



Colstrip power plants and settling ponds. (photo: Larry Mayer, Billings Gazette)

## Judicial Pillar & Montana Coal

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**M**aking a democracy work is not easy. But it is worth the effort.

Dysfunction and incompetence of the legislative and executive branches of the United States national government are at shocking heights. Short-term improvements are possible via upcoming elections, but long-term solution almost surely requires an approach that explicitly addresses the present extreme polarization of our politics. More on that topic later.

Meanwhile, the third pillar of a democracy, the Judiciary, is a crucial stabilizing force for justice. We don't need to worry too much about how many judges are of this or that party – they are all highly educated. Instead let's make sure that they have an accurate understanding of the facts.

I just filed a [declaration](#), with help of my legal adviser Dan Galpern, in the U.S. District Court in Billings Montana to support a lawsuit filed by the Western Environmental Law Center that challenges the [proposed expansion of the Rosebud Coal Mine](#). The mine's sole customer is the Colstrip power plant. Montana has the nation's largest coal reserves, and Rosebud mine is the second largest coal producer in Montana. Such local battles to reduce fossil fuel use are occurring around the world and are worth the effort. They also lay the groundwork with the courts for the larger cases that will pressure governments to phase down fossil fuel emissions.

Coal mines and fracking for gas will disappear once we have a rising carbon fee, as Dan Miller and I wrote in a [recent op-ed](#). Young people understand that. As I noted in a [Communication](#) in

July, more than 350 student government presidents agreed on a bipartisan [statement](#) to follow the science – climate, energy, and economics – endorsing ([Students for Carbon Dividends](#)).

A rising carbon fee will be accepted by the public – conservative and liberal – if 100 percent of the collected fee is distributed uniformly to legal residents. The danger that we must guard against is politicians who would grab part of the money for some special interest group. If they do that, they kill the goose that lays golden eggs. Fee & dividend, if not so strangled, spurs the economy, creates millions of jobs, and thus increases government revenues. Those increased government revenues can be used for social programs, for pre-K, for reducing higher education costs, and so on, but there are no such revenues if the goose is dead.

Let's support young people as they push for a bipartisan approach.

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I opened a Twitter account @DrJamesEHansen, (<https://twitter.com/drjamesehansen>), but I am focusing mainly on finishing *Sophie's Planet*.