KWMR Original Minds Program

Conversation with Elia Haworth and Michael Traynor

September 11, 2021[i]

On her Original Minds program on KWMR, on September 11, 2021, Elia Haworth and Michael Traynor enjoyed a conversation together, mainly about the Extraction Art project, https://www.extractionart.org and his essay for Earth Day, https://www.extractionart.org/earthday.

KWMR, https://kwmr.org, is a radio station based in Point Reyes, California and a vital community resource that airs locally relevant information, provides diverse programming, shares the insights of talented people, presents stimulating entertainment to listeners, and serves the community in emergencies.

Elia Haworth (EH) is a nature oriented artist who has lived in coastal Marin for 48 years, works at Bolinas Museum as curator of Coastal Marin art and history, and has been doing her KWMR radio interview show "Original Minds" for 17 years.

Michael Traynor (MT) is a distinguished lawyer and environmentalist, President Emeritus of the American Law Institute, and an honorary lifetime trustee of Earthjustice.

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[music]- Good morning, everyone. This is Elia Haworth with Original Minds. And my guest today is a distinguished lawyer and environmentalist, Michael Traynor. Michael, welcome.

MT: Thank you, Elia. Good to be here.

EH: We're talking by phone. Michael and his wife Shirley live between Berkeley, and today we're talking from his home in Stinson Beach. Boy, Michael, you've had and are still having a huge career. Just to let people know a little about this, 45 years, Is that right? As a lawyer.

MT: Well, it's actually getting-- it's now 61.

EH: Wow. Thanks for all the work you do. Well, Michael is a past president and deeply involved with-- what was called the Sierra Club Legal Defense Fund and is now Earthjustice

and the Leadership Council of the Environmental Law Institute, the Lawyers Committee for Civil Rights Under Law, President Emeritus of the American Law Institute, fellow of the Academy of Arts and Sciences, fellow of the American Association for the Advancement of Sciences. So much more. And also you are a marvelous writer and eloquent voice for bringing the arts into the conversation to awaken the public to environmental issues of our time. And that's what we're going to be talking quite a bit about today is a project called Extraction. Michael, do you want to introduce what Extraction: Art on the Edge of the Abyss is?

MT: Sure. Extraction: Art on the Edge of the Abyss was founded by two wonderful gentlemen from Montana: the late Ed Dobb, who lived in Bolinas and died in 2019, and Peter Koch, a fine arts printer in Berkeley, and his wife, Susan Filter, and also their extraordinary young leader who's taken over a good part of the project. Sam Pelts. And Extraction Art is focused on the harm from mining extraction, fossil fuels, and other things, and the harm that does to the environment, with a view to enlisting artists of all kinds - poets, writers, painters, musicians and so forth - in communicating about what I've now called climate disruption, not merely climate change, and enlisting their voices to reach people at the emotional level in addition to the level of reason that scientists and people like me, lawyers and journalists and so forth are aimed at.

EH: I also like that you said in your writing that this kind of extraction and everything that we live with-- I look around the room here. Everything we take for granted and we live with day to day comes from taking from the Earth. And there are different ways to do it, mindlessly,–as we have done so much, or mindfully. But you mentioned that it's not only mining fossil fuels and minerals and overdrafting aquifers, overfishing, clear cutting, and other harm to the environment. It also includes extraction of labor from human beings under conditions that cause illness, injury, and early death. That's such an important point as well.

MT: That's right. And that's the case of my paternal grandfather, whom I never met. He was a hard rock miner in Park City, Utah, where my dad was born, and contracted what was called consumption, tuberculosis, in the silver mines of the Hearst mine there, and then ran a dray wagon. And then he and my grandmother, who had a long life, moved to San Diego for the sun. He died there in 1924 when he was 52 years old.

EH: Oh, just 52. Well, this project addresses something that is so urgent in our time. You said, scientists and journalists in the various ways that you describe as reaching part of the human brain don't always reach the emotional level that we need to feel personally the impact of what's going on in the world and how we really can be empowered to bring about change. And so just how was this project conceived? Extraction: Art on the Edge of the Abyss, Preview of a Glorious Ruckus.

MT: We want people not only to bear witness, but to participate in the collective actions and constructive action and in the ruckus, and bring people's attention to this really tremendous challenge to our human existence.

EH: Now, I think, we're seeing the impact in a way that was almost theoretical to people, with the heat and the drought and the floods and the hurricanes, it's very powerful, because it becomes personal.

MT: It does. And this is an especially relevant community. Not so much because it has been victim of mining difficulties, but this is a community that has demonstrated a tremendous amount of interest and moxie, attention to environmental issues, and had the courage to step forward-- examples-- and I mean, not just Marin, but also Sonoma and this whole beautiful area. But it stepped up to defeat the Bolinas Lagoon development, to defeat the Marincello project, to defeat the nuclear power station that PG&E wanted to put up at Bodega Head. I was a part of that fight back in 1962 as a young lawyer. And so this community is a remarkable community of all sorts of creative people that can get together and not only bear witness but do things that they want to do to help bring attention not only here but around the world and in this country.

EH: Well, I do think that this is one of the most important stories that our area - Coastal Marin, but Marin in general - and the Bay Area have to share with the world, which is back in the late '60s and the '70s, huge activism was going on. Really individuals, grassroot-level leaders that brought about saving an area that's so extraordinary. I always tell people, this Marin County, just one bridge away from all that civilization, has managed to maintain three-quarters of its land as either parks, open space, or protected farmland. That's quite extraordinary.

MT: Well, it really is extraordinary. And it also affords an opportunity to get away from some of the ugliness and polarization that's going on currently, and to find grounds on which people can unify and help. And those are issues that are present in Marin County and elsewhere today. In a way, this area has become a kind of oasis of affluence, and that's itself an issue that has to be addressed. People can come together, I think, and maybe give us, give ourselves a kindness break from all this tension and find some positive things to work on together.

EH: Like housing. Housing for people.

MT: Well, housing is one thing. And the access to some of these wonderful lands is another. Dealing with methane emissions from the cattle is another. I can envision plant managers around the country instead of lobbyists getting together to solve common problems. And for the people here, including the various communities: ranchers and farmers and agricultural interests and all the creative forces that we have here. It would be nice to see a unifying force develop here.

EH: We do have a lot of activism. You mentioned Marincello, and I think that would be a good example to talk about. So that was Marin Headlands, which now we know as mostly wild and really gorgeous land that's accessible to the public, was about to become a city, right?

MT: Right.

EH: It was planned by Gulf Oil to become a city. And development had already begun, and this grassroots-level movement to stop it. I always say that everyone who even visits this area should see the video.

MT: Rebels With A Cause.

EH: Rebels With A Cause. Rebels With A Cause, which documents something that you were very much a part of. I think it was my favorite line in the film,–maybe it was you talking. But somebody from Gulf Oil was talking to somebody representing the opposition, and they said, "Oh, we're not worried. You're going to run out of money. Your lawyers are going to leave. This is all going to go away." And the person representing the opposition said, "But you don't understand. The lawyers are working pro bono, and they're crazy."

MT: That was a great line. And it's not mine, but it might have been Bob Praetzel, whom I didn't know. But among the great figures involved in that whole thing to save this area was Ed Wayburn, the former president of the Sierra Club, from Bolinas, and Phil Burton, the congressman, and then Marty Rosen, who was one of the founders of Trust for Public Land and happened, incidentally, to be a classmate and friend of my mother's when they met in law school at Berkeley together when she went later in life to law school.

EH: Well, that brings up an interesting point of your own life and your own experiences. I asked you when we were talking, how did the law enter your world and your inspiration? And you said that your father was a judge on California Supreme Court.

MT: Yes. He was for 30 years including 6 years as Chief Justice.

EH: And your mother went back to law school later in her life.

MT: Right. She didn't practice, but she helped my dad on some of the articles that they wrote together.

EH: Well, and that was pretty inspiring. So just tell us, you were born in Oakland and grew up in Berkeley. What was that path for you?

MT: Well, those days in the '50s when I basically grew up-- I was born in 1934 and went to the Berkeley public schools. I was a member of the great class of Berkeley High School Class of 1951, which is celebrating its 70th year this year. And it's a wonderful group of people. And when we had our 50th reunion, we endowed a scholarship with Berkeley Community Scholars, which provides a small scholarship for four years of college and mentorship for inspiring, resilient, and eligible young people. So it's a great group. And then I went from there to Cal where I majored in economics.

EH: University of California at Berkeley?

MT: University of California at Berkeley. And then my other grandfather on my maternal side had a small grocery store in San Francisco where I worked weekends and holidays, and

actually joined the Grocery Clerks Union and went to my first union meeting at age 16 when I worked with him.

EH: And it really meant something because you were living that work.

MT: That's right.

EH: So then you went off to become a U.S. Marine.

MT: Right. I was lucky to serve in peacetime in the U.S. Marine Corps, which was a great experience and a prized organization, and learn there the importance of teamwork and giving credit to people and taking responsibility.

EH: And then Harvard Law School.

MT: Right. And then while I was in the Marine Corps, Shirley and I married. We celebrated our 65th anniversary this year.

EH: Oh God, that's wonderful.

MT: And she's a retired clinical psychologist. And we have three wonderful kids and four grandchildren. And so after the Marines I went to Harvard Law School, graduated from there in 1960, and then took on my first and really most interesting and challenging legal assignment as a lawyer, working as a young lawyer in the California Attorney General's office. My base there was tax litigation and government law. But I also had a special assignment to work for a while with Governor Pat Brown, and then also a special assignment to work as counsel for the State Senate Committee on Local Government. After that I joined the Cooley firm and was there for 45 years and retired there in 2008 and joined this innovative and special firm Cobalt LLP in Berkeley, where I'm senior counsel now. The lead partner there is Tsan Abrahamson, who was at Cooley. But I'm really not doing billable work. I do occasional pro bono or friend-of-the-court briefs, articles, and that sort of thing.

EH: Well, you were part of the early days of the Sierra Club Legal Defense Fund. And I think you were the board chair. Were you the past president?

MT: I was a board chair. I was a trustee and treasurer. And then we had a very sad loss-- Rick Sutherland, who was our extraordinary president, died in an automobile accident in 1991. And the board asked me to step in as interim president, which I did for a year on leave from my firm and went back to practice. But those early days were-- with Don Harris and Fred Fisher and Phil Berry, who were the leaders of what was then just the volunteer legal committee of the Sierra Club, became a separate organization, the Sierra Club Legal Defense Fund, changed its name some years ago to Earthjustice, and now it's just really taken off. It's a major force-- what I call the front line troops for the environmental movement. But in those early days we were able to do some projects. One case I worked on with the primary help of John Hoffman, who became executive director later, was to help kill the proposed Minaret Summit Highway, which has now become the Ansel Adams Wilderness Area up in the Sierras.

EH: And what would the road have been?

MT: Would have been a trans-Sierra highway, really serving the interests of Fresno businessmen and agricultural interests, cross-cutting the Sierra. And it would have been terrible. And fortunately we didn't have to go to court. We did a lot of legal work on that. But Governor Reagan had a dedicated resources secretary named Norman Livermore who worked to help defeat that road. And there's an image of Reagan riding a horse up in that area, proudly claiming environmental credentials for helping that, and which is well deserved. We had to deal with the Nixon administration too, which helped kill that road.

EH: And now it's wilderness and accessible to the public.

MT: That's right.

EH: So just how does Earthjustice work today? Did you tell me that this was the 50th anniversary?

This is the 50th anniversary this year, yes.

But for those of us who aren't involved, what is the work that Earthjustice, and formerly the Legal Defense Fund of the Sierra Club--? How do you impact?

MT: They go to court all over the country to represent environmental groups and interests. They won a recent case in the Supreme Court on the discharge of treated sewage into the bay at Maui. That was a very important win. They fight to protect grizzly bears and wolves from hunting, to protect clean water and clean air. They're involved in environmental justice efforts all over the country.

EH: What does environmental justice mean?

MT: It means dealing with the effects of pollution and siting of plants and so forth in communities where the land might be cheap, but also where people are poor or are communities of color and have to bear the brunt of a lot of air pollution and water pollution and hazardous waste, for example.

EH: And that justice also applies to what you said, clean air, clean water, the various species and habitats that all are part of making a healthy planet.

EH: That's right. It's a great group. And I'll be stepping down from the advisory council this year. It's been a long time, and it's time for me to become, at my age of almost 87, an “elder statesman.”

EH: First I just want to just interrupt for a moment and tell people that you are listening to KWMR radio. This is Original Minds. I'm Elia Haworth and my guest today is Michael Traynor, who is a distinguished lawyer and environmentalist. You just mentioned something that brought up an interview that you sent to me that was fascinating, which was about lawyers as statesmen. And it seems that that-- boy, do we need that today. What does that mean to

you?

MT: Well, this is an interview by Jim Strock, who is former California EPA secretary and now heads Serve To Lead, a leadership group. Jim's really a great person and leader himself. What it means I think is you step aside from the pressures of daily practice and try to engage yourself in the communities that are relevant to you, local and statewide and national. And I've been fortunate to be able to work at different levels. But you just do your very best to help on those causes that you are personally engaged in and that you think might help our country.

EH: You talked about you're the past president of the American Law Institute, and you talked about how lawyers and professors and judges and all kinds of people from across the country, with very strong, sometimes opposing opinions-- but that you find a way to share ideas and maintain courtesy and respect.

MT: It's a superb group, the ALI. And people are elected to it. Eminent judges, federal and state, law professors, practicing lawyers, counsel for businesses and nonprofit entities. And we're famous for our restatements, the Model Penal Code-- Restatements of the law, for example, of torts and contracts and restitution. But we're currently engaged in varied projects. Copyright is one for example. Police conduct is another. Sexual misconduct on campus is another. We recently virtually completed and will be publishing The Law of American Indians.

EH: What does that mean?

MT: That means stating the law governing tribal relations with the federal government and state governments, tribal jurisdiction and authority, dealing with what has been described in a recent book the consequences of the policies that have been aimed by our own government against the American Indians for two centuries or more.

EH: So finding ways to redefine, in a new way, how the relationship between the government and the dignity and independence of tribes?

MT: Really restating the law that applies. Our projects generally fall into clarifying and simplifying law by restating in simple terms, saying what it is. And we're cited by courts in thousands of cases, and sometimes followed in legislatures. And then more modernly some that we call principles projects, where we state the law as we think it should be, but maybe not is at present.

EH: And so this coming together of-- you said strong exchanges of ideas. You don't necessarily come together agreeing. You work on it together. And so how does that happen?

MT: It's an extraordinary process. And it takes time. It's not an organization that would be able to react to the issues of the day overnight with a press statement or something like that. We are very careful. We have scholarly drafts prepared by top scholars in an area. We exchange those drafts at meetings of advisors, meetings of the governing council and interested members, meetings of the annual meeting of the members, which we did this year by Zoom. We'll be resuming in person in Washington, D.C. next year. And out of that process comes an exchange of views very cordially and courteously done, although sometimes views are quite strongly held. And then people realize that there is merit in each other's position. We sometimes have votes as a legislature or a voting body might have. It's quite friendly and cordial and the way things ought to run. And we wish things like that could happen in our Senate and House instead of the polarization that goes on.

EH: Well, it certainly sets an important example. And the impact of it is felt by even me when I have no idea. The regular citizens who don't know that you're doing this work, but ultimately it impacts us.

MT: Right. I mean, just to take one small example that's an important one, though. And the issue of misconduct on campus is one issue among a number of what the standard of proof should be of somebody who's accused, with all the considerations of due process and institutional integrity and respect for the claimant's view. And I've taken the view, for example, that it ought to be a fairly simple standard of what's called preponderance of the evidence if the weight of the evidence is in favor. But others feel it ought to be a stricter standard of clear and convincing evidence. Or some feel there ought to be a choice given. We're thrashing out that issue right now in the discussions with our excellent team of reporters, one of whom included a scholar who is now working at a high level in the Department of Education in Washington.

EH: And so when you come to an agreed-upon conclusion, how is that disseminated to other courts, to lawyers, to judges across the nation?

MT: It's published in volumes which are then accessible through law libraries and other means. And we provide them on our website, the drafts, and make them available for sale online. And then they're also picked up by the electronic legal services, Westlaw and Lexis for example. So they're highly accessible and cited frequently. And at one point-- I haven't checked recently. But at one point I think they were the law in the Virgin Islands. And then some courts, I think in Arizona for example, they're presumptively the law unless the legislature or some special reason in that particular jurisdiction says something to the contrary.

EH: That's so relevant for all of us, the regular citizens, to hear about, because we don't know where that oversight and overview is coming from often if we're not involved with the law. And the fact that it's so thoughtfully hashed out with disagreement and agreement is very

encouraging.

MT: It is encouraging. And I'll be involved in two anniversaries soon. The American Law Institute was founded in 1923. Elihu Root, the former Secretary of State and distinguished statesman, was one of the founders of it. So in 2023 we'll have our 100th anniversary or centennial. And Earthjustice, 50 years. ALI, 100 years pretty soon. It's nice to have been involved with both.

EH: Well, and it's nice, as I said, for us to hear about that, because sometimes it's a mystery. Especially when there's such a disintegration of camaraderie and of mutual respect right now in this kind of alienated world. But today being September 11th, we're also hearing a great deal to remind us about unity. It's timely.

MT: Yes. We need to take a kindness break and give ourselves a rest from all of this polarization.

EH: Well, thoughtfully, yes. Since we've come to a momentary pause, I'm going to take-- I told you how quickly this goes by. I'm going to take a quick break for the station and I'll be right back to you, Michael.

MT: Great.

EH: [music] You are listening to KWMR community radio. 90.5 in Point Reyes Station, 89.9 in Bolinas, 92.3 in San Geronimo Valley. And you can listen to this station anywhere in the world on KWMR.org, and also visit our archives on KWMR.org. For example, this interview will be available for two weeks on the archive.

[music] So you are listening to Original Minds. My name is Elia Haworth, and my guest today is Michael Traynor, who, as we just talked about, has a 60-something-year-long career as a distinguished lawyer and a very dedicated environmentalist. I'm so glad to talk about your background so people can see the passion and the experience that you bring to this project called Extraction: Art on the Edge of the Abyss, Preview of a Glorious Ruckus. And you are addressing the fact that the cost of the mammoth open pit mines, for example, draining aquifers of water, just clear cutting forests, using up the labor of human beings. These are issues that, although we're aware of, we tend to take for granted because everything around us requires extraction. But there are ways of doing it that are more conscious and more environmentally safe. I want to say you've written a marvelous book and you're really an eloquent writer, and people can access this online. Would you talk about the address, and how people can see more about this?

MT: Yes. It's https://www.extractionart.org. And then within that website, there are some sub-websites, including the exhibitions of the Extraction art project, which are well over 50

exhibitions across the country, including Montana, including one coming up at the Sebastopol Art Center. And then within that website, extractionart.org, or sub-websites-- one includes the essay that Elia has referred to, my essay for Earth Day. The other is a list of the exhibitions. And then there are various news items and so forth about the project. It's a wonderful project. And I do want to be able to say a word about how I was introduced to it.

EH: Absolutely.

MT: I had worked on three workshops funded by the National Science Foundation and run by the Environmental Law Institute of about 50 journalists and scientists and lawyers on communicating about science, and particularly about climate change and disruption. And out of that process, I felt that while we were able to communicate with rationality and so forth to those particular audiences, we were not reaching a lot of people. And so I felt that there must be some other way or some additional way to communicate. And then by happenstance, Malcolm Margolin, who was the founder of Heyday and on whose board I served for a few years--

EH: Heyday Books?

MT: Right. And he and I happened to visit Peter Koch, a fine arts printer in Berkeley, and learned from Peter about this project. And then was introduced by Peter to Ed Dobb, whom I mentioned. And I was in the early organizational work for the Extraction art project. And in connection with that, started thinking about writing this essay and this little booklet on enlisting the arts of various kinds in communicating about the subject. And not just communicating, but trying to reach people through the arts with a view to helping raise the ruckus that you mentioned, and to enlist in projects and bearing witness and constructive action and ecological restoration and the other things that people can do here and elsewhere.

EH: In your booklet you say evolving neuroscience is revealing the power of art to induce changes in human behavior, facilitate discovery, and inspire invention.

MT: Right.

EH: Well, you're bringing together really remarkable artists who have different ways of interpreting these issues and how to bring attention to them. And what really caught my attention was, among the many exhibitions you've had, you've held these exhibitions in places like Bozeman, Montana or Billings, Montana, where mining has cost the Earth a great deal. Or even in my home town, the nuclear energy town, Richland, Washington, you've had an exhibition where the nuclear waste is still a terrible issue. But the fact that you've been able to bring the art exhibitions, not just going and telling people about it, but bringing visual examples of a way for people to think about and engage with these issues is a very exciting concept.

MT: The inspiration goes to Peter Koch and his wife Susan Filter, the late Ed Dobb, and to the wonderful Sam Pelts who is currently organizing so much of the work that's happening with

Extraction. The idea was to build, in 2018, in 2019, and 2020, for a series of exhibitions and displays and so forth that would culminate this year, 2021. And we're expecting and planning on having kind of a wrap-up conference sponsored by CODEX, a group that Peter also founded, in Bozeman, Montana, next September in 2022.

EH: I think a lot of people here are familiar with CODEX and the art of the book.

MT: Right.

EH: You talk about ways of overcoming harm caused by merchants of doubt, truth decay, insidious advertising, and failure of widely-accessible, compelling science to quiet the persistent cultural controversy over the basic facts of climate change. And then how art-- and you cite many people who have been both artists and inventors, like Leonardo da Vinci or Samuel Morse. You also cite in this, which people can access online, so many of the artists and the poets and writers over time who have compellingly addressed these issues. So it's really very exciting.

MT: A couple of examples: poems such as On the Fifth Day by Jane Hirshfield, who is one of the founding poets involved in this project, Extinction by Elizabeth Herron. Songs. Pete Seeger's song Sailing Up My Dirty Stream contributed to the Clean Water Act enactment in 1972. Photographs such as those by David Maisel and Robert Glenn Ketchum and others.

EH: And Michael Light. David Maisel and Michael Light. We both had those people in our Bolinas museum exhibitions.

MT: Right. And William Henry Jackson's photographs and Thomas Moran's paintings led to the creation of Yellowstone National Park. I mean, artists have had-- not only helped in communicating, but in actually accomplishing major results that bear on improving our environment.

EH: You say the artists and the creators, not just visual arts but dance and theater and poetry and writing. You say they help us restore lost intimacy and renew our reverence for nature.

MT: Right. I mean, on the Cannonball River in North Dakota, the Standing Rock Sioux, who were joined by representatives of over 250 Indigenous tribes from around the world, dancing to try to save the sacred earth and stop the Dakota Access Pipeline.

EH: And by having that become very much in publicity, it drew attention from many, many levels of people across the country, but also across the world, as you're saying.

MT: It raises an issue that artists need to deal with about what their role is. I mean, I have always viewed that progress comes through a lot of teamwork. But interestingly, a painting is an individual creation, a poem. And artists need to deal with - and are, I guess, dealing with - the issue of all this weird acquisition that's going on, and the hundreds of millions of dollars in certain areas of auctions in art. And then so many artists and poets and other musicians and other people engaged are working to communicate in their way and help the world. It's a really

interesting set of issues.

EH: You cite Rachel Carson's amazing book Silent Spring that combines science and imagery to help ignite the environmental movement. She also said, I believe, that in these difficult times, we need more than ever to keep alive those arts from which we derive inspiration, courage, and consolation in words, strength, and spirit.

MT: Right.

EH: And that the artists address our widespread hunger for community, spirituality, and fairness. I'm very moved by your writing, and also the enormous amount of research that you said you really enjoyed as you pulled out names of poets. For example, For the Children by Gary Snyder, or songs, Don't Go Near The Water by Johnny Cash. You really looked far and wide to see what people were doing in dance and film and photography and even architecture.

MT: I'm always learning, and there's more to be learned. I always have enjoyed doing my own research. And now that I'm not actively practicing law on projects that involve teams of lawyers to work with, I do that on my own. And one of the things that was most enjoyable about doing this essay was not only learning and finding all these things, but to have contributions of images that go into the little pamphlet essay that are accessible photographs. And there's one by our friend Charlotte Bird of a quilt she did called Goodbye My Village, about a disappearing village in Alaska which she and her late husband were very involved with in Alaska.

EH: Disappearing because of sea level rise?

MT: Yes.

EH: Well, certainly here on coastal Marin and particularly Bolinas and Stinson Beach, we really feel the threat. It's the power of that threat to our own communities as sea level rises.

MT: Right.

EH: Also quoting your writing, you say the Extraction art project has a big vision and a simple message that concentrates on the arts and the environment. It hopes to educate, provoke, inspire, and reinforce others - educators, activists, academics, journalists, scientists, policy and opinion makers, and concerned individuals - while maintaining its independence as an art project.

MT: That's really important. And then this is happening all over the world. There's the Green Music Project in Australia, for example, where this-- Australia's unfortunately the leading exporter of coal in the world, digging up Australia to ship, to India and elsewhere, its coal. And so sometimes there are musical protests at these places that are organized there. This is a worldwide phenomenon. And I'm so glad and proud of Peter and Ed and Sam and Susan for initiating and sustaining this project over the last three years.

EH: And right now there are exhibitions all around the country.

MT: Right.

EH: I think it underlines what we spoke of earlier, that in the late '60s and the early '70s, around the time of the National Clean Air and Water Act, there was so much grassroots movement of just citizens. And I think when you were talking about working on stopping the PG&E nuclear facility that was not only by the ocean but going to be built on a fault, so many people from the community of Bolinas - young people, young activists - were going and protesting. But it also included Frances Stewart in her 70s. She was climbing over the fences to protest. And the success of that work, which entailed lawyers, it entailed a grassroots movement, it entailed people from all walks of life-- but it succeeded that there is the power to have the impact.

MT: And it only takes a few to start it off. Some years ago, I think it was in the late '60s, there was an environmental magazine called Cry California. And I did an essay in it calling for the creation of a conservation action corps. I think Governor Reagan picked it up, but more on the criminal side, to have juveniles go out and clean things up. But this idea comes up. It's not original to me. It was modeled on the Civilian Conservation Corps. And I'm seeing references to it now with a possible-- a climate action corps that could be done, and all the restoration projects around the country could be done. And Sustainable Conservation, an organization I'm involved with, is very much involved in the efforts to accelerate permitting for good restoration projects, mainly under the auspices of the State Water Resources Control Board. And I think, going back to that Marin experience and Marincello and Huey Johnson and Marty Rosen and the others, that's what I call the footsteps of Americans. The politicians will hear them if they just keep pounding every day.

EH: And it was saving the San Geronimo Valley. As I recall that was started by two housewives, as they were called at the time, who, when the San Geronimo Ridge was going to be covered with houses and major development was going to be brought into that beautiful, open countryside, they said no and started talking to people, and started bringing together people. There's also Ellen Strauss and Phyllis Faber, who started the Marin Agricultural Land Trust when land, really huge swaths of ranch land, were going to go to developers.

MT: MALT is a great story. In the East Bay, Sylvia McLaughlin and her colleagues did that in a similar effort with Save the Bay, else we would have seen the bay filled up with a lot of development.

EH: Yes. And the toxic waste that was going, and still in some places is going, into the bay. But that also brings us back to Mrs. Livermore, who really started the environmental movement in Marin back in the 1930s. And there was a fellow in San Jose who started cleaning up a creek, thinking it needed-- but finding that, oh my God, there were old batteries and cars. There was tons of junk because waterways were used as garbage dumps. It started as a small project, and it grew and grew as more people just got involved and gave their time and energy and cleaned out tons of waste and garbage and really toxic things from this creek and river. Salmon started

returning, and birds started returning. And we see during the time of the shutdown that, given a chance, nature will come back.

MT: Right. And part of the restoration is to help nature use natural processes to help reclaim dams and riparian areas of streams and so forth. I sometimes think in these day of strident talking and polarization that quiet examples of efforts like that are really persuasive and help unify people and bring them aboard.

EH: Also to show people that it doesn't have to cost our comfort to do things in a better and different way. In fact it can enrich us.

MT: That's right.

EH: So it seems like a lot of the 20-year-olds and younger are getting really involved, because they're really seeing that this is their future at stake.

MT: That's for sure. I'm fortunate enough to get a chance to read scholarship applications for Berkeley Community Scholars, which I do, and sometimes engage in interviews. Have not been able to do interviews because of the pandemic the last couple of years. But it really is inspiring to see these young kids' stories, sometimes coming from immense, immense hardship and overcoming it and wanting to do something good for the world.

EH: And seeing that they have the power to do it. I think that's what we have to keep reminding ourselves is that things seem hopeless sometimes. But in fact we can be empowered just with our own voices and bringing together others who really care about these issues.

MT: Exactly. And I think we have to give the young people a lot of leeway. They're under tremendous pressure these days to-- in law firms, for example, to grind out billable hours. At the same time they're trying to establish a home someplace and build a relationship with their loved ones, have a family if they can. The stresses are enormous on them. And so we have high expectations, and we need to help them as much as we can.

EH: And join in what you call the glorious ruckus. It's a great line. So just talk again, please. Will you tell people where this website is that they can see Extraction, they can see this project and actually read some of your very eloquent commentary?

MT: Well, thank you. The main website would be https://www.extractionart.org.

EH: Okay, extractionart.org.

MT: And then when you enter that website, the menu will give you different choices, publications and news, and exhibitions. And my essay is under Earth Day, https://www.extractionart.org/earthday . It's kind of fun actually going on that website and playing around with it and seeing the different things that are going on.

EH: What was the magazine?

MT: MEGAZINE is a major compilation. Thanks for asking. Sam Pelts has been largely responsible for that. Of course Peter also, and Susan. It's about 700 pages or so. It includes an earlier version of my essay, and it includes poems and depictions of paintings, images, different kinds of creative works. It's a major work. You can access it online in the various chapters by going on the website. And you can also buy a copy through the Extraction Art website.

EH: But you can see a great deal of it on the website as well.

MT: Oh, you can see virtually the whole thing. Yes.

EH: So that's really bringing together all these people that you're talking about.

MT: Yes.

EH: I like that you say the Extraction project holds the promise of fostering breakthrough changes in public opinion and public policy, including wider recognition of enforcement of human rights to a helpful environment. And I would say that is also the right of all living things.

MT: Right. And we can't claim responsibility for it, but it's now really reassuring that there are at least 60 or more organizations across the world that are devoted to enlisting the arts in dealing with climate disruption. There's one, Artists and Climate Change - it's Chantal Bilodeau from I think Montreal and New York - organizes short plays about this set of issues.

EH: And bringing this to school children as well as adults?

MT: I think so. I think it brings-- I don't know exactly all of her audience. But I'm pretty sure it involves different educational as well as public performances, and online.

EH: Well, this is certainly uplifting after everything that happened with the last administration really trying to undermine, in every way possible, the Environmental Protection Agency and the Paris Peace Accords and the Paris Agreement. It must have been a very hard time for all of you to watch what was going on.

MT: It was hard. And I'm encouraged to say, and proud of Earthjustice to say, it continued to fight in the courts up against the previous administration's terrible policies, and won most of the cases it brought, even against heavy odds, by enlisting the law and forcing the administration to obey the law.

EH: That is where we have so much strength that sometimes isn't recognized by the average citizen. But how reassuring to know that you're all out there working so hard.

MT: And there are exceptions. But there are some appointees that Trump made to the courts

that, once they put the robe on, behave like judges. I think the public should not be unduly discouraged about-- there are some bad ones, of course. And that's very sad to say, because they are lifetime appointments. But some of them, I mean-- just as one example is the judge who wrote the opinion upholding the election in Pennsylvania. A federal judge, a Trump appointee. So there are some exceptions here.

EH: Well, that's what I personally would expect. I wonder about that in the Supreme Court and other places. How can you be partisan? It should be that the law and the integrity should come above all else.

MT: That's right. I wrote an article, published an article last year in the University of Pennsylvania Law Review on some friendly suggestions for the accountability of federal judiciary, and referred in more detail to the set of issues. But now our Supreme Court's in the spotlight on a lot of things.

EH: It seems like it's up to citizens to demand a certain level of integrity that is just devoted to the Constitution and the rightfulness. Well, so I just want to say once again that you all who are listening, you've been listening to Michael Traynor, who is really a remarkable person serving the world. I'm very grateful to get to know more about your work, Michael, and this amazing project, Extraction: Art on the Edge of the Abyss, which people can find online. And there are photographs and lists of dances and artists and theater and various people who are participating in this for speaking up for the health of our planet and everything that lives on it.

MT: Elia, thank you. I enjoyed and appreciated the chance to talk with you and the members of your audience.

EH: Well, it's a good audience. Really. This KWMR is an example of really diverse-- and the integrity of many, many talents. So, Michael, thank you so much. I really enjoyed speaking with you, Michael Traynor.

MT: Thank you.

EH: And to the rest of you, go out and make this a good day. [music][ii]

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[i] Copyright © 2021 by Elia Haworth and Michael Traynor. This conversation has been edited slightly for accuracy and readability. The original recording is on file with KWMR and the authors and is on the website, https://www.extractionart.org.

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