Where do we go from here?

BETTE HUSTED
FROM HERE TO ANYWHERE

When I was invited to contribute a monthly column to the *East Oregonian*, Tim Trainor suggested I follow the lead set by other columnists — Matt Wood's "From the Tractor Seat," J.D. Smith's "From the Headwaters of Dry Creek," Lindsay Murdock's "From Sun Up to Sun Down." Since my column would be about writing, I named it for the place stories can take us — "From Here to Anywhere."

The question is, where are we? And where do we hope to go?

I'll be exploring this question at the June 21 First Draft Writers' Series. My novel "All Coyote's Children" — a story set on the Umatilla Indian Reservation — has just been published by OSU Press, and I'll be the featured writer this month.

In some ways the idea for this book was born at a June wedding ten years ago when I heard a Umatilla spiritual leader say, "We're not just joining two people here today. We're joining two families." My son, wearing a ribbon shirt and moccasins, looked as happy as I've ever seen him; the bead and shell wedding veil he was lifting from his bride's head was one he had made especially for her. His own heritage is mainly Celtic and Northern European; the bride, who is Umatilla-Cayuse and Apache, was a former student and my own longtime friend.

Could it be this easy? Was this the answer to the question that has troubled me all my life — the story most Americans don't talk about because, as one of the characters in "All Coyote's Children" puts it, "it cancels all our mythologies. No wonder we can't face it?"

Well, no. But it was a joyful day, and the spiritual leader's words felt extraordinarily generous. That day, healing seemed possible.

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To heal, though, we must first acknowledge our sickness. And how do any of us face the fact that the indigenous peoples and cultures of North America were dehumanized, seen as obstacles to be eliminated as others "tamed a continent" (a phrase used by our president in his recent Naval Academy graduation address) and then all but erased from national consciousness? What do we non-Natives do with this knowledge of how and why we are here? And what do Native people do with the silencing of this story in so much of American history, not to mention its ongoing pain?

Where do we go from here? It's the question the characters in "All Coyote's Children" are asking, too.

Writing a novel was a first for me. I wrote much of it in the community room of our public library, surrounded by homeless people trying to stay warm. There were students, too, job-seekers, readers, people researching genealogy. And one man who, we would all learn later, had murdered a much-loved young woman as she worked in the motel across the street.

A library is a good place to think about your neighbors.

Discovering the characters in "All Coyote's Children," Native and non-Native neighbors on the reservation, felt a bit like magic. With every revision of the manuscript I thought, "Great! I get to be with them some more."

But it feels even better to finally send them out into the world with the help of the folks at OSU Press. I can't say enough about their wisdom and kindness. They even recognized the perfect book cover. The bride at that wedding, my daughter-in-law Cecelia (Sheoships) Husted, took the photo that inspired it. The view is one she sees every day from her family home at top of Thorn Hollow grade where she and my son were married.

Racism has been with us for a long time. It's a subject most of us find hard to talk about. But the fact that people have to insist their lives matter — and that this insistence is seen by many as a threat—tells me that something is deeply wrong. Is healing possible? I have to believe it is. But only if we find the courage to tell our stories and listen carefully enough to hear each other's.

That's what writing is about: trying to stay open, receptive to the human stories that connect us. And the place to start, it seems to me, is where we are.

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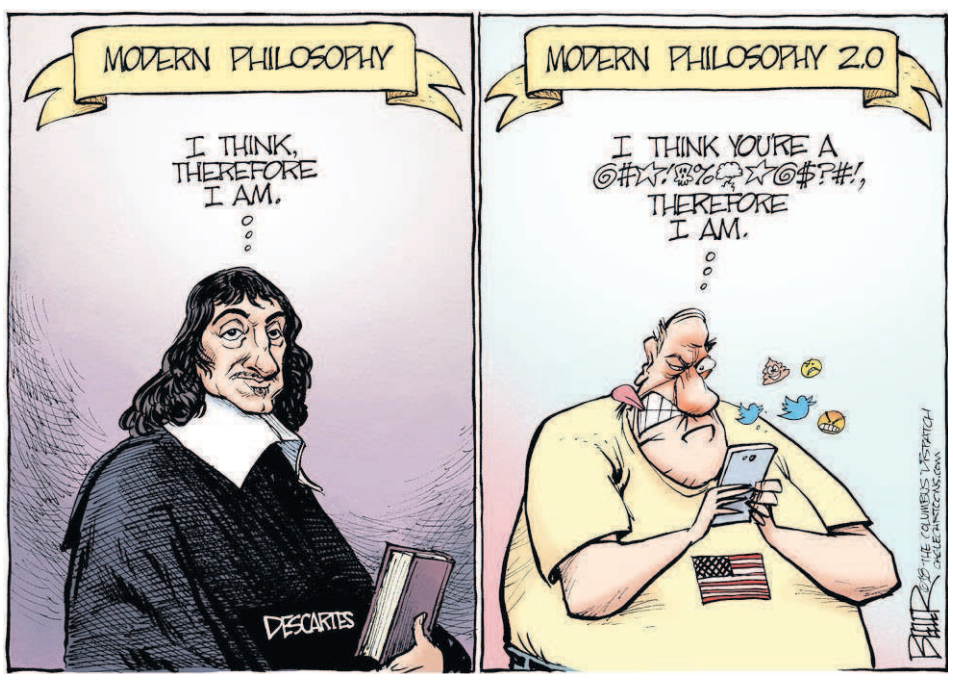

Do state civil rights commissions help or hurt?

The Colorado Springs Gazette

The Colorado Civil Rights Commission is an embarrassing affront to civil rights. Don't rely on us for this view. Analyze the U.S. Supreme Court's landmark ruling Monday in Masterpiece Cakeshop v. Colorado Civil Rights Commission.

The court's ruling makes the commission sound more like a mindless star chamber than an entity responsible for upholding religious liberty and other civil rights. Through "hostility" toward Christian beliefs and religious liberty, the commission damaged a man's reputation and business.

The ruling wasn't close. The court voted 7-2 in favor of an opinion that admonishes the commission for its treatment of Lakewood baker Jack Phillips and abates its action against him.

Liberal justices Elena Kagan and Stephen Breyer joined the majority opinion, written by moderate justice and consistent gay-rights defender Anthony Kennedy.

The conflict began in 2012, when couple Charlie Craig and Dave Mullins entered Masterpiece and asked Phillips to design a cake to celebrate their pending marriage in Massachusetts. Phillips politely declined. He had done business with the couple but did not want to design something celebrating their wedding. Doing so, he explained, would violate his religious beliefs.

Craig and Mullins filed a discrimination complaint. The commission, Administrative Law Judge Robert Spencer, and the Colorado Court of Appeals sided with the couple.

The ruling jeopardized civil rights that protect us all. A state that forces artistic expression might demand gay bakers create cakes for homophobes. It might order a black baker to design cakes for the Ku Klux Klan. Freedom to associate necessitates freedom to disassociate.

The discriminatory commission ordered Phillips to "cease and desist from discriminating."

It ordered him to obtain "comprehensive staff training on the Public Accommodations section" of the Colorado Anti-Discrimination Act. It ordered him to change "any and all company policies to comply with" the commission's order.

The commission ordered Phillips to prepare "quarterly compliance reports" documenting "the number of patrons denied service" and "a statement describing the remedial actions taken."

The orders led Phillips to give up designing wedding cakes. He laid off 60 percent of his employees and suffered six years of financial loss.

The court minced no words in denouncing the state's mistreatment of Phillips. A few highlights:

. The "Civil Rights Commission's consideration of this case was inconsistent with the State's obligation of religious neutrality"

▪ "When the Colorado Civil Rights Commission considered this case, it did not do so with the religious neutrality that the Constitution requires"

▪ "The Commission's actions here violated the Free Exercise Clause"

▪ "Religious and philosophical objections to gay marriage are protected views"

▪ "The neutral and respectful consideration to which Phillips was entitled was compromised"

As previously explained in this space, the Phillips case inspired Bill Jack of Castle Rock to test the consistency of the Civil Rights Commission's opposition to bakers declining cake orders they don't like.

Jack asked three Denver-area bakers to create Bible-shaped cakes and adorn each with scripture opposing homosexuality. The bakers refused, so Jack complained to the Civil Rights Commission.

Incredibly, the commission sided with the bakers. Phillips must design cakes that offend him, while bakers offended by scripture have no such obligation. The conflicting rulings were ignorant, weird and blatantly discriminatory.

The court characterized the state's disparate treatment as more "hostility" toward Christian beliefs.

"A principled rationale for the difference in treatment of these two instances cannot be based on the government's own assessment of offensiveness," the opinion explains.

This was not a case about gay rights. As the majority opinion states, other conflicts of this nature must be separately adjudicated "with tolerance, without undue disrespect to sincere religious beliefs, and without subjecting gay persons to indignities when they seek goods and services in an open market."

This case prevents authorities from favoring select liberties and disparaging others, based on popular sentiment. It tells civil rights commissions and lower courts to uphold the law, not just those elements of law favored by commissioners and judges.

Colorado state government's abuse of Phillips cost him more than his constitutional rights. It harmed his reputation and business. It cost six employees their jobs.

With this ruling, state government should compensate Phillips. It owes him for the damage it caused in a crusade to insult and denounce our inalienable right to exercise beliefs.

Fossil fuel companies should help pay the cost of climate change

MARCO SIMONS
Comment

This April, a town and two Colorado counties sued two fossil fuel companies on the grounds that the companies need to help pay the costs of climate change. Boulder County, San Miguel County and the city of Boulder are not seeking to halt oil production, and they are not looking to lay all the costs of climate change at the feet of those two companies. All they ask is that those companies pay their fair share toward remedying a problem that the companies knew existed, and which they helped create.

Here's why the decision to sue makes sense. The oil companies in question — Exxon Mobil and Suncor — have long known about the harm that fossil fuel use causes. As far back as 1968, the American Petroleum Institute — the industry's largest trade association, of which Exxon is a member — received a report warning that, due to carbon dioxide emissions from fossil fuels, "significant temperature changes are almost certain to occur by the year 2000 and these could bring about climatic changes," and that there was "no doubt that the potential damage to our environment could be severe." Further internal reports throughout the 1970s reinforced these concerns.

> Companies chose to disregard facts to continue profiting from fossil fuels.

Unfortunately, these companies chose to disregard that knowledge in order to continue profiting from fossil fuels. Exactly like the tobacco industry, they participated in disinformation campaigns to spread doubt about climate change and discredit the scientists who they knew were telling the truth. They also funded campaigns to oppose international efforts to address climate change.

Exxon and Suncor have now admitted that climate change is real and that their own activities are a major contributor to the problem. Indeed, the Intergovernmental Panel on Climate Change confirms that fossil fuel use accounted for nearly 80 percent of the increase in greenhouse gas emissions between 1970 and 2010. Exxon and Suncor are two of the world's most substantial contributors to climate change.

Yet both companies plan to increase their fossil fuel production, all while sticking communities like Boulder, Colorado, with the bill for the cleanup.

A report done for Boulder County, for example, estimated that its climate change costs will reach at least $100 million dollars over the next few decades. The altered climate brought about by unchecked fossil fuel use has severe consequences for all of Colorado, as in the coming decades wildfires and droughts are expected to become more severe, air quality will diminish, water will become scarcer, and extreme weather events will become more common.

Many county and city leaders are justifiably worried about having to prepare their communities for the serious consequences of climate change. As San Miguel County Commissioner Hilary Cooper explained, "We are a small rural county dependent on tourism, farming and ranching. A natural disaster here could wipe out our reserves."

Communities can take measures to reduce their vulnerability to climate impacts. They can protect against flooding, and they can expand wildfire buffer zones. They can help farmers to find new crops that are more resilient to heat waves, drought and pests.

In fact, Exxon itself has taken measures to prepare for climate change, such as adapting its own offshore facilities to protect against sea-level rise. It's only fair that Exxon should share the costs when Colorado communities have to take similar measures.

Even if these communities were to reduce their own carbon footprint to zero, climate impacts are still inevitable. Dangerous levels of greenhouse gases are already trapped in the atmosphere. The costs to local taxpayers are mounting.

At its core, these communities' lawsuit against Exxon and Suncor raises questions of fairness. The communities themselves encourage the use of renewable energy, but the fossil fuel industry has acted, and is acting, recklessly.

"Our communities and our taxpayers should not shoulder the cost of climate change adaptation alone," said Suzanne Jones, mayor of the city of Boulder. "These oil companies need to pay their fair share."

Now, the three communities are asking for a jury to weigh the evidence and determine the extent to which the companies are responsible. We are confident that the courts will allow a Colorado jury to decide how much Exxon and Suncor should pay for the climate impacts that are now affecting Colorado's counties and towns.

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Marco Simons is the editor of Writers on the Range, the opinion service of High Country News.