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By The Honorable Fife Symington
Governor of Arizona

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Whenever I join the environmental debate, as I often do, I'm reminded of a problem that conservatives always face. The left regard our environment as their issue, their ideological property. Whatever ideas we might have, whatever arguments we might offer, our motives are always suspect. Here as elsewhere, liberals have a way of turning every rational debate into a contest of emotional authenticity. Any who would challenge them must first demonstrate enough "sensitivity" for the liberals' satisfaction.

The absurdity of this posture strikes me every time I come to Washington. Often I'm here seeking relief for my state from one or another environmental regulation, edict, or fine. This means constant haggling with Washingtonians eager to tell me what's best for Arizona.

It's always fascinating to leave behind my hiking boots and the mountains of Arizona, and come here to be lectured by "naturalists" whose rugged trails run through Georgetown, Dupont Circle, and Rock Creek Park. In fact they seem to revere everything about our state—except for the opinions and livelihoods of the people who live there.

I have been asked to describe a federalist approach to protecting the environment. Most environmentalists, I suppose, would regard that juxtaposition as some sort of bold intellectual synthesis, as if the two ideas were opposites to be reconciled. By philosophy and instinct, they just equate the environmental cause with centralized federal power. Tonight, I'll explain why I reject that connection—why, in fact, just the opposite is true. I'd also like to set down some specific proposals for reform and conclude with my vision of wise environmental reform.

Let's begin in the most basic, common-sense terms.

Federalism is not some elaborate theory of government. It's the simple insight that most problems are best left to the people nearest to the problem, people with direct knowledge of the circumstances. The more you remove the influence of local power, the more you atrophy the dynamism of local decision making. Government in a federalist system tends to be more efficient, and the people tend to be freer.

Environmentalism, stripped of the quasi-religious nonsense that today often goes with it, amounts in the end to simple stewardship. At its best, it's the sense all decent people have that with the natural riches given humanity comes a duty to use them wisely. A moral duty, a civic duty, but a quite practical one as well.

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To me, the connection between these ideas—stewardship and self-government—could not be more apparent. Obviously, we have to manage our land, water, air, timber, minerals, and wildlife with care. And just as obviously, that duty is usually best understood and carried out by the people living upon that land.

Sure, there are exceptions. We all recognize that some resources and natural treasures are a national responsibility. Historically, I suppose you could trace this sense of national responsibility back to 1849, when we established the Department of the Interior. In fact, we should restore the Department to its staffing level of 1849. It was the first federal department created after 1789, so its federalist credentials are pretty sound. There is a consensus as to our national stake in good stewardship, and it is of long standing.

But if we have this consensus, why is there so much bitterness to our environmental disputes? As I see it, there are two reasons.

First, the bitterness, the anger, the endless controversy arise from the methods by which environmentalists and the federal government attempt to carry out their aims. Good stewardship, it seems to me, has to begin with a higher opinion of human nature than many environmentalists today bring to the matter. There would be a lot less bitterness if they did not rely so much upon government dictate and coercion, if they were not always eyeing their fellow citizens with such deep distrust.

My brand of environmentalism begins with these three assumptions: Conservation is a public good. Government coercion is a political evil. And the two things cannot go together.

The other, related reason is that many environmentalists today have forgotten Theodore Roosevelt's reminder that "conservation means development as much as it does protection." With Teddy Roosevelt, I reject the notion that economic development and environmental stewardship are natural, predestined enemies. In fact, from modern history I draw exactly the opposite lesson.

Think back for a moment to our first post-Cold War glimpse of the dead lakes and dying forests of the old communist world. This was stewardship, socialist style. And yet even today, it's hard to shake the suspicion that for some environmentalists, the cause is just a pretext for airing their larger grievances against the free market. The extreme wing of the environmental movement has been well described as America's last enclave of socialism. For them, every new industry seems to pose a menacing ecological threat.

It is the free market that is moving us away from the old smokestack industries and into the age of the computer, which does not pollute and is now our prime aid in understanding and safeguarding the environment. In fact, to free enterprise we owe all the technologies that today make for a more efficient use of natural resources. Think of just about anything in modern life which affords ordinary people comfort, health, peace, and security—and you'll find a product of free enterprise. What's more, in free market economies alone do people even have the wealth, education, and luxury to sit back to reflect on our duties to nature. Put another way, how's the environmental movement shaping up in India or Cuba?

My own belief is that if we can overcome these two problems—the coercion of government and the snobbery of environmentalists—Americans can truly come together to meet the challenges of nature. This is just another way of saying that the best environmental policy is democracy.

Now let me give you some examples of the kind of problems we've run into in Arizona. We had one particularly interesting incident just last week.

Back in the fall, an environmental activist group went to federal court seeking an order that the Fish and Wildlife Service come up with critical habitat designations for the Mexican spotted owl. The judge was Carl Muecke, a retired Federal District Court judge. He duly issued the order. But there were a couple of problems. First, the plan Fish and Wildlife came up with, about four million acres altogether, included Arizona's Prescott National Forest—where, literally, no owl had ever been spotted. And second, between court order and deadline, Congress passed a moratorium on new federal regulations. Faced with this, the good judge replied in essence: "Do it anyway!"

So last week, against the will of Congress, the plan went into effect. Result: All the state's own forest health initiatives must be put off. We have gridlock in our national forests. In the end we will destroy these habitats. And Mexican spotted owls now have a new vacation spot —only they don't read court orders, and so they still don't come anywhere near Prescott National Forest. Congressional will was simply disregarded by one arrogant federal judge goaded on by a litigious band of environmental zealots.

Someone has observed that deep down in every liberal is a commissar yearning to be saluted. On our federal benches are the finest examples of the trait. And with the electoral tide turning against liberals, the situation may get a lot worse before it gets better.

Here's another example. I have been urging Congress, and will again at every opportunity, to repeal the Endangered Species Act. Why? Because it is a complete disaster—to the states, the people, and even the species it was meant to help. Because it has thrown entire regions of the Western United States into profound uncertainty. Because, however noble its original aim, in practice the law has become a tool for radical environmental groups to shut down entire industries. Even more bewildering, it prevents the wise management by the states of forest lands, which has led to pestilence and fire.

The EPA has long been pushing Arizona to adopt what's known as the California standard of air quality. We've been pushing back, so the case is still in litigation.

In all its philosophical complexity, our basic argument is this: Arizona is not California. For example, we have a lot more desert land than they do. The desert raises up a lot of dust and various pollen from its unique vegetation. As a matter of fact, we have found that if the California standard were forced upon Arizona, we could not meet it even square in the middle of Organ Pipe National Monument, which is square in the middle of nowhere.

We've also pointed out to the EPA that air quality is an inconstant thing. When there's construction underway in a given area, obviously that's going to affect the air quality—but only temporarily. So, for example, the EPA will take its measure in Chandler, where we currently have thousands of new homes under construction and the largest industrial project on Earth.

I could tell you many more such stories—I have a collection of them I'll match with any governor in the Union. Solomon Bridge near Safford, Arizona, was washed out, requiring people to drive their kids to school on dangerous roads. The Fish and Wildlife Service said that they couldn't fix the bridge because of an endangered minnow that lived in the river beneath the bridge. We told the people of Safford to go ahead and fix it anyway. They went into the river and fixed the problem, and nobody has heard a peep from the Fish and Wildlife Service.

But let me end by trying to sort out the lessons I draw from these experiences. Given the audacity of environmentalists, and their cavalier approach to democratic procedures, how can we restore self-government to environmental decisions?

I believe we need a constitutional amendment imposing term limits on federal judges: Ten years, and it's time for a good long hike into the real world. They need to go back and live in the world they helped create. This would put an end to the scandalous abuses of our courts by environmental groups, among many other liberal activist groups that can advance their aims only by judicial dictate.

That's reform number one. If any of you doubts this can be done, I would remind you that there is a political revolution going on. Even if you don't hear it talked about in the U.S. Senate, people are fed up. We are going to return power to the states. States are getting ready to receive this power. And we didn't get this far by thinking small.

My second proposal is purely organizational. We talk loosely of "federal environmental policy." But, really, there is no single coherent policy to speak of. What we actually have is a confusion of federal voices, each barking a different set of orders at each state and often competing for bureaucratic turf against one another. In land management the problem is particularly costly and inefficient.

We have recently read threats of closing national parks and the reinvention of the Forest Service. Unfortunately, in both instances the President has offered sophomoric solutions to significant management problems. The White House and their agencies need to get out of the box and look at efficient reorganization. They must accept the challenge of smaller budgets as an opportunity to make public lands more beneficial to all Americans. Tomorrow I will offer Congress a deal: You give our State Parks Department management authority over three of your federal monuments and 90 percent of current funding, and we will run them more efficiently and, more than likely, make a profit.

The situation today is intolerable. There is too much overlap, too much rivalry, too much confusion—and too little actual service to the public.

I have a third proposal: The President should also streamline the Environmental Protection Agency. There are approximately 8,000 EPA employees in the regional offices. It is unclear what these employees do that is not already done by the states. There is nothing that is done in the regional offices that cannot be done in the state environmental agencies.

I recognize and agree that there needs to be a functional liaison between the states and EPA, but I also believe the present EPA organization is an overly expensive and an increasingly ineffective way to interact with the states. I propose we eliminate the regional offices and establish state offices that are co-located with the primary state agency responsible for the implementation of the nation's environmental laws. Each state office would have 25 to 50 federal employees to work with the state to implement federal laws.

This partnership would allow for programs to be developed once in partnership rather than developed by each state, only to be second-guessed by the regional offices. This arrangement would also allow the federal employees to better understand state issues because they would be directly involved from the beginning. Even if each office had 50 employees, this would only be 2,500 nationwide—a reduction of over 68 percent from current staffing.

Next, there is the problem of unfunded mandates. Congress, of course, has done something about this. But, frankly, the central problem remains. It seems almost too obvious to point out, but the staggering thing about these mandates is the undemocratic capriciousness of it all. Hardly anyone even dares question the practice. Seldom are we even dealing with specific provisions in the laws Congress has passed.

Over the years, Congress fell into the habit of enacting grand new laws as confusing in effect as they are high-sounding in name: the Clean Air Act, the Critical Endangered Species Act, whatever. And then, well, they just left it for the bureaucrats to sort out the details. Not surprisingly, the details invariably turn out to confer greater and greater powers upon the interpreters. Challenged by citizens thrown out of work by their regulations, or in danger of losing their property or seeing its value plummet, these various agencies then seek out like-minded jurists like Judge Muecke. And so, using yet more public money to litigate, they almost always get their way. It is truly an insidious practice. The freedom revolution will not be complete until we put a stop to it once and for all.

In the long term, we need to scrap the whole irrational regulatory structure that has been dragging our economy down, costing us tens of billions of dollars, and ensnaring countless productive citizens trying to make a decent life for themselves.

There are tens of thousands of people in Washington whose sole mission in life is to think up and enforce environmental regulations. Between these rule-makers and the ruled, there is a chasm wider than any in the natural world. The folks making policy are too far removed from the folks living under it. If we are serious about reform, we will retain only a very few of these rule-makers, placing statutory limitations on the number of people each agency may employ. What will become of all the others? Phase them out, buy them out, do whatever it takes. But it is time for them to pack up their knapsacks. Somewhere down the trail lies an honest living.

That's the long term. In the short term, we should apply a sunset law to all existing federal mandates. After a given period—say, five years—all regulations that are not demonstrably protecting the health and safety of the American people should be scrapped.

And one final reform. In some quarters environmentalism is not merely a cause anymore, but something more resembling a cult. One reason for this is that, at present, some 30 states have laws mandating "environmentally conscious" public school curricula. Arizona had one such law passed in 1990. It required, among other things, that our children be instructed in "environmentally correct behaviors" and in various methods of political activism.

We changed that law last year, preferring instead educationally conscious public schools, free of political indoctrination. I would urge other states to take a good look at these curricula, which amount to nothing more than another left-wing power play aimed at our children. About the last thing our children need right now are more lessons in airy liberal pieties, ideological half-truths, and cheap sentimentality masquerading as hard science.

We are critical of the environmental movement of today. But at the same time, there is much good within it. It comes from a very noble impulse. Within it are many sincere and idealistic people. We need such people.

But at least in its political ranks, I often sense that something is missing from the cause. There is something fearful, grudging, resentful, and deeply pessimistic about environmentalism as we hear it advanced. They forget about human ingenuity, the ability of free people to rise to the problem, to produce more, to be good stewards of the Earth. They forget human nature, which is never quite as blind and grasping and brutal as our more fretful environmentalists seem to assume.

I guess I prefer the term "stewardship" because it captures both the responsibilities and the opportunities we meet every time we step into nature's province. It captures both sides of human nature—that side which bows before nature and that side which rises to master it, rises to build homes and cities and lay up stores while still leaving those spaces of quiet in

between. I like it, too, because it conveys a little bit more humility than we observe among today's environmentalists. This is the sense of the old saying that God creates and people merely rearrange; that "Nature, to be commanded, must be obeyed."

My friends, these are revolutionary times. On this issue, as elsewhere, the moment has arrived. In place of fear and fretting and false alarms, we must offer a vision of true stewardship—reclaiming our nation in every sense. It is not a time to be timid. The moment has come to reclaim, all at once, the rich endowment entrusted to America by nature and the freedom entrusted to us by the Founding Fathers.

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