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## Introduction

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## INTRODUCTION

No issues are more important to man's survival than those moral, economic, political and legal questions concerning energy and natural resources.

Under-development of resources can mean unnecessary sacrifice in the standard of living, most often for those people already at the bottom of the economic scale.

Over-development of resources will impoverish future generations, destroy the quality of life, and possibly threaten the continued existence of man on earth.

Today as never before we hold in our hands the fate of future generations.

To survive we must commit ourselves to a more enlightened resource ethic, adjust our economics, establish effective political machinery and construct the legal framework which will enable us to survive in reasonable prosperity.

America is such a vast and rich land that we were able to exploit the resources for several centuries before the folly of the profligacy became a concern. And even after it became evident that steps would have to be taken to preserve resources, we have been reluctant to make the really hard commitments to get the job done. Within the last decade it has become alarmingly evident that the time to act is upon us.

Environmental protection actions by the Congress in the 1960's and 1970's were a good beginning. These pioneering efforts also have brought some surprising and at times perplexing results which create fertile ground for legal scholars. The Secretary of the Interior, once a rather benign official, is suddenly at the center of thousands of lawsuits concerning resource and energy issues.

Questions raised by protection of endangered species, land use planning, outer continental shelf oil development, Indian rights to land and resources, mineral leasing under the antiquated Mining Law of 1872—these and many more—have far-reaching consequences for the future of America and mankind.

Circumstances require us to rewrite many of the rules. We are being forced to make hard decisions where until recent times there were no questions. This has resulted in clashes between various interests, concerns and regions. The clashes are likely to intensify as resources grow more scarce and more precious.

Who is to say when a community, state or region is to be re-

quired to develop resources needed elsewhere in the Nation or the world?

How much of an environmental, economic or social impact should resource-rich areas be asked to absorb for the good of others?

Can a locality, state or region be allowed to "hoard" its precious resources?

Just how far should we go in extracting minerals and energy from public lands, and what is a fair return?

How many acres is enough wilderness, wetlands, national parks, wild rivers and other life-supporting and ecologically-essential land?

How far are we to go in measures to protect endangered species, and what costs are we willing to pay?

These questions and a myriad of others regarding resources must be answered, and soon. Some of the answers may lie in the interpretation of laws already on the books or in already developing legal concepts. Still others will have to be resolved by new legislation or by the further evolution of legal doctrine.

The key to progress lies with enlightened discussion of the issues with the objective of resolving conflict through our legal system. It is in this regard that this symposium can make a vital contribution to the Nation, the world and the survival of man.

CECIL D. ANDRUS

*Secretary of the Interior*