

## Uplifting Homework

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At a time politicians make a mockery of American values, I suggest an uplifting homework exercise: read the [Declaration](#) of legal scholar John E. Davidson, submitted in support of the suit that 21 young people and I have filed against the Federal government for not protecting the rights of young people by effectively addressing human-made climate change. (I have submitted a Supplemental Declaration to my [prior Declaration](#), the supplement addressing the precatory COP-21 agreement, whose wishful thinking neither resolves nor ameliorates the crisis from the dangerous human-caused disruption of the climate system – but let's defer science to a later Communication for the sake of appreciating the brilliance of Davidson's declaration.)

Davidson's declaration builds from discussion of basic principles extending back to Greek and Roman law articulated, e.g., by Cicero, through elaborations on intergenerational rights and justice articulated by English theorists such as John Locke, in a crescendo to pervasive concern of American founders for "unalienable" rights of future generations, expressed in their letters, the Virginia Bill of Rights, and ultimately in our Declaration of Independence and Constitution.

When we first filed a case several years ago, it had a feeling of trying to draw attention to an injustice, but almost a long shot that it would lead to effective action, and indeed the case was ultimately stopped in the DC District Court. Now the case has a broad powerful foundation, including a basis in the most fundamental rights guaranteed by our Constitution. One cannot read Davidson's Declaration without concluding that we can and will win this time.

Our Federal government has temporarily lost its way, ignoring clear scientific warnings of extreme danger for young people, absurdly "discounting" the well-being of whole future generations for the sake of the few powerful individuals today, externalizing costs of fossil fuels today onto the backs of young people, babes, and the unborn.

Incredibly, the principal perpetrators (American Petroleum Institute, National Association of Manufacturers, and American Fuel and Petrochemical Manufacturers) have chosen to join the Federal government as Intervenor Defendants. I believe these are the same clandestine funders of the "[I am an Energy Voter](#)" campaign. Now we have them all in the same foxhole.

On March 9 there will be a hearing in the United States District Court in Eugene Oregon in which the United States Federal government and the Intervenor Defendants ask that the case be dismissed. Unless justice has entirely deserted our land, the kids will win this, and eventually the case will reach the Supreme Court.

I believe that the Supreme Court will recognize the rights of the young and require redress. However, even so, the job will only have begun. It is not enough for governments to say they are taking action, it must be effective action. We must make clear the practically worthless nature of precatory agreements, such as those "achieved" in Kyoto and Paris. We intend to do that.