

Climate Change: The Defense of CO₂

(The Case Outline)



Revision: 3-18-20

In the *Court of Public Opinion* Carbon Dioxide (CO₂) has already been convicted of being an evil villain. CO₂ — more specifically man-made CO₂ — has been found guilty of “being the main cause of substantial, unusual, global warming.”

But its case was appealed, and a new trial has just been ordered!

Basically, there were two legal grounds for the appeal:

- a) the arguments against CO₂ were circumstantial and/or inaccurate, *and*
- b) in the first go-around, CO₂ was not allowed to put on an adequate legal defense.

The new defenders have outlined their case below. *You* be the judge and jury: carefully assess the arguments and evidence presented here, and then decide whether CO₂ is guilty as charged — or has it been framed.

(BTW if you want some sound-bite summaries of this case, see a [Physicist's View](#), and/or a [Geologist's 30 Bullet Points Proving CO₂'s Innocence](#), and/or a [Climate Scientist's Alarmism Rebuttal](#) and/or a [Climate Analyst's Conclusions](#).)

To keep this shorter and simpler, each of the fifteen arguments defending CO₂ are presented *without* the full citations. For those who are interested in wading through all the technical details, see this parallel [document](#) that lists **over 250 witnesses** (studies and reports) that vigorously support our contentions.

1 - The prosecutor asserted that rising CO₂ *causes* global warming. However, there is considerable empirical evidence (e.g. [here](#)) that elevated levels of CO₂ *follow* global warming, not cause it. There is no historical or experimental evidence supporting CO₂ as a significant driver of atmospheric warming.

—> At this point we petition the Judge (you) for [Summary Judgment](#) of the case against CO₂. If our contention in #1 is upheld, then everything else that follows is irrelevant.

2 - A key part of the prosecutor's case against CO₂ was their claim that there is a “[greenhouse gas theory](#).” Legally that is a mis-statement, as it is a “greenhouse gas *hypothesis*.” The prosecutor provided no scientific proof that this *hypothesis* has been officially elevated to the status as a *scientific theory*. We contend that there is significant evidence that the greenhouse gas hypothesis is over-simplified and inaccurate.

—> At this point we again petition the Judge (you) for [Summary Judgment](#) of the case against CO₂. If our argument in #2 is sustained, then everything else that follows is irrelevant.

3 - If the greenhouse gas hypothesis is scientifically proven, CO₂ is still a weak greenhouse gas. (In fact there are some scientists who [contend](#) that CO₂ is so impotent that it should not even be considered a legitimate greenhouse gas.)

4 - It is inappropriate to convict CO₂, when we have so little understanding about other well-known atmospheric climate players – e.g. clouds. These entities are likely more culpable than CO₂ in the global warming matter, individually or in concert.

5 - Also, there is considerable data that some non-atmospheric culprits (e.g the Sun) *are* much more responsible for any global warming – and have no connection to our client.

6 - Even if CO₂ is scientifically proven to cause some global warming, there is significant evidence concluding that *manmade* CO₂ is only a tiny part of the overall global CO₂ generated, *plus* the impact of the manmade CO₂ is small.

7 - The lifetime of CO₂ in the atmosphere is a critical matter, as the longer it stays around, the longer any purported artificial imbalance will exist. In the trial the prosecutor robotically – but without scientific proof – cited the IPCC position (also unproven) that CO₂ atmospheric residence time is 100+ years. We contend that there is superior evidence indicating that the CO₂ atmospheric residence time is more like 10 years (or less) – an extraordinarily important difference, with major ramifications.

8 - The evidence also says that the CO₂ global effects are basically saturated. This means that what (if any) harm that CO₂ allegedly might have done, the worst has already occurred. In other words if we doubled the concentration of CO₂ (which could take over a hundred years), that CO₂'s additional effect on climate would only increase something like 10%. (Two relevant technical factors here are Equilibrium Climate Sensitivity [ECS] and Transient Climate Response [TCR]. They are explained [here](#).)

9 - A contradictory matter with the initial trial is that while the prosecution attempted to claim the scientific mantle to try to give their anemic case credibility – on the other hand they abandoned the [Scientific Method](#) in their arguments! Since this case is should be about Science (however see #15), then why wouldn't the Scientific Method be front and center in the prosecution's case? We contend that the prosecution should be required to adhere to real Science. (*Note: On a related matter the Scientific Process* consists of a comprehensive, objective, transparent and empirical-based assessment.)

10-Computer models were extensively used to convict CO₂ in the initial trial – yet they have *not* been demonstrated to be reliable references for a case of this magnitude and complexity. Further, they are provably inaccurate in this situation. As such we petition the court to disallow all references to any computer model conclusions.

11-The prosecutor tried to bolster their weak circumstantial case by claiming that “97% of scientists” support their position. In other words: “almost everyone believes that our client is guilty.” Our rebuttals are that: **a)** the 97% claim is totally false, and **b)** what others believe is irrelevant, as a trial is about provable facts, not opinions.

12-In the original trial, CO₂ was illegally slandered by the prosecution calling it a “pollutant.” That terminology is not only inaccurate, but is prejudicial. CO₂ is an essential ingredient for life. Every person on the planet inhales and expels CO₂ every minute. CO₂ is not a “pollutant” in any normal or legal understanding of the word.

13-Even if CO₂ is scientifically proven to cause some global warming, the evidence says that CO₂ is a **net benefit** – so restricting it would be a **net societal liability**. (Note: climate and global temperatures have *always* changed and have *never* been static. So our choices are for: the planet to get warmer or the planet to get colder. It is demonstrably better for the planet to get warmer.)

14-The warming remedies promoted by the prosecution (e.g. industrial wind energy) have no scientific basis as meaningful solutions. In fact there is good evidence that they may actually make global warming *worse*. This proves that either the prosecution is technically incompetent, or is being dishonest in their case against CO₂ (see #15).

15-The defense contends that CO₂ is a ruse for the prosecutor’s real agenda: power, control, world gov’t, wealth redistribution. Effectively our freedoms are at stake here.

So, your Honor, that’s an outline of our case, which contends that CO₂ is an innocent bystander that was scooped up in an illegal dragnet. To disguise their real motives the prosecutor has thrown a potpourri of innuendo, hearsay, speculation, pseudo-science, and outright fabrication against the wall, in hopes that something will stick. It has not.

Despite this abuse of process, we have politely and scientifically refuted each and every so-called claim against our client, Mr. Carbon Dioxide (*aka* CO₂). After giving our rebuttals careful consideration, it will be obvious that the prosecutor’s assertion that “the science is settled” is yet another indictment of their deceptions and/or incompetence.

Following your thorough cross-examination of each of our 250+ witnesses (and your verification of their credibility and competence), we again ask for Summary Judgment, as the prosecution has not only failed to prove their core claims, but have ignored abundant exculpatory evidence regarding our client.

We then ask the court’s indulgence on one additional, closely-related critical matter. Subsequent to our client’s unlawful conviction, this same overzealous prosecutor filed charges (and won) against another unjustly maligned party: Mr. Fossil Fuels.

An examination of the legal history here concludes that the prosecution used the unwarranted verdict in our initial trial to then convict this associate of our client. If you support our extensive case in defense of CO₂, we appeal to the Court that they overturn the verdict against Mr. Fossil Fuels, and award him a new trial. Thank you.

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