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A TRIBUTE TO ROBERT STIPE

JAMES BIDDLE*

Quality of life—a nebulous term. Whose life? Who defines quality?

When preservationists say their accomplishments are improving the quality of life, I think they mean one or more of at least five aspects of our lives. Through finding new and productive uses for sound old structures, preservationists keep familiar landmarks in our environment, thereby making it easier for us to tolerate other stresses and changes that we cannot control. Preservation rehabilitates and maintains buildings of human scale that, in ensemble, provide visually pleasant and hospitable streetscapes. Both adaptive use and rehabilitation are helping to revive the cities, bled for thirty years by the suburbs and their malls. Through their demonstrable commitment to conservation, preservationists apply a counterforce to America's throwaway culture, and demonstrate their belief that intangibles must be considered when applying the "highest and best use" criterion in judging value. Finally, preservationists encourage a renaissance of the tradition of the craftsman who signed his work and stood behind it.

For a decade and more, the National Trust has helped preservationists and their allies across the country evolve successful ways of saving neighborhoods, districts, individual structures, objects, and open spaces. These successes have served as prototypes and object lessons to others encountering similar problems or seeking to achieve similar results.

And, for a decade at least, Professor Robert E. Stipe has been one of the hardest working, one of the most steadfast, one of the most pragmatic idealists influencing the directions taken and services offered by the National Trust. Specifically, he is the father of the National Trust's legal program. Too, he is one of the major contributors among a committee that studied preservation's practices and possibilities, and then set forth the "Goals and Programs" that have guided the National Trust's staff for the latter half of the 1970's.

It was as a lawyer that Mr. Stipe first became known to National Trust members, through a series of columns he wrote for *Preservation News*, the Trust's monthly newspaper. Then Professor of Public Law and Government at the Institute of Government, University of North

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Carolina at Chapel Hill, he wrote to preservation lawyers in the July, 1970 issue, "It's time to organize."¹

Fleshing out that call, he listed eight specific tasks that he felt should be undertaken:

—Create an annotated bibliography of published materials on the legal aspects of preservation.

—Collect and publish legal documents and forms pertaining to private preservation problems.

—Commission research and issue publications on new preservation techniques.

—Consider being *amicus curiae* on a selective basis.

—Follow court cases and circulate the decisions rapidly to other lawyers in the field.

—Write up and publish case histories.

—Generate more activity in legislative drafting.

—Gather and prepare materials for law school and other graduate courses in historic preservation law.

To veteran preservationists, all of this may seem fairly obvious today, because the Trust has been doing many of those eight activities for some years now. But one must recall the situation in 1970. The National Trust had 23,670 members, compared with more than 160,000 today. Then the "Back to the City" movement was beginning to stir, there had been only a handful of adaptive use projects across the United States, there was a mere handful of cities with historic district ordinances, a few thinkers were attacking the problem of disappearing rural landscapes and cluttered strip developments, and the Trust's members were just beginning to lift their sights beyond the historic museum property to apply principles of conservation to the built environment.

For Trust members, then, Mr. Stipe helped make them aware of the proliferating interests of preservation and the growing need for some focus on legal aspects of this growth. Since the National Trust is the only private national organization responsible for helping preservationists and recruiting new ones, one who helps guide the Trust's staff has a far reaching influence.

Trustee Robertson Collins, who headed the study committee that produced "Goals and Programs" under a grant from the Ford Foundation, recalls that Mr. Stipe was "one of the persons whose very strong and well thought out suggestions led to broadening the scope of preservation's practices. He worked right through the entire process, through the writings and the revisions."

1. Stipe, *Preservation Lawyers—Unite!*, Preservation News, July 1970, at 5, col. 1, reprinted in 11 N.C. Cent. L.J. 208 (1980).

A fellow trustee and fellow worker on "Goals and Programs," Richard Frank of Preservation Urban Design, Ann Arbor, Michigan, notes that Mr. Stipe brought a knowledge of planning as well as law to his role with the Trust and in preservation generally. "Every city has its own dynamics resulting from elected council members, the municipal staff, and the private organizations. Bob understands how this operates and can present clear, concise recommendations that can be implemented within that city's dynamics," he reports.

A trustee since 1971, Mr. Stipe is a member of the Executive Committee of the Trust's Board of Trustees, is chairman of the Board's Standing Committee on Bylaws and Long Range Plans, and a member of the Committee on Legal Services. He helped plan the National Preservation Conference held in Williamsburg, Virginia in March, 1979, and has served on the Trust's International Subcommittee.

Perhaps the best way to convey his contributions to preservation is to report that inside government and here on the outside in Washington, great store is placed in a person's being prepared for meetings. "Doing one's homework" is another of these imprecisions, but basically it means doing the required research on a topic and thinking it through thoroughly in advance. Because such persons are rare, they make a strong impact and earn the respect of those with whom they come in contact.

Bob Stipe does his homework; we are all beneficiaries of that.