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Myres S. McDougal

Yale Law School

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FOREWORD

REGIONAL PLANNING AND DEVELOPMENT: THE PROCESS OF USING INTELLIGENCE, UNDER CONDITIONS OF RESOURCE AND INSTITUTIONAL INTERDEPENDENCE, FOR SECURING COMMUNITY VALUES

Myres S. McDougall

In this issue the Iowa Law Review makes distinguished and comprehensive contribution to clarifying the goals, determining the conditions, and appraising alternative means of regional planning and development, with special reference to the Missouri Valley.

The contemporary demand for more and better regional planning is appropriately placed by Mr. Cooke, in his Plain Talk about a Missouri Valley Authority, in the context of “a many-sided world wide movement.” It is “part and parcel” of ever increasing demands by people the world over for more effective instruments for the richer and fuller achieving of their basic values. In our time, as Mr. Cooke insists, the dignity of the individual has taken on a new meaning and is receiving a new recognition. People everywhere are demanding, with the rightness of their demands universally conceded, a wider sharing in such representative values as power, respect, knowledge, wealth, safety, health,


Mr. Drabelle’s article was unavailable when the Foreword was written and is therefore not referred to by Professor McDougal. [Editor’s note].
skill, and character. They are, furthermore—to make their demands sharply relevant to the problem in hand—beginning both to get some glimpse of what a bold, imaginative remoulding of their physical environment, and the provision of appropriate public services, can do to increase their production and sharing of values and to recognize that existing disparities between actual and potential achievements in their communities are due not so much to inevitable natural forces as to their own failure to exercise foresight and to create efficient institutions. So informed, they do not choose to continue "to live in unhealthy, inefficient, and unattractive environments, to deny themselves the full richness of their potential personality development, to subsist on a low real income, to submit the important decisions of their community to wills other than their own, to allow their natural resources and capital equipment to waste, unused and undeveloped," or finally, to allow their community "a prey to hastening ills to degenerate and decay." Within the United States our people have recently, as terrible as the occasion was, been partners in a tremendous undertaking and have had opportunity to observe the effectiveness, without loss of basic freedoms, of careful planning and of large-scale cooperative effort. They have felt the enthusiasm of a common cause and of deep identifications with their fellow men and have known the satisfaction of exercising their capacities on important work. Some are beginning to wonder why similar foresight, enthusiasm, and initiative, unhindered by the objectives and burdens of war and reinforced by the availability of atomic power, cannot be applied to the creation of communities which will give them opportunity to continue to do important work and to put their capacities and energies to an unprecedented production of basic values.

An understanding of precisely what is involved in an effective use, for securing peace-time goals, of the planning process is unfortunately less pervasive. Forgetting that a word, apart from the way we use it, is mere 'shapes on paper or agitations in the air,' people have debated endlessly about what "planning" is—as if it were some simple, absolute ism as definitely locatable in


For a brief exposition of community process in terms of these values see Lasswell and McDougall, Legal Education and Public Policy: Professional Training in the Public Interest (1943) 52 YALE L. J. 203, 217-232.

2 Directive Committee on Regional Planning, YALE UNIVERSITY, THE CASE FOR REGIONAL PLANNING (1947) 55.
space and time as a rock. The way out of this sterile logomachy is, of course, to recall that we can, despite efforts by others to use the word in ways that confuse and obfuscate, make any use of the word planning which will best implement the effects we want, and that the really important problem is to identify, and put into operation, a process—procedures for exercising foresight and acting rationally—which will enable the people of our communities to employ their utmost intelligence, enlightenment, and skills in creating the physical environment and public services which will most effectively expedite their pursuit of basic values. From this perspective, the Directive Committee on Regional Planning, of Yale University, has offered a general definition of planning in terms of process and has suggested that this process can best be described as consisting of four separate procedures. The definition reads:

Planning is the rational adaptation of means to ends. It is a process of thought, a method of work, the way in which man makes use of his intelligence. People always act with some anticipations of the future—with some picture, however cloudy, of the ends they are seeking; with some notion, however inaccurate, of the conditions that determine the extent to which they can achieve their ends; and with some appraisal, however indept, of what are appropriate means to attain their ends under such conditions. It is the function of planning to make such

3 So much confusion abounds in both technical and popular literature, it may require emphasis that planning to secure efficiency in physical environment and public services can be distinguished from the centralized direction of a total economy. Foresight about the probable productive components of a community is of course needed if rational decisions are to be made about improving its physical environment, but the exercise of such foresight does not imply any particular controls, direct or indirect, over productive components. What controls or stimulants, if any, productive components may require is a separable problem, depending upon different variables and presenting different alternatives of action. Providing an efficient physical environment is, furthermore, not merely compatible with private enterprise; it is fast becoming indispensable to its preservation. A sane and helpful discussion of these interrelations may be found in HANSEN, ECONOMIC POLICY AND FULL EMPLOYMENT (1947). From another perspective, it may be urged that a community decision to leave the ravages of floods, erosion, congestion, and blight to the pseudo-automatic operation of cumulative private decisions is as much community planning, with as observable results on the production and distribution of values, as would be direct community action to ameliorate the ravages. The differences are in the quality of the planning and in the observed results.
anticipations of the future—such prevision of goals, such
calculation of probabilities, and such appraisal of alter-
native courses of action—as clear, as realistic, and as
effective as possible.4

The four separate procedures are described as:

1. The clarification of general objectives and shaping of spe-
cific programs.

2. The study and appraisal of conditions and trends—including
people, values, institutions, technology, and resources.

3. The invention or adaptation of appropriate means to secure
established goals.

4. Assisting in the execution of programs and in evaluating
the effects of action.

The first task of planning, that of clarifying general values
and defining specific objectives, is neither mysterious nor im-
possible to perform. It has been a familiar activity, in words
borrowed from Mr. E. H. Carr, “ever since producers and traders
began to get together and form groups, companies and associations
for the furtherance of their interests in common.”5 For a com-
munity which seeks to plan and develop a physical environment
and public services which will liberate the greatest possible en-
ergies and initiative of its people the task is preëminently one of
design and engineering: how specifically can the material environ-
ment, the more or less permanent forms, of this community be
shaped, moulded and remoulded, and how can its public utilities
and services be developed and operated with the efficiency, to facili-
tate to the utmost the achievement of all of its preferred values.
Beginning with such commonly accepted community values as pro-
viding easy access to modes of making a living, on respected jobs,
and the maximum development of the resources of the community
for the production of real income; promoting the highest degree
of physical and mental health and general well-being of an ener-
getic and creative citizenry; affording maximum protection from
contemporary instruments of war; providing maximum access to
knowledge, to skill training, and to opportunities for the full
enjoyment, both active and passive, of leisure time; developing
personalities with the characters, values, and skills appropriate to
a free society and to any peculiar requirements of the community;
securing a democratic and efficient ordering of coöperative activity

4 DIRECTIVE COMMITTEE ON REGIONAL PLANNING, op. cit. supra note 2, at 7.
5 THE SOVIET IMPACT ON THE WESTERN WORLD (1947) 28.
for the achievement of group purposes; and so on—effective planning must offer precise, operational indices for each and all of these general preferences and invent and implement the blueprints of appropriate action. When a great river, with all of its potentialities for both creation and destruction, sprawls through a community, it is easy to see, as all the contributors to this symposium make clear, that the adequate harnessing of such a force both to meet competing demands for flood control, soil conservation, power production, irrigation, transportation, domestic and industrial use, and recreation and to fit it into a balanced and harmonious functioning of all the habitation, productive, and servicing components of the community will require the most careful calculation and integration of objectives for the whole area affected.

It is indeed certain very definite interdependences, such as those created by a great river system, in the conditions under which a community must seek its objectives that make necessary the introducing into the planning process of certain areal, including regional, perspectives. With respect to a river valley, Mr. Cooke, Mr. Greenleaf, Mr. Friedrich, and Mr. Gatebell in their contributions to this symposium make eloquent statement of these interdependences, with considerable illustration from conditions in the Missouri Valley. Elsewhere Mr. Cooke has offered dramatic picturization of the "physical unities," "the utilization unities," and "the engineering unities" of a drainage basin. Such "unities" are in fact now very generally recognized. From a broad national perspective, however, still further interdependences become relevant. It is not always the case that a single drainage basin includes the whole of a "region" for some planning and development purposes; thus, in New England, with respect to many important problems, the area of all six states, though it includes several river valleys, would appear to be the most efficient area that its people could choose to plan and act for securing their common values. Conversely, a single drainage may be so large that, though it will always require integrated planning and development for many important purposes, it may also for many other important purposes require partition into a series of sub-regions. What is needed in the national interest is an identification and delimitation of a whole hierarchy of functional communities which extend from the local neighborhood unit, to the metropolitan

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6 \textit{Upstream Engineering Conference, Headwaters Control and Use} (1936) 201.

7 \textit{Directive Committee on Regional Planning}, \textit{op. cit. supra} note 3, \textit{passim}. 
area, to the sub-region composed of several metropolitan areas or rural districts, and through the region to the nation. The handling of some problems—such, for example, as are involved in the creation and maintenance of healthy, attractive, convenient, and efficient living centers—may depend largely on local initiative planning and action, and hence any disparity between optimum and actual achievement may require only technical or financial assistance from the region or the nation. At another extreme, the handling of some problems—such as are involved in the maintenance of a high, balanced, and regular flow of real income—may be so considerably affected by national and global conditions that any disparity between potential and actual achievement will require, primarily, national planning and action, supplemented at the regional, state, and local levels. In between these two extremes is a vast range of problems—such as are involved in drainage basin control and water resource utilization, land use regulation, the management of population centers crossing state lines, forest control, the improvement of recreation facilities, and the rationalization of systems of transport and communication and of public utilities generally—which may require for their effective handling more planning and action at the regional level, and relatively less at the others. The interdependences which must be studied, if the most rational allocation of planning and development functions among these different communities is to be achieved, are commonly categorized in terms of people and their predispositions, of values and their previous achievement and distribution, of institutions and their interrelations, and of resources and their potentialities; and it is the exact areal distribution of these interdependences which should determine the allocation. A perfectionist approach could, of course, begin with a careful survey and study, at all levels, of all interdependences.

It must be remembered again, however, that what is sought is no mysterious absolute but rather a working determination of interdependences that are relatively unique to different areas and, hence, a delimitation of the areas in which it is efficient to plan and act for securing certain purposes. However useful a comprehensive survey might be, it requires neither elaborate study nor recondite knowledge to block out the rough outlines of a region and to know that no part of a river valley can be wholly severed

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8 For brief elaboration see McDougal, Municipal Land Policy and Control, Practising Law Institute (1946).
9 Directive Committee on Regional Planning, op. cit. supra note 2, c. III.
from integrated administration without doing violence to major objectives. By way of brief, preliminary definition, the Yale Directive Committee on Regional Planning has suggested that a region may be described as “that contiguous area having the necessary geographic unities; the people with sufficiently homogenous desires, attitudes, and wants; the sufficient bases in natural and man-made resources and technology; and the appropriate voluntary institutions and governmental organization—to achieve, within the limits and opportunities of the structure of external political power, the utmost efficiency in the fullest achievement of the major human values of the people of the area.”

What is the most efficient area for achieving any particular value is presented as a question for “science, engineering, and common practical knowledge,” dependent for solution upon “specific problems in space, time, technology, resources, and human habits and motivations.” It is recognized that there may be no “exact correspondence of areas efficient for planning for different purposes,” that one area may be more efficient for planning for one value and another area for another value, but it is urged that the interdependences, indicated above, greatly reduce the actual extent of possible variation and that whatever variations do in fact exist may be managed by adopting “an order of priority in the pursuit of values—a determination of the varying degree to which different values are dependent upon the physical environment and how it is used and an identification of the approximate area which is most efficient for the pursuit of these values in the order of their importance.” From this perspective, because of the geographic and other unities which Mr. Cooke and the other contributors emphasize, a single river valley, however large, must always be treated, if it is to be managed rationally, as a “region” for many important purposes. Whether this region must also be divided into sub-regions, or into what “sub-regions” it must be divided, for planning and action for other important purposes, and just how functions must be distributed between the larger region and its various components is a problem that admits of solution by technical judgment, though a technical judgment which may be improved with increasing information and perhaps even by some experimentation.

The exact kind of planning and development administration which can best secure the basic values of any given region depends of course upon the peculiar interdependences of the region.

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10 Id. at 35.
and upon the functions to be performed. In a more general sense, however, what every region requires is the same: an administration which will enable it to perform the integral functions of effective planning—an administration which will help it clarify its community goals, from "basic democratic values through master plan to blueprints for specific projects;" which will provide a continuous audit of the extent to which goals are being achieved and a continuous reappraisal of the changing conditions which determine this extent; which will suggest the appropriate kinds of action, both governmental and voluntary, which should be taken or stimulated at each level of government, and where desirable undertake independent execution and development; and which finally will follow up and see that all projected execution actually is effected.\textsuperscript{11} It may be emphasized, as Mr. Greenleaf so convincingly urges, that the mere power to formulate plans and suggest coordination is not enough; without independent powers of execution and development under the same authority, the planning process too frequently degenerates into fruitless drafting and dreaming. From still another perspective it needs emphasis also that in one important sense a region or other community is always planning, whether or not it knows it. Important decisions backed by the strongest coercions are continuously being made by a great range of public officials and private citizens which do in fact determine the efficiency of the region's physical environment and public services. In this sense, a region has no choice between planning and not planning; its only choice is in how informed, in how amenable to the democratic processes of representative government, and in how effective it will make its planning. In a federal government such as ours there is, of course, the added problem of how an appropriate balance can be struck between preserving local initiative, participation, and responsibility and securing the national interest in the richest and fullest development of all its regions. As the general tenor of the papers of this symposium suggests, informed and disinterested observers are more and more coming to the conclusion that a region-wide public authority, patterned after the TVA, with broad powers for both planning and development, is by far the most hopeful device of administration yet invented for achieving all the necessary purposes. The TVA form is, in Mr. Greenleaf's apt encomium, "without question one of the outstanding developments in public administration that this century has seen in any nation." It is a form which, when supple-

\textsuperscript{11} \textit{Id.} in c. VI.
mented by other devices such as the interstate compact, can create "an arrangement for effective regional development on a regional basis, without either super-centralization or loss of federal power or failure to discharge either federal or local responsibility, but with a real pooling of all the appropriate powers and resources of all levels of government for direct, effective action in discharge of common responsibilities." Mr. Pritchett rightly emphasizes the fact "that control and direction of the authority are exercised within the region," but it is also this form which offers the most hope of securing the full national interest. The paper by Mr. Swidler and Mr. Marquis makes it convincingly clear there are no substantial constitutional or legal difficulties which attend the effective use of this form. The papers by Mr. Abel, Mr. Caldwell, and Mr. Friedrich demonstrate how deeply rooted in our traditions are the practices of inter-state cooperation, planning, and development and suggest that there may be no insuperable difficulties in working out an effective integration of state and federal power and initiative. If the multiple-purpose, region-wide public authority, integrating both federal and state power, is the administrative form best fitted to do the technical job, wise and community-minded citizens will not cease their demands for it even though it is politically distasteful to temporary minorities, with interests erroneously thought vested, or because there appear to be minor difficulties in working out its detailed interrelations with the older institutions of government.

It can in fact safely be assumed, whatever form of regional administration may ultimately emerge as the best technical instrument, that what Mr. Greenleaf calls "the growing strength of a grass roots agitation for regional authorities" will not abate but will rather intensify. It is a demand which has behind it all of the strength of man's rationality over his irrationality; the strength of all of his identifications with his family, his locality, his region, and his world; the strength of all of his projections from a selfish ego to a broader self that includes all his friends and communities; the wisdom of all of his realistic expectations of a future which includes interdependences not only within families or among friends, but also in all the communities of which he is a member.

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22 Id. at 71.

23 For supplementing Mr. Friedrich's very persuasive review, and for comprehensive and detailed exposition of a proposal for integrated administration of federal and state powers, see Comment, Governmental Techniques for the Conservation and Utilization of Water Resources: An Analysis (1947) 56 Yale L. J. 276.
from local to global; and, in sum, all his concentrated energies and capacities for creating ever improved instruments for seeking the better world that he demands for himself and his. It is a movement which, from a more parochial perspective, offers to the democratic segment of the world community a renewed opportunity to act to save its wealth and power, to preserve wide zones of business activity for private enterprise, and to make secure its fundamental freedoms. It offers a way of escape from the costs of "technologically obsolete living centers, factories, farming methods, systems of transportation, communication, and other utilities and services" from the costs of "floods, pollution, deforestation, depletion of soil, mineral and other resources;" from the costs of "multiplicious, inefficient, functionless, obstructionist units of government serving only to burden public and private enterprise;" and from the costs of jobless peoples and twisted and distorted personalities who contribute not to community values but to "crime, delinquency, disrespect of human dignity, violence, and social disintegration." It offers, in more positive affirmation, a mode of acting to create a physical environment and public services which, by liberating the fullest creative and productive energies of democratic peoples, may make unnecessary a totally planned economy. It offers, finally, an opportunity to plan for freedom. In the words of one of the world's great anthropologists, Malinowski, "the concept of freedom" must "first and foremost" be referred always "to the increase in range, diversity, and power in human planning." It is "the ability to foresee and to plan ahead," "the ability to use past experience in order to establish future conditions corresponding to the needs, the desires and the aspirations of man," that "is the first essential prerequisite to freedom." In the long run the movement for more and better regional planning cannot fail unless some unforeseeable catastrophe wipes out man's rationality, his interdependences, and his demands for a better world. The challenge of contemporary opportunities and necessities to the people of the Missouri Valley, is, building upon the experience of the TVA, to perfect in the richer achievement of their own and their nation's values a model of regional administration for the rest of the world which, in retrospect, will make the great experiment in the Tennessee Valley appear as only the first tentative step toward effective planning for freedom and abundance.

14 Directive Committee on Regional Planning, op. cit. supra note 2, at 76.
15 Freedom and Civilization (1945).