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# Who is responsible for the climate change problem?1

# **Megan Blomfield**

### Abstract

According to the polluter pays principle, excessive emitters of greenhouse gases have special obligations to remedy the problem of climate change, because they are the ones who have caused it. But what kind of problem is climate change? In this paper I argue that as a moral problem, climate change has a more complex causal structure than many proponents of the polluter pays principle seem to recognise: it is a problem resulting from the interaction of anthropogenic climate effects with the underlying vulnerability and exposure of human communities and other things of value. This means that we should acknowledge more pathways by which human agency contributes to the climate problem and, accordingly, a different landscape of contribution-based remedial responsibilities.

I. <u>Introduction</u>. Who is responsible for remedying the problem of climate change? A common starting point for answering this question is the Polluter Pays Principle (PPP), according to which such responsibility falls to excessive emitters of greenhouse gases (GHGs). The PPP reflects a simple moral principle that those who cause a problem have a responsibility to remedy it – at least in the absence of excusing factors. More precisely, its underlying rationale appears to be that remedial responsibility is possessed by those who make an <u>unjust contribution to a problem</u>; where, in this case, parties contribute by emitting, and those emissions are unjust in virtue of exceeding a fair share. In this paper, I argue that proponents of the PPP – and many other theorists of climate justice – commonly overlook other important means by which human agency makes an unjust contribution to the climate problem. If one accepts the underlying rationale of the PPP, then one should abandon its restricted focus on polluters.

I start with an overview of how the PPP – and other principles of climate justice – have been deployed in an attempt to carve up the costs of dealing with climate change (§II-III). I then consider what kind of moral problem climate change presents, in order to identify two additional pathways via which human agency contributes to it (§IV). I explain how this understanding of the climate problem will result in a different landscape of climate responsibilities (§V-VI); and finish by responding to some potential challenges to my view (§VII).

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II. <u>Climate change and remedial responsibility</u>. A remedial responsibility can be understood as a special obligation to contribute to the remedy of a problem – special in the sense that it is only possessed by those who are related to the problem in the right way. There are, however, many ways of being related to a problem that might ground a special obligation to remedy it. For example, because you are <u>morally responsible</u> for the problem; because you <u>caused</u> (or <u>causally contributed</u>) to it; because you <u>benefited</u> from its creation; or simply because you are <u>able</u> to remedy it.<sup>2</sup>

I will understand remedial responsibilities for the climate change problem (in short: *climate responsibilities*) to consist in special obligations to bear any burdens associated with mitigating, adapting to, or compensating for the harmful effects associated with anthropogenic climate change.<sup>3</sup> The three grounds commonly cited for such responsibilities are causal contribution (of a particular kind), benefit, and ability. These grounds underwrite the three principles that have dominated philosophical discussions of how to divide any burdens of remedying climate change: the Polluter Pays Principle (PPP), the Beneficiary Pays Principle (BPP), and the Ability to Pay Principle (APP). Roughly speaking, according to the PPP, GHG emitters should bear these burdens, in proportion to their emissions, because the problem has been caused by their emissions.<sup>4</sup> According to the BPP, the beneficiaries of GHG emissions should bear them, in proportion to how much they have benefited, because the problem is a result of activities from which they have benefited. And according to the APP, the wealthy should bear them, in proportion to their wealth, for reasons of practicality or egalitarianism.<sup>5</sup> Theorists of climate justice typically defend some combination of these principles for fully allocating climate costs.<sup>6</sup>

Some seem to hope that these principles provide a relatively straightforward way to allocate, quantify and then monetize climate responsibilities. For example, by adopting the PPP one might aim to use historical emissions data to attribute GHGs to different entities (states,

<sup>&</sup>lt;sup>2</sup> For a canonical treatment of remedial responsibility, see Miller 2007, pp.99-104.

<sup>&</sup>lt;sup>3</sup> Mitigation aims to limit the progress of climate change, by reducing the emission of GHGs or increasing their removal from the atmosphere. Adaptation aims to reduce vulnerability to any climate change that is not prevented, thereby making its impacts less harmful (for example, through the construction of flood defences). Compensation comes into the picture when climate harms are not prevented. As Caney points out, those in possession of remedial responsibilities might discharge them by covering the costs of actions that are undertaken by others (2020, §5). For example, one might think that when poorer countries engage in mitigation or adaptation, any costs of their so doing should be covered by richer, industrialized countries – because the latter, but not the former, are the primary possessors of remedial climate responsibilities.

<sup>&</sup>lt;sup>4</sup> Sometimes theorists instead adopt the terminology of a 'contributor pays' principle. However, they still conceive contribution in terms of GHG emissions (Page 2012, pp.304-5; Shue 2015, p.13).

<sup>&</sup>lt;sup>5</sup> See, for example, Caney 2020, §5.2; Roser and Seidel 2017, chs.12-14.

<sup>&</sup>lt;sup>6</sup> Several combine versions of the PPP and APP (Baer 2013; Caney 2010; Duus-Otterström and Jagers 2012). Baatz (2013) pairs the PPP with a version of the BPP. Bell (2010), Page (2008) and Shue (2015) defend hybrid accounts combining elements of all three principles – though in more recent work Page argues that the BPP is a superior alternative to the PPP and APP (2012).

perhaps), quantify those emissions according to some common measure,<sup>7</sup> and then assign financial obligations in proportion with emission shares.<sup>8</sup> Using the BPP, one might attempt to estimate the amount of wealth each country enjoys as a result of GHG emissions, and then divide out climate costs accordingly.<sup>9</sup> And with the APP, one could simply distribute climate costs according to a metric such as GDP.<sup>10</sup> In other words, each principle appears to offer a quantifiable metric for climate responsibilities, thereby making it relatively easy to carve up the financial costs of remedying this problem.

III. <u>The Polluter Pays Principle</u>. My argument will focus on the PPP, although I will also note some implications regarding the BPP and APP. Accounts of climate responsibility often start with the PPP, because its focus on causation appears a good fit with common sense understandings of remedial responsibility. Imagine, for example, a case in which several companies have dumped toxic waste into a community's water supply. There is a straightforward appeal to saying that – absent excusing factors – these companies, as the polluters, should now remedy the environmental problem to which they have causally contributed. Proponents of the PPP aim to apply a similar form of reasoning to the climate problem.

Things are somewhat more complicated in the climate case, however, making it harder to determine who should be deemed a polluter. Anthropogenic climate change does not result from the actions of a single agent – or even a limited group of agents. This is a case of collective causation on a massive scale, with the climate change we are seeing today resulting from the cumulative GHG emissions of human activities across the globe, dating back to the Industrial Revolution. But importantly, we must question whether all these emissions count as 'pollution' in the relevant sense. Some emissions seem unavoidable for the satisfaction of basic needs, making it questionable that they should be a source of remedial obligations. <sup>11</sup> Furthermore, it is commonly suggested that there <u>was</u> a safe budget of emissions, such that if emissions had remained sufficiently low, then they would not have resulted in dangerous climate change. <sup>12</sup>

<sup>&</sup>lt;sup>7</sup> There are several different GHGs, which differ in their effects. Because CO<sub>2</sub> is the most significant, scientists attempt to quantify other GHGs – such as methane – in terms of a common metric termed 'CO<sub>2</sub>-equivalent'.

<sup>&</sup>lt;sup>8</sup> See, for example, Caney 2005, p.753-4; Matthews 2016.

<sup>&</sup>lt;sup>9</sup> See, for example, Page 2012, p.325.

<sup>&</sup>lt;sup>10</sup> Roser and Seidel, for example, claim one advantage of the APP 'is that there are hardly any problems with measurability. A country's economic capacity can be operationalized, for example, through its GDP adjusted for purchasing power' (2017, p.141).

<sup>&</sup>lt;sup>11</sup> In Vanderheiden's words: 'all persons have valid claims to emit GHGs up to the survival threshold, so assessments of liability cannot be made against acts to which persons are entitled as a matter of right' (2008, p.243).

<sup>&</sup>lt;sup>12</sup> Precisely what would have been a 'safe' limit to atmospheric GHG concentrations can be debated. Some suggest 350 parts per million (ppm) of CO<sub>2</sub> (Rockström et al. 2009). The 350 ppm limit – already a significant increase on

Emissions within this safe budget do not seem to be the problem, then, so perhaps should not count as pollution in the first place – or at least not as pollution that has engendered a responsibility to remedy the problem of climate change.<sup>13</sup>

Proponents of the climate PPP therefore usually define polluters as <u>excessive</u> emitters, understood as those who emit beyond their fair share. This serves, as Simon Caney puts it, to distinguish between those who contribute to the causal process who have a duty not to do so (duty-bearers) and those who contribute to the causal process but in doing so do not violate any duties (non-duty bearers)' (2015, p.69). Fair shares are commonly envisaged in a top-down way (as the shares that would result from a just division of the safe budget); but they can also be determined in a bottom-up way (as whatever emissions a party is entitled to in virtue of their subsistence or development rights, say). Defining polluters as <u>excessive</u> emitters will get many low emitters off the hook. If these emissions do not exceed a fair share, then they do not make you one of the polluters who must now remedy the climate problem. Thus, for the climate PPP, what makes you a polluter strictly speaking is not that you emit <u>at all</u>, but that you emit <u>too much</u>. The PPP does not ground remedial responsibility in causal contribution simpliciter, then, but rather causal contribution beyond one's fair share.

The underlying rationale of the PPP therefore appears to be that <u>unjust contribution to a problem grounds a special responsibility to remedy it</u>. The kind of injustice at play here does not entail moral responsibility: by exceeding their fair share, parties make an unjust contribution to the climate problem without necessarily being the subject of blame, and it may be possible to commit this form of injustice unknowingly. For the sake of my argument, I will be assuming that proponents of the PPP are correct to identify unjust contribution as an important ground of remedial responsibilities. The question that I am going to address is whether being an excessive emitter is the only way to make an unjust contribution to the climate problem.

pre-industrial concentrations of around 280 ppm – was exceeded in the late 1980s (see Ritchie, Roser & Rosado 2020).

<sup>&</sup>lt;sup>13</sup> Those emissions could obviously nevertheless have contributed to (and engendered remedial responsibilities for) other problems, such as local environmental harms.

<sup>&</sup>lt;sup>14</sup> Occasionally it is noted that parties also contribute to the climate problem through deforestation, which increases atmospheric GHG concentrations not only via any associated emissions, but also by reducing the capacity of forest sinks to <u>remove</u> CO<sub>2</sub> from the atmosphere (e.g. Caney 2010, p.205). When it comes to <u>defining</u> the PPP, however, theorists tend to overlook deforesters and equate polluters with excessive emitters alone.

<sup>&</sup>lt;sup>15</sup> Those who take fair shares to derive from a just division of the safe budget include Baatz (2013, p.95), Bell (2010, p.428) and Page (2011, pp.417, 428). An example of the alternative, bottom-up approach is given by the Greenhouse Development Rights framework (see Baer 2013, pp.64-5; see also Vanderheiden 2008, ch.7). Sometimes the question of how fair shares are to be determined is left open (Caney 2005, pp.765, 769, 2010, p.222; Duus-Otterström and Jagers 2012, p.748-9).

<sup>&</sup>lt;sup>16</sup> On this matter, see debates about the climate responsibilities of 'excusably ignorant' emitters (e.g. Bell 2011).

<sup>&</sup>lt;sup>17</sup> This question should be of interest to anybody who thinks that remedial responsibilities derive from unjust contribution to a problem, regardless of whether they agree that this is the correct way to interpret the PPP.

Many proponents of the PPP seem to assume that it is. As a result, some have ended up identifying quite unusual forms of injustice in the historical emissions record. Retroactive application of a principle for fair division of the emissions budget, for example, generates the injustice of exceeding a fair share of emissions when you not only did not know – but seemingly <u>could not have known</u> – what your fair share would have been (because you could not know either that there was a limited safe budget, or how many people you must share it with across time). And proponents of the PPP who eschew this historical approach tend to turn to the BPP or APP to allocate any remaining or residual burdens that thus cannot be assigned to polluters, rather than attempting to identify other unjust contributors to the problem.

It seems to me that the underlying rationale of the PPP provides us with an additional approach to identifying climate responsibilities. Instead of focusing only on what might appear to be the most obvious causal contributions to the problem – GHG emissions – and attempting to determine which are unjust, why not also examine the many other injustices that characterise our world, and consider how they might contribute to the climate problem? In some cases, this approach will lead us back to individuals or collectives who should count as polluters, due to their unjust causal contribution to increased atmospheric GHG concentrations (for example, misinformation campaigners, fossil fuel lobbyists, and politicians who have wrongfully opposed fair and effective mitigation policies). However, in other cases this should lead us to assign remedial responsibilities to those who have unjustly contributed to the climate problem in ways that did not involve enhancing – or enabling the enhancement of – atmospheric GHG concentrations.

IV. <u>What kind of problem is climate change?</u> As explained in the previous section, the PPP is based on the more fundamental moral principle that 'those who caused the problem should pay' (Caney 2010, p.204). To determine whether the PPP makes good on this moral principle, we need to understand what kind of problem climate change is.

Anthropogenic climate change is a physical process, caused by human activities. To recognize that this physical process constitutes some kind of <u>moral problem</u>, it is sufficient to note that it results in a situation where many things of value are at risk of significant harm.<sup>20</sup> When considering why it is that climate change poses such risk, the first things that will likely come to mind – for many at least – are the climate hazards set to increase in frequency and intensity due to increased atmospheric concentrations of GHGs: hazards such as sea-level rise, storms, floods, drought, heatwaves, and wildfires. However, climate risk is not a product of these

<sup>&</sup>lt;sup>18</sup> For discussion, see Blomfield 2019, ch.9.

<sup>&</sup>lt;sup>19</sup> See, for example, Baatz 2013; Bell 2010; Caney 2010; Page 2008.

<sup>&</sup>lt;sup>20</sup> In other words, climate change would be a moral problem even if it were not human caused. Its anthropogenic nature does, however, mean that it presents a different kind of moral problem to natural climate change.

hazards alone. As the Intergovernmental Panel on Climate Change (IPCC) puts it: 'Climate change is not a risk <u>per se</u>; rather climate changes and related hazards interact with the evolving <u>vulnerability</u> and <u>exposure</u> of systems and therewith determine the changing level of risk' (2014, p.1050; emphases added).

What the IPCC means is that for something of value – a community, species, or ecosystem, say – to be at risk of climate harm, that thing needs to be affected by two additional drivers of risk. First, it needs to be <u>exposed</u> to climate hazards, which essentially means that it is present in a setting that could be adversely affected by them. A community is not at risk of coastal erosion, for example, if it is located far inland. But secondly, to be at risk an entity also needs to be <u>vulnerable</u>, which means it has the 'propensity or predisposition to be adversely affected' by climate hazards; encompassing a 'sensitivity or susceptibility to harm and lack of capacity to cope and adapt' (IPCC 2022, p.5). If a community does not have this propensity – say due to its high level of wealth – then exposure to climate hazards will not place it at risk (because it can use its resources to acquire food elsewhere, for example, or build a flood defence).

Being vulnerable is largely a matter of lacking the resources that would enable you to avoid being adversely impacted by climate hazards. This propensity to suffer adverse effects is driven by socioeconomic factors such as marginalization, ecosystem degradation, violent conflict, development constraints, 'poverty, governance challenges and limited access to basic services and resources'. The IPCC also concludes that the development challenges presently causing high vulnerability 'are influenced by historical and ongoing patterns of inequity such as colonialism'.<sup>21</sup> Levels of vulnerability vary both within and across societies. At the global level, vulnerability hotspots include 'West-, Central- and East Africa, South Asia, Central and South America, Small Island Developing States and the Arctic'. Within societies, vulnerability tends to be higher for those already disadvantaged along lines such as gender, ethnicity, and income (IPCC 2022, p.12).<sup>22</sup> Variations in vulnerability help to make climate change a significant problem of global justice; one where the risk of harm is highly uneven, compounding existing inequalities.

In summary, when a community or other object of value is at risk of climate harm, this is because it is affected by all three of these factors: it is present in a setting that is <u>exposed</u> to <u>climate hazards</u>, and <u>vulnerable</u>.<sup>23</sup> These three drivers work in tandem to make climate change such a grave <u>moral problem</u>, where many things of value are placed at significant – but highly uneven and inequitable – risk of harm. This multi-causal nature of climate change as a moral problem suggests that proponents of the PPP err when they restrict their focus to excessive emitters. If climate responsibilities derive from unjust contribution to the problem, then they

<sup>&</sup>lt;sup>21</sup> This is 'especially for many Indigenous Peoples and local communities' (IPCC 2022, p.12).

<sup>&</sup>lt;sup>22</sup> For several examples of the way in which social injustices such as racism enhance vulnerability to climate events, see Bullard 2008.

<sup>&</sup>lt;sup>23</sup> For a helpful illustration of this point, see IPCC 2014, Figure 19-1.

will not only be possessed by polluters – but also by those who unjustly enhance vulnerability and exposure.

V. <u>Unjust contributions to vulnerability and exposure</u>. If human agency also contributes to the climate problem by enhancing vulnerability and exposure, then who else will contribution-based remedial responsibilities be possessed by?

Recall, first, that I am only assuming climate responsibilities to be possessed by those who make an <u>unjust</u> contribution to the problem. Many contributions to vulnerability and exposure will be justified: for example, when communities make faultless decisions to build homes by the coast, ignorant to the likelihood of sea-level rise; or degrade local ecosystems because they have no other livelihood options. Assigning remedial responsibilities to innocent contributors to vulnerability and exposure would not quite result in victim-blaming – since remedial responsibility does not entail blame – but it would further burden those at risk of climate harms through no fault of their own.

Just as the PPP must be supplemented with an account of fair emission shares, then, we need a background theory of justice to distinguish between just and unjust contributions to vulnerability and exposure. Different background theories will differ in their assessments of injustice with, for example, global egalitarians likely to diagnose injustice in cases where global sufficientarians would not. I do not defend a particular theory of justice here, or take a position on whether the injustices that engender vulnerability or exposure should be understood as interactional, institutional or structural in nature.<sup>24</sup> Instead, I attempt to identify some cases that should be deemed unjust across a broad range of theories of global justice.

The most clear-cut cases will be those in which vulnerability is enhanced through the violation of negative duties of non-interference. Examples likely include all cases of violent conflict, ecosystem degradation resulting from corrupt corporate practices, governance challenges caused by wrongful political interference, and poverty engendered by the imposition of unfair economic relations. Vulnerability can also be enhanced by the violation of commonly accepted positive duties of provision or protection. This will include cases where a community's own government has failed to provide them with important resources or services due to corruption or negligence;<sup>25</sup> and where other governments or international agencies have failed to live up to their responsibilities to reduce global poverty. Vulnerability can, in addition, be unjustly enhanced by the refusal to repair a prior injustice. For example, when present-day parties refuse to pay the material reparations that they owe (for war or colonialism, say), then this can

<sup>&</sup>lt;sup>24</sup> On this question see, for example, Ashford 2018.

<sup>&</sup>lt;sup>25</sup> See also Karnein's discussion of Hurricane Katrina, where she points out that even though 'To the extent that Katrina was a result of anthropogenic climate change, it is probably accurate to say that previous generations contributed to it'; to pin responsibility on emitters alone would overlook the significant responsibility of the contemporaneous US Government (2015, pp.57-59).

also constitute a form of unjust contribution to the climate problem; insofar as those owed reparation are being denied resources to which they are entitled and, as a result, left more vulnerable to further (climate and other) harms.<sup>26</sup>

Ultimately, it is likely that injustice will be a contributing factor in most cases of climate vulnerability; because in a world like our own, vulnerability-enhancing factors such as marginalization, ecosystem degradation, conflict, governance challenges and poverty tend to be the product of wrongdoing or negligence.<sup>27</sup> The same cannot be said for exposure, which will often arise from well-intentioned or unavoidable decisions to place things of value in hazardous settings. There are, nevertheless, some cases in which exposure is engendered by injustice: most obviously, when communities are driven into, or trapped in, exposed settings by land grabbing, forced displacement, forced sedentarization, or unjust restrictions on movement. Exposure may also result from government negligence (for example, in permitting developers to build and sell homes on a known floodplain); or from failures of international duties to protect (owed, for example, to refugees in exposed locations).

A remaining question is how far into the past we should look when seeking to identify remedial responsibilities deriving from unjust contributions to vulnerability and exposure. As mentioned in the previous section, one significant contributor to present-day vulnerability is 'colonialism and its ongoing legacy' (IPCC 2022, p.53). There are also cases in which communities have ended up in exposed locations due to the historical decisions of colonial powers. Though I do not have the space to outline a full defence of this position here, elsewhere I have argued that when present-day vulnerability and exposure is partly a product of unrectified historical injustice, climate responsibilities will also be possessed by present-day parties who are connected to that injustice in the right way (Blomfield 2019, §10.4.2).<sup>29</sup>

VI. <u>The complex landscape of climate responsibilities</u>. In the previous section I identified some cases in which there should be broad agreement that contributions to climate vulnerability and exposure were unjust. Given the assumption that I am operating with in this paper – that unjust contribution to a problem grounds a responsibility to remedy it – the agents of these injustices should be taken to possess special responsibilities to remedy the climate problem through

<sup>&</sup>lt;sup>26</sup> On this point, see also Shue 2014, p.39. The idea that those who refuse to discharge their reparative obligations could end up with escalating remedial responsibilities in a world of climate risk can be supported using Butt's account of rectificatory justice, according to which: 'Each new day in which those with rectificatory obligations fail to pay compensation is a day in which they may find themselves responsible for a further, related harm befalling their victim, and if this does happen, it is they who should bear this cost' (2013, p.259).

<sup>&</sup>lt;sup>27</sup> The collection of papers in Adger *et al.* provides support for the claim that 'a myriad of past and present social injustices have engendered the complex patterns of vulnerability that prevail in the contemporary world' (2006, p.263). See also Kashwan and Ribot 2021.

<sup>&</sup>lt;sup>28</sup> For examples see Barnett and Campbell 2010, p.35; Carr & Preston 2017, pp.765-6.

<sup>&</sup>lt;sup>29</sup> See also Táíwò 2022, p.178.

engaging in, or supporting, mitigation, adaptation and compensation. I leave open the question of what exactly it would take to discharge such responsibilities, but note that we should adopt the idea, defended by some proponents of the PPP, of limiting the remedial obligations of unjust contributors who are themselves disadvantaged.<sup>30</sup> I also want to be clear that I am not denying that pollution (or benefit, or ability) should also be understood as an important source of remedial climate obligations. My point is rather that if we equate unjust contribution with excessive emissions alone, we oversimplify the landscape of climate responsibilities.

The causal picture that I have presented has several important implications. Firstly, it enables us to expand the set of parties with contribution-based climate responsibilities, beyond those who can be judged to have emitted (or deforested) excessively.<sup>31</sup> Secondly, it highlights that many parties will have acquired contribution-based climate responsibilities via more than one causal pathway: for example, many states and corporations will have unjustly contributed to the climate problem not only by polluting, but also through forms of interference or negligence that have enhanced climate vulnerability.<sup>32</sup> Why does this matter? Well for one thing, it shows that some polluters have more significant and multifaceted contribution-based responsibilities than might otherwise be recognised. And for another, the responsibilities arising from unjust contributions to vulnerability and exposure may be different in nature to those that derive from emissions.

As many philosophical discussions of climate justice recognise, because physical climate change results from an overall increase in atmospheric GHG concentrations, it is not possible to draw a straightforward causal link between one party's emissions and any particular climate harms. Those who unjustly contribute to atmospheric GHG concentrations thereby seem to acquire a responsibility that, though *special* in the sense that it derives from their actions, is *general* in the sense that it is not owed to any particular affected parties; it is a responsibility to contribute to the remedy of the climate problem broadly speaking, rather than one that is owed to anyone in particular. Responsibilities deriving from unjust contributions to vulnerability and exposure will sometimes be similarly general – for example, when agents unjustly contribute to the overall problem of global poverty, rather than enhancing the poverty (and thus vulnerability) of anybody in particular. Those who unjustly contribute to vulnerability and exposure may also, however, do so in a more direct manner, thereby gaining a responsibility that is owed to the particular communities whose vulnerability and exposure they have enhanced. This approach therefore identifies remedial responsibilities that are different in nature to those recognised by the PPP. Some of these remedial liabilities may, furthermore, be more easily enforced using tort litigation than those deriving from excessive emissions.<sup>33</sup>

<sup>&</sup>lt;sup>30</sup> See, for example, Baatz 2013, p.102; Caney 2010.

<sup>&</sup>lt;sup>31</sup> So, contra Duus-Otterström and Jagers, non-polluters can have responsibilities to support mitigation and adaptation that are not merely based on an 'altruistic' duty to aid (2012, p.751).

<sup>&</sup>lt;sup>32</sup> This point is also made by Kashwan and Ribot (2021, p.331) and Whyte (2017).

<sup>&</sup>lt;sup>33</sup> Burkett claims that 'litigation based on the failure to adapt' – for example, the failure of local governments or developers to reduce vulnerability and exposure to climate impacts in coastal regions – 'may be a much easier road

This causal picture also provides a way to identify contribution-based remedial responsibilities in cases where climate hazards cannot be proven anthropogenic in nature. It is sometimes suggested that when harm is caused or threatened by natural climate events, remedial responsibilities must be based on ability rather than contribution (see Caney 2010).<sup>34</sup> However, the account given here suggests that even in these cases, there could be parties that have enhanced vulnerability or exposure to natural climate hazards in a way that grounds a responsibility to remedy the risks that they pose.<sup>35</sup> This will be a welcome result for those who think that contribution-based remedial responsibilities are in some sense stronger than those deriving from benefit or ability.

Turning next to the BPP: this principle seeks to assign remedial responsibilities to parties who benefit unjustly from contributions to the climate problem; where what makes a party's benefit unjust might be that it is derived from unjust activities, or that it is excessive in the sense that the party benefited too much from the activity in question (whilst others benefited too little).<sup>36</sup> The BPP is usually also understood to take contribution to consist in 'activities that involve the emission of greenhouse gases' (Caney 2020, §5.2.2).<sup>37</sup> However, if there are more ways of contributing to the climate problem than by emitting, then there will also be more ways of unjustly benefiting from those contributions. Thus, proponents of the BPP should also take remedial responsibilities to be possessed by those who have unjustly benefited from contributions to vulnerability and exposure.

Ultimately, once we recognise the causal complexity of climate change <u>as a moral problem</u>, we appear unlikely to be able to identify a neat division of climate responsibilities. As explained in §II, proponents of the PPP sometimes appear to hope that insofar as GHG emissions can be quantified according to a common measure, it should be possible to divide the costs of climate change between polluters in proportion to their excess emissions. This goal should perhaps already be in question, insofar as different parties may have more or less justified reasons for exceeding their fair share (in other words, even if the measurability of emissions makes it possible to judge that two polluters have made an equal causal contribution to the problem, it

than the mitigation-oriented carbon torts filed in the last several years. A plaintiff, for example, would only need to prove the unreasonableness of defendant's actions in light of the well-established science of climate change – still a formidable task, though far less so than proving the causal link between a given climate impact and a distant entity's emissions' (2012, p.11145).

<sup>&</sup>lt;sup>34</sup> In Page's words: 'Suppose that climate change could be traced entirely to natural climatic variations. In such cases, "contribution to problem" reasoning could not explain why the victims of climate change should not be abandoned to their fate even if measures could be undertaken by wealthy countries to limit their suffering' (Page 2008, p.559; see also Wallimann-Helmer et al. 2019, p.46).

<sup>&</sup>lt;sup>35</sup> For an argument that unjust contribution should be considered an important ground of remedial responsibility in the case of 'natural' disasters, see Valentini 2013.

<sup>&</sup>lt;sup>36</sup> See, for example, Bell 2010, pp.436-7.

<sup>&</sup>lt;sup>37</sup> See also Baatz 2013, p.96; Bell 2010, p.437; Page 2011, p.413.

is not necessarily the case that they should thereby also be taken to acquire equal remedial responsibilities). Once we recognise that parties can contribute to this problem via other means than emissions, however, it looks even more unlikely that any neat division of costs will follow, because it is not clear what metric we could use to compare the remedial responsibilities of unjust contributors to atmospheric GHGs and unjust contributors to vulnerability and exposure.

Some may find this a highly unwelcome conclusion, given the urgency of addressing climate change. This worry does not count against the causal picture that I have painted: whether we like it or not, climate change simply is a moral problem with a very high level of causal complexity, which makes it difficult to determine how remedial responsibility is shared across the many unjust contributors to it. What the urgency of the problem may suggest, however, is that this is a task that we do not have time for. A more practical approach in these circumstances could be to assign remedial responsibilities using the APP. Ability-based remedial responsibilities look relatively straightforward to identify and compare. There is also likely to be significant overlap between those who are very wealthy, and those who have unjustly contributed to (or unjustly benefited from contributions to) the climate problem. And in any cases where ability and unjust contribution come apart, at least assigning remedial responsibilities to the wealthy will mitigate, rather than exacerbate, global inequality.<sup>38</sup>

In other words, recognising the causal complexity of the climate problem may provide the basis for a new pragmatic justification of an APP approach. Understanding the significance of vulnerability and exposure also, however, gives us a reason to attempt to modify the APP approach, so that it can accommodate at least some of the special relationships of responsibility that arise when one party unjustly enhances the vulnerability or exposure of another. Attending to such relationships will be important not only on grounds of principle, but also for pragmatic reasons: as a means of disincentivising activities that unjustly enhance vulnerability and exposure.

VII. <u>Challenging this account</u>. In this section I consider three potential challenges to my account. First, a proponent of the PPP might argue that a restricted focus on excessive emitters is justified because GHGs are the salient causal factor when it comes to climate harms, whilst vulnerability and exposure should be viewed as mere background conditions. Analogously: in my example where several companies have dumped toxic waste into a community's water supply, it is true in a sense that the location of the community (exposure) and their lack of alternative water sources (vulnerability) play some causal role in the resulting harm. However, one could argue that it is the waste dumping that is the salient cause or difference-maker here, whilst these other factors should be assumed as background conditions.

11

<sup>&</sup>lt;sup>38</sup> The APP approach can also be supported on grounds that the socioeconomic inequalities it promises to reduce themselves 'causally contribute to climate change' (Green and Healy 2022, p.635).

Even in a simple case like this, however, things may not be so straightforward. The presence of human agency can make a significant difference to what we judge to be causal factors versus background conditions. Imagine, for example, that this community is only located close to these toxic companies due to racist zoning laws, or that they lack an alternative water supply due to government neglect. The exposure and vulnerability of this community should not be viewed as a fixed, natural, or normal background condition, then; it is the product of human agency and, more specifically, the unjust exercise of such agency. To hold the companies solely responsible for the harms that the community suffers would seem to overlook the fact that human agency has unjustly contributed to their plight by other avenues, which should also give rise to remedial obligations.

In the climate change case, any attempt to relegate vulnerability and exposure to the status of background conditions looks even more challenging due to the temporal dimensions of this problem. CO<sub>2</sub> has an extremely long atmospheric lifetime, which means that the climate change being observed today is a result of GHG emissions that have been accumulating in the atmosphere since the Industrial Revolution. Many contributions to vulnerability and exposure have taken place in the intervening period, so why should these contributions be considered more of a background condition than the emissions that, in some cases, predate them? Looking forward, it is unclear why we would treat vulnerability and exposure as background conditions against which we must make decisions about how far to limit future emission of GHGs, rather than the already changing climate as a background condition against which to make decisions that will affect vulnerability and exposure. All three factors are open to intervention, and the extent of future climate harm will be determined not by atmospheric GHG concentrations alone, but also by the way in which socioeconomic development enhances or reduces vulnerability and exposure.<sup>39</sup>

A second objection would be that I have misconstrued the PPP. Whilst I am discussing how to identify remedial responsibilities for any harms in which anthropogenic climate change is one causal factor, proponents of the PPP seek to identify responsibility for the proportion of harm that stems from emissions alone, factoring out any other causal contributions. <sup>40</sup> My reply to this objection is that it is doubtful that we can identify a proportion of climate harm that can be attributed to polluters alone. Climate harms are jointly produced by the interaction of climate change-induced hazards with vulnerability and exposure, and it is hard to see how they might be disaggregated in the way that this restricted application of the PPP would require.

To illustrate this, imagine the following example: A community is impacted by flooding, causing a loss of value 60. If precipitation patterns had not been intensified by anthropogenic climate change, then the loss would only have been 10. If this community had not been rendered more

<sup>&</sup>lt;sup>39</sup> For a striking illustration of how the risk of food insecurity is predicted to depend to a significant extent on socioeconomic choices, and not only on global average temperature rise, see IPCC 2019, SPM.2.

<sup>&</sup>lt;sup>40</sup> My thanks to Simon Caney for pressing me with this objection.

vulnerable by an injustice, then the loss would only have been 20.<sup>41</sup> Many climate harms will be like this example, in the sense that the interaction of anthropogenic climate change and vulnerability will have an amplifying effect, producing harms that are greater than the sum of their parts. But then what is the proportion of the harm that we can attribute to polluters alone?

It is not clear that we know how to answer this question. In cases like this, where harms are not straightforwardly additive, it does not appear that there is a portion of the harm that can be attributed to any one contributor. One way around this, which the PPP seems to adopt, would be to say that contributors should be held remedially responsible for the harm in proportion to their causal contribution to it: in proportion to their excess emissions, for example. However, it is not clear that this approach will work here. First, we might question whether causal contribution really comes in degrees. Philosophers have recently been turning their attention to this question (see Kaiserman 2018), with some answering in the negative. Excond, we might question whether the magnitude of a party's remedial responsibility for a harm should really be determined by their degree of causal contribution to it (see Tadros 2018). For example, if two parties make an equal causal contribution to a harm, but one acted much more unjustly than the other in doing so – should their remedial responsibilities really be equal? And third, we should note that even if causal contributions do come in degrees, it is not clear that we have access to the information that we would need to determine them the case of climate harms.

Real-world climate harms will generally be far more complex than the imagined example above, in that they will involve more forms of unjust contribution, harms that cannot be easily measured, and uncertainty about the extent of harm in any relevant counterfactual scenarios. If proponents of the PPP really are looking to identify responsibility for a proportion of harm that can be attributed to excessive emitters alone, then, they need to explain how we are supposed to determine the extent of such harm. In the absence of such an explanation, the question we instead appear to face is how to share remedial responsibility across multiple unjust contributors, who jointly produce climate harms in such a way that they are not responsible for any particular portion of those harms, and whose respective degrees of causal contribution are hard or even impossible to determine.

Thirdly, somebody might challenge my account by arguing that even if unjust contributions to vulnerability and exposure can ground <u>some</u> climate responsibilities, this is only the case for compensation or adaptation responsibilities, but not for mitigation. When it comes to compensating for climate harms, some theorists do note that the harms in question can be seen to have resulted not only from climate hazards, but also the underlying vulnerabilities that

<sup>&</sup>lt;sup>41</sup> We might imagine, for instance, that an injustice has left its flood defences damaged or in disrepair.

<sup>&</sup>lt;sup>42</sup> This view has recently been defended by Sartorio (2020). Some other proponents are listed in Kaiserman 2018, p.1.

<sup>&</sup>lt;sup>43</sup> For a compelling illustration of such complexity, see Hartzell-Nichols 2011, p.690.

those hazards interacted with.<sup>44</sup> It might seem similarly straightforward to argue that those who have unjustly enhanced the exposure or vulnerability of a community thereby acquire a responsibility to assist them in adapting to climate change – because adaptation is essentially a means of reducing the exposure and vulnerability that you have unjustly enhanced. It is less clear, however, why those who have unjustly enhanced vulnerability and exposure would thereby acquire a responsibility to support the reduction of emissions, or the removal of GHGs from the atmosphere. It is polluters who have unjustly increased atmospheric GHG concentrations, after all, so should this responsibility not fall to them alone?

There is, nevertheless, reason to think that unjust contributions to vulnerability and exposure can ground remedial responsibilities for bearing the costs of mitigation. In short, this is because unjust contributions to vulnerability and exposure are one of the key reasons why mitigation is so necessary – they have left communities and other things of value less able to cope with any given degree of global warming. One might question what difference it makes that current vulnerability and exposure to climate change is understood to derive from injustice, rather than simply bad luck. Surely, someone might claim, the demand for mitigation depends only on the fact of climate vulnerability, and not on its provenance. In one sense this is true. Communities have a claim to protection through mitigation efforts regardless of whether their vulnerability or exposure is a product of injustice. If climate vulnerability and exposure were innocent phenomena, however, then it would be polluters alone who have unjustly manufactured the need for mitigation; whereas in our world, this need is also manufactured by those who have unjustly enhanced vulnerability and exposure. It seems fair that those who have unjustly manufactured the need for climate mitigation should bear some of the burdens of providing it.

To illustrate this with my simpler example involving pollution of a community's water supply: let's assume that an international organisation has unjustly contributed to this community's exposure and vulnerability to toxic waste dumping. In the eventuality that the community is harmed, it seems fair to say that this organisation has a shared responsibility to provide compensation, along with the companies who dumped the waste. It would obviously be preferable, however, to prevent harm from occurring in the first place, and it seems reasonable to hold that the organisation has contribution-based responsibilities here also. This could mean that the organisation has some responsibility to provide resources that the community can use to increase its adaptive capacity, so that dumping would not have such adverse effects (say through provision of an alternative water supply). But if adaptation options are not available, or would not sufficiently reduce any resulting harm, then it might be better for that organization to instead try to mitigate the threat, by doing whatever it can to prevent any dumping from occurring in the first place.

Similarly, when one party has unjustly contributed to a community's vulnerability or exposure and, thus, their risk of climate harm, one way that they might attempt to remedy this is by

<sup>&</sup>lt;sup>44</sup> This is recognized by Meyer and Roser (2010, p.231) and Wallimann-Helmer (2015, p.474).

supporting mitigation efforts that will reduce the risk of such harm materializing. It may be that in most cases, mitigation will not be a very effective way for a party to discharge its responsibilities towards those that it has rendered more vulnerable to climate change, because mitigation can only succeed through collective efforts at the global level. It is nevertheless the case that in principle, unjust contributions to vulnerability and exposure can ground responsibilities promote mitigation. If an unjust contributor to vulnerability is positioned to make a significant difference to global mitigation efforts, or mitigation is the only measure that can succeed in giving a community what they are owed, then this could be an important way to discharge responsibilities deriving from unjust contributions to vulnerability or exposure.

It is also important to recognize that many high emitting parties have a responsibility to engage in and promote mitigation not only because their emissions unjustly contribute to climate harms, but also because a failure to do so would compound other injustices that they (and others) have committed. The UK's failure to engage in more ambitious mitigation, for example, is not simply unjust because it contributes to a physical climate process that will harm those who just happen to be in its way – it is unjust because it contributes to a physical process that will disproportionately harm communities that have already been rendered vulnerable by injustices, including injustices that the UK itself has committed or contributed to.

To conclude: in this section I have responded to three potential objections to the view that I have attempted to defend in this paper. First, I explained why GHG emissions cannot be singled out as the cause of climate harms, with vulnerability and exposure as mere background conditions. Second, I argued that it is difficult to defend the position that the PPP should be understood as allocating responsibilities for the proportion of climate harm resulting from excessive emissions alone, because it is unclear how we can determine the extent of such harm. And third, I showed that unjust contributions to vulnerability and exposure will not only ground responsibilities to bear burdens of climate adaptation and compensation; they can also ground responsibilities to engage in – or support - mitigation.

VIII. <u>Conclusion</u>. According to Henry Shue, 'The basic issue of fairness characteristic of global warming seems to be: How should responsibility for solving the problem of global warming be divided, given how responsibility for creating the problem is in fact divided? And given how the benefits of the activities that produce the problem have in fact been distributed?' (2014, p.127). In this paper I have argued that the dominant philosophical approach to identifying remedial climate responsibilities fails to account for the causal complexity of climate change as a moral problem. Responsibility for <u>creating</u> this problem falls not only to excessive emitters, but also to those who enhance vulnerability and exposure. If unjust contribution to a problem grounds a responsibility to remedy it, then responsibility for <u>solving</u> the climate problem will also be possessed by those who unjustly enhance vulnerability and exposure. This should significantly change the way that we think about the nature of the climate problem, and responsibilities for remedying it.

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