

MAKING SUSTAINABLE DEVELOPMENT HAPPEN: FROM JOHANNESBURG TO ALBANY

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Imagine a world in which the ordinary effect of human activity is to protect and restore the environment. Also imagine a world in which large-scale poverty has been eliminated. What we would have in this world is called sustainable development. It may sound like a pie in the sky, but it is emphatically not. If society does not make a transition toward this world of sustainable development in the next fifty years, the future will be painful and costly for both humanity and the environment. Making the transition is possible, but it will not be easy. The United States needs to play an active and constructive role in making this transition, not just at the national government level, but also with state and non-governmental action.

Part I of this article explains sustainable development. Part II provides a brief overview of the recently completed World Summit on Sustainable Development in Johannesburg. Part III articulates the sustainable development efforts made by the United States in the decade since the Earth Summit in 1992. Part IV describes in summary form what needs to be done at the national level as well as in states like New York.¹

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¹ The Author's perspective is shaped by his role as editor of *Stumbling Toward Sustainability*, a detailed assessment of the sustainable efforts by the U.S. over the past decade. STUMBLING TOWARD SUSTAINABILITY (John C. Dernbach ed., 2002) [hereinafter STUMBLING TOWARD SUSTAINABILITY]. Professor David M. Driesen, spoke at the Environmental Forum, was one of many contributors to this book. See e.g., David M. Driesen, *Air Pollution*, in STUMBLING TOWARD SUSTAINABILITY 257 (describing the effects of land use and air pollution laws on sustainable development in the United States and making recommendations).

I. UNDERSTANDING SUSTAINABLE DEVELOPMENT

One of the biggest challenges in discussing sustainable development is defining the term. The term, sustainable development, was first formally endorsed by nations of the world in 1992 at the United Nations Conference on Environment and Development ("Earth Summit") in Rio de Janeiro.² While there has been a growing understanding of the term over the past decade, it is fair to say that sustainable development is not a household word in the United States. Some are troubled by the apparent internal contradiction contained in the term because development that occurs is generally not sustainable.³ An example is when we see fields and forests turned into highways, parking lots, and malls.

Since sustainable modifies development, we must first understand the term "development."⁴ Development, as the term is used internationally, grew out of World War II and the great depression that preceded it; the idea was to ensure that these things did not happen again.⁵ President Franklin Roosevelt and other allied leaders reasoned that the key was to provide people around the world with greater opportunities and an improved quality of life.⁶

The international legal framework established at the end of World War II was intended to result in better opportunities for society. It was built around a set of goals known internationally as development.⁷ These goals are peace and security (recognized principally in the United Nations Charter),⁸ economic

² U.N. Conference on Environment and Development, Agenda 21, U.N. Doc. A/CONF.151.26 (1992)[hereinafter Agenda 21]; U.N. Conference on Environment and Development, Rio Declaration on Environment and Development, U.N. Doc. A/CONF.151/5/Rev.1, 31 I.L.M. 874 (1992)[hereinafter Rio Declaration].

³ STUMBLING TOWARD SUSTAINABILITY, *supra* note 1, at 46.

⁴ John C. Dernbach, *Sustainable Development as a Framework for National Governance*, 49 CASE W. RES. L. REV. 1, 9-14 (1998) (explaining that sustainable development needs to be interpreted in this sense).

⁵ *Id.* at 9.

⁶ *See id.* *See also* HUGH BROGAN, THE LONGMAN HISTORY OF THE UNITED STATES OF AMERICA, 593-600 (1985) (describing and criticizing Roosevelt's vision of the postwar world and dealings with England and Russia during World War II).

⁷ Dernbach, *supra* note 4, at 9.

⁸ U.N. CHARTER art 1, para. 1 (showing that the purpose of the United Nations is to maintain peace and security and "to take effective collective measures for the prevention and removal of threats to the peace").

development (recognized in the General Agreement on Tariffs and Trade and other agreements),⁹ and social development or human rights (first recognized in the war crimes tribunals at the end of World War II, and later ratified in numerous human rights treaties).¹⁰ Since international law means little without national implementation, all three of these goals require supportive national governance.¹¹

This international development framework, engineered to a great degree by the United States, has been enormously successful. We have not had a Third World War, and people are living longer and are better educated. The world economy (measured in terms of gross domestic product) is more than five times larger than it was in 1950.¹² This framework is so successful and so pervasive that we have come to use it to measure progress. In all of these ways, and in others, we have seen progress in the past half-century.

There is, however, an important flaw in the policies implemented after World War II. None of the major agreements adopted at the end of World War II even mention the environment, much less provide explicit means of protecting it.¹³ In fact, the post-war model of development viewed environmental degradation as part of the price to pay for progress.¹⁴ We can no longer afford to pay such a price. Every part of the development model, including economic development, peace and security, social development or human rights, and supportive national governance, depends on a quality environment that provides resources and other "services" (like rain) on a continuing and reliable basis. Currently, our existing population and level of

⁹ General Agreement on Tariffs and Trade, Oct. 30, 1947, 61 Stat. A11, 55 U.N.T.S. 308 (recognizing an "economic endeavor should be conducted with a view to raising standards of living").

¹⁰ G.A. Res. 217, U.N. GAOR, 2d Sess., U.N. Doc. A/811 (1948) (establishing a common standard to defending human rights for all peoples and by all nations).

¹¹ Dernbach, *supra* note 4, at 12 (explaining that these development issues cannot be achieved unless states act in certain ways. For instance, legal and financial structures must be in place to jumpstart investment and commerce to allow for economic development, and human rights cannot be protected until states adopt laws and provide remedies within their own borders).

¹² BOARD ON SUSTAINABLE DEVELOPMENT, NATIONAL RESEARCH COUNCIL, *OUR COMMON JOURNEY: A TRANSITION TOWARD SUSTAINABILITY 70* (1999), available at <http://books.nap.edu/books/0309067839/html/70.html> (last visited Apr 3, 2003) [hereinafter *OUR COMMON JOURNEY*].

¹³ Dernbach, *supra* note 4, at 9.

¹⁴ *See id.* at 14–15.

economic development cause significant environmental degradation worldwide.¹⁵ We are also seeing a growing disparity between the rich and poor around the world, a phenomenon to which environmental degradation contributes.¹⁶

If we stick with the conventional development model, environmental degradation will get much worse. Over the next fifty years, the global population is likely to increase by almost fifty percent, from roughly six billion to nine or perhaps ten billion people.¹⁷ Additionally, the global gross domestic product is projected to increase by a factor of four.¹⁸ Under the conventional development model, this growth will result in further environmental degradation. Examples of this include the loss of biodiversity, increased greenhouse gas emissions, and competition for increasingly scarce resources, including fresh water.¹⁹ Using the conventional development model will also lead to a more political world. In more and more places, economic development, peace and security, social development, and effective national governance will be greatly reduced, or even overwhelmed, by the costs of deforestation, overfishing, depleted aquifers, toxic and radioactive wastes, and unmanageable megacities. When large numbers of people experience declining quality of life and fewer opportunities, social instability is likely to result. This instability may manifest itself in the form of a civil war, ethnic strife, famine, economic collapse, or terrorism. There is simply no way the United States can insulate itself from such events, wherever they occur.

Sustainable development offers a positive alternative, although

¹⁵ UNITED NATIONS ENVIRONMENT PROGRAMME, GLOBAL ENVIRONMENTAL OUTLOOK 3: PAST, PRESENT, AND FUTURE PERSPECTIVES 49 (2002), *available at* <http://www.grida.no/geo/geo3/english/049.htm> (last visited Apr. 9, 2003) [hereinafter OUTLOOK 3].

¹⁶ *Id.* at 86, *available at* <http://www.grida.no/geo/geo3/english/086.htm> (last visited Apr. 9, 2003); *see also* Dernbach, *supra* note 4, at 14–15 (explaining that this divide occurs because, among other things, many of the world's people lack access to a clean water supply and have health problems associated with improper use of chemicals and degradation of natural resources).

¹⁷ Dernbach, *supra* note 4, at 15; *see also* WORLD RESOURCES INSTITUTE ET AL., WORLD RESOURCES: THE URBAN ENVIRONMENT 1996-97 173 (1996).

¹⁸ *See* OUR COMMON JOURNEY, *supra* note 12.

¹⁹ *See generally* OUTLOOK 3, *supra* note 15, at 12 (explaining that “GEO-3 provides an overview of the main environmental developments over the past three decades, and how social, economic and other factors have contributed to the changes that have occurred.”), *available at* <http://www.grida.no/geo/geo3/english/012.htm> (last visited Apr. 9, 2003).

also a challenging one. At the Earth Summit in 1992, nations around the world adopted a global plan of action for sustainable development called Agenda 21.²⁰ In adopting this plan, each nation agreed to work toward sustainable development within its own borders and as part of its international activities.²¹ They also adopted a set of twenty-seven principles, known as the Rio Declaration, to guide national sustainable development actions.²² This plan and these principles were reaffirmed at the recently completed World Summit on Sustainable Development (“WSSD”) in Johannesburg.²³

Sustainable development, as set out in these agreements, redefines progress. Instead of conventional development at the expense of the environment, sustainable development would have countries achieve development and protect the environment at the same time. In a sustainable world, progress is defined not just in terms of economic development, peace and security, human rights, or national governance; it is also defined by the extent to which we protect and restore the environment.²⁴

In an important sense, sustainable development is similar to such concepts as democracy and liberty. Each has a certain core meaning, however general that meaning may be. While people may disagree about whether sustainable development, liberty, or democracy exist in a particular situation, we can all agree on situations where there is unsustainable development, or where liberty or democracy is absent.²⁵ Clearing a rain forest and causing the impoverishment of the people living there, for instance, is not likely to fit any reasonable observer’s definition of sustainable development.

Sustainable development is not just about the environment. It is also about the relationship between the environment and other things that people care about. It does not subordinate the environment to development, nor development to the

²⁰ See Agenda 21, *supra* note 2.

²¹ *Id.*

²² See Agenda 21, *supra* note 2.

²³ *World Summit on Sustainable Development*, Plan of Implementation (advance unedited text, Sept. 5, 2002), available at http://www.johannesburgsummit.org/html/documents/summit_docs/2309_planfinal.pdf (last visited Apr. 9, 2003) [hereinafter *World Summit*].

²⁴ See STUMBLING TOWARD SUSTAINABILITY; *supra* note 1, at 8–9.

²⁵ MICHAEL JACOBS, *Sustainable Development: A Contested Concept*, in FAIRNESS AND FUTURITY: ESSAYS ON ENVIRONMENTAL SUSTAINABILITY AND SOCIAL JUSTICE 25 (Andrew Dobson ed., 1999).

environment. It is about achieving both, while giving each equal significance. Sustainable development is not about economic growth now and environmental protection later; it is about achieving both simultaneously.

Sustainable development is a destination, not a journey, even though we can only understand the broad contour of that destination at present. For instance, Pennsylvania increased its municipal waste recycling rate from near zero in 1988 to thirty-five percent in 2002.²⁶ While we are moving toward sustainability in that respect, we cannot say that we are there yet. Similarly, I cannot say that I am already in Albany when I have just left Harrisburg and on the way to Albany. Much of the confusion about sustainable development comes from those who equate the journey with the destination, or who use language that equates the two.

II. WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT IN JOHANNESBURG

Despite all of the lofty promises and rhetoric of the 1992 Earth Summit, environmental degradation has continued over the past decade, and the gap between the rich and poor has grown.²⁷ As a United Nations report concluded, there was a significant gap between promise and performance in the implementation of Agenda 21.²⁸ Thus, the purpose of the WSSD was to review actions taken to foster sustainable development over the past ten years, reinvigorate efforts to achieve sustainable development, and “focus on action-oriented decisions in areas where further efforts are needed to implement Agenda 21.”²⁹

The conference operated on two levels. At the official or governmental level, the summit resulted in the negotiation of the

²⁶ Pennsylvania Department of Environmental Protection, *Pennsylvania's Municipal Waste Management Success Story*, available at http://www.dep.state.pa.us/dep/deputate/airwaste/wm/MRW/Docs/waste_success.htm (last visited Apr. 11, 2003).

²⁷ See *Implementing Agenda 21: Report of the Secretary-General*, U.N. ESCOR, 2d Sess., at 4–5, U.N. Doc. E/CN.17/2002/PC.2/7 (2002).

²⁸ See *id.* at 4–6.

²⁹ G.A. Res. 55/199, U.N. GAOR, 19th Sess., U.N. Doc. No. A/RES/55/199 (2000), available at http://www.johannesburgsummit.org/web_pages/resolution.htm (last visited Apr. 11, 2003) (displaying a resolution authorizing a ten year review of progress based on decisions from the UNCED).

Johannesburg *Plan of Implementation*.³⁰ One important feature of the *Plan of Implementation*—some would say the most important feature—is the use of targets and timetables.³¹ These are international agreements to achieve a specific result by a specific date. There are about thirty targets and timetables in the *Plan of Implementation*.³² Many of these simply repeat commitments made at the end of 2000 in the U.N. General Assembly's Millennium Declaration. These include the following: 1) to halve, by the year 2015, "the proportion of the world's people whose income is less than \$1 a day;"³³ 2) to halve, by the year 2015 "the "proportion of people who suffer from hunger;"³⁴ and 3) to halve, by the year 2015 "the proportion of people without access to safe drinking water."³⁵

The Plan of Implementation also contains the following new targets and timetables: 1) to halve, by the year 2015 "the proportion of people who do not have access to basic sanitation;"³⁶ 2) to "[d]evelop integrated water resources management and water efficiency plans by 2005;"³⁷ 3) to restore depleted fish stocks on an urgent basis and where possible by the year 2015;³⁸ and 4) to "[t]ake immediate steps to make progress in the formulation and elaboration of national strategies for sustainable development and begin their implementation by [the year] 2005."³⁹

The conference disappointed many, in part because the number of new targets and timetables was so minimal. On the other hand, the WSSD did help reinvigorate efforts toward sustainable development because the *Plan of Implementation* contained new

³⁰ *World Summit, supra* note 23.

³¹ Stas Burgiel et al., *Summary of the World Summit on Sustainable Development: 26 August-4 September 2002*, EARTH NEGOTIATIONS BULLETIN, Sept. 6, 2002, at 16, available at <http://www.iisd.ca/linkages/download/pdf/enb2251e.pdf> (last visited Apr. 11, 2003).

³² *Id.*

³³ G.A. Res. 55/2, U.N. GOAR, 55th Sess., Agenda item 60(b), ¶ 19, U.N. Doc. A/RES/55/2 (2000), available at <http://www.un.org/millennium/declaration/ares552e.pdf> (last visited Apr. 11, 2003)[hereinafter G.A. Res. 55/2]; *World Summit, supra* note 23, ¶ 6(a).

³⁴ G.A. Res. 55/2, *supra* note 33.

³⁵ *Id.*

³⁶ *World Summit, supra* note 23, ¶ 7.

³⁷ *Id.* ¶ 25.

³⁸ *Id.* ¶ 30.

³⁹ *Id.* ¶ 145(b).

targets and timetables, even if the amount of progress was not as great as it could have been.⁴⁰ The real test of the *Plan of Implementation* is whether it is implemented, and whether or not the targets and timetables are met.

The conference also worked on a non-governmental or unofficial level. Although marches and demonstrations were part of the conference, there were other focuses. Hundreds of side events occurred all around the city as people, institutions, and even governmental agencies shared information about what they had learned over the past decade.⁴¹ During my time in Johannesburg, I was deeply impressed with how much learning and experience exist pertaining to sustainable development, most of which is the product of the past ten years. Additionally, the intention of the Johannesburg Summit was to encourage partnerships between governments and non-governmental bodies by achieving sustainable development in specific ways and specific places.⁴² Such partnerships have an opportunity to bear fruit in the years ahead.

III. THE UNITED STATES

The United States' effort in the run-up to Johannesburg was to focus on the importance of national governance for sustainable development.⁴³ Thus, State Department representatives repeatedly stated, "sustainable development begins at home."⁴⁴ Perhaps unintentionally, this statement offers an important challenge to the United States. If sustainable development begins at home for Peru and South Korea, then sustainable

⁴⁰ *See id.*

⁴¹ *See* Johannesburg Summit 2002, Side Events, available at http://www.johannesburgsummit.org/html/basic_info/sideevents.html (last visited Apr. 11, 2003) (noting the importance of such activities in sharing information and opening the lines of communication); *see also* Karen Alvarenga de Oliveira et al., *Special Report on Selected Side Events at the WSSD*, EARTH NEGOTIATION BULLETIN (2002), available at <http://www.iisd.ca/2002/wssd/enbots/> (last visited Apr. 11, 2003).

⁴² JOHANNESBURG SUMMIT 2002, available at <http://www.johannesburgsummit.org/html/brochure/brochure12.pdf> (last visited Apr. 11, 2003).

⁴³ *See generally* Paula J. Dobriansky, Remarks to the UN Economic Commission for Europe Regional Ministerial Meeting for the World Summit on Sustainable Development (Sept. 24, 2001), available at <http://www.state.gov/g/rls/rm/2001/5083.htm> (last visited Apr. 11, 2003) (stating "good governance is the indispensable foundation for sustainable development").

⁴⁴ *Id.*

development also begins at home for the United States. In fact, domestic actions of the United States are probably more important for sustainable development than its foreign policy.⁴⁵

This past summer, the Environmental Law Institute published a detailed assessment on the United States' sustainable development efforts over the past decade, entitled *Stumbling Toward Sustainability*.⁴⁶ The book has thirty-two chapters written by forty-two contributors.⁴⁷ The great majority of chapters discuss the domestic efforts of the United States, including fresh water, land use, toxic chemicals, forests, higher education, production and consumption of energy, air pollution, and climate change. Fewer chapters focused on international efforts, including trade and foreign aid.⁴⁸

The book does not provide much positive news on what happened in the United States.⁴⁹ In many ways, the best news is that in every economic sector, at every level of government, and in every area of human activity, there are some leaders in the quest for sustainability.⁵⁰ These leaders are not representative of their peers, and their practices are not yet sustainable; however, they do show that it is possible to make progress toward sustainability.⁵¹

On the other hand, the ecological footprint of the United States, which was already quite large at the time of the Earth Summit, has grown larger in the past decade.⁵² At the time of the Earth Summit, the United States had five percent of the

⁴⁵ See generally, Don Geis & Tammy Kutzmark, *Developing Sustainable Communities: The Future is Now*, available at <http://www.sustainable.doe.gov/freshstart/articles/future.htm> (last visited Apr. 11, 2003) (explaining that the country faces new socio-economic and technological challenges like social disintegration, deteriorating infrastructure, environmental pollution, and unmanaged growth that requires effective use of resources to meet today's needs).

⁴⁶ See STUMBLING TOWARD SUSTAINABILITY, *supra* note 1.

⁴⁷ See *id.* at iii-v (showing summary of contents).

⁴⁸ See *id.*

⁴⁹ See *id.* at 3 (showing the U.S. "has not exercised the kind of international leadership necessary to encourage or support sustainable development around the world").

⁵⁰ See *id.* at 2 (notwithstanding the activity, there is still room for improvement).

⁵¹ *Id.* at 2 (listing accomplishments and progress made).

⁵² STUMBLING TOWARD SUSTAINABILITY, *supra* note 1, at 2-3 (noting the U.S. is farther from being a sustainable society than it was before the Earth Summit).

world's population, and consumed almost one-quarter of the energy and one-third of the raw materials used annually around the world.⁵³ Today, the United States uses ten percent more materials and emits thirteen percent more energy-related carbon dioxide than it did in 1992.⁵⁴

The United States currently lacks a strategy for achieving sustainable development. A strategy is needed to ensure that we integrate social, economic, environmental, and security goals, in a coherent and cost-effective manner.⁵⁵ In 1997, in fact, the United States and other countries agreed to have national sustainable development strategies in place by 2002.⁵⁶ Yet there is no such strategy. More broadly, the United States does not have indicators to measure progress toward sustainable development, nor is there any executive or congressional entity responsible for addressing sustainability issues.⁵⁷

It is not surprising that the United States was subject to severe criticism in Johannesburg for its lack of progress toward sustainable development.⁵⁸ The United States' refusal to ratify the Kyoto Protocol was the most prominent reason for the criticism, but certainly not the only one.⁵⁹ Another reason for criticism is the continued reliance by the United States on voluntary efforts to reduce greenhouse gas emissions, which were

⁵³ *Id.* at 2-3.

⁵⁴ *Id.* at 3.

⁵⁵ *Id.* at 728-730.

⁵⁶ G.A. Res. S/19-2, U.N. GAOR, 19th Special Sess., Agenda item 8, ¶ 24(a), U.N. Doc. A/RES/S-19/2 (1997).

⁵⁷ STUMBLING TOWARD SUSTAINABILITY, *supra* note 1, at 3 (stating "[t]he United States has no national strategy for achieving sustainable development").

⁵⁸ CNN.com, *U.S. Slams Critics at Earth Summit* (Aug. 30, 2002), available at <http://www.cnn.com/2002/WORLD/africa/08/30/summit.fifth.glb> (last visited Apr. 11, 2003) (explaining that the U.S. received criticism over its record on the environment, President Bush's failure to attend the 10-day summit, and the lack of a fight to cut pollution and poverty).

⁵⁹ Green Nature, *Environmentalists Criticize Bush Climate Change Policy* (Feb. 2, 2003), available at <http://greennature.com/article839.html> (last visited Apr. 11, 2003) [hereinafter *Environmentalists*] (explaining that "the Bush plan does not go far enough toward reducing global emissions"); see also Green Nature, *European Criticism of Bush Climate Change Policy* (Feb. 2, 2003), available at <http://greennature.com/article878.htm> (last visited Apr. 11, 2003) (describing European criticism of Bush's denunciation of the Kyoto Protocol as "unworkable and harmful to the U.S. economy"). Critics of Bush's new policies state that the administration's new initiatives will unlikely lower U.S. emissions. *Id.*

proven to be unsuccessful under the Clinton Administration.⁶⁰ It is also fair to say, as other observers have, that the United States government's agenda in Johannesburg was damage control, and not the advancing of the international sustainable development agenda.

IV. BEYOND JOHANNESBURG: NECESSARY NEXT STEPS

Although we may not know exactly what a sustainable America would be like, we do have a very good idea of what needs to be done to move in the right direction. Thanks to its many contributors, *Stumbling Toward Sustainability* contains specific and detailed recommendations for what the United States needs to do in the next five to ten years.⁶¹ In broad terms, the United States needs to: 1) substantially reduce environmental impacts of production and consumption of materials and energy; 2) modify or repeal many different kinds of laws that encourage or authorize unsustainable development; 3) ensure that all environmental and natural resources are subject to environmental protection goals and appropriate implementing mechanisms, much like our air and water pollution laws; 4) implement a national strategy for sustainable development and create administrative and reporting mechanisms to coordinate or oversee national efforts and to measure progress; and 5) play a more constructive leadership role in international efforts to achieve sustainable development.⁶²

As stated earlier, the challenge for the United States lies with the statement that "sustainable development begins at home." At this point, it is difficult to see how the United States will implement the new commitments to which it agreed to in Johannesburg, much less those it agreed to in Rio.

Fortunately, constructive action for sustainable development is taking place at more local levels of government, particularly in states and municipalities. Oregon, New Jersey, and Minnesota already have relatively advanced "green planning" efforts that

⁶⁰ *Environmentalists*, *supra* note 59.

⁶¹ STUMBLING TOWARD SUSTAINABILITY, *supra* note 1, at 35 (explaining that the journey to sustainability is marked by basic American values, including quality of life, freedom, opportunity, greater efficiency and a mission to live in a safer country and world).

⁶² *Id.* at 4.

embody many attributes of a national strategy.⁶³ More than half of the states issue state-of-the-environment reports, and a slightly lesser number engage in statewide planning.⁶⁴ On some sustainability issues, particularly climate change, the states appear to be taking the leadership position that the federal government has declined to take.⁶⁵ The states' police power to protect public health, safety, and welfare provides much of the explanation. Because sustainable development ultimately concerns human quality of life, the issue falls squarely within the states' historic responsibilities.

New York has one of the oldest and most prominent examples of sustainable development programs in the country. The Adirondack Park in upstate New York was set aside in the late nineteenth century to ensure an adequate and continuing supply of water in the Hudson River and Erie Canal.⁶⁶ Since the preservation of the Park, New York has made continuous efforts to reconcile human development with environmental protection and restoration.⁶⁷

Other activities in New York show steps toward sustainability. In 2001, Governor Pataki issued an executive order creating a multi-stakeholder task force to develop a plan for reducing greenhouse gas emissions, and requiring state agencies to

⁶³ ERIC SIY ET AL., *THE STATE OF THE STATES: ASSESSING THE CAPACITY OF STATES TO ACHIEVE SUSTAINABLE DEVELOPMENT THROUGH GREEN PLANNING* vii (2001), available at http://greenplans.rri.org/pdf/sos_full_report.pdf (last visited Apr. 11, 2003). Green planning efforts are long-term environmental strategies geared for achieving economic and environmental sustainability. *Id.* at i.

⁶⁴ *Id.* at viii (noting that thirty-one states had published state of the environment reports and twenty-five states with planning offices state-wide).

⁶⁵ See Barry G. Rabe, *The Evolving State Government Role in Climate Change* GREENHOUSE AND STATEHOUSE iii (2002) available at http://www.pewclimate.org/projects/states_greenhouse.pdf (last visited Apr. 11, 2003). See generally John Dernbach and the Widener University Law School Seminar on Global Warming, *Moving the Climate Change Debate from Models to Proposed Legislation: Lessons from State Experience*, 30 ENVTL. L. REP. 10933 (2000) (synthesizing and explaining state efforts that have the effect of reducing greenhouse gas emissions).

⁶⁶ RODERICK NASH, *WILDERNESS AND THE AMERICAN MIND* 118 (3d ed. 1986); see also PAUL SCHNEIDER, *THE ADIRONDACKS: A HISTORY OF AMERICA'S FIRST WILDERNESS* 271 (1997) (explaining that the Adirondack Mountain Reserve (AMR) was formed in 1887).

⁶⁷ See, e.g., SCHNEIDER, *supra* note 66, at 272 (pointing out that environmental protection included putting restrictions on hunting and fishing, introducing species of game back into the preserve and implementing a plan for maintaining timber resources).

purchase twenty percent of their electricity from renewable sources by 2010.⁶⁸ New York has recently adopted legislation that will permit farmers to sell excess electricity to utilities from the anaerobic digestion of manure.⁶⁹ Further, sustainable development is being used for transportation planning in the New York metropolitan region,⁷⁰ as well as being used to foster sustainable tourism and economic development along the Hudson River in Westchester County.⁷¹ These examples show how the concept of sustainable development has a life of its own, bringing promise in various areas of New York.

Although government-initiated sustainable development programs are necessary, every sector of society has an important role to play. In fact, we will not achieve a sustainable society without active and constructive efforts by farmers, unions, businesses, women, the scientific and technological community, and even children. As stated earlier, the United States would move a long way toward sustainability if businesses, schools, and individuals simply adopted the leading practices of their peers.

V. CONCLUSION

Sustainable development requires us to think and act differently. Sustainable development would have us think about achieving several goals at once rather than one goal. Sustainable development would have us minimize and avoid tradeoffs among goals instead of automatically assuming that tradeoffs are

⁶⁸ Exec. Order No. 111, N.Y. COMP. CODES R. & REGS. tit. 9, § 5.111 (2001), available at <http://www.nyserda.org/exorder111orig.html> (last visited Apr. 11, 2003) (requiring state agencies that purchase energy to buy more energy from alternative sources like wind, solar thermal or geothermal).

⁶⁹ Act of Sept. 17, 2002, Ch. 515, 2002 N.Y. Laws 1300 (relating to farm waste electric generating systems).

⁷⁰ Gerry Bogacz, *Sustainable Development Studies in the New York Metropolitan Region*, (Mar. 14, 2001), available at <http://www.asu.edu/caed/proceedings01/BOGACZ/bogacz.htm> (last visited Apr. 11, 2003) (explaining that New York's transportation plan provides a long-range assessment of internal needs, a detailed estimate of long-term financial needs, and an outline for smaller goals that would provide a foundation for New York's planning activities).

⁷¹ Diana M. Saltel, *Sustainable Tourism And Economic Development In Westchester County New York*, (Apr. 17, 2000), available at <http://www.asu.edu/caed/proceedings00/SALTEL/saltel.htm> (last visited Apr. 11, 2003) (pointing out that the state's initiative to jumpstart sustainable development programs will concentrate on building a stronger tourism industry and implementing land use planning recommendations).

necessary. Finally, and perhaps most importantly, sustainable development would have us broaden our ethical and even religious perspective so we are more aware of the consequences our actions have on the environment. Because human activity that hurts the environment also tends to harm other humans, we can no longer act as if environmental degradation is morally neutral.

These changes in our thinking will force us to change our actions in ways that I have described. Sustainable development builds on the successes of air quality, water quality, hazardous waste, and other environmental laws. We have used these laws in the United States to improve environmental quality while simultaneously improving the economy and social well-being. However, we now face a broader set of challenges, and we cannot simply rely on past successes.

At the beginning of the twenty-first century, the United States has the world's largest economy, the world's most powerful military, an impressive capacity for technological and scientific innovation, and an educational system that draws students from all over the world. Lee Iacocca once said that "people could lead, follow, or get out of the way."⁷² We could lead an international effort to achieve sustainable development or follow the lead of the European Union and other countries. But the United States is too big to simply get out of the way. When we say that sustainable development is too difficult, too complex, or too expensive for us, we become an obstacle to sustainability for the entire world.

The United States should provide a model for integrating economic, environmental, security, and social goals. By doing so, we would increase our economic efficiency, create more security for our citizens, generate new jobs, and protect and restore our environment. We could help achieve this in Albany, in Harrisburg, or anywhere else. Let us imagine a sustainable world, and work for it together.

⁷² President's Message, *Quantem Aviation*, available at <http://www.quantemaviation.com/news-from-quantem-aviation.htm> (last visited Apr. 11, 2003).