgia had closed seasons for deer (Matthiessen, 1987, 65.) By 1850, some states had taken steps to protect non-game birds (Matthiessen, 158) but the major impetus for state wildlife management was to protect game animals for wealthier sportsmen and laws were enacted to prevent commercial hunting which was done primarily by blue collar hunters who were often immigrants (Dizard, 1999, 111-116), The Boone & Crockett Club made up of wealthy sportsmen like Teddy Roosevelt lobbied to protect big game (Brinkley, 2009, 206). By the 1860s, organizations began to arise such as the Ornithological Association (1873), American Society for Prevention of Cruelty to Animals (ASPCA) (1866), and Audubon Society (1905) that were committed to protecting wildlife for intrinsic reasons and especially birds because threats to their existence had become apparent (Matthiessen, 158-165).

Although some states (e.g., Connecticut & New Jersey) adopted protections for non-game birds, most early wildlife conservation efforts targeted game animals. President Theodore Roosevelt exemplifies somebody who appreciated both the intrinsic value of wildlife and their use for pleasure of trophy hunting. He originated protected monuments areas and national wildlife refuges such as Pelican Island (Florida) to protect egrets and other birds of interest from plume hunters (Brinkley, 17). At the same time, he also remarked that he wanted to shoot a “free range bison” while they still existed (Brinkley, 150). These alternative value systems coexisted in him and his Administration. His Chief of U.S. Forest Service, Gifford Pinchot, was a strong proponent of utilitarianism and viewed wildlife and other natural resources as valuable only insofar as they benefited humanity (Brinkley, 579). Roosevelt also maintained a relationship with John Muir, founder of the Sierra Club, who enunciated a policy of preservationism with appreciation of the intrinsic value of nature apart from its value to humanity. Indeed, Muir criticized Roosevelt for his childish fixation on “killing things” (Brinkley, 544). Roosevelt instituted protection for animals in wildlife refuges and established a force to arrest poachers. In

addition, he and his fellow Boone & Crockett sportsmen enunciated the principles of “fair chase” that demanded hunters use their skills and abilities to shoot game and not rely on unethical practices such as baiting.

The conflicting nature of these competing principles is illustrated by the Division of Biological Survey originally in the Department of Agriculture that was vested with enforcing the Lacey Act of 1900 aimed at preventing the transportation of illegally killed wildlife. But at the same time, this agency became dedicated to killing animals such as wolves that preyed upon livestock that grazed in Forest Preserves (Robinson, 2005, 61-63) and by 1915, it took on a more general mission of exterminating wolves and coyotes that affected farmers and ranchers (Robinson, 103) and is now known as “Wildlife Services” and is located in the Federal Department of Agriculture. As Robinson notes, the mission of protecting livestock for ranchers won them a strong political constituency that continues till this day.

By the 1930’s, scientists and conservationists were emerging to challenge the attack on predators, arguing for the positive biological function performed by them (Meine, 2009, 3). Aldo Leopold formulated the idea of a “land ethic” in which humanity should work in “harmony” with land and wildlife and not view them simply as a resource to be exploited (Minteer, 2003, 79). However, politically, the utilitarians remained strongly in control as exemplified by President Hoover signing the Animal Damage and Control Act which authorized the extinction of animals that adversely affected agriculture and big game hunting (Robinson, 241).

Despite the continuing domination of utilitarians and those favoring extinction of predators, scientists continued to do research that established the need to preserve entire ecosystems and not just individual species. Adolph Murie who worked for the National Park Service and studied both coyotes and wolves did research that supported the value of these predators. However, the Biological Survey agency refused to accept Murie’s research that showed predators did not harm the population of game animals in Alaska so Murie became adept at politics by supporting the killing of some wolves in McKinley National Park to forestall their overall extinction (Rawson, 2001, 41, 142, 197).

Agricultural and other consummatory interests continued to dominate wildlife policy until the 1960s-1970s when there was an explosion of concern about the environment stimulated by a number of factors such as threats to iconic species like golden eagles and publication of Rachel Carson’s *Silent Spring* that convinced the public of persistent and growing threats to fauna and flora. Practical politicians began giving attention to environmental interest groups like the Sierra Club and Audubon Society because their memberships grew enormously during the 1960s and 1970s (Kraft, 2000, 23). Previously, consummatory interest groups combined with legislative committees and executive agencies had formed “iron triangles” to control policy made by agencies such as the Bureau of Land Management (BLM) that governed public lands so that ranchers and the energy industry ruled over BLM policymaking (Hoberg, 2001, 58). Now this monopoly was challenged by the environmental movement so that a large number of legislative acts were passed during this time period that afforded protection to species and ecosystems including the Wilderness Act (1964), National Environmental Policy Act (1969), and

Endangered Species Act (1973) (Kraft, 2000, 21-23). In short, idealistic human commitment to stewardship was ascendant during period.

### Do Wildlife Have Agency?

A major mystery concerning the passage of laws that provided stewardship for wildlife is how fauna and flora could obtain such powerful support for their preservation without any political resources of their own. The solution to this mystery is that humans form strong attachments to wildlife and consequently are willing to spend time and money to lobby on their behalf. The strength of this attachment is remarkable. For example, wild horses have ranged the west for decades and drawn the enmity of powerful ranchers and even some environmentalists because of all of the forage they consume that deprive cattle and other wildlife species of food. Yet they have strong popular support as evidenced by the passage of the Wild Free-Roaming Horse and Burro Act of 1971 that banned lethal controls of them (U.S. GAO, 2008, 1). The Act declared that the horses were “living symbols of the historic and pioneer spirit of the West; that they contribute to the diversity of life forms within the Nation and enrich the lives of the American people” (US GAO, 2008, 1). Although powerful groups such as Cattlemen’s Beef Association pushed to have the wild horse population reduced by whatever means available including being sold for slaughter, groups such as American Wild Horse Preservation have brought enough pressure to bear to protect them from this fate and instead pushed for the use of birth control to control their numbers. There are many other species that have attracted strong support with individual groups backing animals such as lions, tigers, whales, apes, pandas, and many birds. Even more obscure species have drawn groups to support them such as the banana slug of Northern California (Jasper and Nelkin, 1992, 51). Lorimer (2015) has provided a detailed case study of how a bird that lives in Scotland, the corncrake, was threatened by development but attracted incredibly devoted followers such as the Royal Society for Preservation of Birds who have brought about changes in farming practices to preserve the bird. In effect, these charismatic animals are able to evoke the formation of human groups that expend great resources to protect them. Thus, in a sense, the animals have “agency.”

Of course, not all animals have such positive followings and some animals such as wolves have what I refer to as “negative charisma”—they evoke dislike and hatred that exceeds the amount of harm they do to human interests (Rocheleau, 2017, 98). Even generally liked animals such as elephants can wreak great damage to the interests of native farmers that results in pressure for their management and culling. So prominent are these conflicts between humans and wildlife that a whole field of study has evolved into “human-wildlife conflict.” Catherine Hill (2017, 3) argues that the term human-wildlife conflict is a misnomer because the conflict is actually between opposed groups of humans. Often these human conflicts involve cultural values with wildlife supporters often being outsiders and elites who live far away from the wildlife while rural inhabitants who live near them are opponents of protections. There are national differences in these conflicts—in third world countries, the people most directly affected are often poor natives while in the U.S. wealthy industry groups like energy and cattle are most likely to come into conflict with protected species.

One of the limitations of the ESA is its focus on individual species because general public interest in the legislation was largely due to their concern about “charismatic species” such as golden eagles. One of the challenges of supporters of stewardship for wildlife is to convert human attachments from a focus on charismatic species to a commitment to preserving entire ecosystems, not just a few species. Scientists (e.g., Murie) were already emphasizing the need to focus on overall ecosystems rather than individual species long before the law’s passage and research since then has strongly reaffirmed the necessity of this broader approach (National Research Council, 1995, 46). The closely interrelated nature of fauna and wildlife are illustrated by the phenomena known as “trophic cascade.” The disappearance of top predators like wolves led to a decrease in other species such as beavers which then affected many other species lower on the food chain, thus leading to an impoverished biodiversity (Marshall et al., 2013, 7). Predators are far from being the only problematic wildlife for humans. When sage grouse were being considered to be listed under the ESA, the entire fossil fuel industry in the West was threatened because the bird’s range covers millions of acres much of it in prime areas for drilling and mining that would interfere with the bird’s mating (Cardwell and Krauss, 2014). Consequently, the Federal and state governments, along with the energy industry and conservationist groups worked feverishly to reach a compromise that would prevent the bird’s listing while putting restrictions on industry operating near its mating areas (leks). The contrasting opinions on this compromise are illuminating about perceptions of stewardship. The Audubon Society considered the *avoidance of listing* the sage grouse as the greatest success of the ESA (Rosner, 2014, 10) while the environmental group that brought the original suit to protect the bird viewed it as “sellout” and conservatives labeled this agreement an example of “oppressive government” (Brown and Guyver, 2015). Thus, perceptions of efforts to protect wildlife can vary greatly depending on the groups involved and to what extent compromises are viewed as favoring intrinsic or consummatory interests.

### The Politics of the Endangered Species Protection at the U.S. Federal Level

The passage of the 1973 Endangered Species Act occurred due to the fortuitous combination of several simultaneous events. President Nixon was preparing to run for another term and wanted to attract younger voters whom he perceived as environmentalists and because their numbers were to be boosted by a new Constitutional Amendment guaranteeing vote for anyone 18 years of age. Future opponents of the ESA did not realize its implications so there was no strong interest group resistance to its passage. Nixon’s senior staff working on the legislation were environmentalists and succeeded in inserting language that eliminated qualifying adjectives such as “practicable” in the Act (Roman, 2011, 52) so that Nixon and conservatives in his party did not realize the significance of the new statute. The legislation passed with virtual unanimous support (92-0 in Senate and 390 to 12 House). This consensus quickly broke down when the ESA was used to block Tellico Dam in Tennessee due to its threat to an obscure fish (snail darter) and the Supreme Court interpreted the law’s protections forcefully. This case was followed by many others in which interests of industries (rancher, developer, energy) were challenged by lawsuits based on ESA protections for wildlife. Thus the “stewardship consensus” represented by the ESA broke down.

Still, despite repeated attacks on the ESA by conservative interest groups including developer and energy industries as well as ranchers, the ESA has survived with its primary clauses intact such as basing decisions about what animals to protect according to the “best science available” and not on their costs to humans. However, there have been significant additions to the Act which reveal how humans committed to the general goal of stewardship of other species were willing to compromise their idealistic commitment to the intrinsic value of wildlife in order to assure continuation of the ESA. One major change was to allow developers or other consumptive users to “take” wildlife provided that they participated in a Habitat Conservation Plan (HCP) that “mitigates” their harmful effects. HCPs had been created in a 1982 revision of the ESA, but the Reagan & George H.W. Bush Administrations had little interest in them. A significant part of Clinton’s coalition was the environmental movement so they created 400 HCPs compared to only 14 in the previous 2 Republican Administrations (Sousa & Klyza, 2007, 385).

However, Clinton’s Administration was acutely aware of the strength of the opposition to ESA especially in western states and they feared the political consequences of ignoring strong objections of industries to protections that interfered with their livelihoods and profits. Consequently, they adopted other measures to foster compromise between preservationist and consumption interests. Candidate Conservation Agreements (CCAs) and Candidate Conservation Agreements with Assurances (CCAAs) were agreements aimed at areas where there were not formally listed endangered species but there was a likelihood that they did exist. If landowners or other interests agreed to a CCA or CCAAs plan, they would be limited in their future conservation obligations (Phelps, 1997). Still, the big problem existed: how to forge compromises between opposed conservationists and consummatory groups? The Clinton Administration adopted a “stakeholder approach” to obtaining compromise. Representatives of both environmentalists and consummatory groups participated in committees that worked together to come to an agreement that was acceptable to both sides. A good case study of such an HCP is provided by Beatley’s (1994) description of the Coachella Valley California HCP established to preserve the fringe-toed lizard. It reached a successful compromise though many developers remained skeptical of the value of saving the lizard. Success was not guaranteed with this approach and some failed to reach consensus but a major force for success was fear that failure to participate in the committee would result in failure to have any impact on the final outcome. Clinton referred to this stakeholder approach as a “Win-Win” solution—it allows both preservationist and consumption sides to claim a “win” though it also implies that both lose too (Sousa and Klyza, 2007, 426).

However, there is another side to the politics of the ESA: judicial decision-making by the U.S. Federal Courts. While agencies like the USFWS employ the compromise-oriented stakeholder approach, the ESA statutory language is strong and allows non-governmental groups that to sue to have species protected by formal listing. The ESA law does not allow for compromise based on politics and economics but decisions are supposed to be made on the basis of the “best available science.” So, time and again, environmental groups like the Center for Biodiversity challenged decisions based on scientific criteria and won hundreds of cases many of them challenging both Republican and Democratic Administrations’ failure to act to protect species

(Rocheleau, 2017). For example, Bush, Obama, and Trump Administrations have all attempted to delist wolves and grizzlies in certain areas of the West but in the majority of cases these delistings have been invalidated subsequently by the Federal Courts. So strong is the wording of the ESA that it has been referred to as a “macho” law (Doremus and Tarlock, 2008) and this is a reason why it has been targeted by conservatives and the Trump Administration for revisions that vastly weaken its protections such as subjecting them to cost-benefit analysis or handing over decisions to state governments. The irony is that the success of the compromise-oriented stakeholder “win-win” approach depends on the existence of the strong ESA law and uncompromising Federal judiciary willing to enforce it if no compromise is reached (Keiter, 2003, 118-119; Nie, 2008, 73). Without the existence of this implied threat, industries could afford to stand firm.

In effect, the nationwide consensus that had led to the strong stewardship model of the ESA had broken down with strong industries such as ranchers, farmers, energy producers, and developers unhappy with the law though majorities of the general public and especially the Democratic party were still supportive of it due their strong environmental constituency. But Clinton was not strongly engaged about the environment and concerned about the electoral votes of western and rural states. Bruce Babbitt, Clinton’s Secretary of Interior, wrote a book (2005) in which he describes his attempt to achieve conservation goals through compromises because he feared that failure to compromise would doom the ESA and Republican attempts to repeal or weaken it would succeed. Republicans were not strong enough to revise or repeal the ESA law while Democrats could not strengthen it so a stalemate has occurred that is still not broken. The implementation of the law varied greatly depending on the Administration with Reagan and both Bush Administrations being slow to list species as endangered but even during Clinton and Obama Administrations the amount of resources allocated to the primary agency responsible for the Act (U.S. Department of Interior’s Fish and Wildlife Service) were small in comparison to the tasks that they were supposed to achieve such as staff for implementing the ESA and dollars to acquire critical habitat. Thus, only a portion of threatened animals actually obtained protection as listed species under the ESA and listings were often only achieved through the action of lawsuits by environmental groups and these took a great deal of time to work their way through courts. Many other agencies are also involved in protecting wildlife but each of them has other interests that are more important to them than stewardship of wildlife such as the Bureau of Land Management (ranching and energy industries) and Forest Service (logging industry). The amount of resources devoted to restoring species varied greatly with a few species (often the most charismatic) receiving most of resources devoted to implementation (USGAO, 1988, 32-33). As an example of the Democratic party’s anxiousness to compromise wildlife conservation goals to defuse its angry opponents, one of the first acts of Obama’s Secretary of Interior was to delist wolves in Montana and Idaho to appease groups that hated Federal protections for them (Robbins, NYT, 2009).

Here is the puzzle: national surveys have consistently shown that a large majority of the U.S. public believes that “protection of the environment should be given priority even at the expense of curbing economic growth”—65 percent in March of 2019 compared with only 30 percent that favored economic growth (Wilson, 1999). So why have even Democratic Administrations been

so timid in protecting wildlife? Institutions at the Federal contribute to the domination of consumptive interests over goals of stewardship when the two conflict. In Congress, senators and representatives have choices as to which committees to serve on and those from western states flock to those which govern public lands because they are disproportionately located in the West and of prime interest to energy and ranching industries that are major contributors to political campaigns in these states. The Federal agency vested with implementing the ESA (USFWS) is viewed as a relatively weak agency with its interest group support coming from not-for-profit environmental groups (Thomas, 2003, 194). Its goals regularly bring it into conflict with much more powerful groups with strong profit incentives to oppose its restrictions such as energy and ranching groups. This helps to explain why even under Democratic Administrations, support for the ESA has been lukewarm. In summary, at the Federal level, it has been the Federal Courts that have been willing to prioritize wildlife interests over those of strong industries. Both Democratic and Republican Administrations and their agencies are willing to compromise their interests in the face of strong opposition (Keiter, 2003, 118-119; Nie, 2008, 73).

### The Politics of Stewardship at the State Level

The U.S. has a strong system of Federalism and, indeed, state agencies play a dominant role in the day to day protection of species though the ESA predominates when it comes into conflict with state actions. While popular opinion together with the existence of the ESA and Federal Courts have provided strong support for species when they conflict with powerful economic interests at the Federal level, this has been much less the case at the state level. The weakness of stewardship protection at the state level is not due to lack of general popular support. Surveys show that strong majorities in even conservative states favor protection of species over economic interests. The contradiction between overall popular support versus actual policy is illustrated by Idaho's experience with wolves. A 1992 Idaho survey found over 70 percent of residents supported reintroduction of wolves into the state, but the Idaho State Legislature forbade its Fish and Game Department from working with the Federal government to achieve this. Furthermore, a long-time governor of Idaho (2007-2019, Butch Otter, built a successful political career out of opposing wolves such as refusing to prosecute poachers of them (Miller, 2010). Another example is Wisconsin. Surveys of the state's public show that the majority favored expansion of wolves but when the state wildlife management agency held meetings on wolf policy, wolf opponents outnumbered supporters by a 6:1 margin (Janega, 2008). There is a general principle that helps to explain such outcomes: when the costs of a policy are concentrated on the consumptive interests of small group of individuals, they become much more highly engaged than the larger masses who support intrinsic and idealistic values albeit with much less intensity. In short, this majority is less likely to turn out at such meetings and less likely to affect their votes for candidates than the smaller groups that oppose such conservation because it harms their consumptive interests (Amos, Hober, & Robinson, 2001). Consequently, opponents of protections and conservation efforts at the state level usually prevail.

There are other important factors that explain these outcomes: institutional and funding arrangements at the state levels favor consummatory interests. State wildlife management departments are often strongly dominated by hunters. Indeed, membership wildlife policy



advisory groups often specify that a large portion of their members must be hunters or farmers. (Rocheleau, 2019). For example, Wisconsin's Natural Resources Board has the following requirements:

Wisconsin Act 149 states that beginning May 1, 2017, at least 1 Board member must have an agricultural background and at least 3 Board members must have held a hunting, fishing, or trapping license in at least 7 of the 10 years before the year of nomination except if an individual served on active duty in the U.S. armed forces or national guard...(Wisconsin Natural Resources Board, n.d.).

Thus, groups advising state wildlife departments are often dominated by consummatory group members. Such institutional arrangements generally outweigh the impact of general popular opinion.

Likewise, the funding system of state wildlife management is also crucial to the dominance of consummatory groups. The majority of their funds come from state hunting and fishing licenses or grants from the Federal government (the Pitman-Robertson Act) based on taxes on hunting and fishing equipment. Since most state wildlife management agency funds come either directly through hunting-fishing licenses or indirectly through taxes on firearms and ammunition, these groups feel entitled to dominate policymaking and they have consistently done so. For decades, U.S. sportsmen have boasted about the effectiveness of this funding arrangement that supports hunting-fishing on public lands—they refer to it as the North American Model of wildlife conservation that opposes market-based private commercial activity (Beucler and Servheen, 2009, 170).

However, there is strong evidence that the basis of this funding is failing due to a long-term (since the 1960s till present) decline in both the percentage and numbers of hunters in the U.S. The size of the decline is huge. For example, in conservative Utah, the number of hunting licenses dropped from 114,000 in 1986 to 16,000 in 2013 (Dobner, 2014). This decline occurred despite the fact that Utah's Division of Wildlife Resources like most other state wildlife agencies is making great efforts to retain and recruit hunters such as giving partridge chicks to families so their children can participate in their first hunts. The big decline in license and excise taxes on guns and ammunition has necessitated cutbacks in the budgets of many state wildlife agencies and some have added small general taxes to replace a portion of these diminished funds (Rocheleau, 2019). However, many hunters have resisted adding new general (i.e., not related to hunting) revenue sources because they feared that it would result in their loss of control over policy such as in Montana where a proposed stamp whose revenues would be devoted to activities preventing wolf-human conflicts was rejected by the hunting community for this very reason (Wildlife Management Institute, 2014).

Thus, state wildlife management remains generally an “inside affair” dominated by key interest groups such as hunters, anglers, farmers, and ranchers. There are some cases when key wildlife policies are subjected to public vote. Some states allow groups to put “initiatives” on statewide ballots over controversial wildlife issues such as trapping, baiting, use of dogs, or hunting of specific species such as mourning doves (Duda, Jones, Criscione, 2010, 174-206). A coalition of

hunting interest groups (e.g., the National Rifle Association, the Safari Club, Rocky Mountain Elk Foundation) have funded opposition to such initiatives while animal welfare organizations like the Humane Society have supported them. One study found a high rate of success of restrictions on hunting during the 1990s (Pacelle, 1998, 47). Analysis by Duda et al. (2010) found that conservationists were most successful when the practice at issue conflicted with the “fair chase” ethic valued by Teddy Roosevelt. In short, when protections for wildlife make it to the ballot box, the majority views as measured by poll results have a good chance of winning but only 11 states allow such initiatives and thus most decisions about wildlife are made in agency offices, not through voting.

Ranchers are the other group that has been most active in exerting control over wildlife policy in western states. As with hunters, their numbers are dwindling and their importance to the economy of western states has declined. Indeed, the West is now nearly as urban as the East with about three-quarters of the population living in urban areas. Despite this decline, rancher influence continues to flourish and dominate in many states due to both institutional factors. Like hunters, they are a heavy presence on state wildlife agency boards and also on the advisory committees of the Bureau of Land Management that is in charge of millions of acres. Another significant factor is that many ranchers run for and win statewide or national office (e.g., Senator Paul Laxalt (Arizona), Senator Alan Simpson (Wyoming), and Senator Larry Craig (Idaho) and they actively support the interests of ranchers while in office.

#### The Current State of Stewardship in the U.S.

Many people expected that a “new West” would emerge with a strong conservationist ethic due to its changing demographics and diminishing economic importance of ranching and hunting but that has not occurred. Indeed, with the advent of the Trump Administration, consummatory values are now ascendant. There are no conservationists in top positions of the Department of Interior which has the major responsibility for the ESA and stewardship of wildlife. For example, Texas rancher Susan Combs who led the fight against the Endangered Species Act and the USFWS’s attempt to implement it in Texas is now the Assistant Secretary of Policy, Management and Budget of the USFWS (Lunney, 2019). Likewise, Karen Budd Falen is now Acting Assistant Secretary for Fish, Wildlife and Parks in the Interior Department. She made a career of advocating for a weakened ESA and has defended public lands ranchers like Cliven Bundy who fought against protection of desert tortoises (Streater & Yachnin, 2019). In short, the Federal agency responsible for protecting wildlife and implementing the ESA is now controlled by opponents of the law (Siegler, 2018). The Trump Administration has given total commitment to “energy dominance” which means they favor leasing lands and oceans for drilling and mining with weakened protections for environmental concerns such as species protections. For example, they have cut protections against incidental damage for migratory birds under the International Bird Migratory Act and they have rejected the concept of requiring compensatory mitigation by industries for actions that harm wildlife which had been introduced during the Obama Administration.

How effective has the ESA and other stewardship protections for wildlife been? Opponents of the law cite the fact that only of small portion of species that are put on the endangered list

subsequently are delisted because they are no longer threatened (U.S. Senate, 2001). These opponents view the small number of delistings as proof of ESA's failure. Defenders of the law point out that threats to these species such as habitat declines due to development, agriculture, and population growth are steadily increasing and thus we can expect that many species will remain threatened forever (Wilson, 2007, 34). The USFWS (2013) emphasizes that 98 percent of species that have been listed as endangered or threatened continue to exist despite these continually increasing threats and thus the ESA should be considered a success. There have been some spectacularly successful delistings such as the American alligator though its success is due to the fact that causes of their decline, poaching, are easier to control than underlying causes such as development and agriculture (Beissinger & Perrine, 2001, 66).

If we view stewardship as a scale that can tip toward either preservationist or consumption values, the Federal government's current actions are heavily weighted towards consumption goals. As we have pointed out, the general populace has strong feelings in favor of stewardship of wildlife and are willing to sacrifice economic benefits to achieve this. However, when stewardship threatens the interests of specific individuals with significant costs, these aspirational goals are often dominated by consummatory self-interested objectives—the salience of preservationist is often not high enough to prevail. Still, despite this natural human tendency of people to protect their self-interests, the achievements of the ESA and other conservationist laws are impressive. These protections have persisted despite strong organized opposition and institutional biases that favor selfish interests over idealism. The ESA has helped to save and restore many species both through compromises reached albeit with the threat of Federal listing of the species due to the willingness of U.S. Federal courts to enforce the law as written according to the best science and without employing cost-benefit analysis. The 1960s-1970s era of ascendancy of concern for stewardship of wildlife occurred in part due to notable threats to iconic species. Unfortunately, the next increase in the salience of concern for wildlife could be due to more extinction threats as revealed by Cornell University's study that the U.S. bird population has decreased by 29 percent over the past 50 years (Rosenberg et al., 2019). As human populations continue to expand and wildlife decline, U.S. citizens may come to place higher priority on other species.

## References

Amos, William; Kathryn Harrison, and George Hober. "In Search of a Minimum Winning Coalition: The Politics of Species-at-Risk Legislation in Canada." Pp. 137-166 in Karen Beazley and Robert Boardman, Eds. *Politics of the Wild: Canada and Endangered Species*. Oxford: Oxford University Press, 2001.

Babbitt, Bruce. (2005). *Cities in the Wilderness: A New Vision of Land Use in America*. Washington: Island Press/Shearwater Books.

Beatley, Timothy. (1994). *Habitat Conservation Planning: Endangered Species and Urban Growth*. Austin: University of Texas Press.

Beissinger, Steven R., Perrine, John D. Extinction, recovery, and the ESA. In: Shogren, Jason

F., Tschirhart, John, editors. Protecting endangered species in the United States. Cambridge: Cambridge University Press; 2001. p. 51–71.

Beucler, Michele & Gregg Servheen. (2009). The North American Model of Wildlife Conservation: Affirming the Role, Strength and Relevance of Hunting in the 21st Century: Mirror, Mirror, on the Wall: Reflections from a Nonhunter. In Transactions of the 73rd North American Wildlife and Natural Resources Conference, 163-179. Washington, D.C.: Wildlife Management Institute. [http://s3.amazonaws.com/zanran\\_storage/www-lib.uwyo.edu/ContentPages/453379225.pdf](http://s3.amazonaws.com/zanran_storage/www-lib.uwyo.edu/ContentPages/453379225.pdf)

Brinkley, Douglas. (2009). The Wilderness Warrior: Theodore Roosevelt and the Crusade for America. New York: HarperCollins Publishers.

Brown, Matthew and Gruver, Mead. (2015). “Sage grouse plan aims for balance between industry, wildlife.” Associated Press, September 22. Accessed 9/23/15  
<http://www.seattletimes.com/nation-world/u-s-rejects-protections-for-greater-sage-grouse-across-west/>

Cardwell, Diane and Krauss, Clifford. (2014). Frack Quietly, Please: Sage Grouse Is Nesting. New York Times. July 19. Accessed 7/23/14 from  
[http://www.nytimes.com/2014/07/20/business/energy-environment/disparate-interests-unite-to-protect-greater-sage-grouse.html?emc=edit\\_th\\_20140720&nl=todaysheadlines&nid=10365419](http://www.nytimes.com/2014/07/20/business/energy-environment/disparate-interests-unite-to-protect-greater-sage-grouse.html?emc=edit_th_20140720&nl=todaysheadlines&nid=10365419)

Dobner, Jennifer. “Fostering Pheasants to Keep a Tradition Alive.” New York Times, November 5, 2014. Accessed 11/6/14 from [http://www.nytimes.com/2014/11/06/us/fostering-pheasants-to-keep-a-tradition-alive.html?emc=edit\\_th\\_20141106&nl=todaysheadlines&nid=10365419&\\_r=0](http://www.nytimes.com/2014/11/06/us/fostering-pheasants-to-keep-a-tradition-alive.html?emc=edit_th_20141106&nl=todaysheadlines&nid=10365419&_r=0)

Doremus, Holly & A. Dan Tarlock. (2008). Water War in the Klamath Basin: Macho Law, Combat Biology, and Dirty Politics. Washington: Island Press.

Duda, Mark Damian; Martin F. Jones, and Andrea Criscione. (2010). The Sportsman’s Voice: Hunting and Fishing in America. State College, PA: Venture Publishing Inc.

Endangered Species Act of 1973. ([Pub.L. 93–205](#)).  
<https://www.fws.gov/international/pdf/esa.pdf>

Dizard, Joe E. (1999). Going Wild: Hunting, Animal Rights, and the Contested Meaning of Nature. Amherst: University of Massachusetts Press, 1999.

Hill, Catherine M. (2017). “Introduction: Complex Problems: Using a Biosocial Approach to Understanding Human-Wildlife Interactions.” Pp. 1-14 in Catherine M. Hill, Amanda D. Webber, & Nancy E.C. Priston, Eds., Understanding Conflicts about Wildlife. New York: Berghahn.

Janega, James. Chicago Tribune. Vote to consider wolf hunting triggers debate. April 27, 2008. Accessed 3/3/19 from <https://www.chicagotribune.com/news/ct-xpm-2008-04-27-0804260192-story.html>

- Jasper, James M. and Nelkin, Dorothy. (1992). *The Animal Rights Crusade: The Growth of a Moral Protest*. New York: The Free Press.
- Keiter, Robert B. (2003). *Keeping Faith with Nature: Ecosystems, Democracy, & America's Public Lands*. New Haven: Yale University Press.
- Kraft, Michael E. (2000). U.S. Environmental Policy and Politics: From the 1960s to the 1990s. Pp. 17-42 in Otis L. Graham, Ed., *Environmental Politics and Policy 1960s-1990s*. University Park: The Pennsylvania State University.
- Lorimer, Jamie. *Wildlife in the Anthropocene: Conservation after Nature*. University of Minnesota Press, Minneapolis, 2015
- Lunney, Kellie. (2019). Senate confirms Susan Combs in bipartisan vote. E&E News, June 5. <https://www.eenews.net/eenewspm/2019/06/05/stories/1060491353>
- Marshall, Kristin N.; Hobbs, N. Thompson; Cooper, David J. (2013). "Stream hydrology limits recovery of riparian ecosystems after wolf reintroduction." *Proceedings of the Royal Society, Biological Sciences*, 280 (1756). Accessed 4/5/16 from <http://rspb.royalsocietypublishing.org/content/280/1756/20122977>
- Matthiessen, Peter. (1987). *Wildlife in America*. New York: Viking Penguin, Inc.
- Miller John. (2010). Idaho governor pulls state management of wolves in dispute over wolf hunt October 19, 2010, *The Associated Press* Accessed 4/27/13 from [http://www.flatheadbeacon.com/articles/article/idaho\\_wont\\_manage\\_wolves\\_under\\_esa/20166/](http://www.flatheadbeacon.com/articles/article/idaho_wont_manage_wolves_under_esa/20166/)
- Minteer, Ben A. (2003). "Valuing Nature." Pp. 75-98 in Spray, Sharon L. & McGohtlin, Karen L. Editors, *Loss of Biodiversity*. Lanham: Rowman & Littlefield Publishers, Inc.
- National Research Council. (1995). *Science and the Endangered Species Act*. Washington, D.C.: National Academy Press.
- Nie, Martin. (2008). *The Governance of Western Public Lands: Mapping Its Present and Future*. Lawrence: University Press of Kansas.
- Noss, Reed F.; O'Connell, Michael A.; & Murphy, Dennis D. (1997). *The Science of Conservation Planning: Habitat Conservation Under the Endangered Species Act*. Washington, D.C.: Island Press.
- Otter, C.L. Butch, Governor of Idaho. Letter to Ken Salazar, Secretary of the Interior [Internet]. 2010 [cited 2015 Apr 16]; Available from: <https://fishandgame.idaho.gov/public/docs/wolves/letterGovernor1.pdf>
- Pacelle, Wayne. (1998): Forging a new wildlife management paradigm: Integrating animal protection values, *Human Dimensions of Wildlife: An International Journal*, 3:2, 42-50.
- Phelps, Martha F. (1997). Candidate Conservation Agreements Under the Endangered Species Act: Prospects and Perils of an Administrative Experiment. *Boston College Environmental Affairs Law Review*. 25 (1), 175-212.

Rawson, Timothy. Changing Tracks: Predators and Politics in Mt. McKinley National Park. Fairbanks: University of Alaska Press, 2001.

Robbins, Jim. (1995). Target Green: Federal Land Managers Under Attack. 82-85 Audubon Magazine. July-August.

Robinson, Michael J. (2005). Predatory Bureaucracy: The Extermination of Wolves and the Transformation of the West. Boulder: The University Press of Colorado.

Rocheleau, Bruce. (2017). Wildlife Politics. Cambridge: Cambridge University Press.

Rocheleau, Bruce. (2019). The Politics of State Wildlife Management: Why Anti-Conservation Forces Usually Win. <https://www.wildlifepolitics.org/the-politics-of-state-wildlife-management-why-anti-conservation-forces-usually-winpapers-on-wildlife-politics--policy.html>

Roman, Joe. (2011). Listed: Dispatches from America's Endangered Species Act. Cambridge: Harvard University Press.

Rosenberg, Kenneth; Adriaan M. Dokter, Peter J. Blancher, et al. (2019). Decline of the North American avifauna. Science 366, (2019) 4 October 4, 120-124.

Rosner, Hillary. (2014). "Rethinking the List." Audubon Magazine, November-December, 10.

Siegler, Kirk F. (2018). "Critic of Federal Public Lands Management to Join Department of the Interior. NPR.com <https://www.npr.org/2018/10/15/657542759/critic-of-federal-public-lands-management-to-join-department-of-the-interior>

Sousa, David J. and Klyza, Christopher McGrorary. (2007). Natural Resource Journal, 47 (Spring), 378-444.

Streater, Scott & Jennifer Yachnin. (2019). Trump BLM channels Reagan's Sagebrush Rebellion. EE News, August 6. <https://www.eenews.net/greenwire/2019/08/06/stories/1060866919>

Thomas, Craig W. (2003). Bureaucratic Landscapes: Interagency Cooperation and the Preservation of Biodiversity. Cambridge, MA.

Tobin, Richard J. (1990). The Expendable Future: U.S. Politics and the Protection of Biological Diversity. Durham: Duke University Press.

U.S. Fish and Wildlife Service. (2013). Endangered Species. Defining Success Under the Endangered Species Act Accessed 6/20/13 from <http://www.fws.gov/endangered/news/episodes/bu-04-2013/coverstory/index.html>

United States General Accounting Office. (1988). Endangered Species: Management Improvement Could Enhance Recovery Program. Report to the Chairman, Subcommittee on Fisheries and Wildlife Conservation, and the Environment, Committee on Merchant Marine and Fisheries, House of Representatives. GAO/RCED-89-5. December 1988.

U.S. General Accountability Office. (2008). Bureau of Land Management: Effective Long-Term Options Needed to Manage Unadoptable Wild Horses. Washington, D.C.: USGAO, GAO-09-77

U.S. Senate (2001). Listing and delisting processes under the Endangered Species Act [Internet].

Sect. Hearing before the Subcommittee on Fisheries, Wildlife, and Water of the Committee on the Environment and Public Works. 137th Congress First Session on the Regulations and Procedures of the U.S. Fish and Wildlife Service Concerning the Listing and Delisting of Species Under the Endangered Species Act, S. HRG. 107–322 May 9, 2001; Available from: [www.gpo.gov/fdsys/pkg/CHRG-107shrg78073/html/CHRG-107shrg78073.htm](http://www.gpo.gov/fdsys/pkg/CHRG-107shrg78073/html/CHRG-107shrg78073.htm)

Wildlife Management Institute. “Lessons from the Montana Wolf Management Stamp.” News Bulletin, October 2014, vol 68, #10, Accessed 3/6/2019 from <https://wildlifemanagement.institute/outdoor-news-bulletin/october-2014/lessons-montana-wolf-management-stamp>

Wilson, Edward O. On silent spring. In: Matthiessen, Peter, Ed. *Courage for the Earth: Writers, scientists, and activists celebrate the life and writing of Rachel Carson*. Boston: Houghton Mifflin Company, 2007. Pp. 27–36.

Wilson, Patrick Impero. 1999. Wolves, politics and the Nez Perce: Wolf recovery in central Idaho and the role of native tribes. *Natural Resources Journal* 39, 550-553. <https://digitalrepository.unm.edu/cgi/viewcontent.cgi?article=1650&context=nrj>

Wisconsin Natural Resources Board. <https://dnr.wi.gov/about/nrb/members.html>