

ENVIRONMENTAL PHILOSOPHY

THE GLOBAL COMMONS, INTERNATIONAL COOPERATION, AND THE CLIMATE EMERGENCY CRISIS

Cosmopolitanism

In the coming lectures we'll see that communitarianism is an ethical stance that holds that we have obligations to others arising from loyalties within communities or ties within communities; in other words, ethical obligations derive from relationships. In contrast to this, a cosmopolitan stance does not limit obligations to those in our community or those with whom we have relationships, and rejects the claim that community boundaries put limits on our obligations; responsibilities do not cease because of spatial and temporal distance. One claim central to the cosmopolitan stance is that we are global citizens; 'we belong to a moral domain or sphere of all human beings in which obligations and responsibilities between individuals anywhere exist in principle' (Dower, 1998, p.72), and 'apply... to all moral agents capable of shouldering them' (Attfield, 2003, p.162). Since many environmental problems are global in scope (including pollution, global warming and loss of biodiversity) it has been argued by cosmopolitan theorists that solutions to such problems require a global ethic that recognises that our responsibilities extend beyond national boundaries, as well as require international cooperation between countries and citizens:

The global nature of many environmental problems calls for a global, cosmopolitan ethic, and for its recognition on the part of agents who thereby accept the role of **global citizens**... Problems such as global warming affect global systems, and can only be tackled if many individuals and most countries agree to cooperate in resolving and mitigating them; without such a sense of participation in a developing global community jointly confronting shared challenges, the problems are unlikely to be addressed with sufficient conviction (Attfield, 2003, p.159).

Apart from individuals who accept 'in principle' that our responsibilities apply everywhere, who believe that our actions can make a difference to what happens in other parts of the world, and whose actions reflect such a belief (Dower, 1998, p.107), non-governmental organisations (such as Friends of the Earth, and the World Wide Fund for Nature) and their members are good examples of global citizenship. Organisations such as these lobby international agencies, seeking to influence decision-making, as well as educate the public on environmental issues. Another type of global citizenship includes those who work in international organisations, including the United Nations Organisation, and the World Health Organisation: 'these bodies seek to contribute to global governance by fostering cooperation in relevant areas, including the areas of

environment and development' (Attfield, 2003, p.165). Some people who work in areas closely involving information media provide yet another example of global citizenship. Through various media (such as news media), these people may, for example, seek to influence decision-making, report on whether governments deliver that which they say they will deliver, as well as report on international conferences and global events (ibid., p.166).

The common heritage of humankind

Most of us have heard people talking of cultural heritage. We might have heard, for example, people claiming that large rock formations that have served as land-marks should be preserved because they have historical significance and as such are part of our cultural heritage. But many would regard wider tracts of nature or the natural world not as (or not only as) cultural heritage or the heritage of a community but as part of the heritage of humanity or the common heritage of humankind. Tracts of nature that are internationally recognised as such include seas and oceans which are not owned and beyond territorial limits.

Arvid Pardo, the Maltese Ambassador to the United Nations in 1967, declared that the seabed and ocean floor beyond territorial limits be declared as the 'common heritage of mankind'. Some of the central features of the concept of the common heritage of mankind are as follows:

- Such heritage is not property. It can be used for various purposes, but it cannot be owned. When the concept applies to tracts of nature within a certain national boundary, then the relevant nation has responsibilities to protect those tracts of nature for the common good.
- The present and future generations have an equal interest in having access to the resources of the common heritage of mankind, and each generation has a responsibility to conserve the common heritage so that it can be transmitted in good condition to future generations. Thus managing the common heritage will involve consideration of how to best promote inter-generational equity between present and future generations of humans in relation to our common heritage, as well as involve the protection of ecological integrity.
- Because each generation has a responsibility to protect the common heritage for the benefit of all humankind, irrespective of global boundaries, these resources should be managed internationally and cooperatively for the common good, and there shall be equitable sharing of the benefits of these resources (Taylor, 2012).

These are just some of the characteristics of the common heritage of humanity as an ethical and a legal concept.

It is important to note that the idea of the common heritage of humankind is that common heritage resources are ones not to be consumed but to be conserved or protected for the sake of humanity. Heritage resources can be used—say, for education or for enjoyment—but they are to be used in a non-consumptive manner, paying heed to the interests of

present and future people in having such resources kept substantially intact. Now, although nature considered as a heritage resource is to be carefully protected and respectfully treated for the benefit of present and future humans, it is still seen as a resource, and nonhuman beings inhabiting relevant tracts of nature may well too be considered similarly as 'resources' and as part of the heritage of humanity. This seems to pose a problem, for nonhuman creatures have value or good of their own, and are not just 'resources' to be protected for the benefit of humanity. As such, seeing them as part of the common heritage of humanity seems, at the very least, inappropriate (Attfield, 2003, p.171).

However, Attfield claims that human beings are the only moral agents capable of planning for the future in the relevant sense, which would include planning for the needs of future humans and nonhumans, and further claims that the responsibility for preserving the biosphere and providing for future needs is our own. In the light of this, 'the natural environment of the planet really is our heritage, but not in the sense of inherited assets, to be spent for our own benefit either now or later. Instead it is best understood as a trust, of which the beneficiaries are not only those currently alive but future generations, and not only future generations but other species as well, including those yet to evolve. The heritage is common to humanity not only because no one should be denied their share of the benefits, but also because universal or at least near-universal cooperation is going to be need if our responsibilities are to be successfully charged. (Thus in matters of... reducing global warming, non-compliance of policy by significant minorities can undermine the cooperative efforts of the majority of humanity)' (ibid., pp.171-72). In terms of our use of the common heritage, then, we are to interpret our relationship with the natural environmental as a type of trustee relationship in which the beneficiaries are not only human beings (present and future ones), but the world's nonhuman inhabitants too (both present and future ones). However, the heritage is ours because only we are capable of managing it and responsible for conserving it. It is common to humanity because all human beings have an equal share in receiving its benefits, but also because a system of international cooperation is needed if we are going to exercise our responsibilities appropriately.

We have said that seas and oceans that are not owned are recognised as part of the heritage of humanity. Other tracts of nature or areas that are recognised as such include Antarctica, the Atmosphere, and Outer-Space. These un-owned areas are often referred to as 'the Global Commons'. Humanity inherits the Global Commons as a trust, and, both from a legal and ethical point of view, the Global Commons are regarded as heritage that should be managed for universal benefit. There is a pressing need to address the environmental issues of the Global Commons, including environmental degradation, loss of biodiversity, over fishing, and the overuse of natural resources generally:

Antarctica is facing rapid environmental degradation due to human pressures such as pollution, and the effects of global warming. Furthermore, the doctrine of *mare liberum* (free sea for everyone) allows for the dumping of wastes and over fishing in the high seas. The indication of this trend is that the impact on the resources and the environment of the Global Commons will also most likely worsen in the not distant future if a business as usual situation prevails.

Such a trend of environmental degradation will take its toll on sustainable development and poverty alleviation (United Nations Environment Programme, Division of Environmental Law and Conventions, 2013).

Addressing the environmental issues of the Global Commons will be a difficult task and a variety of solutions will be proposed, but it is generally agreed that global cooperation will be needed in a range of areas, including preservation, pollution, sustainable development and global warming. In this lecture, we will be focusing on approaches to mitigating global warming in an international context.

Global warming

Before we discuss the approaches, it is wise to say that scientists agree that atmospheric gases, including carbon dioxide, have an effect of raising temperatures through the greenhouse effect (whereby extra greenhouse gases cause the thermal blanket to get too thick, resulting in too much heat in the Earth's atmosphere) and that these temperatures are rising. The dispute arises about whether this is caused by humans. There are some who claim that temperature rises are not anthropogenic, but their theories remain highly speculative. And even if there were some uncertainty about the standard theory—that global warming is largely anthropogenic—the prospect of severe and irreparable environmental damage indicates a clear need for the precautionary principle, and for a need to start planning to prevent irreversible damage (Attfield, 2003, p.176). Before we continue with the lecture, you should read NASA's account of the evidence, causes, and effects of global warming: see NASA, 'Global Climate Change: vital signs of the planet', at <http://climate.nasa.gov>. See the following links: 'Evidence'; 'Causes'; and 'Effects'. In particular, see the thought-provoking graph (in the section on 'Evidence') which shows that atmospheric CO₂ has increased at an unprecedented rate since the Industrial Revolution.

The Precautionary Principle

Although sustainable development seeks to respect environmental limits, it is not easy to reach agreement about what those limits are. And often by the time those limits are identified the damage has been done. The precautionary principle holds that where there are risks of serious or irreversible damage, lack of scientific evidence should not be used as reason against taking measures to prevent environmental or other degradation. This principle was devised to solve the problem about not knowing what the environmental limits are. It gives valuable guidance and can be used to supplement other principles when decisions have to be made in the light of relevant uncertainties. The principle cannot tell us what policies to adopt and so forth in terms of, for example, sustainable development, tackling global warming, or environmental degradation, yet 'the principle is proving indispensable in a wide range of cases of uncertainty... and is likely to be needed by every legislature and in all international environmental decision-making' (Attfield, 2003, p.146). Indeed, the principle can be used to decide how to act in response to a wide range of environmental problems and can be defended by appealing to the harms likely to be prevented (see Attfield, 2003, pp.144-46).

In 1997 an agreement was made at the UN Conference on Climate Change in Kyoto, Japan, to cut the amount of gases that industries make. This is known as the Kyoto Protocol. The Kyoto agreement allocated to the various developed countries carbon emissions quotas (a certain amount, quantity, or share of emissions). These quotas were a proportion of their level of emissions in 1990. Cuts to carbon emissions of developed countries were to average 5.2 % of 1990 levels. This approach is thus based on historical emission rates. The agreement permitted countries not using their quotas to trade them with countries wishing to exceed their allotted quota.

However, treating historical emissions as the basis for quotas may be held to reward big polluters—their quotas will be larger due to the fact that they have emitted more emissions. Further basing quotas on 1990 level of emissions is arbitrary—there is no ethical reason why they should be based on this. Moreover, it is held (by, for example, the Royal Commission on Environmental Pollution, an official think-tank of Britain) that much greater emission cuts are needed by developed countries if we are to stabilize emissions at the lowest feasible level; indeed, cuts by 60% are needed by developed countries if we are to stabilize emissions at an acceptable level by 2050 (see Royal Commission on Environmental Pollution, 2000). This of course means drastic cuts by developed countries.

Some might wonder here why developing countries are not expected to reduce their emissions at present. There are good reasons why they are not expected to do this. As Attfield argues, ‘While all countries emit carbon dioxide and other greenhouse gases, developing countries can reasonably claim that the problem arises largely from the emissions of developed countries (although the percentages are likely to change over time), and also that as long as energy generation depends for practical purposes on carbon sources, the Third World cannot limit its carbon emissions, as it actually needs to increase them to meet the basic needs of its citizens. In developing countries, the basic needs of many people remain unsatisfied, and their satisfaction is not feasible without the generation of more electricity. Hence developed countries are morally obliged to accept quotas and limit their emissions, without expecting quotas to be accepted in the first instance by developing countries... Taking steps to equip developing countries to enter into the Kyoto regimen is a different matter’ (Attfield, 2003, p.178). Besides, Attfield claims that the basis of the Kyoto agreement is inapplicable to developing countries. Countries with very high emission rates in 1990 could be expected to be content with reducing their emissions to a rate slightly less high than 1990 levels, particularly with their ability to invest in developments in green technology and so forth, but, in the light of the very low historical emission rates of developed countries in comparison to developed countries, developing countries with low emission rates in 1990 could not be expected to agree to or be content with any sort of proportional reduction: ‘It is not a basis with which Southern countries could reasonably be expected to concur or comply. (Why should the least developed countries be expected to accept emission limits corresponding to an envisageable proportion, however high, of their very low historical emission rates?)’ (Attfield, 2003, p.179). The historical emissions basis accepted at Kyoto just happened to be the basis on which world leaders could reach agreement about the way forward, but, in spite of its arbitrariness, it was better than no agreement at all.

An equal entitlement to absorptive capacities

But there are other approaches to reducing emissions that we should consider. An approach endorsed by the Royal Commission on Environmental Pollution is that proposed by Michael Grubb, based on ‘the principle that every human has an equal right to use the atmospheric resource’ (Grubb, 1990, p.83). The basis of Grubb’s principled approach seems plausible, for it is difficult to justify unequal entitlement to the atmosphere’s absorptive capacities. As Attfield claims, ‘everyone needs access to these capacities, and... in practice everyone needs to have electricity generated on their behalf’ (2003, p.179). On Grubb’s approach, allocation of carbon quotas would not be based on historical emissions levels, which serves to reward big polluters, but on each and every person’s equal entitlements to the atmosphere’s absorptive capacities, and consequently we are to recognise equal per capita entitlements to carbon emissions. For Grubb, the best way to recognise this in practice is to allocate carbon emissions in proportion to national population (Grubb, 1990, p.83).

Attfield accepts Grubb’s principled approach and his claim that we allocate emissions in proportion to population: ‘If we grant the proposition that individuals’ quotas should be credited to the governments of their state (a rather fragile proposition which, granted the prevailing system of national sovereignty, must perforce be granted in the absence of feasible alternatives), what follows is the principle that the emission quotas of the various states should be proportioned to population (let us call this the **Population Principle**)’ (Attfield, 2003, p.179). So, the population principle is the principle advocating that we proportion the amount of emissions permitted by countries according to their population size. One objection to the population principle could be that it would encourage population growth, but this could be avoided if a cut-off date were introduced, after which any growth in population would not increase emission quotas (Attfield, 2003, p.179).

Of course, many countries will have very low emissions rates, mainly because of their poverty, but will have a very high population. In the light of this, Attfield claims that there can be some trading in carbon emissions; countries that want to exceed their quotas would need to buy unused quotas from countries with large populations that are not using up their quotas. But, importantly, he argues that any trading would have to safeguard the interests of poorer countries and ensure that trading is not done merely to cancel the debts of poorer countries. Allowing trading would ‘grant the Third World financial resources for development and environmental conservation, and simultaneously promote energy efficiency in development countries’ (Attfield, 2003, p.179). As Grubb argues, those who exceed their quotas will need to buy quotas from developing countries in return for assistance with efficient technology and development (Grubb, 1990, pp.83 and 85): ‘The benefits of such a system are numerous. The net effect is to achieve in concrete terms what most economists argue for in theory: the polluter pays the cost of exploiting the atmospheric resource’ (Grubb, 1990, p.85). The approach of both Attfield and Grubb suggests that our commitment to reducing global emissions should be and can be consistent with taking seriously our responsibilities to people in poorer countries.

This whole approach outlined above is called ‘contraction and convergence’ for the very reason that it involves reducing or contracting emissions, and involves converging emissions rates—countries moving towards the level needed for stabilization (which is generally understood to be a rise in temperature of no more than 2 degrees Celsius above pre-industrial levels).

Objections to contraction and convergence:

1. It would involve too big a sacrifice for countries with above-average emissions rates. But Attfield notes that it is hard to justify such countries continuing to pollute the atmosphere in a disproportionate manner. And, taking into account the principle of an equal entitlement to the absorptive capacities of the planet, these countries are not entitled to more of these capacities than other countries; as such, it is not entirely correct to say that the contraction and convergence approach would be too much of a sacrifice for big polluters ‘since no sacrifice is involved in losing what was never a rightful entitlement’ (Attfield, 2003, p.180). Besides, if the contraction and convergence approach were to be phased in gradually, perhaps for the sake of global economic stability, then this would ‘allow the big polluters time in invest in... cleaner technology and... renewable sources’, as well as ‘allow for the gradual entry of developed countries into the global emissions regimen’ (ibid., p.180).
2. Financial resources generated by poorer countries through trading emissions could be used to pay-off existing debt, leaving these countries with their existing structures unchanged and leaving them immersed in their current problems. However, Henry Shue advocates that basic needs emissions (emissions needed to meet basic needs) could be un-tradable. There could even be a policy that trading be geared towards increasing quality of life. Attfield plausible notes that the objection could also be averted if Third World debt were written off, claiming that there is a strong ethical case for this anyway (ibid., p.180; see also Attfield, 2001).

The contraction and convergence approach to mitigating global warming avoids the problems posed by treating historical emissions as the basis for quotas: it does not reward big polluters, nor it is an arbitrary approach, based as it on an equal entitlement to the planet’s absorptive capacities. Further, it would require greater emissions cuts; cuts which are needed if we are to stabilize emissions at the lowest feasible level. The approach is also consistent with taking seriously our obligations to reducing poverty in poorer countries. The Royal Commission on Environmental Pollution considers this approach to be ‘The most promising, and just, basis for securing long term agreement’ on reducing greenhouse gas emissions (2000). But whether the contraction and convergence approach is adopted or not, mitigating global warming will require a strong post-Kyoto international agreement. And because of the very nature of global environmental problems such as climate change—the impacts of which extend beyond our own communities—it seems that a global ethic is needed if we are to tackle such problems; that is, an ethic which recognises that our responsibilities extend beyond national boundaries.

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