

George A. Ranney[†]

Most of us are celebrating David's life and his accomplishments as a professor of law, teacher, and scholar, as a father, and as a husband who has enabled Barbara to do so much with her life—and enabled both of them to enjoy a rich life together. I have a sense of all of this as one of his first students at The Law School, as a friend, and as an admirer of all that he accomplished. I want to talk this morning about something quite different, something that combines roles I've mentioned—as a teacher and scholar who became a maker of policy, and as a man of action who could and did develop ideas in the academic world and then put them into practice as policies that we still live by today.

I am talking about the years that David worked with great success and impact in state government to improve the quality of the environment in Illinois.

In 1969, I was working in the Illinois Budget Office for Governor Richard Ogilvie when the Governor decided that it was time to address environmental issues at the state level. This would be one of the first such initiatives in the country and there was little to guide us. There was no federal environmental program at the time and there were very few recognized experts in this field. The Governor decided that we needed a person who could approach these issues as a student himself and master the field, someone who would do so with objectivity, institutional sensitivity, and some sense of the complexity involved in dealing with many levels of government and competing policy principles of economic development and environmental quality.

David Currie had been my professor in Conflict of Laws. His course was an intellectual delight. In it we explored the challenges of laws imposing conflicting water quality standards for Illinois and neighboring states. So I happened to know that David met the intellectual qualifications for the path-breaking policy work we had laid out. I was asked to see if he would be willing to serve as our intellectual point person.

David immediately agreed to help. Initial meetings in our house on Woodlawn Avenue led to David's taking full responsibility for defining the state's response to environmental challenges. His work over the next four years became one of Governor Ogilvie's most prominent legacies.

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He researched and compared responses to environmental challenges by the federal government and states across the country. Through his scholarship he understood that in the area of environmental protection it was important to have an investigative and prosecutorial function, which was what many activists at the time were calling for. But he also understood it was essential to have a fair and independent adjudicatory capacity, with sufficient expertise in a highly technical and developing field such as this to decide with impartiality tough questions with their many legal, conceptual, economic, and scientific issues. Probably most importantly for the early days of this movement, he saw the importance of research, of gathering more information in the most expert, scholarly, and impartial fashion. He proposed to the Governor that there be a tripartite system of agencies: the Environmental Protection Agency, the Pollution Control Board, and finally the Illinois Institute for Environmental Quality. This is the system that has basically served the state well since that time, with the Institute evolving into the Department of Energy and Natural Resources. It became a system that has been emulated elsewhere across the nation.

So successfully did David present these ideas and master the substantive issues they reflected that the legislation he drafted was promptly passed. It was then a natural progression for David to serve as the first chairman of the Pollution Control Board. There he—and his opinions—provided the leadership and precedents for the entire state as it implemented the recommendations inherent in this new system of environmental regulation, adjudication, and research.

This was David's huge contribution to the people of this state. I have heard some of the most senior leaders in the environmental community speak with respect, admiration, and gratitude for his contribution. I share those opinions. But I want to add an additional reason for my respect. David showed us how a scholar of distinction and capacity can take his skills and use them in the complex, difficult, sometimes unpleasant, and always real world of public policy. We all, Barbara foremost amongst us, know how difficult it is to provide effective leadership in that world. David did this, showing us how public policy for one of the most controversial issues of the day can be researched, conceptualized, legislated, and implemented. He did it with a distinction that should be inspirational to all of us.