

Ag 24

The Emerging International Environment

I. Introduction - Scope of Environmental Crisis

- A. Focus on a current issue; e.g. Alaskan oil spill or E.P.A. air pollution report
- B. Growing scientific evidence of mounting environmental damage -
 - 1. global warming
 - 2. ozone depletion
 - 3. hazardous wastes
 - 4. deforestation
 - 5. acid rain
 - 6. "Death of Birth" - destruction of biodiversity through mass extinctions of species - *Loss of Rare & Endemic Species*
 - 7. Landfill, waste disposal problem

II. Interdependency of Environmental Problems and Solutions

- A. Interrelationship of environmental problems makes the systemic crisis more compelling than individual issues
- B. Fragmented efforts inadequate to address systemic problems
 - 1. nation-by-nation approach insufficient - international cooperation essential
 - 2. interlocking issues require integrated institutions e.g. waste disposal issue is linked with global warming (release of methane) and hazardous wastes - multi-faceted programs essential to ensure waste disposal issue not addressed in isolation
- C. International Cooperation and Integration of Environmental Efforts is Required
 - 1. Renewed commitment to international institutions
 - 2. Multilateral efforts necessary to ensure compliance and burden-sharing

III. Obstacles to Concerted Efforts to Protect the Environment

- A. Uncertainties generate inertia
 - 1. Uncertainty as to the scope of the problem and an optimal solution are easy excuses for inaction

2. No longer debatable that we face an environmental crisis - remaining disputes over the scope or nature of ecological problems should not deter immediate efforts
 3. Sufficient knowledge exists to effectively address environmental issues
- B. The Development Dilemma: Can less developed countries be expected to implement conservation while struggling with basic economic development?
1. Third world focus upon inequity of developed nations current efforts concerning the environment (e.g. Brazil on deforestation issue) is not entirely misplaced - developed nations do not come to this issue with "clean hands"
 - a. past record of developed nations during the early industrial era
 - b. current abuses despite available technology
 2. Development dilemma requires compromise on both sides
 - a. developed countries must contribute to LDC efforts through programs such as "Debt-for-Nature" swaps in which debt relief is linked to environmental programs
 - b. less developed countries must be willing to incur short-term costs by implementing new, more ecologically safe technologies because of worldwide long-term benefits to the environment
- C. Public awareness, acceptance of the need for behavioral change is crucial
1. Concern over environmental matters is growing -- community initiatives throughout the country and here in Minnesota (recycling, plastics)
 2. Concern must be expressed through action.
 - a. success of community efforts depends upon local participation
 - b. some sacrifices are required - short-term costs shared by government, business, consumers for long-term welfare of all.

THE EMERGING INTERNATIONAL ENVIRONMENT

I AM DELIGHTED TO BE HERE TODAY WITH FELLOW LAWYERS TO ADDRESS A SUBJECT OF MUTUAL AND GROWING CONCERN. I HAD THE OPPORTUNITY TO REVIEW THE AGENDA FOR THIS SEMINAR AND I SAW THAT YOU WILL BE ADDRESSING THE FULL SPECTRUM OF ENVIRONMENTAL ISSUES RELEVANT TO THE PRACTICE OF LAW IN THIS STATE. I HAVE DECIDED TO TAKE A SOMEWHAT DIFFERENT APPROACH.

IN THE PAST, THE AMERICAN PEOPLE SEEMED TO FIND IT HARD TO LOOK TO ENVIRONMENTAL PROBLEMS BEYOND THOSE WE FACE IN OUR OWN BACKYARDS. THIS APATHY HAS IN RECENT YEARS BEEN PERMANENTLY DISRUPTED BY THE GROWING REALIZATION THAT THE ENVIRONMENTAL CRISIS THAT CONFRONTS OUR NATION AND OUR WORLD DOES NOT HEED ANY BORDERS. OUR GROUNDWATER IS OFTEN CONTAMINATED, THE AIR WE BREATHE CONTAINS TOXIC POLLUTANTS, AND OUR YARDS THEMSELVES MAY, AS THE RESIDENTS OF LOVE CANAL DISCOVERED, BE UNSAFE. THE THREATS TO OUR ENVIRONMENT DO NOT RECOGNIZE PROPERTY LINES, STATE, OR EVEN NATIONAL, BOUNDARIES. PUBLIC RESPONSE TO THIS ONGOING ENVIRONMENTAL DESTRUCTION IS NO LONGER IS SIMPLY ADVISABLE, IT HAS BECOME IMPERATIVE.

FORTUNATELY, I BELIEVE THAT THE AMERICAN PEOPLE ARE AWAKENING TO THE THREAT OF ENVIRONMENTAL DEVASTATION. WE ARE NO LONGER WILLING TO SIT IDLY BY AND ACCEPT THAT FEDERAL TOXIC LEVEL STANDARDS PROVIDE A KIND OF STAR WARS SHIELD THAT PROTECTS OUR ENVIRONMENT FROM CONTAMINATION. INSTEAD, PUBLIC

a *sw*
Action
b State Action
eg Alaska
c In Alaska
d other
e mail
f files

OPINION SURVEYS EVIDENCE NOT ONLY AN INCREASED AWARENESS OF OUR ENVIRONMENTAL VULNERABILITY BUT A WILLINGNESS TO EXPEND THE RESOURCES NECESSARY TO FURTHER ENVIRONMENTAL PROGRAMS. A RECENT SURVEY FOUND THAT 59% OF THE MINNESOTANS POLLED BELIEVE THAT OUR STATE IS SPENDING TOO LITTLE ON ENVIRONMENTAL PROTECTION AND RECYCLING.

MY BELIEF THAT OUR ENVIRONMENT MAY FINALLY AND BELATEDLY BE GAINING THE ATTENTION IT DESERVES WAS CONFIRMED BY OUR NATION'S RESPONSE TO THE OILSPILL OF UNPRECEDENTED SCALE WHICH OCCURRED IN ALASKA SEVERAL WEEKS AGO. MANY YEARS AGO, I TRIED WITHOUT SUCCESS TO PERSUADE MY FELLOW SENATORS THAT OIL SHIPPING IN ALASKAN CHANNELS THREATENED THE ENVIRONMENT AND THAT ALTERNATIVES SHOULD BE CONSIDERED.

THE REACTION OF THE AMERICAN PEOPLE AND THE CONGRESS TO THE ALASKAN OIL SPILL CONVINCINGLY SHOWS THAT TIMES HAVE CHANGED. DESPITE OUR GEOGRAPHIC DISTANCE FROM THE CRISIS, WE HAVE BEGUN TO REALIZE THAT DAMAGE TO OUR ENVIRONMENT IS NEVER TRULY REMOTE. WE SEE THAT DEPLETION OF THE OZONE LAYER IS A REAL LIFE THREAT, NOT A FARFETCHED SCIENCE FICTION STORY. IN SHORT, WE HAVE LEARNED TO ACCEPT WHAT ADLAI STEVENSON REALIZED MANY YEARS AGO, THAT "WE TRAVEL TOGETHER, PASSENGERS ON A LITTLE SPACESHIP, DEPENDENT ON ITS VULNERABLE RESERVES OF AIR AND SOIL . . . PRESERVED FROM ANNIHILATION ONLY BY THE CARE, THE WORK AND, I WILL SAY, THE LOVE, WE GIVE OUR FRAGILE CRAFT."

PUBLIC ACCEPTANCE OF THE IMMEDIACY OF THE ENVIRONMENTAL CRISIS HAS BEEN SPURRED BY GROWING SCIENTIFIC ACKNOWLEDGMENT OF THE EXTENT OF INJURY TO OUR ENVIRONMENT THAT HAS ALREADY OCCURRED AND THE NEED FOR PROMPT ACTION TO STEM THE DAMAGE. THE DAWNING OF ENVIRONMENTAL AWARENESS IS REFLECTED IN BOTH NEW CONGRESSIONAL INITIATIVES TO STRENGTHEN ENVIRONMENTAL LEGISLATION AND THE BUSH ADMINISTRATION'S EFFORTS TO DISTANCE ITSELF, AND THE REPUBLICAN PARTY, FROM THE ENVIRONMENTAL MYOPIA OF THE EARLY REAGAN YEARS. THESE EFFORTS, BOTH ADMIRABLE AND NECESSARY, ARE STILL INSUFFICIENT. FOR EXPANDING SCIENTIFIC KNOWLEDGE ALSO IRREFUTABLY DEMONSTRATES WHAT WE SHOULD HAVE ALREADY UNDERSTOOD: OUR ENVIRONMENT IS A SHARED RESOURCE THAT NATIONS ACTING INDIVIDUALLY HAVE THE POWER TO DESTROY, BUT ONE NATION ALONE CANNOT PROTECT.

MANY YEARS AGO, WE DEBATED IN THIS COUNTRY WHETHER FEDERAL LEGISLATION LIKE THE CLEAN AIR ^{+ Clean Waters} ACTS WAS NECESSARY. INSTEAD, SOME ARGUED, PROTECTION OF OUR NATION'S NATURAL RESOURCES ^{should} ~~COULD~~ BE LEFT TO THE STATES. OUR CHOICE TO TAKE A FEDERAL APPROACH, WHILE UNDOUBTEDLY CORRECT OVER TWENTY YEARS AGO, IS NOW ITSELF OBSOLETE -- ^{for} ENVIRONMENTAL PROTECTION MUST TRANSCEND NATIONAL BORDERS AS WELL. SCIENTIFIC EVIDENCE SHOWS THAT OUR COMMON ENVIRONMENT CAN BE IRREPARABLY DAMAGED BY THE ACTIONS OF A SINGLE NATION: U.S. ACID RAIN BEFOULS CANADIAN WATERS; BRAZILIAN DEFORESTATION THREATENS THOUSANDS OF SPECIES WITH EXTINCTION; AND CHLOROFLOUROCARBON USE BY ANY NATION HASTENS GLOBAL WARMING.

BECAUSE THE ECOLOGICAL ISSUES THAT CONFRONT US ARE UNPRECEDENTED, WE REQUIRE ALL THE RESOURCES AND INNOVATION WE CAN MUSTER TO ADDRESS THEM. BECAUSE THE ENVIRONMENTAL CRISIS IS INTERNATIONAL IN SCOPE, IT MAY ONLY BE EFFECTIVELY ADDRESSED THROUGH INTERNATIONAL INSTRUMENTALITIES. BECAUSE THE ENVIRONMENTAL PROBLEMS WE FACE ARE OFTEN INSEPARABLE, INTEGRATED INSTITUTIONS ABLE TO ADDRESS SUCH INTERLOCKING ISSUES MUST REPLACE THE FRAGMENTED NETWORK OF ENVIRONMENTAL AGENCIES WITH NARROW MANDATES THAT NOW EXISTS.

WHILE A VARIETY OF PROPOSALS HAVE BEEN ADVANCED, I HAVE NOT SEEN A STRATEGY THAT TRULY REFLECTS THE NEED FOR AN UNPARALLELED MULTILATERAL EFFORT TO PROTECT OUR ENVIRONMENT. WE HAVE, THROUGH THE UNITED NATIONS AND OTHER MULTILATERAL GROUPS, DEVELOPED A NUMBER OF INSTITUTIONS DESIGNED TO ASSIST WORLDWIDE ECONOMIC DEVELOPMENT. OUR GLOBAL ENVIRONMENTAL PROTECTION PROGRAM SHOULD RELY ON THESE MODELS TO GUIDE OUR EFFORTS.

THE ANALOGY TO INTERNATIONAL ECONOMIC PROGRAMS IS ESPECIALLY APT BECAUSE RECONCILING ECONOMIC DEVELOPMENT WITH ENVIRONMENTAL PROTECTION REMAINS THE MOST PROBLEMATIC ASPECT OF OUR ENVIRONMENTAL EFFORTS. RESOLVING THIS DILEMMA IS THE ESSENCE OF ANY INTERNATIONAL STRATEGY TO PROTECT THE ENVIRONMENT.

IF ATTEMPTS BY THE DEVELOPED WORLD TO REMEDY ECOLOGICAL DAMAGE ARE ACCOMPANIED BY CONTINUED OR INTENSIFIED ENVIRONMENTAL DESTRUCTION IN THE THIRD WORLD COMPELLED BY THE

STRUGGLE TO BREAK THE BONDS OF UNDERDEVELOPMENT, OUR PROJECT IS DOOMED. IT WILL NOT BE EASY TO PERSUADE STATES BURDENED BY OPPRESSIVE POVERTY TO EXPEND LIMITED RESOURCES ON ENVIRONMENTAL PROTECTION AND FOREGO DEVELOPMENT STRATEGIES THAT DAMAGE THE ENVIRONMENT. THESE COUNTRIES RANKLE AT PRESSURE BY DEVELOPED NATIONS TO FORSAKE THE VERY TECHNOLOGY THAT WE OURSELVES USED TO POLLUTE OUR WAY OUT OF POVERTY TO PROSPERITY. BUT IT IS SIMPLY TOO LATE TO ALLOW SUCH RECRIMINATIONS TO PREVENT US FROM DOING EVERYTHING POSSIBLE TO PRESERVE OUR ENVIRONMENT FOR OUR COMMON FUTURE.

THE PROBLEMS WE CONFRONT ARE MUCH MORE COMPLEX THAN WE ONCE THOUGHT. THE ISSUES OF GLOBAL WARMING, OZONE DEPLETION, DEFORESTATION, WASTE DISPOSAL AND ACID RAIN ARE INDIVIDUALLY CHALLENGING. BUT THE TRUE THREAT WE FACE IS THE SYSTEMIC CRISIS OCCASIONED BY THE COMBINATION OF THESE NUMEROUS PROBLEMS. TACKLING THIS PROBLEM REQUIRES ALL OF THE CREATIVITY AND COMMITMENT WE CAN GENERATE.

THE ONLY ABSOLUTE I CAN POINT TO IN THIS ENDEAVOR IS THE LIKELIHOOD OF CONTINUED UNCERTAINTY CONCERNING THE ENVIRONMENTAL PROBLEMS WE FACE AND THEIR SOLUTIONS. IT IS ESSENTIAL, HOWEVER, THAT WE NOT EXCUSE INACTION BY POINTING TO THE UNCERTAINTIES ENGENDERED BY OUR LIMITED UNDERSTANDING OF THE GLOBAL ENVIRONMENT. OF COURSE, MANY QUESTIONS CONCERNING THE WORKINGS OF OUR ENVIRONMENT STILL EXIST. BUT WE HAVE AT OUR DISPOSAL AN ABUNDANCE OF INFORMATION CONCERNING MEASURES

THAT WE ARE ABLE TO TAKE TODAY WHICH WILL SURELY HELP THE ENVIRONMENT. IN OTHER AREAS, THE ONLY RECOMMENDABLE ACTION MAY BE SIMPLY TO DEVOTE THE RESOURCES NECESSARY TO ANSWER REMAINING QUESTIONS CONCERNING WHAT MAY BE DONE. BUT WHETHER THROUGH IMMEDIATE ACTION OR RENEWED COMMITMENT TO INTENSE SCIENTIFIC STUDY, WE MUST ACT NOW.

WHILE INTERNATIONAL IN SCOPE, THIS EFFORT WILL, AT THE SAME TIME, BE INTENSELY PERSONAL. IT REQUIRES CHANGES IN INDIVIDUAL HABITS AND ATTITUDES REMINISCENT OF THE SACRIFICES SOUGHT AND OBTAINED FROM OUR CITIZENS DURING WORLD WAR II. LOCAL EFFORTS ARE ALREADY UNDERWAY TO ENGENDER THROUGH EDUCATION THE COMMITMENT TO ECOLOGICAL PRESERVATION NECESSARY FROM EACH AND EVERY MEMBER OF OUR COMMUNITY. ATTEMPTS IN THE TWIN CITIES TO ENCOURAGE RECYCLING AND CONSIDERATION OF MEASURES TO BAN CERTAIN PLASTICS ARE EXAMPLES OF THE LOCAL INITIATIVE THAT IS CRUCIAL TO THIS EFFORT. WHAT WE ARE ASKING FOR, AND INDEED WHAT THE SURVIVAL OF OUR PLANET REQUIRES, IS SUCH INDIVIDUAL INITIATIVE AND LOCAL ACTION THROUGHOUT THIS COUNTRY AND ACROSS THE WORLD.

I WOULD URGE YOU, AS LAWYERS, TO LEAD THESE EFFORTS; NOT ONLY TO FULFILL YOUR DUTIES AS MEMBERS OF OUR PROFESSION, BUT ALSO TO REALIZE OUR INDIVIDUAL RESPONSIBILITIES TO OUR SHARED ENVIRONMENT. THIS COMMITMENT MUST, HOWEVER, EXTEND BEYOND ENSURING TECHNICAL COMPLIANCE WITH EXISTING LAWS. YOU WILL NEED TO THINK DEEPLY AND AT LENGTH ABOUT HOW OUR NATION

AND WE AS CITIZENS MAY CONTRIBUTE TO THE GLOBAL PROGRAM TO PROTECT OUR ENVIRONMENT. I WOULD ENCOURAGE YOU THEN TO USE YOUR SPECIAL SKILLS AND KNOWLEDGE CONCERNING THE ENVIRONMENT TO INFLUENCE OUR GOVERNMENT TO DEAL WITH ENVIRONMENTAL ISSUES IN AN APPROPRIATE MANNER. ONLY THROUGH SUCH EFFORTS WILL WE BE ABLE TO ENSURE THAT THIS FRAGILE PLANET IS PRESERVED FOR OUR CHILDREN AND FUTURE GENERATIONS.

Becky Constance

ENVIRONMENTAL LAW SEMINAR

THE EMERGING INTERNATIONAL ENVIRONMENT

BLOOMINGTON, MN - APRIL 21, 1989

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FELLOW LAWYERS TO ADDRESS A SUBJECT OF MUTUAL AND
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BE ADDRESSING THE FULL SPECTRUM OF ENVIRONMENTAL
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as well it should
BECAUSE I AM CONVINCED THAT THIS ISSUE POSES
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CLE
Shonghne
WCCO
Trupkin
Joan
THOSE TRADITIONALLY ASKED IN A LEGAL FORUM, I HAVE
DECIDED TO TAKE A SOMEWHAT DIFFERENT APPROACH.

WE HAVE WITNESSED IN RECENT MONTHS A
FUNDAMENTAL CHANGE IN PUBLIC PERCEPTIONS CONCERNING
THE ENVIRONMENT. THE DYNAMIC GROWTH OF WORLDWIDE
CONCERN *the condition of* OVER ~~OUR~~ COMMON ENVIRONMENT ENSURES THAT
ANYONE IN THIS FIELD MUST NOW BE PREPARED TO RIDE A
VIRTUAL REVOLUTION OF STATUTORY AND REGULATORY
INITIATIVES *affecting* ~~ON~~ THE ENVIRONMENT.

POLL AFTER POLL HAS SHOWN THAT THE PUBLIC IS
SIMPLY FED UP WITH CONTINUED DEGRADATION OF ~~THE~~ *OUR*
ENVIRONMENT. GROWING FEAR AND ANGER OVER
ENVIRONMENTAL RISK-TAKING HAS BEEN BROUGHT HOME BY
FREQUENT AND HORRIFYING DISASTERS LIKE THE ALASKAN
OIL SPILL. PUBLIC SUPPORT FOR BROAD EFFORTS TO STEM

THE DAMAGE IS WIDESPREAD. PEOPLE ARE NO LONGER WILLING TO ACCEPT THAT EXISTING FEDERAL STANDARDS PROVIDE A KIND OF STAR WARS SHIELD THAT PROTECTS OUR ENVIRONMENT.

59% OF MINNESOTANS BELIEVE THAT OUR STATE SPENDS TOO LITTLE ON ENVIRONMENTAL PROTECTION AND RECYCLING. A RECENT SURVEY FOUND THAT 90% OF CANADIANS SUPPORT STIFF NEW PENALTIES ON INDUSTRIAL POLLUTION REGARDLESS OF ECONOMIC COSTS AND POTENTIAL JOB LOSSES. ECOLOGICAL PARTIES HAVE MET WITH SURPRISING SUCCESS IN RECENT EUROPEAN ELECTIONS. *The Economist "Greening of Europe"*

THE DAMAGE CAUSED BY OUR ENVIRONMENTAL SHORT-SIGHTEDNESS IS FELT EVERYWHERE AND BY EVERYONE. PEOPLE SEE THAT OUR LAKES ARE BEING

CONTAMINATED, OUR AIR POLLUTED AND OUR FORESTS
DESTROYED. ^{Recent} A NATIONAL INVENTORY ^{EPA} ~~RECENTLY COMPILED~~
~~BY THE E.P.A.~~ REVEALED THAT U.S. MANUFACTURERS
RELEASED OVER 22.5 BILLION POUNDS OF HAZARDOUS
SUBSTANCES INTO OUR LAND, AIR AND WATER IN 1987. THE
ECONOMIC COSTS OF ENVIRONMENTAL DESTRUCTION ARE
STARTLING. ACID RAIN ALONE CAUSES ^{an estimated} \$5 BILLION IN DAMAGE
ANNUALLY TO THE BASIC INFRASTRUCTURE OF OUR NATION.

PUBLIC CONCERN HAS SPURRED ACTION AT EVERY
LEVEL OF GOVERNMENT. NEW LEGISLATION CONCERNING
ACID RAIN IS RECEIVING BROAD BIPARTISAN SUPPORT IN
CONGRESS. PRESIDENT BUSH HAS TRIED TO DISTANCE
HIMSELF, AND ~~THE REPUBLICAN PARTY~~, FROM THE
ENVIRONMENTAL MYOPIA ^{of the James Watt era} ~~THAT MARKED THE REAGAN YEARS.~~
WITH THE ASSISTANCE OF WILLIAM REILLY, A PROFESSIONAL

Respected

ENVIRONMENTALIST AND THE NEW HEAD OF THE EPA, THE
ADMINISTRATION APPEARS TO BE READY TO HELP US MOVE
FORWARD. MINNESOTA IS LEADING LOCAL EFFORTS
THROUGHOUT THE COUNTRY WITH ITS INITIATIVES ON
RECYCLING AND PLASTICS.

in the late 60's
I REMEMBER WHEN WE DEBATED IN THIS COUNTRY
WHETHER FEDERAL LEGISLATION LIKE THE CLEAN AIR ACTS *& Clean Water*
feel WAS NECESSARY. *MANY* ~~SOME~~ ARGUED THAT PROTECTION OF OUR
NATION'S NATURAL RESOURCES ~~COULD~~ *SHOULD* BE LEFT TO THE
STATES. *BUT* OUR DECISION TO TAKE A FEDERAL APPROACH,
WHILE UNDOUBTEDLY CORRECT OVER TWENTY YEARS AGO,
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MUST TRANSCEND NATIONAL BORDERS AS WELL. *we need*
An INTERNATIONAL APPROACH.

OUR ENVIRONMENT IS A SHARED RESOURCE THAT
NATIONS ACTING INDIVIDUALLY HAVE THE POWER TO

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ENVIRONMENTAL THREATS DO NOT RECOGNIZE PROPERTY

LINE, STATE, OR EVEN NATIONAL BORDERS. BECAUSE WE

SHARE A COMMON ENVIRONMENT, INTERNATIONAL EFFORTS

ARE ESSENTIAL.

MOREOVER, WE ARE LEARNING THAT

THE PROBLEMS WE CONFRONT ARE MUCH MORE

COMPLEX THAN WE ONCE THOUGHT. THE ISSUES OF GLOBAL

WARMING, OZONE DEPLETION, DEFORESTATION, WASTE

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BUT THE TRUE THREAT WE FACE IS THE COMBINATION OF

THESE NUMEROUS PROBLEMS. BECAUSE THE

ENVIRONMENTAL PROBLEMS WE FACE ARE OFTEN
INSEPARABLE, OUR EFFORTS MUST BE COMPREHENSIVE.

THESE PROBLEMS POSE IMMENSE CHALLENGES TO
EXISTING INSTITUTIONS BECAUSE OF THEIR SCOPE. WE ARE
STILL GROPING TO FOCUS OUR EFFORTS APPROPRIATELY.
PRIVATE DEBT-FOR-NATURE SWAPS AND THE RECENT
SIGNING OF A MULTILATERAL HAZARDOUS WASTES TREATY
ARE BRIGHT LIGHTS ON AN OTHERWISE FOGGY HORIZON.
THE FRAGMENTED NETWORK OF ENVIRONMENTAL AGENCIES
THAT NOW EXISTS MUST BE REPLACED WITH WIDE-
REACHING INITIATIVES SUCH AS THE U.N. ENVIRONMENTAL
PROGRAMME.

WE HAVE DEVELOPED A NUMBER OF INSTITUTIONS
DESIGNED TO ASSIST WORLDWIDE ECONOMIC DEVELOPMENT.
GLOBAL ENVIRONMENTAL PROTECTION SHOULD RELY ON

WORLD ECONOMIC DEVELOPMENT PROGRAMS AS MODELS TO
GUIDE OUR EFFORTS. [THE ANALOGY TO THESE PROGRAMS IS
ESPECIALLY APT BECAUSE RECONCILING ECONOMIC
DEVELOPMENT WITH ENVIRONMENTAL PROTECTION
REMAINS THE MOST PROBLEMATIC ASPECT OF OUR
ENVIRONMENTAL EFFORTS. RESOLVING THIS DILEMMA IS
THE ESSENCE OF ANY INTERNATIONAL STRATEGY TO
PROTECT THE ENVIRONMENT.]

THE ONE THING I AM SURE OF IS THAT WE WILL
CONTINUE TO FACE UNCERTAINTY CONCERNING
ENVIRONMENTAL PROBLEMS AND THEIR SOLUTIONS.
SCIENTIFIC KNOWLEDGE ABOUT THE SCOPE OF THE CRISIS
HAS GROWN EXPONENTIALLY BUT IS STILL UNABLE TO KEEP
PACE WITH OUR NEED FOR MORE INFORMATION.

YET WE CANNOT AFFORD TO DELAY. THE ENVIRONMENTAL THREAT HAS TAKEN ON A DYNAMIC OF ITS OWN. FOR EXAMPLE, A TREATY SIGNED BY FORTY NATIONS TO CUT CHLOROFLUOROCARBON USE IN HALF BY 1997[✓] WHICH ENTERED INTO FORCE ON THE FIRST OF THIS YEAR[✓] IS ALREADY ACKNOWLEDGED AS INSUFFICIENT IN LIGHT OF RECENT EVIDENCE OF OZONE DEPLETION. THE URGENCY OF THIS PROBLEM HAS LED THE U.S. TO JOIN THE EUROPEAN COMMUNITY'S CALL FOR A BAN ON CFC PRODUCTION BY THE YEAR 2000, RENDERING OUR TREATY COMMITMENT OBSOLETE.

WHILE INTERNATIONAL COOPERATION IS ESSENTIAL, THE UNITED STATES HAS THE ABILITY AND THE RESPONSIBILITY TO PLAY AN IMPORTANT ROLE. OUR NATION'S CONTRIBUTION TO THE ENVIRONMENTAL DEVASTATION THAT HAS ALREADY OCCURRED IS

DISPROPORTIONATE TO OUR SIZE. WE HAVE THE RESOURCES
AND THE CREATIVITY TO OFFSET THIS INEQUITY. WE MUST
NOT ONLY PARTICIPATE IN INTERNATIONAL EFFORTS TO
PROTECT THE ENVIRONMENT, WE MUST ~~COMMIT OURSELVES~~
Lead
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THIS CRISIS PRESENTS CHALLENGES TO OUR
POLITICAL SYSTEM AND OUR PEOPLE OF A PROFOUNDLY
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*As Lawyers we must help
shape & lead the way towards
~~this~~ this more responsible future*



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