Native American Youth Sues Governor Janice Brewer Over Failure to Combat Climate Change

FEBRUARY 23, 2012 BY ZACHARY SHAHAN

Anyone who has looked into the matter honestly knows that global warming and climate change severely threaten young generations. As reported a few times previously, some members of that young generation are pushing for action now, through legal action.

One such story is of an 11-year old Navajo named Jaime Lynn Butler. On May 4, 2011, the Western Environmental Law Center, on behalf of Jaime and her mother, Jamescita Pehslakai, “filed a lawsuit against Arizona Governor Janice Brewer and the Arizona Department of Environmental Quality to compel the State to develop a comprehensive plan to prevent global warming by reducing CO₂ emissions,” the Western Environmental Law Center writes.

“The plaintiffs based their lawsuit on the Public Trust Doctrine, which requires sovereign governments to manage and protect vital natural resources for the common benefit of their citizens. By evoking this doctrine, they are not asking for monetary or punitive damages. Instead, they are petitioning the court to require the state of Arizona to develop a climate recovery plan that will protect Arizona’s resources for future generations. Former general counsel at the Environmental Protection Agency, Roger Martella calls the lawsuit a remarkable legal action and ‘comprehensive strategy…to encourage this public action to ultimately reduce greenhouse gases.’”

As indicated above, this is not a stand-alone effort. Such legal actions are taking place in 49 states and the District of Columbia as part of the international Matter Trust Campaign. A federal lawsuit has also been launched.
In Jaime’s case (as in many of these people’s case, I imagine), it was the outspoken warnings of some of the world’s leading climate scientists that drove her to action.

As world-leading NASA climate scientist Dr. James Hansen says, “the science is clear – we must rapidly reduce fossil fuel carbon dioxide emissions if we are to have a chance of protecting Earth’s natural systems for these young people.”

“The earth is part of us, like our own body…so shouldn’t we do everything we can to save ourselves, our Mother Earth?” says plaintiff Jaime Lynn Butler.

You can see more on why Jaime and others have felt compelled to take this action in the video below, produced by Witness, “an international non-profit that uses the power of video to expose human rights abuses.”

Jaime Pushing on Obama

In addition to her state lawsuit, Jaime has also sent letters and artwork to President Obama to push for action on that level. In such letters, Jaime has also expressed fears and concerns about threats to the Arctic Wildlife Refuge and the effects of the infamous Gulf of Mexico BP oil spill.

“President Obama responded and encouraged Jaime to stay active as a leader in the environmental youth movement, “Your generation will play an important role in meeting the challenges of the 21st century, and I urge you to stay involved. You can accomplish great things and urge others to do the same thing.”

“Arizona is at a crossroads where it can either lead efforts to restore its snowpack, rivers and communities, or ignore the obvious awful impacts from climate change,” said Erik Ryberg, an attorney in Tucson who represents the plaintiff. “I hope the court will recognize that the public trust embraces this most fundamental aspect of life: the rights of kids to enjoy the same natural systems that we enjoyed as kids.”

Learn more at Our Children’s Trust.