

Royce Hall at UCLA following a rain event, Los Angeles, CA (Charlie Nguyen, 2008, Flickr)

Teaching provides a chance to see important issues anew, through our students’ eyes. So for my last Climate Law and Policy class at UCLA Law this semester, I once again 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.

In case you’re curious how a group of tomorrow’s leaders are thinking about these challenges, here are some of their thoughts. (All excerpts below are shared with permission.) The responses are sometimes hopeful, sometimes angry, sometimes resigned, and always analytical. This holiday season, I’m especially grateful for their tone of determination.

Here’s to new voices and a new direction.

> I feel like climate change is going to have to get worse before it gets better. Climate change has been a big, scary, looming problem for basically the entirety of my life; I cannot remember a time when it was not at least a background concern. Like most deadlines, it becomes a problem slowly, then all at once. I do not yet feel like that it has become a problem “all at once” for the United States overall. Some states, like California, Louisiana, or Alaska may be feeling the impacts more acutely earlier on, but it does not feel like things have become bad enough for

political will to be marshalled. . . . I do not feel optimistic about climate change mitigation efforts in the United States.

I do feel somewhat better about adaptation efforts, since those efforts can be controlled by relatively smaller political entities, such as California. To be sure, a subset of the population inuring itself to a problem that everyone will face is scarcely a just solution. But it beats a structure in which political paralysis is so severe that nothing, whether adaptation or mitigation, can be done.

–Sean Post, JD 2022

Thus far, climate policy and progress has really gone after the “low-hanging fruit.” The bigger changes that need to be made are looming in the background, but take so much societal and global restructuring that it seems like we are waiting until the last possible moment to accept their necessity. . . . I think one significant obstacle standing in the way of climate progress is the (rational) hesitance of any one country to take big economic or lifestyle risks if other countries aren’t doing the same. Therefore, we continue to take small, safe, calculated steps that are relatively inconsequential.

–Kelsey Manes, JD 2022

Although there are many major obstacles, I remain optimistic on the global prospects for addressing climate change. I do not believe that we’ll prevent average global temperatures from exceeding the 1.5C goal of the Paris Agreement, but I do think that it will be possible for us to keep warming under 2C and avoid the most devastating effects of climate change. The biggest obstacle on the global stage is urgency, or lack thereof. Nearly every major economy has committed to reaching net-zero total emissions this century. However, the problem is that almost all of these nations have set their deadline for net-zero at or beyond the year 2050. This is far too late. Instead, nations need to prioritize making major cuts in the next 10 years. . . . What makes me most optimistic are the recent technological innovations and falling costs for renewable energy generation, battery storage and alternative fuel vehicles. As costs continue to fall and investments pour in, I hope to see these green technologies become much more widely distributed and I think that their

eventual ubiquity could speed up net-zero timelines for many countries.

–Richard Diaz, Master of Public Policy candidate, 2022

[I]t feels as if the climate crisis has finally entered the mainstream consciousness and is at the forefront of public debate. What is less clear is how its harms will be limited to protect the most vulnerable populations and regions when countries and nations are still divided on one of the key issues – phasing out coal.

In the absence of a global political consensus on phasing out coal and other industrial activities with high greenhouse gas emissions, the private sector has an increasingly important role in climate change mitigation. . . . Practical and creative solutions by environmental and financial agencies aimed at limiting the funding available to fossil fuel companies may achieve more in a shorter period of time compared to the efforts to reach an international agreement. Climate change is no longer seen as a problem that only governments can address, partly due to past and present political failures to reach an agreement on climate solutions and party due to innovations coming from the private sector.

–Polina Hristova, LLM 2022

The current Supreme Court of the United States is one of the most significant obstacles standing in the way of climate progress. The lack of court reform since the rushed nature of Amy Coney Barrett’s appointment is the proverbial elephant in the room. Although direct reform of SCOTUS was not [a] type of law or policy we focused on in this course, the rules related to the Court’s composition of nine justices with lifetime tenure must change. If far-right judges keep winning the Supreme Court seat sweepstakes every time a Republican ends up in the White House or the Republican Senate majority leader can simply block a Democratic president from appointing a justice to the high court, I do not see how the US will have any constructive role to play (as a nation) in helping resolve global climate change.

–Jay Parepally, JD 2023

The tenuous balance between the right and left in America seems

unsustainable. Throughout younger generations there is a sense of hopelessness and doom. . . . An increasingly desperate group of people seem more and more willing to consider violence as a means to deal with climate change. While obviously this would be a horrifying “solution” and could also give rise to the specter of “ecofascism,” meaningful and immediate climate action seems like the only way to prevent increasing climate violence in the future.

–Tom Hanrahan, JD 2023

One of the huge climate challenges that remains today is the fact that we need to remove carbon from the atmosphere in addition to slashing greenhouse gas emissions to meet the goals of the Paris Agreement. This is a difficult concept to understand in the first place and to add to the list of climate strategies that countries and subnational entities must implement, increases its complexity. Removing carbon from the atmosphere will take a global effort towards significant innovation and rapid implementation. There are options from blue carbon in the ocean to soil carbon and more. While these strategies are daunting and most governments are focused on mitigation and adaptation, I think that there is a lot of hope for innovation at the local level. [L]ocal action has the power to impact consumers and push for greater, faster results.

–Laurel Hunt, JD 2023

Sometimes we should take what we can get rather than push for everything we want, because it might just land us in a better place. The revised [climate legislation in front of Congress this session] is not as comprehensive nor impactful and unfortunately, we won’t yet know how much it helps. But it is better than not producing climate legislation and having to wait for another legislation session which could be too late.

–Alexander Morato, JD 2022

One significant obstacle standing in the way of climate progress is the disparate impact felt by wealthy nations versus more vulnerable and developing nations. We’re all feeling some climate change effects, but the wealthiest nations and those who have power to make real change are insulated from the effects because they have the money and resources to

live in areas that are not hit as hard or can implement successful adaptation strategies. . . . And if climate change gets to the point that even the wealthy cannot escape it, if COVID has shown us anything, wealthy nations and individuals will react by protecting themselves, potentially blocking out climate immigrants, and dropping any aid to other nations.

Some promising law and policy approaches to overcome this obstacle involve a shift away from nation-centric thinking and an investment in climate engineering. If a feasible technique were found, it could prevent many vulnerable nations from experiencing catastrophe, and would also avoid climate change getting so catastrophic that we fall back into “every man for themselves” (or every nation for itself) like we saw in COVID.

–Sarah Repko, JD 2023

Two things have become clear to me: (1) The task of keeping global warming below 2 degrees Celsius is immense and a target the world could easily fail to meet; and (2) humans have the intelligence, technology and, most importantly, the will required to find long-term solutions.

As the first part of the course made clear, the hard data paints a bleak picture. We are already falling behind on meeting the targets of the Paris Agreement and we are not taking the drastic action necessary to start closing the gap. The reality is that, if those steps aren’t taken within the next decade, the targets of the Paris Agreement will be a thing of the past and new, less desirable targets will need to be set. There is no way to predict whether our political leaders will stop burying their heads in the sand in time. However, one thing is for sure, the problem isn’t going anywhere, and our species is beginning to recognize that very fact.

The Paris Agreement represents an acknowledgment of this realization, and a significant first step in developing a plan of collective action to tackle the problem. Now, a framework of foreign diplomacy exists through which we can decide how to best utilize new technologies as they develop. By having the world’s smartest and most passionate minds together at the same table, our chances of addressing climate change improve.

–Ben Ruskin, JD 2022

I think the most significant obstacle standing in the way of climate progress is the global nature of the problem and difficulty cooperating with other nations. Collective action problems in this context are extremely frightening. Nations are unlikely to adopt aggressive climate change if they feel other nations are cheating and emitting fossil fuels. However, the COP summits and Paris Accord are starting to show that international progress can be made on this front, despite the need to move much farther and faster. During discussion of the global nature of this problem, I frequently thought about some parallels with another international collective action issue, nuclear proliferation. The most appealing parts of the regimes surrounding nuclear proliferation are monitoring and compliance actions that may be able to instill confidence in countries that may be wary of making sacrifices.

–Parker Johnson, JD 2022

Governments and private actors need to invest in direct air capture (DAC) in order to scale this technology as soon as possible. I have been convinced that DAC is the most promising technology to combat climate change and our best chance to reach net-zero emission by 2050. Furthermore, I believe that net-zero is an insufficient goal in the current climate state, and it is imperative to reach net-negative emissions. Policymakers should facilitate the scale-up of this technology with all the tools at their disposal, including investments in research and development; allocation of funds for the establishment of DAC plants; and tax credits for DAC companies and for companies who purchase captured carbon.

–Shira Etzioni, LLM 2022

I believe that the best approaches to tackle climate change (“best” in the sense of those that would have the best chance of being actually enforced) are the ones with the least adverse economic impact. . . . [H]aving to deal with stakeholders unwilling to prioritize climate progress over economic progress, I feel it is necessary to push to make the green option also the most economically desirable one.

–Constanza Boselli, LLM 2021

There is still a significant portion of decisionmakers who think tackling climate change is too tall an order. . . . New laws and policies, in order to come to fruition, need adequate ties into what matters most to political constituencies. People can be resistant to change, so where law and policy can implement climate action in familiar ways, perhaps the world can finally start making notable progress in preserving the Earth and everything living on it.

–Ethan Lai, JD 2022

I have been relatively surprised and impressed to see what many developing countries are accomplishing and continuing to accomplish in their attempts to sustainably develop while limiting emissions, and equally disappointed in developed country efforts. Despite their ‘headstart’, many developed countries are doubling down on fossil fuels, such as Australia. It remains to be seen if the world will do enough to get us under the 2 degree warming threshold, but as we continue to blow past model predictions of temperature rise, pressure will continue to rise.

–Ahmed Khalil, JD 2022

The world will not explode if the under 1.5ºC warming goal is not met. In fact, there are a lot of good reasons for the United States, and the world, to continue decreasing greenhouse gas emissions [even aside from meeting that goal]. We can strive to reduce co-pollutants like fine particulate matter which contribute to cancer and respiratory disease, especially in low-income neighborhoods adjacent to industry or agriculture. We can increase energy efficiency so that power can be more cheaply and equitably distributed to everyone. We can decrease reliance on non-renewable fossil fuels, preserving those for strategic uses such as emergency responses. We can make way for developing economies who do not have the money or infrastructure to immediately transition away from GHG-emitting power generation.

None of the above is meant to minimize, in any sense, the real and unjustly distributed harms that a failure to hit the IPCC’s climate goals will inevitably bring. But fatalism need not follow; the United States and the

world still have lots of work to do.

–Theodore Caretto, JD 2022

The challenges imposed by climate change are enormous. The more one studies, the bigger the challenges become. The scale of the problem may overwhelm the most optimistic of observers. . . . [But] the biggest enemy that the humanity faces is not climate change, it is ignorance. If everyone were aware of the scale of the problem, there would be significant actions being performed.

After studying different points of view, reviewing alternatives, analyzing problems and so on, I have reached a conclusion: There is light at the end of the tunnel. The brightest minds on earth and some of the world’s biggest institutions are decidedly dedicating their capacities to spread the word, create consciousness [and] shift the current way of things.

The path for addressing climate change and limiting its harms is fighting ignorance. The fight is already being fought and it will be won. Hopefully, that triumph doesn’t come too late.

–Juan Pablo Escudero, LLM 2022