

# Have You Benefitted from Carbon Emissions? You May Be a “Morally Objectionable Free Rider”

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Much of the climate ethics discussion centers on considerations of compensatory justice and historical accountability. However, little attention is given to supporting and defending the Beneficiary Pays Principle as a guide for policymaking. This principle states that those who have benefitted from an instance of harm have an obligation to compensate those who have been harmed. Thus, this principle implies that those benefitted by industrialization and carbon emission owe compensation to those who have been harmed by climate change. Beneficiary Pays is commonly juxtaposed with Polluter Pays Principle and the Ability to Pay Principle in the relevant literature. Beneficiary Pays withstands objections that raise suspicion for the latter two.

## INTRODUCTION

We know that modern industrialized countries have benefitted immensely from technological advances (e.g., cars) and that these advances are central sources of pollution and carbon emissions in the world. We also know that pollution and carbon emissions risk significant harm to others, especially to those in the developing world, due to their likely effects on climate change. These background facts generate a central ethical question: do we, who benefit from the technological sources of pollution and carbon emissions, have any individual moral obligations to prevent, mitigate, or compensate for their harmful effects? Many have offered normative principles to guide us in this situation. One prominent principle has been offered by Eric Neumeyer and Henry Shue, which they call the *Beneficiary Pays Principle* (*Beneficiary Pays*). This principle is a general principle of justice, that, if applied in the context of climate change, holds relevantly affluent nations accountable for the harm resulting from climate change.<sup>1</sup> In this paper, I develop, support, and defend *Beneficiary Pays*. I articulate and support an interpretation of the principle with the intent to show that it has application to the climate change debate.

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<sup>1</sup> Henry Shue, “Global Environment and International Inequality,” *International Affairs* 79 (1999): 531–45, and Eric Neumayer, “In Defence of Historical Accountability for Greenhouse Emissions,” *Ecological Economics* 33 (2000): 185–92. See also Axel Gosseries, “Historical Emissions and Free Riding,” *Ethical Perspectives* 11 (2004): 37–60.

## CLARIFYING THE BENEFICIARY PAYS PRINCIPLE

Let us first get clear on *Beneficiary Pays* by considering several interpretations of the principle. Daniel Butt offers an initial characterization of the principle (that I will subsequently tweak): “Agents can come to possess obligations to lessen or rectify the effects of wrongdoing perpetrated by other agents though benefitting, involuntarily, from the wrongdoing in question.”<sup>2</sup> Such a principle would imply that citizens of industrialized nations who involuntarily benefit from the sources of carbon emissions can acquire *prima facie* obligations to lessen or rectify their harmful effects. Defining the content of this *prima facie* obligation is a vexing interpretive issue in the relevant literature. Do the benefitting individuals in industrialized countries have an obligation to provide reparations for those harmed by climate change,<sup>3</sup> to help those harmed to adjust to climate change (e.g., by providing mitigation technology), or to forsake some emission rights so that developing nations can have more emission rights?<sup>4</sup> Each of these actions is referred to as “compensation” in the literature.<sup>5</sup> For the purposes of developing the Beneficiary Pays as a general principle, let the term *compensation* refer to any of these actions.

Consider how *Beneficiary Pays* would be more finely specified. First, what is the relation between the relevant harm and benefit, which generates the *prima facie* obligation? On one interpretation, the relation could be random such that if an agent benefits from an event and another agent is harmed by that same event, then the former owes compensation to the latter.<sup>6</sup> However, this interpretation would have implausible implications. For example, suppose I am in the construction business and a vicious hurricane destroys most of my coastal city. Because of the hurricane, my business and I benefit greatly. On the present interpretation of *Beneficiary Pays*, I would thus be obligated to compensate those who were harmed by the hurricane simply because I benefit from the extra business. But that is implausible, since it seems as though we have right to random, unearned gains. So the relation between the relevant harm and compensation obligations cannot be random.

On another interpretation of *Beneficiary Pays*, what generates my *prima facie* obligation to compensate others is the fact that the action that benefits me and harms them is morally wrong. But Lukas Meyer and Dominic Roser highlight a problem with this interpretation of the *Beneficiary Pays*: emitting “is not something that is

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<sup>2</sup> Daniel Butt, “‘A Doctrine Quite New and Altogether Untenable’: Defending the Beneficiary Pays Principle” *Journal of Applied Philosophy* 31 (2014): 336.

<sup>3</sup> See Simon Caney, “Cosmopolitan Justice, Responsibility and Global Climate Change,” in *Climate Ethics: Essential Readings*, ed. Stephen M. Gardiner, Simon Caney, Dale Jamieson, and Henry Shue (New York: Oxford University Press, 2010), pp. 122–45.

<sup>4</sup> See Neumayer, “In Defense of Historical Accountability,” p. 188.

<sup>5</sup> See Caney, “Cosmopolitan Justice,” in Gardiner et al., *Climate Ethics: Essential Readings*, p. 126, and Neumayer, “In Defense of Historical Accountability,” p. 186.

<sup>6</sup> See Robert Huseby, “Should the Beneficiaries Pay?” *Politics, Philosophy, and Economics* 14 (2013): 210.

wrong *per se* such as genocide or slavery, but rather is only wrongful when done excessively.”<sup>7</sup> This interpretation of *Beneficiary Pays* would apparently neutralize its implications for climate change because one would have to show that all (or most) instances of carbon emissions (e.g. driving one’s car) are excessive and thus morally wrong. A compelling argument is not clearly forthcoming. However, in my view, we do not need such an argument anyway because there is a more plausible interpretation of *Beneficiary Pays* which holds that actions can generate the obligation to compensate even if the actions are not morally wrong. This is the interpretation of *Beneficiary Pays* I want to focus upon.

Interpreting *Beneficiary Pays* to dispense *prima facie* obligations to compensate from actions generally raises a potential objection. Suppose Sam and I are members of different political parties, and we assist opposing political candidates in an election. I help my candidate win over Sam’s candidate. On this interpretation of *Beneficiary Pays*, my candidate and I may owe compensation to Sam and his candidate, if my candidate and I are benefitted and Sam and his candidate are harmed. But I don’t owe Sam compensation, so this interpretation of *Beneficiary Pays* is too strong.<sup>8</sup> However, Sam and I have both consented to assist our political candidates, knowing that one of us would win and the other would lose. Therefore, on my interpretation of *Beneficiary Pays*, the *prima facie* obligations to compensate must only come from nonconsensual actions and not from consensual activities such as an election.

In modern industrialized societies, we benefit by the fact that our societies happened to go through the process of industrialization. We enjoy higher standards of living, better healthcare, more effective transportation, and so on. Our acquisition of these goods is not wrong in itself but is rather the byproduct of the ongoing process of industrialization. However, once we become cognitively aware of the fact that industrialization and its carbon emissions result in significant harm to innocent parties, especially to vulnerable people in the developing world, then it seems that we who have benefitted from industrialization morally ought to compensate in some way for its harmful effects. Someone might object that people in the developing world *also* benefit from industrialization and that people in the developed world *also* face likely harmful effects due to climate change. And this view is right to an extent. For example, one might easily conceive of citizens of industrialized countries harmed by rising temperatures (due to climate change) and conceive of, say, some aid given by developed countries to underdeveloped countries. Assuming this aid is the product of carbon emissions, it is clear that the underdeveloped country has (slightly) benefitted from carbon emissions. But there is a notably *disproportionate impact*: that is, industrialized societies receive the

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<sup>7</sup> Lukas Meyer and Dominic Roser, “Climate Justice and Historical Emissions,” *Critical Review of International Social and Political Philosophy* 13 (2010): 230.

<sup>8</sup> Thanks to John Nolt for this objection.

lion's share of benefits while the developing world receives the lion's share of the harmful effects.<sup>9</sup> That disproportionate impact helps to generate the *prima facie* obligation of compensation.

On the basis of the foregoing analysis, let me now characterize what I see as the most plausible interpretation of *Beneficiary Pays*:

*Beneficiary Pays Principle*: if an agent benefits (even involuntarily) from nonconsensual actions that harm (or risk harm to) another agent, then the former agent has a *prima facie* duty to compensate the latter agent.

This interpretation of *Beneficiary Pays* avoids problems with the other interpretations and has application to the climate change debate at issue. Next, I will motivate the principle.

### SUPPORTING THE BENEFICIARY PAYS PRINCIPLE

I here motivate and support *Beneficiary Pays*. First, I motivate *Beneficiary Pays* by considering the weaknesses of two of its competitor principles in the climate justice debate, namely, *Polluter Pays Principle* (*Polluter Pays*) and *Ability to Pay Principle* (*Ability to Pay*). These three principles dominate the ethical discussions of compensation for climate change. I argue that *Beneficiary Pays*' competitors face major problems but that they can avoid these problems. (Later I answer objections to *Beneficiary Pays* itself.)

According to *Polluter Pays*, or "You Broke It, Now You Fix It" Principle,<sup>10</sup> on the one hand, *only* those who have polluted are obligated to compensate those suffering from the harmful effects of pollution. One has compensatory obligations only if one has causal connection to the fault in question, in this case carbon emission.

According to *Ability to Pay*, on the other hand, the burdens of compensation should be shouldered by those with the greatest ability to respond to the problem.<sup>11</sup> Those with the greatest ability have the most wealth and are therefore obligated to compensate more than those who have less wealth. But how ought we understand ability? *Ability* is "similar to the idea of a 'disposable income,'" which allows for a "budget for necessities."<sup>12</sup> Thus, the richer one is, the more one is obligated to compensate. Generally, in the literature, *Ability to Pay* is construed as a no-fault principle, meaning that it does not depend upon identifying the individuals or nations who

<sup>9</sup> Ramon Das, "Has Industrialization Benefitted No One? Climate Change and the Non-Identity Problem," *Ethical Theory Moral Practice* 17 (2014): 749.

<sup>10</sup> Peter Singer, "One Atmosphere," in Gardiner et al., *Climate Ethics: Essential Readings*, p. 187.

<sup>11</sup> Das, "Has Industrialization Benefitted?" p. 749.

<sup>12</sup> Paul Bauer, "Greenhouse Development Rights: A Proposal for a Fair Global Climate Treaty," *Ethics, Place and Environment* 12 (2009): 270.

have emitted the most. This distinguishes it from both *Polluter Pays* and *Beneficiary Pays*, which both seek to blame the relevant causers of climate change.

Just as there are different interpretations of the *Beneficiary Pays*, there are various ways that *Polluter Pays* and *Ability to Pay* could be fleshed out. To assess all of these interpretations lies beyond the scope of this paper. Instead, I develop some objections that apply to the most plausible interpretations of *Polluter Pays Principle* and *Ability to Pay Principle*.

Consider some objections to *Polluter Pays Principle*. First, it *prima facie* requires those living in poverty to compensate for their contribution to climate change.<sup>13</sup> Assuming that impoverished people pollute even slightly, they too bear the relevant *prima facie* obligation in virtue of being polluters. *Polluter Pays* gets the wrong result here and is not an adequate action guiding principle in our context. These individuals would not have the *prima facie* obligation to compensate on *Beneficiary Pays*, since they have not (significantly) benefitted from industrialism. Next, it seems as though some very wealthy person who has no emissions has a *prima facie* obligation to compensate. Simply in virtue of living with excessive wealth, some *prima facie* compensation obligation seems to exist (perhaps in virtue of his *ability* to prevent climate induced harm). But not on *Polluter Pays*. Because this person was not an individual emitter, they cannot have an obligation on *Polluter Pays*, since the principle states that only emitters have compensatory obligations. However, on *Beneficiary Pays*, this individual may have a *prima facie* obligation to compensate because their wealth is likely to have come from a “legacy of industrialism.”<sup>14</sup> That is, this person’s wealth is the product of an economy heavily built upon carbon emission and industrialization, which may warrant the *prima facie* compensatory obligation on *Beneficiary Pays*.

Consider another case against *Polluter Pays*. Suppose I am the wealthy heir of a slave owner in the Antebellum South. Just before my relative dies, he frees all his slaves. Thus, when I inherit the plantation shortly after, I have no slaves. However, I also know that the freed slaves are living in severe poverty. It strongly seems that I have a *prima facie* obligation to compensate these former slaves, even though I was never a slave owner.<sup>15</sup> Given that *Polluter Pays* states that only those guilty of some harm obtain the *prima facie* obligation, it cannot account for the intuitive obligation in this case since I have never been a slave owner myself. However, *Beneficiary Pays* can account for this obligation. I become the beneficiary of slavery (i.e., harm) when I inherit the estate and consequently obtain a significant benefit that was brought about by brutality. Because of my inheritance *Beneficiary Pays* dispenses a *prima facie* compensatory obligation to those who have been harmed.

Now consider an objection to *Ability to Pay*. This principle only considers the

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<sup>13</sup> See Caney, “Cosmopolitan Justice,” in Gardiner et al., *Climate Ethics: Essential Readings*, for a more detailed outline of this criticism.

<sup>14</sup> Das, “Has Industrialization Benefitted?” p. 750

<sup>15</sup> Thanks to Matthew Braddock and Christopher M. Brown for helping me develop this objection.

current financial status of those obligated to pay and does not necessarily seek to understand how they acquired their wealth. Darrell Mollendorf notes that responsibility for compensation ought to be based “in proportion to an agent’s capacity [to compensate],” rather than the historical context of this agent’s emission.<sup>16</sup> Henry Shue observes that the principle states that those who have the most ought to pay the most, “but this is not because they have done wrong in acquiring what they own, even if they have in fact done wrong.”<sup>17</sup> Simon Caney’s account of *Ability to Pay* is similar to Shue’s and Mollendorf’s: “It is true that [those with the greatest ability to pay] may not have caused the problem, but this does not mean that they have no duty to help solve this problem.”<sup>18</sup> Thus, it seems that if some individual is well off financially, then that person owes some form of compensation, regardless of their individual contribution. But these accounts of *Ability to Pay* do not correctly capture the grounds or the “why” of the *prima facie* obligation. If some well-off individual in an industrialized society owes compensation to prevent or mitigate the harms of carbon emissions, it is not *in virtue of benefitting* from such industrialization. In most cases, industrialization is a major part of the reason why those who can pay have the resources available, that is their ability to compensate depends upon industrialization.<sup>19</sup> This is a morally salient feature of the situation and is captured by *Beneficiary Pays* but not by *Ability to Pay*, since it only highlights a person’s present wealth rather than how he or she acquired his or her wealth. Because *Beneficiary Pays* considers that much of the present wealth enjoyed by developed nations stems from industrialism, *Beneficiary Pays* captures the grounds of the *prima facie* obligation better than many accounts of *Ability to Pay* in the literature.

Consider Ramon Das’s contention: “We find that [*Ability to Pay*] is unable to account for the plausible backward-looking idea that how persons came to have their respective abilities to combat harmful climate change is morally significant.”<sup>20</sup> But does this analysis hold up against a historically informed conception of *Ability to Pay*? Let us entertain an account of *Ability to Pay* that takes into account the historical context of carbon emissions.

Let us look at a nuanced account of *Ability to Pay* from Henry Shue. He thinks that even though *Ability to Pay* does not consider the fault of those obligated to pay, *Ability to Pay* is nonetheless is a historic principle (i.e., it takes into account the harm done in the past). He writes:

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<sup>16</sup> Darrell Mollendorf, “Climate Change and Global Justice,” *Wiley Interdisciplinary Reviews* 3 (2012): 136.

<sup>17</sup> Henry Shue, “Subsistence Emissions and Luxury Emissions,” in Gardiner et al., *Climate Ethics: Essential Readings*, p. 209.

<sup>18</sup> Caney, “Cosmopolitan Justice,” in Gardiner et al., *Climate Ethics: Essential Readings*, p. 126.

<sup>19</sup> Das, “Has Industrialism Benefitted?” p. 749.

<sup>20</sup> *Ibid.*

Payment according to ability to pay does not call for an inquiry into the origins of the problem, but neither is it “ahistorical” or “acausal.” A historical analysis or view about the dynamics of political economy might be a rationale for an ability to pay principle, so it would be seriously misleading to label this principle “ahistorical” or “acausal” just because it does not depend upon identifying the villain, that is, a sense of who produced the problem<sup>21</sup>

Shue points out that the history of carbon emissions might (likely) be the very reason for implementing *Ability to Pay* in the first place, and so the principle is not excluded from a causal or historical context. On this account, one might think that *Ability to Pay* can capture the grounds of the *prima facie* compensation obligation. I have two observations about Shue’s account. First, it seems to me that there is no significant difference between this account of *Ability to Pay* and *Beneficiary Pays*. On *Ability to Pay* those who have more ought to pay more, and on Shue’s account one implements *Ability to Pay* because one recognizes a history of carbon emissions and climate change induced harm. However, one can easily frame this characteristic of Shue’s *Ability to Pay* in terms of benefit: those who have benefitted the most (or gained the most wealth) from the causal context of carbon emissions ought to compensate the most. Thus, it appears that Shue’s account of *Ability to Pay* has striking resemblance to *Beneficiary Pays*. Given their apparent similarity, I think *Beneficiary Pays* is superior because it has a historical context built into it; that is, it does not depend upon this historical context externally, as this account of *Ability to Pay* does. This point leads me to my second observation, which is the weakness of the historical context of Shue’s account. He writes that understanding the historical context of carbon emissions “might be a rationale for an ability to pay principle.” This is significantly weaker than, say, polluter pays or beneficiary pays. These accounts give more than a reason for compensation; they warrant compensation. Since these principles are built upon historical context, they more vividly capture the grounds of the *prima facie* obligation, more so than Shue’s construal of *Ability to Pay*.

Let us motivate and support *Beneficiary Pays* independently. The intuition behind *Beneficiary Pays* is that it is wrong to benefit from or take advantage of those who have been harmed, either by wrongdoing or by morally permissible actions (e.g., carbon emissions). Thomas Pogge articulates the thought: “We should not take advantage of injustice at the expense of its victims.”<sup>22</sup> Consider again the inheritance case: given *Beneficiary Pays*, I have the compensation obligation because I have benefitted from the slaves’ harm. Suppose further that this inheritance is given to me involuntarily. We can stipulate that I have actively resisted being put

<sup>21</sup> Shue, “Subsistence Emissions,” in Gardiner et al., *Climate Ethics: Essential Readings*, p. 209.

<sup>22</sup> Thomas Pogge, “Assisting the Global Poor,” *Proceedings of the Twenty-First World Congress of Philosophy* 13 (2007): 199.



in the will. But the relative still puts me in his or her will against my wishes. When I receive the plantation, it still seems as though I have a *prima facie* obligation to compensate the previous slaves.

Let us look at another case that supports *prima facie* compensation obligation from an involuntary benefit. Daniel Butt offers an insightful case in this connection.<sup>23</sup> Although I give some reasons at the end of the case for thinking that D ought to compensate, let me point out that this case is intended to appeal to the reader's intuitions. Now, consider the case: suppose there are four individuals living on an island, A, B, C, and D. They experience almost no interaction with one another, so each one must grow his or her own crops. In order to survive the year, each person must produce a minimum of 200 kilos of crops. Underneath the island is an underground river that provides all the residents of the island the same benefit to their crops. A is a rather industrious worker as this person produces 700 kilos every year. B, C, and D are sluggish, and they merely produce the necessary 200 kilos. One day B, a questionable character, intentionally diverts the underground river away from C's land and (B thinks) toward B's own land. Come harvest time, B finds that B actually diverted water to D's land and not B's own. To D's surprise, D yields 400 kilos of crop. Thus, B and C are left destitute, while A yields the usual 700 kilos. Out of regret, B commits suicide and so cannot compensate for B's malevolent decision. Now C will die too unless C receives the necessary 200 kilos. The question is: who should assist C? It strongly seems that D, the beneficiary of B's unjust action, ought to compensate C. Moreover, it is significant to note that D's benefit directly comes from the privation of C's well-being, which is an additional reason to think D ought to compensate C. This is not incompatible with D compensating C in some form with A's assistance.

One objection to this case is that it does not motivate *Beneficiary Pays* as I have formulated it earlier in the paper. On my formulation, *Beneficiary Pays* does not require that an agent's action be unjust or morally wrong in order to generate a duty to compensate. (Recall my contention that *Beneficiary Pays* should not require wrongdoing because it would be hard to show that all or most instances of carbon emissions are morally wrong.) However, Butt's case consists exactly of an unjust or wrong action. So the argument could be made that it is only unjust or wrong actions that generate an obligation to compensate, and hence that most instances of carbon emissions do not generate an obligation to compensate because they are not morally wrong. To respond to this objection, we can modify Butt's case. Suppose B *accidentally* diverts the underground river away from C's land and (B thinks) toward B's land. Here there is no wrongdoing. Now who should compensate C, if B is unable to compensate? It *still* seems that D, the beneficiary of B's permissible action, ought to pay C, rather than A who worked hard because D is still benefitted by C's harm.

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<sup>23</sup> Daniel Butt, "On Benefitting from Injustice," *Canadian Journal of Philosophy* 37 (2007): 132.



In this section, I have attempted to show two things. First, I argued that *Beneficiary Pays* has advantages over its primary competitors in the literature: *Polluter Pays* and *Ability to Pay*. Second, I gave some cases that intend to show the validity of the principle. In the next section, I answer some objections from the literature and some original objections.

## OBJECTIONS AND REPLIES

### OBJECTION 1:

Lukas Meyer and Dominic Roser entertain an intuitively plausible objection to the *Beneficiary Pays*: those who have benefitted from past things that have produced carbon emissions have had no choice in whether they are benefitted or not. Beneficiaries from sources of carbon emissions “should not be made responsible for the acts of their ancestors and should not be put at a disadvantage simply because the people inhabiting their country before them emitted too much.”<sup>24</sup> Hence, we cannot hold them responsible to compensate.

### REPLY 1:

Neumayer suggests that developed countries have readily accepted those goods, a reason to think that present persons have had some choice in whether or not they have benefitted. He writes: “The fundamental counter-argument against not being held accountable for emissions undertaken by past generations is that the current developed countries readily accept the benefits from past emissions in the form of their high standard of living and should therefore not be exempted from being held accountable for the detrimental side-effects with which their living standards were achieved.”<sup>25</sup> Neumayer’s contention seems accurate. Because persons in first world countries have accepted various goods produced by climate change, they are in some sense responsible for those who are harmed by the effects of what in the past has produced of their benefits.

### OBJECTION 2:

Simon Caney raises an objection inspired by the Non-Identity Problem.<sup>26</sup> He argues that *Beneficiary Pays* fails because the people whom we hold accountable and those who are supposedly harmed would not have existed if it were not for the benefits of past emissions. Ramon Das elaborates on the Non-Identity Problem relative to *Beneficiary Pays*: “The problem is that the purported beneficiary of . . .

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<sup>24</sup> Lucas H. Meyer and Dominic Roser, “Climate Justice and Historical Emissions,” *Review of International Social and Political Philosophy* 13, no. 1 (2010): 233–34.

<sup>25</sup> Neumayer, “In Defense of Historical Accountability,” p. 188.

<sup>26</sup> Caney, “Cosmopolitan Justice,” in Gardiner et al., *Climate Ethics: Essential Readings*, p. 128.

industrialization would not have existed had industrialization never happened.”<sup>27</sup> Caney argues this way because, supposedly, climate change from past emissions neither benefits nor harms present people. He writes: “In the same way that using up resources did not *harm* future people, so industrialization does not make an *improvement* to the standard of living of currently existing people.”<sup>28</sup> Because present people “would not have been born were it not for the factory construction” of the past, present persons (and future persons) “cannot say that they were made worse off or harmed by the policy.”<sup>29</sup> Therefore, even though these depleting policies are “bad,” we cannot say that anyone in the present or the future is really worse off. Since no present people are harmed or benefitted from past emissions, there is no reason to hold present persons responsible for emissions from previous generations, and thus there is no need for *Beneficiary Pays* or historical accountability.

#### REPLY 2:

I argue that Caney’s notion of harm is unsound in thinking about *Beneficiary Pays*. Caney’s argument assumes a counterfactual comparative notion of harm. Consider John Nolt’s definition of this notion of *harm*: a person is “harmed by an action or policy if it makes them worse off than they would have been otherwise.”<sup>30</sup> The counterfactual comparative notion of harm is subject to a powerful counterexample. For example, think of a woman at the airport. On her way to her gate a drunk driver hits her and breaks her leg. However, she comes to find out later that her flight ended up crashing, killing all people on board. On the counterfactual comparative notion of harm, she is not harmed because the drunk driver did not make her worse off *overall*. But obviously, the drunk driver harmed the woman, so we have reason to think there is a problem with the counterfactual comparative notion of harm.

Since we have seen a potential shortcoming of Caney’s account of harm, consider a consequentialist inspired account: a person is “harmed . . . by an action or policy only if at least one of its consequences makes them worse off than [that person] would have been had that consequence not occurred.”<sup>31</sup> Given this notion of harm, we can account for benefits in a parallel way. A further implication of this consequentialist-inspired notion is that an action can simultaneously harm and benefit a person, a feature that Caney’s notion lacked. On this account, Caney cannot argue that carbon emissions from past generations do not harm or benefit present persons, since at least one consequence of those past emissions has made some

<sup>27</sup> Das, “Has Industrialization Benefitted?” p. 750.

<sup>28</sup> Caney, “Cosmopolitan Justice,” in Gardiner et al., *Climate Ethics: Essential Readings*, p. 128.

<sup>29</sup> Ibid.

<sup>30</sup> John Nolt, “Long-Term Climate Justice,” in *Climate Justice: Integrating Economics and Philosophy*, ed. Henry Shue and Ravi Kanbur (Oxford: Oxford University Press, 2019), pp. 233–34.

<sup>31</sup> Ibid., p. 5.

people better off and some people worse off. Thus, Caney's key premise, that no one is either harmed or benefitted from the effects of past emissions, is false, and so his argument is unsound.

Now let me field a potential objection to this consequentialist-inspired account of harm relative to *Beneficiary Pays*: since on this account benefits and harms can occur simultaneously, it is a valid possibility that climate change harms and benefits *all* people. Consider a case: philanthropists introduce new water purification technology to rural villages in Liberia, thereby benefitting these people; this would not have happened if it were not for industrialization and carbon emissions. Simultaneously, a wealthy man living in California has a heat stroke from the rising temperatures due to climate change. It seems that the impoverished people who are supposedly harmed from industrialization and carbon emissions are benefitted and a wealthy person who has supposedly benefitted from them is harmed. Assuming that this philanthropy is a product of carbon emissions, on *Beneficiary Pays* the villagers from Liberia have an obligation to compensate the man from California, since they are technically beneficiaries. This is an absurd implication of the consequentialist-inspired notion of harm relative to *Beneficiary Pays*. In response to this objection, it seems to me that we could adjust the *Beneficiary Pays* to claim that those who have received more benefits than harms from industrialization owe compensation to those who experienced more harms. An account such as this one, it seems, would resist the above objection; however, developing this account is beyond the scope of this paper.

### OBJECTION 3:

The next objection I address is also from Simon Caney.<sup>32</sup> His objection deals with the problem of dead beneficiaries. According to Caney, the debt of dead beneficiaries should not be moved onto other living beneficiaries. Caney builds on the assumption that on *Beneficiary Pays* beneficiaries must pay their own share; that is, the duty-bearer (the beneficiary) need only compensate the rights-bearer (the one harmed) an amount that is equal to the benefit. With this in mind consider Caney's objection: "Suppose ten people receive a benefit and that the production of that benefit costs  $x$  units. In this situation, we would think that the recipients owe a certain amount—namely  $x/10$  each."<sup>33</sup> (By "cost  $x$  units," I take Caney to mean the quantity of harm done to the rights-bearer.) Suppose that seven of the ten beneficiaries die, leaving only three. What of the seven dead beneficiaries' debt? Caney writes: "It does not straightforwardly follow that the remaining three beneficiaries should pick up the bill for everyone."<sup>34</sup> Thus, Caney notes that it would

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<sup>32</sup> Simon Caney, "Environmental Degradation, Reparations, and the Moral Significance of History," *Journal of Social Philosophy* 37 (2006): 472.

<sup>33</sup> Ibid., p. 473.

<sup>34</sup> Ibid.

be unfair to put the whole bill upon the remaining three individuals because “the aim of [*Beneficiary Pays*] is to ensure that each of the beneficiaries pays for their benefits—not that *some* beneficiaries pay for *everyone’s* benefits.”<sup>35</sup> If this view is right, then one cannot expect the current generation to compensate the *entire* bill for certain older technologies (e.g., electricity, fossil fuels, etc.) that contributed to the harms. This is because beneficiaries of these technologies (which caused harm) have died. Caney writes: “The desirable consequences” of carbon emissions and industrialization “have been enjoyed not simply by those currently alive, but also by members of earlier generations.”<sup>36</sup> Caney concludes that it would be unfair to “require *current* beneficiaries to pay for *all* the benefits generated by the activities which cause global climate change.”<sup>37</sup>

### REPLY 3:

Even if we grant Caney’s objection and grant that compensation from dead benefactors ought not be moved onto living benefactors, we see that living benefactors are still obligated to pay their own share. Robert Huseby illustrates this point: “If both A and B owe money to C, A’s debt does not disappear just because B, for some reason, fails to honour his.”<sup>38</sup> Thus, in a beneficiary situation, one benefactor is not off the hook simply because other benefactors for some reason cannot reimburse the rights-bearer. So, even if it is unfair to “require current beneficiaries to pay for *all* of the benefits generated by the activities which cause global climate change,”<sup>39</sup> it does not follow that current beneficiaries pay *nothing*. In fact, it seems that they would still pay a significant portion, even if it is not the entire bill. However, as I see it, a revised version of this objection would be much more powerful. Let me state it and assess it.

### OBJECTION 3.5:

Consider a revision to Caney’s objection in light of this response. Think of technologies that were invented many generations ago, for example, fossil fuel power engines. Assuming that engines have contributed to carbon emissions and thus to harm, beneficiaries must compensate those who have been harmed. Now, as this technology was invented in the fairly distant past, many beneficiaries have died, and many new beneficiaries have been born. Note that with every new beneficiary, the bill is again divided among the living beneficiaries. So in Caney’s example there are ten beneficiaries, and three are living. If a new beneficiary is born, then

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<sup>35</sup> Ibid.

<sup>36</sup> Ibid.

<sup>37</sup> Ibid.

<sup>38</sup> Robert Huseby, “Should the Beneficiaries Pay?” *Politics, Philosophy, and Economics* 14, no. 2 (2013): 213.

<sup>39</sup> Caney, “Environmental Degradation,” p. 473.

the amount owed for compensation changes from  $x/10$  to  $x/11$ . Thus, the amount owed by each person is slightly reduced. So, the amount owed for the harms caused by engines goes down every time some new person (who benefits from engines) is born. Well, after so many new beneficiaries between the invention of fossil fuel powered engines and the present, the divided amount owed among living beneficiaries become so minuscule that paying what is owed by living beneficiaries will no longer be a significant benefit to those rights-bearers.

REPLY 3.5:

This revised objection (and Caney's objection) falsely assume that the compensation value is static, that is, the amount of harm caused by the use of fossil fuel powered engines does not increase. However, it is obvious that the amount of harm increases over time, thereby raising the amount owed from the duty-bearers or at least keeping the debt of the duty-bearers from becoming minuscule.

Let us continue to think about the case of fossil fuel-powered engines. Yes, many people who have died have benefitted significantly from engines, and we can grant for the sake of argument that compensation value goes down when new beneficiaries are born; however, the total compensation amount owed will increase through time, depending on the technology. Think of engines: it is not that this technology has caused  $X$  amount of damage in the past and now beneficiaries must compensate for that amount. Rather, new emissions occur every day from the production and use of engines, and so that means that the compensation amount increases as well. Furthermore, the majority of the victims of climate change have yet to be born, and so climate harms will continue to accumulate for generations to come. Thus, as more beneficiaries are born, the amount of harm (caused by engine usage) will increase, too. Therefore, it is less likely that the bill owed from each duty-bearer will become so miniscule so as to not matter.

OBJECTION 4:

Henry Shue offers yet another objection against *Beneficiary Pays*. Advocates for industrialized nations, he says, argue that poor nations have benefitted from the affluence of rich nations. Shue writes: "It is maintained . . . that medicines and technologies made possible by the lifestyles of the rich countries have also reached the poor counties, bringing benefits that the poor countries could not have produced."<sup>40</sup> These benefits improve the standard of living in poor nations, such that it is better than it otherwise would have been had the industrialized nations not developed. Furthermore, the manufacturing of these benefits has likely

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<sup>40</sup> Henry Shue, "Global Environment and International Inequality," in Gardener et al., *Climate Ethics: Essential Readings*, p. 105.

contributed to climate change. Therefore, since the so-called rights-bearers have benefitted, it follows that on *Beneficiary Pays* industrialized nations do not have an obligation to compensate, since it is likely that those who are supposedly harmed in impoverished nations are, however, benefitted. Even if industrialization and the effects of emissions have harmed people in poor nations, the fact that they have benefitted from industrialization shows that at least on *Beneficiary Pays*, people in rich nations need not compensate.

#### REPLY 4:

Let us consider two replies to this objection. First, we could take Shue's route and argue that "poor countries have been charged for any benefit that they received by someone in the rich countries . . . except for a relative trickle of aid."<sup>41</sup> These costs on the poor nations have left them with "an enormous burden of debt."<sup>42</sup> Thus, because of the costs and crippling debt, the benefits shrink such that the beneficiaries of industrialized nations are still obligated to compensate. Another reply, similar enough to Shue's, involves arguing that there are much fewer benefits for poor nations from industrialization than there are for industrialized nations. Because there are not as many benefits from industrialization for the poor nations, the harms to poor nations far outweigh any benefits they have received by way of industrialization. Because industrialized nations have benefitted greatly at the expense of poor nations, they still have an obligation to compensate, even if poor nations, in danger of climate change harm, have benefitted slightly.

### CONCLUSION

The technological luxuries of the developed nations have significantly raised the standard of living across the world. From health care to transportation, industrialism has made the world a more convenient place to live. However, these conveniences have not come without a price. Because of industrialization and carbon emissions, developed nations have put underdeveloped and developing nations at risk, especially those closest to the equator. This risk warrants that developed nations help mitigate, provide reparations, forsake emission rights, etc. I have argued that my rendition of the *Beneficiary Pays Principle* best accounts for these *prima facie* compensatory obligations. To do so, I argued for its merit as a standalone principle and, moreover, that it withstands objections that many interpretations of the *Polluter Pays Principle* and the *Ability to Pay Principle* cannot handle. My hope is that this case for *Beneficiary Pays* contributes to the ongoing dialogue in the climate ethics literature, and that ultimately this dialogue will influence policy making.

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<sup>41</sup> Ibid, p. 104.

<sup>42</sup> Ibid.