

Excerpt From

“Climate change is on the ballot — even if Democrats aren’t saying those words”

The New Republic, October 9, 2026

“This case [Boulder Vs. Suncor] represents an unprecedented effort to use state law to regulate global conduct,” said Kannon Shanmugam, arguing for Exxon and Suncor. In effect, Shanmugam said, Boulder is attempting to use state law to regulate oil company activity around the world. “If Boulder’s claims are allowed to go forward, some 90,000 municipalities across the country would have the ability to make national and international energy policy by asking juries to impose catastrophic damages on selected fossil fuel producers.” <https://insideclimatenews.org/news/05102026/supreme-court-suncor-v-boulder-oil-case/> If the justices agree, the lawsuits filed in state courts will likely be dismissed. If that were to happen, it would not be a big surprise. The court has made any kind of regulatory structure or legal action on climate very difficult. Indeed, the Roberts court is the place where climate action goes to die...If that happens, it will not signal the end of accountability. In fact, the age of accountability for the fossil fuel industry has just begun and has a bright future. The reason for that is the emergence of a powerful field of climate science known as attribution science...Last year, a [study](#) by scientists at Dartmouth College found that carbon dioxide emissions from the top 111 fossil fuel companies from the burning of coal, oil and gas between 1991 and 2020 accounted for up to \$28 trillion in global economic damages from heat waves alone... In Washington State, the first wrongful death lawsuit against fossil fuel companies is moving forward. The plaintiff is asking the courts to hold the companies liable for the death of a 65-year-old woman, Juliana Leon, who died in her car during a [108-degree heat](#) wave. <https://www.nytimes.com/2026/10/06/opinion/oil-companies-supreme-court.html>

With those precedents, it’s no wonder the fossil fuel industry appears desperate to avoid wrestling with attribution science in the courtroom. A long, well-documented history of deception about how much they knew about the harms that the burning of their products causes to people and the planet only adds to their vulnerability. Several fossil fuel-friendly states have already passed legislation to protect the industry from liability. Senator Ted Cruz of Texas and Representative Harriet Hageman of Wyoming — two of the best friends the industry has ever had in Congress — have introduced bills to give fossil fuel companies sweeping immunity from virtually any kind of climate accountability. <https://www.nytimes.com/2026/10/06/opinion/oil-companies-supreme-court.html>