



*Creating the Nation's first BioPark*

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Letter From the Desk of David Challinor  
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During the summer I am fortunate enough to live on land my grandfather bought more than a century ago. The place is still occupied by his descendants; my grandchildren and their cousins are the fourth and fifth generations to grow up there. There are many photographs still extant showing the houses and trees at the turn of the century, and it is fascinating to note how the trees have grown since then. This letter will discuss change in the landscape and in lifestyle; and how we have modified our perceptions of what we formerly considered "inalienable rights."

The landscape changes are obvious and are documented by paintings and photographs. Hay fields that once surrounded towns to furnish fuel for horse transportation are now used for housing. Paved roads and super highways dominate today's landscape to a point where many people believe we have reached a tolerable limit. As the human population has increased, land for airports, highways, housing, etc. has become so scarce that the ancient tenet of a "man's house is his castle" is increasingly at risk, and the right to control the use of private property is being challenged in both the courts and legislative chambers.

Broad, basic tenets such as the rights of property ownership have endured as long as the "have-nots" were politically powerless. Consider the right to vote; in the United States it was at one time restricted to white male property owners. We know what political effort it took to allow women to vote, to abolish the poll tax, and to enfranchise all citizens over 18. When cars first appeared, the right to drive was limited only by one's access to the vehicle. Until the 1930's, driver licensing tests were not required in many rural states. As roads became more crowded, however, drivers' licenses became universally mandatory to insure public safety. We can assume that in the next twenty years motor boats, snowmobiles, trail motorbikes, water jets, and other recreational vehicles will, like the private car and airplane, require operating licenses. Although some diehards will undoubtedly fight for their "inalienable right" to ride their snowmobile without having an operating license, theirs will be a losing battle.

The most emotional conflict, I predict, will be generated over the growing right of the community to restrict the use of privately owned land, where such use impinges on the common good. I doubt, for example, that my grandfather needed a town building permit in 1886; there was no city sewer or water available. For



practical reasons he built his stables close to the Long Island Sound shoreline to facilitate dumping horse manure. As recently as the mid-1930's, raw household sewage drained directly into the Sound until Connecticut decreed that all shoreline residences had to have a septic tank. Today sanitary requirements are taken for granted, even though we often bristle when the local building inspector fails to approve a garage addition or rejects the preferred siting of a swimming pool.

Conflict between the individual's right to do what he/she wants with private property and the long-range cost to the taxpayer for such individual action is now common. A recent example is illustrated in the case of Dolan v. City of Tigard (Oregon) in which the U.S. Supreme Court upheld an Oregon Supreme Court decision that the town's restrictions on Dolan's plan to build a plumbing supply business on his 1.67 acre plot in Tigard did not constitute a "taking" under the Fifth Amendment to the Constitution. This is an important case for both local governments and developers. The city gave Dolan zoning approval to build on his lot, but set a condition that he dedicate that portion of his land that lay inside the 100-year flood plain to a storm drainage system and another portion to a pedestrian/bicycle path. The dedicated land represented about one-tenth of his lot. The owner argued that the city's requirement was not reasonably related to the impact of the proposed building on the site. The Court disagreed, finding that so much of the site would be paved that the owner could be reasonably required to handle the resulting increased water runoff. Furthermore, the development of the site would increase traffic in the area and the dedication of a small portion of this downtown site as a pedestrian path would help to reduce car traffic.

With such a legal precedent, I believe we can expect further encroachments on our "right" to use our own real estate as we choose. Private property restrictions for the public's benefit is not uncommon. Hawaii and Oregon, for example, require public rights of way to their beaches at specified intervals from coastal roads. Imagine the reaction of the Miami Beach hotels were such an ordinance enacted in Florida! However, if and when enough citizen "have-nots" (with no beach access) become politically organized, we could witness a major change in the demographics of the local swimming public. Such changes are probably neither good nor bad, but rather inevitable, and most people will adapt to them remarkably rapidly.

Lifestyle changes are so frequent, cover so many aspects of our lives, and are accepted so easily that we often do not realize what we have lost. Even such a sacrosanct American totem as trial by jury may have to be modified or restricted in its use. Those of us who have recently been in an urban jury pool realize how close to breakdown the system is, not only because of its

cost, but from the physical problem of handling ever larger jury pools. I believe that a unanimous jury decision is no longer required in the U.K. In the United States we may soon be forced to have smaller juries or to reserve jury trials for specific kinds of cases; all others would go before a single judge.

Extrapolating from juries to our government, we should start thinking about how large a constituency each congressional delegate can reasonably serve. The greater the numbers of voters, the more unwieldy our 200-year-old system becomes; the very governance of our Nation may have to be modified.

I believe that finding peaceful solutions to such political, social and economic changes will be a true intellectual frontier for young, thinking people. All the earth's geographical frontiers have been virtually breached, but the pioneer has many challenges to confront in the seemingly intransigent problems triggered by an ever expanding human population. I doubt the world will reduce its crowding by space colonization, but I could be wrong. More likely, it seems to me, the human population will level off at 12 to 14 billion people by the end of the next century, and as that time approaches, the young thinkers and planners will be enmeshed in schemes to handle an enormous and aging population.

We can get a hint of the future consequences of global overpopulation from manipulated experiments with animals. About 20 years ago, if I remember correctly, Dr. Jack Calhoun at the National Institute of Mental Health started a colony of a dozen breeding pair of mice. He put them in a large enclosure with adequate food and nest boxes. In less than three years the population soared to about 900. Although food and nest boxes were still available for additional pairs of mice, the population crashed. Evidently the crowding had a psychological effect on the female mice whereby their behavior altered and they ceased to come into estrous. Breeding stopped and the population declined rapidly; it did not recover.

Mice are not people and it is unwise to extrapolate from mouse behavior to human, but as I have tried to show in previous letters, human behavior can change, too, under certain conditions. We do not know now what these conditions might be, but we can start thinking about them in order to prepare for what I am sure you all agree will be a very different future world.

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