Sentencing Statement of Jennifer Nathan, March 11, 2019

I would apologize for taking up the court’s time, but I can’t, because I found it necessary to be here.

163 years ago, Eunice Newton Foote conducted a series of elegant experiments with various gases and her paper “Circumstances affecting the heat of sun’s rays” was published in the American Journal of Arts and Science. She concluded that CO2 trapped the most heat and theorized that “an atmosphere of that gas would give to our earth a high temperature…” It was the first description of what we know today as the Greenhouse effect. But three years later, John Tyndall published without referencing Foote and took the credit. Not surprisingly, Foote was a women’s rights campaigner.

The physics of Foote’s work is clear, CO2 emissions go up and the temperature goes up. We have known this a long time and ignored it for a long time. We are moving through a climate breakdown and degrading the thin biosphere where all life occurs and which affords us the constitutional rights we have fought for.

I taught the physics of the emissions to high school students year after year while living in a country with some of the world’s largest and dirtiest fossil reserves. The approval of the Trans Mountain pipeline to facilitate growth of the single largest source of emissions in Canada was a clear choice to knowingly continue on a pathway of doing willful damage just a little while longer. We don’t have a little while longer.

Canadians don’t know this because the approval process would not include emissions. If the National Energy Board or the Upstream Emissions report or the government of Canada were to be candid we would know that building the pipeline to grow the oil sands for just a little while longer would have us fall far short of our global obligation to decarbonize. They would know that our enormous per capita emissions put us at the front line of reckless behavior on a global scale. They would know that we are disregarding the climate crisis and ignoring the unprecedented emergency measures needed to bring emissions plunging down in less than 12 years.

We came to the courts for help. If we had a chance to present the scientific evidence the startling clarity of the folly would quickly emerge. I am privileged to stand with Mr Gooderham, who has painstakingly outlined precisely what the threat is. He has carefully drawn out for you the imminent peril that has engulfed us now and will escalate with consequences beyond our imagination. We are in the one place where the facts matter.

What is truly shocking is that we think the consequences of increased emissions might be slow and stoppable. I was arrested nearly one year ago. From then until now we’ve seen the world break records for heat waves, have seen the deadliest and most destructive wildfires resulting in the lower mainland’s worst air conditions, unprecedented droughts, extensive flooding resulting in the evacuation of millions of people, crop failures, 2 of the most destructive hurricanes in American history, shrinking arctic sea ice, and a frightening loss of biodiversity, what I taught for years as the key to healthy ecosystems.

The ppm of CO2 increased 19 ppm in the 60 years before I was born. In the less than 60 years I’ve been on this planet, it’s gone up 95 ppm. And the rate of the acceleration is increasing. The February monthly average last year was 408.32 and this year it was 411.75, the highest monthly average ever recorded even though we know it will continue to rise until the leaves emerge in the northern hemisphere and the planet begins to inhale through photosynthesis. Even that scientific process to cycle carbon out of the atmosphere is failing as British Columbia has turned from a carbon sink to a carbon source, contributing more carbon than it can absorb.

I fear the consequences will continue to pile up before we even reach the appeal. We only ask that we as citizens, as governments, as industry act as though our future depends on what we do now, because it does. The urgency of the climate crisis played upon my heart so strongly that I could no longer stay in a classroom and teach about the change in climate that we were deliberately choosing while knowing tragedies we can’t even imagine yet lie ahead. Instead I took action on the mountain.

Since then, Swedish student Greta Thunberg also decided schools and governments continuing to collude in the tragedy was untenable and she also left school to sit on the steps of parliament asking for change, and she started a global movement.

This Friday, the largest school strikes to date in the largest environmental action in history will be happening in over a thousand communities, in dozens and dozens of countries and on every continent. These young people have lived through every year of their lives being one of the hottest ever recorded, lived through increasingly more frequent and more damaging extreme weather events. They are being supported by 100’s of academics and prominent climate scientists.

Extinction Rebellion groups have sprung up everywhere promoting peaceful civil disobedience to demand action.

And the U.S. sunrise movement has seen the uprising of thousands of young people and numerous arrests to bring support to the Green New Deal, rapid decarbonization with an eye to equity.

Tonight I will be going to city hall to support the motion my city is making to declare a climate emergency. Municipalities are moving to do what the federal government has not done, committing to the work needed to bring emissions drastically down.

That‘s thousands and thousands of people acting around the world with a message consistent with the most current scientific assessment of the challenge the IPCC made clear :

EVERY ACTION MATTERS

EVERY BIT OF WARMING MATTERS

EVERY YEAR MATTERS

EVERY CHOICE MATTERS

That’s thousands and thousands of people whose actions will be broadcasting and amplifying to the entire world the message that our house is on fire and to treat this situation like the emergency that it is.

As the first striking student Greta Thunberg said, from seeing the same connections Eunice Newton Foote made 163 years ago,

*“…if the emissions have to stop, then we must stop the emissions. To me that is black or white. There are no gray areas when it comes to survival. Either we go on as a civilization or we don't. We have to change.*

I never imagined I would find myself on the wrong side of the law but we came here with scientific evidence to show we are not wrong. But this is a not a time when I want to be able to say in the future that “I told you so”. I want us to change.