

A call for less talk and more action on luxury emissions

September 18 2023



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News reports of the world's worst polluters often point to a specific handful of countries at fault. However, the focus on sovereign states as the underlying cause of carbon emissions and climate change misses an

important class-based dynamic at work, says Shelley Welton, Presidential Distinguished Professor of Law and Energy Policy and Penn Carey Law's new resident climate and energy law authority. Welton also holds an affiliation with the Kleinman Center for Energy Policy.

Addressing the problem of luxury emissions, she believes, could be one key to igniting a larger cultural shift against excessive carbon emissions. Welton is in the midst of a project examining the moral and social underpinnings of possible new climate policy and the [political economy](#) of passing laws addressing luxury emissions, which include the use of private yachts and jets, along with the ownership of multiple homes and cars.

"The top 10% of emitters have emitted half the carbon of the past 30 years, and carbon footprints at the top are 100 times bigger," Welton said. "There's been a lot of chatter and analysis exposing these numbers, but much less discussion about what law and policy should do about it."

She and her project partner are considering a proposal for a luxury emissions tax that would focus on grossly excessive personal carbon emissions as morally problematic, which they hope will resonate with growing concerns over inequality more broadly.

"We're still working through this argument, but our hypothesis, at least, is that a clearer understanding of how carbon-intensive luxury consumption is a socially harmful lifestyle choice may make the body politic more willing to condemn behavior that otherwise they might view as 'people having a right to spend their money how they want,'" Welton said. Additionally, targeting such a small population could potentially make a tax proposal more politically palatable than a broad-based carbon tax, which she said has been shown to have regressive effects.

At the Law School, Welton teaches environmental law and hosts an

advanced climate and energy seminar in addition to an energy and climate course at the Kleinman Center.

Last fall, Welton and three co-authors published "Networks, Platforms, and Utilities: Law and Policy," a casebook that tackles the subject of regulated industries— a course topic she said was once robust in law schools. "The book is an attempt to revive the field and ask how we have tried to control these industries across time, what worked, and what tools we could use that translate to emerging contexts we see today," she said.

Welton is also focused on energy transition in the Southeast and the performance of electricity grids in the United States.

Regarding the former, she is working with geographers to interview energy sector workers and households struggling to pay their energy bills about their goals and hopes for the energy transition. Welton said she and her partners are seeking to use this empirical research to propose policies and strategies for the transition that would directly benefit workers and energy-vulnerable households.

In addition, she said, "There's a lot of really fascinating debate about how to build the grid of the future to accommodate renewable energy." Her recent work in this vein tackles how to maintain grid reliability while transitioning to a system that runs predominantly on variable resources like solar and [wind energy](#)—a goal she believes is entirely possible with the right legal and governance frameworks in place.

Welton holds a Master of Public Administration degree in environmental science and policy from Columbia University's School of International and Public Affairs. She earned her JD at New York University School of Law. After clerking for the Honorable David Trager of the Eastern District of New York and the Honorable Allyson Duncan of the Fourth Circuit, she served as Deputy Director of Columbia Law's Sabin Center

for Climate Change Law.

While earning her Ph.D. from Yale Law, Welton explored [climate change](#) and U.S. energy law. She then became a law professor at the University of South Carolina School of Law, where she taught administrative law, energy law, environmental law and policy, and climate change law.

As Welton joined the Penn Carey Law faculty, there was much to digest from the Inflation Reduction Act, which was signed into law in August and contains many provisions on climate change and the environment.

"I don't think it's a perfect bill— it's the product of compromise; it does little to constrain the use of fossil fuels—but its theory is to change the economics of technologies we want to encourage driving systemic change," Welton said. "If wind and solar are really cheap, it's going to be hard to turn them down."

She said she expects the provision offering a tax credit worth up to \$7,500 for buyers of new all-electric cars and hybrid plug-ins will help drive electric car sales. "The gas price spikes have sent a lot of people looking for an option that doesn't depend on what's going on geopolitically with Russia," she said.

In a field where progress can often seem impeded by politics, the legislation offered Welton much hope. "I'm really heartened," she said. "It seems overall very much worth celebrating."

Provided by University of Pennsylvania

Citation: A call for less talk and more action on luxury emissions (2023, September 18) retrieved 2 May 2024 from <https://phys.org/news/2023-09-action-luxury-emissions.html>

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