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De Smet, Andries; Peeters, Wouter; Sterckx, Sigrid

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The delegated authority model misused as a strategy of disengagement in the case of climate change

Andries De Smet^{1*}, Wouter Peeters² and Sigrid Sterckx²

¹Center for Ethics & Value Inquiry (CEVI), Department of Philosophy and Moral Sciences, Ghent University, Gent, Belgium; ²Bioethics Institute Ghent (BIG), Department of Philosophy and Moral Sciences, Ghent University, Gent, Belgium

Abstract

The characterisation of anthropogenic climate change as a violation of basic human rights is gaining wide recognition. Many people believe that tackling this problem is exclusively the job of governments and supranational institutions (especially the United Nations Framework Convention on Climate Change). This argument can be traced back to the delegated authority model, according to which the legitimacy of political institutions depends on their ability to solve problems that are difficult to address at the individual level. Since the institutions created to tackle climate change fail to do so, their legitimacy is under great pressure and can only be saved by considerations of feasibility. We argue that democratically elected representatives are able to claim that a more robust climate policy is unfeasible, but only because the mandate we as citizens grant them is very restrictive. Instead of shifting responsibility for the thoroughly inadequate response to climate change fully to political representatives, we should highlight the failure of the political community as a whole to fulfil its responsibility at the input-side of the delegation of authority. When individual voters fail to fulfil the minimal obligation to at least vote for parties that explicitly advocate robust climate policies, they cannot hide behind the delegated authority argument, but should accept their complicity in the massive violations of basic human rights caused by the failure to successfully tackle climate change.

Keywords: *climate change; delegated authority; responsibility; feasibility; moral disengagement*

Climate change represents one of the most serious and far-reaching challenges facing humankind in the 21st century. Nevertheless, the response to it is characterised by inaction at all levels. Despite overwhelming evidence to the contrary, the harmful effects of climate change are outrightly *denied* or blamed on natural processes,

*Correspondence to: Andries De Smet, Department of Philosophy and Moral Sciences, Center for Ethics & Value Inquiry (CEVI), Ghent University, Gent, Belgium. Email: Andries.DeSmet@UGent.be

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scientific uncertainties are overly emphasised, and evidence is discredited. Many claim either ignorance or that *it is not their fault*.¹ Regarding their engagement in greenhouse gas emitting activities, emitters maintain that *it makes no difference whether they do it or don't* and that *any way, everybody does it*.² They also claim not to have any alternative because their economy is completely dependent on fossil fuels, or because the social and cultural context in which they are embedded imposes values and expectations that inescapably influence their choices and actions. Finally, many people believe that addressing climate change is exclusively the job of *others*—primarily the government and supranational institutions.

In this paper, we will focus on this last argument and evaluate to what extent it is legitimate. More specifically, we will assess the explanation for the ubiquitous inaction that refers to the delegated authority model.³ Although it remains largely implicit in political theory, this model underpins the legitimacy of political institutions and their leaders, depending on their ability to solve problems that are difficult to address at the individual level. Since the institutions created to abate the significant threat climate change poses to basic human rights fail to do so, their legitimacy is seriously questionable. The only way they might still claim to be legitimate is by appealing to considerations of feasibility. If the implemented policy turns out to be the best one available under the current circumstances, the institutions would arguably be no longer blameworthy for the failure to provide a robust response to climate change. The question thus arises: how should we evaluate the options open to the United Nations Framework Convention on Climate Change (UNFCCC), the states that constitute this institution (the Parties to the UNFCCC), and the citizens of these states?

More specifically, we will examine whether the failure to design a policy that respects basic human rights is due to unwillingness on the part of the political representatives or due to genuine unfeasibility. In answering this question, we will pay special attention to the input-side of the delegated authority model, referring to individuals who delegate their responsibilities to a collective level when those responsibilities are difficult to discharge at the individual level. However, we will argue that delegating responsibility to a collective level can only exonerate the individual if it is done in a consistent way; otherwise it is nothing more than blame-shifting or displacing responsibility. Hiding behind the delegated authority model should then be characterised as a mechanism of moral disengagement⁴ through which people deny their individual responsibility in an unjustifiable way. We will attempt to settle this matter and explore how this affects our responsibility for tackling climate change.

HUMAN RIGHTS THREATENED BY CLIMATE CHANGE

Recent literature has drawn attention to the impact of climate change on human rights.⁵ An important contribution has been provided by Simon Caney, who defines human rights as 'minimum moral thresholds to which all individuals are entitled, simply by virtue of their humanity, and which override all other moral values'.⁶ He focuses on three key rights: the right to life; the right to health; and the right to

subsistence. Employing a modest and minimal conception of human rights, Caney demonstrates that anthropogenic climate change violates these rights.⁷

In 2008, expressing concern about the threat climate change poses to the enjoyment of human rights, the United Nations Human Rights Council (HRC) adopted *Resolution 7/23 on Human rights and climate change*, requesting the Office of the United Nations High Commissioner for Human Rights (OHCHR) to prepare a study on the relationship between climate change and human rights.⁸ The report submitted by the OHCHR⁹ was presented and discussed at the tenth session of the UN Human Rights Council on 15 January 2009. Subsequently, the HRC adopted *Resolution 10/4 on Human Rights and Climate Change*, noting that:

Climate change-related impacts have a range of implications, both direct and indirect, for the effective enjoyment of human rights, including, inter alia, the right to life, the right to adequate food, the right to the highest attainable standard of health, the right to adequate housing, the right to self-determination and human rights obligations related to access to safe drinking water and sanitation.¹⁰

The OHCHR report describes the influence of climate change on several human rights codified in the *International Bill of Human Rights*—consisting of the *Universal Declaration of Human Rights*, the *International Covenant on Civil and Political Rights*, and the *International Covenant on Economic, Social and Cultural Rights*—as well as other relevant UN treaties and conventions.¹¹ Arguably, the OHCHR report interprets the human rights at issue in a broader way than Caney’s minimal conception. To strengthen our argument, we will adopt his minimalist normative position. We will justify our position in the fourth section; here we will start by elaborating Caney’s account.

First, Caney mentions the *right to life*.¹² The *International Covenant on Civil and Political Rights* states that ‘every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life’.¹³ Caney employs a minimal conception of this right as a merely *negative right*, not making the more contentious claim that persons have a *positive right* to have their life protected against all kinds of threats. Even using this minimal conception, a number of the observed and projected impacts of climate change will pose a substantial threat to the *right to life*. Climate change will result in an increase of the frequency and intensity of extreme weather events such as storms, heat waves, and floods. Since these disasters already have devastating effects on mortality, their increased frequency and intensity will jeopardize many people’s enjoyment of the right to life, particularly in the developing world.¹⁴ Climate change poses a significant threat to human security in general, but of specific relevance here is the observation that some of the factors that increase the risk of violent conflict are sensitive to climate change, and also to policy responses.¹⁵

Second, climate change will have a detrimental impact on the effective enjoyment of the *right to health*. The *International Covenant on Economic, Social and Cultural Rights* recognises ‘the right of everyone to the enjoyment of the highest attainable standard of physical and mental health’.¹⁶ The full realisation of such a right requires

inter alia provisions for the reduction of infant mortality, the improvement of environmental and industrial hygiene, the prevention and treatment of diseases, and the assurance of medical service and attention in the event of sickness. The wording in the report of the OHCHR indeed implies a broad interpretation of the right to health. In contrast, Caney's minimal account affirms only a negative right 'that other people do not act so as to create serious threats to their health', since he considers the conception of the right to health as mentioned in the *International Covenant on Economic, Social and Cultural Rights* (aspiring the highest attainable standard of physical and mental health) as maximalist and therefore open to objections by critics.¹⁷

Nonetheless, both accounts agree that human-induced climate change clearly results in a variety of different threats to the *right to health*, affecting millions of people, especially those with a low adaptive capacity.¹⁸ The IPCC distinguishes three basic pathways by which climate change affects health.¹⁹ First, the increases in the frequency of extreme weather will not only raise mortality (as mentioned above), but also directly impact human health in general. Second, there are effects mediated through natural systems. Temperature, precipitation and humidity have a strong influence on the spread and transmission of vector-borne diseases (such as malaria and dengue fever), water- and food-borne diseases (such as cholera and other diarrhoeal diseases), and allergic diseases.²⁰ The health impacts of climate change encompass shifts in the patterns, spread and transmission of these diseases. Finally, some health impacts that are heavily mediated through human institutions include nutrition and water insecurity, occupational health concerns (such as heat strain and heat stroke), mental health problems (in terms of increasing stress as a result of harsher weather conditions), and compounded health risks as a consequence of increased human movement, social disruptions and conflict (resulting *inter alia* in the spread of infectious diseases and malnutrition).²¹

The third human right under consideration is the *right to subsistence*. According to Caney's minimal conception, 'all persons have a human right that other people do not act so as to deprive them of the means of subsistence'.²² Climate change will compound existing food insecurity, particularly threatening smallholder and subsistence farmers.²³ Although impacts will occur unevenly, overall, higher temperatures and changes in precipitation will reduce both the quantity and quality of global food yields, result in shifts of fish populations, affect livestock, and possibly lead to food-price shocks. The IPCC concludes with *high confidence* that 'climate change will have a substantial negative impact on (1) per capita calorie availability, (2) childhood undernutrition, particularly stunting and (3) on undernutrition-related child deaths and disability-adjusted life years in developing countries'.²⁴ Moreover, climate change will exacerbate water insecurity in many regions, an insecurity which already impairs hygiene, reduces farm yields, increases infectious diseases, and can become a source of conflict.²⁵ Not only changing temperatures and precipitation patterns, but also changing run-off patterns, glacial shrinkage and increasing floods and droughts will substantially compromise flows of water for irrigation and human consumption.

160 In addition to these three fundamental rights, climate change will also impact the effective enjoyment of other human rights.²⁶ Nonetheless, we will base our argumentation on the minimalist list of key rights threatened by climate change, namely the right to life, the right to health, and the right to subsistence, understood as negative rights.

165 THE DELEGATED AUTHORITY MODEL

170 The characterisation of anthropogenic climate change as a violation of the basic human rights to life, subsistence, and health is gaining wide recognition. This is reflected in the adoption of *Resolution 10/4 on Human Rights and Climate Change* by the HRC in 2009. The seriousness of this characterisation should heighten the urgency of tackling climate change. However, as this task appears to be overwhelming for individuals to perform, people tend to look at the institutional level for solutions. This idea is at the core of the *delegated authority model*, which underpins the legitimacy of political institutions and their leaders, depending on their ability to solve problems that are difficult to address at the individual level. It has remained largely implicit in political theory, but Stephen Gardiner²⁷ makes the model explicit:

180 According to a long tradition in political theory, political institutions and their leaders are said to be legitimate because, and to the extent that, citizens delegate their own responsibilities and powers to them. The basic idea is that political authorities act in the name of the citizens in order to solve problems that either cannot be addressed, or else would be poorly handled at the individual level, and that this is what, most fundamentally, justifies both their existence and their specific form.

185 In the case of climate change, the delegation of responsibilities has failed to be successful. According to Gardiner, responsibility for this failure most directly falls on recent political leaders and current institutions, especially since they have assumed the mantle of responsibility and have acted as if they were capable of discharging this role (e.g. by making speeches, promising progress, and organising frequent meetings under the UNFCCC).²⁸ Hence, since they have failed to discharge the responsibilities delegated to them, they can legitimately be morally criticised for this failure.

190 In the next section we will examine whether this issue really is as straightforward as it is often depicted. More specifically, we will question whether the failure to implement a robust policy to tackle climate change necessarily implies that the relevant institution loses its legitimacy.

THE LEGITIMACY OF THE UNFCCC

195 Allen Buchanan and Robert Keohane point out that consent of democratic states is in itself not sufficient to make a global institution legitimate. Moreover, given the diversity of moral standpoints, an institution can be legitimate without being fully just. They propose three ‘substantive criteria’ that institutions should meet in order to be legitimate: minimal moral acceptability, comparative benefit and institutional

200 integrity.²⁹ We will explain these criteria and assess to what extent the UNFCCC can be said to meet them, although this is not a straightforward exercise.

The *first criterion* Buchanan and Keohane propose is ‘minimal moral acceptability’. To be worthy of our support, an institution must not persist in committing serious injustices.³⁰ Although the UNFCCC is not committing these injustices directly,
205 it nonetheless fails to prevent the violation of the basic human rights at issue. Therefore, the legitimacy of the UNFCCC can already be challenged on the basis of this first criterion. Thanks to ethicists such as Simon Caney and Derek Bell,³¹ as well as the report of the OHCHR cited in the second section above, the characterisation of climate change as a violation of basic human rights is gaining wide recognition. Moreover, at the Conference of Parties in Cancun in 2010, it was acknowledged that climate change is a major threat to human rights that needs to be urgently addressed by all parties.³² However, this has not resulted in a strong and binding policy to avoid such massive violations of human rights by mitigation and/or adaptation. As we have discussed in the second section, climate change already jeopardizes the human rights to life, health, and subsistence, and this situation is likely to exacerbate. Thus, even if we only take the normatively minimalist position that a limited list of basic human rights should at least be respected, the current global governance institution performs poorly. By violating the duty to respect basic human rights, the UNFCCC and its member states do not meet the criterion of minimal moral acceptability,
210 implying that its legitimacy has been dealt a sharp blow.

The *second criterion* for the legitimacy of global governance institutions is ‘comparative benefit’.³³ This is a relatively straightforward condition and in line with the delegated authority model. The justification for having global governance institutions is primarily instrumental: the basic reason for individuals and states to support these institutions is that they provide benefits that cannot otherwise be obtained. If an institution cannot effectively provide these benefits, then this failure undermines its claim to the right to rule. We would have reasons to question whether those in charge of the institution are genuinely committed to providing the expected benefits that were invoked to justify the creation of the institution.
225

It is clear that the UNFCCC, in its current form, is not optimally respecting human rights. Hence, the UNFCCC and its Parties do not appear to deliver the envisioned benefits, the provision of which is the basic rationale for their justification. This not only raises doubts about the level of commitment of the actors involved, but also threatens the legitimacy of the UNFCCC.
230

However, Keohane and Buchanan emphasise that we should understand benefit here as *comparative*, which means that ‘[t]he legitimacy of an institution is called into question if there is an institutional alternative, providing significantly greater benefits, that is feasible, accessible without excessive transition costs, and meets the minimal moral acceptability criterion’.³⁴ To settle this matter, much more needs to be said on the concept of ‘feasibility’. We will postpone this discussion to the following section.
235

The *third criterion* that Keohane and Buchanan propose is ‘institutional integrity’.³⁵ This criterion refers to the extent to which the actual performance of an
240

245 institution and its self-proclaimed goals align. If there is a large disparity between
them, we have reason to question the legitimacy of the institution. If an institution
250 does not meet this criterion, its representatives can be considered ‘either untrust-
worthy or grossly incompetent’.

The UNFCCC defines ‘stabilization of greenhouse gas concentrations in the
atmosphere at a level that would prevent dangerous anthropogenic interference with
255 the climate system’ as its ‘ultimate objective’.³⁶ Since global carbon emissions have
rapidly increased in the past two decades, and continue to rise, it is clear that the
UNFCCC falls short on its main objective. This would support the conclusion that
the agents involved in this institution are untrustworthy or incompetent and, hence,
260 that the UNFCCC does not meet the criterion of institutional integrity. However,
in our view, the problem is not that delegates are not concerned about global
warming, but rather that they have conflicting commitments. On the one hand, they
have special obligations towards their compatriots. On the other hand, they have
general obligations towards humanity at large. They need to find a balance between
(perceived) national interests and general interests on a global scale, as we will
explain below.

What should we conclude from this brief evaluation? Does its failure to meet one of
the criteria immediately imply that the UNFCCC is illegitimate as a global governance
265 institution? Buchanan and Keohane refer to John Rawls to conceptualise their three
substantive criteria as ‘counting principles’: ‘the more of them an institution satisfies,
and the higher the degree to which it satisfies them, the stronger its claim to
legitimacy’.³⁷ The results of our evaluation of the UNFCCC do not look promising:
the UNFCCC clearly fails the first criterion (minimal moral acceptability), and it
scores rather poorly on the second criterion (comparative benefit). Furthermore, it
270 does not seem to meet the third criterion (institutional integrity), although we have
conceded that this might be due to the conflicting commitments of delegates, rather
than to their untrustworthiness or incompetence. However, Buchanan and Keohane
also argue that it would be excessive to claim that their criteria are *necessary* conditions,
because there might be extraordinary circumstances in which an institution would
fail to satisfy one or two of them, yet still reasonably be regarded as legitimate. The
275 only way to save the legitimacy of the UNFCCC would be to prove that the current
arrangement really is the best feasible option. If there is no feasible institutional
alternative and the non-institutional alternative would make things even worse, the
UNFCCC could still claim to be legitimate, even if inadequate.³⁸ We will now
examine whether there are valid reasons to underpin this claim.

280 **THE FEASIBILITY OF AN INSTITUTIONAL ALTERNATIVE**

We will start this section by elaborating ‘International Paretianism’, a principle
defended by Eric Posner and David Weisbach.³⁹ In their view, a climate treaty, in
order to be feasible, should not make any of the participating states worse off:

285 Any treaty must satisfy what we shall call the principle of International Paretianism:
all states must believe themselves better off by their lights as a result of the climate

treaty. International Paretianism is not an ethical principle but a pragmatic constraint: in the state system, treaties are not possible unless they have the consent of all states, and states only enter treaties that serve their interests.⁴⁰

290 Posner and Weisbach emphasise that International Paretianism is not an ethical principle, but rather a feasibility constraint: ‘It is a device to discipline our thinking to ensure that our recommendations can actually be implemented’.⁴¹ According to them, the failure of the climate negotiations is caused by focusing too much on ethically appealing but infeasible proposals. Although acknowledging that exactly determining feasibility is challenging, they propose to use International Paretianism as the standard. With respect to the climate negotiations, this means that a treaty must be designed so that all states consider themselves better off than in the status quo.⁴² This condition does not preclude a climate treaty, since unabated climate change will worsen the status quo for most (if not all) states. It does, however, preclude a treaty that makes certain states ‘net losers’, for example if they would have to pay more than they gain by mitigating climate change.

300 On this basis, Posner and Weisbach argue that a treaty is only feasible if it serves the interests of the high emitting states. If not, these powerful states will not comply, which will substantially undermine the efficacy of the treaty.⁴³ However, Caney rightly points out that infeasibility should be distinguished from unwillingness. Showing that a proposed obligation is impossible, is indeed relevant, but saying that certain agents are unlikely to comply, is not a compelling argument to support such a conclusion:

310 The emitter cannot say (to borrow Posner and Weisbach’s words) that ‘[f]easibility rules out’ signing this treaty. He cannot because it is not true: it is quite possible for him to do this. He, therefore, cannot appeal to the infeasibility of committing himself to Pareto-inferior policies because it is *not* infeasible for him to reduce his emissions. Infeasibility here is not a bar. It should be called what is it, namely ‘unwillingness’.⁴⁴

315 Posner and Weisbach might argue that it is impossible for elected representatives to adopt a strong climate policy, because they would be voted out of office if they would do so. According to some climate ethics commentators,⁴⁵ citizens of developed countries are unlikely to urge their politicians to negotiate robust climate policy, since they are likely to be unwilling to bear the economic costs involved and averse to the curtailment of their material freedoms this is likely to entail. In general, politicians therefore believe that they could be punished if they implement strong measures. If this is true, they would (at least) partly be justified in thinking that they should defend national economic interests, instead of an adequate climate policy.⁴⁶ As their electorate gives them the impression that they will be punished for implementing an ambitious mitigation plan, this no longer counts as a feasible option. Caney admits that this argument has some plausibility, but thinks it is not convincing. He argues that members of a political community *as a whole* can adopt a stronger climate policy, which refutes the infeasibility-claim.⁴⁷ If both the elected

representatives and the electorate would fulfil their respective responsibilities, emissions could be significantly reduced.

We agree with Caney that a stronger climate policy is in principle feasible for a political community as a whole. However, this does not necessarily entail that it is feasible from the perspective of the elected representatives under the current circumstances. Caney rightly notes that considerations of feasibility always need to be examined from the point of view of specific agents. We would argue that adopting a stronger climate policy might in fact be infeasible from the perspective of political representatives and that this infeasibility cannot be reduced to mere unwillingness. Political representatives seem justified in claiming that there is more at stake since they have reason to think that they are at risk of being voted out of office.

In contrast to the dominant binary conceptualisation of feasibility (holding that an action is either feasible or infeasible), Holly Lawford-Smith has developed the concept of ‘scalar feasibility’ as ‘a tool for ranking alternative theories along one of the dimensions relevant to making decisions about what to actually do’.⁴⁸ We agree that this provides a more nuanced approach to evaluate the options available to the political representatives under the UNFCCC. In contrast to the binary understanding, a scalar conceptualisation of feasibility is better suited to accommodate options that depend on the behaviour of others:

Ending global poverty and achieving global carbon neutrality are both *possible*. But we don’t want to say these things are feasible, because we don’t want to count all merely possible actions as available in the relevant sense, and we certainly don’t want to ignore the importance of collective action problems for infeasibility. The full solution to the problem, I think, comes from insisting on agent-relativity in feasibility assessments. By that I mean that it is very important that we distinguish the agent whose option set we’re interested in from all the other agents upon whose actions the outcome might depend.⁴⁹

Important to note in this context is that Lawford-Smith assumes that the agents involved at least *try* to produce the relevant outcome, primarily because she does not want to let agents off the moral hook too easily. There are, however, certain ‘soft constraints’ that can limit the feasibility of a proposal. She considers the three most obvious kinds of soft constraints to be economic, institutional, and cultural constraints. We would submit that the entrenched way in which the UNFCCC currently functions, represents an *institutional soft constraint* for the political representatives. The signing members of the Conference of the Parties, the decision-making body of the UNFCCC, are professional politicians in their respective states. Consequently, they have to justify their decisions to their national electorate, which substantially undermines their innovative or game-changing power, at least as things currently stand. They are incentivised to give disproportionate priority to their national (short-term, economic) interests, at the expense of vulnerable people elsewhere.⁵⁰ This does not make the adoption of a strong climate policy infeasible in the binary sense, but it clearly makes it less feasible in the scalar sense.⁵¹

Can these considerations regarding feasibility save the legitimacy of the UNFCCC? The answer is no. Given the institutional framework in which the elected delegates are embedded, we can arguably grant them that they are ‘trying’. However, Buchanan and Keohane’s conditions of minimal moral acceptability and institutional integrity remain unfulfilled, which means that the UNFCCC can only be legitimate if it is the best available option (i.e. if it meets the second criterion). Caney convincingly argued that this is not the case, as members of a political community *as a whole* (both politicians and electors) are indeed able to adopt a stronger climate policy. The introduction of the concept of scalar feasibility does not change this conclusion. It does, however, indicate that individual electors are to an important extent responsible for the illegitimacy of the UNFCCC. In the last section we will examine how these conclusions affect the responsibility of individual agents in tackling climate change.

HOW TO DEAL WITH THE ILLEGITIMACY OF THE UNFCCC ON THE INDIVIDUAL LEVEL?

The delegation of responsibilities to tackle climate change from the individual to the collective level has obviously not led to success. However, in contrast to the general perception, we concluded the previous section by acknowledging that this failure should not in the first place be ascribed to the elected delegates. To a certain extent, their claim that a stronger climate policy is not feasible is justified, since their electors fail to give them a strong mandate to strive for a robust climate policy. Caney rightly points out that ‘both elected and electors have responsibilities’.⁵² The failure of the electorate to discharge its shared political responsibility severely limits the availability of feasible options for their political representatives to defend a robust agreement to tackle climate change. The implications of this failed delegation of responsibility for the responsibility of *individual* agents are twofold.

No more hiding behind the delegated authority argument

Most people believe that climate change can best be addressed by governments and supranational institutions—since individual actions lack efficacy. Indeed, Gifford mentions that ‘because climate change is a global problem, many individuals believe they can do nothing about it as individuals’.⁵³ This rationale underpins the delegation of responsibility to the collective level.⁵⁴ The validity of this delegation-strategy, however, depends on the way in which we actually perform this delegation. We would submit that the delegation of responsibility has failed in the case of climate change, because the input-side of the model has not fulfilled its part. Most citizens of developed countries do not urge their politicians to negotiate a robust climate policy, but rather vote in ways that give them the impression that they could be punished if they implement strong measures. Politicians thus are (at least partly) justified in thinking that they should defend national economic interests, instead of an adequate climate policy. As responsibility is not delegated to the collective level in a consistent

way, most citizens of developed, high emitting countries can no longer invoke this model of political legitimacy as an excuse for the general inaction regarding climate change.

Hiding behind the delegated authority model should therefore be characterised as a mechanism of moral disengagement.⁵⁵ This concept refers to the psychological mechanisms that people widely use to reconstruct a problem in order to evade their individual responsibility in an unjustifiable way. This tendency for moral disengagement is well known in moral psychology, and should be understood in the broader context of moral agency. According to Albert Bandura (et al.) moral conduct is motivated and regulated by the on-going exercise of self-reactive influence. This self-regulatory system operates through self-monitoring, judgemental, and self-reactive subfunctions:

In this self-regulatory process, people monitor their conduct and the conditions under which it occurs, judge it in relation to their moral standards and perceived circumstances, and regulate their actions by the consequences they apply to themselves. They do things that give them satisfaction and build their sense of self-worth. They refrain from behaving in ways that violate their moral standards, because such conduct will bring self-condemnation.⁵⁶

However, people sometimes do behave in ways that violate their moral standards. Since this results in a state of dissonance, which is psychologically uncomfortable, people are naturally inclined to try to reduce or eliminate this inconsistency.⁵⁷ An important method to achieve this goal is to convince oneself and others that one's reprehensible conduct still falls within moral standards through *changing the perception of one's actions* and *reconstructing the situation so as to reduce its moral intensity*.⁵⁸ In this way, moral disengagement enables individuals to engage in unethical behaviour without facing moral self-condemnation. It resolves the inconsistency between one's moral standards and self-interested conduct by articulating reasons why the reprehensible conduct is a justifiable or excusable exception to the general normative rules.⁵⁹

Specifically in the context of climate change, Gardiner has analysed this propensity of people to psychologically reconstruct (the perception of) their reprehensible behaviour in terms of *moral corruption*, which involves the shirking of one's responsibilities and off-loading them onto others (especially future people, the poor, and nature) through deceptive arguments, and thus subverts our understanding of the issue at stake.⁶⁰ We would argue that two such deceptive arguments or strategies of moral disengagement are specifically deployed in the attempt to deny individual responsibility under a delegated authority model, namely *displacement* and *diffusion* of responsibility.⁶¹

The underlying idea of *displacement of responsibility* is that people do not feel personally responsible if they are not (or do not perceive themselves to be) the actual agents of their actions. Climate change is a collective action problem, for which 'institutions are the well-known solution'.⁶² Indeed, large-scale collective action problems cannot be solved by the isolated actions of even large numbers of individual

455 persons.⁶³ In contrast, collective institutions have a great capacity to take measures
regarding regulation, enforcement and coordination of climate action, and invest-
460 ment in renewable energy. There seems to be a widespread belief that national
governments and supranational institutions (such as the UNFCCC) are the only
causally efficacious actors.⁶⁴ In general, people therefore also appear to blame this
465 collective level for its failure to address climate change, and (implicitly or explicitly)
hold their own obligations to be fulfilled with the delegation of responsibility. In
this way, they invoke the delegated authority argument to exonerate themselves
from blame for the violations of basic human rights we mentioned above. However,
we would argue that they could only be exonerated if they grant their political
470 representatives a mandate that is robust enough to effectively tackle climate change.
If they fail to indicate that they attach great importance to the implementation of a
strong climate policy, they are responsible for the failed delegation of responsibilities
to tackle climate change and can no longer hide behind the delegated authority
model. We would argue that this condition is not met and that we should urgently
recognise that the delegated authority model is being misused to facilitate moral
disengagement and to evade responsibility for the violation of basic human rights
entailed by climate change.

The second relevant strategy of moral disengagement is *diffusion of responsibility*,
through which people aim to exonerate themselves from responsibility by empha-
sising division of labour, group decision-making and collective action. Under a
475 delegated authority model, people might invoke the argument that their individual
vote does not suffice to give a strong mandate to their political representatives
in order to diffuse their share of responsibility for the current inaction. However,
by invoking the argument that their vote does not make any difference at all,
people commit a mistake in moral mathematics, namely *ignoring small chances*.⁶⁵ The
480 possible benefit (that is, mandating political representatives to insist on a robust
climate policy) is arguably so large that it outweighs the small cost of voting, even on
the infinitesimal chance that an individual vote might make a difference.

Conversely, it can be maintained that the chance of making a difference is too
small to outweigh the cost of voting, even if the possible benefit is enormous. In each
485 case, however, it is inaccurate to assume that an individual vote does not make
any difference at all, since each individual vote increases the political support for
robust climate change policies and encourages politicians to take such leadership
risks. Although this benefit might be minute, we agree with Cripps that promo-
tional actions (such as voting for and supporting parties that explicitly advocate
490 robust policy measures to tackle climate change) ‘can still contribute to a stockpile of
impetus for collective change’.⁶⁶ Therefore, rather than convincingly exonerating
people from responsibility, the deceitful reference to the delegation of responsibility
corresponds to moral disengagement through diffusion of responsibility.

Since the delegated authority model is being misused to facilitate moral
495 disengagement (through both displacement and diffusion of responsibility), we are
no longer justified to shift the blame for the failure to effectively tackle climate

change onto our representatives and the institution they constitute, and we can no longer deny that we, as individuals, bear an important responsibility.

Take responsibility, both politically and individually

How, then, should we understand this responsibility? Gardiner has argued that the political representatives can legitimately be morally criticised for their failure to discharge the responsibilities delegated to them. Above we explained why we believe this statement should be qualified to some extent. We claim that it might arguably be infeasible for our representatives to implement a stronger policy to tackle climate change, but only because we as the electorate do not fulfil our responsibilities—we fail to give them a strong mandate to insist on robust climate action. We agree with Gardiner’s conclusion that the failed delegation of responsibilities does not let individual citizens off the hook:

If the attempt to delegate effectively has failed, then the responsibility falls back on the citizens again, either to solve the problems themselves or, if this is not possible, to create new institutions to do the job.⁶⁷ If they fail to do so, then they are subject to moral criticism, for having failed to discharge their original responsibilities.⁶⁸

With regard to the first part of this conclusion, we would submit that there are indeed good reasons to question whether we should exclusively look at the collective level to tackle climate change—not only because the responsibility falls back on the citizens when the delegation has failed, but also because ‘what states do must be carried out ultimately by individuals’.⁶⁹ Moreover, the potential effect of action undertaken by individuals and households to reduce their emissions should not be disregarded. Vandenberg et al., for example, have identified *low-hanging fruits*: seven actions which, together, can provide a reasonable chance of reducing annual individual and household emissions by 7% within 5 years. Gardner and Stern have composed a *short list*, consisting of nine immediate, low-cost actions regarding transportation and living by which individuals and households in the US can reduce their total direct energy consumption by one-quarter (which would amount to 10% of total national greenhouse gas emissions in the USA). Dietz et al. have specified a *behavioural wedge*: some effective, non-regulatory behaviourally oriented policies and interventions can reduce emissions in the household sector by approximately 20% within 10 years. The IPCC similarly identifies a whole range of everyday activities in which behavioural change could result in a high energy saving and greenhouse gas emissions reduction.⁷⁰

It cannot be denied, however, that states (in principle) have a great capacity to tackle climate change, and that collective agreements will be necessary in order to outline climate action, and to take measures that cannot be taken by individuals (*inter alia*, regulation and enforcement, coordination, investment in renewable energy, and reduction of fossil fuel subsidies). For this reason, we are not (yet) prepared to give up on the delegated authority model. According to Gardiner, if the delegation has failed and individuals are incapable of solving the problem themselves, they should

540 create new institutions—or, we would add, reform existing institutions—to tackle climate change. In our view, acknowledging the political responsibility of individual citizens in determining the policies pursued by the existing institutions is a precondition for this. Climate change *can* be tackled by the UNFCCC and the constituting states, yet we need to make responsible use of the possibilities at hand.

545 This means that we need to make it clear to our political representatives that we attach great importance to the effective tackling of climate change. We need to grant our representatives a more robust mandate to take the necessary actions, even if these are harmful for our national economic interests. We thus have to disassociate ourselves from the ‘dominant view’ that ‘those involved in the creation and revision of international laws, treaties, agreements, or conventions or of intergovernmental agencies and organizations are morally permitted (and perhaps even required) robustly to advance the interests of their home country in such negotiations’.⁷¹ In this way, Thomas Pogge convincingly advocates a cosmopolitan stance, whereby the design of global institutional arrangements is guided by the needs and interests of *all* human beings, weighted equally. As we have argued above, the UNFCCC does not currently meet this condition.

550 If we fail to grant our representatives a robust mandate to tackle climate change, we, as citizens, are responsible for the resulting illegitimacy of the UNFCCC. Moreover, and morally even more problematic, we also become complicit in the resulting violations of basic human rights:

560 A citizen giving in to this temptation—disposed for instance to present herself as less likely to vote for the current government if it worked toward global human rights fulfillment at some expense to domestic economic interests—should then judge herself [...] to be implicated in, and co-responsible for, her government’s human rights violating negotiating successes.⁷²

565 Although it remains difficult to establish what exactly one (politically) has to do in order not to be complicit, we believe that the *minimal* moral obligation citizens have under the delegated authority model is to vote for parties that explicitly advocate robust policy measures to tackle climate change, since this way of voting signals a willingness to accept the costs of a strong climate policy.⁷³ On the one hand, it can be objected that this obligation is insufficient and that individual citizens have more substantial political obligations to combat climate change. For example, it can be argued that they have an obligation to ceaselessly protest against the current policy of the UNFCCC and its constituting states, and to work for more robust green political movements. We would argue that citizens *at least* have the obligation to vote for parties that explicitly advocate robust policy measures to tackle climate change and that this obligation can be compatible with other, more substantial political obligations.⁷⁴

570 On the other hand, some commentators might argue that such an obligation is too intrusive. Aaron Maltais counters this objection as follows:

580 [...] it should first be made clear that I am not suggesting that individuals can justifiably be coerced to vote a certain way. Rather, the claim is that in order to

demonstrate sufficient concern for the interests of those who will be harmed by global warming one at the very least has a moral obligation to vote green. This claim does not challenge each individual's democratic and legal right to vote as they see fit. What it does challenge is the idea that how one votes has some special exemption from moral assessment.⁷⁵

Especially if we want to invoke the argument that it is the task of national governments and supranational institutions to address climate change, we at the very least have the obligation to vote for parties that represent the most likely chance of success.⁷⁶

CONCLUDING REMARKS

Anthropogenic climate change can clearly be characterised as a violation of at least the basic human rights to life, subsistence, and health, even when these are interpreted in a minimal (negative) way. This characterisation should increase the urgency of tackling climate change, but this task appears to be overwhelming for individuals to perform. People therefore tend to look at the institutional level for solutions, which is the underlying rationale for the *delegated authority model*. This model indeed seems to justify the general idea that addressing climate change is primarily the job of governments and supranational institutions. In this article we examined the legitimacy of this argument.

We first examined whether the failure to implement an adequate policy to tackle climate change necessarily implies that the relevant institution (the UNFCCC and its Parties) loses its legitimacy. To answer this question, we relied on the theoretical framework developed by Buchanan and Keohane. Since the UNFCCC has not been able to agree on implementing a robust climate policy, it violates the duty to respect basic human rights, and thus clearly fails the criterion of minimal moral acceptability. Moreover, although we have conceded that this might be due to the conflicting commitments of delegates rather than to their untrustworthiness or incompetence, the UNFCCC does not seem to meet the criterion of institutional integrity for it clearly falls short on its main objective (namely, to prevent dangerous climate change). Hence the only way the legitimacy of the UNFCCC could be saved is by proving that the current arrangement really is the best feasible option.

In this regard, we argued that political representatives might indeed claim that a stronger policy is infeasible from their perspective. The political community as a whole, however, cannot, because the illegitimacy of the UNFCCC is caused by *our* failure to fulfil our responsibility at the input-side of the delegated authority model, rather than being primarily due to the elected representatives. Since we fail to delegate our responsibility to the collective level in a consistent way, we can no longer invoke the delegated authority argument as an excuse. In order to make a convincing claim that it is the task of the government and supranational institutions to address climate change, we at the very least have the obligation to vote for parties that explicitly advocate robust policies to tackle climate change. If we fail to fulfil this minimalist task, invoking the delegation of responsibilities is tantamount to moral

disengagement, namely through *diffusion* and *displacement* of responsibility. If we do not vote for parties that are most likely to make a difference, we can no longer hide behind the delegated authority argument and should accept our complicity in the massive violations of basic human rights caused by the failure to successfully tackle climate change.

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NOTES

1. See Walter Sinnott-Armstrong, 'It's Not My Fault: Global Warming and Individual Moral Obligations', in *Perspectives on Climate Change: Science, Economics, Politics, Ethics*, eds. Walter Sinnott-Armstrong and Richard Howarth (Amsterdam: Elsevier, 2005), 293–315.
2. Thomas Gabor, *Everybody Does It! Crime by the Public* (Toronto: University Press, 1994). In his book, Gabor explores justifications and excuses ordinary people provide for their transgressions.
3. Stephen Gardiner, 'Is No One Responsible for Global Environmental Tragedy? Climate Change as a Challenge to Our Ethical Concepts', in *The Ethics of Global Climate Change*, ed. Denis Arnold (Cambridge: Cambridge University Press, 2011), 38–59.
4. Albert Bandura, 'Moral Disengagement in the Perpetration of Inhumanities', *Personality and Social Psychology Review* 3, no. 3 (1999): 193–209; Albert Bandura et al., 'Mechanisms of Moral Disengagement in the Exercise of Moral Agency', *Journal of Personality and Social Psychology* 71, no. 2 (1996): 364; Jo-Ann Tsang, 'Moral Rationalization and the Integration of Situational Factors and Psychological Processes in Immoral Behavior', *Review of General Psychology* 6, no. 1 (2002): 25. For a comprehensive overview of the deployment of other strategies of moral disengagement in climate change, see Wouter Peeters et al., *Climate Change and Individual Responsibility. Agency, Moral Disengagement and the Motivational Gap* (Basingstoke: Palgrave MacMillan, 2015).
5. A human rights approach to climate change faces some theoretical challenges. See, for example, Stephen Gardiner, 'Human Rights in a Hostile Climate', in *Human Rights: The Hard Questions*, eds. Cindy Holder and David Reidy (Cambridge: University Press), 211–30. Nonetheless, without assuming that the human rights approach can provide a comprehensive account of climate change, we agree with Caney that the minimalist normative position on the basis of some fundamental rights can enjoy ecumenical support from a variety of different ethical perspectives. See Simon Caney, 'Climate Change, Human Rights and Moral Thresholds', in *Human Rights and Climate Change*, ed. Stephen Humphreys (Cambridge: University Press, 2010), 83.
6. Caney, 'Climate Change, Human Rights and Moral Thresholds', 73.
7. See Simon Caney, 'Human Rights, Responsibilities and Climate Change', in *Global Basic Rights*, eds. Charles Beitz and Robert Goodin (Oxford: University Press, 2009), 227–47; and Caney, 'Climate Change, Human Rights and Moral Thresholds'.
8. UNHRC—United Nations Human Rights Council, *Resolution 7/23. Human Rights and Climate Change* (2008, recital 1), http://ap.ohchr.org/documents/E/HRC/resolutions/A_HRC_RES_7_23.pdf (accessed July 3, 2015); and OHCHR—Office of the United Nations High Commissioner for Human Rights, *Human Rights and Climate Change* (2014),

<http://www.ohchr.org/EN/Issues/HRAndClimateChange/Pages/HRCClimateChangeIndex.aspx> (accessed July 3, 2015).

9. OHCHR—Office of the United Nations High Commissioner for Human Rights, *Report of the Office of the United Nations High Commissioner for Human Rights on the Relationship between Climate Change and Human Rights (A/HRC/10/61) (2009)*, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/103/44/PDF/G0910344.pdf?OpenElement> (accessed July 3, 2015).
10. UNHRC—United Nations Human Rights Council, *Resolution 10/4. Human Rights and Climate Change* (2009, recital 7), http://ap.ohchr.org/documents/E/HRC/resolutions/A_HRC_RES_10_4.pdf (accessed July 17, 2015). While resolutions and reports of the HRC are important policy guidance documents, they do not establish binding treaty interpretations or obligations. On the role and functioning of the HRC, see Olivier De Schutter, *International Human Rights Law. Cases, Materials, Commentary* (Cambridge: University Press, 2010), 855–96.
11. UN—United Nations, *The Universal Declaration of Human Rights* (1948, article 25.1), <http://www.un.org/en/documents/udhr/> (accessed July 3, 2015); UN—United Nations, *International Covenant on Civil and Political Rights* (1966, entry into force: 1976), <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx> (accessed July 3, 2015); and UN—United Nations, *International Covenant on Economic, Social and Cultural Rights* (1966, entry into force: 1976), <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx> (accessed July 3, 2015).
12. Caney, ‘Human Rights, Responsibilities and Climate Change’, 230–1; and Caney, ‘Climate Change, Human Rights and Moral Thresholds’, 76–8.
13. UN, *International Covenant on Civil and Political Rights*, article 6.1.
14. Anthony Costello et al., ‘Managing the Health Effects of Climate Change’, *The Lancet* 373 (2009): 1702–8; Anthony McMichael and Elisabet Lindgren, ‘Climate Change: Present and Future Risks to Health, and Necessary Responses’, *Journal of Internal Medicine* 270, no. 5 (2011): 406–7; IPCC—Intergovernmental Panel on Climate Change, *Climate Change 2014: Impacts, Adaptation, and Vulnerability. Part A: Global and Sectoral Aspects. Contribution of Working Group II to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change* (New York: Cambridge University Press, 2014, 720–22), https://ipcc-wg2.gov/AR5/images/uploads/WGIAR5-PartA_FINAL.pdf (accessed July 17, 2015).
15. *Ibid.*, 771–5.
16. UN, *International Covenant on Economic, Social and Cultural Rights*, article 12; The right to health is also indirectly implicated by The Universal Declaration of Human Rights: ‘everyone has the right to a standard of living adequate for the health and well-being of himself and of his family’. UN, *The Universal Declaration of Human Rights*, article 25.1, <http://www.un.org/en/documents/udhr/> (accessed July 3, 2015).
17. OHCHR, *Report of the Office of the United Nations High Commissioner for Human Rights*, paragraph 31; and Caney, ‘Climate Change, Human Rights and Moral Thresholds’, 78.
18. *Ibid.*, 78–80; and OHCHR, *Report of the Office of the United Nations High Commissioner for Human Rights*, paragraphs 32–34.
19. IPCC, *Climate Change 2014*, 716–17.
20. *Ibid.*, 722–30; Costello et al., ‘Managing the Health Effects of Climate Change’, 1702–8; and McMichael and Lindgren, ‘Climate Change: Present and Future Risks to Health, and Necessary Responses’, 407–8.
21. *Ibid.*, 409–10; and IPCC, *Climate Change 2014*, 730–33, 766–70, 771–75.
22. Caney, ‘Human Rights, Responsibilities and Climate Change’, 232; and Caney, ‘Climate Change, Human Rights and Moral Thresholds’, 80–2.
23. Costello et al., ‘Managing the Health Effects of Climate Change’, 1704–5; McMichael and Lindgren, ‘Climate Change: Present and Future Risks to Health, and Necessary Responses’, 408; UNDP—United Nations Development Programme, *Human Development Report*

- 2007/2008: *Fighting Climate Change: Human Solidarity in a Divided World* (2007, 27), http://hdr.undp.org/en/media/HDR_20072008_EN_Complete.pdf (accessed July 17, 2015).
24. IPCC, *Climate Change 2014*, 731.
 25. Costello et al., ‘Managing the Health Effects of Climate Change’, 1705; McMichael and Lindgren, ‘Climate Change: Present and Future Risks to Health, and Necessary Responses’, 407–8; and UNDP, *Human Development Report 2007/2008*, 27.
 26. For a discussion of these additional rights, see Peeters et al., *Climate Change and Individual Responsibility*.
 27. Gardiner, ‘Is No One Responsible for Global Environmental Tragedy?’, 53.
 28. *Ibid.*, 53–4.
 29. Allen Buchanan and Robert Keohane, ‘The Legitimacy of Global Governance Institutions’, *Ethics & International Affairs* 20, no. 4 (2006): 419.
 30. Since reasonable disagreement seems to exist about what exactly justice entails, we adopt a minimalist normative position, namely respect for the fundamental human rights to life, to subsistence, and to health, as discussed in the second section above. We agree with Buchanan and Keohane that this is a minimal requirement for legitimacy, but postulating more demanding moral requirements of justice in terms of a more extensive set of rights might be hard to justify in view of the current disagreement about justice. See Buchanan and Keohane, ‘The Legitimacy of Global Governance Institutions’, 419–22; and Laura Valentini, ‘Cosmopolitan Justice and Rightful Enforceability’, in *Cosmopolitanism versus Non-Cosmopolitanism: Critiques, Defenses, Reconceptualizations*, ed. Gillian Brock (Oxford: University Press, 2013), 100.
 31. Derek Bell, ‘Does Anthropogenic Climate Change Violate Human Rights?’ *Critical Review of International Social and Political Philosophy* 14, no. 2 (2011): 99–124.
 32. UNFCCC—United Nations Framework Convention on Climate Change, *Report of the Conference of the Parties on its Sixteenth Session, held in Cancun from 29 November to 10 December 2010* (2010, Preamble), <http://unfccc.int/resource/docs/2010/cop16/eng/07a01.pdf#page=2> (accessed July 20, 2015).
 33. Buchanan and Keohane, ‘The Legitimacy of Global Governance Institutions’, 422.
 34. *Ibid.*
 35. *Ibid.*, 422–4.
 36. United Nations Framework Convention on Climate Change, *United Nations Framework Convention on Climate Change* (1992, article 2), http://unfccc.int/files/essential_background/background_publications_htmlpdf/application/pdf/conveng.pdf (accessed July 3, 2015).
 37. John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1971); and Buchanan and Keohane, ‘The Legitimacy of Global Governance Institutions’, 424.
 38. Given that the UNFCCC does not meet the criterion of minimal moral acceptability and the fact that its institutional integrity is questionable, it can only remain legitimate if no better alternative is feasible.
 39. Eric Posner and David Weisbach, *Climate Change Justice* (Princeton, NJ: University Press, 2010); and Eric Posner and David Weisbach, ‘International Paretianism: A Defense’, *University of Chicago Institute for Law & Economics Olin Research Paper* (606) (2012).
 40. Posner and Weisbach, *Climate Change Justice*, 6 (footnote omitted).
 41. Posner and Weisbach, ‘International Paretianism: A Defense’, 3.
 42. *Ibid.*, 3–7.
 43. Martino Traxler is also concerned with pragmatic constraints, but offers an alternative proposal. He claims that states can be motivated to comply with a treaty, if they consider it to be fair. He therefore argues that we should ignore past emissions and instead focus on equalising the burdens involved in tackling climate change. These equally burdensome shares can be determined by looking at the relevant opportunity costs. Although this criterion might imply that the developed countries have much more demanding obligations

- than the developing countries, Traxler believes that it would keep them from defecting from doing their fair share. He thinks that his proposal would put ‘the most moral pressure possible on each nation to do its part’ (Martino Traxler, ‘Fair Chore Division for Climate Change’, *Social Theory and Practice* 28, no. 1 (2002): 129). However, this proposal has been criticised by Stephen Gardiner and Darrel Moellendorf with arguments similar to those used by Caney to criticize International Paretianism. See Darrel Moellendorf, ‘Treaty Norms and Climate Change Mitigation’, *Ethics & International Affairs* 23, no. 3 (2009): 247–65; and Stephen Gardiner, ‘Ethics and Global Climate Change’, *Ethics* 114, no. 3 (2004): 555–600.
- 775
44. Simon Caney, ‘Two Kinds of Climate Justice: Avoiding Harm and Sharing Burdens’, *Journal of Political Philosophy* 22, no. 2 (2014): 130 (footnote omitted).
- 780
45. See, for example, Dale Jamieson, ‘Energy, Ethics and the Transformation of Nature’, in *The Ethics of Global Climate Change*, ed. Denis G. Arnold (Cambridge: Cambridge University Press, 2011), 29; Hugh Compston and Ian Bailey, *Climate Clever: How Governments can Tackle Climate Change (and Still Win Elections)* (London and New York: Routledge, 2012), 7.
- 785
46. Recent empirical research (Thomas Bernauer and Robert Gampfer, ‘How Robust is Public Support for Unilateral Climate Policy?’, *Environmental Science and Policy* 54 (2015): 316–30) suggests that public support for unilateral policies to tackle climate change is strong. However, this support is not (yet) reflected in widespread political support for politicians and parties that make this issue a priority. Until this condition is met, we believe politicians are (at least partly) justified in thinking they will be electorally punished if they implement strong and costly measures.
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47. Caney, ‘Two Kinds of Climate Justice’, 131.
48. Holly Lawford-Smith, ‘Understanding Political Feasibility’, *Journal of Political Philosophy* 21, no. 3 (2013): 245.
- 795
49. *Ibid*, 250–1 (footnote omitted).
50. In some developing countries, especially Bolivia and the small island states (AOSIS), the electorate has in fact granted their politicians a strong mandate to tackle climate change: since these countries are the most vulnerable to climate change, a robust policy clearly is in their national interest. Rather than addressing our argument to the citizens of these countries, we focus our attention on the citizens of the developed countries. Not only do these countries have the highest per capita emissions, they also have a disproportionate influence on the outcome of the negotiations in the UNFCCC. Part of the problem has to do with the procedural rules of the UNFCCC, more specifically the crucial role of consensus decision-making. This rule of procedure gives every country the ability to block an agreement, even if the vast majority would benefit from this agreement (Daniel Bodansky and Elliot Diringer, ‘Alternative Models for the 2015 Climate Change Agreement’, *FNI Climate Policy Perspectives* 13 (2014): 5). Majority voting could break this crippling deadlock, but seems unlikely given the current political background. On the limits of consensus decision-making and the possible implementation of majority voting in the UNFCCC, see Jesse Vogel, ‘The Problem with Consensus in the U.N. Framework Convention on Climate Change’, *Philosophy and Public Policy Quarterly* 32, no. 2 (2014): 14; Luke Kemp, *Framework for the Future: The Possibility of Majority Voting within the United Nations Framework Convention on Climate Change (UNFCCC)*. Berlin: FFU-Report, Forschungszentrum für Umweltpolitik (2014), http://edocs.fu-berlin.de/docs/servlets/MCRFileNodeServlet/FUDOCS_derivate_00000003244/Kemp_Framework_for_the_Future.pdf, (accessed July 20, 2015).
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- 805
51. Lawford-Smith, ‘Understanding Political Feasibility’, 254–5.
52. Caney, ‘Two Kinds of Climate Justice’, 131.
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53. Robert Gifford, ‘The Dragons of Inaction. Psychological Barriers that Limit Climate Change Mitigation and Adaptation’, *American Psychologist* 66 (2011), 290–302, 293.
- 820

54. See also Sinnott-Armstrong, 'It's Not My Fault: Global Warming and Individual Moral Obligations'; Dale Jamieson, 'When Utilitarians Should Be Virtue Theorists', *Utilitas* 19, no. 2 (2007): 160–83; Gardiner, 'Is No One Responsible for Global Environmental Tragedy?'; Baylor Johnson, 'Ethical Obligations in a Tragedy of the Commons', *Environmental Values* 12, no. 3 (2003): 271–87; and Elizabeth Cripps, *Climate Change and the Moral Agent. Individual Duties in an Interdependent World* (Oxford: University Press, 2013), 148.
55. For a discussion of moral disengagement in relation to climate change, see Peeters et al., *Climate Change and Individual Responsibility*.
56. Bandura, 'Moral Disengagement in the Perpetration of Inhumanities', 193–4; See also Albert Bandura, 'Social Cognitive Theory of Moral Thought and Action', in *Handbook of Moral Behaviour and Development. Volume 1: Theory*, eds. William Kurtines and Jacob Gewirtz (Hillsdale: Lawrence Erlbaum Associates, 1991), 68; Albert Bandura, 'Selective Moral Disengagement in the Exercise of Moral Agency', *Journal of Moral Education* 31, no. 2 (2002): 102; and Bandura et al., 'Mechanisms of Moral Disengagement in the Exercise of Moral Agency', 364.
57. Leon Festinger, *A Theory of Cognitive Dissonance* (Stanford, CA: University Press, 1957), 18.
58. Adam Barsky, 'Investigating the Effects of Moral Disengagement and Participation on Unethical Work Behavior', *Journal of Business Ethics* 104, no. 1 (2011): 62; Gabor, *Everybody Does It! Crime by the Public*, 177; Gresham Sykes and David Matza, 'Techniques of Neutralization: A Theory of Delinquency', *American Sociological Review* 22, no. 6 (1957): 666; Tsang, 'Moral Rationalization and the Integration of Situational Factors', 25–26, 37.
59. Blake Ashforth and Vikas Anand, 'The Normalization of Corruption in Organizations', *Research in Organizational Behavior* 25 (2003): 16.
60. See Stephen Gardiner, *A Perfect Moral Storm: The Ethical Tragedy of Climate Change* (Oxford: Oxford University Press, 2011), chapter 9. Gardiner illustrates this problem of moral corruption by drawing parallels with the biased reasoning of the Dashwoods in Jane Austen's *Sense and Sensibility*. We believe that our analysis in terms of moral disengagement in the context of moral agency confirms his diagnosis and provides an analytical framework for his intuitive parallels.
61. Bandura, 'Social Cognitive Theory of Moral Thought and Action', 81; Bandura, 'Selective Moral Disengagement in the Exercise of Moral Agency', 106; and Albert Bandura, 'Impeding Ecological Sustainability through Selective Moral Disengagement', *International Journal of Innovation and Sustainable Development* 2 (2007): 19.
62. Stijn Neuteleers, 'Institutions versus Lifestyle: Do Citizens Have Environmental Duties in Their Private Sphere', *Environmental Politics* 19 (2010): 501–17.
63. Henry Shue, 'Mediating Duties', *Ethics* (1988): 687–704; Cripps, *Climate Change and the Moral Agent*; and Sinnott-Armstrong, 'It's Not My Fault: Global Warming and Individual Moral Obligations'.
64. Peeters et al., *Climate Change and Individual Responsibility*, 33.
65. Derek Parfit, *Reasons and Persons* (Oxford: Clarendon Press, 1984), 73–5.
66. Cripps, *Climate Change and the Moral Agent*, 148.
67. Gardiner is sceptical regarding the potential functioning of the UNFCCC (see: 'A Call for a Global Constitutional Convention Focused on Future Generations', *Ethics & International Affairs* 28, no. 3 (2014): 299–315). He argues that the current institutions are not designed, and therefore ill-equipped, to promote intergenerational concerns (the 'tyranny of the contemporary'). He claims (2014, 308) that the UNFCCC has 'so far proven inadequate to the task, largely because of the dominance of national institutions and their familiar—short-term and economic—concerns'. Therefore, we need a global constitutional convention to overcome this 'institutional gap' with respect to future generations. We agree with Gardiner that his proposal would boost intergenerational concerns. However, rather than

concluding that there is an inherent defect in the UNFCCC that makes its failure inevitable, we believe that citizens should first and foremost acknowledge their political responsibility in determining policies. The UNFCCC and the constituting states might be able to tackle climate change, yet the possibilities at hand should be used responsibly. As long as the responsibility at the input-side of the delegated authority model is not fulfilled, it is premature to conclude that the UNFCCC cannot be effective in tackling climate change.

68. Gardiner, 'Is No One Responsible for Global Environmental Tragedy?', 54.
69. Judith Lichtenberg, *Distant Strangers: Ethics, Psychology, and Global Poverty* (Cambridge: University Press, 2014), 9.
70. Michael Vandenberg, Jack Barkenbus, and Jonathan Gilligan, 'Individual Carbon Emissions: The Low-Hanging Fruit', *UCLA Law Review* 55, no. 6 (2008): 1720; Gerald Gardner and Paul Stern, 'The Short List: The Most Effective Actions U.S. Households Can Take to Curb Climate Change', *Environment* 50, no. 5 (2008): 20–1. Thomas Dietz et al., 'Household Actions can Provide a Behavioral Wedge to Rapidly Reduce US Carbon Emissions', *Proceedings of the National Academy of Sciences* 106, no. 44 (2009): 18452–6; and IPCC, *Climate Change 2014*, 686–7, especially table 9.2. Although we agree with Cripps's defence of duties and actions to promote collective action, we believe her dismissal of unilateral individual duties to reduce greenhouse gas emissions is too quick. See Cripps, *Climate Change and the Moral Agent*. For an extensive defence of unilateral duties to reduce greenhouse gas emissions on the basis of individual agency, see Peeters et al., *Climate Change and Individual Responsibility*.
71. Thomas Pogge, 'Concluding Reflections', in *Cosmopolitanism versus Non-Cosmopolitanism: Critiques, Defenses, Reconceptualizations*, ed. Gillian Brock (Oxford: University Press, 2013), 298, 294–320.
72. *Ibid.*, 311.
73. Aaron Maltais, 'Radically Non-Ideal Climate Politics and the Obligation to at Least Vote Green', *Environmental Values* 22, no. 5 (2013): 602.
74. See Caney, 'Two Kinds of Climate Justice', 125–49. Caney discusses six kinds of action that agents can perform: enforcement, incentivization, enablement, creating norms, undermining resistance, and civil disobedience.
75. Maltais, 'Radically Non-Ideal Climate Politics and the Obligation to at Least Vote Green', 604 (footnote omitted).
76. As we mentioned above, individuals also have an individual responsibility to reduce their greenhouse gases (see also Peeters et al., *Climate change and Individual Responsibility*). Discussing this responsibility into more detail falls outside the scope of this article, since our focus here is on the legitimacy of the delegated authority argument.