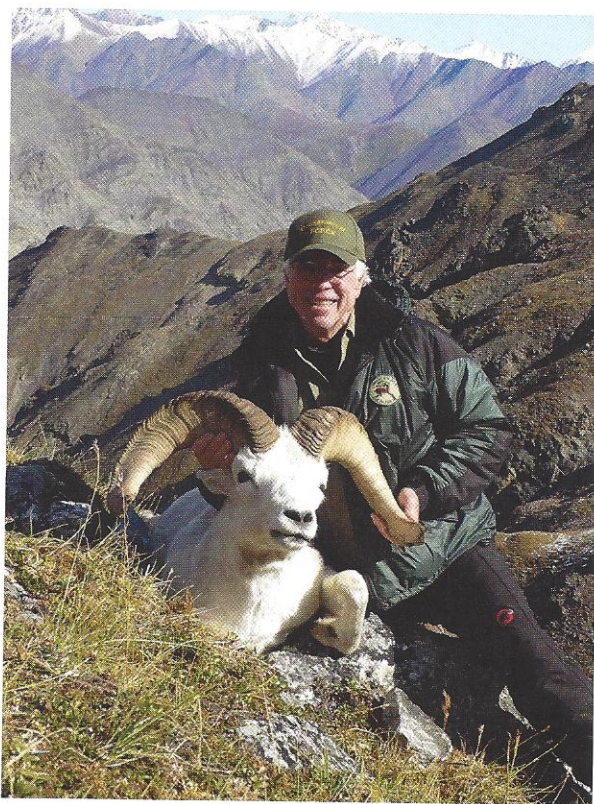


# A FORCE FOR CONSERVATION

AN INTERVIEW WITH JOHN J. JACKSON III



**J**ohn J. Jackson III is the founder and president of Conservation Force, which is arguably the most influential (although possibly the least-known) organization working on behalf of hunters today. *Sports Afield* caught up with Jackson at the 2012 Safari Club International show and asked him about his work.

**SA:** Tell us a bit about your background, both personal and professional.

**JJ:** I'm a Louisiana native and a lifelong hunter and fisherman. Ever since I became a lawyer thirty-eight years ago, I've been doing pro bono work for hunting and fishing organizations. In fact, my very first act as a lawyer was to incorporate a tarpon-fishing club.

I was a member of Safari Club International when the elephant issue came along in 1989. I loved elephant hunting, and I also believed that hunting was crucial to the elephant's survival. I filed a lawsuit against the U.S. Fish and Wildlife Service (FWS) to defeat their petition to list the elephant as endangered.

*[Editor's note: The United States is a party to CITES, the Convention on International Trade in Endangered Species, which regulates what species can be exported from a country. In many cases, even if a species can be legally exported under CITES, stricter regulations under the USA's Endangered Species Act, or ESA, mean it can't be imported into the United States. This is what happened when the elephant was first listed under CITES; even though elephants could still be*

*legally hunted and exported from many countries, the U.S. Fish & Wildlife Service initially made it illegal for Americans to import all elephants, regardless of their origin.]*

I told SCI I would handle the lawsuit for free if they would let me use their name, and they did. I succeeded, and because of that, hunters can bring back the tusks of the elephants they legally take on a safari. It was not a small fight. It was the first time anyone in the hunting community had won a positive judgment against FWS and the Endangered Species Act. I became known as “the elephant man,” and that eventually led to my becoming president of SCI in 1995–96.

I started working on other projects after that, including re-establishing the ability for hunters to import argali and polar bear. When my term as SCI president ended, many felt it necessary to continue doing this work, so in 1997 Conservation Force was established. My wife, Chrissy, gave up her career to help me save hunting. She runs our Habitat for Hunting program, which is a land trust—we have established conservation easements across the country.

**SA:** What else does Conservation Force do?

**JJ:** Conservation Force is funded by some 270 international conservation groups, including SCI, Dallas Safari Club, Wild Sheep Foundation, and many others. We also have 6,000 to 7,000 individuals who are supporting members. But we aren’t a membership organization in a traditional sense. We are a service organization; we help existing organizations fulfill their conservation and advocacy missions. We are a 501c3 charitable organization; our mission is education, conservation, and advocacy. The advocacy segment includes litigation.

We really don’t try to do our work through the legal system. It’s kind of a last resort. We do our best to work with the [government] agencies until we find out they aren’t sincere. Litigation is a last resort, but we use it if the agencies simply will not work

with us. We have thirty-eight lawyers who work pro bono for us.

Here is an example: The Sulaiman markhor in Pakistan. In the 1980s, the population went from some thirty animals, almost extinct in its native habitat, to over 3,000 and growing as a result of community-based hunting programs. U.S. hunters are willing to pay steep prices to hunt these species, and they would pay even more if they were allowed to bring them home. That money goes directly to these community-based programs that help markhor populations continue to increase.

For ten years, we asked the FWS to process a few import permits for markhor. They wouldn’t respond. Finally, we turned to litigation, so they were forced to process the permits. Although they had touted the success of the markhor conservation program for years, they denied the import permits. We found out later that the permits were initially approved, but higher-ups, fearing controversy, had them falsified and denied. It’s a disgrace. We’re contesting this in court right now. Same thing for wood bison import permits—a case we have just won.

**SA:** Who are these “higher-ups”?

**JJ:** Politicians. A minister of another country once told me: “Your country is lying to you. They are not going to do what’s right. They are too concerned about political controversy.” The fact is, everybody knows what needs to be done. The foremost wildlife authorities in the world say that hunting can be used as a force to conserve animals like the markhor, and these scientists have specifically designed projects and hunting programs that work. The 170 nations of CITES, the World Conservation Union (IUCN)—everyone is on board, except the FWS. And their reluctance is stirred by the political interference of politicians, who are only concerned about protecting themselves.

If you’re the president of the United States, and you have an election coming up, your staff won’t let you do what’s right, even if you want to. During the Bush administration, al-

lowing import of markhor and rhino was considered, but then the issue was made to go away. During the current administration, FWS tentatively approved enhancement import permits, but were forced to change their position in “privileged communications” because there would be controversy. The political interests come first. They know that some of these ESA rules are hurting the species, but the species aren’t as important as their own selfish interests. I hear all the time that other countries are corrupt—but I guess ours just “works contrary to interest.”

**SA:** What about the polar bear?

**JJ:** Listing the polar bear on the ESA was a political decision having to do with global warming. There are more polar bears now than ever. They are doing well. But because they can’t be imported by hunters since they were listed on ESA, the resource has been devalued. The revenue being generated by hunting was an incentive for better management. Even the CEO of the Marine Mammal Commission, who agreed with the ESA listing, did not want the hunts stopped. Ironically, the biggest threat to the polar bear right now is the ESA listing.

Right now I am working on this in court from the angle that involves the duty of FWS to take into account foreign nations’ programs before listing a species on the ESA. It’s a clause in the ESA that’s been ignored. We’re arguing this as a procedural, not discretionary, issue.

**SA:** What would clean house in the FWS? Would a strongly pro-hunting FWS director improve things?

**JJ:** Political interests should not interfere. The current director actually wanted to approve importation of black rhino. But he was stopped by White House political advisors. The director had it all ready to go. We always have to force the issue, for better or worse.

The part of FWS that I deal with is not domestic; it is the international affairs division. They consider themselves a regulatory agency, not a management agency. They are there to

enforce regulations, not manage wildlife. They openly admitted it the last time they talked with me.

**SA:** What do you think is the greatest threat to hunting/conservation right now?

**JJ:** The most immediate threat right now is the trophy seizure crisis. Hunters trying to import legally taken animals from abroad are having their trophies seized at an unprecedented rate. What happened was, FWS changed their Service Manual in 2008 to say that they have to treat the slightest irregularity in import paperwork as trophy contraband.

**SA:** They changed the Service Manual arbitrarily? Without going through any rulemaking process?

**JJ:** Correct. And no one knew about it. We were frustrated trying to learn what was going on. At first we thought it was just one law enforcement agent, but it kept building and building. Eventually we filed a Freedom of Information Act request and saw that the director changed the manual and that was the basis of what was happening. And we're stuck with it. Trophy imports are down, overall, but the number of seizures are up. They are seizing a trophy every day and a half: 200 to 300 every year. It doesn't matter how small the mistake, if it's a government clerical error, or a loss of papers by the airline, even if you have copies. Innocent things.

**SA:** Are these just CITES animals being affected?

**JJ:** No. It started with CITES animals, but now it is also happening to non-listed species. Yesterday I had a desert sheep. Every third day or so it's a leopard. A lot of spotted cats, most of which shouldn't have been listed on CITES in the first place. The leopard is the most abundant cat in the world other than the house cat. But they've decided they want to treat everything as contraband no matter how small the mistake, how innocent, how harmless—the clerical errors.

Meanwhile, permits have expired and are in limbo, which is leading to secondary problems. There are countries wondering if hunting is really a worthwhile endeavor any more as a conservation method, if American hunters aren't going to be able to import trophies. These countries have animal rights groups promising them money if they abandon hunting. Now we've got the FWS obstructing it even further. It's bad.

**SA:** Discuss the African lion issue. What factors will affect whether the lion gets listed on Appendix I at the next CITES meeting? Is the hunting community doing enough to conserve the lion?

**JJ:** The proposal to list the African lion, if passed, could shut down a quarter of the African safari industry. A study just done analyzes how much habitat will be lost directly



John J. Jackson III and his wife, Chrissy, have dedicated their careers to advocating for hunting as a way to conserve wildlife worldwide.

as a consequence of this. Tanzania hunting operators, if they lose the lion—lose, as in it can't be imported into the USA so most U.S. hunters won't come to hunt—will give up many of their concessions. They can't justify the expense. It's not just a matter of taking a lion, it's having the opportunity. The hunting community has put money into lion conservation initiatives, including the encouragement of age limits. Conservation Force has put over \$1.5 million into the African lion in the last decade, and we have projects in every country in lion range. We have invested heavily in the African lion. But if the lion is listed on CITES Appendix I, we won't be able to save it.

**SA:** A quarter of the safari industry relies on lions? Really? Because a lot of people will say, well, I'm not planning to ever hunt for a lion, so how does that affect me?

**JJ:** With all due respect, the people who shoot impalas aren't paying the bills. But the impala hunters benefit from the

lion hunters. Of course, there are a lot more impalas than lions. But you need the big-ticket items to attract hunters. All the big animals need as much habitat as they can get, and most lion habitat is in hunting areas, not in protected areas. For example, 80 percent of lion habitat in Tanzania is in hunting areas. If you take the lion off hunting lists, and the hunting operators give up those concessions and those areas revert to farming or whatever, what happens to the rest of the wildlife? Thing is, some of the lion scientists don't think sustainable use (hunting) is part of the toolbox. They just think it is extra off-take that should be eliminated.

You know, we are also trying to eliminate lion hunting in South Africa because it is all done behind fences. I advocate against canned hunting, of course. But I might change my position if that's the only way to save them. The first conservation ethic is conservation, even before ethical hunting. We've saved white rhino by hunting them behind fences. They aren't behind fences to make it an easy hunt, but to protect

the rhinos from the real threat. That's true of the lion too. The lions are in protected areas because they have to be. If they eliminate lions in the wild, that may be our only option.

**SA:** What do you consider your greatest successes in your career with Conservation Force?

**JJ:** Establishing the organization itself, because it's led to not just one success, but many. Because of the length of time I've been doing this and the great people on our board, there's continuity. My concern is our longevity. We have a small operating budget, \$6.9 million—all pass through for projects. Filing Supreme Court briefs requires printing and filing costs. And the legal problems aren't going away, they're getting worse. Now many other organizations are helping us, since there's almost no one who hasn't been touched by the trophy import crisis.

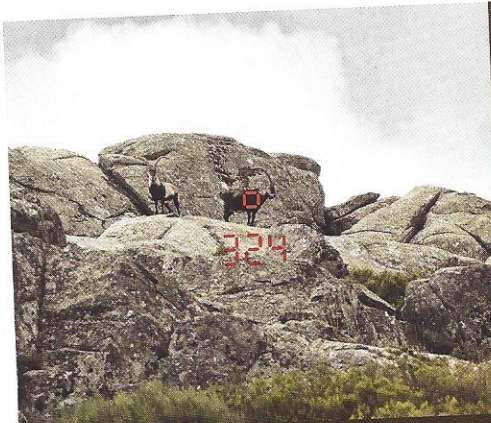
Even so, it doesn't seem to be enough. Hunters get no respect from federal law enforcement.



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**SA:** What are your greatest regrets, or things you haven't been able to get accomplished?

**JJ:** Hunting can be used as a tool to save endangered species. The ESA provides that FWS may grant import permits for certain species if it is demonstrated that hunting "enhances" the survival of the species. This is true for the markhor, the cheetah, rhino, and black-faced impala in Namibia, and the jaguar in South America. The whole conservation infrastructure of those species helps to conserve them—employing hundreds of game scouts, funding the conservation program, funding full-time game officers, funding an action plan, giving incentives to local people, establishing government infrastructure. It works. The only people working against it are the animal rights groups, and politicians.

With everything we've won, we should have succeeded better with our enhancement policy, which we established for the species we are in the best position to save. For example, Namibia has the most cheetahs in the

world, and they should never have been listed as endangered. We set up a program where every hunter who hunted a cheetah paid \$1,000 to Conservation Force, and we funded cheetah conservation in Namibia—100 percent of it, the biggest cat fund in the world. We had hundreds of farmers sign on to the program to conserve their cheetah, but FWS never granted any permits. For black-faced impala, same thing. Hunters were paying \$500 each. But FWS wouldn't grant any import permits. This doomed the strategies.

Now, sadly, people have discovered that they can import black-faced impala as hunting trophies if they hybridize them. So that's what they're going to do. The FWS and the ESA have become perverse incentives to destroy the species. It's a shame. Namibia will save the cheetah, but they won't be as secure. They won't be rewarded for it, and other countries won't follow their example. The failure of this enhancement program is my biggest disappointment.

**SA:** How do you keep going?

**JJ:** I've got too much invested to quit. I've sacrificed my law practice. Sometimes I have second thoughts, when I can't go hunting, especially. But we are a genuine conservation organization and we know that hunting is the most valuable tool to save species and we are using it. When I still had a busy law practice and was hunting or fishing three months of the year, giving back to this community was the most rewarding thing I did. I am so fortunate to have been introduced to hunting and the natural world. The fulfillment I find in hunting is unimaginable. That's my driving force. Some people aren't fortunate enough to reach a level where they can go on to that higher level of being able to give back to the community they care about.

**SA:** How can people help?

**JJ:** Every dollar counts at Conservation Force. Lots of people send in small amounts, and it all counts. We are on the front lines. It doesn't get lost somewhere; there are no smoke

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and mirrors. It's tough economic times, but that makes it even more important that what you do give, you give to the right place.

**SA:** Make some predictions about the future of hunting and wildlife. What's in store for us going forward?

**JJ:** We're going to save hunting! We're also going to take our losses. The pendulum is swinging against us right now. But we've just begun to fight. I've got nothing better to do with my life than to save the most important things—hunting, fishing, and the natural world.

**SA:** Are you able to do any hunting yourself?

**JJ:** I hunt whitetails on my lease in Louisiana. I built myself a blind that looks like the Taj Mahal. It has a desk in it, and a window. I read legal briefs and look up and watch for deer. I'm killing better deer than ever, actually; walking around is more fun, but deer in the South are smart. And I can go over a lot of briefs on stand.


In the old days I went on two safaris a year. But right now I can't afford to hunt and don't have time. I end up doing most of the [legal] work,

because I've worked on this for twenty years and there's no substitute for having the experience.

**SA:** Any parting thoughts?

**JJ:** We need to realize that the courts don't understand hunting. We have to explain it to them. "Head hunting," the animal rights groups call it—they tell the courts that killing animals is a fraud, and the judges fall victim to that very quickly, especially when the expert federal agency mimics it. So I have to spend more and more time in my briefs explaining what hunting does for conservation. It's not because some bigwig likes hunting. It's because the foremost conservation experts in the world have designed these programs to save wildlife and habitat. Hunting is fun, it is relevant, and it is more important today from a conservation standpoint than ever before in history, considering the competition for habitat.

A lot of people think hunting is an anachronism. Quite the contrary. It is more relevant than ever. Sportsmen are fundamental to the paradigm. Hunters and hunting are indispensable to wildlife and wild places. Hunters pay more for wildlife than everybody else combined—and more for nongame animals than everybody else combined.

One time somebody told me that I was just working for wealthy hunters. I wondered: *Is that what I'm doing?* No. This is about *using* a wealthy person to save wildlife and wildlife habitat. We put that to work, and make it work better. This is about conservation, not about individual hunters. This is about saving wildlife and wild places through hunting, and using hunting as a force for conservation. 

*The purpose of Conservation Force, a 501(c)(3) nonprofit charitable public foundation, is to establish and further conservation of wildlife, wild places, and the outdoor way of life. Conservation Force is an international organization with partners worldwide. Learn more at [www.conservationforce.org](http://www.conservationforce.org).*

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