

**Justice, Equality and Greenhouse Gas Emissions:**  
**The Guided Tour**

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This paper addresses the following question:

Given that there is a fixed limit on the volume of greenhouse gases that may be permissibly emitted, how should rights to emit greenhouse gases be distributed?

The paper:

- (a) examines the answer that is most commonly given: this holds that rights to emit should be shared equally (the Equal Per Capita View – hereafter EPCV); it considers 4 arguments for the EPCV but finds each wanting
- (b) it argues that justifications of the EPCV are vulnerable to what it terms the (First) General Challenge – they fail to explain why GHG emissions should be distributed in Isolation from other ‘goods’.
- (c) it then presents a second General Challenge which points out that the specific goods associated with GHG emissions can be provided in other ways so it is a mistake to propose a principle of distributive justice for GHGs.
- (d) it outlines how we should decide the distribution of rights to emit GHGs

**Section I** makes two distinctions

Distinction 1: There are several different kinds of responsibility associated with combating climate change (*Mitigation Responsibilities* like reduce emissions, create GHG sinks, and fund clean energy; *Adaptation-Responsibilities*; *Compensation-Responsibilities*). **Atomism** holds that we should treat responsibilities separately. **Holism** says that we should treat them all en masse and apply a distributive principle to them considered together.

Distinction 2: Should we treat climate-related responsibilities in *isolation* from considerations about global/intergenerational justice in general (including issues such as trade, development, poverty, and health)? Or should we treat the ascription of climate responsibilities in *conjunction* with considerations about global/intergenerational justice in general? The first position practises what we might term a **Method of Isolation**: a second position practises what we might term a **Method of Integration**.

**Section II**

\* introduces the Equal Per Capita View (EPCV) and notes different variations on it (global v national; collectivist v individualist; history-sensitive v history-insensitive)

\* notes that the EPCV is Atomist and Isolationist

[I defend Integrationism (as opposed to Isolationism) and Holism (as opposed to Atomism).]

**Section III:** This considers four arguments for the EPCV

\* The First Argument appeals to the ideal of ‘Sufficiency’: everyone should meet a minimal standard of living.

Response: this won’t entail EPCV because people have unequal needs

\* The Second Argument: argues that “equality” entails a commitment to EPCV

\* The Third Argument: argues that “equality of natural resources” entails a commitment to EPCV

\* The Fourth Argument appeals to “equality of commonly held natural resources” entails a commitment to EPCV

\* The Response to the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> arguments is broadly the same in each case: none give us reason to focus on rights to emit Greenhouse Gases in isolation. None of them justify the Isolationist assumptions on which the EPCV depends. To illustrate: re the 4<sup>th</sup> Argument – there are many commonly held natural resources<sup>1</sup>, why treat this one all on its own?

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<sup>1</sup> Even if we assume (wrongly, I think) that the resources within the jurisdictions of states are entirely their own property the following are all part of the global commons: (a) the mineral resources of the seabeds; (b) the

**Section IV:** This suggests a General Challenge to the EPCV:

**If Distributive Justice is concerned with the fair share of a ‘total package’ of goods then we have no reason to endorse a principle that applies solely to one particular item – such as greenhouse gas emissions. If this is right then (subject to two qualifications) there is no such thing as the fair distribution of greenhouse gases.**

**Sections V-VII:** These sections consider three responses to the First General Challenge.

\* *The First Response* says that we do sometimes treat goods in isolation and distribute them according to their own sui generis principle (Tobin on “specific egalitarianism”). My Reply: we might do so for symbolically significant goods (eg equal civil, political rights) but the reasoning does not apply to GHG emissions

\* *The Second Response* says that there are some theories of justice (eg Walzer’s) where we do not lump all goods together and treat them according to a single principle. On Walzer’s view there are many spheres of justice and each has their own rule. My Reply: even if we accept this approach it would not actually entail treating GHGs in isolation because they are crucial to many different ‘spheres/goods’.

\* *The Third Response* says that my argument might be right in principle but in practice it is best to treat GHG emissions on their own. It gives two reasons for this: the first (the *Intractability Argument*) says that including other issues would result in deadlock. The second (the *Impotence Argument*) says that it is best to treat greenhouse gas distributions in isolation from other considerations (like poverty or trade) because this best corresponds to the current institutional division of labour at the global level. COP negotiators are powerless to address other issues and so should focus solely on securing a fair share of climatic responsibilities (considered separately from all other issues). My Reply: I make a number of different objections. In general, I argue that these objections are empirically false and misunderstand the climate negotiating process. I also argue that even if we grant the empirical assumptions of the *Impotence Argument*, its conclusion simply does not follow.

Summary thus far: so far we have reached two conclusions. First, there is no good argument for the EPCV (Section III). Second, and more radically, there is no good reason to adopt a Method of Isolation for greenhouse gas emissions (Sections IV-VII). I now wish to introduce a second general challenge to the EPCV (and indeed any view which treats greenhouse gases in Isolation).

**Section IX:** this presents the Second General Challenge

\* To present the challenge we need to distinguish between Wide Substitutability and Narrow Substitutability. WS occurs when one substitutes one kind of ‘good’ with another quite different kind of ‘good’ without detriment to that person because their overall share of ‘goods’ remains just. NS occurs when two goods, X and Y, both possess *the same kind of properties* (they’re the same kind of good) and one substitutes X for Y or vice versa.

Examples of WS – I have less access to philosophy books but get more of another kind of good (eg waterskiing). You break my laptop and let me stay in your nice flat in Paris to make up.

Examples of NS – butter/margarine or bus/train.

The First General Challenge employs the notion of WS

The Second General Challenge employs the notion of NS:

**To focus on distributing permits to emit greenhouse gases (as the EPCV does) is inappropriate because these permits are also substitutable in a narrow sense. The precise goods that are associated with permits to emit greenhouse gases can be provided in other ways. Since this is so it is a mistake to focus on the permits to**

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absorptive capacity of the oceans; (c) the fish stock; (d) the Arctic and Antarctic; (e) geostationary orbits; (f) the use of the electromagnetic spectrum; (g) the atmosphere’s capacity to absorb CFCs, (g) the atmosphere’s capacity to absorb greenhouse gas emissions.

**emit greenhouse gases and to specify that there is a threshold level of emissions which each person needs.**

The paper defends and illustrates the Second General Challenge Three wrt three considerations, namely:

- §1. Energy Efficiency,
- §2. Alternative Energy Sources, and
- §3. Alternative Agricultural Practices.

The paper then notes the complication that in some cases two goods may not be perfect (narrow) substitutes and considers how to address this.

### **Section IX: A New Start**

Having criticized the EPCV (and Isolationist Approaches more generally) I then defend an alternative approach. This approach has four steps.

§1. *The Normative Starting Point.* The first claim is as follows:

- [1] To analyse what would be a fair distribution of greenhouse gases one has to start with one's general account of distributive justice where that includes:
  - (a) principles governing what is owed to fellow human beings as well as to fellow citizens (principles of global justice),
  - (b) principles governing the treatment of persons' contemporaries and the treatment of future generations (intergenerational justice), and
  - (c) principles governing the rights and responsibilities that persons inherit as a result of wrongdoing in the past (historic injustice).

§2. *The Sustainability Condition.* Having outlined the first step we may turn now to the second step. This states:

- [2] One must assess whether the general account of distributive justice affirmed in step [1] makes demands on the natural world that can in fact be met.

§3. *The Greenhouse Gas Implications.* Once we have a theory of distributive justice which is compatible with the "sustainability condition" as specified in step [2] our third task is to ascertain what implications these principles of distributive justice have for the distribution of greenhouse gases. As was argued above, from the point of view of a theory of justice greenhouse gas emissions have significance only insofar as they further people's legitimate entitlements. The distribution of greenhouse gases must then be determined by our understanding of people's entitlements. In short: we work back from our understanding of people's entitlements (eg to health or food) and deduce what GHGs are required to satisfy those entitlements.

§4. *The (Narrow) Substitutability Proviso.* One complication to the preceding analysis must, however, now be introduced. For when applying the method outlined above, one must be careful not simply to move from the fact that an activity requires energy to the conclusion that it must require fossil fuels. As has been noted in the preceding sections, energy needs can, in some circumstances, be met in other ways.

### **Conclusion:**

I have argued:

- \* on a substantive level: there are no good arguments for the EPCV and good reason to reject it
- \* on a methodological view: the roots of the problem for the EPCV lie, in part, in its commitment to Isolationism; and we have no good reason to accept Isolationism (in this case) and good reason to reject it
- \* on a methodological level: to determine the fair distribution of greenhouse gas emissions we should follow a four step process. The fair distribution of greenhouse gases is epiphenomenal. There is a fair distribution of burdens and benefits more generally; satisfying this will bring in its wake a certain distribution of greenhouse gas emissions.