

## Climate Change, Complicity & Compensation<sup>1</sup>

### §1. Introduction

A basic income is very good thing. If set high enough it could help realize each person's equal right to be free. But it requires funding. And that practical need raises significant ethical questions. How can we ethically fund a basic income? This article inserts itself between two judgements recently expressed in the basic income literature. The first concerns the funding for a basic income program. In response to the question of ethical funding, the editors of a forthcoming volume on the topic suggest we should fund basic income by taxing natural resource appropriation. They argue that this model provides a '*strong ethical footing for Basic Income*' and that '*taxing natural resources is at least as good, and probably far better than the case for taxing any other source of wealth.*'<sup>2</sup> That judgment is comparative. The taxing of natural resource appropriation is preferred to morally dubious expropriations of private property involved in taxing income, spending or wealth. If those kinds of taxation involve wrongful rights violations, then a basic income funded through taxation would be complicit with those infringements. In comparison, the natural resource alternative appears very plausible.

But doubt should emerge regarding a second judgement, viz.—those same editors' endorsement of the Alaskan Permanent Fund Dividend (PFD) as 'a model worthy of imitation by other states'.<sup>3</sup> That endorsement may appear to follow

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<sup>1</sup> This article was commissioned for the forthcoming volume: Widerquist and Howard 2011. The paper is indebted to discussions at the New Zealand Society for Legal and Social Philosophy, the 2010 Conference of the New Zealand Political Science Association, and the Centre for Applied Philosophy and Public Ethics, ANU. Contributions by Christian Barry and Karl Widerquist have been particularly helpful.

<sup>2</sup> Widerquist and Howard, 2011

<sup>3</sup> Ibid.

naturally from the first. After all, funding for the PFD comes from taxing natural resource appropriation. But the particular character of the PFD suggests a reason not to confuse the two judgements. This paper interposes itself with the following argument. The PFD makes participating recipients complicit with grave wrongdoing because of its connection to oil industry, a practice responsible for 150 000 deaths per annum.<sup>4</sup>

The complicity argument is familiar and my argument here is a specific example of a more general argument concerning actions that involve us in wrongful circumstances.<sup>5</sup> For example, well publicized campaigns tell consumers they risk complicity if they buy unethically sourced 'blood diamonds', 'unfair-trade' coffee and 'sweat-shop' clothing. Similarly, universities and other institutions confront demands to reject funding from unethical sources, like slavery or weapon manufactures. Often these campaigns suggest that consumers and institutions should desist as a way of pressuring suppliers to become more ethical. But this is not the whole of the argument. Wearing a blood diamond or a using a scholarship acquiring from the 'Gaddafi International Charity and Development Foundation' is morally objectionable because it makes one complicit in the original wrongdoing. That charge is identical to that confronting a basic income program funded through taxation violating private property rights (the original reason for preferring the natural resource alternative). And because a similar argument similar applies to the Alaskan model of the PFD there is reason to dispute model's comparative ethical superiority.

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<sup>4</sup> World Health Organization 2010. The webpage cites the report: McMichael et al. 2003.

<sup>5</sup> At points, the chapter draws on American jurisprudence of accomplice liability. The law treats accomplice liability as an offence in which the accomplice assists or encourages a principal offender. Accomplice liability is a 'secondary' offence parasitic on a principal offence. This chapter dispenses with that specific structure, relying on a broader, lay conception that attributes moral responsibility for jointly produced events.

Here is the argument in brief:

1. An unjustified grave rights violation is intrinsically wrong.
2. The current oil industry necessarily involves unjustified grave rights violations.
3. (From 1 & 2) The oil industry involves intrinsic wrongs.
4. The Alaskan PFD makes participating recipients complicit with the oil industry.
5. (From 3 & 4) The PFD makes participating recipients complicit with intrinsic wrongs.
6. Complicity with something that is wrong is itself wrongful.
7. (From 5 & 6) Participating receipt of the PFD is itself wrongful.

The argument is narrowly construed, but its implications go beyond Alaska. Advocates of similar models using West Virginia's coal or Oregon's natural gas will confront identical concerns; the argument is robust across a significant number of proposed funding options. In a world in which the real limits of natural resource exploitation are daily becoming clearer, there is reason to beware linking basic income theory to continued exploitation. That said, there may be versions of the Alaska model that do not have the ethical implications discussed here. This chapter motivates the argument against the Alaska model as it actually exists and then suggests a remedy. Along the way, I take up some potential criticisms. And it will be helpful to address a few at the outset.

The grave rights violations at issue are the annual deaths attributed to climate change by the World Health Organization.<sup>6</sup> But Alaskans are not *guilty* of those

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<sup>6</sup> It is very possible that other injuries provide similar bases for complicity. I bracket that possibility.

deaths. The charge of complicity is not equivalent to a charge of murder, it is a lesser evil. And this suggests a problem. Just as the above examples of blood diamonds and 'unfair trade' coffee indicate the argument's familiarity, they also raise a noteworthy concern. Wearing a pair of shoes made in a sweat shop certainly isn't virtuous, but it is not a mortal sin. The reader may suspect the argument uses casuistic reasoning to build an ethical mountain out of a moral mole hill.

Now some people think that wearing sweat shop clothing is 'tantamount to enslavement' (whatever that means). Those people would say that the fact that most of us rarely give our shopping a second thought simply shows how moral argument is ahead of conventional practice. But I won't rely on that (extreme) claim. The following argument need only show only that collecting a PFD is equivalent in veniality with wearing sweat shop clothing. That result is sufficient. The burden of my argument is to demonstrate that the Alaskan model is not an 'ethically clean' model for funding a basic income as an institution. The object of the argument is not individual action, but a societal institution. And it is not obvious the mere veniality of an individual action remains trivial at an institutional level. Consider an analogy with driving. Surely the moral implications of climate change are a reason not to drive. If you had a pollution-free option for equally efficient transport it would be the case that you ought to use it as opposed to your car. Driving is, just a little bit, wrongful. Further, that reason ought to figure prominently in the decisions of those responsible for our civic institutions. And there is evidence to support that claim; our political systems are slowly beginning to control greenhouse gas emissions and promote the use of greener transportation. Just as climate change arguments target individuals as members of civic institutions, my objection is similarly institutional, against the

'Alaskan model', not against the individual PFD recipient. But even if successful, my argument is not sufficient to dismiss the model entirely; indeed I will suggest a way by which it might be saved. But in the face of prima facie wrongdoing, its salvation will require promoters to engage in the messy business of justifying and negotiating trade-offs between evils.

Some final words of warning before we begin. The chapter relies on a substantial amount of unargued theory, including its conception of wrongfulness. The ethical framework is nonconsequentialist, but the chapter has little to say about what 'ultimately' makes something wrongful. Some readers may anticipate the complicity argument depends on principle that to benefit from a wrong is itself wrong. It does not. The beneficiary principle is unsound. There are cases in which benefits derived from wrongdoing are unproblematic. Instead, the argument relies on a theory of wrongful action, not wrongful benefit. Unfortunately, the discussion lacks a sophisticated theory of action. The distinction between actions and non-action is necessary to the argument but I discuss the nature of action only cursorily. Worse still, the argument switches between concepts of 'practice' and 'action', treating a 'practice' (such as an 'industry') as equivalent to an action. I think the equation sound as far as necessary for the argument, but unfortunately it is impossible to discuss this at length. Lastly, the argument encounters some dubious ethical phenomena, including 'joint actions', the 'reasonable foreseeable' and 'necessary conditions of practical maxims' and so on. These disreputables all make an appearance, but pursuing the questions they raise would take the chapter far beyond its remit.

## **§2. Facts about Alaskan oil**

The Alaskan economy floats on petroleum. Alaska's low population density and geographic isolation intensifies the significance of its oil industry. Oil revenues account for around 83% of the State budget. Approximately one in three Alaskan jobs depend (indirectly) on the industry.<sup>7</sup> Elsewhere, Goldsmith suggests that oil production is worth about \$50 000 per annum to every Alaskan family of four, although much of that wealth goes to the public works necessary to service a vast thinly populated area characterized by a severe climate.<sup>8</sup> Oil wealth has brought significant advantages to Alaska. Alaskans make comparatively good wages, pay no state taxes, and of course, they get an annual permanent fund dividend.

But in global terms, Alaska's oil industry is relatively minor both in terms of the petroleum industry and the larger problems of climate change. Dropping from a peak of about 738 million barrels in 1988, Alaskan production was about 250 million barrels in 2008.<sup>9</sup> That output was equivalent to 3.5% of total American consumption of 7.14 billion barrels. Moving beyond the American context, as a percent of global oil consumption (about 31.3 billion barrels), the Alaskan contribution is a tiny 0.79%. Anthropogenic climate change results, in part, from CO<sub>2</sub> emissions.<sup>10</sup> In 2008, humanity produced approximately 5833 million metric tons of CO<sub>2</sub> from fossil fuels. The United States contributed about 19% of that total. Americans are significant contributors. But the Alaskan oil industry is not. American petroleum consumption

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<sup>7</sup> Goldsmith 2008, p. 2. Only 5000 Alaskans work directly in the oil industry. Their activity plays no part in the argument.

<sup>8</sup> Cited in Simon 2010.

<sup>9</sup> US Energy Information Administration 2010.

<sup>10</sup> Other greenhouse gases include methane, nitrous oxide and chlorofluorocarbons.

contributed 2436 million metric tons or 42% of the American total. Working roughly,<sup>11</sup> at 250 million barrels per annum, Alaskan output equates to 85.26 million metric tons of CO<sub>2</sub>. In terms of global carbon emissions from fossil fuels, including emissions from coal and natural gas, Alaskan oil exploitation 'accounts' for a tiny 0.0027%.

### **§3. Wrongdoing**

There are a number of potential reasons why the Alaskan model might be problematic. An obvious first thought is that Alaskan oil is causing climate change. Although Alaskan oil is only a small part of humanity's global carbon production, every little bit 'counts'. But that argument appears insufficient against the following objection. Imagine that Alaska stopped producing oil tomorrow. Within a matter of days other sources of oil would replace the Alaskan contribution, both to the global energy economy and to the problems of climate change. Essentially, Alaskan production makes no difference to an overdetermined outcome. And if something makes no difference to an event, there is no good reason to think its moral character rests on its impact.<sup>12</sup> Disagreement with my rejection of the causal argument would strengthen my position. But this following argument does not rely on the apparently weak causation claim.

A second option for wrongfulness is that the PFD model creates disincentives to greening the economy. Imagine a polity in which every voter receives a monthly paycheque that depends on oil exploitation. It would be a foolhardy politician who stood in the way of maximizing the exploitative potential of oil. In that case, we might think the wrongness of the Alaskan model would be indirect, impeding the

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<sup>11</sup> I used the American figure of 19% of global CO<sub>2</sub> emissions to work out the Alaskan contribution. But Alaskan production might be more or less efficient than the global average. Such variation would change the numbers slightly without affecting the main point.

<sup>12</sup> *Pace Parfit* 1984, p. 82

development of a greener economy. However, implementing the Alaskan model puts upward pressure on oil prices simply because the price of oil must include the cost of the PFD. And since a higher price of oil is an incentive to green the economy, the argument confronts countervailing reasons. Perhaps an economist could work out the relation between differing costs of PFD, the price of oil and the incentives for greening the economy, but my own feeling is that neither effect would hinder or help the rate of oil extraction. Oil is at the centre of the global economy; that is why the oil industry is so profitable. If the profits available are not distributed according to the Alaskan model, then those monies will simply go elsewhere. And oil will be extracted regardless. So it is not clear that the wrongness of the Alaskan model could rest on its hindering a move to a greener economy.

When reflecting on these points, some readers might conclude that the only question is how the profits derived from oil exploitation will be put to use. If Alaskan oil production makes no difference to climate change and is likely to occur at a similar rate regardless of how its profits are distributed, for these readers (who perhaps fancy themselves as 'realists') the critical analysis offered here would have merely academic interest. But consider the following. Property crime in the USA is worth around \$17.2 billion per annum.<sup>13</sup> One can expect a similar figure next year. And only naïveté excuses those who believe political promises to eliminate crime. But nevertheless, the certain availability of ill-gotten gains is not a good reason to set up as a dealer in stolen goods. Some things are wrong in themselves.

All credible experts agree that burning fossil fuels contributes to

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<sup>13</sup> Federal Bureau of Investigation 2008



anthropogenic climate change.<sup>14</sup> As a result, most sensible people think that one of two things will happen. Either humanity will reduce its usage of fossil fuels before catastrophe, or humanity will wait until catastrophe causes it to reduce its usage. But the evidence indicates that catastrophe is already upon us. WHO's estimate of 150 000 attributable deaths is conservative. That estimate includes deaths attributed to extreme weather events occurring at an 'increased frequency'.<sup>15</sup> Further, WHO argues that climate change is influencing morbidity, facilitating the spread of major killers including diarrhoea and malaria.<sup>16</sup> Finally, climate change is damaging food production, causing higher rates of malnutrition. These factors work together in a vicious feedback cycle as malnutrition exacerbates the affects of disease and both reduce the resilience of individuals and societies to extreme weather events.<sup>17</sup>

The following facts are assumed by my argument. If either claim is false, the argument fails.

1. Global warming is killing a large number of people (150 000) every year.
2. The petroleum industry is a major contributor to global warming.

Considering the second fact, we can say that, given current technology, the resultant deaths are a foreseeable and necessary aspect of the petroleum industry. Moreover, as the exploitation of oil resources is implicated in those deaths, the

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<sup>14</sup> Although we should treat millennial claims with care, the general structure of climate change enjoys a rare degree of consensus. The leading body, the Intergovernmental Panel on Climate Change (IPCC), is unequivocal with regard to the severity and immediacy of the climate change. For the IPCC's assessment of human impact see: Parry et al. 2007.

<sup>15</sup> McMichael et al. 2003 p. 1583.

<sup>16</sup> Ibid. p. 1594

<sup>17</sup> Ibid. p. 1544f.

practice embodied by the oil industry is wrongful. The unjustified killing of a person is a grave rights violation. And as a necessary aspect of the oil industry, these deaths constitute grounds for the complicity attribution.

But we need to be careful. *Oil exploitation* is not wrongful, in itself. After all, it is possible to imagine a world in which a small amount of oil exploitation occurs with no ill effects. The argument does not concern an *act type* that is always evil, like slavery and torturing babies. Rather, the charge concerns wrongful *act tokens*. On any plausible account this category includes acts of unjustified killing. Oil exploitation shares in the unjustified killings attributed to climate change insofar as these deaths are a necessary feature of the industry. If the industry were to radically change so as to stop producing greenhouse gases then the charge would no longer apply. But it does. The charge applies to the ‘oil industry’—conceptualized as a supply network in a global economy producing 5833 million metric tons of CO<sub>2</sub> per annum.

One might contrast the necessary killings of this industry with its accidental deaths. Not all deaths attributable to the oil industry are necessary to the practice. Some deaths are ‘merely’ accidental; deaths occasioned by oil spills and other industrial accidents are examples. But the same will not apply to deaths attributed to CO<sub>2</sub> emissions. An oil spill is an *abnormal* incident attributable to a fault or error; but the production of greenhouse gas is a *normal* component of the industry. And this provides a reason to focus moral concern on that industry. While other aspects of our economies are part of climate change mechanism, the production of greenhouse gases is a central function or feature of the oil industry. This gives the oil industry a special (but perhaps not unique) status. Greenhouse gas production is not

erroneous, accidental, or unforeseen. We could not imagine an oil industry in any way like the one that currently exists in the absence of large-scale greenhouse gas production. And the resultant deaths are grave claim violations that are a foreseen and necessary outcome of the primary usage of petroleum. This fact provides a reason to focus critical attention on oil industry and in turn, to focus on the moral questions surrounding the Alaska dividend, moral questions which turn out to be nontrivial when applied to the PFD as an institution. This focus need not obscure criticism of other means by which people are complicit with deaths attributable to global warming and the institutions that instantiate their complicity.

A word of caution. The fact that oil industry is wrongful is not necessarily a sufficient reason to ban it. Sometimes we have reason to do wrong. It may be that the wrongfulness of oil industry, all things considered, is outweighed by justifications for its continuance. Nevertheless, the fact of wrongfulness is a good reason to desist. More particularly it provides a reason for otherwise complicit agents to prevent unjustified killings. I return to this point in § 6.

#### §4. Complicity

One cannot be complicit on one's own. Like friendship and love, one can only be complicit with others. Standard cases of complicity involve joint actions, actions performed by a plurality of agents. But two factors make it difficult to call something a joint action; an increasing number of agents involved, and a decreasing amount of overt coordination between them. Climate change is an overdetermined result of billions of actions by billions of people. And these actions are uncoordinated. Clearly

'climate change' is not an action itself. A product of so many hands, climate change is "an evil more inhabited than made".<sup>18</sup>

If climate change is not a joint action, the argument for complicity cannot rely on the independent existence of a joint action with which Alaskans become complicit. This section outlines a conception of complicity that does not depend on joint action, but rather emerges from participation in a wrongful event. I use the work of Christopher Kutz as a guide.<sup>19</sup> Kutz suggests conditions of complicity that accommodate the judgment that participation in large-*n* wrongdoings, even participation that makes no difference to the wrongdoing, is nevertheless wrongful on the basis of the person's intentional involvement.

In the course of his argument, Kutz describes the unjustified firebombing of a city.<sup>20</sup> Call this case FIREBOMBING. The hypothetical case of FIREBOMBING lacks all justification, either in terms of the overall plan or the composite acts of those who participate: none of the standard excuses of 'military necessity' or 'following orders' apply. But once the decision to firebomb is made, no single participant can stop it. The firebombing mission includes over 1000 planes and 8000 crew, each doing a series of specific tasks. Each plane carries many incendiary bombs. Although incendiary bombs have the capacity to kill directly, the intended effect is indirect—to use the city itself as a weapon against its inhabitants. As thousands of bombs set thousands of fires, the emergent conflagration sweeps the city at terrific speed. Sucking air out of the bomb shelters, the firestorm kills as many by asphyxiation as

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<sup>18</sup> Kutz 2001, p. 119

<sup>19</sup> Kutz 2001; 2007

<sup>20</sup> Kutz examines the actual firebombing of Dresden. To avoid argument as to the moral status of any particular case, I leave the example as a hypothetical.

by burning. For the sake of parity, assume that 150 000 civilians die. Causing these killings not only involves large numbers of people, they are 'over-determined' because no single action necessarily 'causes' a death.

Having specified that FIREBOMBING is unjustified FIREBOMBING clearly involves wrongdoing. But as in the oil industry, the division of labour within FIREBOMBING permits those involved to divorce the tasks they perform from the final result. Mechanics service aircraft, IT staff update guidance computers, pilots fly a pre-set course; none of these actions actually kill anyone. Moreover, the overdetermined structure of the action affords participants the comfort of knowing that their part makes no difference to the outcome. The deaths appear inevitable. Just as responsibility retreats in the face of inevitable natural phenomena, so it diminishes when confronting unavoidable human processes. FIREBOMBING is a collaborative and 'bureaucratic' evil.

Collaborative evils resist assimilation to conventional attributions of blame because they are not actions. Actions emerge from agents. In the standard case an agent owns an action. Action is the means by which a person enters the world as a person, showing herself to be unique, creative, and free.<sup>21</sup> Action is essentially singular and attributions of blame depend on this singular character. The burden and privilege of moral responsibility requires action to be identified with an agent. It is only when we can say that an act is that of an agent, when it shows something of her, that she can rightly take pride or be liable to blame. Consequently, treating mass events as an action is suspect; as it is in tension with the characteristic singularity

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<sup>21</sup> Arendt 1958, p. 175-179.

and ownership that demarcates the realm of action and underpins desert attributions, including blame. Any plausible theory of complicity must retain these elements of individual ownership and attribution.

Let's consider a single participant in FIREBOMBING. She might not 'intend' the wrongful outcome? Would they thereby escape complicity? Imagine an aircraft mechanic who is simply repairing an aircraft's strut. Perhaps, focused on the task at hand, the mechanic is 'just doing her job'. In the abstract, the claim appears plausible; repairing an aircraft is not a culpable act. The mechanic does not intend any deaths, only the repair at hand. Of course, back in the real world, aircraft mechanics know (or should know) whether or not a particular strut belongs to a bomber and the circumstances in which the bomber will fly. In the context of FIREBOMBING, repairing an aircraft strut is an action, with a distinct moral role and context. There are cases in which ignorance exculpates, but not as a rule. Human action is always an intervention into a complex world. Our ability to act depends on our ability, limited but nevertheless real, to assess our interventions with regard to that world.<sup>22</sup> The complicity test is one of reasonable foreseeability, not the participant's subjective mental state. Indeed, it is irrelevant whether anyone actually 'wills' the wrongful outcome. Complicity emerges from actions meeting the standards of agency, not the willed status of complex and overdetermined events. It is sufficient to complicity that people behave rashly or negligently in the context of those events. And this means the complicity of those involved remains in their own hands. In short, the complicit agent acts in a way that identifies her person with the wrongful event.

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<sup>22</sup> See discussions in the Introduction and the Chapter entitled "Responsibility and Luck..." in Honoré 1999.

Reflecting these demands, American law requires complicit agents to act so as to align themselves as agents with the wrongdoing. Leading cases include *United States v. Falcone*, written by Judge Learned Hand (1940). In *Falcone* Hand argued that a complicit agent “must in some sense promote [the wrongful] venture himself, make it his own, have a stake in its outcome.”<sup>23</sup> Hand captures the elements of active intervention and ‘agency-alignment’—Immanuel Kant might say that the complicit agent makes the wrongful outcome a condition of the maxim of her will. Agency that satisfies these conditions would meet the demands of ‘ownership’ and ‘attribution’ raised in the previous paragraph. To elaborate, the complicit agent meets three conditions. First, she acts so as to interpose herself into the event in question. Further she must be in control of her involvement—be able to know herself to be part of the event. In legal terms, this active involvement must be of a kind for which it is reasonable that the agent would foresee as involving her in a wrongful claim violation. And finally the action must be such that the complicit agent aligns her agency with the wrongful event, gaining a personal stake in the wrongdoing. An agent meeting those three conditions participates in the wrong in a way that makes her complicit.

Given this account, the complicity argument can negotiate the difficulties of attribution posed by large  $n$ , uncoordinated events. Individual involvement is not a series of parallel but discrete individual actions. Such atomism is not the most convincing description of the world. We grasp at the totality of events. Often individual actions only make sense when understood against the background of

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<sup>23</sup> *United States v. Falcone* 1940

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larger canvas.<sup>24</sup> FIREBOMBING is such an example.

This section asked ‘what is the character of complicit involvement in an over-determined, large-*n* evil’? The answer concerns the involvement of agents in wrongful events. In this case, the aircrews and their support staff are together responsible for firebombing a city. In Kutz’s terms, “an agent who wills participation wills the collective act as well”.<sup>25</sup>

#### §5. Complicity and the Alaskan PFD.

The wrongness of Alaska’s PFD rests on a particular relationship between the PFD, the exploitation of petroleum, and the deaths of 150 000 people per annum. One relationship between PFD recipients and the oil industry is that of a beneficiary. But as indicated above, the beneficiary principle is unsound. Recall FIREBOMBING. Imagine the firestorm eliminates a widget supply company in the town. Widget orders subsequently increase in the neighbouring town, benefiting the neighbouring town’s manufactures. The increased benefits are not obtained unjustly or retained improperly.<sup>26</sup> The wrongfulness exposed by the complicity argument does not depend on benefits but rather upon wrongful agency.

The final stage of the argument moves from the wrongful status of oil

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<sup>24</sup> An alternate theory appears in Tolstoy. In Part II of the appendix to *War and Peace*, Tolstoy uses the ineffectuality of human agency at the collective level, particularly the ineffectuality of wartime commanders, to suggest that the ultimate meaning of events as ‘being a battle’ depends on God. I think it depends on the accuracy of the description. ‘The battle’ is the collective description given to a number of individual actions that receive their full meaning when understood as constitutive of a larger event.

<sup>25</sup> Kutz 2001, p. 142

<sup>26</sup> If the reader disagrees, she can simply lengthen the time between the wrongful act and the benefit. At some point, the principle becomes clearly implausible.



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exploitation to challenge the morality of Alaska's PFD. Complicity in the deaths attributed to climate change would need to meet three conditions, the agent must involve herself in the wrongdoing, she must be in control of that involvement, and her action must be open to the reasonable imputation of a wrongful maxim of the will. Consequently, the argument depends on attributing these conditions of agency to Alaskan participants.

The PFD's annual dividend gives Alaskans a personal stake in the oil industry. Each year, Alaskan residents must register to receive the PFD. Any Alaskan who does not wish to receive the monies can repudiate the payment simply by failing to register. Alaskans are not coerced into receipt. The PFD is not manna from heaven. Nor is it a non-excludable public good or an externalized benefit derived from another's action. Registering meets the standard of involvement. Registering is the primary means by which Alaskans participate in the PFD. Alaskans will their involvement in the PFD. And a condition of it being willed is the continuance of the wrongdoing underpinning its receipt. The PFD participant knows (or ought to know) the monies originate from oil extraction. The PFD participant knows (or ought to know) that petroleum feeds a greenhouse gas-producing economy. The PFD participant knows (or ought to know) greenhouse gas is a significant contributor to climate change and that climate change causes unjustified killings. Meeting the standards of involvement, control and the reasonable imputation of a wrongful maxim, the participant in the PFD acts as so to align her agency with those deaths

I think the individual participant's involvement is not a grave sin. But it is not

inconsequential. Consider the question from the perspective of those killed and their families. Confronting those wronged, could a PFD participant genuinely disavow moral responsibility? Could they say to the father, mothers, and children of the dead that their actions in seeking the PFD are blameless? They could not and the complicity argument demonstrates why. The Alaska model is not a morally clean source of funding. And when we consider the PFD as an institution, the argument has significant force. But it is not devastating. Rather, it merely puts the Alaska model 'on all fours' with the foremost alternatives.

## § 6. Saving the Model

In a morally complex and tragic world, ethically pure action may be rare. Although there are likely to be less costly options, perhaps no feasible option for funding a basic income is without some ethical cost. And sometimes the costs of an alternative can excuse otherwise impermissible actions. A well-worn example is BANK ROBBERY. In BANK ROBBERY the robber confronts the bank clerk with the threat, 'the money or your life'. The clerk acts permissibly in giving the money to the robber because she has a very good justification for performing an otherwise impermissible act. If a basic income program rests on the equal right of each to be free, then it has a powerful justification at its root. And for Alaskans, it may not be possible to find, in the foreseeable future, an alternative revenue stream. Recall that 82% of state revenue depends on oil exploitation. One in three jobs in the State are similarly dependent. Perhaps similar points could be made about other economies and their natural resource potential. The point is not that dependence negates culpability. Rather, the point is practical; it may not be possible to replace revenue from the oil

industry as a source of funds.

If a basic income modelled on the PFD would realize freedom, it may be possible to justify the model in the face of its complicity with killing. After all, complicity is not as bad as murder. And freedom is highly valuable. One way to move forward would be to make fine-grained comparative assessments between different models of funding and then choose the least tainted. But it may be possible to 'clean up' the Alaska model. Its justification would be stronger if the worst of the grounds of blameworthiness could be removed or mitigated through compensation.<sup>27</sup>

The ground for the charge of complicity rests on the 150 000 people who die annually from the effects of climate change. Therefore, if the Alaska model were to combine basic income payments with sufficient funding to stop the killings the complicity argument would no longer provide a reason to object to the model. In theory, a 'combined' program is possible because the oil industry does not kill directly. Instead, the attributable deaths happen indirectly, through malnutrition, disease and extreme weather events. Therefore, sufficient funding for adequate preventive and remedial measures could, by stopping the killings, remove the reason to object to the program.<sup>28</sup> The Alaska model would come to have two components. Funding derived from natural resource appropriation would provide monies for a basic income and to prevent the deaths that would otherwise occur due to climate change. Let's call this second component of the model its 'offset funding'. It is a type of a Pigovian tax.<sup>29</sup>

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<sup>27</sup> I owe this suggestion to Christian Barry.

<sup>28</sup> The chapter brackets the moral implications of previous deaths.

<sup>29</sup> Pigou, 1920, Part 2, Chapter 9.

As it stands, the proposal for 'offset funding' appears impractical and unfair.<sup>30</sup> It is extremely unlikely that any polity could derive funds from natural resources at a level sufficient to sustain both a basic income and the complete mitigation of climate change; therefore, the proposal is impractical. Moreover, it is unfair for any particular polity to assume all the burdens of climate change. After all, the Alaskan oil industry 'accounts' for only 0.0027% of global carbon emissions. Why should Alaskans pay to avert all attributable deaths? And allowing other polities to 'free ride' on Alaskan 'offset funding' would create a system of perverse incentives, as other polities could impose progressively greater demands on Alaskans without paying their costs.

One way around these problems is to limit 'offset funding' so that it mitigates only those effects (preventable deaths) that could be attributed to the industry in question. It seems plausible that, when an evil is caused by a multiplicity of contributors, agents only bear remedial responsibility for the burdens they would assume if all those who contributed were to assume their fair share of responsibility.<sup>31</sup> For example, one straightforward way of distinguishing fair shares would be to carve up responsibility on a contributory basis. If Alaskan oil contributes 0.0027% of global carbon emissions, then Alaskans are responsible for preventing 0.0027% of the annual deaths due to climate change, (405 killings per year). One might refer to that ratio as the Alaskan polity's 'fair share' of offset responsibility. If all polities met their 'fair share' of offset responsibility, then no person would be killed by the effects of climate change. As a result, including sufficient offset funding as part of

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<sup>30</sup> One reader argued that if Alaskan oil exploitation is contributing to climate change and Alaskans are amongst those who are injured, then some portion of offset compensation could be incorporated into the dividend itself. I would think this claim difficult to maintain in face of the actual facts about climate change. The brunt of damage will be borne by people in developing states, but there is no theoretic reason preventing the dividend from being used in this way. It is just difficult to see how one might justify it in practice.

<sup>31</sup> Murphy 2000, 77f.

its basic income program would discharge Alaskans 'fair share' of responsibility for the wrongful killings and free the Alaska model from the complicity objection.

The proposal is yet crude. There are plausible mechanisms other than 'contribution' for assigning responsibility; the ultimate design may need to incorporate diverse elements, including the capacity of the contributor to pay. Moreover, it may be difficult to closely tailor the provision of preventative and remedial measures to the actual numbers of lives saved and over-provision will encourage free-riding. It is important to emphasize that the principle behind the offset model is not dependent on the particular mechanism of assigning responsibility. One could feasibly eliminate the wrongdoing some other way. But while some free-riding may be ineliminable, the proposal would have a contrasting virtue of providing an internal incentive within the funding model to replace oil revenues with sources of funding that do not kill people. Alaska has significant wind, geothermal, hydro and tidal energy resources. And as the deaths attributable to the basic income program decreased, so would the money spent on 'offset funding'. And the declining cost of offset funding would increase the monies available for other purposes, such as reducing the price of the natural resource being taxed.

## §7. Conclusion

In the language of *Falcone*, an accomplice must "promote" the wrongdoing, "make it his own, have a stake in its outcome".<sup>32</sup> I have argued that participating recipients of the Alaskan PFD act so as to align their agency with deaths attributable to climate

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<sup>32</sup> *United States v. Falcone*, 1940.

change, therefore the PFD instantiates complicity with those deaths because the PFD gives Alaskans a stake in that wrongdoing.

Focused on Alaska's PFD, the chapter's argument is limited in scope. But it is nevertheless powerful because it confronts those who endorse the model with an incoherency in their reasoning. As the Alaska model is not an ethically clean source of funds, there is no reason to think a basic income funded by a practice involving unjustified killing is preferable to one funded through coercive taxation. However, it may be possible to prevent the injuries that form the basis for the complicity charge. If that is possible, and I sketched the principles of 'offset-funding' in §6, then the Alaska model would be freed of the complicity charge. In such an event, the superiority of the model, as compared to conventional taxation, would remain unchallenged by the complicity argument.

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