

PROLOGUE: TOWARD BALANCE AND HARMONY

A PRACTITIONER'S GUIDE TO MEETING THE NEEDS OF HUMANS AND THE EARTH

THE WINDS OF CHANGE

Thousands of years ago, when life was a constant struggle among predators and a minute by minute battle for survival, a reptile survival consciousness was necessary. A few hundred years ago, when there was a wild west to be settled, agriculture to be mastered, metals to be mined, and a new civilization to be founded, a conquistador consciousness was necessary. Now the wilderness has been settled and new frontiers have been established. We have entered an age of high technology where the driving manifestations of conqueror sensibility are no longer a help but a hindrance. And the vestiges of reptilian sensibility with its emphasis on territory and defense can be dangerous to an insane degree. We require a less physically aggressive, more sensitive, human being now. For only he or she can survive in, and nurture, this new age. We need to turn our cunning minds and lion hearts into minds of wisdom and hearts of compassion. It's time to drop some of the destructive macho qualities of human existence such as war, environmental desecration, and patriarchal abuse; and to replace them with simplicity, clarity, tender strength, and dignity.

In the arena of land use, the last twenty years have spawned a strong movement from a development consciousness to a planning/environmental protection consciousness. More recently, this pendulum swing has been tempered by 1980s legislation encouraging more affordable housing. As we have witnessed marked changes in the land use ethic in recent years, the differences in development and preservationist approaches have become more clearly defined by their distinct contrasts.

CURRENT APPROACHES TO A LAND USE ETHIC

A person or group's approach to a land use ethic often depends on cultural and occupational background, that is, how we are taught to think and act. In recent years, two approaches have been predominant and are now in somewhat sharp contrast.

Problem Solving. The Developer's Approach. The modern business and technological mind casts most situational issues into a problem/solution framework. Thus, if we lack water in Los Angeles, we build aqueducts and bring it in from the Colorado River or Northern California. If a development invades endangered species' habitat, we move the species to a new habitat. The essence of this way of thinking is that scientific knowledge and logical action govern the relationship between human beings and the land. The land use ethic is "How can we make responsible use of the land?" The question is utilitarian. However, the traps are two-fold. The first trap is that we assume we have a problem and therefore must discover a solution. The second, and more significant trap, is we assume without question that we own land and have a right to use it in a utilitarian manner. The poverty of this way of thinking is shown by parallel questions: What is the responsible way to *use* a slave? How should I *manage* my children's future? Our dilemma arises from the assumption that land is an "it"; a possession; a thing that can be used, managed, and disposed of in a way that suits our needs. Our arrogance is hidden within the way we conceive the problem. We do not even pause to question our chauvinistic assumption that the human species has the right to use and control other life forms and that we are wise enough to plan a system that is superior to the ecological balance.

Aesthetics or Social Justice. The Preservationist Approach. Preservationists, such as environmentalist groups and growth control advocates, view the land ethic question as "How can we regulate development so as to preserve the land that it may be enjoyed by humans?" They argue that we must learn to design our environment in a more pleasing and attractive way and preserve parks and open space as sanctuaries for people, flora and fauna. Land is an aesthetic and recreational resource. In a social justice setting, the ethic is raised to new levels by asking: Do trees have standing and legal rights before the law? Do human beings have an obligation to all species of

life? This shift from the language of ownership and use to the morals of social justice represents a significant change in sensitivity. Land is not an "it" to be used, but a "thou" to be respected. It is not a thing but a presence. When squirrels and oak trees are given rights, then a limit is placed on human action. We are now obliged to give respect to creeks, birds, and rolling hills. There is one problem, however. In the preservationist's commendable zeal to protect the environment, the inevitable delays and added costs of construction have further disenfranchised poor people, making the cost of housing even less affordable. Thus, although the consciousness of aesthetics and social justice is now in the foreground, the question of compassionate love has not yet been raised with seriousness. Let's take the next step.

THE NEW LAND USE ETHIC. THE EARTH AND PEOPLE ARE ONE

While the land use ethic of preservation and social justice has significantly lifted the eye of the developer and the land use regulator from the sure eventual devastation of controls based on a simple problem solving ethic, it is not the complete answer. An ethic based on compassionate love, with an eye toward balance and harmony, must now emerge. The preservationist still fights for someone's or something's rights. By contrast, the ethic of compassionate love starts with the assumption that the people and the earth, and all its elements, are bound together in such a way that if any rights are denied, we are all imprisoned. It is not for the squirrel or the oak tree alone that we demand rights, but for our collective selves. Neither you nor I can be free, or healthy, until both of us dwell in a liberated and clean community. To the preservationist mind, land is a thing for which we are responsible; animals and plants are lower species we should respect. To the compassionate mind, land, animals, and people are relatives with whom we cohabit, as members of a communion of sentient beings bound together by the demands of kindness.

Once we raise our vision of a land use ethic, not from the preservationist perspective of protecting species but from the compassionate lover's perspective of protecting the delight we can experience only as a plurality, we push the question deeper — from the moral to the spiritual dimension. In exploring our

spiritual relationship we start with the acknowledgment of the great mystery of an awesome creative force; and that the earth and we as its inhabitants share a sacred bond. The connection between humans and earth is not exterior or accidental. We are created for each other. Our bonds are mutual. Our dependence is absolute. We have power to destroy the land but not to live without it. The bond signifies that this relationship is a mystery but not a problem. We cannot state the question of the relationship between people and the land as if we were talking about two separate entities, one of which owns the other. In truth, man and the land are one. We are members of a commonwealth of interrelated cells and organisms. What poisons the stream destroys the fish. What pollutes the air destroys the lungs. Consider the ecosystem as a gestalt. Today's individual is tomorrow's environment. A living organism passes into the dust, and back again into new form. We are destined to move through all the forms of creation. We who are today organisms will tomorrow take our turns at being the environment. The calcium in our bones will go from soil to grass, to cow, to the bones of future generations. There's a fearful and wonderful justice at work in the body of this world. As we sow, so shall we reap. And our sins will be visited upon our flesh. The pollution we inflict upon one part of our cosmic body will return to trouble our gene pool and threaten our immortality.

This book was written for practitioners of the art and science of land use control. You, dear readers, are at the forefront. Some of you act from lofty sinecures; others are in the trenches. But you are all leaders and have responsible roles in moving toward balance and harmony in the practice of land use control. When you are faced with tough decisions, go to your heart and remember that the people are the earth; the earth is the people; we are one. We, as the one, need clean air and water. We need protective nurturing. We need loving care. A reading of the following maxims may help develop in each of you qualities for compassionate use of our land resources.

MAXIMS FOR DEVELOPING A COMPASSIONATE BALANCE BETWEEN EARTH AND PEOPLE

An enlightened approach to land use is essential as we, the human race, accelerate our evolution from development and progress to one of caring, kindness and compassion. To consciously

participate in this evolution we must individually and collectively return to our natural, primitive birthright and relationship with the earth. This involves a return to our original innocence and it's not so easy. The native American Indian was born into it and it was his or her natural birthright. We are the products of the age of high technology and it is very difficult for us to return to nature. Our road to a second innocence must lead through knowledge and sophistication before it circles back to simplicity. For example, I have spent most of my formative years in a competitive urban society that encouraged me to aspire to an alienated form of individuality, which eventually led to my becoming expert in the ways of regulating the use of land in this technological society. I spent most of those years operating from my cerebrum, aided by a heavy dose of ego ambition, the same as most of our heroes and role models. I now know that the real heroes and heroines practice from the heart and the spirit. Here are some maxims to guide us on the path.

Begin with Delight. Walk in the woods. Smell the flowers. Feel the spray of the ocean. Ski the Sierras. Be awed. Take a deep breath, throw your arms to the heavens, and let your voice proclaim that you're glad to be alive.

Do Nothing. Be silent and receptive until you begin to discover what is happening that does not depend upon your doing. Practice the art of allowing and surrendering.

Know Little. Be a Learner. Be receptive to new information. Dissolve the narrow focus. Avoid positivism and scientific imbecility. Enjoy the mystery of the human condition without having to feign omniscience. Avoid systems that always have to give the whole picture. Accept the fragments. Stated another way, expect nothing, be ready for anything. Expectations frequently get in the way of receiving new information.

Find the Animal Within Yourself. Silence the inner dialogue of your brain and go to the instinctual knowledge of the body. Let your dog teach you the art of smelling. Watch your cat and learn how to move. When swimming, become a dolphin. The native American practice of assuming an animal name testifies to the animalhood in all of us. Choose a totem animal.

Greet People. There's nothing like a genuine greeting to lift the energy and spirit of both the greeter and the greeted.

Get Into Rhythm with the Natural Flow of the Energy of the Universe. The electro-magnetic forces of the universe pipe a tune to which all cells dance. Find your natural rhythms and how you're connected to the other dancers. As stated in *The Way of Life According to Lao Tzu*,

“Those who flow as life flows know they need no other force; they feel no wear, they feel no tear, they need no mending, no repair.”

Practice Humility. Avoid Arrogance. Do unto the earth as you would unto yourself. Love and respect your body. Don't dump anything in a river you don't want our children downstream to drink tomorrow.

Touch the Earth. Take off your shoes. Sleep outdoors. Give back to the soil what you take from it. Compost. Grow flowers and a vegetable garden.

Sink Roots. Downward rather than upward mobility. Be grounded in a locality. Learn to live and love here and now rather than lusting after the exotic elsewhere.

Be Delicate and Vulnerable. Learn to respect delicate inter-connections and thin membranes. Avoid macho. Disarm. As stated by Lao Tzu, “Handle a large decision as if you were cooking small fish.”

Employ Minimum Interference. Never use a chemical toxin to kill an aphid when a ladybug will do the job.

Give Voice to the Speechless. Every developer, planner, lawyer and decision maker has silent clients and constituents — bumblebees, oak trees and fringe toed lizards. Each human voice must advocate justice for all.

Use Power to Protect Innocence. Each of us must make the body politic strong to protect against the enemies of the land — the profiteers, the conquistadors, and the polluters. Be painfully aware of desecration. Cherish outrage against pollution.

Honor the Conscious Developer whose enterprise and risk taking provides humans with shelter — places to live and work; and whose innovation and economic savvy provides amenities which increase the pleasures of living in affordable ways.

Honor the Environmentalist, the sensitive soul who hears the earth speak, and, in turn, speaks for the needs of the earth.

Honor the Governmental Decision Maker, especially the ones both wise and honest, who decide with both head and heart, and who, in times of doubt, go to their higher self for guidance.

Respect Your Brother and Sister. To truly balance and harmonize the needs of humans and the earth, compassionately respect the plight of the less fortunate — the poor and the homeless. You *are* your brother's keeper.

DEDICATION

to

CALIFORNIA

California! Has God ever graced a land with such beauty and diversity? From the awesome grandeur of its mountains, to the austere mystery of the desert, to the abundant cornucopia of its valleys; from the ethnic diversity of its cities, through the majestic redwood forests, ending at sun drenched beaches bordering the ever changing Pacific. Is it a state? a country? an attitude? or a way of life? It matters not. I love it all.

I love the fog, smog, sunshine, rain, snow, ocean mist and desert air, and its concrete ribbons connecting opulent mansions to houses of tacky-tacky row on row. I love its places and things: street performers in San Francisco and Venice; Golden Gate and Balboa Park; Hollywood, Disneyland, Marineland and the San Diego Zoo; Yosemite, Mammoth mountain and Lake Tahoe; the high desert in Joshua Tree and the low desert in La Quinta; the flower fields of Lompoc; Mexican and Chinese restaurants; driving Highway 99 up the Central Valley, through Bakersfield, Fresno, Stockton and Sacramento; hanging out in Ojai, Santa Barbara, and Esalen at Big Sur. Sleeping under giant Sequoias; rafting wild rivers and strolling through the wine country; lazy days on Santa Monica beaches; and even finding my way to San Jose.

This book is about regulation of the use of land in California. It is about the legislative and judicial process. It is about the struggle to balance the needs of humans with the need to preserve our precious land and water resources. It is about California. It is only appropriate that it be so dedicated — To California.