

Sophie's Op-Ed

30 June 2017

James Hansen

Text of [Sophie's op-ed](#) in the Morning Call (Eastern Pennsylvania news) is below. A few pieces of good news:

(1) The paper “Young People’s Burden: Requirement of Negative CO₂ Emissions” has been accepted for publication in Earth System Dynamics. We are checking the page proofs now. It will be published in mid-July – more on it later.

(2) The trial date for our legal case (Juliana et al versus United States), now with Donald Trump as the first defendant, has been set for seven months from now (5 February 2018) before Judge Ann Aiken (see her [emphatic ruling](#) re the prior hearing). It seems that the federal government’s attempts to delay the trial have failed. The case now should be much more straightforward than it was when Obama was the first defendant; for example, just yesterday Trump announced plans for expansion of fracking-enabled fossil fuel mining. The science in the “Burden” paper makes clear that this action violates Constitutional rights of young people to life, liberty and property.

(3) The interveners (American Petroleum Institute, National Association of Manufacturers, and the American Fuel and Petrochemical Manufacturers) chickened out and withdrew from the case, no doubt because they realized they would be subject to “discovery” by the plaintiffs.

The Morning Call

22 June 2017

Sophie Kivlehan: Why I sued the federal government

Man-made climate change is the biggest threat facing my generation. So I, along with 20 other youths from across the United States, am working to solve this problem by bringing an unprecedented lawsuit against the federal government.

In our civil rights case, titled Juliana, et al. v. United States, et al. and available at ourchildrenstrust.org, we assert that the government is violating our constitutional right to life, liberty and property by approving emissions of fatally high levels of carbon dioxide into the atmosphere, despite being aware of its damaging effects.

Earth has warmed 1 degree Celsius this past century. Letting temperature rise another 0.4 degree would be catastrophic. We will experience greater weather extremes, including floods, droughts and superstorms, which will affect food supply. Sea level rise of several meters will destroy coastal cities, forcing the displacement of millions of people and bringing chaos among governments.

Our case was filed in federal court in Oregon on Aug. 12, 2015. The government responded by filing a motion to dismiss our case before it could get to trial. We all traveled to Eugene, Ore., to participate in a hearing on March 9, 2016.

The initial hearing was the first time all 21 plaintiffs met together. Some of us are experienced activists, and some of us avoid the spotlight. Some are extroverts who speak freely on television shows and in magazine interviews, while others have their words carefully penned on the papers they cling to with shaking hands. But we all share a common goal: to be heard and taken seriously. We know that we are fighting for a viable future.

We listened as the government's lawyers argued that we had a weak case. They did not deny global warming or the damage being done to the planet, but they denied any responsibility to address the crisis.

First, the U.S. government sets our national energy policy and what kind of fuels we use. When it sets standards for how inefficient the things that burn those fuels can be, like our cars, the U.S. government is taking action. When it leases land to corporations to dig up coal or drill for oil or gas, the U.S. government is taking action. When it offers tax breaks and subsidies to fossil fuel companies, the U.S. government is taking action. When it permits the pollution that comes out of the energy system it controls, the U.S. government is taking action. When you add up all these actions, the U.S. government, more than anyone else, is responsible for the level of carbon dioxide pollution that will determine the climate in my lifetime.

As a young person, I'm not worried about President Donald Trump's opinions on climate change, but the U.S. government's actions. Because I know the actions it takes today to promote fossil fuels will cause fossil fuel emissions, and those emissions will cause climate change. And that climate change will mean impacts that I will have to live with, throughout my lifetime.

That's why I take a little comfort in knowing that Trump can withdraw from the Paris agreement, but he can't withdraw from my lawsuit. U.S. Magistrate Judge Thomas Coffin, in his 2016 opinion allowing the lawsuit to proceed, wrote that "the alleged valuing of short-term economic interest, despite the cost to human life, necessitates a need for the courts to evaluate the constitutional parameters of the action or inaction taken by the government."

This means that we will have a trial near the end of this year. We feel excited and optimistic about returning to Eugene and appearing in court again.

Our case may be in the court system for years, but a win on the Supreme Court level will force the government to develop and implement a plan to rapidly reduce emissions. Logical and feasible solutions exist to limit emissions, and economic studies have shown that these solutions would increase gross national product and create millions of jobs. I feel strongly that it is my and my fellow plaintiffs responsibility to spread awareness about this to other young people — we must all take ownership of our future.

Sophie Kivlehan, a 2017 graduate from Parkland High School, will attend Dickinson College in the fall.

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