

Answering to future people: Responsibility for climate change in a breaking world.

Our everyday notions of responsibility are often driven by our need to justify ourselves to specific others – especially those we harm, wrong, or otherwise affect. One challenge for contemporary ethics is to extend this interpersonal urgency to our relations with those future people who are harmed or affected by our actions. In this paper, I explore our responsibility for climate change by imagining a possible ‘broken future’, damaged by the carbon emissions of previous generations (including ourselves), and then asking what its inhabitants might think of our current behaviour, our moral thinking, and our excuses. In particular, I will focus on a simplified scenario where present people can only avoid a broken future by sacrificing Rawlsian favourable conditions. Suppose we refuse to avoid a broken future, on the grounds that we cannot be expected to make such great sacrifices. If the broken future lacks favourable conditions, will its inhabitants accept our excuses? Will they hold us responsible for things we regard as excusable? If so, should we be guided by their judgements or by our own?

1. The need for future justification.

To respond adequately to climate change, and other threats to future generations, we urgently need a new ethic to balance responsibilities to future people against obligations to our contemporaries. The philosophical literature on climate change develops this new ethic and explores these new responsibilities.¹ But obligations to distant future people lack the felt moral urgency of obligations to contemporaries, and thus lose out (both in practice and in moral theory) when the two conflict. This paper asks how we might correct this imbalance. I imagine a broken future damaged by anthropogenic climate change, and ask how its more philosophical inhabitants might respond to our attempts to justify ourselves to them.

One challenge in intergenerational ethics is to develop a moderate theory that recognises obligations to future people without imposing extreme demands.² Any moderate intergenerational ethic faces two challenges: motivational and theoretical. We must motivate present people to take their obligations to future people more

seriously than most of us do; and we need to know how those obligations *should* be balanced against our duties to one another.

This paper introduces an explicitly *second-personal* intergenerational ethic, drawing on Stephen Darwall's recent work on the ethical significance of the *second-person standpoint*.³ Our moral decisions must be justified, not merely *against* some impartial standard, but also *to* the particular individuals who are affected. If I sacrifice your life (whether for the common good or to save myself), then I must provide some moral justification *that is addressed to you*.

The second-person perspective does seem relevant between contemporaries. If it disappears when we turn to future people, then their interests will inevitably lose out. One possibility, of course, is that second-personal justification *is* limited to contemporaries – and this is *why* intergenerational ethics *is* less important! But we should only accept this (comforting and self-serving) asymmetry *after* we have explored all the resources of future-oriented second-personalism and found them wanting.

If it succeeds, future-oriented second-personalism promises both motivational and theoretical benefits. One widespread actual motivation is a desire to justify oneself *to particular individuals*. Asking how actual future people might respond can thus give our intergenerational obligations the same kind of felt urgency as our obligations to contemporaries. And one sign that we have balanced intra- and inter-generational obligations appropriately is that we can justify ourselves equally well *to both present and future people*.

The idea of justifying ourselves to future people is common in everyday language. (Even in our everyday lives, we sometimes pause to ask what our more distant descendants will think of us.) But it is largely absent in the philosophical literature. One possible explanation is that justifications *to* distant future people face several obvious metaphysical and epistemological barriers which lead philosophers to regard such justifications as impossible. My first task is to remove those barriers.

2. *Barriers to future justification.*

Our first barrier is Derek Parfit's non-identity problem.⁴ Most decisions affecting the distant future are Different People Choices, where alternative actions bring different sets of possible people into existence. But how can I justify myself to someone who would never have existed at all if I had done otherwise? Demands for justification in non-identity cases seem either incoherent (we cannot compare existence with non-existence) or trivial (no one can complain if her life is worth living and she would not otherwise have existed).

Parfit's non-identity problem has generated a vast literature.⁵ Person-affecting theorists reply that future people *can* complain even when their lives are worth living and they would not otherwise have existed at all. For instance, in his intergenerational extension of Scanlon's contractualism, Rahul Kumar argues that a potential mother may display a morally objectionable attitude to 'her future child' even when different behaviour would have produced a (numerically) different child.⁶ Once he exists, her actual child can complain on behalf of the broader set of possible future children his mother might have had. Similarly, if our collective behaviour manifests an objectionable attitude towards future people, then, even if their lives are worth living and they (as individuals) would not otherwise have existed, all future people can complain that we have failed to treat them with the respect due to them as persons.

Person-affecting responses to non-identity remain controversial.⁷ A full defence of Kumar, or any other person-affecting theorist, would take us too far afield. However, person-affecting principles have considerable intuitive appeal. And anyone sympathetic to either second-personalism or the search for a moderate intergenerational ethic is especially likely to accept *some* person-affecting moral principles.⁸ Finally, as we shall soon see, second-personalism can itself support person-affecting principles, because any demonstration that future people would accept a principle obviously enhances its appeal.

I conclude, therefore, that if we are to give second-personalism a sympathetic hearing, we can reasonably assume that non-identity alone does not rule it out, and that our future-oriented second-personal justifications can cite independently credible person-affecting moral principles.

Our second barrier is pervasive uncertainty about the future. We choose, not between definite possible futures inhabited by definite individuals, but rather among actions whose consequences are largely unknown. We cannot justify ourselves to future people, because we have no clear idea what we need to justify or to whom. Non-identity is only one dimension of this uncertainty. Many factors can affect the fate of distant future people without threatening their identity or existence. Solving the non-identity problem would not automatically remove our second barrier.

Uncertainty does *complicate* our obligations to future people. But uncertainty *alone* cannot excuse gambling with the lives of others. We must still justify our decision to impose the *risk* of harm on future people. And we should offer that justification *to future people*.

Of course, *risks* of harm are often easier to justify than *definite* harms. (If risks of very unlikely harm were *never* justified, modern life would be all but impossible.) But the crucial point is that, even where it is *permissible*, every imposition of risk must still be justified. And this justification is more problematic if (a) the harm you suffer is much greater than the benefit I obtain, or (b) you do not benefit from the risk I impose, or (c) I am much better-off than you, or (d) my actions show a reckless disregard for your interests.⁹ When *all* these conditions are met – as they are in the cases discussed below – my justification must be very strong indeed.¹⁰

Uncertainty is one possible justification for discounting the future, but it cannot suffice on its own. Unless we are sometimes justified in imposing *definite* harms, we cannot justify *risks* of significant harm either. I therefore set uncertainty aside in this paper, and focus on *other* reasons to discount future harm.

This may seem too swift. Any specific possible future is vanishingly unlikely to arise. The more detail we add to our imaginary future, the more unlikely it becomes. Why should we justify ourselves to possible people who will almost certainly never exist, for things that will almost certainly never happen?¹¹

My reply draws on Kumar's Scanlonian response to non-identity. Imaginary debates with morally eccentric individuals in peculiar futures would demonstrate nothing. But my imaginary dialogue with a future philosopher is not idiosyncratic. It cites only generic features of her world: features that are shared across a wide range of (otherwise very disparate) possible futures. We do not know exactly what harms climate change will cause. But we do know it may very well cause significant and lasting harm. And climate change is not the only route to a broken world. (Other routes include technological catastrophe, financial collapse, etc.)¹² My specific future philosopher represents, and complains on behalf of, the much broader class of 'future people whose world is broken by us'. Indeed, the *risk* of a broken future is imposed on all possible future people – and not only on those living in broken futures. So *any* future person can complain about our reckless attitude *to her*.

A third barrier is that, unlike Kumar's hypothetical contractualism, second-personal justification requires *actual dialogue*. This requirement increases our uncertainty. (How can we know what future people will accept?) It also seems morally dubious. When they come apart from what is reasonable, why should *actual* responses matter at all? Surely our actions are not indefensible simply because some unpredictable quirk of future moral evolution leads future people to wilfully reject our cogent defence? Conversely, clearly reprehensible behaviour would not be justified simply because future people with adaptive preferences *failed* to object to it.

Second-personal justification only matters when the other person is reasonable. But it doesn't follow that actual acceptance is redundant. Actual complaints, acceptances, and replies often help us *discover* what is reasonable. (I might not realize my action is objectionable until someone actually objects!) But the value of actual responses is not merely epistemic. It also has significant motivational force. We want to act on moral principles that actual reasonable people *do* accept, not merely on principles that could have been reasonably accepted.

For second-personalism to work, the moral perspectives of actor and patient must be mutually intelligible.¹³ I must understand your complaint and you must understand my defence. I therefore assume a *sympathetic* future audience who share our basic moral framework. This simplification has three pragmatic rationales. First, we want to

respond to distant future people's *reasonable* complaints, and we can only start from our own notion of reasonableness. Second, if one specific future can represent a broader class, then why not select representative future philosophers who are best-suited to interpret our moral defence? Other possible people with different moral outlooks will presumably share similar complaints. Finally, precisely because it makes our task easier, my assumption of a sympathetic audience will render any *negative* result even more disturbing. If we cannot justify ourselves even to distant future people who share our values, then that is worrying news indeed.

Despite our three apparent barriers, future-oriented second-personalism is not absurd. The rest of this paper argues that it is fruitful.

3. *The Choice and the Broken World.*

Justification is always offered to someone *for something*. The 'someone' is: future people. But what are we answering to those future people *for*? To focus our discussion, I present an over-simplified example.

The Choice: We face a binary choice between two options: Business-as-usual and Conservation. These two policies offer the following payoffs to present and future people:

1. Present people fare better in Business-as-usual than in Conservation.
2. Future people fare better in Conservation than in Business-as-usual.
3. In Conservation, present people fare better than future people.

The four possible payoffs are thus ordered: $P_b > P_c > F_c > F_b$.

Conditions 1 and 2 jointly ensure an intergenerational conflict of interest: what is best for present people is not best for future people. Condition 3 ensures that, whatever we choose, we fare better than future people. Business-as-usual imposes an outcome that is worse for future people than what we avoid for themselves

The Choice is very schematic. Much depends on how exactly the cost to present people under Conservation compares to the cost to future people under Business-as-usual. Is the gap between P_b and P_c greater than the gap between F_c and F_b ?

I flesh-out the Choice using a *broken world* where resources are insufficient to meet everyone's basic needs, a chaotic climate makes life precarious, each generation is worse-off than the last, and our affluent way of life is no longer an option.

Philosophers in that broken world look back in disbelief at a lost age of affluence. They struggle to make sense of the opulent worldview of late-affluent philosophers such as Nozick and Rawls, and the behaviour of affluent citizens like us.¹⁴

The broken world lacks several ubiquitous but often unacknowledged presuppositions of recent moral and political thought. We naturally assume that future people will be better-off than present people; and that the interests of different generations largely coincide. In a broken world, by definition, future people are worse-off than present people, well-being continues to decline, and inter-generational conflicts of interest abound.

Another difference is that the broken world lacks Rawlsian favourable conditions.¹⁵ A society enjoys favourable conditions if its members possess sufficient sophistication and prosperity to establish liberal democratic institutions that meet all basic needs without sacrificing any basic liberties. Rawls argues that virtually all modern societies enjoy favourable conditions.¹⁶ But no broken society can meet all basic needs, and therefore none could possibly establish Rawlsian liberal institutions that *both* meet basic needs *and* protect basic liberties.

In a broken world, this future scarcity is an ongoing fact of life, not a one-off catastrophe.¹⁷ Scarcity of material resources (especially water) and unpredictable climate mean that societies periodically face population bottlenecks where not everyone can survive. However, this is not a completely catastrophic world. I imagine modern large-scale industrialised societies, not scattered groupings of post-apocalyptic hunter/gatherer tribes. Apart from its broken-ness, this future world is as close as possible to our own.

The broken world is one *credible* future. No-one can reasonably be confident that it won't happen. It involves no outlandish claims, scientific impossibilities, or implausible expectations about human behaviour. Climate change – or some other disaster – might produce a broken future. Of course, many other futures are also credible. Some are much better, others much worse. Our epistemic situation does not allow confident predictions either way. But the broken world is one very real possibility. And, as I argued in section 2, its inhabitants represent the broader class of possible future people who are worse-off than us *because of our decisions*.

In this paper, I take the credibility of my broken future as given, and explore its impact on our responsibilities regarding climate change. Suppose Business-as-usual fails to prevent or mitigate climate change. Can we justify that choice to those who inherit a broken world? To generate a stark version of the Choice, I stipulate that our society enjoys favourable conditions, but that Conservation would threaten those conditions for present people. Whatever we do from now on, future people will inhabit a broken world without favourable conditions. Conservation would lessen their burdens in that world, but it also requires us to leave some present basic needs unmet.¹⁸

Most current climate-change-inducing behaviour does not protect favourable conditions. The Choice is deliberately unrealistic. It shows Business-as-usual in its most favourable light, where present people protect background conditions for justice itself, rather than insisting on dispensable luxuries such as higher living standards, more convenient travel, or fancier consumer goods. This may not reflect our present situation. But it is one future possibility. If the future is broken, then some generation will face this dramatic choice.¹⁹

I have presented the Choice as a collective decision by present people that impacts (collectively) on future people. I then ask how *we* can justify ourselves to *them*. Second-personal justification can be plural. But it can also be singular. We might instead ask how I could justify myself to some specific future person living in a broken world. I then have two options. First, I can defend *our* collective choice of Business-as-usual. Second, I can defend *my* response to our (unjustified) choice. I might argue that I have done what I could to prevent that choice; or that no-one could

reasonably expect me to do more; or that I have distanced myself sufficiently from Business-as-usual (perhaps by non-participation, political campaigning, or environmental activism). I argue below that future philosophers will be more interested in our collective justifications. But individual justification is also worth exploring.

4. Ethics within the broken future.

Before justifying ourselves to future people in a broken world, we must first explore their ethical thinking. Contemporary ethics presupposes that future people will be better-off than present people; that the interests of different generations largely coincide; and that favourable conditions will persist indefinitely. The removal of these three presuppositions has a significant impact on moral philosophy *within the broken world*.²⁰ One very striking difference is the need for a survival lottery.

Any complex society requires *political* institutions. Because they lack favourable conditions and face periodic population bottle-necks, broken world societies need some way to determine who lives and who dies. I call such procedures ‘*survival lotteries*’. A central task of broken world philosophy is to design a *just* survival lottery. Theories of freedom, rights, responsibilities, human flourishing, authority, and much else, must all earn their keep within some over-arching vision of a just society governed by a fair lottery. Future philosophers may draw on affluent debates about the role of lotteries in allocating *our* scarce resources – such as medical technologies, political offices, university places, or other limited opportunities.²¹

‘Survival lottery’ is a term of art. A survival lottery does not necessarily involve any actual lottery. Indeed, it might reject direct redistribution altogether. A libertarian society facing a chaotic climate could simply let the chips fall where they may. I classify this as a *libertarian survival lottery*, because it represents a collective decision to allow the natural distribution of survival-chances to remain uncorrected. By contrast, anyone wanting to extend *liberal, egalitarian, or contractualist* theories into a broken world will instead seek a fair redistribution of the burdens imposed by scarce resources and chaotic climate. Broken world Rawlsians, for instance, seek institutions that fairly distribute the benefits and burdens of both natural lottery and

social cooperation. These Rawlsian survival lotteries may well incorporate literal lotteries.

The removal of Rawlsian favourable conditions, and the accompanying introduction of societies built around survival lotteries, is the most counter-intuitive element of my broken future. The idea of people reconciling themselves to such brutal bureaucratic procedures may seem far-fetched. Survival lotteries strike us as morally unthinkable. What useful moral lessons can we learn by pretending to imagine the unthinkable?

I believe, on the contrary, that their unthinkableness is the very reason why we must imagine survival lotteries *now*. Broken futures are credible. Our existing liberal democratic institutions can only survive into such futures by transforming themselves into just survival lotteries. If we refuse to even admit the possibility of such transformation, then we leave our descendants without the moral tools to navigate the grim reality we bequeath them. If we leave future people in a place where *they* must think the unthinkable, then we must think it too. Perhaps the design of a just survival lottery should also be *our* central philosophical concern.

Other distinctive features of broken world ethics will emerge as we proceed. These are mostly corollaries of scarcity, the loss of favourable conditions, and the need for survival lotteries.

5. Impersonal defences.

Suppose we opt for Business-as-usual over Conservation. How might we defend ourselves? One option is an impersonal defence: Business-as-usual promotes aggregate value better than Conservation. We do not favour ourselves. We simply do what any impartial third party would recommend. (A less ambitious impersonal defence would argue that, despite its actually bad consequences, Business-as-usual maximised *ex ante expected* value.)

Impersonal defences might work for some analogues of the Choice. However, I set them aside in this paper, for two reasons. First, even if Business-as-usual does maximise impersonal value, this fact alone does not guarantee an adequate *second-*

personal defence. Future people may still ask why *they* should pay such a heavy price for maximum impersonal value. Indeed, second-personalism appeals precisely because, unlike impersonal theories such as utilitarianism, it respects what Rawls dubbed the ‘separateness of persons’.²² Second, if we are *only* allowed to favour ourselves when our interests coincide with maximum (actual or expected) value, then intergenerational ethics will be extremely demanding, because the well-being of future people will swamp the projects of present people.²³ As we are exploring the prospects of moderate intergenerational ethics, we can conclude that impersonal defences will not suffice.

I stipulate, then, that if we sought to maximise impersonal value in the Choice, we would choose Conservation.²⁴ Our question is whether we can justify ourselves to future people when we favour ourselves in ways that do *not* maximise actual or expected value. Can we justify Business-as-usual when it does *not* track impersonal value?

To further explore the limitations of impersonal defences, we now consider one Rawlsian variant. Suppose we agree that Business-as-usual does not maximise impersonal value according to any standard utilitarian ranking. Could it still preserve something essential that would otherwise be lost? Could what is at stake for present people in the Choice be *objectively more significant* than what is at stake for future people?

This brings us to our first defence. It is inspired by two Rawlsian claims: that justice is the pre-eminent social virtue, and that justice *as we know it* presupposes favourable conditions. The emergence of favourable conditions was *the* moral turning-point in human history. Analogously, the most salient possible *future* event is the loss of favourable conditions. In the Choice, we must *delay* this irreparable loss as long as possible. Once favourable conditions are gone, further losses are comparatively insignificant.

This defence of Business-as-usual is impersonal. We are not favouring ourselves. We are merely doing what is impartially best. Can we offer this justification to distant future people? A successful second-personal justification requires future people *in the*

broken world to acknowledge the importance of favourable conditions. I shall argue instead that future philosophers will turn this particular affluent defence on its head.

Imagine a future philosopher, living in a broken world, who is presented with this impersonal defence, and wonders whether it could justify our choice of Business-as-usual. How might she reply? Here is one possibility.²⁵

‘This alleged “essential” is just another self-indulgent affluent luxury. We now know that human civilisation does not need favourable conditions. Of course, such conditions would be nice. We can only regret that we ourselves will never enjoy them. But society can survive without them. And, more importantly, justice is still possible. In our broken world, where harsh choices between basic needs and basic liberties are an ongoing fact of life, our interest in justice is actually stronger than anything the apathetic citizens of late-affluent liberal democracy could muster. We care deeply whether our survival lotteries are just, and we strive to live humanely and fairly in their shadow. When affluent philosophers asserted that justice without favourable conditions was unthinkable, they merely demonstrated their inability to see beyond their own limited conceptual horizons.

‘Indeed, while *their* ‘essential condition’ was dispensable, something even more basic *is* essential. And this is the very thing we are now in danger of losing thanks to the affluents’ choice. Justice does not require favourable conditions. There can be just survival lotteries. But survival lotteries themselves, whether just or unjust, are possible only in what we, mirroring Rawls, now call “bearable conditions”. A society enjoys *bearable conditions* if and only if it is able to institute a stable survival lottery that offers each citizen a chance of survival and a quality of life (if one does survive) that are together sufficient to motivate a normal human being to accept and endorse that lottery, and to comply with its verdicts. (Favourable conditions are a special case, where lotteries are replaced by guarantees.) Bearable conditions require both adequate physical resources (food, fuel, a not-too-unstable climate) and adequate social resources (community solidarity, technical competence, and so on).

‘Without bearable conditions, no stable survival lottery can take hold, and society inevitably collapses into tyranny, civil war, and chaos. We all know by observation that our society currently enjoys bearable conditions. Our own survival lottery is relatively just, and the real barrier to greater justice is political will. (Our situation thus mirrors Rawls’s own diagnosis of the barriers to justice in the affluent age.) But we are also all familiar with other societies – in the recent past or in other lands – where conditions became unbearable and civilization collapsed.

‘No-one knows precisely where the threshold lies when conditions become unbearable. But our own societies are coming perilously close to that tipping point. As our climate becomes more chaotic and crop yields wither, disaffection with even the best survival lotteries is growing. Some fellow citizens have even lost hope in the very idea of a just survival lottery! If our affluent ancestors had chosen Conservation instead of Business-as-usual, our enjoyment of bearable conditions would be much more secure.

‘Bearable conditions are *objectively more significant* than favourable ones. Human civilisation existed without favourable conditions for many millennia before the affluent age. But the loss of bearable conditions is fatal, not only to justice, but to everything else worth defending. The collapse of *all* human civilisation is a difference in kind, while the gap between Rawlsian justice and our just survival lotteries is a mere difference in degree. (It is worse to lose the *concept* of justice altogether than to merely replace one *conception* with another.)

‘An *objective* justification would imply, not only that the affluents were justified in choosing Business-as-usual, but also that *we should endorse that choice*. Suppose we invented time travel, and we could jump back and impose Conservation. Should we refrain, to preserve favourable conditions a little longer? Of course not! This shows that Business-as-usual is not objectively better. (This example is unrealistic, of course. If we really could leap through time, we would go further back and eliminate climate change altogether!)’

This broken world reply makes many controversial assumptions, not least that bearable conditions *are* at stake in the Choice. But it does illustrate the fragility of any impersonal defence.²⁶

If *we* cannot collectively justify ourselves, can *I* objectively defend my *individual* behaviour? Can I claim that, if I had distanced myself further from Business-as-usual, then I would have suffered a greater loss than any future individual? This seems very unlikely. As well as risking the collapse of human civilization, Business-as-usual significantly increases each future person's likelihood of an early death. If my *entire* defence is impersonal, then I must oppose Business-as-usual until my life is seriously threatened. I could perhaps refuse to reduce my carbon footprint below subsistence, or reject eco-terrorism in a jurisdiction that retains the death penalty. But I must make every other feasible sacrifice. To justify less demanding individual responses to climate change, we must look elsewhere.

6. *Agent-centred prerogatives.*

If no impersonal defence is available, how *else* might we justify Business-as-usual? We seek a moral principle that both justifies Business-as-usual and can itself be justified to future people. The rest of this paper explores our options. The next section considers exceptions based on emergencies, duties to less fortunate contemporaries, and rights to subsistence. In the present section, I explore moderate agent-centred prerogatives.

My catalogue of possible defences is not exhaustive. But I believe it does fairly represent our principal options. Once we admit that impersonal reasons favour Conservation, any defence of Business-as-usual requires either a permission to favour ourselves or an obligation that is owed to contemporaries but not to future people. The former can be either a general right to do as we please, or a specific right to protect some vital interest. And the latter must be based on some legitimate present expectation that future people cannot share. While other defences are imaginable, they are likely to resemble those outlined below.

My first non-impersonal defence is drawn from contemporary consequentialist debates about beneficence. What do wealthy individuals owe to people starving in distant lands? Consequentialists offer two broad answers. Moderates defend *agent-centred prerogatives* allowing agents to give disproportionate weight in their practical deliberations to their own interests, values, or perspectives.²⁷ *Extremists* insist that everyone should always adopt the impersonal perspective.²⁸ Extremists reject Business-as-usual and defend very stringent obligations to avoid climate change.²⁹ As we seek to defend Business-as-usual, we can reasonably presuppose moderation and ask whether agent-centred prerogatives could justify Business-as-usual.

Agent-centred prerogatives belong to debates about *beneficence*. They come into play only when agents are not responsible for the plight of others, would not be violating any moral rules, and would be using their own legitimate resources. Giving to charity is beneficent. But paying tax, repaying debts, returning stolen property, and refraining from murder are not. Moderate moral theory recognises a distinction between doing and allowing, and also regards our duty to assist strangers as weaker than our duty not to harm them.³⁰

Agent-centred prerogatives thus apply only when two necessary conditions are met: innocence and ownership.³¹ Imagine a very simple case. Rich wants to put her own interests ahead of Poor's. The *innocence condition* stipulates that Rich is not herself responsible for Poor's plight, and Rich's favouring herself violates no deontological rule. This condition looks both backward and forward. Rich can refrain from helping a stranger, but she cannot kill a healthy relative to inherit his wealth, or fail to avert a threat that she herself has created.

The *ownership condition* stipulates that the resources Rich keeps for herself *already belong to her*. Rich is deliberating about the disposal of her own individual private property, not the distribution of manna from heaven. Rich can refuse to share *her food* because she wants to throw a lavish banquet, but she cannot steal *Poor's food* to do the same.

Any plausible moderate account of beneficence endorses these two necessary conditions. It is controversial whether these conditions are met even in the standard

case of aid for spatially distant contemporaries.³² We can side-step that controversy. Our question is whether the two conditions are met in the Choice. In particular, will our future philosopher recognise either our innocence or our ownership? We can imagine her response.

‘The two affluent conditions are not met in the Choice. First consider innocence. By *continuing* Business-as-usual, affluent people harmed those they had already harmed. Affluents were not collectively innocent! But were some *individual* affluents merely innocent bystanders? Affluent philosophers disagreed here. Some held that, with climate change, individual acts do no harm, because the marginal impact of any given act on any given future individual is negligible, imperceptible, or incalculable.³³ Others argued that any individual who is party to a harmful collective action shares responsibility for that harm. In one much-discussed example, a thousand bandits each steal one bean from each of a thousand villagers.³⁴ Losing a single bean is not a serious harm. But each bandit still shares some responsibility for the fact that all the villagers starve.

‘For many affluent thinkers, collective responsibility can arise even when a collective lacks any formal organisation or structure. Members of the collective are then *individually* responsible for (a) their “share” in the collective action; (b) their willing membership in the collective; (c) their failure to actively distance themselves from the collective action, perhaps by publically denouncing it; (d) their failure to prevent the collective action, perhaps by campaigning against it; and (e) their failure to create some alternative collective agent to undo the harm.

‘We have two reasons to take sides in this affluent debate. First, *our own* ethics, centred on the just survival lottery, emphasizes the importance of holding individuals responsible for their contributions to collective actions. Second, when we think of the affluents, only their collective impact matters. Individual affluent actions interest us only insofar as they causally contributed to the breaking of our world. We see people from the affluent age primarily *as affluents* – as members of *the collective who did this to us*. (This is not how affluents saw themselves. They did not self-identify as affluent world-breakers. But this is how history has remembered them.³⁵) We do hold affluent individuals responsible for

collective harms, even if each individual's contribution was not itself directly harmful.

'The second affluent condition is ownership. Many broken world societies reject individual property entirely, while those that acknowledge property rights do so only *within* a just survival lottery. Your rights are determined by the lottery. Current notions of ownership could never sanction Business-as-usual. But our question concerns *affluent* notions of property. Were affluents simply using what they reasonably believed that they owned?

'Unfortunately, affluent defences of individual property break down in the face of a broken future. I shall consider three: libertarianism, contractualism, and utilitarianism. For the theories themselves, and further critique, see the lectures collected in *Ethics for a Broken World*.

'Libertarians must satisfy either Locke's proviso or Nozick's proviso. Property must first be justly acquired, and initial acquisition is only legitimate when it either (a) leaves enough and as good for others; or (b) leaves others no worse-off than they would otherwise have been. If the affluents are to justify their acquisition *to us*, then "others" must include us. But the affluents did not leave enough and as good for us, and we are worse-off than we would have been if they had chosen a property regime that did not lead to dangerous anthropocentric climate change. Libertarianism cannot justify Business-as-usual.

'Libertarianism promises absolute rights, limited only by the rights of others. Other affluent theories deliver more circumscribed rights. Affluent *contractualists* argued that everyone will agree to a package of rights and prerogatives that guarantees each individual a private sphere, including an adequate package of individually-owned resources, where she is free to favour herself. Affluent *rule utilitarians* argued that the ideal moral code (the code whose near-universal internalisation would maximise human well-being into the future) also includes a private sphere, individual property, and self-regarding permissions.³⁶

‘Whatever their original merits, these arguments do not translate to the Choice. If contractualist or utilitarian reasoning is to justify Business-as-usual to us, then “everyone” must include us. We must: (a) be parties to the contractualist bargain; (b) receive rights under that bargain; (c) be among those who internalise the rule utilitarian ideal code; and (d) have our interests counted when that code is measured against aggregate human well-being. But why would we agree to a bargain that permitted Business-as-usual? And how can any moral code maximise well-being if it leads to a broken world? (The two questions are linked. We reject the bargain precisely because it yields a code that serves us so ill.) We can thus reasonably reject affluent claims to individual ownership.’³⁷

I conclude that future people can reasonably reject both the innocence condition and the ownership condition, at least in the context of the Choice. As both conditions are necessary presuppositions of any moderate agent-centred prerogative to come into play, it follows that such prerogatives cannot justify Business-as-Usual.

7. *Emergency prerogatives, duties to contemporaries, and subsistence rights.*

Neither impersonal defences nor general agent-centred prerogatives will persuade future philosophers. Perhaps the best defence lies in-between. Present people’s sacrifice in Conservation is less significant than what they impose on future people. But it is still sufficient to justify Business-as-usual.

Not all prerogatives are limited to beneficence. Even without innocence and ownership, agents can still legitimately steal to feed themselves or their children, kill in self-defence, or save themselves ahead of those they have harmed. In an ‘emergency’, even moral prohibitions on theft, murder, and harm may be suspended. Is the Choice such a moral emergency?

Any emergency-based *individual* justification for Business-as-usual can only have very limited scope. Most of our individual failures to respond to climate change are not *emergencies*, even by the most generous standards. (Having to cycle to work, become vegetarian, or accept a lower standard of living are not existential crises!) If

this is our only justification, we must still depart from our *actual* 'business-as-usual' much more than almost any of us do.

Only the most destitute individuals can enjoy individual emergency prerogatives. Henry Shue distinguishes between *luxury* emissions and *subsistence* emissions, arguing that, despite our collective responsibility to reduce CO2 emissions, everyone has a right to essential subsistence emissions.³⁸ Shue's distinction suggests the following defence: Our poorest contemporaries are not obliged to abandon Business-as-usual if that would threaten *their* subsistence.

This justification might seem especially limited. Subsistence is not yet at issue for most of us, and our poorest contemporaries make comparatively little contribution to climate change. However, by invoking a *human right to subsistence*, we can then introduce a related justification that does apply to us. Perhaps we are *obliged* to continue with Business-as-usual out of respect for the human rights of our poorer contemporaries.³⁹

The Choice is stark. Conservation involves sacrificing favourable conditions now to benefit (worse-off) future people. Conservation would thus leave some present basic needs unmet. Some present people will die who would have lived under Business-as-usual. Surely those individuals, at least, can reasonably reject any moral principle that prohibits Business-as-usual? Surely our future philosopher must recognise a right to subsistence?

The idea that any individual can veto any moral principle that gratuitously leads to her death is compelling. However, we must tread carefully here. If such a veto exists, then surely future people enjoy it too. But they will then veto Business-as-usual. Ex hypothesi, Business-as-usual results in at least as many preventable deaths as Conservation. While efforts to avoid climate change threaten the rights of poor contemporaries, *failure* to avoid climate change violates the human rights of future people.⁴⁰

Human rights conflict in the Choice. We thus face an obvious dilemma. Either our account of rights recognises future people's human right to subsistence, or it does not.

If not, they will reject any defence based upon that account. But if we do recognise their rights, how can we defend Business-as-usual?

The problem is that *our* notion of human rights does not admit even the possibility of irreconcilable conflicts. Human rights must be guaranteed to all. Yet, in a broken future where not everyone can even survive, such conflicts are a regrettable fact of life. Perhaps our future philosophers can teach us how to rethink our affluent notion of rights.

‘To justify themselves *to us*, the affluents must offer us intelligible interpretations of rights, luxury, and subsistence that fit *our moral perspective*. Can *we* reinterpret these affluent notions? The affluent distinction between luxury and subsistence emissions seems irrelevant in our broken world. For us, subsistence *is* a luxury! I think we can reinterpret this distinction. But that reinterpretation no longer justifies Business-as-usual.

‘For the affluents, “luxury emissions” referred to unnecessarily wasteful emissions far beyond anything that was remotely environmentally sustainable. No one today defends *those* emissions. But many contemporary political theorists do defend *emissions beyond subsistence*. Of course, we can't all enjoy such emissions, because we can't all survive. That's why we have a survival lottery in the first place! But lotteries that only promise bare subsistence are very under-motivating. Many people prefer lotteries that offer a lower chance of survival, but where those who do survive enjoy a higher standard of living. Individual preferences differ markedly here, and therefore some societies have experimented with flexible lotteries where participants can choose between high-risk-high-lifestyle tickets and low-risk-subsistence ones. (Consider the well-established lottery that underpins the feudal society of New Scotland.)⁴¹

‘Incidentally, this is one reason why it is so difficult to locate the threshold when bearable conditions are lost. A stable lottery must hold out a credible promise that a reasonable number of people will enjoy something markedly better than mere survival.

‘If a “right to subsistence” means that everyone can insist on their own *guaranteed* subsistence emissions, then there can be no such right in a broken world. Many affluent philosophers thought that, without this “most basic” of all rights, the very idea of rights must collapse. (What use are rights if you cannot even survive?) And our contemporary extreme utilitarians agree that rights have no place in the broken world.

‘But other broken world philosophers *reinterpret* rights in light of the just survival lottery. The historical emergence of lotteries *as an alternative to brute force* reflected the belief that each of us has the right to a fair chance to survive. And the elaborate lottery redesign processes that operate in all broken world societies (to the despair of undemocratic bureaucrats) are grounded in an individual right to participate in collective decision-making – a right to help design and implement the institutions that will govern one's life (and may end it). Given the stark choices we face, many broken world dwellers are even more focused on their rights than our rights-obsessed affluent ancestors.

‘Affluents would regard any survival lottery as a monstrous violation of rights. But in the chaotic climate of our broken world, lotteries protect and define our rights. We fine-tune our views on the balance between freedom and survival by participating in the lottery and in the preceding deliberation. (Would you rather have a high probability of bare survival or a longer shot at a more affluent life?) For us, this is what a right *is*: an equal input to collective deliberation, and then a fair chance to live or die.

‘So we *can* reinterpret the affluent right to subsistence. But now that right cannot justify affluent Business-as-usual. We cannot enjoy a universal right to subsistence – either positive or negative. We don't expect others to guarantee our survival, and we know that we cannot reasonably claim a negative right to try to survive on our own. The resources of the Earth are too fragile and limited to permit such futile libertarian fantasies. We would not even allow the comparatively poor affluent people to insist on *their own subsistence*. (Why should we grant any affluent individual a right that, as a result of their collective choices, we cannot claim for ourselves?)

‘There is a temporal paradox here. In the early-affluent period, when universal subsistence in perpetuity was an option, comparatively poor individuals *could* claim a right to subsistence, and their comparatively wealthy contemporaries could reasonably consider themselves bound to respect that right. But later affluents, knowing that a broken world loomed, could not make these claims.’

To persuade future people, any justification of Business-as-Usual based on *our* rights must appeal to some general account of rights that *they* also enjoy. Because survival cannot be guaranteed in a broken world, future people cannot themselves enjoy a right to subsistence. Therefore, they will reasonably deny that all present people enjoy a right to guaranteed subsistence. Some future people will reject rights altogether, while those who retain rights will reinterpret them in ways that undermine any rights-based defence of Business-as-Usual.

8. *What rights do we have?*

Our future philosopher reconceptualises rights in light of some future survival lottery: a social institution that spreads risk fairly while maintaining incentives to social cooperation. A just lottery will maximise our collective chances of survival, and then fairly distribute individual chances to survive.

If there are rights that all individuals (both present and future) can enjoy, they must be lottery-based rights. But now present individuals can reject Conservation if it prevents their survival *without* also instituting something like a just lottery. We cannot simply abandon Business-as-usual and let the chips fall where they may. But nor can we justly continue with Business-as-usual. Instead, we must collectively bear the burden of the sacrifices we owe to future people.

This may seem too much to ask. Surely we are not obliged to actually decide who lives and who dies? We close by imagining our future philosopher’s final reply.

‘When they realised that, while they could guarantee *their own* basic needs, their own descendants would need to run a survival lottery, the late-affluents should

have adopted our moral perspective, and begun to explicitly operate a survival lottery across the generations. Once favourable conditions could no longer be guaranteed in perpetuity, they ceased to be a reasonable basis for determining human rights.

‘Of course, in one very real sense, the affluents *did* operate an intergenerational lottery – only they gave themselves winning tickets by insisting on guaranteed survival for as long as possible. No credible affluent moral theory could justify that! A *just* lottery across the generations must include everyone in every generation. No-one can enjoy a guaranteed right to subsistence – not even the wealthiest affluent person. The failure to implement such a lottery was a *collective failing*, for which each affluent individual is partly responsible.’

Of course, this is only one possible reply from one imaginary inhabitant of one possible future. Our failure to justify ourselves to her lacks the full force of a failure to persuade any actual person. However, the fact that reasonable people in credible futures might judge us this harshly does give us a second-personal reason to choose Conservation instead of Business-as-usual; and that gives our obligations to future people a kind of felt urgency that is lacking if we limit ourselves to purely impersonal reasons.⁴²

Tim Mulgan, Department of Philosophy, University of Auckland, and Department of Philosophy, University of St Andrews. t.mulgan@auckland.ac.nz

NOTES

¹ For an overview, see Dale Jamieson, *Reason in a Dark Time* (Oxford: Oxford University Press, 2014), pp. 144-177.

² I present my own moderate theory of intergenerational ethics in Tim Mulgan, *Future People* (Oxford: Oxford University Press, 2006).

³ Stephen Darwall, *The Second-Person Standpoint* (Cambridge: Harvard University Press, 2009). For discussion of the relationships between Darwall’s work and my own, I am grateful to Sophie-Grace Chappell. (Timothy Chappell, ‘The future-person standpoint’, *Philosophy and Public Issues (New Series)*, 4 (2014): 29-46; Tim

Mulgan, ‘Replies to Critics’, *Philosophy and Public Issues (New Series)*, 4 (2014): 58-92.)

⁴ Derek Parfit, *Reasons and Persons* (Oxford: Oxford University Press, 1984), chapter 16.

⁵ See, e.g., Melinda Roberts and David Wasserman (eds.), *Harming Future Persons* (Dordrecht: Springer, 2009).

⁶ Rahul Kumar, ‘Who can be wronged?’, *Philosophy and Public Affairs*, 31(2003): 99-118; Rahul Kumar, ‘Wronging future people: a contractualist proposal’, in A. Gosseries and L. Meyer (eds.) *Intergenerational Justice* (Oxford: Oxford University Press, 2009), pp. 251-272.

⁷ See, e.g., Derek Parfit, *On What Matters* (Oxford: Oxford University Press, 2011), vol. 2, pp. 191-243.

⁸ Mulgan, *Future People*.

⁹ On imposing risks of harm, see Elizabeth Ashford, ‘The demandingness of Scanlon’s contractualism’, *Ethics*, 113(2003): 273-302.

¹⁰ Climate change raises additional difficulties. Because we cannot reliably estimate the *probabilities* of outcomes, we cannot justify ourselves to future people by citing the statistical unlikelihood of specific harms. Tim Mulgan, ‘Utilitarianism for a Broken World’, *Utilitas*, 27 (2015): 92-114.

¹¹ I am grateful to an anonymous reviewer for pressing me on this point.

¹² I discuss several other possible futures in Tim Mulgan, ‘Ethics for Possible Futures’, *Proceedings of the Aristotelian Society*, 114(2014): 57-73. These include a virtual future where human beings spend their entire lives in Nozick’s experience machine; a digital future where humans have been replaced by unconscious digital beings; and a theological future where the existence of God has been proved.

¹³ I am grateful to Melissa Lane for pressing me on this point.

¹⁴ Tim Mulgan, *Ethics for a broken world: reimagining philosophy after catastrophe* (Durham: Acumen, 2011). See also Mulgan, ‘Utilitarianism for a Broken World’; Tim Mulgan, ‘Theory and intuition in a broken world’, in S-G. Chappell (ed.), *Intuition, theory, and anti-theory* (Oxford: Oxford University Press, 2015), pp. 141-166; Tim Mulgan, ‘Mill and the broken world’, *Revue Internationale de Philosophie*, 69(2015): 205-224; Tim Mulgan, ‘Theorising about justice for a broken world’, in K. Watene

and J. Drydyk (eds.), *Theorizing Justice: Critical Insights and Future Directions* (London: Rowman and Littlefield, 2016), pp. 15-32.

¹⁵ John Rawls, *A Theory of Justice* (Oxford: Oxford University Press, 1971), p. 178.

¹⁶ John Rawls, *The Law of Peoples* (Cambridge: Harvard University Press, 1999), p. 108.

¹⁷ One possible parallel is Rawls's own example of a society without favourable conditions: the regular seasonal fluctuations in food supply experienced by traditional Inuit communities. (Rawls, *Law of Peoples*, p. 108.)

¹⁸ Another interesting case arises if present people can only preserve favourable conditions for future people by abandoning those conditions for themselves. (This is not an instance of the Choice, because the ranking is $P_b > F_c > P_c > F_b$.)

¹⁹ Another unrealistic simplification is that I ignore our responsibility for *past choices* that may have made the future loss of favourable conditions inevitable. While we ourselves may have such responsibilities, they are not essential to the Choice. If some *future* generation faces the Choice, then the relevant past choices are those of past people, for which the people making the Choice are not responsible.

²⁰ I explore these impacts in the works cited in footnote 14 above.

²¹ See, e.g., Barbara Goodwin, *Justice by Lottery* (Chicago: University of Chicago Press, 1992).

²² Rawls, *Theory of Justice*, 24.

²³ Impersonalists can only avoid extreme demands by abandoning temporal impartiality. But temporal discounting itself requires a justification such as those explored in the text.

²⁴ This stipulation is not far-fetched. Any actual transition to a broken world is likely to involve conflicts between present interests and impersonal value.

²⁵ Text in **bold** is the direct speech of this imaginary philosopher in the broken future. The phrases 'affluent age', 'affluent philosophy', and 'affluents' refer, respectively, to the period between the mid-twentieth and early-twenty-first centuries, to the dominant philosophy of that time, and to its inhabitants. Of course, we do not regard everyone alive today as 'affluent'. But this highlights the difference between our moral perspective and the broken world.

²⁶ We could reply that, having never experienced favourable conditions, future people cannot appreciate what they have lost, and therefore they should defer to *our*

judgement about the importance of those conditions. But they will counter that our refusal to imagine life *without* favourable conditions means that *we* cannot appreciate the importance of *bearable* conditions.

²⁷ See, e.g., Samuel Scheffler, *The Rejection of Consequentialism* (Oxford: Oxford University Press, revised edition, 1994); Tim Mulgan, *The Demands of Consequentialism* (Oxford: Oxford University Press, 2001), chapter 6.

²⁸ Prominent extremists, in this sense, include Shelly Kagan, Peter Singer, and Peter Unger.

²⁹ See, e.g., Peter Singer, *Practical Ethics* (Cambridge: Cambridge University Press, third edition, 2011), chapter 9.

³⁰ Without these distinctions, moderate morality has very counter-intuitive consequences. Mulgan, *The Demands of Consequentialism*, chapter 6.

³¹ These two conditions are individually necessary for a moderate agent-centred prerogative to come into play. They are not (jointly) sufficient to *justify* the agent under that prerogative. Even if the innocence and ownership conditions are met, the agent must still weigh her own interests against the impersonal good. Her agent-centred prerogative only allows her to give her own interests *disproportionate* weight, not to ignore the impersonal good altogether.

³² See, e.g., Thomas Pogge, *World Poverty and Human Rights* (Polity, 2007).

³³ Walter Sinnott-Armstrong, 'It's Not My Fault: Global Warming and Individual Moral Obligation', in W. Sinnott-Armstrong and R. B. Howarth (eds.), *Perspectives on Climate Change: Science, Economics, Politics, Ethics*, (Elsevier, 2005), pp. 285-307.

³⁴ Parfit, *Reasons and Persons*, chapter 3.

³⁵ Similarly, we often think of *past* misdeeds in collective terms. Germans from the 1930s and Southerners from the 1850s are, respectively, 'people who facilitated the Nazis' and 'people who perpetuated slavery'. Is this how future people will see us?

³⁶ Brad Hooker, *Ideal Code, Real World: A Rule-Consequentialist Theory of Morality* (Oxford: Oxford University Press, 2000).

³⁷ Contemporary debate climate change also invokes collective property claims, where the present generation collectively own the earth's resources, and particular nations own 'their national resources'. Both claims are controversial today. I argue

elsewhere that they become untenable in the transition to a broken world. Mulgan, *Ethics for a broken world*, chapter 5.

³⁸Henry Shue, 'Subsistence emission and luxury emissions', *Law and Policy*, 15 (1993): 39-59.

³⁹ My discussion of human rights is indebted to Jesse Tomalty, 'Human Rights and the Broken World', *Philosophy and Public Issues (New Series)*, 4 (2014): 47-57.

⁴⁰ The Choice highlights other conflicts between future people and less fortunate present people. For instance, Conservation will divert resources from medical research to climate change projects, and thus may prevent some (otherwise attainable) medical advances.

⁴¹ For further discussion of flexible lotteries and the possible emergence of just hierarchical societies in a broken world, see Mulgan, *Ethics for a broken world*, chapter 15.

⁴² An earlier version of this paper was delivered at a workshop on Responsibility and Climate Change, held at the Centre for Applied Philosophy and Public Ethics at Charles Sturt University, Canberra in September 2014. I am grateful to Suzanne Uniacke for the invitation to attend the workshop, and to Mary Walker for organising my trip to Canberra. For comments on previous drafts, I am grateful to Melissa Lane, Suzanne Uniacke, the participants at the Canberra workshop, and two anonymous referees.