

The empirical demandingness of alternative normative understandings of loss & damage

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Research field “Normative Theory: Climate justice and legitimate expectations”

Research question 1 | Cluster 1

Links to showcases Steininger 1, Schulev-Steindl 1, Kirchengast 1, Kirchengast 2, Maraun 1, Sass 1+2, Steiner 2

Background: Normative theorists and legal scholars have developed alternative accounts of how the costs of responding to climate change and unavoided or unavoidable climate damages ought to be distributed, especially when historical emissions and their consequences are taken into account. We can distinguish the following principles: emitter-pays-, beneficiary-pays- or ability-pays-principle, identifying different agents (individual persons or collectives, especially states) as the primary bearers of duties, namely owing to having caused the emissions, having benefited from emission-generating activities, or being in a position to pay for the costs of responding to climate change and climate damages. The principles can be understood to reflect both compensatory and distributive understandings of justice and have informed discussions of legal liability and the responsibilities of states.

Goal: The project aims to investigate, first, how empirically demanding alternative understandings are in terms of what empirical claims would need to be shown to be valid in order to come to determinate recommendations concerning compensatory duties and/or the distribution of costs of compensation, mitigation and adaptation. The project distinguishes between empirical presuppositions for claiming that (a) certain agents suffered or will suffer climate-change-damages and losses owing to excessive human emissions, which give rise to claims of compensation or redistribution, (b) certain agents are responsible for certain shares of the corresponding costs and of the total costs of responding to climate change in an adequate way (by means of mitigation, adaptation, and providing means of compensation for unavoided or unavoidable damages & losses). Secondly, the project aims at both measuring the empirical demandingness of alternative views and developing an understanding of whether and in what sense the differing empirical demandingness of normative views count as a criterion for assessing the plausibility of these views.

Methods and disciplinary background: This is a project in philosophy and normative theory. It employs the methods of normative analysis and wide reflective equilibrium. It reflects an understanding of ideal and non-ideal theorising and the connections between the two.

References:

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