

# What is Emissions Egalitarianism?

Written by Olle Torpman

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OLLE TORPMAN, FEB 14 2023

**This is an excerpt from *Global Climate Justice: Theory and Practice*. You can download the book free of charge from E-International Relations.**

How should the available carbon budget, in terms of emissions permits, be distributed among people? One suggestion is implied by Emissions Egalitarianism (EE), according to which it should be divided equally between people. However, there are many ways in which EE could be understood, and many criticisms have been raised against this view. The aim of this chapter is to clarify what EE is and what it is not, and to defend this view against some common objections. One of the debates in climate ethics concerns the question of how the carbon budget, in terms of emissions permits, should be distributed among people. In other words, how should the atmosphere's capacity to absorb greenhouse gases, considered as a public good, be divided (Broome 2012, 69)? One answer to this question, which is implied by a principle called Emissions Egalitarianism (EE), is that emissions permits should be divided equally between people. In other words, EE implies that every person is entitled an equal share of the atmosphere's absorptive capacity (Batz and Ott 2017; Torpman 2019).

EE has been defended by a number of authors (see, e.g., Singer 2010; Atfield 2003; Jamieson 2005; Garvey 2008; Broome 2012; and Torpman 2019). But it has been criticized by just as many others (see, e.g., Posner and Weisbach 2010; Caney 2012; Margalioth and Rudich 2013; Roser and Seidel 2017; Batz and Ott 2017). However, many of the debates around EE stem from confusions about how this view should be understood in detail. My aim in this chapter is to clarify how EE is best understood and to defend EE from some of the objections that have been levelled against it. EE is, strictly speaking, a family of views that can be understood in many different ways (Caney 2012: 260). As this suggests, it is not clear exactly how EE should be understood. This chapter attempts to clarify what sort of a principle EE is – and what sort of a principle it is not.

### 1. Is EE a Mitigation, Adaptation or Compensation Principle?

There are mainly three different kinds of responsibility regarding the climate crisis: mitigation, adaptation, and compensation. The purpose of mitigation is to prevent climate change to some extent. The purpose of adaptation is to make people capable of living good lives even with a changed climate. The purpose of compensation is to make restitutions to those whom climate change has – despite mitigation and adaptation efforts – caused loss and damage. Mitigation is thus about alleviating the causes of climate change, while adaptation and compensation are both about coping with the effects of unmitigated climate change.

One can thus ask whether EE is a mitigation, adaptation or compensation principle. Most climate ethicists assume that EE is a mitigation principle since it is supposed to help prevent climate change (Vanderheiden 2008; Risse 2008; Caney 2012; Batz and Ott 2017). This is plausible because an equal division of emissions permits is at the very least not a means of adaptation to climate change. In terms of adaptation, EE is at most supposed to help us adapt to the fact that the atmosphere's capacity to absorb greenhouse gases is limited (Gardiner 2010, 574).

Some have argued that EE is implausible as a mitigation principle because it fails to solve the climate crisis (Batz and Ott 2017). While it is true that EE is not sufficient to solve climate change, it should be mentioned that even if EE is a mitigation principle, it is not by itself supposed to solve the climate crisis. Indeed, EE is only one of three parts of

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the so-called cap-and-trade solution to climate change.

According to the cap-and-trade idea, climate stability is achieved by a three- step procedure: (i) an international agreement sets an emissions cap for all countries, (ii) this emissions cap is then divided in terms of emissions permits between countries and (iii) these emissions permits are either used directly by each nation or sold to other nations (Posner and Weisbach 2010, 137–138; Broome 2012, 68–69). As this suggests, EE can only help us achieve climate stability together with the other steps in the cap-and-trade procedure. This is true of any distributive principle for emissions permits, as they are all supposed to fill the same function in a cap-and-trade system. Hence, they all fare equally well in this sense with respect to climate change mitigation.

## 2. Is EE a Distributive or a Corrective Principle?

Besides the division between mitigation, adaptation and compensation principles of climate justice, there is a distinction between distributive and corrective principles. These deal with two different questions of justice in relation to climate change: one distributive question concerns how the absorptive capacity of the atmosphere should be divided, and one corrective question concerns how the costs for dealing with the effects of climate change should be divided.

Once we observe that EE is only supposed to answer how the absorptive capacity of the atmosphere should be divided, it becomes clear that it is a distributive principle. It is not supposed to answer the question of how the costs for dealing with the impacts of climate change should be divided. That question is supposedly answered by corrective climate principles, such as the Polluter Pays Principle or the Beneficiary Pays Principle (see also Grasso and Corvino in this volume).

In relation to this, EE have been criticised for disregarding the fact that different people have contributed to climate change to different extents (Roser and Seidel 2017, 154–155). The idea is that those who have caused climate change should receive fewer emissions permits. However, this criticism conflates the distributive question with the corrective question. Of course, an equal per capita division of the costs for dealing with already caused climate change would imply that poor people, who have typically contributed disproportionately little to climate change, will have to pay for the climate costs imposed by rich people. And this would be implausible. But since EE is not a corrective principle, it should not be charged for disregarding issues of causal responsibility for climate change (Vanderheiden 2008, 229–230; Vanderheiden 2011, 69; Risse 2008, 38). Indeed, EE is compatible with a corrective climate justice principle according to which the costs for dealing with climate impacts (i.e., costs related to adaptation and compensation) should be divided in proportion to the extent that different countries (or individuals) have contributed to climate change.

## 3. Is EE an Isolationist or Integrationist Principle?

There is a question whether emissions permits should be divided in isolation from, or in integration with, other considerations of justice – such as trade, development, poverty and health (Caney 2012; Posner and Weisbach 2010). In other words, there is a distinction between isolationist and integrationist distributive principles. While isolationist principles imply that the distribution of emissions permits should be insensitive to other considerations of justice, integrationist principles imply that this distribution should be sensitive to such considerations. Since EE recommends that everyone should have an equal share of emissions permits, however, it should be understood as an isolationist principle.

Many debaters have argued that EE is implausible precisely because it is an isolationist approach. For instance, Posner and Weisbach (2010, 129) argue that ‘the intuitive attractiveness of the per capita approach [i.e., EE] depends on seeing it in isolation from all of the effects of a climate treaty and from other global policies, including other policies with distributive effects. Once we take these factors into account, the per capita approach [i.e., EE] appears far less attractive’. As this objection suggests, any principle for distributing emissions permits should be integrationist rather than isolationist (Caney 2012, 285; Baatz and Ott 2017, 14).

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However, it is not clear that an integrationist principle would be superior to an isolationist principle like EE for several reasons. First, integrationist principles presuppose that emissions permits must be substitutable by other goods. But some emissions are non-substitutable. This is true especially for so-called subsistence emissions – i.e., emissions caused by processes required to fulfill basic needs (Shue 1993). It is impossible to survive without emitting, since breathing and digesting, as well as the production and transportation of food, give rise to emissions. Second, the considerations of justice that are disregarded by EE could be dealt with by other principles. Indeed, EE is a local rather than global principle in the sense that it governs a specific domain of justice. Consequently, it is only supposed to recommend how emissions permits should be distributed, not to provide recommendations for all sorts of issues (Posner and Weisbach 2010, 86). For this reason, EE should be considered one principle among many that deal with issues other than those regarding the distribution of emissions permits. Third, it seems clear that isolationist principles would fare better from the perspective of political feasibility, since most political communities would likely find it easier to agree on one issue at a time than agreeing on several at once (Singer 2010; Posner and Weisbach 2010, 86; Torpman 2021). Hence, EE should not be rejected simply for being an isolationist approach.

### 4. Is EE a First-level or Second-level Principle?

In ethics, there are different levels of principles, most noticeably first-level and second-level principles. Fundamental normative theories of justice and morality, such as egalitarianism, sufficientarianism, utilitarianism and Kantianism, are examples of first-level principles. These are general principles in the sense that they can be used to derive recommendations for all sorts of choices and actions. At the second level, however, we find principles that are meant to deal with specific domains of practical issues, such as those related to agriculture, war, medicine, climate change and so on. These principles are justified in turn on the basis of first-level principles, and hence they are non-fundamental.

Since EE is supposed to deal with the distribution of emissions permits in particular, rather than issues of justice in general, it is important to make clear that EE should be understood as a second-level principle. That is, even if EE is a form of egalitarianism, it is not a *fundamental* – or first-level form – of egalitarianism. This means that EE is not in itself a rival to any first-level moral principle, but rather in need of justification based on such principles (Caney 2005: 2–3).

It has been argued that one problem with EE is that it cannot be justified by any first-level principle, since its recommendation – i.e., an equal distribution of emissions permits – cannot be supported by any such theory. But this critique is mistaken. If the atmosphere can be regarded as a common good that initially belongs to everyone, it could be argued from a libertarian point of view that everyone has an equal initial right to use its absorptive capacity (Moellendorf 2011; see also Moser in this volume). And since EE would push the political process towards a solution to the climate crisis and thus increase global welfare, it could be defended from a utilitarian perspective (Singer 2010, 194). If understood as a maxim for an equal distribution of emissions permits, EE could also find support from Kantian morality, since everyone could consistently will to emit an equal share of the total amount of greenhouse gases the atmosphere can absorb. Moreover, EE seems compatible with virtue ethics, since any distribution a virtuous person would recommend could plausibly be justified along the lines of EE.

Still, it might be argued that EE is redundant because we could infer recommendations for emissions distributions directly from first-level theories of justice or morality (Caney 2012, 291–300; Posner and Weisbach 2010, 143). However, it is not clear why it would be more practicable to infer a distributive scheme directly from fundamental moral theories than from second-level principles like EE. Since first-level theories are general, they will have to take into consideration all morally relevant aspects before yielding an all-things-considered recommendation regarding emissions distributions. This leads us to the next issue.

### 5. Is EE a Pro Tanto or All-Things-Considered Principle?

While it is clear that EE is a local principle, governing the specific domain of how to distribute emissions permits, one can ask whether EE is an all-things-considered or *pro tanto* principle governing that specific domain. Understood as an all-things-considered principle, its recommendations impose obligations – full stop. As such, nothing could

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override these recommendations. Considered as a *pro tanto* principle, however, EE's recommendations should be weighed against the recommendations of other *pro tanto* principles and thus could be overridden if other such principles were to carry heavier weight.

The plausibility of EE depends, at least to some extent, on whether it is understood as a *pro tanto* or an all-things-considered principle (see, e.g., Baatz and Ott 2017; Morrow 2017, 20; Knight 2013). If it is understood as *pro tanto* principle, then other principles – concerning other considerations than just the distribution of emissions permits – must be taken into account before anything can be said in detail about how emissions permits should be distributed. In effect, this might well imply that they should not be divided equally between people.

However, defenders of EE do not think that other principles need to be considered in order to answer how emissions permits should be divided among people. Instead, they regard it as the one and only principle for distributing emissions permits, suggesting that it is an all-things-considered principle. This is, moreover, in line with the fact that EE is an isolationist principle, disregarding other considerations of justice – such as of needs, contributions, costs, benefits and so on.

Still, even if EE is an all-things-considered principle regarding the distribution of emissions permits, it should be emphasized that it is not a general distribution principle. Instead, there are additional principles for other distributive issues than those related to climate change. For instance, a health care principle of some sort should answer issues related to how prioritizations should be made in health care.

### 6. Is EE an History-Sensitive or History-Insensitive Principle?

Even if EE is an all-things-considered principle governing the specific domain of how to divide emissions permits, it is possible to distinguish between two versions of such a principle: one history-sensitive version that takes into account past emissions and one history-insensitive version that does not take such emissions into account. It is not obvious whether an equal distribution of emissions permits is sensitive to the emissions people have made in the past.

Interestingly, objectors to EE have claimed that it is a history-insensitive view. Roser and Seidel (2017, 156), for instance, claim that EE 'does not include historical emissions'. Similarly, Baatz and Ott (2017, 21) argue that it ignores past emissions. On the basis of such an understanding, they have argued that EE is implausible because it disregards the unjust historical emissions of different nations and hence because it does not take into account people's different needs.

However, there is nothing inconsistent with a history-sensitive version of EE. Understood as a history-sensitive view, EE would not recommend that future emissions permits are divided equally from now on. Rather, it would suggest that those with a history of higher-than-equal emissions should have fewer emissions permits in the future. Given the unequal past emissions of different countries, the *overall* equal distribution suggested by a history-sensitive version of EE implies that *future* emissions permits should be divided unequally – at least until an equilibrium is reached (see Broome 2012, 70). Since current differences in needs between people are related to their historical emissions, the history-sensitive version of EE actually takes these differences into account.

It is still true that a history-sensitive version of EE does not take needs to be relevant *per se*. For instance, one country could have emitted a lot in the past, yet in such a wasteful way that it is nevertheless as poor as if it would not have emitted so much. And EE would not take that into direct consideration. Here, however, I think the problem at issue – regarding people's different needs – should be dealt with through the use of other principles than those regarding the distribution of emissions permits. Indeed, EE is certainly not the one-and-only second-level principle at stake. Moreover, the existence of domain-specific second-level principles does not preclude the existence of an overarching rectification principle – whose purpose would be to correct for injustices that remain after all local principles have been applied.

### 7. Is EE an End-State or Transition-State Principle?

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EE could be understood either as an end-state or a transition-state principle. Considered as an end-state principle, the recommendation for an equal per capita distribution of emissions permits would be an ideal or long-term goal. As a transition-state principle, EE's recommendations would instead be understood best as an instrumental step towards an ideal or a long-term goal.

When deciding whether EE should be understood as a transition-state or end-state principle, it should be noted that climate ethicists are not basically interested in emissions permits *per se*, but rather in the benefits that can be produced by emissions permits (e.g., capabilities or opportunities for well-being). This is in line with the fact that EE is not directly concerned with the distribution of such benefits, but rather with the distribution of one important resource (i.e., emissions permits) considered as a means to such benefits.

This indicates that EE is most plausibly understood as a transition-state principle rather than an end-state principle. This is in accordance with Singer's view (2010, 191), according to which EE should be seen as 'a fair starting point'. A similar interpretation is made by Baatz and Ott (2017, 26), discussing EE 'as a first step towards a more just world and a global redistribution of entitlements that provides the poor and voiceless with more (bargaining) power'. Similarly, Roser and Seidel (2017, 64) argue that it 'can be understood as a natural starting point, so that all deviations from equality are in need of justification'.

Thus understood, there is nothing that precludes that future emissions permits – i.e., permits that will become available thanks to the atmospheres cyclic ability to absorb greenhouse gases – are unequally distributed. Moreover, EE might perhaps only have a role to play within a cap-and-trade solution to the climate crisis, as discussed above. Once this crisis is solved and the world's economies have become carbon-free and thus climate-neutral, the role for EE and other distributive principles for emissions permits may be outlived. There would then not be any scarcity of the atmospheric resource (for greenhouse gas absorption), and hence no need for a principle to divide it fairly. Until then, however, EE may fill an important role.

### 8. Is EE an Individualist or a Collectivist Principle?

EE can be understood either as an individualist or collectivist principle. Considered as an individualist principle, EE proposes an equal distribution of emissions permits directly to particular individuals. Understood as a collectivist principle, EE instead proposes a distribution of emissions permits to nation-states, where every nation-state receives emissions permits based on its number of citizens. However, most defenders of EE seem to think that its recommendations should be implemented at a collective level (Broome 2012, 70). This can be seen as problematic for several reasons.

First, the collectivist version of EE appears to identify the wrong claimants on the carbon budget, since it gives to states what should be given to individuals. It is commonly assumed that justice is owed basically to particular individuals rather than to collectives of individuals. This might be taken as evidence in favor of an individualist understanding of EE. Second, EE might thus seem to give populous states an advantage over non-populous states. In effect, it would not give countries an incentive to decrease population growth – something that would be desirable from a climate change perspective. Third, EE appears to neglect the fact that there is also inequality within states. Indeed, not all people who live in rich countries are themselves rich, just as not all people who live in poor countries are themselves poor.

In defense of the collectivist version of EE, however, it should be mentioned that international climate agreements form the context in which distributive principles for emissions permits are debated and that the purpose of such agreements is to distribute emissions permits between nation-states (Morrow 2017). Moreover, we should recall that EE is most plausibly a transition-state principle. As such, its recommendations should be regarded as providing an instrumental step towards an ideal or long-term goal. Although the long-term goal is certainly fairness among individual people, an equal per capita distribution of emissions rights to nation-states might be a means to achieve such a goal.

In relation to this, it is not clear that an allocation of emissions permits directly to each individual worldwide would be

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politically feasible. For one reason, since an individual citizen's net emissions consist in part of emissions made by its nation-state's institutions, an attribution of emissions rights directly to individuals would require a tremendous knowledge apparatus in order to account for this (Morrow 2017). An allocation through nation-states is more feasible and would allow different states to decide on different concrete climate policies in order to comply with such an allocation (Margalioth and Rudich 2013, 194).

## Conclusion

The purpose of this chapter has been to clarify how EE should be best understood, and to defend it against some common objections. It has been argued that EE should be understood as:

1. A mitigation rather than adaptation principle in the sense that it is supposed to fill a function in the cap-and-trade solution to the climate crisis rather than to help us adapt to climate change
2. A distributive rather than corrective principle in the sense that it aims to provide a recommendation for how emissions permits should be distributed, rather than for how the costs for climate change should be divided
3. An isolationist rather than integrationist principle in the sense that it suggests that these permits are distributed in isolation from other considerations of justice
4. A second-level rather than first-level principle in the sense that it is derived from more general and fundamental principles of justice and morality
5. An all-things-considered rather than a *pro tanto* principle in the sense that it gives us all that is needed to determine how emissions permits should be distributed
6. A history-sensitive rather than history-insensitive principle in the sense that it takes historical emissions into account
7. A transition-state rather than an end-state principle in the sense that it is supposed to function as a means rather than a normative ideal
8. Finally, a collectivist rather than individualist principle in the sense that it suggests a distribution of emissions permits to nations (rather than directly to particular individuals) in proportion to their number of citizens.

When EE is understood in this way, it becomes clear that many of the objections raised against it can be dismissed.

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