



## WILDERNESS ISSUES LECTURE SERIES

## Law Professor Says Government Obligated to Curb Climate Change

By Peter Metcalf, 2-20-08

The government's failure to protect the atmosphere from climate change is a violation of its "fiduciary duties" as guardian of the nation's natural resources, distinguished University of Oregon Law Professor Mary Wood said in a Wilderness Issues Lecture Series address to the University of Montana campus Tuesday night.

Citing common law and a variety of other statutory frameworks like the Clean Air Act, Wood argued the atmosphere, like all natural resources, belongs to the people as a natural trust administered by the government. The government then has a legal responsibility as trustee to maintain these resources for the benefit of present and future generations.

"Our imperiled atmosphere is the most vital asset of the trust," Wood said. "A government that fails to protect its natural resources sentences its people to misery."

Wood spoke via live, interactive webcast from the University of Oregon's Law School in Eugene, Ore. where she teaches. The format was a first for a large scale public lecture at the University of Montana and was an attempt to reduce carbon emissions related to speaker travel for the series, said series coordinator and UM instructor Nicky Phear. The lecture series has also purchased carbon off-sets for the emissions associated with the other speakers' travel.

Climate change is a global issue, and each nation must do its part to reduce its share of greenhouse gas emissions, Wood said. The United States, which accounts for more than 30 percent of the world's emissions, must take a leadership role.

But responsibility for our nation's reduction in greenhouse gases also falls to each state, city and individual, Wood said. Wood likened the atmosphere to a giant pie divided into shares based on contributions of greenhouse gases. Each contributor—industry, nations, states, cities and individuals—has a responsibility to reduce their share of the emissions.

"We can't excuse any orphan shares. Unless every share is accounted for, we are not going to reduce the carbon pie in the time we need to," Wood said.

Throughout the lecture, Wood compared the challenge and urgency of climate change to that faced by the nation during World War II.

"Nothing less than a massive global effort on the scale of WWII can save our climate," Wood said.

She said every local, state and federal government agency needs to organize to fight climate change, just as they did to fight the Axis, and within months every industry in America had been retooled to support the war effort: car manufacturers built vehicles for the military, banks issued war bonds, and communities planted victory gardens

"The leaders did not sit by. They took action," Wood said.

By comparison, today's leaders, Wood said, are actively engaged in pursuing policies that make it worse, such as licensing coal fired power plants, permitting large rural subdivisions, and encouraging deforestation. The Environmental Protection Agency is even fighting California's attempts to stringently regulate carbon emissions, she said.

"Failure to mount a climate defense is as senseless as America sitting idle during an attack on our land."

She called "climate defense" a moral imperative and likened the government's failure to protect the atmosphere as a theft from future generations.

Wood outlined immediate steps the government needs to take to safeguard the atmosphere. These included a carbon tax on greenhouse gas emissions, a moratorium on all new coal fired power plants, and protection of remaining carbon sinks—such as forests and untilled prairies—that can absorb carbon already in the atmosphere.

And America must act quickly and decisively or else we will live on a totally different planet, Wood said. She cited a host of leading scientists, including NASA's James Hansen and the United Nations Intergovernmental Panel on Climate Change (IPCC) who argue America has two or three years to begin cutting emissions, and needs to reduce emissions annually by four percent thereafter or else cross an irreversible threshold in climate change.

"It's an urgency that puts a premium on everyday that passes," Wood said.

She chastised the American public for being asleep on this issue and not holding its elected leadership accountable for its trust responsibilities. "By living out the American Dream today, we are signing our children up for a draft for a war that will last their lifetime."

Americans, she said, seem to be too busy for climate change and too attached to a life of convenience that will lead to more catastrophic events like Hurricane Katrina. Unaddressed climate change will lead to the deaths of millions of people around the world, experts believe.

"Our consumption is going to cause death. That is the end in sight unless we change our patterns," she said.

Despite the grim outlook, Wood maintained optimism that the large scale alteration of the planet could be avoided. True to her World War II analogy, Wood called for ordinary citizens to become victory speakers to motivate all citizens for the war on climate change—to talk to their friends, their relatives, their coworkers, their churches, and to their communities about the urgency of climate change.

"Our collective future depends on what we do today," Wood said.

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