COMMENTARY

"Post-Growthism": From Smart Growth to Sustainable Development

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As a planning concept, Smart Growth leads to a dead end. Planners and environmental professionals must help communities work toward a different planning theory predicated on the truth that, at some juncture, growth must stop. Impediments to achieving the necessary steady-state community are political, economic, legal, and ethical. Politically, most people do not want more growth, but growth happens because the pro-development community—buoyed by market forces—lobbies local government for pro-growth policies and because the pro-growth community often misrepresents the consequences of low or no growth. Economically, communities must move toward an economy of "relocalization" that promotes prosperity with growth. Legally, there are no insurmountable obstacles to the necessary (and inevitable) development of a steady-state economy that does not grow in quantity. Ethically, we must recognize that preserving a place from over-development is the right thing to do.

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Urban planners and environmentalists recognize that excessive growth—excessive population and economic growth—brings serious problems. Traffic congestion; air and water pollution; sprawl; loss of open space, wildlife habitat, and wetlands; and the loss of a community's unique character or sense of "place" are the most familiar.

Smart Growth is a response to these problems. It may have started in Portland, Oregon, in the 1970s,[1] but in 1996, the United States Environmental Protection Agency and the American Planning Association "joined 60 public interest groups across the United States to form Smart Growth Network, a nationwide coalition that coordinates efforts to promote Smart Growth. After its debut in October 2000, it rapidly became the focal point for advocacy on a series of issues confronting communities nationwide."[2] The basic idea of Smart Growth is that growth should occur within or immediately around already existing urban areas. Smart Growth can allow communities to preserve open space, natural areas, and farmlands; maintain historic investments in cities; develop attractive, compact metropolitan areas with a decreasing emphasis on the automobile; create mixed-use neighborhoods so that people can walk to work, shopping, and entertainment; and maintain the unique character of neighborhoods and towns. Smart Growth's antithesis is *sprawl*, "characterized by housing not located within walking distance of any retail [facilities]."[3]

Smart Growth has become very popular; it "continues to move forward across America with the increasing participation of the general public."[4] It has enjoyed "a rapid ascent" in acceptance by planners,[5] and there are significant print- and Web-based resources about it. Smart Growth is not the long-term solution to the problems of environmental degradation or urban planning, however. Its shortcomings have become apparent.

Some libertarians and right-of-center groups simply dispute whether Smart Growth does what it says (that it tends to ease traffic congestion, address high housing costs, and make for stronger cities and more efficient government service provision).[6] It is, of course, possible to interpret data in various ways, or to misinterpret it. For example, some say Oregon's Smart Growth policies have driven housing prices up in Portland, while others dispute that claim.[7] Others complain that Smart Growth is objectionable "social engineering" and an infringement of property rights.[8] The larger group of critics, however, recognizes that "the

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goals of Smart Growth are admirable, and the benefits—actual and potential—are substantial,"[9] but that Smart Growth, in itself, is an "oxymoron": it is impossible to grow forever.[10] One authority has commented: "So smart growth is better than dumb growth, but it's like buying a ticket on the *Titanic*. You can be smart and go first class or you can be dumb and go steerage but the end result is the same."[11] When political pressure precludes further "densification" in urban areas, Smart Growth requires concentric expansion into the urban fringe, until it too becomes so densely populated that further expansion of the urban boundary is required. Ultimately, the urban centers will all run together and the landscape will be transformed into something resembling southern California.

In the short run, professional environmentalists, planners, and enlightened developers must push for Smart Growth. It is better than dumb growth; however, it is not smart, because its founding premise—"growth is inevitable"[12]—is wrong (who hasn't heard that phrase?). *This* is correct: "At some juncture, growth will stop." Longer-term, we must move beyond Smart Growth to sustainability, premised on the insistence that we learn to live in a steady-state society and really address the needs and rights of future generations. At some juncture, Smart Growth will give way to sustainable development, to "post-growthism." Indeed, movement in that direction is occurring now and, almost certainly, environmental professionals and planners will see more such movement as, over time, the limitations of Smart Growth become more obvious.

There are four perceived and major impediments to achieving sustainable development, however. These impediments are (1) political, (2) economic, (3) legal, and (4) ethical.

Impediments to Effective Growth Control

Political Impediments

Recognize that most jurisdictions already have "lids" on the population that can be accommodated within them: that is, zoning. We can calculate the maximum population of any jurisdiction, given its present zoning. What makes growth possible is *upzoning*, which changes land use from less dense to more dense, from rural to urban. Therefore, if a jurisdiction wishes to control its growth, it can decline to upzone.

What prevents jurisdictions from declining to upzone is, apparently, a lack of political will, but not a lack of popular will. There is no general *popular* political pressure for population growth. Indeed, most people wish population growth would slow or stop: 60% of Americans in a 1994 poll felt that "the world is already overpopulated, and a majority believe the US should be actively involved in slowing worldwide population growth."[13] In accord, and also in 1994, 59% of Americans polled by Roper Starch thought the US population was too big.[14] In Florida (1999), 76% of those polled thought that "continued population growth is a threat to Florida's resource base, environmental health, and quality of life."[15] In Virginia, 54% of voters thought growth was eroding quality of life in 2000; 69% of Maryland voters thought so.[16]

One poll conducted by the National Association of Realtors found that "a majority of Californians—52%—felt population growth in their community should be discouraged."[17] Another poll showed 58% of Californians in favor of slowing development, "even if this meant having less economic growth."[18] Eben Fodor reported on a statewide 1999 survey in Oregon that found 95% of respondents thought Oregon's population was too big or just about right; only 2% wanted it bigger. Portland area residents wanted government action to slow growth; 56% of Eugene, Oregon, residents thought growth was too fast.[19]

The Washington [State] Association of Realtors surveyed in 2000 and 2002 and found that *if* growth concerns are put up against the desire for a stronger economy, the economy wins. And it found that growth concerns are mostly about traffic congestion; solutions to the traffic problem would "relieve a significant amount of growth tensions."[20] "Almost half" of the people polled said whether they approved or disapproved of growth "depends on the specific situation." Residents in the Seattle and Vancouver regions slightly disapproved of growth, and residents of Yakima and Spokane "are somewhat more open to growth."[21] The Realtors' survey is no endorsement for growth, and it seems predicated upon the dubious assumption that growth *will bring* economic prosperity and that it *can* go on indefinitely.

Another source reported that "[o]ver sixty percent of suburban [Washington State] voters favor 'strong limits on development to protect quality of life,'" and that "[n]early half of King County [Seattle area] residents believe the county is growing 'much too fast.'"[22]

Attitudes in this author's hometown of Bellingham, Whatcom County, Washington, are similar. The county's

population grew 30.5% between 1990 and 2000 (compared to 21.1% statewide). Between 1990 and 2020, the county is expected to experience a 61% increase in population, to 270,518.[23] The county "Vision Statement," generated after a major public participation process,[24] a professional survey of residents in the county's major city (Bellingham),[25] and a scientific survey of county residents by a local university social scientist[26] all indicate that residents of this county believe growth is too much, too fast.

When the "system's" insistence on promoting growth collides with the majority's wish for low or no growth, significant community conflict arises. At a public meeting in the author's hometown, officials explaining plans for upzoning confronted unhappy citizens who "interrupted, shouted, booed, hissed and made thumbs-down gestures"; they burst out so angrily that the mayor threatened to have the police "eject people."[27] The next day, another large crowd gathered, worried that a big upzone would "snarl traffic, decimate natural areas and destroy neighborhood character"; they yelled comments, derided, and booed at the developer.[28] At another meeting, they complained bitterly that a project would "decrease one of the reasons why we all saved and worked really hard to buy our homes here"; and some said that they'd "like to see the city serve more as an advocate for existing neighborhoods and less supporting this massive growth."[29] Regarding yet another development on the city edge, residents said, "We're definitely on the rampage,"[30] and week after week letters critical of the quantity and pace of development, and of the city planning director, appeared in the local press. The director resigned in October 2005.[31] He was "hounded" out of office by outraged citizens.[32]

It is not public opinion that drives growth, then; it is "the growth machine." To begin with, the "Pro-Growthers" lobby local government very assiduously. Eben Fodor notes:

> The engine of the growth machine is powered by the fortunes resulting from land speculation and real estate development. The primary business interests are the landowners, real estate developers, mortgage bankers, realtors, construction companies, and building suppliers. While these various players may disagree on some issues, they all have a common economic interest in promoting growth. They tend to be wealthy, organized, and politically influential in most communities.[33]

Pro-growth businesses lobby local government in four ways so that land development becomes more profitable. They want (1) increased intensity of land use (upzoning), (2) reduced cost of development (reducing regulations, fees, and delays), (3) public resources diverted to support local land development (new roads, sewers, etc.), and (4) stimulated demand for new development (economic development programs, tax incentives, etc.).[34] A PowerPoint presented at the International Builders Show in Las Vegas in January 2004 emphasized the need to "influence legislation/regulation" and "control elections."[35]

Second, Pro-Growthers often misrepresent the facts regarding growth (as detailed more fully below). Very generally, the Urban Land Institute, in a widely cited document, asserts as "Myth #1" that "smart growth is a code word for growth," while the "fact" is that "smart growth recognizes that growth and development are both inevitable and beneficial."[36] Inevitable means "incapable of being avoided or evaded," but because growth must at some point stop, it will be avoided, and thus it is *not* inevitable. And it is *not* true that growth is "beneficial," necessarily. Whether "growth is good" depends upon a number of factors.

The public is told that "growth is good," even if it is not for most people. Planners and, in many cases, environmentalist professionals come to believe that growth is good, or at least inevitable and fruitless to resist—even if it is not and even if such a belief will, in time, become manifestly obviously mistaken. Some Pro-Growthers, unsurprisingly, see things differently. In their view, "Local planning staffs are working from a script written and financed by anti-growth groups. . ."[37] that "control the election of local officials."[38]

Certainly, most developers are not greedy entrepreneurs running roughshod over the public's wishes and corrupting politicians. Developers are responding to the market. It must be observed, as Professor Douglas F. Dowd does in his book *US Capitalistic Development Since 1776*, that the capitalistic economic system demands "continuous expansion."[39] Or, as Harvard theologian Harvey Cox puts it regarding "The Market": its "First Commandment is 'There is *never* enough' . . . The Market that stops expanding dies."[40]

But endless growth is not sustainable, either globally or locally. Local governments traditionally show little interest in achieving and maintaining an optimal population size, because the Pro-Growthers have—traditionally—won the political battle. Their lobbying and representations must be countered by equally powerful lobbying and representations from the other side, in order for the popular will to express itself. This is beginning to happen, and it is particularly important to address growth issues *regionally*. There are at least two active "post-Smart Growth" groups, one in Virginia and one in Washington State.[41] Both of them plan to expand their activities and work to spawn more like-

minded groups. They are meeting with considerable (unexpected) success in education, research, policy development, and advocacy. Both groups interact regularly with professional environmentalists and land use planners.[42]

Economic Impediments

There is public support for less growth, but it is always tempered by fears, particularly in economic downturns (and never allayed by the Pro-Growthers) that we must "grow or die." Recall the Washington Association of Realtors' telling poll result: *if growth concerns are put up against the desire for a stronger economy, the economy wins*.[43] In other words, if the choice is between population growth and poverty, growth usually wins. The Washington Research Council ("the independent authority on taxes and efficient government") claims:

> By financing infrastructure projects that encourage economic vitality, accommodate growth, and provide the amenities that build better communities, communities will promote investments in job-producing private development and help to expand the tax base for other necessary public services and facilities.[44]

The implication is that failing to accommodate growth (here, by *public* financing of infrastructure) will discourage economic activity and worsen communities: grow or die. Accommodating growth will "build better communities"; but better for whom, and by what measures? There are serious costs, many non-economic, *caused* by growth. The "growth-or-poverty" dichotomy is false.

It is *not* true that growth reduces the unemployment rate; it does increase the number of people employed, but obviously those jobs do not necessarily go to already-existing residents: the population increases, but the unemployment rate stays the same, and there is more congestion, more pollution, and so on.[45] (Indeed, in his seminal 1976 article, Harvey Molotch concluded that "the tendency is for rapid growth to be associated with higher rates of unemployment."[46])

It is *not* true that there is a significant relationship between population growth and per-capita income. According to Edwin Stennett, ". . . the data strongly contradict any notion that higher population growth rates are important contributors to greater per capita economic prosperity."[47]

It is *not* necessarily true that growth provides needed tax revenue: although commercial and farmland properties pay their own way, residential development usually "brings in less revenue for local governments than the price of servicing it."[48] Or, again, the "revenue provided by 10 acres of residential land does not pay for all of the government services and expenditures associated with 10 acres of residential land."[49]

It is *not* true that growth restraint is the most significant factor in driving up the cost of housing.[50] Certainly, constraints on land supply affect housing prices, but "the growth management literature cannot prove a direct correlation between [growth constraints] and the rising cost of housing, and concedes that market forces may be the stronger factor."[51]

It is *not* true that we have to "grow or die": a "gross county product" may rise with increased population and consumption, but that does not mean people are better off. Endless growth is impossible and someday society will achieve a steady-state population, without "dying."

And it is *not* true that developers "just want to operate in a free market." Development is highly subsidized.[52]

But merely pointing out that the traditional economic pro-growth rhetoric is flawed is unlikely to be enough. Our whole culture is based on daily commerce (business of all kinds) and informed with the insistence that growth and consumption are essential to our economic welfare. Until we change how we conduct such commerce, we have little chance of changing attitudes about growth. An engaging approach would build a compelling vision of what will happen if we continue as we have so far (not a good outcome) and then paint a compelling picture of a better future, demonstrating how communities can prosper without a need for continual population growth or increasing levels of consumption.

It is beyond the scope of this article to detail how to achieve "relocalization"; there are many resources on the subject (the Internet turns up at least 154,000 references). In readily available print, Michael Shuman's *Going Local: Creating Self-Reliant Communities in a Global Age* is a good, realistic start that showcases successful, real-life examples. Shuman lists three "simple imperatives" to promote economic *development* without necessarily promoting *growth*:

- Stop destroying the quality of life to accommodate mobile corporations, instead nurturing community corporations that are dedicated to raising the quality of local life;

- Stop trying to expand economic activity through exports, instead striving to eliminate dangerous dependencies by creating new import-replacement businesses that meet people's needs; and
- Stop lobbying Washington for new dollops of federal pork, instead insisting on the legal and political power necessary to create a rich soil for homegrown enterprises.[53]

"Relocalization" does not mean a community cuts itself off from the regional or global economy. "A self-reliant community simply should seek to increase control over its own economy as far as practicable"[54] by encouraging local investment and local consumption of locally produced goods, and by hiring local workers and using local inputs for production. This keeps money circulating locally, promoting the local welfare.

Planners, of course, do not drive the development picture, but local economic development plans can affect population growth rates. Nearly-identical policy goals inform growth management legislation in Oregon, Florida, Vermont, Georgia, Maine, Maryland, New Jersey, Rhode Island, and Washington. Each state requires its jurisdictions to adopt comprehensive land use plans containing provisions for protecting natural resources, improving or maintaining water quality, preserving forests and farmlands, preserving historic resources, preserving or creating open space, encouraging economic development, developing a multimodal transportation system, and preserving or creating affordable housing. Jurisdictions must implement regulations consistent with statewide goals.[55]

Of interest here is the economic development plan (whether mandated or not). If it were designed to promote prosperity but discourage population increase, the county or city could plan for a smaller future build-out (smaller Urban Growth Areas, or UGAs). Where state-generated population projections force planning for ever-increasing UGAs,[56] the comprehensive plan likewise could be drawn to reflect less growth, while still comporting with the state mandate. Theoretically, a local economic plan can be devised that provides for no growth. The state could not then mandate UGA upzoning.

Legal Impediments

For present purposes, there are two categories of legal impediments to growth controls. First, some states effectively deny local jurisdictions the right to control their own zoning, by mandating upzones to accommodate population growth.[57] Second, there is a range of constitutional arguments made against growth controls. The former problem is real; the latter is not, because the constitutional arguments against growth controls can be refuted.

Smart Growth legislation is itself a serious impediment to sustainable development. Oregon's seminal Land Conservation and Development Act[58] (1972) mandates that cities establish urban growth boundaries, discourages growth outside those boundaries, and requires that jurisdictions maintain an adequate land supply to accommodate estimated housing needs 20 years into the future.[59] Florida (1972 and 1986) mandates five- and ten-year plans to anticipate and meet the need for transportation, urban services (sewer, water, drainage, etc.), conservation, recreation, open space, and housing.[60] Washington's Growth Management Act provides that county comprehensive plans "shall be revised to accommodate the urban growth projected to occur in the county for the succeeding twenty-year period."[61] Maryland's 1997 act directs new development into "priority funding areas," which receive state money.[62] Under Tennessee's Growth Policy Act (1998), municipalities must "determine and report on the need for additional land suitable for high density . . . development";[63] usage of that information is used to size the urban growth boundaries, until the next round of rezoning.

These provisions effectively remove local government zoning authority and force upzoning around the urban boundary. Of course, the acts were not passed to promote or stimulate growth—the market drives this growth—but jurisdictions cannot say no: if their populations are projected to grow, they must upzone (and assure infrastructure) to accommodate the growth. And their populations will grow, as long as theirs is a nicer place than the over-populated places from which newcomers migrate. State "adequate land-supply" rules are a serious, but not necessarily completely fatal, impediment to local jurisdictions' ability to control their own growth. To achieve real growth control, these rules should be changed and the growth management acts amended. Citizens should not be, and need not be, merely the market's victims. Kirkland, Washington, east of Seattle, has announced that once its current round of planning is over in 2022, it "simply will refuse to grow further."[64]

Constitutional Issues

Constitutional issues are raised against growth constraints. These constitute the second category of legal impediments to effective growth control. Four of them are taken up here: takings, substantive due process, procedural due pro-

cess, and the right to travel. (Others are identified by Michael C. Soules, such as unlawful delegation of power by the legislative body to an administrative body, such as a planning commission, and standing; these are of little importance for this analysis.[65])

The takings issue: The Constitution of the United States provides that the government shall not take private property for public use without just compensation.[66] The states have similar provisions. (Washington State's constitution provides, "No private property shall be taken or damaged for public or private use without just compensation having been first made."[67]) The growth-management issue centers on the claim that growth constraints are a "taking."

There are three general "takings" possibilities. Two are not generally relevant to a growth management discussion. The first of these two involves "permanent physical occupation" of the land by the government, which always requires compensation.[68] It is not an issue for this growth-management analysis, because it is always a taking (although takings for roads, public service centers, and the like do facilitate growth). The second involves regulation that very severely restricts the owner's use of the land so that (s)he is "called upon to sacrifice all economically beneficial uses in the name of the common good."[69] Few, if any, growth-management restrictions on land use deny the owner all economically beneficial uses; that argument is rarely relevant.

The third (and most problematic) kind of "takings" are those in which *some* beneficial use is denied, but not all. According to legal precedent, "[t]he general rule at least is that while property may be regulated to a certain extent, if regulation goes too far it will be recognized as a taking."[70] So long as a person is left with a reasonable use of the affected land and the government regulation bears "a substantial relation to the public welfare," the regulation will stand.[71]

There certainly is no taking merely because a person had expected to make money from a piece of real estate but was denied the chance as a result of some government regulation. It is "quite simply untenable" that property owners could complain of a taking when they had "been denied the ability to exploit a property interest that heretofore they had believed was available for development."[72] An owner's interest in making some economically beneficial use of his land is not "taken" when the jurisdiction refuses to upzone to accommodate population growth, and there is no recognized interest in the right to a profit from real estate speculation. (In some situations landowners may be forced to make "good" economic use of their land, even if they would rather not. Valuing and taxing under-developed property at its "highest and best use" rate tends to force its development to that more lucrative use. The antidote is "current use" taxation, which preserves landscapes providing aesthetic, economic, and social benefits, such as farms, forests, and open spaces.[73])

Substantive due process: There is a complaint that growth restrictions violate substantive due process rights. The substantive due process requirement basically says that there are some things the government cannot take away from people, because to do so is prohibitively offensive to our sensibilities. On this basis, for example, the US Supreme Court struck down a state law prohibiting the teaching of a foreign language: "The acquisition of knowledge is part of the liberty possessed by every person and the state cannot constitutionally interfere with it."[74] Courts generally hold that there is no substantive due process violation in land use restrictions if (1) the regulation is aimed at achieving a legitimate public purpose, (2) it uses means that are reasonably necessary to achieve that purpose, and (3) it is not unduly oppressive to the landowner.[75]

Procedural due process: The third constitutional complaint against growth-stopping plans might be that they deny procedural due process. The usual complaint is lack of notice provided to potentially affected persons. Such complaints are generally not successful.[76] It is not difficult for government officials to provide adequate notice to affected landowners. Growth-constraint laws, properly administered, will not violate anyone's procedural due process.

The right to travel: A fourth possible constitutional complaint is that growth-management regulations deny citizens the right to travel. The US Constitution does not specifically provide a right to travel, but that has been inferred from the document. The "fundamental right"[77] also applies to intrastate travel.[78]

In 1976, the Supreme Court of California considered whether a local zoning ordinance (adopted by initiative), which prohibited issuance of further residential building permits in the city until local educational, sewage disposal, and water supply facilities complied with specified standards effectively, denied a right to travel. The court wrote:

> Both the United States Supreme Court and this court have refused to apply the strict constitutional test to legislation,

> such as the present ordinance, which does not penalize travel and resettlement but merely makes it more difficult for the outsider to establish his residence in the place of his choosing.
>
> Most zoning and land use ordinances affect population growth and density. . . . As commentators have observed, to insist that such zoning laws are invalid unless the interests supporting the exclusion are compelling in character, and cannot be achieved by an alternative method, would result in wholesale invalidation of land use controls and endanger the validity of city and regional planning. . ..'Were a court to. . .hold that an inferred right of any group to live wherever it chooses might not be abridged without some compelling state interest, the law of zoning would be literally turned upside down; presumptions of validity would become presumptions of invalidity and traditional police powers of a state would be severely circumscribed.'. . . We conclude that the indirect burden upon the right to travel imposed by the Livermore ordinance does not call for strict judicial scrutiny. The validity of the challenged ordinance must be measured by the more liberal standards that have traditionally tested the validity of land use restrictions enacted under the municipal police power.[79]

Justice Mosk dissented. He pointed to cases "from the more perceptive jurisdictions. . . [that] prevent municipalities from selfishly donning blinders to obscure the problems of their neighbors,"[80] and cited language from Michigan, Maryland, Connecticut, New Jersey, and Pennsylvania. The latter state's supreme court, in striking down a Pennsylvania town's refusal to "admit new residents 'unless such admittance will not create any additional burdens upon government functions and services,'" held that no "township can stand in the way of the natural forces which send our growing population into hitherto undeveloped areas in search of a comfortable place to live. . . . A zoning ordinance whose primary purpose is to prevent the entrance of newcomers in order to avoid future burdens, economic and otherwise, upon the administration of public services and facilities cannot be held valid."[81]

It is worth pondering the dissent's contention that "no town can stand in the way of the natural forces" of growing population. It is not seen in nature that a population—or anything else—increases indefinitely. If a population grows, it necessarily consumes more resources; as growth continues, there are two possible outcomes. When a population reaches the limits of the physical capacity of the area (food, clean water, clean air, suitable habitat), it can level off; thereafter it stands in equilibrium because birth rates fall (this is called a characteristic of "K-selected species"—"K" being the abbreviation for carrying capacity). The other possibility is that the population "explodes past K, and then crashes to a low level. The resources may then be replenished to some extent, whereupon the population can start all over again. This is a boom-and-bust cycle, and species that exhibit such patterns are called 'r-selected.'"[82]

The carrying capacity of human communities is best understood as determined by "social K," or "the maximum numbers that can be supported at a given level of technology within a given social organization, including patterns of consumption and trade."[83] As population increases, we humans pave over wetland areas, reducing the availability of clean water and killing off aquatic life. In the Florida Keys (a string of islands south of the tip of the Florida peninsula), the once-pristine waters are now seriously polluted from houseboats, shore development, and tourists.[84] Washington State's Hood Canal, once famous for its fishing and shellfishing, is so polluted from human activity that it has turned into a "dead sea."[85] We discharge ever-greater amounts of pollution into the air, reducing the availability of clean air. Eventually, of course, the environment will not be able to support the number of people making claim upon it, and the population will stop growing.[86]

Ethical Impediments

Probably the most telling single complaint against growth control is that it will drive up the price of housing and squeeze out the poor and "young families"[87] and others whose well-being society ought to protect. As an economic argument this is mostly incorrect,[88] but it is also an *ethical* argument based on the ethical principle of justice: ". . . that all people be guided by fairness, equity, and impartiality."[89] The question is this: Is it ethical for one community to adopt policies that effectively preclude others from buying into the "good life" enjoyed there?

If the consequence of business-as-usual is that *everything* reasonably habitable succumbs to equal and impartial pavement and urbanization, so that nobody has a non-urban lifestyle (even if they want it), is that ethical? It is not unethical for people to act so that the next generation (of humans or non-human living things) may enjoy a non-urban home-place, or at least have a choice. John Stuart Mill wrote in 1848:

> If the earth must lose that great portion of its pleasantness which it owes to things that the unlimited increase of wealth and population would extirpate from it, for the mere purpose of enabling it to support a larger but not a better or happier population, I sincerely hope, for the sake of posterity, that they will content to be stationary, long before necessity compels them to it. . . . It is scarcely necessary to remark that a

> stationary condition of capital and population implies no stationary state of human improvement.[90]

The ethical theory of *justice*—equity or equal treatment for all—is inappropriate where its application continually erodes the *good* by distribution and attenuation, until nobody gets any at all. This is the worst kind of leveling: the uncaring equality of misery; everybody starves. The ethical theory of *utilitarianism* would better apply here: the greatest good for the greatest number over a long term. Moreover, a community that successfully reached a "stationary condition of capital and population" would be an example to others, so that they might emulate it.

"Progress" that results in overpopulation is not salutary; it is not only physically ruinous and impossible, it is psychologically damaging.[91] If we have a democracy and we do not want to live in an anthill, what are we to do? Are we simply helpless victims of change? Fodor states, "The idea of unlimited, or forced, growth is repulsive. It implies a horrible sickness, like cancer."[92] At some juncture, the population of any county, any state, of the United States, of the world, must stop increasing; this is not disputable. The dispute comes in answering *when*. What is the point of endless urbanization?

Regarding the ethics of capitalism, urban planner Chris Williamson observes that market demand drives growth, but our system posits no ethical imperative *always* to accede to market demand: the market doesn't price real estate for sale in national parks; it does not price babies for sale. If, through a legitimate democratic process, a community chooses no-growth over growth, that's an ethical decision; we are "not obligated to meet market demand."[93]

What about this ethical question: Where are people to live, if jurisdictions successfully enact growth constraints? The population of the US grew by 13.2% from 1990 to 2000.[94] This author's home county grew by 30.5%.[95] A starting point might be to observe that it is unethical to force one place to bear a disproportionate share of the population increase burden.

John D. Rockefeller III, in the 1972 letter of transmittal to President Nixon accompanying the *Report of the Commission on Population Growth and the American Future*, wrote:

> We have looked for, and have not found, any convincing economic argument for continued population growth. The health of our country does not depend on it, nor does the vitality of business nor the welfare of the average person."[96]

In the generation since then, the US government has undertaken no systematic program for population control or even population planning. Who can doubt that the pressures of over-population will at some juncture become inescapably obvious? The ethical thing to do is address that concern. If the federal government will not do it and the state governments will not do it, then the ethical thing is to begin at the local level, insisting upon growth limits. If the impetus needs to come from the bottom up, so be it.

Summary and Conclusion

Smart Growth is cutting-edge land use planning theory for attractive places; it will, eventually, result in solid urbanization. This outcome is neither desirable nor sustainable; it is impossible. Smart Growth leads to a dead end.

There is a practical role for planners and environmental professionals as this realization gains currency. They must encourage the community to overcome the impediments that block movement to an operating theory predicated on the truth: that, at some juncture, growth must stop. People do recognize the peril of too much growth, but the impediments to achieving the necessary "stationary condition of capital and population," as Mill put it, are political, economic, legal, and ethical.

The political impediment is not, generally, public animosity toward the idea of a "stationary condition," as much as it is misapprehension of the consequences and ignorance of the possibilities. Insofar as this ignorance and misapprehension is fostered by those with a vested interest in perpetuating the idea that "growth is good," they can be and are being countered.

If the choice is growth versus economic decline, growth will win. Therefore, enlightened professionals and community activists must work to make acceptable a vision of community prosperity not dependent upon population increase, and use that vision to inform local community development plans. This involves economic relocalization, a topic gaining respectful attention both academically and in the media in the last several years.[97] The economic arguments in favor of endless growth are misplaced. Growth does not usually decrease unemployment, reduce taxes, or—for the most part—pay for itself. Growth constraints are not a major factor in housing price run-up.

The most serious legal impediment to growth constraints is Smart Growth legislation that mandates upzoning to

accommodate future populations. That legislation is amendable. The constitutional arguments against growth constraints are generally invalid.

As to ethics, it does not require a degree in physics to understand that there cannot be infinite growth in a finite space. Yes, there are serious social, economic, environmental, and cultural problems inherent in developing and maintaining a steady-state society. But there are problems in developing and maintaining our currently prevailing "growth is good" society too, and *they are exactly the same problems*: social, economic, environmental, and cultural. Why do we evade the responsibility of moving toward sustainability? We foist it off on some future generation, as if it will be easier for them than for us. It will be more difficult, because their environment will be diminished. If at some juncture growth will stop anyway, why must we wait until much sorrowful diminishment has occurred? Our generation, our planners, and our professional environmentalists should have the courage to face the truth and insist that we begin creating the kind of economy and the kind of community that will be sustainable and fulfilling. It is an ethical imperative.

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