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## Introduction

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# ST. JOHN'S LAW REVIEW

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## SYMPOSIUM ENVIRONMENTAL LAW

### INTRODUCTION

MARIO M. CUOMO\*

This issue of the *St. John's Law Review* reminds us that the law, like the Constitution, is a living thing with a growing end. In the days when I was in law school, environmental law did not exist as a specialty. It may be a new specialty in the law but it is an important one, and in the years ahead its importance will undoubtedly become even greater.

I think it is clear—especially to the new generation of lawyers—that we must insist on using our legal system to create reasonable and workable protections for our environment.

This is, in fact, an ideal illustration of the good uses of government, of using the authority given us by the people for purposes that serve all the people.

Certainly, as a nation we have made progress in cleaning up the air and removing pollutants from our water. But this progress has been incremental, not final. We know we still have a long way to go in undoing the damage already done to our resources and in halting the chemical barage that continues.

In New York's history, there is precedent and inspiration for that work, a model of what strong and intelligent people are capable of, when it comes to dealing with environmental problems . . . and potentials.

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Two hundred years ago, the Adirondack forest lay vulnerable to the shortsightedness—or avarice—of those who looked at the forest and saw only its immense commercial potential; those who saw every usable tree as board feet of lumber.

It was the “gilded age” of industrial expansion and economic growth. America was coming into its own as an industrial power. Factories and railroads were expanding. The demand for raw materials was increasing exponentially. There were fortunes to be made. Quick profits. Easy wealth. The temptation to exploit was enormous. Parts of the great forests had already been ravaged.

Fortunately, there were New Yorkers who possessed a different vision for their great forest, for the Adirondacks. A vision that reached beyond their own lifetimes and personal opportunities for individual gain. These New Yorkers saw a beauty, a usefulness, a permanence that had far greater worth than the chance for quick economic advantage.

They did not use the word “environment.” They did not have our science to tell them about the inescapable interdependence of all creation, what Rachel Carson described as the “close-knit fabric of life.”

But they knew what their eyes and minds and souls taught them. They knew if the Adirondacks were deforested, our water supplies would be endangered, our landscape threatened.

They knew more. They knew the tangible impoverishment we would suffer as a people. They understood the magnitude of the resources that would be denied to those who would come after them. And they could see the devastation of the permanent loss of a beautiful and essential element in the creation that surrounded them.

Because they saw so clearly, and felt so deeply, these New Yorkers chose to protect their lands from exploitation. To recognize for the first time in this country the special value of the wilderness. Literally to draw a line around these lands, proclaiming them to be “forever wild.” Protecting them and preserving them—insofar as man could—forever.

A hundred years ago, by writing into the law the simple truth that we could no longer hope to survive if we destroyed our natural surroundings, a group of New Yorkers became the pioneers of a whole new attitude towards the environment.

It is no different today. Beneath all the statutes and regulations we have enacted is the same impulse.

When the people adopt new laws to protect the environment, they do so for the benefit of generations that they themselves will never know, and generations that will never know them.

It is the ultimate selfless act. A kind of magnificent statement about our human obligation to one another. It is acknowledgement that the world is larger—greater—than ourselves. It manifests our profound reverence for “the great chain of being,” for the generations before us who planted and preserved the earth, and for the generations to come: all the life that surrounds us, the magnificent links of creation, reaching forward, beyond us, to places and dreams we ourselves will never reach.

In large measure, it will be lawyers who translate that impulse into everyday reality. This symposium issue of the *St. John's Law Review* is proof that the work is progressing.

