

A Grand Strategy for Climate Change: Embedding Dominance or Enabling Disruption?

CINNAMON P. CARLARNE & KEITH H. HIROKAWA*

TABLE OF CONTENTS

I. INTRODUCTION.....	1
II. CLIMATE GRAND STRATEGY AS DIALECTICAL.....	4
III. CLIMATE GRAND STRATEGY AS EMBEDDING DOMINANCE.....	6
IV. A GRAND STRATEGY FOR CLIMATE CHANGE	7
V. CONCLUSION.....	13

I. INTRODUCTION

America has a climate change problem. From an infrastructure perspective, more than 2.6 million miles of pipelines move oil and gas across the United States every day¹; this is more than 15 times the mileage of US National Highways.² Additionally, with roughly 24,645 electric generators (primarily coal and natural gas) operating at 11,925 utility-scale electric power plants in the United States,³ 130 refineries⁴ and 916,934 oil and gas wells operating every day⁵, and with fossil fuels continuing to account for 79% of US energy consumption in 2021,⁶ we remain deeply committed to producing and consuming the fossil fuels that feed atmospheric concentrations of greenhouse

* Cinnamon P. Carlarne is President & Dean at Albany Law School; Keith H. Hirokawa is a Distinguished Professor of Law at Albany Law School.

¹ U.S. DEP'T OF TRANSP., *General Pipeline FAQs*, https://www.phmsa.dot.gov/faqs/general-pipeline-faqs#QA_6 [https://perma.cc/U6EY-ZS9S] (last updated Nov. 6, 2018).

² There are 164,000 miles of highways. U.S. DEP'T OF TRANSP. FED. HIGHWAY ADMIN., *Highway Finance Data Collection*, <https://www.fhwa.dot.gov/policyinformation/pubs/hf/pl11028/chapter1.cfm> [https://perma.cc/7Y9W-67R9] (last modified Nov. 7, 2014).

³ U.S. ENERGY INFO. ADMIN., *FAQs: How Many Power Plants are there in the United States?*, <https://www.eia.gov/tools/faqs/faq.php?id=65&t=2> [https://perma.cc/WY6W-MHPS], (last updated Nov. 8, 2022).

⁴ U.S. ENERGY INFO. ADMIN., *Petroleum & Other Liquids: Number and Capacity of Petroleum Refineries*, (June 21, 2022), https://www.eia.gov/dnav/pet/PET_PNP_CAP1_DCU_NUS_A.htm. [https://perma.cc/3MGQ-4QMH].

⁵ U.S. ENERGY INFO. ADMIN., *THE DISTRIBUTION OF U.S. OIL AND NATURAL GAS WELLS BY PRODUCTION RATE 3* (2022).

⁶ U.S. ENERGY INFO. ADMIN., *Today in Energy: Fossil Fuel Sources Accounted for 79% of U.S. Consumption of Primary Energy in 2021* (July 1, 2022), <https://www.eia.gov/todayinenergy/detail.php?id=52959> [https://perma.cc/9768-XYRT].

gas emissions. And we continue to subsidize fossil fuels heavily to the tune of \$660 billion a year (3.1% GDP),⁷ making the United States second only to China in levels of global fossil fuel subsidies.⁸ These are just the most basic, visible contours of our continuing commitment to fossil fuels.

The impacts of this long-standing commitment are even more vivid. Moreover, the adverse impacts of our domestic and global commitment to fossil-fuel intensive lifestyles are not just profound, but also profoundly differentiated. Fossil-fuel induced climate change will physically displace somewhere between 25 million to 1 billion people by 2050,⁹ with the World Bank estimating that absent rapid climate action upwards of 216 million people could be forced to migrate internally alone by 2050.¹⁰ Already, in 2020, there were more than 30 million internal displacements due to weather-related disasters.¹¹ This included more than 1.7 million Americans.¹² In the United States, climate impacts including sea level rise, droughts, and flooding will drive increased patterns of human migration¹³ and dramatically affect the health and well-being of millions of Americans across every corner of the country.¹⁴ And

⁷ Ian Parry, Simon Black & Nate Vernon, *Still Not Getting Energy Prices Right: A Global and Country Update of Fossil Fuel Subsidies* 26, (Int'l Monetary Fund, Working Paper No. WP/21/236, 2021); *Gross Domestic Product, 4th Quarter and Year 2020 (Advance Estimate)*, BUREAU OF ECON. ANALYSIS, U.S. DEP'T OF COM., (Jan. 28, 2021) <https://www.bea.gov/news/2021/gross-domestic-product-4th-quarter-and-year-2020-advance-estimate> [<https://perma.cc/F4AD-B7NM>].

⁸ Parry, Black & Vernon, *supra* note 7, at 26 (“By Country ... China contributes by far the most to total (explicit plus implicit) subsidies (\$2.2 trillion) in 2020, followed by the United States (\$660 billion)”).

⁹ Baher Kamal, *Climate Migrants Might Reach One Billion by 2050*, OCHA (Aug. 21, 2017), <https://reliefweb.int/report/world/climate-migrants-might-reach-one-billion-2050>. [<https://perma.cc/9UAP-9GPP>].

¹⁰ Clement Viviane et al., *Publication: Groundswell Part 2: Acting on Internal Climate Migration*, WORLD BANK (2021), <https://openknowledge.worldbank.org/handle/10986/36248> [<https://perma.cc/3JXF-6C8B>] (“216 million people could move within their own countries due to slow-onset climate change impacts by 2050. They will migrate from areas with lower water availability and crop productivity and from areas affected by sea-level rise and storm surges. Hotspots of internal climate migration could emerge as early as 2030 and continue to spread and intensify by 2050.”).

¹¹ INTERNAL DISPLACEMENT MONITORING CTR., *Global Internal Displacement Database*, <https://www.internal-displacement.org/database/displacement-data> [<https://perma.cc/S8WB-DSY4>] (last visited June 14, 2023).

¹² *Id.*

¹³ U.S. GLOB. CHANGE RSCH. PROGRAM, *FOURTH NATIONAL CLIMATE ASSESSMENT: VOLUME II: IMPACTS, RISKS, AND ADAPTATION IN THE UNITED STATES, SUMMARY FINDINGS* (2018); see also Mathew E. Hauer, *Migration Induced by Sea-Level Rise Could Reshape the US Population Landscape*, 7 NATURE CLIMATE CHANGE 321, 321–25 (2017) (estimating demand for relocation in the U.S. to be as high as 13 million people.)

¹⁴ See Cinnamon P. Carlarne, *From COVID-19 to Climate Change: Disaster & Inequality at the Crossroads*, 12 SAN DIEGO J. CLIMATE & ENERGY L. 19, 26–27 (2021).

these impacts will be felt most acutely by members of society who already face higher levels of vulnerability.¹⁵

The costs of climate change are not just high, for many folks they are prohibitive of a safe and secure future.¹⁶ Despite the astronomically high human (and non-human) costs associated with climatic change,¹⁷ as a society, we remain loathe to change our ways. Just as Professor Raymond Brescia suggests in *Course Correction* with respect to a very different but remarkably analogous phenomenon, golf, fossil fuel consumption remains “woven into the cultural fabric of life” and, our reliance on fossil fuels as the engine of our economy and the foundation for our collective sense of economic security has “become institutionalized” shaping our collective “behavior and beliefs.”¹⁸ In *Course Correction*, Brescia explores how “[w]hen a pattern of behavior or a system becomes institutionalized, it takes on a particular cultural weight and becomes difficult to change, often serving in ways that preserves and maintains the status quo, however favorable or unfavorable that institution may be for the good of society as a whole.”¹⁹ When this happens, Brescia suggests a grand strategy is needed — that is a strategy that advances “the alignment of values, tactics, and resources in the service of a long-time goal.”²⁰ This grand strategy, he suggests, can help us align our aspirations and capacities to achieve “effective and durable social change.”²¹

What might such a grand strategy look like in the context of climate change? What might the pros and cons of aligning behind a grand strategy be in the context of a wicked challenge such as climate change? And whose interests might such a strategy be more likely to prioritize? That is, would embracing the idea of a grand strategy to offset the worst of climate change be more likely to serve as a tool for embedding existing structures of dominance focused on incremental change and maintaining existing social hierarchies?²² Or could it be

¹⁵ See generally Cinnamon P. Carlarne, *Climate Courage: Remaking of Environmental Law*, 41 STAN. ENV'T L.J. 125 (2022); Alice Kaswan, *Climate Adaptation and Theories of Justice*, (Archiv für Rechts- und Sozialphilosophie, Univ. of S.F. L. Rsch. Paper No. 2016-01).

¹⁶ See generally Cinnamon P. Carlarne, *Climate Courage: The Remaking of Environmental Law*, 41 STAN. ENV'T L.J. 125 (2022); Alice Kaswan, *Climate Adaptation and Theories of Justice*, (Archiv für Rechts- und Sozialphilosophie, Univ. of S.F. L. Rsch. Paper No. 2016-01).

¹⁷ See Hauer, *supra* note 13, at 321–25 (reiterating high economic costs).

¹⁸ Raymond H. Brescia, *Course Correction: Abolition, Grand Strategy, and the Case Against Golf*, 84 OHIO ST. L.J. 43, 45 (2023).

¹⁹ *Id.*

²⁰ *Id.* (citing JOHN LEWIS GADDIS, ON GRAND STRATEGY 21 (2018)).

²¹ *Id.* at 99.

²² See generally Keith H. Hirokawa & Cinnamon P. Carlarne, *Climate Dominance*, 35 GEO. ENV'T L.J. (forthcoming 2023).

used as a tool to disrupt dominance and achieve more transformational change?²³

The work that Brescia does to engage the role of grand strategy in social movements makes an important contribution to the evolving body of movement law.²⁴ His work deepens thinking within and across movements and challenges us to think about how internal decisions and evolutions within social movements advance different visions of change, different perspectives on progress, and different possibilities for a reimagined future.²⁵ This type of thinking and reimagining is essential in the context of climate change where, for decades, the juxtaposition of the harsh realities of climate change coupled with the frustrating lack of progress on climate law have created a dizzying sense of despair and social cognitive dissonance among those paying attention.²⁶

Drawing from Brescia's thoughtful piece, here, we explore what theories and aspirations of grand design might bring to the climate movement. First, we begin by interrogating whether movement grand strategies can account for and be responsive to dialectical pressures and still maintain movement integrity, particularly amidst our highly polarized social, political, and economic environment. Second, we engage the question of whether grand strategy is yet another tool for embedding existing structures of power and dominance. That is, does the drive for a singular grand strategy that can improve the odds of high-level movement success come at the cost of subjugating the minority voices within a movement? Put bluntly, what level of silencing of non-majority voices is required to arrive at a grand strategy and, in the end, for whom is the grand strategy doing the most work and how does this relate to historic and contemporary patterns of power? Third, we briefly imagine what a climate change grand strategy might look like as advanced by different types of climate advocates to consider the possibilities of grand strategy as embedding dominance or enabling disruption.

II. CLIMATE GRAND STRATEGY AS DIALECTICAL

Our first concern with the grand strategy approach relates to the manner in which movement goals, tactics, and strategies may be determined or even undermined, at least in part, by dialectical pressures from engaged counter movements, particularly where such pressures are designed not from an ideological difference, but from an intention to disrupt a grand strategy.²⁷ The push toward racial justice and equity exemplified in the Black Lives Matter movement is struggling to retain ground against anti-wokeness campaigns

²³ See generally Cinnamon P. Carlane & Keith H. Hirokawa, *Climate Law Leaps*, 108 IOWA L. REV. ONLINE 102 (2022–23).

²⁴ See Amna A. Akbar, Sameer M. Ashar & Jocelyn Simonson, *Movement Law*, 73 STAN. L. REV. 821, 830 (2021).

²⁵ See Brescia, *supra* note 18, at 48–52.

²⁶ See generally *id.*

²⁷ See generally *id.* (describing grand strategies and the disruptions they might face).

raging in Florida and other conservative states and the increasingly violent acts against persons of color occurring across the nation.²⁸ The informational, identity, and equitable access strategies of the LGBTQ+ movement are being undermined by the sinister anti-trans²⁹ athletic participation prohibitions³⁰ and “don’t say gay” laws adopted in some states.³¹ And, for purposes here, fossil fuel companies and conservative politicians have led a decades-long campaign to undermine climate change science and characterize climate change as a Chinese hoax³² and a conspiracy-laden, inaccurate, and partisan effort to undermine economic security.³³

From a dialectical perspective, miring the movement in the give-and-take of climate debate has at best been a distraction and, at worst, has thwarted the climate movement in various ways for decades. In like manner, climate preparation has fallen behind the human needs for adaptive governance due to misled but sincere efforts to concretize the most appropriate level of CO2

²⁸ See Jeremy P. Jacobs, Nick Sobczyk & Timothy Cama, ‘Overwhelmingly White’ Green Groups Forced to Confront Past, E&E NEWS (June 5, 2020), <https://www.eenews.net/stories/1063327335> [<https://perma.cc/3TKN-EVLD>]; See, e.g., Jaclyn Diaz, *Florida’s Governor Signs Controversial Law Opponents Dubbed ‘Don’t Say Gay’*, NPR (Mar. 28, 2022), <https://www.npr.org/2022/03/28/1089221657/dont-say-gay-florida-desantis> [<https://perma.cc/N9ZR-G7MZ>].

²⁹ Anne Branigin & N. Kirkpatrick, *Anti-trans Laws Are on the Rise. Here’s a Look at Where — And What Kind.*, WASH. POST (Oct. 14, 2022), <https://www.washingtonpost.com/lifestyle/2022/10/14/anti-trans-bills/> [<https://perma.cc/SUS4-UXHU>].

³⁰ *Bans on Transgender Youth Participation in Sports*, MOVEMENT ADVANCEMENT PROJECT (Aug 9, 2023), https://www.lgbtmap.org/equality-maps/sports_participation_bans [<https://perma.cc/BXN5-8CX9>].

³¹ See Diaz, *supra* note 28.

³² Edward Wong, *Trump Has Called Climate Change a Chinese Hoax. Beijing Says It Is Anything But*, N.Y. TIMES (Nov. 18, 2016), <https://www.nytimes.com/2016/11/19/world/asia/china-trump-climate-change.html#:~:text=Beijing%20Says%20It%20Is%20Anything%20But,-Give%20this%20article&text=Despite%20overwhelming%20scientific%20evidence%20that,the%20side%20of%20the%20deniers> [<https://perma.cc/SCZ4-JD6A>]; See Emily Holden, *‘It’ll Change Back’: Trump Says Climate Change Not a Hoax, but Denies Lasting Impact*, THE GUARDIAN (Oct. 15, 2018), <https://www.theguardian.com/us-news/2018/oct/15/itll-change-back-trump-says-climate-change-not-a-hoax-but-denies-lasting-impact> [<https://perma.cc/TE7F-858F>]; David M. Uhlmann, *The Trump Administration’s Orwellian SAFE Vehicles Rule*, AM. CONST. SOC’Y (Oct. 30, 2018), <https://www.acslaw.org/expertforum/the-trump-administrations-orwellian-safe-vehicles-rule/> [<https://perma.cc/V8DX-9UXR>].

³³ See David Hasemyer & John H. Cushman Jr., *Exxon Sowed Doubt about Climate Science for Decades by Stressing Uncertainty*, INSIDE CLIMATE NEWS (Oct. 22, 2015), <https://insideclimatenews.org/news/22102015/exxon-sowed-doubt-about-climate-science-for-decades-by-stressing-uncertainty/> [<https://perma.cc/LRY8-QXT4>]; *Fossil Fuel Accountability*, UNION CONCERNED SCIENTISTS <https://www.ucsusa.org/climate/disinformation> [<https://perma.cc/WX7X-P3HD>] (last visited Aug. 12, 2023).

emissions targets or benign degree of temperature change,³⁴ an effort that responded less to a scientific need for certainty than a need to save face against detractors and climate conspiracies. The climate movement has been easy to stall.³⁵ Yet from a grand strategy perspective, grand strategy thinking is not the cause of confusion. At least in theory, formulation of a grand strategy will assume the presence and ferocity of opposition movements because of the impact counter movements have on a movement's tactics and goals.³⁶ Indeed, implementation of grand strategies should be iterative and sufficiently flexible to accommodate developments in the context of the movement's goals, while keeping a watchful eye on the strategy. To be effective, even the grand strategy itself should be flexible.³⁷ Grand strategy cannot rely on static goals or, in particular, an assumption that oppositional strategies are static. Grand strategy accounts for dialectical gymnastics, shifting foci, and even about-face rhetoric that might represent the moving target of counter movement strategies.

III. CLIMATE GRAND STRATEGY AS EMBEDDING DOMINANCE

A second, more notable concern with grand strategy relates to the notion that grand strategy signifies too onerous a unified thrust, one that results from subsuming alternative and parallel goals, strategies and tactics into a cohesive and coherent movement.³⁸ This concern involves the impact of unity in social movements. By its nature, movement unification entails coalescence and convergence.³⁹ But coalescence and convergence come at a price.

From a grand strategy position, the unification of parallel movements reflects the likelihood that grand strategies are pluralistic, multi-faceted, and intersectionally accountable.⁴⁰ That is, grand strategy should not constitute a struggle in which smaller factions of a movement are strong-armed into conformance or even excluded. Yet it is not at all clear that grand strategies can accommodate contingencies such as alternative views without risking losing the strength of unity and cohesion.

³⁴ J.B. Ruhl & Robin Kundis Craig, *4°C*, 106 MINN. L. REV. 191, 194–95, 197–99 (2021).

³⁵ *See id.* at 196–99.

³⁶ *See* Brescia, *supra* note 18, at 53–54.

³⁷ *See id.* at 54.

³⁸ *See id.* at 95.

³⁹ *Id.* at 62; Brian C. O'Neill, et al., *Learning and Climate Change*, 6 CLIMATE POL'Y 585, 587 (2006) (discussing an interesting example of the need for an iterative learning process illustrated by the battle against ozone depletion in the 1970's and 80's) ("For example, the ozone issue provides a classic case of what one of the presentations called 'negative learning,' in which uncertainty about stratospheric photochemical processes appeared to decrease from the late 1970s through to the mid-1980s, but predictions of total ozone depletion were actually narrowing in on what turned out to be the wrong answer. The later discovery of the ozone hole pointed to processes missing from the earlier models and substantially increased the projected ozone depletion.")

⁴⁰ *See generally* Brescia, *supra* note 18.

Movements against embedded and institutionalized injustices do not merely begin from a diversity of ideas about goals and tactics to undermine and speak truth to power, they also rely on it.⁴¹ Different people experience injustice in their own, experienced ways. Indeed, the act of voicing one's own experiences with oppression, subjugation, and inequity often marks the type of courage needed to gather with others around the need for change. Hence, even if the effort to unify around a particular strategy or strategies signified cohesion and perhaps coherence, movement inspiration may be easier to voice than to generalize. Assuming the lived experiences that color unjust laws or policies will be as diverse as those in the movement, unification may arrive at the expense of the diversity of voices and experience. That is, movement unification may be the result of movement dominance by a particular faction, to the exclusion of others.

As we move toward unified, cohesive, and coherent movement strategies, we should be acutely aware of the costs and benefits of grand strategy thinking; we should acknowledge the risk that the need for grand strategies to result from unification will reproduce dominance. This concern, then, stems from the fear that movement evolution and unification will replicate power hierarchies and exclude voices from the conversation. Or, in other words, subjugation is an inherent strategy in movement unification.

This requires us to constantly and consistently check our aims against the principles of any social movement to resolve one quite contentious question: How democratic do we want movement grand strategies to be? In theory, undemocratic grand strategies will tend to cause conflict and consternation within a movement as a matter of substance. More importantly, such processes can run against the cohesion of a movement, and yet the efficiencies of a unified movement could outweigh the democratic thrust of progressive movement goals. Either way, we know that movement advocates must make choices, and it is critical that they are cognizant of who stands to benefit from the grand strategy, as well as who stands to lose, and how these choices relate to those vulnerable to the problem the grand strategy aims to resolve.

IV. A GRAND STRATEGY FOR CLIMATE CHANGE

Maximizing short-term wealth and economic rationality. Favoring politically palatable incrementalism. Advancing intersectional thinking that centers equity and just transition. These are all possible visions for a climate change grand strategy depending on how we envision who constitutes the climate movement and how the climate movement does, and should, evolve. Here we offer a brief thought experiment on how different visions for a climate change grand strategy might manifest with the goal of thinking critically about how movement choices respond to existing forms of dominance and considerations of equity.

⁴¹ *Id.* at 45, 53.

Two important background considerations. First, climate change poses not only one of the most intractable social, political, and economic challenges, but also one of the most profound equity challenges of our time.⁴² Climate change exposes the depth of social and economic inequality both within the United States and across the international community and, ultimately, represents a moment of reckoning for efforts to advance a safer and more just world.⁴³ Climate change cannot be separated from the equity challenges that define both the causes and the consequences of the problem.⁴⁴

Second, the climate movement emerges from the long-standing environmental movement.⁴⁵ The modern environmental movement, which developed in the 1960s and 1970s, prompted a renaissance in environmental law.⁴⁶ Both the environmental movement and environmental law thrived during their early years, but they did so largely in isolation from the increasingly complex set of social justice challenges that were prompting parallel social movements and law reform projects in the 1960s and 1970s, including the civil rights movement that Brescia discusses.⁴⁷ And, over time, the field of environmental law and the environmental law movement “grew increasingly big, bureaucratic, hierarchical, and distant from local concerns and politics”.⁴⁸ As a result, for at least the first two decades of modern environmental law, race, gender, labor, disability, and poverty considerations were largely absent from the mainstream narrative, and vice versa.⁴⁹ Arguably, the grand strategy of the environment movement then, and still today, is predicated on technocratic approaches to regulation, incremental progress, economic rationality, and elitist

⁴² See Noah S. Diffenbaugh & Marshall Burke, *Global Warming Has Increased Global Economic Inequality*, 116 PNAS 9808, 9808 (2019); Carlarne, *supra* note 15, at 126.

⁴³ See Diffenbaugh & Burke, *supra* note 42, at 9812.

⁴⁴ *Id.* at 9808.

⁴⁵ Abigail Fleming & Catherine Dremluk, *Armoring the Just Transition Activist*, 25 RICH. PUB. INT. L. REV. 171, 185 (2022).

⁴⁶ Cinnamon Carlarne, *Environmental Law and Feminism*, in THE OXFORD HANDBOOK OF FEMINISM AND L. IN THE U.S. (Deborah L. Brake, Martha Chamallas & Verna L. Williams eds., 2021).

⁴⁷ See *id.*

⁴⁸ DORCETA E. TAYLOR, RACE, CLASS, GENDER, AND AMERICAN ENVIRONMENTALISM, GEN. TECH. REP. PNW-GTR-534 10–11 (USDA Forest Service 2002). See generally DORCETA E. TAYLOR, THE RISE OF THE AMERICAN CONSERVATION MOVEMENT: POWER, PRIVILEGE, AND ENVIRONMENTAL PROTECTION (Duke University Press 2016); Jacobs, Sobczyk & Cama, *supra* note 28.

⁴⁹ See Angela P. Harris, *Vulnerability and Power in the Age of the Anthropocene*, 6 WASH. & LEE J. ENERGY, CLIMATE & ENV'T 98, 104–05 (2015) [hereinafter Harris, *Vulnerability*] (“With a few notable exceptions, critical legal theorists have concentrated on ‘social justice’ and environmental scholars have concentrated on ‘sustainability,’ with few overlaps in these distinct conversations.”). See generally Carlarne, *supra* note 46.

views of nature.⁵⁰ That is, it is not a social justice movement⁵¹ that prioritizes questions of procedural or distributional justice, and it is not a movement that responds to the intersections among gender, “race, class, sexual orientation, and other realities of experience.”⁵² The environmental justice movement⁵³ and now the climate justice movement⁵⁴ seek to reshape the grand strategy of the mainstream environmental movement to better account for social, political, and economic justice. The strength and momentum of these movements is growing, yet they still remain marginal to mainstream environmentalism and environmental law.

Against this backdrop, how might we imagine a grand strategy on climate change emerging and who might different grand strategies benefit (or harm)? For the sake of brevity, we offer two quick sketches focusing on the domestic level.

First, consider the very real possibility that the grand strategy for a climate change movement follows the pathway of conventional mainstream environmentalism. This is what we might imagine as the centrist model for a climate movement. Such a model might prioritize a pragmatic approach to climate change. Linearly, the grand strategy for a centrist climate movement might look something like this (assuming we are at a place where the movement no longer feels the need to push for recognition of climate science): prioritize getting governments to agree to top-down commitments to mitigating climate change through an ambitious but incremental and economically-rational move away from fossil fuels to clean energy; couple this climate mitigation strategy with multi-level governance efforts to develop adaptation strategies that allow for community-level planning for climate change; ratchet up public and private climate finance to facilitate investments in clean energy; mobilize the private

⁵⁰ See Jedediah Britton-Purdy, *Environmentalism Was Once a Social Justice Movement: It Can Be Again*, ATLANTIC (Dec. 7, 2016), <https://www.theatlantic.com/science/archive/2016/12/how-the-environmental-movement-can-recover-its-soul/509831/> [<https://perma.cc/2LMW-5KXL>]; See generally Carlarne, *supra* note 46.

⁵¹ See Jedediah Britton-Purdy, *Environmentalism Was Once a Social Justice Movement: It Can Be Again*, ATLANTIC (Dec. 7, 2016), <https://www.theatlantic.com/science/archive/2016/12/how-the-environmental-movement-can-recover-its-soul/509831/> [<https://perma.cc/2LMW-5KXL>].

⁵² Angela P. Harris, *Race and Essentialism in Feminist Legal Theory*, 42 STAN. L. REV. 581, 585 (1990).

⁵³ Robert D. Bullard, *Anatomy of Environmental Racism and the Environmental Justice Movement*, in CONFRONTING ENVIRONMENTAL RACISM: VOICES FROM THE GRASSROOTS 15 (Robert D. Bullard ed., 1993). See Robert R. Kuehn, *A Taxonomy of Environmental Justice*, 30 ENV'T L. REP. 10681, 10688, 10693–94 (2000); ROBERT D. BULLARD, DUMPING IN DIXIE 115–16 (Westview Press 2d ed. 1994).

⁵⁴ See Carlarne, *supra* note 15, at 159. See generally Mary Robinson, *Understanding Climate Justice*, in CLIMATE JUSTICE: HOPE, RESILIENCE, AND THE FIGHT FOR A SUSTAINABLE FUTURE 1 (2018).

sector to help advance green initiatives.⁵⁵ If this sounds familiar, it is because it should. It is the approach that mainstream democrats, including both Presidents Obama and Biden, have embraced in their efforts to advance climate change law and policy.⁵⁶ It is the approach that mirrors conventional environmental law and environmentalism.⁵⁷ It prioritizes compromise and politically palatable incrementalism that avoids normative framings (e.g., social justice, intersectionality, intergenerational justice, racial equity) or tools (e.g., carbon taxes, reparations, moratoriums) that alienate centrist politicians or historically powerful and enfranchised constituents.⁵⁸ It is a strategy that tends to benefit those who are already part of the system.⁵⁹ It is not radical. It is not transformative. It will save lives if it helps slow the pace of climate change and speed up the pace of adaptation, but it will not disrupt existing patterns of dominance or displace existing pathways of inequality.⁶⁰ It will enable more of the same, while helping offset some of the worst.

Second, imagine a grand strategy for climate change that deviates from mainstream environmentalism and embraces a more intersectional, social justice, and transformation-oriented focus. That is, imagine a climate change grand strategy that is premised on climate justice. Climate justice is an evolving, and still elusive concept that increasingly motivates many of the most prominent climate movement activists.⁶¹ That is, climate justice activists are seeking to situate climate justice as the grand strategy.⁶² Broadly understood, climate justice creates an umbrella for coordinating activists and advancing collaborative thinking and action.⁶³ Climate justice advocates seek to expose existing patterns of embedded social, political and economic inequality, reveal the degree to which present vulnerabilities to climate change impacts will widen existing inequity gaps across and throughout social systems, and disrupt these

⁵⁵ See, e.g., Brad Plumer & Lisa Friedman, *Negotiators Strike a Climate Deal, but World Remains Far from Limiting Warming*, N.Y. TIMES (Nov. 13, 2022), <https://www.nytimes.com/2021/11/13/climate/cop26-glasgow-climate-agreement.html> [<https://perma.cc/U2XZ-NXSJ>].

⁵⁶ See, e.g., Elian Peltier & Somini Sengupta, *U.S. Formally Rejoins the Paris Climate Accord*, N.Y. TIMES (Feb. 19, 2021), <https://www.nytimes.com/2021/02/19/world/us-rejoins-paris-climate-accord.html#:~:text=President%20Biden%20has%20said%20tackling,Biden%20said%20on%20Friday> [<https://perma.cc/SD6Y-BMZR>].

⁵⁷ See generally *id.*

⁵⁸ See, e.g., *Take Action in Your Community*, THE WHITE HOUSE NAT'L CLIMATE TASK FORCE <https://www.whitehouse.gov/climate/> [<https://perma.cc/NCX5-PN75>] (last visited Aug 12, 2023).

⁵⁹ See *id.*

⁶⁰ *Id.*

⁶¹ See, e.g., *Young Climate Activists Demand Action and Inspire Hope*, UNICEF, <https://www.unicef.org/stories/young-climate-activists-demand-action-inspire-hope> [<https://perma.cc/3QYE-K75F>] (last visited Aug. 12, 2023).

⁶² See *id.*

⁶³ See *id.*

existing patterns and vulnerabilities.⁶⁴ As a framing device, climate justice shifts attention away from political preferences for incremental change, market solutions, and historic expectations, and resituates the conversation around the human impacts from climate change.⁶⁵ The budding climate justice movement, which emerged in the 1990s, includes activists from all over the world who have “endured the drastic effects of global warming and are striving to help their communities adapt,” and to mobilize a “quest for climate justice.”⁶⁶ Facing political and legal inaction and persistent failures to center questions of justice and equality in climate negotiations, climate justice advocates focus on centering questions of “(1) justice in relation to the responsibility for climate change and its impact; and (2) justice regarding the effects of responses to climate change.”⁶⁷ As Sicotte and Burrelle describe,

Climate injustice may be a type of environmental injustice so all-encompassing that only the most privileged remain untouched by fossil fuel extraction and transport, heat waves, droughts, storms or flooding disasters. The climate justice movement thus has potential as the basis of a broader identity through which to mobilize for extensive, systemic change. However, realizing this potential will mean the creation of a truly global movement, in which activists all over the world work closely and effectively together. . . .⁶⁸

Represented and advanced by a diverse group of people from all over the world, climate justice advocates seek to challenge mainstream environmental strategies and advance a more radical grand strategy for climate action that seeks both to negate the effects of climate change, and to reshape existing social, political, and economic relationships along the way.⁶⁹ Moreover, some of the most vocal voices for a climate justice-oriented grand strategy are young people.⁷⁰ The quickly growing youth climate movement is influenced by and has redirected the climate justice movement.⁷¹ The youth climate movement rejects a grand strategy premised on incrementalism, compromise, and more-of-the same.⁷² The youth movement argues that climate change is the inevitable

⁶⁴ See generally Kaswan, *supra* note 15, at 1.

⁶⁵ See, e.g., Cinnamon Carlarne, *Delinking International Environmental Law & Climate Change*, 4 MICH. J. ENVTL. & ADMIN. L. 1, 6–7 (2014).

⁶⁶ Robinson, *supra* note 54, at 5, 12–13.

⁶⁷ See Fleming & Dremluk, *supra* note 45, at 179.

⁶⁸ Diane M. Sicotte & Robert J. Brulle, *Social Movements for Environmental Justice Through the Lens of Social Movement Theory*, in THE ROUTLEDGE HANDBOOK OF ENV'T JUST. 25, 33 (2017).

⁶⁹ See Carlarne, *supra* note 14, at 28.

⁷⁰ See generally UNICEF, *supra* note 61.

⁷¹ Leslie Hook, Victor Mallet & Yasemin Craggs Mersinoglu, *Greta Thunberg's Influence Grows as Young Activist Heads for US*, FIN. TIMES (Aug. 13, 2019), <https://www.ft.com/content/c1fc37b4-bce4-11e9-89e2-41e555e96722>, [<https://perma.cc/YV7Q-MKQU>].

⁷² See, e.g., Nylah Burton, *Meet the Young Activists of Color Who Are Leading the Charge against Climate Disaster*, VOX (Oct. 11, 2019), <https://www.vox.com/identities/2019/10/11/20904791/young-climate-activists-of-color>

result of a broken system “that produce[s] other forms of violence, injustice and inequality, including racism. . . .”⁷³ Hence, the youth climate movement rejects solutions that build on the existing system, riddled as it is with inequality.⁷⁴ They call for more than performative actions or incremental progress.⁷⁵ Instead, they call for transformative change that not only preserves the possibility of their future, but also creates opportunities for that future to be more inclusive, equitable, and sustainable.⁷⁶

Their vision for a climate change grand strategy does not align with a centrist strategy. A grand strategy premised on climate justice is radical. It is not politically palatable.⁷⁷ It does not emphasize compromise among political interests. It is focused on transformative change. It seeks to save and improve all lives. It attempts to disrupt existing patterns of dominance and displace existing pathways of inequality.⁷⁸ It seeks to avoid more of the same. It seeks to see and respond to the interconnections between social justice challenges and legal reform projects.⁷⁹

The differences between a centrist climate change grand strategy and a climate justice grand strategy are profound. The first builds on existing systems.⁸⁰ It is a strategy for saving lives premised on shoring up existing systems and embedding existing values.⁸¹ It embeds dominance but it allows for mainstream buy-in.⁸² The latter challenges existing systems.⁸³ It is a strategy for improving the lives and well-being of many premised on eroding existing systems and values. It disrupts dominance to achieve change but, perhaps, at the

[<https://perma.cc/8LJB-TRTF>]; Rachel Janfaza, *9 Climate Activists of Color You Should Know*, TEEN VOGUE (Jan. 3, 2020), <https://www.teenvogue.com/story/youth-climate-activists-of-color> [<https://perma.cc/K5KT-BCVH>].

⁷³ Benjamin Bowman, *Fridays for Future: How the Young Climate Movement Has Grown since Greta Thunberg’s Lone Protest*, THE CONVERSATION (Aug. 28, 2020), <https://theconversation.com/fridays-for-future-how-the-young-climate-movement-has-grown-since-greta-thunbergs-lone-protest-144781> [<https://perma.cc/LZ8W-95TN>].

⁷⁴ *Id.*

⁷⁵ *See id.*

⁷⁶ One way in which these demands are being translated into legal reform projects is through Green New Deal proposal, which are being proposed in countries worldwide and often “seek [] to align environmental and climate policy with a wide range of progressive social policy goals, such as labor protections, racial justice, and greater wealth equality.” Wyatt G. Sassman & Danielle C. Jefferis, *Beyond Emissions: Migration, Prisons, and the Green New Deal*, 51 ENV’T. L. 161, 163 (2021).

⁷⁷ *See generally* Burton, *supra* note 72 and accompanying text illustrating the youth climate grand strategy with specific examples of activists.

⁷⁸ *Id.*

⁷⁹ *Id.*

⁸⁰ *See, e.g., id.*; THE WHITE HOUSE NAT’L CLIMATE TASK FORCE, *supra* note 58.

⁸¹ *Id.*

⁸² *Id.*

⁸³ *See generally* Burton, *supra* note 72.

cost of mobilizing wide scale buy in.⁸⁴ These are the types of choices that grand strategies entail.

V. CONCLUSION

The growing literature on social movements interrogates the dynamics and challenges of this democratic tool. Brescia's thoughtful engagement with grand strategies deepens our thinking about both the taxonomy of social movements and how to claim social movement power.⁸⁵ In this Response, we have raised questions that, while certainly not fatal to grand strategy thinking, encourage critical thinking about power and accountability in social movement formation and evolution.

Left unanswered is the question of whether the value of grand strategy thinking, as laid out by Brescia, is active or descriptive.⁸⁶ That is, is grand strategy a driver of successful social movements, such that movements should aim to cultivate a grand strategy as a tool for success? Or is the value of grand strategy thinking more in its historical perspective, in which we can look retrospectively at the grand strategy threads that tied together the phases and struggles of a movement as it evolved to learn from movement successes and failures? The unanswered question, then, is whether the legitimacy of social movements depends on a grand strategy.⁸⁷

Here, rather than seeking to answer this question or critique the overall wisdom of encouraging social movements to cultivate grand strategies, we hope to ensure that one key dimension is kept at the forefront of social movement-grand strategy thinking: the role of power and dominance. While we often think of social movements (particularly progressive legal reform movements) as speaking truth to power, power and dominance are equally important to interrogate within movements as beyond them. Thinking about grand strategy within the context of climate change illustrates the importance of interrogating how movement grand strategies respond to existing systemic inequalities and prioritize the interests of different groups within the movement.

Brescia's work creates a platform for thinking about social movement strategy at an important moment in time.⁸⁸ As Abkar, Ashar, & Simonson suggest, "We are living in a moment of possibility—where the failures of the state to provide for people are plain and grassroots contestation of the status quo

⁸⁴ See generally *supra* note 72 and accompanying text (illustrating the youth climate grand strategy with specific examples of activists).

⁸⁵ Brescia, *supra* note 18, at 45.

⁸⁶ *Id.* at 54.

⁸⁷ That the idea of a movement strategy could be a normative prerequisite for social movements seems plausible enough: arrival at a movement strategy might signify cresting a significant movement threshold from which one could see thoughtfulness in a vision as well as strength in solidarity and convergence. In this sense, strategy is the unfurled rallying flag. However, it is less obvious that engaged stakeholders always benefit from a *grand* strategy.

⁸⁸ See generally Brescia, *supra* note 18.

is stronger than it has been in decades.”⁸⁹ This is particularly true with respect to climate change, where there is an urgent need for action and a swelling movement for change. In this moment, the choice of a climate change grand strategy will be consequential. The difference between settling on a centrist grand strategy or embracing a climate justice grand strategy will have social, political, and economic implications that should be centered and interrogated in conversations about movement law. Brescia’s piece gives us the opportunity to engage these choices. We embrace this opportunity and urge that the thinking be critical and transformative.

⁸⁹ Akbar, Ashar & Simonson, *supra* note 24, at 830.