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Proposal

For my final paper, I will be using the court case *Juliana v. US* to discuss the way that the concept of nature is thought about in legal contexts. In the Opinion and Order for the district of Oregon, in which Judge Ann Aiken upheld the court’s decision to deny the motions to dismiss (filed by the US government), and in particular the “Injury in Fact” section (p. 9), it was clear that the laws in place made it necessary to consider the damage to nature only in the context of human injury. This requirement in the law makes it difficult for any group to hold the government responsible for damage to the environment. The goal of the UN “World Charter for Nature” seemed to advocate for the decreased human intervention with Nature (see Function 11c.), but in doing so, they still mandate a form of control over the environment and continued to write in a anthropocentric perspective. As a comparison, I will consider the idea of giving Nature itself legal rights using the examples from Bangladesh and New Zealand, from the articles “Should Rivers Have Same Legal Rights as Humans?...” and “A New Zealand River Now Has The Legal Rights of a Human.” I will also compare these ideas to the requirements the plaintiffs had to meet in order to have standing to sue, including the “generalized grievance rule” (p. 9). I will be looking at how different approaches to thinking about Nature in the law might make it easier and/or possible for citizens of the US to take an active interest in holding the government accountable for climate change (thesis).

Summary of “Our Children’s Trust” website

As my reliable source, I explored the “Our Children’s Trust” website. I read through the lawsuit’s history, (including the government trying to do the same thing over and over to try to stop it from happening—if I was a lawyer working for the plaintiffs I would have gone crazy) and read about the team—both the actual youth plaintiffs and the legal team. There are a lot of people working on the legal team, most of whom look really young, actually—younger than I would have expected, which reminded me of their mission, in which they say that they are representing not only current generations, but also future ones. They also put a lot of emphasis, on several pages on the website (including the mission), of basing the policies they advocate for on science. Since many people who deny climate change often say that there isn’t enough scientific evidence to support the existence of human-caused climate change, their focus on supporting their claims with science is significant. At the moment, they are still waiting for the decision from the U.S. Court of Appeals for the Ninth Circuit—which put a stay on the case—before they can even go to trial. I learned that originally, the lawsuit also included President Trump, but he has since been removed from the case (which I honestly think is *wild* that you can sue the president, even if he got removed). The lawsuit had been filed around four years ago now—and still very little progress has been made in terms of going to trial. There is a lot more to see on the website, but I was mostly looking into the case itself, but I do see that there are other ways to get involved as well, including other grassroots movements.