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A Precautionary Prescription – Patrick Brown

That wise old Greek doctor Hippocrates had some advice which might well be useful for prospective Islands trustees: 'Declare the past, diagnose the present, foretell the future; practice these acts. As to diseases, make a habit of two things—to help, or at least to do no harm.'

Hippocrates was talking about diseases that affect the human corpus, but his advice applies equally well to the ills that, from time to time, beset the Islands.

His injunction to 'Do no harm' echoes the familiar Object in BC's *Islands Trust Act*: to 'preserve and protect' the Islands' environment and communities. This *Act*, passed by the legislature in the 1970s to defend the Gulf Islands against rampant subdivision and development, is one of the earliest examples worldwide of incorporating the Precautionary Principle in legislation.

'Look before you leap'; 'Better safe than sorry'; 'An ounce of prevention is worth a pound of cure': these familiar aphorisms express the general idea. As instruction to local government, the Precautionary Principle requires a specific approach to decision making that is clearly, and even radically, different to what is customary in North American local government—which after all was a *tabula rasa* for development only a few hundred years ago.

Times have changed and nowadays precautionary governance, which requires a good deal of forethought, is a better model for our epoch of accelerating change. Rather than blindly facilitating growth and development, precautionary governance is concerned with the myriad, and often unpredictable, consequences of change. It is not absolutely opposed to change, but takes the common sense ethical position that change should 'do no harm.'

An Ethical Charter

This is well-illustrated in the working definition of the Precautionary Principle published by the UNESCO World Commission on the Ethics of Scientific Knowledge and Technology in March 2005:

'When human activities may lead to morally unacceptable harm that is scientifically plausible but uncertain, actions shall be taken to diminish that harm.

Morally unacceptable harm refers to harm to humans and the environment that is:

- threatening to human life or health, or
- serious and effectively irreversible, or

- inequitable to present or future generations, or
- imposed without adequate consideration of the human rights of those affected.

The judgement of plausibility should be grounded in scientific analysis. Analysis should be on-going so that chosen actions are subject to review.

Uncertainty may apply to, but need not be limited to, causality or the bounds of the possible harm.

Actions are interventions that are undertaken before harm occurs that seek to avoid or diminish the harm. Actions should be chosen that are proportional to the seriousness of the potential harm, with consideration of their positive and negative consequences, and with an assessment of the ethical implications of both action and inaction. The choice of action should be the result of a participatory process.'

This definition is probably the best of many so far. It is crafted to be applicable to the widest range of situations. The science referred to can be taken to include the social, economic, and systems sciences, as well as the physical and ecological.

It Works Here

This approach can be implemented by the widest variety of governmental and non-governmental organizations. It is an ethical charter for elected officials faced, as they are constantly, with complex decisions which must be taken now, but which have uncertain present and future consequences.

And that's a good definition of the task that faces all those elected in our coming local elections. The Islands Trust mandates the precautionary principle; other governments may well choose to adopt it.

Learning Semantics the Hard Way

We've heard from Hippocrates and UNESCO. For examples of incomplete understanding, let's hear from Donald Rumsfeldt and Jean Chrétien. Rumsfeldt's ruminations on uncertainty, on known unknowns and unknown unknowns, give the nod to the precautionary approach; unfortunately, this sort of thinking was merely used after the fact to excuse a pre-emptive invasion of Iraq. (A major implication of the word 'precautionary' is that the necessary thinking is carried out before making a decision.)

Chrétien's cracks about a 'proof being a proof that is something that is proven' reflect a remarkably parallel

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confusion concerning how to make decisions under pressure and uncertainty.

It's easy to get mired in semantics. Tony Blair's after-the-fact Iraq war justification ('based on what we knew at the time') might also have concealed a similar longing for a better thought-through precautionary approach.

And failing to prove something is unsafe is not the same as proving it is safe—another semantic puzzler often rendered as 'absence of evidence is not equivalent to evidence of absence.' Better to admit uncertainty.

Alternative Approaches to Uncertainty

There are at least two analytical approaches commonly used instead of the precautionary strategy. Neither works well under uncertainty.

Probabilistic Risk Assessment determines a notional cost or benefit based on an estimate of damage multiplied by a estimated probability of its occurrence (like your chances in a lottery). The result is crudely added into a cost-benefit calculation. The result, unfortunately, is a probability of error which increases with every constituent calculation, added to the hazards of quantifying the unquantifiable.

Discounted Cash Flow analysis, widely used in business (and also by the Campbell government in justifying the sale of BC Rail) has the twin drawbacks of omitting any factors that can't be measured in dollars, and severely undervaluing any longer term interests.

Both these alternatives to the precautionary approach offer a false, and dangerous, certainty. And the long term (as with BC Rail) may, conveniently, be well beyond the current government's term of office.

Equity

None of the alternative approaches deal adequately with who incurs the costs and who gets the benefits. It is a characteristic of many proposals that the benefits go to the initiator, but the

costs are externalized: they fall on the community, or the environment, or at least others.

Intragenerational equity requires that the costs are borne by whoever benefits: the polluter pays, the perpetrator is ethically and legally liable. Intergenerational equity adds to this the idea that the costs to future generations not only have value, but that they may be valued by our children at considerably more than our estimates. This is another source of uncertainty.

Sustainability

Consideration of future generations leads us to the concept of sustainability, of valuing the freedom-to-act of future residents of the Islands. One of the factors that guides us to the precautionary approach is the concept that the negative effects of today's decisions may be irreversible. In the interests of our children, caution is most certainly our ethical responsibility.

Alternative proposals

An important benefit of a precautionary approach is the incentive to develop many alternatives to a proposal, to its ends and to its means. Desirable ends do not justify undesirable means. And it is possible that a different path will overcome some of the uncertainties, reduce the potential harm to that which would be ethically acceptable, or provide a way of reversing the damage should it occur. Our ethical responsibility is not only to consider all alternatives, but also, of course, to consider not doing anything.

We're Miles Ahead Already

In the Islands Trust area, there is, and must be, a difference in our approach to governance. The Precautionary Principle is part of the law; it runs through the Trust Policy Statement; it is integral to Official Community Plans. Trustees must be prepared to use it, carefully and properly, and not to be rushed. Trust staff must understand it. Islanders should expect it, and be prepared to raise their voices if it is not exercised.

One more quote from Hippocrates: 'Life is short, and the Art long; the occasion fleeting; experience fallacious, and judgement difficult.' 📌