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**O**ur response to the climate crisis depends on who or what we think is causing it. This trial role play helps students understand how complicated it is to assess “guilt.” It’s an engaging activity in which students defend entities charged with causing the climate crisis, as they point the finger at others. Ultimately, it asks them to consider how different factors are linked together, and, depending on their assessment of blame, to propose what justice looks like. The climate crisis is no laughing matter, but this activity provides a lively and playful way to explore the issues.

**Materials needed:**

1. Construction paper for making name placards, one for each of the six groups.
2. Colored markers.
3. Copies of the indictments. Members of each group get copies of their own indictment—for example, all those in the U.S. Government group receive the U.S. Government indictment. Sometimes students like to see the indictments of other groups, and this can lead to a more fully argued trial, so you may want extra copies of indictments for all the groups.

## The Climate Crisis Trial

A role play on the roots of global warming

BY BILL BIGELOW

### **Suggested procedure:**

**1.** In preparation, list the names of all the “defendants” on the board: The “Market”—the System of Global Capitalism; the U.S. Government; U.S. Consumers; the Governments of China, India, and Other “Developing” Countries; and Oil and Coal Companies.

**2.** Explain that in this trial role play, each group is charged with causing the climate crisis and all its ravages: the destruction of cultures, extinction of species, putting at risk the lives of people all over the world, and even threatening the lives of people in future generations. Groups of students will prepare a defense for their role and you as teacher will play the prosecutor. (When I taught this lesson at Madison High School in Portland, I was joined by two colleagues, Adam Sanchez and Brady Bennon. Adam shared prosecutor duties with me, and Brady played the judge. Having three teachers in the classroom at once is a luxury, and is not essential to the activity, but it’s an excellent opportunity for this kind of collaboration.) Explain that students’ responsibility will be both to defend their own group and to explain which group or groups they think are guilty, and why.

My rule in trial role plays is that students in a group can choose to plead guilty, but they cannot claim sole “guilt”; they must accuse at least one other defendant. If students are puzzled by any of the defendants, tell them not to worry: The charges are explained in each indictment and, in any event, it’s your job as the prosecutor to argue the charges against them. Tell them each group will receive a written copy of their indictment.

**3.** Describe the order of the activity:

- a. In their groups, students will read the indictments and will prepare a defense against the charges. I ask students to write up their defenses, as they’ll be presenting them aloud and may want to refer back to them. A written defense helps focus the group.
- b. Before the trial begins, you will select several students to be jurors, and will swear them to neutrality.
- c. As prosecutor, you will begin by arguing the guilt of one group.

- d. The students in the accused group will defend themselves and will offer their thoughts on who is the guilty party or parties. (Another option here is to allow or encourage students to call witnesses from other groups to be questioned. For example, U.S. Consumers call Oil and Coal Company executives to the stand: “Are you aware that burning coal is the single greatest source of carbon dioxide in the atmosphere?”)
- e. The jury then questions the accused group, and others may question the group and offer direct rebuttals.
- f. This process is repeated until all groups have been accused and have defended themselves. The jury then deliberates and makes its decision.

**4.** Ask students to count off one through five and to form groups throughout the class. (My “trick” to get students into their groups as quickly as possible is to give first choice to the first group that assembles its members into a tight circle and is ready to work.) Distribute the indictment sheets to each group. Remember, each group should read these indictments carefully and begin to prepare its defense. I’ve included possible lines of defense on each indictment, just to get them started; tell students that they should use these only if they find them helpful.

As students read and discuss, I circulate from group to group, raising questions, helping them think through possible defenses, but also playing devil’s advocate to help them sharpen arguments. At this point, I distribute a placard and marker to each group and ask them to write their group name and display it for others to see.

Also, as mentioned, I tell students that I’m happy to share the indictments for the other groups if they think that would be helpful. It will also be useful to have copies of materials from the climate change unit available, as students may want to incorporate information from them into their defense.

**5.** When each group appears ready—and this will vary from class to class, and will also depend on the time you are able to commit to the activity—choose a jury; in a large class, one member from each

group, or a total of three students in a smaller class. Publicly swear them to neutrality, as they will no longer represent the groups to which they previously belonged. And, as I mentioned, if you can enlist other adults to participate, that's ideal.

**6.** The order of prosecution is up to you. Most recently, I prosecuted, in order: the Oil and Coal Companies; the U.S. Government; the Governments of China, India, and Other “Developing” Countries; U.S. Consumers; and the “Market”—the System of Global Capitalism. I save the “Market” for last. Because it is a nonhuman entity, it is the most challenging to prosecute, and it helps if students have heard all the previous prosecutions. As prosecutor, I don't read the indictments aloud, because this can become tedious. I use each indictment as an outline to improvise, embellish, and basically, come at each group as hard as I can.

**7.** After each group has been prosecuted and has had ample opportunity to defend itself, I ask the jury to step outside the classroom to deliberate. Jurors can find one group guilty and acquit all the others, but I encourage them to assign percentage blame—for example, one group may have 25 percent guilt, another 20 percent, and so on. I ask them to be prepared to explain their verdict. As the jury deliberates, I ask everyone else to step out of their roles and to write out what I've asked the jury to do. Years ago, in a different trial role play, a student of mine rebelled against the idea of assigning percentage blame. She argued that what was important was not how each group was separately responsible for a given social/environmental crime, but how each group's blame connected to every other group's blame. Of course, she was right, and so now I encourage people to take a more holistic approach to assigning guilt, if students find this helpful.

**8.** The jury returns to deliver and explain its verdict and then we discuss. Here are some possible discussion questions:

- What were some of the most effective arguments you heard in the trial?
- Were there any “innocent” groups? Why didn't you assign them any blame?

- Were there any groups whose guilt was directly connected to the guilt of other groups? In what way?
- Are there other groups that were not indicted that should have been included?
- How much responsibility for the climate crisis did you assign to the System of Global Capitalism?
- What would it mean to “convict” any of these groups? How would you sentence them?
- When Ken Gadbow, a teacher in Portland, uses trial role plays, he introduces students to the concept of restorative justice—the idea that what we should aim for in a justice system is not punishment, but the repairing of harm that has been done and ensuring that the injustice stops. Another piece of restorative justice is that the victim must be actively involved in effecting justice. Introduce this concept to students and ask them to apply restorative justice to the global warming trial. What changes need to be made to deal with the crimes highlighted in the trial?

**Who or what is responsible for global warming and all the misery it brings—and will bring?**

**9.** Especially if this trial role play is taught at the end of a unit, it lends itself to a writing assignment. The trial deals with the question: Who or what is responsible for the climate crisis and all the misery it brings, and will bring—and what does that mean for what should be done? Ask students to write an essay that “answers” this question and that also proposes what should be done about it.

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## U.S. Government

**The Indictment:** You are charged with the destruction of cultures, species, and putting at risk the lives of countless millions of people around the world. But your crime is also about the future. You are destroying the lives of people throughout the world who are alive today. And you are destroying the lives of people throughout the world who are yet to be born.

- Until 2007, the United States was the leading emitter of greenhouse gases, and it is still by far the largest emitter per capita of any major nation. It emits twice as much carbon dioxide as Great Britain, Germany, or Italy; and three times as much as Mexico, France, Sweden, or Switzerland. And the U.S. government has done almost nothing to promote alternative energy. Your pushing of petroleum-based products—which cause a huge amount of carbon dioxide emissions—is a case in point. You could try to discourage gas use by taxing it, but instead you keep taxes low. Here are some recent examples of taxes on a gallon of gas in Europe: \$3.92 in France; \$4.10 in Germany; and \$4.40 in Great Britain. And the United States? The average combined federal, state, and local taxes are 38 cents a gallon.
- The U.S. government continues to give huge subsidies to fossil fuel industries. Instead of giving gifts to the oil and coal companies, why not tax their windfall profits and use the money to fight climate change. In just 10 years—from 2001 to 2011, the five largest oil companies made a staggering \$1 trillion in profit, that's \$1,000,000,000,000. Imagine if you—the U.S. government—taxed these profits at a higher rate? Think of all the money that could be used for good.
- It's not only the oil industry that is the problem. It's also coal—which emits even more carbon dioxide than oil. The United States sells coal that we the people own at just over \$1 a ton. Companies can sell this at \$100 or more per ton. And the coal companies now want to export millions of tons of

this U.S.-owned coal to Asia, which will produce even more carbon dioxide when it's burned.

- You could implement a mandatory carbon cap, and begin reducing emissions dramatically. Or you could heavily tax production of oil, coal, and natural gas. You could lead the world by example. Instead, you do the opposite. The U.S. government refused to sign the Kyoto Protocol—the most significant effort taken by governments around the world to begin to reduce greenhouse gases—and you have refused to support binding international agreements to reduce greenhouse gas emissions.
- Instead of real measures, you push ethanol, which is a gift to the agribusiness companies. Creating ethanol from corn is immoral. First, it raises the cost of food around the world. And, when everything is taken into account, ethanol creates as much greenhouse gas pollution as petroleum.
- Many groups may be responsible for climate change and the disasters it is unleashing and will unleash in the future. But those who are most responsible are those who: (1) knew about the crime; (2) had the capacity to stop the crime; and (3) failed to act to stop the crime.

### Possible defenses:

- You are elected by the people. If any “crimes” have been committed, blame the people; they put you in power.
- The government itself is not a huge producer of greenhouse gases. You don't drill for oil, you don't dig coal. Those cars on the road aren't yours.
- You would support an international agreement on climate change if the developing countries would agree that they're part of the problem. It's unfair for the biggest polluters—like China—to have no restriction on their greenhouse gas emissions.
- You have to move slowly and carefully or you could create economic chaos. That could lead to violence on a global scale.



## U.S. Consumers

**The Indictment:** You are charged with the destruction of cultures, species, and putting at risk the lives of countless millions of people around the world. But your crime is also about the future. You are destroying the lives of people throughout the world who are alive today. *And* you are destroying the lives of people throughout the world who are yet to be born.

- At the core of the global warming crisis lies U.S. consumer culture—which you enjoy and perpetuate. Buy, buy, buy. That’s you. The United States has about 5 percent of the world’s population, but consumes more than 25 percent of the world’s resources and creates more than 25 percent of the world’s waste. If everyone in the world consumed like you—a typical U.S. consumer—we’d need three to five more planets. The average U.S. person consumes twice as much as they did 50 years ago. Your houses are twice as large as they were in the 1970s. You even spend between three and four times as much time shopping as people in other so-called developed countries in Europe. Underlying all this consumption is the burning of fossil fuels that creates carbon dioxide that heats the planet and is leading to environmental catastrophe.
- Your addiction to the automobile and to oil creates a huge amount of greenhouse gas pollution that causes global warming. You drive everywhere, forgetting that when you get into the car, you hurt people all over the world as well as people not yet born. And you’re greedy. The average person in the U.S. creates *four times* the carbon dioxide emissions as the average Chinese person. China as a whole may release more greenhouse gases than the United States, but if every Chinese person lived like an American, we’d be in even worse trouble than we are now.
- Which leads us to the next point in the indictment. People in China—and India, Indonesia, Nigeria, and Mexico—look to the United States as the model for what life ought to be like. Big

houses, big televisions, fast cars, freeways, lots of stuff—that’s the image that gets beamed around the world. Your lifestyle has become the standard that everyone in the world strives for. And because of this, the planet is dying. In fact, more people in the world are living like Americans. (More are starving, too; growing inequality is a byproduct of more people getting rich.) People around the world look at you and say, “I want that, too.” If not for you, people around the world would not be acquiring habits that emit increasing amounts of greenhouse gases.

- You can try to blame the coal companies, the oil companies, the government, other countries. But in all the world, you’re the biggest contributor to global warming. Without consumers, no one can sell anything. It all starts with your idea that consumption equals happiness.

### Possible defenses:

- You have broken no laws.
- It’s the government and energy companies that have failed to invest in more renewable energy. *You* didn’t refuse to sign an international treaty to limit greenhouse gases; your government refused.
- No one is forcing people around the world to strive for your lifestyle. People have to take responsibility for their own actions.
- It’s not the individual’s responsibility to think about big global problems like climate change. It’s the government’s responsibility; that’s what governments are for.
- You live in a capitalist system. And the whole point of capitalism is profit. As consumers, you are just playing your part. If consumption is the problem, blame capitalism, not the consumer; you have no choice but to buy from capitalist companies.



## The Governments of China, India, and Other “Developing” Countries

**The Indictment:** You are charged with the destruction of cultures, species, and putting at risk the lives of countless millions of people around the world. But your crime is also about the future. You are destroying the lives of people throughout the world who are alive today. *And* you are destroying the lives of people throughout the world who are yet to be born.

- The fuel that releases the most carbon dioxide into the atmosphere is not oil—it’s coal. And no one in the world is producing as much coal as China. China burns more coal every year than the United States, Japan, and the European Union *combined*. In the next eight years, China plans to add 562 coal-fired plants. And these aren’t small plants; each could power a city the size of Dallas. India plans to build 213 plants during this period. We know that coal is the worst greenhouse gas polluter and yet governments of so-called developing countries continue down this path.
- Everyone wants to blame the United States and rich countries for greenhouse gases, but the leading emitter of carbon dioxide is China, which produces more than 9 billion tons of carbon dioxide, compared to about 5 billion tons by the United States. China and other developing countries are doing the greatest damage to the environment.
- What is so sad is that countries like China and India could lead the world in developing alternatives. China is the world’s largest country. By 2030, India will have more people than China. Think of the difference it would make if each of these countries pursued “green” technologies instead of coal. Instead of choosing the best of the world’s technology—like solar and wind power—China and India choose coal, the most polluting source of energy. Instead of relying on conservation, sharing, and renewable energy, developing countries imitate the worst aspects of the so-called developed countries like the United States.
- It’s like your governments are trying to murder your own people. Because of global warming, the glaciers are melting at a frightening pace. During the dry season, glacial melt provides 70 percent of the water for the Ganges River in India. The Ganges is the leading source of water for more than 400 million people.
- Your countries are not just burning coal and oil; you’re burning your forests, too. Cutting down trees and burning rainforest land is responsible for up to 15 percent of greenhouse gases every year; transport and industry account for only 14 percent each. People think that you poor countries aren’t to blame for climate change, but you are. Which countries were the largest emitters of greenhouse gases in 2013? China, the United States, and India.

### Possible defenses:

- The per-capita carbon dioxide emissions are still less in every developing country than in the United States and most other developed countries.
- How hypocritical of the developed countries. They already built their cities and destroyed their forests. But they want to deny countries like China and India the same right to pull themselves out of poverty. The atmosphere is filled with carbon dioxide over long periods of time. What matters is not *today’s* carbon pollution; it’s carbon pollution throughout modern history.
- Rich countries could do the world a big favor by transferring technology to the developing world without worrying about patent protection.
- If the rich countries don’t want poor countries to destroy their forests or drill for oil, they should pay fees to poor countries to make up for lost revenue.
- One of the reasons that China uses so much energy is because it makes just about everything that’s used in the West. Stop using Chinese-made goods if you’re going to complain about our carbon dioxide emissions.



## Oil and Coal Companies

**The Indictment:** You are charged with the destruction of cultures, species, and putting at risk the lives of countless millions of people around the world. But your crime is also about the future. You are destroying the lives of people throughout the world who are alive today. *And you are destroying the lives of people throughout the world who are yet to be born.*

- The oil companies are well known for poisoning the planet. But one of your biggest crimes has been poisoning people's minds. Precious time has been lost addressing global warming because you have spent millions and millions lying to and confusing people around the world. Between 1998 and 2005, ExxonMobil gave \$16 million to groups that denied global warming was a problem. As the Union of Concerned Scientists reported, you spent money trying to make it appear that there was scientific debate and doubt about human causes for global warming when there was no scientific doubt. To spend millions lying to the world is a crime against humanity and nature. As Dr. James McCarthy, Harvard professor of biological oceanography and former chair of the Intergovernmental Panel on Climate Change, said: "It's shameful that ExxonMobil has sought to obscure the facts for so long when the future of our planet depends on the steps we take now and in the coming years."
- Everyone knows that burning coal and oil creates carbon dioxide, a greenhouse gas, and contributes to heating up the planet. But still you act like we "need" more coal and oil. You continue to destroy mountains in Appalachia to get more coal, and you want to mine coal on public land in Montana and Wyoming to sell in Asia. And you continue to push for opening up the Arctic National Wildlife Refuge to oil drilling.
- Despite more indications of a global climate catastrophe, you're laughing all the way to the bank. In a recent five-year period, the largest five coal

companies made almost \$8.5 billion. But that's nothing compared to the oil companies. In one year alone, 2013, the top five oil companies made \$93 billion. To put that in perspective, that is \$254 million *every single day*. You coal and oil companies don't produce energy, you produce profits. You could put money into solar and wind power—or better yet, into encouraging people to use less energy. But, hey, you wouldn't make as much money, so you'll never do this.

- And you continue to fight consumer attempts to make automobiles more fuel efficient. Why? Because the more oil consumed in gas-guzzling cars, the higher your profits. It's as if you care nothing for the future. In your ideal world, you just drill and drill and drill without thinking about anything besides where we can drill for oil next.

### Possible defenses:

- A corporation—whether it produces oil or furniture—is legally obligated to look out for its stockholders, not the public. It's the government's job to look out for the welfare of society, not private, for-profit companies.
- Coal produces almost half the electricity in the United States. Don't like coal? Turn off your lights. Turn off your TV.
- If consumers didn't buy oil, we would have to find something else to sell. Don't blame the suppliers, blame the customers. We are simply playing by the rules of capitalism. We try hard to make our expenses less than our revenue. Those are the rules of the game. Don't like it? Blame capitalism, not coal and oil companies.
- Everything we've done has been perfectly legal. If it's so bad, pass a law and we'll stop doing it.



## “The Market”—the System of Global Capitalism

**The Indictment:** You are charged with the destruction of cultures, species, and putting at risk the lives of countless millions of people around the world. But your crime is also about the future. You are destroying the lives of people throughout the world who are alive today. *And* you are destroying the lives of people throughout the world who are yet to be born.

- It's tough to accuse a system of being responsible for a crime. We tend to think of individuals or maybe groups of people committing crimes, but a system? In capitalism, the rules are simple: Make profits and you survive and prosper. Fail to make a profit and you don't survive. What doesn't show up as profits is invisible to you. Here's an example. If it is most profitable for landowners in Indonesia to cut down the forests and burn them to make way for palm oil plantations, then that's what will happen. However, burning the forests releases huge amounts of greenhouse gases, which has a devastating impact on climate change. But the system of capitalism is blind to anything except profit.
- If there is a profit in stopping global warming, fine; capitalism will work to stop it. But the climate crisis and all the disasters that it is unleashing can be very profitable. Security companies like Blackwater promise to protect the rich people from the poor people—as they did in New Orleans following Katrina. Or as they will do as the glaciers melt and push farmers off the land and into cities; or as food prices skyrocket as landowners find it more profitable to grow crops for ethanol than for food, and the poor protest and threaten the rich. Another disaster? Hmmm. Sounds like a source of profit.
- Sure, capitalism will produce technologies to limit greenhouse gases. It will produce solar panels, windmills, bicycles, light rail cars—whatever. But only so long as there is a profit. At the same moment capitalism is producing solar panels, its oil companies are off in the Arctic Ocean, taking

advantage of climate change to explore for more oil—which will be burned to produce still more greenhouse gases.

- The market, capitalism, the profit system, neo-liberalism. These days you go by lots of names. But whatever we call you, the facts remain: You have no heart, no empathy, no conscience. Profit is the only objective. And the problem is that all the benefits from polluting the atmosphere with greenhouse gases are private, and all the costs will be borne by people—mostly poor people—all around the world.
- Blame the transnational oil companies or the coal companies if you like. They are the ones that extract fossil fuels, which get burned for energy and result in carbon dioxide emissions. Or blame the auto companies or the logging companies. But they all behave the way they do because of the rules of the capitalist system: Do whatever yields the greatest profit. At the root of this climate crisis is a system that demands grow, grow, grow; buy, buy, buy; sell, sell, sell; profit, profit, profit. As a result, the atmosphere fills with more heat-trapping gases.

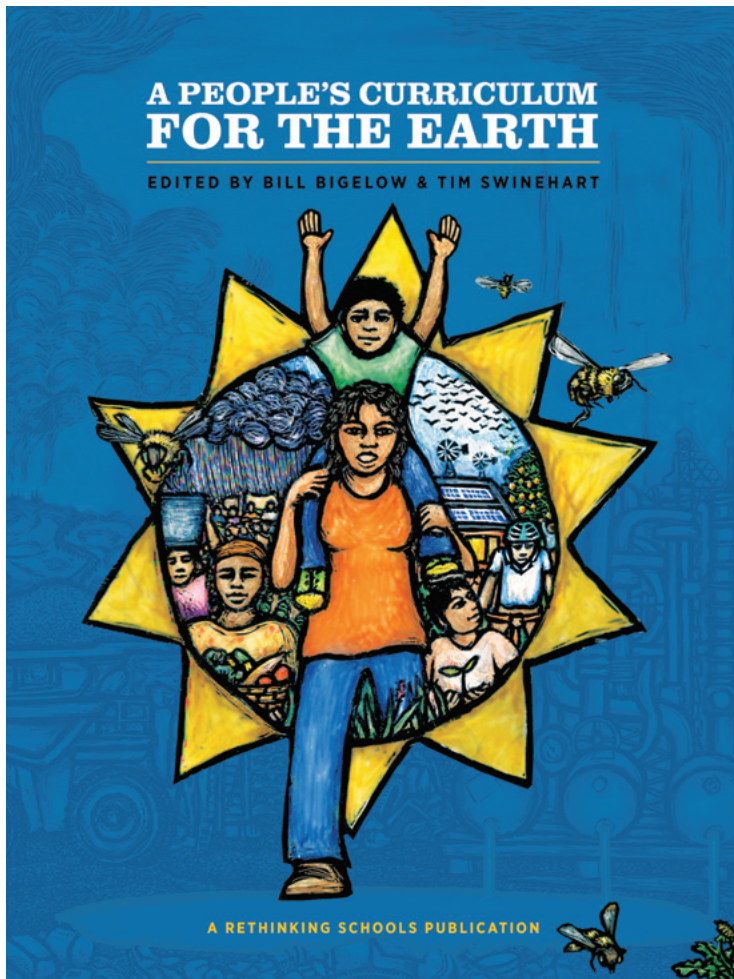
### Possible defenses:

- Only humans can be charged with crimes.
- It will be the profit system—global capitalism—that will save humanity. People will develop green technology not because they are different kinds of people, but because they can make a profit from saving the planet.
- No one forces anyone to buy a polluting car or to use polluting energy. Human choice is at the root of what happens in the world, not the profit system.
- Your job is simply to get things produced. The government is responsible for protecting the environment and preventing climate change, not you.



This lesson comes from the Rethinking Schools book, *A People's Curriculum for the Earth: Teaching Climate Change and the Environmental Crisis*. The book includes more than 80 additional environmental justice lessons and student-friendly readings, for elementary through college. Go to [www.rethinkingschools.org/earth](http://www.rethinkingschools.org/earth) to see the table of contents and to read the book's introduction.

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