One thing I've always loved about teaching is the opportunity to see important issues through my students' eyes. So for my last Climate Law and Policy class at UCLA Law this week, I asked my students to tell me what they are thinking about the future of climate policy in light of today's global circumstances, keeping in mind lessons we've learned through the semester.

Their answers are both heartbreaking and heartening. The responses are, by turns, funny, desperate, hopeful, clear-eyed, angry, analytical, and determined. My students range from experienced environmental advocates to folks taking their very first, perhaps only, environmental law class. They include not only JD students but some practicing lawyers from other countries, visiting the U.S. for a year to broaden their experiences through our LLM program. And they are the future leaders who will need to wrangle the dire set of problems and constraints we have created.

As we post our views on environmental law in the COVID-19 era for Earth Day, I'll take this opportunity to share some thoughts from our students about challenges for climate policy. (All excerpts below are shared by permission; where requested, I'm omitting student names.) Here's to new voices and a new direction.

> One dangerous and misleading takeaway from the temporary climate benefits we have seen during the pandemic is that environmental gains are only possible when the global economy halts. To reconstruct our global economy from the ashes, climate advocates must emphasize the potential job growth within green industries, the lower risk of shipping green jobs overseas, and the opportunity to build an innovative industry whose technology can be sold for a premium around the world. The best way to keep these green industries alive is to lobby Congress intensely during discussions for the next stimulus bill to ensure that green companies can be included in any benefits to industry. Climate activists must also re-frame their advocacy online to focus on green jobs and healthier communities.
>
> -Taylor Russell, JD 2020

> While the federal government has been resistant to combat climate change, many states and cities have taken it upon themselves to tackle

the issue. As we have seen with the response to COVID-19, local action can be very effective. The fact that cities around the world are taking it upon themselves, not waiting for their national governments, to start acting to combat the harms of climate change is promising. These localities host a substantial portion of the global population and can be effective – or can at least make strides forward in the face of resistance from larger bodies of government.

-Yasmine Novian, JD 2020

Since quarantine began and the world around me has been upended, I’ve admittedly indulged in procrastination and dawdling. The immediacy of prior concerns suddenly feels distant and removed. There is an irrationality in my refusal to tackle them before they become overwhelmingly urgent. And I have been drawing parallels to humanity’s general approach to climate change. Even as we see the predicted effects of global warming play out with increasing magnitude and consistency, climate change is still a contentious topic for policymakers and there are still dramatic reversals in climate change policy that evoke the same feelings of irrationality I feel about my refusal to focus on finals.

-Anonymous

I’ve come out of the semester more optimistic about the ability to fight climate change on a global scale. It has become clear that a global top-down approach is not the only option. Whether it’s states taking action within the United States, or countries taking action independently of a global commitment such as the Paris Agreement, I’ve become more convinced that “bottom up” approaches offer promising results. As the consequences of our delay have become more and more real (droughts, fires, lack of drinking water, etc.), cities, states, and countries are being forced to reckon with the realities of climate change and will have more initiative to act independently.

-Lillian Rand, JD 2021

I am more than ever convinced that climate change requires global solutions. Although state or local level action is to be encouraged, we won’t achieve much without international cooperation and action. It is interesting to see now how solidarity between countries both has thrived and perished at the same time in this crisis, depending on where you look. And within the U.S., I have never seen the relationship between States and the Federal power as divided as now.

Before this pandemic, I was certain that one of main causes of inaction about climate change was the fact that the effects may seem remote to certain leaders or groups of populations. But it appears now that even in the face of a very immediate danger, things are not really different. I still think (or hope) that the work that the Paris Agreement started may lead to more efforts globally and to more progressive international cooperation in the future.

-Anonymous

One of the most significant obstacles for global climate progress in the current situation is the fact that climate action is no longer a priority for global leaders right now. Global conferences to address climate crisis have been delayed or canceled, meaning that the pandemic will very likely slow international action. The goals set in the international agreements are not being discussed as they should, and this could delay their achievement.

There is nothing that can be done about this delay. However, this scenario might create the perfect opportunity for leaders to discuss the way in which countries should resume their activities around the world. It might give rise to new laws and policies that encourage investment in renewable energy and sustainable development projects, which can make a difference in the long run.

-Thais Ferreira Moreno, LLM 2020

The present global moment seems defined by the economic uncertainty generated by the COVID-19 pandemic and the increasing, and worrisome, signs that a far-lengthier-than-expected global recession is looming. This will throw numerous and significant obstacles in the face of international action on climate change. Will China feel confident continuing to move away from fossil fuels with a sharply slowing domestic economy? Will a retrenching U.S. be able to do the same (with the additional wrinkle of continued Republican antipathy to significant action on climate change or significant moves towards renewables)? Throughout the world, countries will again – more starkly than ever – face the purported “economic tradeoff’ between growth and climate action. Although the problem will be thrown into starker relief, the solution should not change. Massive public-private investment in the clean energy space should not be a drag on the economy – in contrast, it will create new industries, new jobs, and help shift the public narrative regarding the potential impacts of large-scale, sustained climate action.

-Reid Knabe, JD 2021

A significant obstacle to climate progress is the continued investment in fossil fuels throughout the world. In 2018, over $800 billion was committed to projects that produce oil, natural gas, and coal and another $127 billion was invested in power generation that burns these fossil fuels. The continued investment in fossil fuels pushes back when we can achieve a 100% clean energy future.

One policy approach to curbing investment in fossil fuels globally is supporting clean energy alternatives that outcompete fossil fuel powered goods in the market. Greater federal investment in research and development programs can help lower the cost of alternative energy sources we currently have and create new technologies to power sectors of the economy that do not have viable solutions yet. Responding to the economic impacts of the COVID-19 pandemic provides an opportunity to expand federal R&D as part of a broad economic stimulus package. This domestic increase in R&D and commercialization programs can have a

global impact. These technologies can be sold in international markets to compete against the fossil fuel powered goods.

-Andrew Klimaszewski, JD 2021

As I thought about our work, I recalled all the obstacles we discussed this semester, either directly or indirectly. In isolation, they all seem manageable to me, whether it was something as grandiose as an international agreement, as technically complex as a new mechanism for energy storage, or as subtle as a shifting legal standard. But there is one challenge I keep returning to. One obstacle that is a requirement, or a catalyst, for surmounting all other challenges. And that’s the obstacle of political will. If enough people wanted to tackle climate change, I believe we have the capability and resources to do so. We have the technology to shift from a fossil fuel-based energy grid. We have the bureaucracy to implement and measure emissions restrictions from a national level down to a local level. We can pass legislation to change existing legal doctrines to ensure climate change litigation is enforceable in the court system. We have enough sophistication in foreign affairs to reach binding agreements with neighboring nations. We have enough money to make sure no one suffers unduly because climate change policies. But simply put, not enough people care about tackling climate change.

-Anonymous

COVID has highlighted the damage that can be done by mixed messaging on issues like climate. The spread of misinformation and anti-science rhetoric from government and media has given people a reason not to believe in the seriousness of the pandemic. I think that because it is inconvenient to believe in the necessity of stay-at-home orders, people will choose to grasp onto any messaging that downplays the seriousness of COVID. The same can be said about climate change, with people either refusing to believe in science, or people ignoring the seriousness of the issue. Because of this, I think that it’s important for governments and thought leaders to present unified messaging about the reality of climate

change and the steps that must be taken to prevent it.

-Gabriel Greif, JD 2021

I think humanity’s response to the pandemic has been more heartbreaking than the pandemic itself. It’s brought to light a reality that I’ve willfully shielded myself from: a lot of people really and truly do not believe in science, and they have absolutely no care or consideration about the danger in that. For a while, I thought it was just climate science and environmental science because they’re easy targets. I thought because consumption is directly related to the environment, communities that thrive on over-consumption and pollution will continually find ways to refute science that supports alternative ways of production. However, today, even with 177,688 deaths and 2,557,993 Coronavirus cases, we have people protesting in the street demanding their right to a haircut.

Our biggest obstacle is a sense of hopelessness. It’s thinking we have hit the iceberg and we’re going down. It’s the people like you and me, the ones who have been here fighting, who have every right and reason to fight, losing faith in the battle. It’s feeling overwhelmed looking ahead at all the work it’s going to take, thinking that we are too far gone. Because at the end of the day, we aren’t going to change those protestors’ minds.

What’s going to change the world is the fight. To remind ourselves that we have chosen this path, and that we can’t let ourselves feel hopeless. The believers and the fighters have to keep pushing. We now have to fight that much harder.

-Lena Freij, JD 2021