

Closing Statement Turning Ivory Towers Into Grassroots Flowers



Scott Schang
Acting President

For the past three years, ELI has been conducting oral histories with founders of modern environmental law. One commonality struck me when I asked Russ Train, Bill Ruckelshaus, and Bill Reilly why environmental law was able to take off in the early 1970s. They all said, to paraphrase: Because the public saw and related to environmental degradation and demanded change, at a time politicians from both parties thought they could win votes by acting.

Today, both elements in that winning combination are missing. The most obvious pollution has faded from sight while the pressing threats of climate change and larger scale environmental degradation such as biodiversity loss are largely invisible and occur over long time scales.

And environmental protection is largely the province of one political party while the other party has little prospect of winning over environmental voters. The pyramid that existed in the 1970s, with a broad base of grassroots support demanding action of leaders at the top of both parties, has become inverted in the 2010s.

A relatively small cadre of scientists, environmentally aware citizens, and policy professionals, ivory tower denizens, so to speak, are trying with very limited success to convince the public and politicians of the need for action.

One of the symptoms and a key cause of this problem is the lack of diversity among environmental professionals. Although diversity is often discussed from an employment perspective, it is less well understood as a reason environmental issues have lost the public's understanding and support.

As the profession has morphed into a highly specialized, insular group, we fail to reflect the true diversity of the American populace and thus lack the skills to understand and articulate environmental issues in a way to reflect and motivate our fellow citizens.

An important report by Dr. Dorcetta Taylor prepared for Green 2.0 explains that diversity is crucial because it reflects the strength and foundation of America: its melting pot of perspectives, life experiences, and cultural understandings. Looking at ELI's senior management and its board, looking at the average ELI program participant, or to broaden the horizon, looking at the ABA spring meeting, the profession is a small, closely knit group of people largely from the same race, class, educational institutions, and life experiences.

No wonder the public has lost sight of environmental issues — the issues our profession focuses on are those things our professional consensus identifies as the most pressing. Few environmental professionals live in lower income neighborhoods or grew up in them. Few know what it is to work a field, live from paycheck to paycheck, believe in "creation care," or live in fear of being fired because of whom they love. Few of us can speak with people outside our profession in a relatable

way about why the things we care about are vitally important to their lives, and therein lies the key weakness.

This divide between our profession and today's populace means that environmental professionals' perspectives are too narrow, that our communications are targeted to each other, and that we continue to hire and collaborate with people like ourselves. When we ask each other to give our friends and colleagues informational interviews, we unthinkingly establish another link in the "good old environmentalist network," usually with no thought to how we might expand the network to reflect a rapidly changing America.

To address this, thanks to funding from Beveridge & Diamond, ELI has a paid summer law clerk position for law students from traditionally underrepresented backgrounds. But the pool of candidates is far too shallow. ELI is working to conduct outreach to colleges and law schools to communicate why the work of our profession is more important than ever to advance public health, the environment, and human rights. ELI's Environment 2050 project also seeks to identify the common environmental ethics shared by Americans that can be used to rebuild public support for environmental progress.

As an organization with broad support across political perspectives from all parts of the profession, ELI is uniquely situated to undertake the vital work to help knit together a broad-based environmental consensus to support future progress. As demonstrated by Staff Attorney David Roche's POLICY BRIEF on the previous page, ELI staff have decades of experience working with diverse communities around the United States and the globe to understand their environmental and public health needs and translate them into action. It is critical for ELI and the profession to continue to build this core competency; success in our joint mission depends upon it.