**Rewriting the Conservation Playbook For All Ages**

In 1992 the Union of Concerned Scientists and more than 1,700 other independent scientists wrote and signed the “World Scientists’ Warning to Humanity” to warn humankind of future environmental harm from anthropogenic changes. Now, 25 years later, over 20,000 scientists have signed onto the second “Warning to Humanity” notice, including [Nelson Institute for Environmental Studies](https://nelson.wisc.edu/) Professor [**Adrian Treves**](http://faculty.nelson.wisc.edu/treves/people.php), who felt like future generations were being robbed of their rights to a healthy environment.

Treves is the founder and director of the [Carnivore Coexistence Lab](http://faculty.nelson.wisc.edu/treves/) on the University of Wisconsin - Madison campus, where he strives to find a balance between human needs and carnivore conservation worldwide. However, his work also extends more broadly to understand how the environment and natural resources are preserved, used and regulated amongst nations and their citizens. The research he does challenges the current environmental policymaking practices and recommends intergenerational equity, the principle that all generations have equal rights, be taken into account.

“We can’t take away the rights of youth and the unborn future generations. They are equal to us when it comes to things like constitutional rights and a healthy environment,” Treves said. “It’s time to fix the balance of power between the generations.”

The Environment Is A Constitutional Right, But Not Everywhere

The biggest problems start at the national level, since some governments do not even recognize a right to the environment or even a governmentalobligation to protect a healthy environment, in their constitutions. A [recent paper](https://www.nature.com/articles/s41559-018-0465-y) Treves published in the journal *Nature Ecology & Evolution* examined how constitutional provisions affect environmental protections across the globe.

Nearly three quarters of national constitutions, do acknowledge governmental responsibility to protect a healthy environment, according to his research. But some countries, mostly English speaking countries like the United States, Australia and Great Britain, make no such mention of the environment in their constitutions. There are 144 nations that do protect their citizens’ rights, and those nations also make less global CO2 emissions than expected (74.4%) given that 85.0 percent of the world’s population lives there. The remaining CO2 emissions disproportionately come from the nations that don’t provide defense against climate change issues, biodiversity preservation, or public trust matters.

What’s even worse, Treves said, is that in some nations where the government is supposed to uphold environmental protections, these laws are not enforced because people either don’t know about them or they are afraid to take a stand against companies or agencies acting to destroy the environment.

“I was absolutely floored that three-fourths of the world’s countries have these constitutional provisions for protecting the environment, yet the courts aren’t upholding those rights for climate change and the people,” he explained. “Part of our work is to reach out to broader public to tell stories that will inspire people to stand up for their constitutional rights.”

However, even when citizens are able to exercise their constitutional rights in courts, Treves said a certain demographic is all but excluded from participating in the policy and decision making process: youth and unborn future generations.

Thinking Towards The Future

Intergenerational equity considers the rights of all generations, which includes older generations who are already working in the world, younger generations who are set to inherit those responsibilities, and future generations that have yet to come. But Treves says there’s an unjust and unconstitutional imbalance of power between those who have a say in the making the decisions. In order to achieve proper representation, the decision making process should contain equal considerations for both current and future generations.

“The status quo is that adults make all the big decisions under some concept that we’re wise and have the interests of future generations at heart,” he said. “I think those assumptions are flawed. We haven’t been wise. We haven’t protected the future environment for our grandchildren.”

Achieving equal representation is easier said than done though. Many sovereign states are built upon a political doctrine, like a constitution, which are often written by older generations. Constitutions are viewed as “the law of the land” since they contain the rules for future generations to follow. They’re also hard to change once they’ve been set, offering future citizens less of a say in social governance.

But there is still hope for future generations to have a say. Treves pointed out that the U.S. and other democratic governments offer opportunities for intergenerational equity because court decisions in the United States and elsewhere have established legal precedents for environmental protections. For example, Treves referenced a U.S. Supreme Court ruling in 1892 involving the Illinois Central Railroad as the landmark moment where the very concept of an individual’s right to the environment was upheld. The court opinion held that the U.S. public trust was permanent and no legislature could deprive a future one of its power to protect nature as a public trust. Now [a group of 21 young people](https://www.ourchildrenstrust.org/federal-plaintiffs/) from Our Children’s Trust are using that specific court ruling, among others, to challenge the U.S. Federal Government over their right to an unimpaired atmosphere.

These youth plaintiffs are challenging the traditional “playbook” that limits their ability to speak out for the environment. Now they’re writing their own rules through their historic lawsuit against the U.S. Federal Government over climate change.

##### The Environmental Playbook In Action

Victoria Barrett is one of the those plaintiffs from the Our Children’s Trust Supreme Court case [*Juliana v*. *United States*](https://www.supremecourt.gov/DocketPDF/18/18A65/54512/20180717145019412_17A%20US%20v%20US%20Dist%20Ct%20%20-%20Stay%20Appl%20App.pdf). She’s been involved with Our Children’s Trust since 2015, where she was able to meet several other youth environmental activists who share her philosophy of climate justice and desire to take on the global issue of climate change. Alongside her work on the national lawsuit, she’s majoring in environmental studies at UW-Madison and involved with Treves in an independent project on environmental policy.

Like Treves, Barrett realizes the power imbalance between generations and she’s actively working to overcome those challenges. In the [current 115th session](https://fas.org/sgp/crs/misc/R44762.pdf) of the U.S. Congress, the average age is 57 for a representative and 61 for a senator. She said the political representation for youth isn’t there right now, but she’s looking to change that.

“Young people who are being born right now inevitably will be in charge of things one day,” she said. “We have to consider who has the most stake in our future environment, and who has the most control over the politics of it.”

Working with youth energizes Barrett because she can overcome the expectations of adults who haven’t permitted people her age to make change happen. She said adults need to learn that it doesn’t matter who you are or where you’re from, but rather whether you have good ideas that can change things for the better.

Ultimately, Barrett wants to inspire people of all ages to care about their impacts on the environment. However, to make the most impactful changes she believes grassroots efforts are necessary to change the public opinion and bring people of all ages and identities together to solve this problem together.

“Right now at the point we’re at, and the rate it’s happening, climate change is not going to stop impacting people,” Barrett said. “If some huge social shift doesn’t happen in the next few years, it’s not going to be good.”

*Despite attempts by the federal government to dismiss the case or stay the trial, the constitutional climate case will* [*move forward with proceedings*](https://www.ourchildrenstrust.org/federal-proceedings/) *on October 29th this year. The trial will commence with oral arguments in the District Court of Oregon in Eugene, Oregon.*