

John H. Chafee Memorial Lecture on
Science and the Environment

“Choosing our Common Future: Democracy's True Test”

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By
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John Chafee was a fine man and outstanding public servant. There was an aura about him of the rock ribbed New Englander whose opinions and votes were not for sale. That aura was correct. I was in John's presence many times trying to decide what was the right thing to do about an environmental issue. We didn't always agree but John's discussion was always on the merits.

His unspoken question always was “What is in the public interest?” If intelligent and dedicated politicians and John was both, are asking that question in the pursuit of a solution to America's problems, our Republic will be just fine. It is for that reason that I am honored to deliver a few thoughts tonight in John's memory.

Two weeks ago in his inaugural address, our President sought to commit our country to the ideal of advancing freedom and democracy around the world. Few in this country would quarrel with the desirability of this end. It is always the means to achieve our agreed upon ends that cause the major disputes. Unless of course you are guided by W. C. Fields famous dictum “If the end doesn't justify the means, what the hell does?”

Of course means do matter in our democracy and those chosen in Iraq raise questions like

- Should we use force to achieve more freedom in the World?
- Will it work?
- Is the use of force consistent with the value of freedom itself?
- Is a call for freedom for all and our offer to help those trying to achieve it, consistent with our making common cause with clearly repressive regimes?
- Does the inevitable gap between what we say and what we do diminish the ideals to which all are called?

- To what extent is it valid or advisable to call on a higher being to justify our policies or actions?

These and a host of related questions pro and con have followed the President's speech. I have my own concerns about the way we have pursued our shared ideals of freedom and democracy in the last few years but those concerns are not the subject of this speech. I know you can't be disappointed. There has been no paucity of speeches on this subject in the last several months nor are there likely to be in the days ahead.

We probably all share the President's desire to see freedom and democracy spread. I agree with him that people who possess freedom and govern themselves consistent with democratic principles are more peaceful and the chances for peace are therefore greatly increased for all Americans and all citizens of the world.

There are signs that Condoleezza Rice and the President are going to increase the use of diplomacy and what Joe Nye calls "soft power" to gain our nation's aims.

In Davos, Switzerland last week, Tony Blair urged America to be unified with our European allies in fighting terrorism and global poverty.

In a recent article in Foreign Policy magazine, Colin Powell mentioned the President's commitment to helping the poorest of the World's citizens. He pointed out the connections between extreme poverty and the anger and sometimes violent action it foments. He wrote, "The President has said that he intends to spend the political capital he earned in winning the trust of the American people and the world can be assured that much of that capital will be spent helping the poorest of its citizens."

Colin Powell doesn't like the use of the term "soft power". He sees the fight against extreme poverty as a core strategy in our struggle against terrorism. I certainly don't believe soft power or whatever you want to call it, can be a total substitute for military force or economic power where our interests are clearly threatened by the use of aggressive military or even economic power. But it has its' place. In any event, I applaud the commitment of the Administration and their joining in the attack on global poverty. In fact, such commitment is consistent with many little publicized initiatives the Administration undertook in the President's first term such as the 50% increase in direct aid to developing countries in the Millennium Challenge Account, which rewards countries that are making progress toward open markets, improved human rights records, and adherence to the rule of law. Likewise, it is important to advance our global interests through domestic policies that square easily with the core American values of democracy and freedom.

Which brings me to the subject of my speech tonight? How do we make freedom and democracy attractive to those in the world living in their absence? According to Joe Nye, in his book, "Soft power", what attracts others to America has to do with our values, culture, policies and institutions. He's not claiming all of these attract all people all of the time. In fact, there is considerable evidence that our culture as seen on

American television is more of a repellent to the world. Based on the ubiquitous nature of American television, it apparently attracts at the same time. I believe the attract- and-repel elements of our culture are one aspect of what intrigues people about freedom and ultimately draws them to its banner. Many people want to live in a place where they can choose what to be attracted to or repelled by and allow their neighbor to have the same choice.

In any event, if our society is to gain support from others, who admire and want to emulate our system, first, they must be convinced it works for America. And that it works because of freedom and democracy, not in spite of them.

When the first wave of environmental concern swept America in the late 60's and early 70's under a Republican President and Democratic Congress, we passed massive laws controlling air pollution, water pollution, pesticides, radiation, toxic substances and even solid waste – some 10 laws during the decade of the 70's. We put in place a national system of restraints controlling the unwanted actions and substances. Yes, I said a system of restraints – laws, rules, regulations, even cultural restraints. Proper restraints voted on by freely elected officials are the essence of freedom. Let me quote from a speech delivered forty years ago by Chief Judge Barrett Prettyman of the U.S. Court of Appeals at the Pentagon in honor of Law Day.

“In an ordered society of mankind there is no such thing as unlicensed liberty, either of nations or individuals. Liberty itself is inherently a composite of restraints. It dies when restraints are withdrawn. Restraints are the substance without which liberty does not exist. They are the essence of liberty...”

In one sense, freedom is the absence of governmental restraint – unwarranted governmental restraints such as inhibitions of free speech, or the right to worship or to a jury trial for the accused. Those individual freedoms and many more are granted to us under the Bill of Rights.

The freedom our environmental laws are addressing is reflected in our collective obligation to order our activities so that our society will flourish – so that it will work. We collectively, through our Congress, placed restraints on individual, corporate and government action so it didn't threaten our health or our environment.

This is the system of restraints to which Judge Prettyman referred. Without this ordering of our conduct things begin to break down and our society and ultimately freedom itself are threatened. The system of restraints is simply the “rule of law” so often cited as necessary for an ordered and free society.

What we fashioned by our environmental laws was a top down command and control system of restraints.

In spite of some skeptics, this system worked pretty well. Our air and water are appreciably cleaner than when we started over thirty years ago. This is particularly

apparent if we imagine where we would be today had we done nothing. Large point sources of pollution such as power plants or industrial emitters are permitted by government agencies and largely under social control. In addition, automobiles emit far fewer molecules of carbon monoxide, ozone or nitrogen oxides than before controls were put in place. We have identified and eliminated, or greatly mitigated the effects of many pesticides and toxic substances that were largely uncontrolled prior to the 1970's.

Of course our work is not complete. Protecting the environment is not like building a highway or painting a building. You can't do it and walk away from further work. You must stay everlastingly at it or things begin to slide. By any measure, we have made enormous progress and that should give us hope as we tackle the next set of issues.

However, having responded to the first set of environmental concerns – the smell, touch and feel kinds of problems – that gave rise to the first wave of public outcry, we have been facing a second set of issues where our “system of restraints” our “essence of freedom” has not been nearly as successful. Let's take, just water (We could do this for any medium).

Shortly after first coming to EPA in 1970, the agency published a water report which estimated that 85% of the water pollution problems in the United States were caused by point sources of pollution such as, sewage treatment plants or large industrial discharges and only 15% by non-point source pollution, run off from farms, city streets, combined sewer overflows, etc. Today, that estimate is just the reverse. The bulk of our threats to water and all of its uses are non-point sources. Non-point pollution sources are caused by all the rest of us. Whether we live on farms, in cities or in between, our actions are not easily subject to federal permits. I realize there are those who believe otherwise but even the strongest adherents of the Patriot Act might worry about a permit for sweeping your driveway or washing your car.

I recently completed a three year stint on a congressionally created, presidentially appointed U.S. Commission on Ocean Policy. We held hearings all over the country, listened to countless witnesses and read reams of expert testimony. We found our ocean management system, our system of restraints for managing human interaction with the ocean, a mess. Fifteen separate departments and agencies at the federal level alone are charged with managing a significant piece of our ocean policy. These departments and agencies report to over 40 committees in the Congress and administer 144 laws which govern their actions. We have laws that are unclear, redundant, overlapping and in some cases in direct conflict. The Commission made over two hundred recommendations to improve our system of restraints. The Administration comprehensively responded in December of last year to those recommendations by creating a Cabinet level committee and issuing an ambitious action plan. Only time can tell whether that response will be adequate. We won't know the result until the Administrative reforms are put in place and we've had a chance to assess their effectiveness.

My time on the Ocean Commission convinced me that the oceans, which after all cover 71% of our shared globe, are a woefully under-addressed resource.

If we take just these two examples of domestic needs - non-point sources of pollution and our ocean resources - (and there are many more) that are not being adequately managed within the context of freedom, who cares? After all, we will address water pollution problems if they get bad enough. We won't permit our oceans to completely fall apart. We've always muddled through somehow – look at the more obvious and visible problems we identified and addressed in the 1970's. Someone once described the ocean as just a big hole with water in it. It'll take care of itself as long as we don't interfere too much.

Granting interference of the wrong kind can do more harm than good. Our current system of restraints as they relate to non-point source pollution or ocean management proves that point. Back to a central question, people will ask if they are longing to embrace freedom, does it work in America. Can we solve chronic problems and grapple with our own complexities, within the context of freedom? We must answer this question in the affirmative if we are to attract others to our system and our values.

Back in the 70's, when we made an aggressive effort to address our domestic environmental problems, we led the world. Other countries watched the way our science and public policy reinforced one another and rushed to our shores to marvel at our willingness to tackle tough problems. EPA's offices were full of curious and admiring foreign visitors. They studied our successes, learned from our mistakes and followed many of our policies. We were clearly showing the way. This is soft power at work. Our sister nations were attracted to our policies and they often sought to emulate our system and adopt our values.

Unfortunately, we have lost some of that attractiveness because our domestic policies are not as enlightened, or innovative, or aggressive as they once were. For instance, we have broken down into squabbling camps on environmental issues. There is not the willingness, as I believe there was in the 70's, to see problems as challenges that should excite or energize American ingenuity and optimism. We have lost the willingness to experiment, to get the best science and let it inform our discretion, to adjust where the facts warrant and to fail – yes, to fail because failure is inevitable as we pursue solutions with honest, democratically backed experiments that we hope will enlighten and instruct our next effort.

The principle and practice of adaptive management is just as applicable to social experiments as biological ones. We need to identify problems, be guided by the best science and not fear to act because through action we learn. If our action is ill advised or fails, then adapt, adjust our system and try again. This is precisely what happens in the American private sector all the time. The result is economic success and it can be success for public policy as well.

One thing we must do if our form of democracy is to work, is to holster our political guns and lower our voices. After all, it's easier to listen with our mouth closed.

Whenever EPA comes out with a 200 page rule on a problem, I inevitably get several calls about what I think. The rule is praised by the Administration as a bold step forward and denounced by the environmental community as a reversion to a more polluted past. To be honest with you, since I no longer read every 200 page rule EPA puts out I don't know what I think. What's more, in my 8th decade of life, I have no intention of reading any more 200 page EPA rules. Besides, I am sustained in watching this dance I have just described by the observation of Lilly Tomlin, who once said "No matter how cynical I get, it's hard to keep up".

What I am sure of is this act-and-react process kills innovation, confuses the public and certainly does not advance our environmental objectives. Furthermore, it makes it unlikely we will convince the world our system is one to which they should repair.

Cinergy is a large, primarily coal fired utility in the Middle West. They are devoting this year's annual report to asking the question of their shareholders, rate payers, government officials and citizens. "What do we need to do to develop a common ground on global warming in this country?" A good, even courageous question for a company in that business to ask. The openness and democratic way they are posing the question is precisely what our democracy should be good at and what we should do when a new rule from any agency is under consideration. My guess is Cinergy will get a willingness to participate, some very innovative answers and the kind of tolerance in the response to their question that democratic processes generate in their participants.

The value of utter transparency, inclusiveness and a willingness to listen and adapt is front and center an essential precept of our democracy. I believe people will embrace innovation if they believe the motivation is to solve the problem and there is a willingness to change if the solution falls short. Fortunately, help is on the way.

Increasingly for many of our environment and natural resource problems, we are seeking to resolve them by the use of collaborative processes.

Let me say at the outset that I am not suggesting the processes I am about to describe work for all problems or even some problems all the time. However, as the late John Gardiner, former Secretary of Health, Education, Welfare in the Johnson Administration and founder of Common Cause said just before he died, "With all due respect to the ancient arts of law and diplomacy, the recent development of systematic, teachable techniques for getting at the roots of conflict, and engaging multiple parties in disciplined and voluntary collaborative problem solving, represents something new in the 5,000 years of recorded history."

While that may be a bit of rhetorical excess, let me give you a few examples of what he's referring to and then see if we can discover some democratic principles that will advance our environmental solutions and attract others to their use.

Collaborative process can work for traditional regulatory problems. In 1984, while I was at EPA, the second time, we confronted a situation in Tacoma, Washington, where the problem had to do with the regulation of a copper smelter and community complaints about the smelter emitting toxic fumes. The community was sorely divided and largely ignorant of the complex scientific and economic issues involved, which did nothing to reduce the intensity of the controversy. We set out to explain all the issues to everyone – to give them the same information we had to use to make the final regulatory decision. And then we asked their advice. In the end, the citizens concluded that the community could preserve 600 jobs and protect its health. With technical help from EPA, the citizens were able to educate themselves, and they found that they did not, in fact, have to choose between jobs or health. A panel of citizens developed a plan that allowed the smelter to continue its operations in a safer way. In this exercise, I was struck by the ability of local groups and citizens not only to drive to consensus on complex issues, but to invent solutions that had simply not been thought of in the heat of combat. It seems that one answer to democracy's apparent failure may be more democracy. In fact, that is the precise conclusion of a recent book called The Wisdom of Crowds by James Surowiecki. Using statistical analysis, Surowiecki concludes that a random group of intelligent citizens can on objective scales, come up with more right answers than one or more experts. This, of course, is a core assumption of democracy and it turns out, in a surprising number of cases to be demonstrably true.

Since the early 80's, collaborative decision-making processes have risen spontaneously and in increasing numbers throughout the country. In some cases, the goal was to bypass long-standing deadlocks. People, it seems, want their environmental problems solved and not merely massaged by government officials, and perpetual litigation seems to have limited appeal as a spectator sport. The American west seems to have specialized in this sort of process, probably because it is in the small timber, ranching and mining communities of the west that the conflicts between livelihood and environmental protection seem particularly sharp.

Let me give you a more contemporary example. In the late 1990's the National Oceanic and Atmospheric Administration (NOAA) listed Chinook salmon in Puget Sound as threatened under the Endangered Species Act. NOAA also listed another species of salmon for a smaller area within the Sound. All hell broke loose.

It's worth noting here that conservation biologists are increasingly skeptical about the wisdom of ever attempting to intervene in an ecosystem one species at a time. Since everything is connected to everything else, we must understand everything, or close to it, and everything's connection before we know what to do to attempt to preserve anything. This could, of course, undermine the central premise of the Endangered Species Act, that man should not allow even one species to become extirpated.

This is one reason that the previously mentioned Ocean Commission called for ecosystem based management as a guiding principle to help us seek to more wisely manage our oceans.

The scientific argument over how public policy should incorporate entire ecosystems into a management scheme is unbelievably complex and brings me even closer to embracing the Wisdom of Crowds.

As it relates to pacific salmon, we humans have intercepted its life's journey through increasingly effective fishing techniques and technology. At certain times, we have attempted to replace the wild fish with artificially grown hatchery fish. (There are still 100 hatcheries in Puget Sound.) We have battered, destroyed and permanently altered much of the fish's habitat, all to the point, that some salmon species are utterly dependent on the human species for survival. We got the fish in the mess they are in now and according to the Endangered Species Act it's up to our presumably larger brains to get them out.

As the debate heats up about the wisdom of one species at a time, we should bear two things in mind. First, humans are part of virtually all ecosystems and we must figure out how to maintain the goods and services ecosystems produce for our own well being as well as our fellow critters. Second, scientists such as conservation biologists must inform public policy, they don't make it. In the policy judgments relating to the environment and natural resources we often have to act in the face of scientific uncertainty. EPA does it all the time. We will make mistakes but often no action is the least advisable path and is of course a decision in and of itself.

As I've watched the debate and effort to save the salmon in the Northwest, I often thought that if I were a fish and I knew my fate depended on human wisdom and action, I would be very nervous.

In any event, these Chinook salmon swim through every major geographic area of the Sound from urban Seattle/Tacoma/Everett, to agriculturally dominated rivers, to relatively pristine, lightly populated areas of the Olympic Peninsula. Under the Act, any taking, broadly defined, of the fish by anyone was prohibited without a permit and any action taken by, or needing approval of the Federal Government was heavily regulated. The fish were all affected by the so-called 4h's - hatcheries, habitat, hydropower and harvest – Yes, these fish were and still are harvested unlike the bald eagle or the spotted owl. We still eat this endangered species. In fact, Puget Sound Chinook salmon may be the only endangered species sold in local grocery stores. Needless to say, the prosperity of the region, let alone the listed fish, are threatened.

Former Senator and Governor, Dan Evans and I invited 250 leaders in Puget Sound to join us at a place called Port Ludlow on the Olympic Peninsula in the fall of 1999. Present were officials from NOAA and the USF&W plus their state counterparts. They were joined by local government leaders and tribal governments (16 tribes in

Puget Sound are entitled by a 150 year old treaty to one half of the fish harvested in their usual and accustomed fishing grounds). Also present were businessmen, farmers, fishers, environmentalist and citizens. Eighteen months and 50 meetings later, we hammered out what we called a shared strategy to develop a recovery plan for the fish.

The Endangered Species Act mandates NOAA to prepare a recovery plan. Under that same statute, nothing happens if they don't; and they rarely try because it usually involves the Feds telling local landowners how they can use their land. Roughly, the equivalent of telling my grandchildren to lay off the cookies.

Collectively, we seized on the requirement for NOAA to develop a recovery plan as a way to provide a goal for all of us to pursue. We broke Puget Sound down into 14 watersheds. A broad based scientific review team was appointed by NOAA. Watershed councils were formed where they did not exist. These watershed groups are inclusive of all the interests in their area. All watersheds were given very ambitious fish goals (14,000 thousand spawners for the Skagit River for instance) and if all these fish roll up into big enough numbers and they begin to show up as a result of the actions committed to by the people of Puget Sound, it will allow NOAA to de-list the fish.

Scientists provided tools to help watershed groups translate those fish goals into habitat needs for the fish. Each watershed was asked to submit chapters for the Sound-wide plan by the end of last June. All draft chapters are now in and a final plan will be submitted to NOAA in June of this year.

In effect, this is a massive experiment involving a vast geographic area. We are attempting to use democratic even Jeffersonian means to achieve a societal end (recovered fish) in an extremely complicated human and natural environment.

This entire effort is voluntary. No one is forcing any of the participants to play. It is managed by a not-for-profit, 501 C3 entity, funded in part by government and part by the private sector. The Shared Strategy for Puget Sound, that's what we call the governing regional entity, is overseen by a development committee.

Two elements are crucial to remember. First, the Federal Government is at the table and helping in the development of the plan. A representative of NOAA and the USF&W attend every meeting of the development committee. They are not following their usual mantra of "You tell us what you want to do and we'll tell you whether you can do it." A prescription for nothing happening. Instead, the Feds are in the boat and rowing.

Secondly, the plans, and commitments necessary to carry them out, are being made by the people, who will be most impacted by their implementation. Their involvement is voluntary and collaborative and enormous progress is being made. People, who would normally see one another only in Court, are sitting down across the table and harmonizing their interests in a way that two years ago would have seemed like an unnatural act.

When people come to realize that the watersheds they are improving are their place, where they and their children live, they forget about the government.

The democratic process we have chosen has changed the dynamic from a landowner standing on the bank of his river, going through his land and shaking his fist at the government to lowering his fist looking at his feet and asking himself the question, "What can I do to make the use of this water work for me, my neighbors and the fish who share it?" Once that question is asked, real progress begins.

My passion on this subject is somewhat colored by my being the Chairman of the Shared Strategy for Puget Sound. Last week we called all the participants together for two days to take stock of where we are. Six hundred and fifty people showed up, including elected officials from all levels of government and our newly minted Governor, Christine Gregoire. The excitement of their achievement and dedication to proceeding was tangible and very encouraging.

Interestingly these processes, at first, may work only for problems where the alternative (the courts for example) may seem even worse: If the trust builds and they have some initial success, they can then begin to address even more intractable problems. In the Nisqually River in Puget Sound for instance, they have been using collaboration for over 20 years. A state statute created a process that involved all interests, rural, urban, the Army at Ft. Lewis, the National Park Service at Mt. Rainier, Weyerhaeuser, the giant timber company, several smaller woodlot owners and most important, the Nisqually Indian Tribe whose reservation sits at the mouth of the Nisqually River.

After a rocky start, all interests in the watershed have coalesced around a comprehensive plan that accounts for all uses of water in the Nisqually – drinking water, recreation, irrigation, transportation, energy generation and fish habitat. Once the people in the watershed realized the Nisqually was their shared place and they were empowered to control it through a democratic process, they exercised that empowerment in a truly remarkable way. It was like magic. The adversarial relations evaporated and now they are all in lockstep cooperating to improve their river.

These are just a couple of examples of the power of collaboration with which I am familiar. There are many more. At last count, there were over 60 of these processes under way in the Colorado River Basin alone. It is essential to understand that each of these efforts is unique to issues, the locale, even the personalities involved. This approach is absolutely not something you can stamp out with a cookie cutter. Nevertheless, even at this preliminary stage it is possible to derive some general lessons about how to set up a successful cooperative project.

First, these processes need time to work. People must develop trust in an atmosphere where trust has often badly eroded. Be patient, you don't get interest on your trust account, unless you make a deposit.

Second, every important stakeholder must be brought in at the very start of the process. Everyone has to be in the boat rowing. You can't leave anyone on shore, because those are the people most apt to roll rocks off the bridges as the boat goes by. When you include all interests you almost guarantee that the result will transcend the sterile posturing of single-interest politics, and that people will learn the habit of listening before passing judgment. Involvement has to be early because, remember, you're operating in an atmosphere of deep distrust. No one wants to feel co-opted by some prior set of assumptions or decisions. The very point of the process is that everyone gets to see the cards dealt – every one gets to kick the tires on the technical issues.

Third, the sponsor of the process should be a relevant governmental authority and it should signal in unambiguous terms, that the process is the only game in town, and that what comes out of the process will more-or-less prevail as public policy. Then everyone must play or risk being left out. The government needs to set the arena – then the process has the best chance to succeed. This is often, not always but often, crucial in order to get former opponents around the same table to work together in good faith. If one or another party thinks it can get another bite at the apple in some other forum, they will hold back from the full cooperation necessary for success. Let me note here that these processes are utterly different from the typical public meeting, where people state their positions and afterward are under no obligation to listen to any opposing statements. In collaborative processes you are motivated to listen carefully to the other side – because you need all that information to be able to move forward as a group.

Fourth, it is usually essential that the alternative to collaborative agreement is unacceptable to the parties. There must be a stick along with the carrot. The unknown terrors of the Endangered Species Act drove the parties to the extraordinary efforts in Puget Sound. There the Courts have been tried for years and while useful, people have come to believe they are ineffective at developing a comprehensive solution that adequately reflects the interests of the parties who have something at stake. So even though many have entered into the collaboration with some trepidation, they have been guided by the advice of Mae West who once said, "Whenever I have been faced with the choice of two evils, I always pick the one I haven't tried before".

All of this is not code for no enforcement. In fact, I believe that participation in these processes often sets up the necessary social conditions without which the public will not support enforcement. In the Puget Sound example, the watersheds that have stepped up and committed to taking the right steps are already pressuring the participating government agencies to stomp on the foot draggers. This would absolutely not have happened two years ago.

Fifth, professional facilitation and access to extensive technical advice is essential. We've learned that ordinary citizens have an amazing ability to filter through scientific information that may contain contradictions and come up with reasonable findings. Now, there's a somewhat subtle point about the involvement of government

agencies in providing technical support for facilitating these processes. I said you need the backing of government in these things, and you do, but while government can initiate and participate in such processes, it is often best for the actual cooperative decision-making group to operate under the auspices of a non-governmental, neutral, organization. The point, after all, is that lots of people don't trust the government. The government has to let go. Let the citizens decide how to get there.

One approach to providing a neutral venue for assistance in collaborative problem solving is the use of major state universities. At the school for Environment and Natural Resources at the University of Wyoming and the Policy Consensus Center a joint center of the University of Washington and Washington State University efforts are underway to assist governments at all levels and citizens in solving intractable problems through the use of collaborative processes. The universities offer scientific and technical help and knowledge about how collaboration can help. In the interest of full disclosure, I have been involved in the creation of both university centers. I know they are providing a real benefit to both states and the effort is spreading to other centers of learning nationwide. A recent survey by the Policy Consensus Institute at Portland State University counts more than 60 such programs at some stage of development across the country. I am convinced that every state should have at least one University offering its intellectual assets and process expertise to assist citizens and governments in resolving disputes.

Sixth, you have to confront economics in some detail. What you don't want is a trivial 'feel-good' agreement on vague principles that leads to no action. Make no mistake; these processes are ultimately about who gets what. Their real genius lies in discovering that different sides can each get what they need, that the pie can be artfully cut so as to be bigger than we thought. This is known in the facilitation business as going from OR to AND. We stop saying fish or irrigation, jobs or wildlife and we start saying fish and irrigation, jobs and wildlife. From that change, everything else flows. For instance, we have a comprehensive funding analysis on the financial needs of Puget Sound if the fish are to recover. It will be part of the recovery plan submitted to NOAA.

Finally, such a process must have as its goal some deep and meaningful solution. It must, in the words of Donald Snow of Montana's Northern Lights Foundation, "break through the shallow façade of rhetoric and reach to the heart of the issue." Only then, when people are united despite their differences by hard-earned trust, does the astounding political power of collaboration become effective.

Government officials and employees have to be trained to do and say the right thing or these processes can be strangled in the crib. The government needs to be supportive of a sound outcome. One expression of cynicism or non support by one well placed bureaucrat can blow up an otherwise hopeful exercise. They need to have the confidence to live by the old saying "you gain power by spreading it around".

Even where you have all the elements of success and you have carefully tailored your process to the individuals, the situation and the hoped for outcome, you can fail. But in the kind of areas I outlined a moment ago – non-point source pollution, or salmon recovery – and there are many more - we have not succeeded with any *other* approach for a very long time. Also, even where the desired outcome was found to be unreachable, experience shows us that these processes contribute important knowledge, fuel trust building and enhance problem-solving capacity for those who have participated.

If democracy or freedom is to succeed, we must keep trying. We should try collaboration. This town ought to be sick of its absence by now. We have huge, potentially divisive issues in front of us – from social security to health care, to education, to Iraq. Citizens are utilizing democratic processes to solve problems in their neighborhoods, their communities and their states. Like true, small d, democrats, we should actively follow their lead. After all, these democratic principles outlined above have stood the test of time, and can be applied to a host of problems.

By participating in democratic solutions to their problems, citizens will learn more about the process of freedom as well as the complexities their public officials must face. Their experiences should improve their understanding of the duties and skills of citizenship and make them more tolerant and supportive of their politicians.

Having said all that, I should emphasize as I did at the outset, that cooperative decision-making processes are by no means panaceas for every problem. They are extremely difficult to bring off, frustrating and demanding to participate in, often lengthy and expensive for their members and they can easily fail. They can fail, for example, when short-term economic interests overwhelm all other factors. Regional land-use planning efforts that call for some property owners to be deprived of a significant fraction of the value of their holdings with no compensation are in this class. After the last election, some compensation for governmentally caused diminished land value is a right in Oregon and could well spread to Washington State and beyond.

And we should also remember that this movement toward collaborative decision-making is growing in poisoned soil. Throughout the nation, among the national environmental groups and industry associations, there are talented, dedicated people who have been trained in a tradition of combat, accustomed to fight for total victory in pursuit of deeply-held beliefs. They like going to court. They will not easily yield their historic leadership or work in good faith with traditional enemies. This characterizes some parts of the Puget Sound effort. Does this mean that cooperative efforts are doomed? No, for ultimately, in my view, American pragmatism will prevail. If cooperative processes are seen to work over the long run, if they really free us from the tyranny of the either-or, if neither side feels co-opted, if they continue to yield creative solutions that allow the extraction of livelihood from natural resources while at the same time preserving environmental values, then they will establish a permanent place among our civic institutions.

Meanwhile, late last summer, the President issued an Executive Order #13352 (I can see you are all intimately familiar with Executive Order #13352). In it he ordered the Department of Interior, Agriculture, Commerce and Defense and the Environmental Protection Agency to implement laws relating to the environment and natural resources in a manner that promotes “cooperative conservation”. By that he means and I quote, “actions that relate to use, enhancement and enjoyment of natural resources, protection of the environment or both and that involve collaborative activity among Federal, State, local and tribal governments, private, for profit and not for profit institutions, other non-governmental entities and individuals”.

The Executive Order goes on to spell out how it applies to Federal activities and schedules a White House Conference on Cooperative Management this spring.

I think the Administration is on the right track. I don't care whether they were politically motivated or not. People often asked me when I was at EPA under Presidents Nixon or Reagan, whether either President really supported the mission of EPA? My answer was always the same “He'll support our mission as long as the American people do. As soon as the people forget about it, so will he”.

So what. That's the way democracy is supposed to work. What the people say they want from their government is usually what they get. If they want systems of restraint that define their freedom within the need to preserve and protect their environment, their government will respond.

The example of America making democracy work in this and other areas will tempt people from all lands to come, to learn, to embrace our system and not to confront.

The environment and natural resource problems we face are worth solving for their own sake. If we can solve them by using the processes and pronouncements of democracy and freedom, we will have done the world, ourselves, and our values a great favor.

Thomas Jefferson once pointed out that if the people appeared not enlightened enough to exercise their control of Government, the solution was not to take away the control but to “inform their discretion by education.” The collaborative processes that are springing up around the country are doing just that, giving to large numbers of citizens a new comprehension of the complexity involved in government decisions, out of which has got to come a heightened appreciation of, and tolerance for, the necessary work of government.

If these processes work, if they spread, if they become an indispensable part of government at all levels, it will hold out hope that, once again, America will be ready for self-government and we will continue to show the way for a World desperately in need of democracy's blessings.