

The United Nations Framework Convention on Climate Change, the negotiated framework for pursuing a comprehensive treaty rests on important ethical assumptions. First, it assumes that responsibility for dealing with climate change must be apportioned among nations states rather than individual entities that are directly responsible for the historical accumulation of greenhouse gases. Second, an assumption made explicit in the framework agreement, is that the heaviest burdens must fall on the developed nations known as Annex One nations.

There is disagreement, however, on the more fundamental moral basis behind these assumptions. Some of the treaty negotiators in developing nations argued that the reason for this way of distributing burdens is that the developed nations about the primary cause of the problem and its primary beneficiaries. Quite a few philosophers have made similar arguments.

Critics, however, question that approach. They ask, why should we focus on the developed states? Why not focus, instead, on the specific individuals and entities that contributed most to causing the problem? The argument gets particular traction when we recognize that there are rich people in poor nations and poor people in rich nations. The impetus behind this criticism is that heavy carbon footprints and the harms they cause follow affluence not geographic boundaries. So moral responsibility should tract causal responsibility and along with it the benefits that have accrued to those who are directly responsible for causing the problem.

Indeed this understanding of responsibility is embedded in what is known as the Polluter Pays Principle. It is a principle of central importance in environmental law and ethics, for example, throughout the US and European Union. But the harms of climate change are not like the ones that the traditional model of responsibility envisioned.

Climate change is very different. For example, from an identifiable industrial polluter of a river, or even for multiple polluters where the challenges is to apportion responsibility among several polluters. With climate change, there are many causal contributors spanning generations past, present, and future. Some are dead. Many emitted greenhouse gases for morally benign or socially useful purposes. Factories, schools, roads, and hospitals were built, the standard of living for billions of people was raised.

Until recently, few imagined the long term adverse consequences their actions. And perhaps most importantly, the process is ongoing. The bulk of the potential harm will not be realized until we hit the critical point of greenhouse gas concentration. Thus some observers conclude that the attempt to identify individuals and entities that are casually responsible is doomed to failure.

But perhaps a sound moral basis can be identified. After all, isn't there some reason to assign moral responsibility to the citizens of countries whose current, high standard of living was built upon fossil fuels? Since they receive the benefits, should they not also bare the heaviest burdens? Notice, that nothing in this argument depends on the claim that the developed nations did anything wrong at the time or did anything they should have known would cause harm. The crux of the argument is this, as long as developed nations assert an entitlement to pass along to their own citizens the accumulated benefits of past and ongoing actions then fairness demands that they should also accept the burdens of mitigating the harms that are caused in the process.

Remember from last segment, they were only half the way to an aggregate one trillion tons which scientists take to be the critical threshold of dangerous climate change. How will the historical contributions to that one trillion threshold be distributed as we approach 2050?

Many credible estimates suggest that by then, the historical share of greenhouse gases attributable to the BRIC nations, Brazil, Russia, India, China, will change the calculus entirely. Their likely contribution will approximate the accumulated contribution to the 30 most developed nations since the dawn of the Industrial Revolution.

While the rapidly developing nations are increasing their share of a causal contribution to the problem, they still fall behind the developed nations in terms of a crude benefit. By 2050, many of the biggest contributors will not be among the historical biggest winners. If we pin responsibility on those who are among the biggest causal contributors, we will be assigning moral responsibility to some nations whose standard of living will still be quite low.

One suggestion is that we forget about estimating causal responsibility. Forget about calculating accumulated benefits and Focus entirely on comparative ability to pay. Just to be clear about the implications of such a suggestion, it requires us to ignore entirely a number of factors we ordinarily take to be morally relevant. For example, whether a nation got rich with a lower carbon footprint, whether a nation acted earlier than other nations to reduce their footprint, whether a nation produces heavy

emissions past the point that they should have known that they were causing grave harm to themselves and others.

Is it fair to look at ability to pay while ignoring all these other considerations? Well, perhaps not entirely. But perhaps that is the least unfair solution and hence the morally best we can do when circumstances do not allow us to achieve perfect fairness. In the next session, I consider debates regarding climate change through the lens of human rights theory.