

Earth Based Salvation: Juliana v. the United States

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The lawsuit *Juliana v. the United States*, filed to the U.S. District Court in Eugene, Oregon, on Sept. 9, 2015, begins with a description of the 21 plaintiffs' favorite recreational activities, which seem typical and wholesome for their ages (the youngest is 9 years old, the oldest, 20). Kelsey likes to walk on the beaches of Coastal Oregon; she loves rafting and camping with her family. Alex enjoys fishing on the river on the farm established by his great-great-great-great grandmother. Jacob creates original music and poetry based on his observations of animals. Tia Maria is an accomplished athlete, competing in Nordic ski events since she was 5 years old. Journey enjoys learning about indigenous Hawaiian drumming and dance.

One of them, Xiuhtecatl, a rap and hip-hop artist, has addressed the United Nations three times, and is the founder and director of the nonprofit organization Earth Guardians. But most of the plaintiffs are living lives as normally and quietly as they, and their parents, can manage. This is difficult, given that all of them are participating in a remarkable lawsuit against the President of the United States, the Office of the President, and the Environmental Protection Agency. *Juliana v. United States* argues that the federal government, by denying climate change and/or failing to act on it by reducing carbon emissions, has deprived these young people of their constitutional right to freely pursue their lives and liberties. In short, the government, in failing to be proactive about climate change, has denied their very futures.

In this light, the account of the plaintiffs' favorite activities at the beginning of the complaint becomes heartbreaking. The simple pleasures these young people enjoy will be impossible in the very near future, if not already. Several of the children's families have had to curtail camping trips because of increasingly common wildfires. All these young people have had their food and water sources threatened. None of them can imagine a future where their relationship to their environment is simple, healthy, or mutually sustaining. Some of these children already have allergies, asthma, and other medical conditions aggravated by climate change. Their psychological and spiritual damage is real, too: They imagine a near-future environmental apocalypse in the finely drawn details that were previously the domain only of the most unhinged survivalist. Kelsey sees herself wearing a gas mask, all the time. They think about what they will eat and drink when food and water are poison; they think about where and how they will live when the earth itself is venom.

As Xiuhtecatl writes:

*I feel trapped in a concrete jungle sinking deeper I am going under
Machines come loud as thunder the Earth's resources we plunder
And some people turn away, but I raise my voice and say
What will be left for my generation at the end of the day*

On this Earth Day, then, we ask ourselves, what would it mean to take these young people seriously? How, as Unitarian Universalists, are we called to respond to them and the crisis toward which their lawsuit points?

In contemplating these questions, it might be tempting to emphasize the great hope that these young people represent. They are indeed remarkable people from whom we can and do take inspiration. And, we should be cautious not to ask them to be the vehicle of our salvation. We do not want to turn them into prophets who, precisely because they suffer for our environmental sins, are also the only ones who can finally redeem us. We all have our own work to do, as daunting and impossible as it sometimes feels.

As Unitarian Universalist ethicist Sharon Welch points out, many of us, especially if we are white and middle class, collapse under the weight of massive problems such as climate change that cannot be effectively project managed; we do best when we can divide up issues into steps that progress steadily and inexorably to the desired outcome. As a corrective to the paralysis of despair, she recommends the wisdom of African American womanists, who teach that even if it is not easy to imagine the completion of a goal, successful activists nonetheless put themselves wholeheartedly into the fray, stirring up the social context so that new possibilities can emerge along the way. This advice is more than practical — it displays a spiritual and theological wisdom. If what we desire is to foster life, surely, along the way, we must ourselves manifest liveliness.

But how to connect with this life force? I think of the Siddhartha Gautama, meditating under the Bodhi tree when the demon Mara sent phantom armies to frighten and distract him. In response, Siddhartha simply touched the earth. The earth itself was his voice, his foundation, and his witness. In response to this gesture, the demons fled, and, shortly thereafter, when the morning star rose, Siddhartha Gautama realized his enlightenment as the Buddha. Why was touching the earth so effective? Many teachers suggest that the power of that gesture was its ability to ground Siddhartha's troubled soul through a connection to stable, earthly certainty. Yet the Buddha did not just touch inert dirt; he touched soil teeming with life. He experienced what the post-colonial theologian Aruna Gnanadason calls "brown grace," redemption of and through the life force of the earth itself, as opposed to the "red grace" of violence, vicarious atonement, and anthropocentrism.

We often say that we do this work because if we do not, the planet will die. This is true, but it is not life-giving; it is a participation in the red grace of sacrifice and martyrdom. The Iroquois speak of the duty to future generations in terms of an obligation to those whose faces are yet beneath the surface of the ground. In speaking of the rights of the future generations, then, the young people in *Juliana v. United States* invoke a brown grace. In response, I feel called to connect to the teeming soil of what our own deepest theologies teach us about earth salvation.

One of the core purposes of the Unitarian Universalist Association includes the promise of each member congregation to affirm and promote "respect for the interdependent web of existence of

which we are a part.” But how many know the theology of interdependence beyond the word itself?

The most recent UU theologian of interdependence was Bernard Loomer, late of the Graduate Theological Union in Berkeley. Loomer based his work on the premise that interdependence is the basic condition of all life. This includes human life, animal life, plant life, and indeed, even the life of what we have falsely assumed to be inanimate aspects of creation. Indeed, he was fond of saying, “You cannot pluck a flower without troubling a star.” Many Christian theologies suggest that love is primary, and that interdependence arises from love. Loomer, however, taught that we love because we are interdependent, that love happens when we acknowledge the relationships with each other, with nature, and with the divine—all of which already constitute us. Here is a deep, brown grace: In turning towards life, we restore life.

Theologies of interdependence are often associated with theologies of immanence (the teaching that the spiritual world infuses the material). Charles Hartshorne, who pioneered process theology, is an important voice here. Traditional theology often relies on platonic ideas of fixed ideals: God is the omnipotent, supreme, perfect, unchanging being. In Hartshorne’s process-based world, God is always in the process of becoming. If God is relationally perfect, God cannot be unmoved by suffering. It is impossible to separate creation from creativity from creator; all are mutually engaged and mutually enlivened. Each of the elements of nature, from atoms to rocks to cells in the human brain, are of absolute and intrinsic value, insofar as they, and we, are essential to divine becoming. In a famous example, Hartshorne spoke of birds singing, not to defend territory or to attract mates, but to participate as we all do, as creative beings, in unfolding beauty. In turning towards environmental work, then, we are not just accepting a difficulty, but also beauty. We feel a new spiritual wholeness that comes from once again moving with, not against life and all that is holy. We all want to sing creation into new being.

To experience our environmental theology in its fullest depth, we should pay heed to the lessons of religious existentialism. One contemporary figure here is Anthony Pinn, a Unitarian Universalist theologian at Rice University and the preeminent figure in Black Humanism. Pinn made his career in exploring theodicy (the question of how evil can exist) in relationship to slavery. Like the UU minister William Jones before him, he concluded that if you argue that God allowed for slavery, or if you argue that there is redemptive power in suffering, you are constituting God as a white racist. For how can God (or we) be committed to the full liberation of all people if there is value in suffering? Theology, he believes, too often minimizes human suffering to preserve the intellectual coherence of some idea about God. Suggesting that God gives humans dominion over nature in service to a higher purpose would be an example.

It is too early to say whether *Juliana v. United States* will be successful in the courts or not. The case was set to be tried this February before Judge Aiken of the U.S. District Court in Eugene, Oregon. However, this past summer the Trump administration petitioned for a “writ of mandamus,” which could force the District Court to honor previously overruled attempts to

dismiss the case. A three-judge panel of the Ninth Circuit Court of Appeals heard oral arguments on this issue in December. There has been no word yet, but the young plaintiffs are hopeful that the panel will soon send the case back to the District Court for trial.

I am not accustomed to reading legal documents, so I was startled to find that the last section of the Juliana v. the United States filing includes a “prayer of relief,” a summary of the remedies that the plaintiffs seek. Among other things, they are asking for a sweeping judicial order directing the federal government to swiftly phase-down carbon dioxide emissions, a national plan to restore the Earth’s energy balance and right the constitutional harms, and implementation of that plan so as to stabilize the climate system. I know that we would add to this our own “prayer of relief.”

Can the master’s tools be used to demolish the master’s house? Will climate change have a legal remedy? It remains to be seen. But the theological accomplishments of these young people endure. They have bravely stepped into a complicated situation, stirring up new possibilities and vision. Heeding our theological inheritance, may we accept their witness as to the suffering of the planet as primary testimony, to be subsumed under none other. We hear that their ability to participate in the unfolding of creation has been threatened; we know that this constitutes a crime against the divine, in them, and in us, and in the earth itself. But even in our despair we acknowledge the life and liveliness they affirm. For the sake of our own souls, we reclaim our birthright to participate in creation as life interested in other life.

UPDATE: On March 7, 2018, Chief Judge Sidney R. Thomas, writing for a three-judge panel of the Ninth Circuit Court of Appeals, rejected the Trump administration’s “drastic and extraordinary” petition for writ of mandamus in Juliana v. United States. The case will now proceed toward trial in the U.S. District Court for the District of Oregon. Victoria Barrett, 18-year-old plaintiff from White Plains, New York, said: “Today, the Ninth Circuit sided with progress. I’m grateful that my fellow plaintiffs and I can have our voices heard, and that climate science can have its day in court. The Trump administration tried to avoid trial, but they can’t ignore us. Our future is our choice and I believe the courts will stand with our constitutional rights.”