

Fair Limits

Can Limitarianism Be Justified?

A Philosophical Analysis of Limits on the Distribution of Economic and Ecological resources

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Duration: 1/7/2017-30/6/2022

Funded by an ERC Consolidator Grant

www.fairlimits.nl (for an overview of the activities and publications from the project so far).

1. Motivation

This project will address one of the most pressing societal and political questions of the 21st century: is it morally permissible to limit the economic and ecological resources that each person can appropriate? In January 2016, Oxfam announced that the 62 richest individuals possess as many economic resources as the bottom half of the global population (Oxfam 2016), which led to moral outrage. Is it morally problematic that Bill Gates has a fortune of almost 80 billion dollars (Forbes 2016) or that the top 1% of the households globally owns half of total household wealth (Credit Suisse Research Institute 2015: 11)? Even in egalitarian countries, such as the Netherlands, 60% of total wealth is owned by 10% of the population (Van Bavel 2014). After a decrease of economic inequalities in most of the 20th century, inequalities started rising again from the 1980s onwards, and economists expect that those inequalities will further increase in the future (Piketty and Saez 2003; Atkinson and Piketty eds 2007; Alvaredo et al. 2013; Piketty 2014; Atkinson 2015).

The distribution of ecological resources shows similarities with the distribution of economic resources. For example, the top 10% of CO₂ emitters contribute to 45% of global emissions; the richest individuals emit more than 200 ton CO₂ per year, compared with less than 0,1 ton for the poorest persons (Chancel and Piketty 2015). Currently more greenhouse gasses are emitted than the atmosphere can sustainably absorb, and this creates vulnerabilities and risks for those who are unable to defend themselves against the damaging consequences of global warming, both now and in the future (IPCC 2014). Moreover, climate change is not the only serious problem facing the Earth's ecosystems. There are many more ecological problems, such as overfishing, acidification of the oceans, biodiversity loss, increasing water scarcity, and a decline in the quality of the soils of the Earth, which are needed to feed the human species (e.g. WCED 1987; UNDP 2006, 2007/8, 2011; Churchman and Landa 2014; UNEP 2014). In sum, human populations are at a rapid rate depleting non-renewable natural resources, and overusing other ecosystems, thereby decreasing the ecological space they leave for other species, and moving the Earth's system into a zone that is beyond the safe space for human life on Earth (Rockström et al 2009; Steffen et al 2015).

In order to address the morality of these pressing problems, we need to turn to philosophical theories of distributive justice. *Fair Limits* explores the normative significance of upper limits as a distributive rule when thinking about what a just distribution of ecological and economic resources would look like. Can *limitarianism*, the idea of 'upper limits' as a distributive principle, be morally defended? If so, on what ground and based on which justification? And what would be the implications for just actions and just institutions? In contemporary normative political philosophy, theories of distributive justice have tended either to focus on meeting minima, benefiting the worst-off, or providing equality of opportunity for all. This project shifts the

focus within theories of distributive justice to an investigation of *maxima or limits*. Are there, on grounds of fairness or justice, limits to the scarce resources that we can appropriate? To answer this question, we first need to define scarcity and, for each of the resources that we want to consider, whether this scarcity is relative or absolute, and what the precise nature of that scarcity is. Does it make a difference that many ecological resources are absolutely vital for human survival and well-being, and that economic resources are to a considerable extent positional goods? (Hirsch 1977; Brighouse and Swift 2006). Or are other aspects of the scarce nature of ecological and economic resources much more important? Once the nature of the scarcity is determined for a particular resource, the question can be asked whether a fair division of the resource requires some kind of upper limit on the distribution.

A focus on ecological and economic resources is not merely relevant for reasons of societal relevance, but at least as much for scholarly reasons. Within ethics and political philosophy, recent literature on 'climate ethics' focuses on questions of ecological sustainability and gives distributive concerns a central place (e.g. Gardiner et al 2010; Gardiner 2011; Broome 2012; Caney 2014; Jamieson 2014; Shue 2014). Interestingly, that literature considers questions of fairness or distributive justice in close connection to questions of other public values, and the idea of limits is considered in the discussion on (individual or collective) limits to greenhouse gas emissions and other ecological resources (Holland 2014). Yet surprisingly, the idea of having upper limits is virtually absent in contemporary theories of distributive justice. How can this discrepancy be explained? Why do philosophers find upper limits on the appropriation of ecological resources *prima facie* plausible, but not when it concerns the appropriation of economic resources? And how does this relate to how ecological and economic resources are theorized in dominant discourses? The starting point of this project is that, when questions of distributive justice in the areas of ecological resources and economic resources are studied together, we must critically analyse some of the assumptions that are dominant in those theories.

2. Distributive rules: a very brief literature review

When addressing the distribution of socio-economic goods, normative political philosophers have traditionally focused on meeting minimal needs ('*sufficientarianism*'), improving the situation of the worst-off ('*prioritarianism*') and reducing inequality ('*egalitarianism*'), especially inequality of opportunity (Rawls 1971; Brighouse 2004; Arneson 2013; Lamont and Favor 2013). First, there is a general consensus across the different theoretical frameworks, that in a just society, people's basic needs should be met. Often it is added that the interests of the worst-off should be given priority. Second, there is also a strong, though somewhat more contested view, that we have reasons to reduce inequalities. There is a long tradition in political philosophy providing arguments for why inequalities are bad, both for intrinsic and instrumental reasons (Rawls 1971; O'Neill 2008; Hausman and Waldren 2011). In addition, there is empirical research documenting the negative consequences of inequalities (e.g. Wilkinson and Pickett 2009). In sum, when discussing questions of distributive justice, much of the attention in scholarly research has gone to both the lower-side of the distribution of socio-economic goods, and to inequalities.

Despite that the literature on distributive justice is huge, there is no elaborate investigation of the distributive principle that there should be a ceiling, or a limit, on the valuable resources a person should be permitted to appropriate (Robeyns 2016). *Fair Limits* aims to fill this scholarly gap. Our intellectual ambition is not to replace sufficientarian, prioritarian or egalitarian principles by limitarian principles, but rather to study limitarian principles carefully, so that if they turn out to be convincing, we have access to a broader set of principles of distributive justice. With *Fair Limits*, we will push the boundaries of our philosophical insights and ideas so that we have more to offer to discussions of distributive justice in society, and to the future development of theories of distributive justice in philosophy and adjacent disciplines.

3. The investigation: limitarian principles of justice.

This project proposes a paradigm shift in the principles of distributive justice by investigating the justification and plausibility of limitarian principles. Defined as the theoretical notion of an upper limit or ceiling, **limitarianism** asks whether there are valid and convincing **reasons to consider maxima**—that is, **limits to the valuable resources we can appropriate**. Should there be such limits?

We will investigate whether in the distribution of ecological and economic resources, upper limits are a distributive principle that can be defended, and if so, on what grounds and based on which justification. In other words, the general question that the project aims to answer is: **Are there properly justified limits to the scarce economic and ecological resources that an agent can appropriate?**

Fair Limits will study this question by analysing the idea of limitarian principles in the domains of economic and ecological resources, as well as study the idea of limitarianism in general. Two subprojects (#1 and #2) will be devoted to each of those two domains. The structure of the research agenda in those projects will be the same. We will first analyse the nature of scarcity and then ask whether it is plausible to philosophically defend an aggregate limit in that domain. Second, we will ask whether (and if so, how), that aggregate limitarian principle can be translated into an individual limitarian principle of justice. Finally, we will ask whether in that particular domain the limitarian principles should be a moral or rather also a political principle, who the agents of justice should be, and which (if any) institutions or practices are needed for the fulfilment or approximation of those limitarian principles.

Subprojects #1 and #2 will be supported by two other subprojects that target unresolved theoretical issues at a higher level of abstraction and generality (#3 and #4). Subproject 3 is a methodological project. More precisely, we aim to advance the methods for pursuing non-ideal political philosophy, which starts from the mud in which most people and societies find themselves, rather than from some idealised conditions. While in recent years much has been published on the distinction between ideal and non-ideal political philosophy, the debate has been almost entirely about the nature of that distinction and on whether we could dispense with ideal theory altogether (e.g. Robeyns 2008; Valentini 2009; Stemplowska 2008; Swift 2008; Robeyns 2011; Vallentini 2012; Erman and Möller 2013; Wiens 2015). Yet what we need in order to answer non-ideal questions related to the fair distribution of ecological and economic resources, is not such so much these meta-theoretical and methodological reflection on the nature of theories of justice, but rather the development of concrete methodologies of *how to do* such concrete non-ideal theories, or formulated differently, applied ethics as it relates to issues of social and political justice. Moreover, because we start from the non-ideal world, we have to consider questions of agency, which will be done in project 4. Traditionally, theories of justice have assumed that the government is responsible for the transition to a just society. But what if we are living in a world where, if we care about justice, the government is at least as much part of the problem? Should we then, in those non-ideal circumstances, consider individuals, groups or organisations also as potential agents of justice? (O'Neill 2001; Weinberg 2009)

In addition, there will also be a transversal project (#5) that questions assumptions in subprojects 1-4, by searching for and soliciting critiques from outside the paradigm of contemporary theories of justice (for a detailed description, see below). And finally, the insights from those five projects will be brought together in a synthetic project (project #6).

4. Structure and Team

This project will be conducted by the PI, three postdocs, and one PhD student and with the support of a project assistant. The team will work on 6 subprojects: two subprojects analysing the

idea of limitarian principles of justice in the domains of income and wealth (#1), and in ecological resources (#2), one subproject focusing on methodological questions (#3), one subproject on the agents of justice (#4); a transversal project on non-liberal critiques (#5), and finally a synthesis (#6).

Subproject 1: Fairness in economic resources (Dick Timmer, PhD Candidate)

This subproject will examine the idea that fairness entails limits to the income and wealth that people can have. For many citizens, limiting wealth has an intuitive plausibility: given the world as it is, wouldn't it be much better if excess wealth was spent on alleviating suffering, and battling the various crises that the world is facing? This subproject sets itself the task to investigate whether a limit to material affluence (wealth and income) can properly be spelled out and defended and whether it can be justified.

We need to know what the nature of scarcity in this domain is. In the case of income and wealth, there are worlds imaginable in which a limit on income and wealth would not be needed (neither aggregately, nor individually), as the only real worry would be *inequality*, but not absolute levels of wealth (Robeyns 2016). Is 'wealth' best understood as a relative notion (such as virtually all empirical studies in this area assume, e.g. Rowlingson and McKay 2011), or an absolute notion (for example related to the idea that one has more resources than one needs to lead a maximally flourishing life)? We will have to examine whether a plausible threshold can be formulated; how that threshold can be justified; what reasons can be given for defending a limit to wealth; and how that position would respond to objections such as that it violates equality of opportunities, does not take incentive considerations into account, or does not adequately respect notions of desert or responsibility. Part of the analysis is whether a wealth-limitarian principle is ultimately reducible to a concern with inequality *per se*.

One additional question is how limitarianism in economic resources differs from the most influential account of distributive justice in contemporary political philosophy (Rawls 1971), and what its institutional implications would be (e.g., would it support organising the economy as a property-owning democracy, or are other social and economic institutions more plausible? (O'Neill and Williamson 2012)

Subproject 2: Fair ecological limits (VACANCY)

Does distributive justice of ecological resources imply that there is a limit to how many of these resources we can use? In contrast to income and wealth, the nature of scarcity in the area of ecosystem resources is different, and has in many ways a much more absolute character. Some environmental theorists have suggested using the concept *ecological space* when addressing questions of justice in this domain (e.g. Vanderheiden 2009, Hayward 2013). Vanderheiden (2009: 257) rightly sums up the ethical crux when he writes that aggregate ecological space "is finite and threatened by current patterns of over-appropriation, yielding imperatives to fairly allocate that space among variant claimants, present and future". There are many different ways to assign the distribution of costs of climate change (Moellendorf 2009) and these will have effects on where we will put the limits. In contrast to the domains of economic resources, there are already some references in the literature on environmental justice/climate justice where some form of limitarianism is proposed (e.g. Holland 2014)

Subproject #2 will proceed by asking the same questions as subproject #1 -- though the relative importance of those questions will differ in the subprojects. How, exactly, is the nature of scarcity in the domain of ecological space and ecosystem resources? Can we formulate an aggregate limit, and if so, do national boundaries play a role? In particular (and a particular concern for this subproject), how do we take into account that much of the ecological space is not

taken by human beings, but by companies and organisations? Does it make sense to formulate individual limitarian principles in this domain, and if so, on which grounds?

Finally, when moving to the level of institutional analysis, special attention will have to be paid to specific forms of feasibility constraints, namely how the interests of future generations can be institutionally protected, given that they are not yet born? Should we, in order to do justice, enshrine some ecological rights in our constitution, and if so, which and why? (Hayward 2005). This subproject will therefore also have to face the question whether interests in the future should be given less weight than interests of those currently alive (e.g. Gosseries 2008; Caney 2009; Broome 2012; Davidson 2012).

Subproject 3: The methodology of non-ideal political philosophy (Dr. Colin Hickey)

Methodologically, the Fair Limits project will advance the emerging trend to pursue **empirically-grounded non-ideal normative political theory/philosophy**, which asks not merely what the right moral principles are, but rather (1) what *moral* duties imply for *political* duties, and (2) questions of transition—how we can go from here to there (Robeyns 2008). Yet while there is a lot of recent meta-methodological discussion on non-ideal political theory, very little work is done on *how to do* non-ideal political philosophy. We therefore want to have one subproject devoted to these methodological questions. The postdoctoral fellow pursuing this methodological subproject will make use of the research from subprojects #1 and #2, and vice versa.

Four issues need analysis. *First*, the methods of non-ideal normative political theory are, at least in a rough form, present in the practices of contemporary political philosophers who work on questions of applied philosophy: what needs to be done is to *distil* it from that practice, make it explicit, and analyse whether any biases are present in the current practice. *Second*, non-ideal normative political philosophy should investigate what can be learned from applied ethics, especially in two fields of applied ethics: bio-ethics, and value-sensitive design in the philosophy of technology. Drawing on the much more developed literatures in bioethics and applied philosophy of technology should also help non-ideal normative political philosophy in those areas where genuine methodological questions remain open. *Third*, we need more insight on the conditions under which a mere moral duty should be translated into a political duty, which also has implications on the non-ideal actions that follow. *Fourth*, for the case of political duties, we need to develop a methodology for how to examine which feasible institutions fit normative principles in general, and limitarian principles for *Fair Limits* in particular.

Subproject 4: The Agents of Justice (Dr. Tim Meijers)

Many critical theorists and empirical social scientists acknowledge that the state is, in most countries, engaged in illegitimate behaviour, favouring particular interests, and supporting the status quo. Unfortunately, mainstream liberal political philosophy primarily still works with idealised notions of the state, who is generally seen as the primary agent of justice.

The paradigmatic shift to the non-ideal world forces us to also reconsider questions of agency. Traditionally, theories of justice have assumed that the government is responsible for the transition to a just society. But what if we are living in a world where, if we care about justice, the government is at least as much part of the problem? Should we then, in those non-ideal circumstances, make individuals agents of justice? (O'Neill 2001, Weinberg 2009) Or is this shift in the agency of justice problematic for its own reasons? In the case of wealth, is philanthropy to be applauded or does it raise its own set of critical issues?

The aim of this project is to incorporate the insights from those theories that are highly critical of the government as the primary agent of change, into theories of distributive justice. This subproject will on the one hand provide analyses that should be valuable for subprojects #1 and #2, since in the literatures to which those subprojects will contribute there is only limited

discussion on questions of agency. Yet the subproject should also be able to make more general contributions in its own right, moving the question of agency more to the centre of debates on distributive justice in a non-ideal world.

Subproject 5: Non-liberal critique of standard assumptions (Prof. Ingrid Robeyns and invited specialist contributors)

The work done in *Fair Limits* is situated in contemporary liberal political philosophy, yet tries to stay closer to the mud of daily life than is often the case for work in this tradition. *Fair Limits* will walk a fine line between two ambitions. On the one hand, *Fair Limits* investigates the philosophical soundness of the idea of limits to ecological and economic resources, starting from the well-established debates in contemporary liberal political philosophy. On the other hand, *Fair Limits* start from the world as it is, hence without relying on idealized assumptions (e.g. of the government as the main agent of change), and without accepting methodological practices that tend to steer projects away from non-ideal philosophy. This dual goal will create tensions, but is also why this project is a high-risk, high-gain project.

In order to make these tensions explicit, it is important to look in detail and in depth at the standard assumptions embedded in liberal political philosophy. This will be done by explicitly engaging with scholars who work in, or are knowledgeable of, different philosophical traditions. We will therefore include one subproject devoted to an examination of the standard assumptions in liberal political philosophy, from the perspective of different philosophical traditions, such as Maori philosophy (e.g. Patterson 1999; Watene and Yap 2015; Watene 2016), African philosophy (e.g. Menkiti 2004; Metz and Gaie 2010; Flikshuh 2014), and Confucian philosophy (Tucker 1991; Weiming 2001; Wong 2015).

This will be achieved in two steps. First, the PI will deepen her knowledge of those non-liberal philosophies, and forward a selection of that scholarship to the PhD and Postdocs to use as critical mirrors in their own philosophizing. Second, the PI will write an elaborate paper outlining the type of arguments presented in debates on economic and ecological inequalities, applying those arguments to the idea of limitarianism, and commissioning papers based in non-liberal philosophies that are able to critically analyse the assumptions of the liberal paradigm. In practical terms, we will organise a symposium and subsequently publish an edited volume with the symposium contributions. The aim of the symposium and the book is to have a critical yet constructive dialogue between liberal philosophers and philosophers who are experts in cross-cultural comparisons of philosophical ontologies, or philosophers who are working on distributive justice/wealth/ecological sustainability in non-liberal communities. The PI has formed an advisory board of experts who have agreed to advise her for subproject 5.

Subproject 6: Synthesis (Ingrid Robeyns, 2021-2022)

After the work in projects 1 to 5 is concluded, the PI will bring all insights together and weave them into a monograph, providing a synthesis of the work. How do the limits to economic and ecological resources relate to each other? Are their justifications convincing? Can we provide arguments for considering trade-offs between those limits, and if so, on what grounds? What have we learned about the question of the agents of justice? This subproject will result in two products: one philosophical monograph on limitarianism for an academic audience and a book that summarizes the views for the general public.

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