Climate Change Refugees, Compensation, and Rectification

Introduction

According to scientists global warming will yield rise in sea level, desertification in some areas, and floods in others, all of which will imply that millions will have to be evacuated from their homes and never return to them. To this I refer here as "environmental displacement." Some people argue that displacement (whether or not due to global warming) is not the end of the world, since people often move from one place to another, whereas others argue that displacement is tragic, at least for the displaced.

I subscribe to the latter view. However, most people who picture environmental displacement as tragic do so because they regard displacement as yet another case of environmental injustice, in the sense that some people will be displaced while others will not. Thus, these people claim, the world has to prepare to compensate displaced people. By contrast I want to argue that:

(a) Environmental displacement is a strong and special case of environmental injustice because unlike other cases it involves a loss of home and therefore a loss of a sense of place. While discussing this I will distinguish between 'softer' cases of environmental displacement, when people move due to, e.g., temporary floods, to cases of *becoming environmental refugees* due to Climate Change. In the latter one's home territory is not only changed or becomes uninhabitable or useless temporarily, but rather it is lost, forever. Thus there is no hope of going back. The distinction is therefore that in less harsh environmental displacement cases, one can still hope to return to one's home, or at least that one's children or grandchildren will be able to return; whereas in the harsher cases, e.g., people from low lying islands which have fallen below sea level, this is not feasible.[1]

(b) Therefore environmental displacement involves a loss of a crucial functioning (in Amartya Sen's sense of the term); this is the functioning of having a sense of place.

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(c) Since this functioning is incommensurable with other functionings, at least according to one understanding of incommensurability (which is explained below) there is no way we can really compensate for displacement. Since it is also doubtful whether we can rectify this displacement, I shall argue that unless there is strong evidence that displacement is part of some highly desirable goal, our obligation is to do all we can to prevent it.

1. Preliminary Definitions of Concepts I Use

1.1 Environmental injustice

The term "environmental justice" is sometimes confused with ecological justice. The latter is the distribution of access to goods between species. Environmental justice, in very broad terms, refers to cases of distribution among humans of access to environmental goods (such as aesthetic landscape or clean water resources) and environmental bads (e.g. polluted soil). In this paper I refer to environmental justice rather than to ecological justice.[2]

1.2 Functionings

In this paper I use the term "functionings" in the way Amartya Sen uses it.[3] Sen wants society to be sensitive not only to individuals' possessions, but also to what they do, and also what they are in a position to do. In other words, we should be sensitive to what individuals value doing or being (such as reading, swimming, or being healthy)—what he calls their "functionings." When people suffer from inequality, Sen argues, it is in the sense that they cannot achieve certain functionings. So we are not to compare income or wealth, or people's primary goods, nor should we compare preference satisfaction. Instead we should compare "substantive freedoms" to choose the life one has a reason to value. Sen refers to these freedoms as a person's capabilities.[4] So if, for example, literacy is a capability and reading is the functioning, literacy becomes the substantive freedom to read. He writes: "Capability deprivation is more important as a criterion of disadvantage than is the lowness of income, since income is only instrumentally important and its derivative value is contingent on many social and economic circumstances."[5]

Sen sometimes describes a capability set as, in effect, the set of *sets of alternative functionings* that one is able to achieve. The point is, of course, that given the same resources one might be able to achieve quite

distinct sets of functionings. This suggests that there is a partial, though a very particular kind of, commensurability among functionings. This is an important observation, as I shall argue below, namely that part of the problem of environmental displacement is that functionings that are lost (or become insecure, as I shall argue) cannot be compensated for, precisely because of the incommensurability factor.

1.3 Risk to functionings

Sen argues that the state's role is not to "make people function" as it were, but to see that they have the opportunities to function by offering them a set of capabilities which enables them to function. This goes hand in hand with freedom: notice that when a certain capability is provided it often enables various additional functionings (e.g. literacy enables reading, but also driving).

Now, in the recent literature on political theory many people raise the issue of whether, if someone is provided with the capabilities, but fails to achieve the functioning, it is their fault (or responsibility), and question whether the state should ensure that people indeed use the capabilities offered. Sen and others seem to claim that sometimes all states have to do is provide the capabilities, and that if people do not achieve functionings because of their choices they alone are responsible for their situation. (Sen provides the example of an affluent person who fasts, perhaps for religious reasons, and although he has the capability to eat and reach satiation he does not; others refer to unemployed people who refuse paid employment). Yet, in their enthusiasm to emphasize freedom to achieve functionings, capability theorists are failing to air an issue of perhaps great importance, namely, the freedom to *sustain genuine opportunities for* functionings.

Thus, the victims of environmental displacement, by trying to secure the functionings of life, having shelter, and leading normal lives, have to sacrifice the functioning of having a sense of place. (I will elaborate below on this as a crucial functioning. At the moment let us assume it is an important functioning.)

Indeed, when we examine many cases of environmental displacement we see that very often the victims are harmed because they have to expose some functionings to risks, which they would not have taken had they had the option. Alternatively, these victims are forced to put some

functionings under risks that, one way or another, are greater than the risks that others take; these risks imply that such people's functionings are rendered insecure. The latter is what's wrong with the risk they run.

1.4 Clarifications

Some clarification is due. First it is not suggested that human life should or can be risk free. Often being open to risk is an advantage; it is also part of flourishing. Moreover, sometimes risk is taken in the hope of greater gain. However, note that the reasons I claim that the displaced are harmed is that the risk is taken involuntarily. Often people—perhaps young people more than others—take risks cheerfully. But these are not the cases before us.

The fact that these people have to move and are not able to choose where to live affects their autonomy as well. Interestingly, not being able to be autonomous is not merely a spiritual matter, or a question of how much liberty one enjoys. Michael Marmot published the results of a twenty-year project. He sets out the indisputable effects of not being autonomous and having full control over one's life: those who enjoy autonomy live longer and those who do not, die earlier, and this is true both in Western developed countries as well as in the ex-communist countries and in the developing world.[6]

Secondly, the term "risk" is used here loosely, broadly, and not in any disciplinary manner, as it used in risk management studies or in some rationality studies. I use the term "risk" as it is used in everyday speech, such as in the sense that a child who crosses a busy street on the way to school is taking an obvious risk; or that when a person becomes homeless he faces a whole series of risks.

Thirdly, what does it mean to take "bigger" risks? A risk can be bigger in three ways. First, there is the element of increased probability, namely that the chances of being exposed to a particular risk is greater than the chance of being exposed to other risks, or the chances of a particular person facing a particular risk is higher than the chances of other people facing that risk. Second, there can be risks with more or less the same probability, but one of them is more liable to cause serious harm. Third, there can be risks, which are also pregnant with further risks. The last is a very important consideration. It seems that the fact that a particular risk carries with it further risks is often what irritates and frightens

people about this harm. Many people are ready to take a one-time risk but wish to avoid ongoing risk.

Fourth, and these are the risks of particular interest to the discussion here, there are risks that only affect part of a population. Naturally, if an entire population faces a risk (say, war), then everyone is worse off than they were before these circumstances arose, but no one is worse off relative to anyone else.

Finally, when I say that the displaced individual is "forced" to take risks, I mean that the risk cannot be reasonably avoided because there is no reasonable alternative.[7] "Forcing" does not imply that force was used. In fact, the agents can choose to take or avoid a risk, but not taking it would typically confront them with a greater risk, or the certainty of some harm. In other words, the most reasonable alternative is for agents to agree to or to acquiesce to something that exposes them to risks that others are not exposed to.

To summarize then, one critical aspect of environmental displacement relates not only to what functionings are achieved, but also to a person's *prospect of achieving and sustaining a level of functioning should they attempt to do so.* There are at least two key determinants of a person's prospects: first, their probability of success, and second, what they *must sacrifice* in order to achieve that probability of success. In many cases of environmental displacement, either the functioning itself is insecure (lower probability of sustaining it), or the attempt to secure it renders other functionings insecure (greater sacrifice). Remember that in this paper I focus on those whose islands will be flooded and whose homes will become unbearable deserts, etc. They will want to secure the functioning of life, or sufficient nutrition, and so on, and the functioning that they will sacrifice in order to sustain these functionings is the functioning of enjoying a sense of place.

It is important to note that the sacrificed functioning is often less urgent (in the sense that the harm is not necessarily around the corner and it might take time till it comes about); nevertheless this functioning is not less important, as I will argue below.

We are now in a position to rephrase the harm to the displaced people under consideration: A main way of being wronged in environmental displacement cases is when one's functionings become insecure involuntarily, or when, in order to secure certain functionings one is forced to render

other functionings insecure, in a way that other people do not experience. The main such functioning is a sense of place. Notice, that this has radical consequences: while authorities claim that no one is actually wronged until harm is done and seen, i.e., until someone dies, gets ill, or in our case is displaced, I argue that at the moment that there is threat to the functioning, the moment it becomes insecure, one does not enjoy it. I elaborate about this below, but to clarify: if making one's sense of place insecure implies that a sense of place stops being something good and becomes a source of fear and anxiety, then one suffers even though one has a sense of place, only it is insecure.[8]

2. Can We Compensate for Forced Displacement? The Idea of Place

2.1 The rationale of compensation

Can we compensate for forced environmental displacement? In practice, governments and local authorities often offer "compensation," usually in the form of money transfers. It is not always clear what is meant by this practice.[9] I argue that compensation misses the essence of the loss associated with environmental displacement.

The practice of compensation assumes that in some sense loss can be considered commensurable with an amount of money. Obviously, loss cannot be commensurable with money in the sense that a value can be placed on loss, but in the sense that the money can serve instrumentally to buy things that can help the disadvantaged person to overcome her problem, due to the loss. In more technical terms, borrowed from the rationale of civil law, perhaps compensation means effectively transferring resources (usually money) in order to put a person on *the indifference curve* they would have been on had the disadvantage not occurred.[10]

Now, one might argue that the practice of compensation need not entail commensurability. Indeed, courts do often limit themselves to seeing that the victim can continue to function as well as possible. Undeniably, this practice is often termed 'compensation'. However, this is all very well for legal processes. In politics, and international politics in particular, such as cases of environmental displacement, those who go on contributing to global warming, justifying themselves by claiming that they would compensate the islanders whose islands would be flooded, misuse the concept of compensation. In order for the polluters to claim that these islanders *should* take it as compensation they should offer

something that indeed will put the islanders on their indifference curve again, which, I argue, they cannot do, since this is what characterizes this particular loss, of place: that it is so special.

Moreover, in many cases cash compensation misses the point of displacement and environmental injustice and what concerns the victims in such cases. Consider the following story that appeared in the Israeli newspaper *Ha'aretz*. It tells of a person who somehow learned of construction plans that would affect a park that is currently classed as a natural reserve. Since most of the local people lacked the skills for complaining to the authorities, this individual decided to act on their behalf, and thus became an environmental activist: he put forward arguments concerning the rare species that lived there, the recreational values the place offered for the local residents people, and what it meant for them to live by the park. A representative of the building company who was interviewed responded angrily: "What do they want now? Let them stop talking and say how much compensation they want. We'll deal with the matter, and then get on with the construction." This reply not only misses the point—this activist was thinking as a citizen and not as a consumer trying to make the most of this opportunity—but in fact insults and accuses this person or any other environmental justice activist of seeking to maximize the benefits of such a situation rather than recognizing their motives as good citizens who care for those harmed by the policy, including natural objects and other species. The activist who complained about the loss of species and so on, did not want to be compensated; he wanted to *prevent the loss*, and it is feasible to claim that he wanted to prevent loss for *others* as well, or even loss for nature.

2.2 What functioning is lost?

It is now time to examine what functioning, exactly, is lost, or becomes insecure, when environmental displacement occurs. Obviously, what is lost is the place. Does this imply that one loses anything else? We can think of attachment to the place. But does it have to be lost? Admittedly, not necessarily. We can think of many examples in which refugees still have a sense of their place. The Argentinean Diaspora in Europe, for example: many of these people, who had to flee from their country because of the military regime, continued to have a sense of place while being thousands of miles from their homes, which they had lost.[11] Yet

there are two points to make here. First, that their homes and places did not vanish; they could imagine them, they could even imagine returning to them. Second, that even if it is the case that sometimes when a place is lost, the attachment to it is not lost, it might still be argued that a sense of having a place, which refers to the way this place constitutes one's identity, might get lost. And even if it does not get lost, the very anxiety that it might get lost makes this sense of place insecure. This is enough for it to be a meaningful harm to one's self-identity, as argued in (1.4) above.

It seems, then, that one of the most important functionings that becomes insecure in these cases is the functioning of self-identity, or at least an element of it that relates to the notion of 'place'. The tragedy of political refugees and their frequent difficulties in assimilating in their new, often alien environments, demonstrates this loss. Yet, with "regular," e.g. political refugees, it is reasonable for them to at least hope to return to the place they lost, whereas with environmental displacement that is due to global warming, the tragedy is that the loss is forever. The place ceases to exist. Thus if we wanted to compensate for the loss of place, we had to claim that offering money compensates for the harm to the functioning of self-identity. So I now turn to elaborate on this, and how a sense of place is related to self-identity.[12]

The discussion is based on an empirical psychological claim (which does have a normative aspect, as I explain below), namely, that place orientation is a feature of people's experience of their immediate environment and how they understand their "environment."[13] In other words, harm to place is harm to one's ability to understand one's environment, and therefore it is harm to a sense of place, which, in turn, is harm to one's self-identity.

But in order to fully understand how having a sense of place relates to self-identity, we need see that it is the *commitment* to place that becomes part of how people define themselves. This commitment is not merely positive; on the contrary, criticism is part of one's devotion to one's place and one's desire to help transform it into something better. In a very extreme case, hating a place becomes also part of one's self-identity. People need some kind of relationship and attitude towards a place in order not to feel alienated. In fact, our relationship with places is often influenced by political institutions that are local, national (and sometimes global) in scope, so even our political engagement is influenced

by the way we define our place. Thus, people see themselves as 'Bostonians' 'French' or 'Scandinavians' and they do so not necessarily only in positive terms, but often in critical ones, nevertheless, terms which allow them to engage in politics from the perspective of their sense of place. These terms can involve sentimental or rational evaluations of the place, but they always form part of how we see our "self," our identity.

Now, this argument can be challenged in three ways. First, one could argue that at times of globalization and new technological development "place" is less relevant to how we define ourselves. This sense of place is increasingly obviated by the number of people for whom the Internet and easy transportation have made a cosmopolitan and even "virtual" existence commonplace. Yet, as John Meyer argues, the presumption that place is relevant only to a bygone era, in which most people's geographic horizons were limited, is misguided.

> There is no substitute (re*place*ment) for the centrality of place in our lives, as long as we remain part of the natural world. We can ask how these technologies visually affect the places in which we live, how they affect our patterns of daily life, how they affect our health and well-being and that of our children. (…) Yet it is these issues [how the processes] affect the places we live in—ads] that are key to who we are and what we value.[14]

But here comes a second challenge. Suppose we accept that place is empirically important to how people define themselves. Yet why bother about a commitment to place? In fact, why not fight this psychological tendency, since this commitment is nothing but a failure to be rational? Why is commitment to place in the interest of a modern person? And why can't we just be individuals who function wherever we are? Well, some anthropologists claim that this tendency of human beings to orient from a place is hereditary. (They often compare it to animal territoriality.) But there is no need to go that far. Suffice it to say that place is vital to human identity because it bonds us to our values, history, personal and collective memory, language, natural surroundings, to things we are familiar with and at ease with. It provides a sense of belonging to something greater than ourselves individually. It offers a sense of home. This *inevitably* leads to feelings of concern, involvement, and commitment that are missing when we leave our "place." "Man is nothing but the pattern of his homeland landscape" wrote the late Jewish poet Shaul Tschernichovsky, apologizing for his inability to overcome his yearning for his birthplace, the Ukraine, in his new home, Palestine. This, then, is a psychological

claim that it is good for people to regard their identity as related to, and stemming from, their sense of place.[15]

At this stage a third counter argument could be raised. Perhaps place is a social construct.[16] In this sense, it is something onto which people *project* their wishes, images of the good life, and aspirations. Thus, there is some tension here: on the one hand, I have argued that many people see the place where they live as a *source* of identity, while on the other, according to the social construct theory, people consider place as a *reflection* of their identity.

But I think that this claim confuses *place* with *landscape*, a term that is closely related to place yet nevertheless differs from it. 'Landscape' is a social construct that indeed reflects our identity. The landscape of a place symbolizes the values of the community that lives there.[17] For instance, the landscapes of New England described in stories or illustrated on postcards are rural and modest because they symbolize liberty, the pioneering spirit, family, lack of pretension. They are values that Americans find appealing and are exemplified by the nation's ancestors. Or another example: Today, artificial places like Disney World see themselves as having a mission in the world—in fact as embodying a technological utopia or vision of "America as the center of the world."[18] Consider another example: In Victorian England, middle-class people shaped their public places, their parks, according to their values: these were well–defined places, with straight, distinct paths, where those who entered knew how to behave, where to find the center of the place (it was where music was played on Sundays), and what was expected of them. Even the shape of the park reflected the values of Victorian England.[19]

There is no necessary contradiction here; in fact the ideas that place constitutes identity and landscape reflects it can complement each other. So we can think of it as a dialectical relationship between place and self-identity, where place constitutes identity, which then—in light of geographical and technological changes in place—projects this identity on the place, looking for reflections of one's values and norms in the place to which one belongs by creating and defining its 'landscape'.[20]

I mentioned earlier that the psychological-empirical claim has a normative aspect. Indeed, one could challenge my argument in the following way. Well, perhaps it is true that place constitutes a sense of place that is part of what constitutes identity; yet, some people's attachments to place seem to us immoral. Those who reside in the Bushes in Australia, many Greens claim, disturb ecosystems, and should not be there;

many Israelis and definitely the Palestinians claim that the attachment Israeli settlers in the occupied territories feel towards their settlements are morally repugnant. Put differently, arguing that place is constitutive of one's identity, and that place incorporates culture, relationships, etc., might appear to imply that resentment to social and demographic changes may be justified on these grounds. Thus a person might claim that since his attachment to the place constitute his identity, and since these attachments involve the memory of the place being "white" or "middle class" or "Christian," it is legitimate to oppose immigration of nonwhite population, or working class people, or Jews to the place on the grounds that this harms his self-identity. If this is so, and since such an argument appears to be chauvinistic and racist, then my theory falls since it justifies such unintuitive cases.

My theory does not relate to such cases where place has changed, but rather to cases in which place is damaged to the extent that it ceases to exist, or become uninhabitable, what I called harsh cases of environmental displacement. Still, this is a sound challenge. Thus, I should modify the argument: in order for a commitment to be constitutive of one's identity in a morally accepted manner it must not be exploitative of the environment and the human beings in this place.

Consider the following. Suppose we accept that one's profession is constitutive of one's identity. This often happens, and there were times that one's professions were so important for one's identity that they became people's family names (Butcher, Gardner, etc.). Therefore it may be reasonable to claim that states should respect people's professions. But it is not reasonable to claim something like "I am a thief and this is constitutive to my identity, therefore the state should allow me to 'lift' from others or else my identity is at risk." Our answer to such a claim would be that for a profession to be constitutive of one's identity, it must respect other people's professions and selves, and therefore not exploit them. The same applies in our case here. For a place to be constitutive of one's identity, the relationship to the place must not disrespect the place and other people's attachments to it.

Moreover, we could dismiss the thief's claim because self-identity in that case is overruled by other considerations such as not exploiting people, not treating them as means. To return to the racist's demand that we preserve the place and not allow immigrants in, preserving and protecting self-identity is only one consideration; equality could be another

legitimate consideration, and so would be absorption of immigration, both of which could overrule the racist's claim for self-identity.

I would like to clarify that one could still insist that it is not necessarily good for people to have this notion of place; yet, this should not jeopardize my argument here. In terms of the present argument, this is not the issue: for now, this is how humans are, and therefore when belonging to a place seems constitutive to their identities, a place's integrity is important to them. The normative question that interests me is not so much whether belonging to a place is a good thing or not, but rather what should be done to sustain this sense, assuming that this is the case.

2.3 Loss of place: two clarifications

Before we continue, I would like to clarify two points. First, the claim that money cannot compensate for the harm to the functioning of identity entails a claim that identity is incommensurable with any other functioning, and indeed mainly with money.

This seems to me an important observation. My argument at this stage is not that a place cannot be compensated by giving somebody a different place (I refer to this below when I discuss rectifying the loss of place), but rather that the sense of place and its role in constructing self-identity is a functioning, the loss of which cannot be compensated by offering money or strengthening a different functioning because money and this functioning, or the two functionings, are incommensurate.

This leads us to question what is meant by incommensurate? Often "incommensurability" stands for "no common standard for comparing two or more objects." Alternatively, incommensurability goes hand in hand with value pluralism. Thus, two or more objects have no common denominator from which both their values stem.[21] However, when I argue for incommensurability I do not refer as much to the *value* of place orientation and place affiliation, but to their *role* in human flourishing, given that I conceive it as a functioning. Indeed, according to the incommensurability argument, no other functioning, let alone money, can replace *the role* of the functioning of place in human flourishing. A loss of the "sense of place" aspect of our identity is therefore critical. It cannot be replaced by strengthening another functioning.[22]

The second point I wish to clarify concerns actual and *potential* harm. The argument so far is that in cases of environmental displacement, loss of "place" harms the functioning of one's identity and this cannot be

compensated for. Now, arguably, not all cases in which evacuation is predicted will end up in actual displacement and people leaving their land. Therefore it is possible to challenge my position by arguing that only in cases when people are indeed evacuated should we consider policies of rectification in terms other than compensation. Here I wish to relate this to my earlier discussion of insecure functionings. Namely, we do not need to see a loss of functioning to declare someone disadvantaged. Rather, it suffices for the functioning to become insecure. Accordingly, the very threat of forced evacuation harms one's potential psychological ties to one's place and therefore to one's identity. If rather than seeing one's place as a positive factor in one's identity, one only sees it in terms of the anxiety and peril it has come to represent, then the positive sense of identity that the place engendered cannot be sustained.

This is not to say that one cannot be critical of the place. But being critical of the place will still be part of one's identity if the place is there; the case we are dealing with is one in which the very existence of the place becomes insecure.[23]

Notice, that in saying this, the theory becomes rather radical, because unlike now, when people must prove that they have actually been harmed, I interpret the threat of evacuation in itself as harm indeed.

3. Can We Rectify Loss of Place?

3.1 No way to rectify loss of place

Having explained how often compensation cannot suffice, let us see what rectification is able to offer. But first, what do we mean by rectification? Consider issues of health. Suppose somebody losses their leg in an accident. Aside from cash transfers (compensation), we could rectify the problem either by offering a wheelchair or special taxis (in case the problem is free movement) or by educating the public not to see them as "different" (when the problem is exclusion, e.g. in interviews for jobs, in schools, etc.). These measures all try to rectify the harmful consequences of being disabled, rather than compensate the disabled person.

So can loss in cases of environmental displacement be rectified? Does it make sense to rectify loss of place by offering the harmed person a new place? At the end of the day, the claim would go, for many people all places are places, all homes are homes, and so one place can replace another and rectify the loss of another place. Indeed, the fact that so many people move from state to state or town to town following new jobs, marriages,

etc. shows that this is so. Thus, losing a place can be rectified by offering an alternative place. This might even be a charming and welcoming place. If this is so, then it would not be true to say that a loss of the functioning of identity is not rectifiable but simply a matter of negotiation, or bargaining, or, if you like, to find the right place for the right person.

There are two answers. The first is also empirical. Yes, many people move, but many more do not move. Most people in the world are born, and continue living in the same place or area or town or village. Most people find it extremely traumatic to move, and try to avoid it. This might suggest that the psychological price to pay is much too high. But let us push the empirical debate aside. Perhaps it is enough that some people move for the "no rectification" argument to be falsified.

Thus, the second answer is conceptual. What should be rectified? Notice that *it is not the place, but the loss of the place and a sense of place, hence the loss of the functioning of identity,* as explained above. If it had been the loss of place it would have been easy. All we would have to do is show that the new place is commensurable with the old, lost one. But the lost place consists of more than a house or a location. It consists of memories, attachments, stories, and therefore identity. The two places—the one I had to flee from and my new place—might indeed be commensurable in a technical sense,[24] but they are not *commensurate*, in the sense that the original place involved attachments, memories, and identity, as explained above, and therefore moving to a new place does not rectify the loss of place. (I'll say more about it when I discuss the metaphor of a stepfather.) And so, if we give credence to the idea that place constitutes identity, then we cannot expect people to go jumping about from one place to another. It is not *any* place that constitutes my identity. In addition, my relationship with this place must be *voluntary* for me to consider it part of my identity.[25]

Thus offering a new place rectifies the problem of not having shelter; but if the definition of the problem is that people's sense of place becomes insecure and thereby their self-identity is harmed, then a new place does not rectify this problem.

3.2 No obligation to find a new place?

If we cannot rectify for the loss of place, does it mean we are not obliged to find a new place for environmental refugees? In order to answer this let me draw two distinctions. The first is between two perspectives: that of society and that of someone who is uprooted from her place. As a

society, we look at this individual and think it would be quite reasonable to accept the rectification of an alternative place. She was going to be evacuated anyway, because, say, the place is now terribly polluted, or flooded, and she would be better off if she accepted the rectification offer. However, this person sees the picture from an entirely different perspective. She experiences great personal distress; her sense of place and functioning of self-identity are distorted and at risk. For her, suggesting that she would be better off accepting the rectification scheme is to misunderstand and misinterpret her narrative. We know this from the way refugees describe their situation. Take a political refugee who escapes from, say, Sudan, to the UK or the USA. In many ways the new "place" is better than his previous place; in many other ways though, the new place might be worse. However, this is not the right way to consider his story and what has happened to him. The point is not whether the new place is better or worse than the old one but that it is *different*; it is not the *authentic* place for that person. In other words, a person's suffering relates to the *displacement* itself, the actual loss of place, or to the fact that the functioning of identity has been rendered insecure.

The second distinction I want to draw is between the individual before and after the event. Another way to look at this distinction is between being better off and rectification. Consider the following case. A woman worked in a certain firm where part of employment contract related to health insurance that the firm purchased for her. Being young and healthy, she didn't bother to examine the finer details of the policy. Unfortunately, a year after entering the job she was diagnosed with cancer, and had to take six months off work and receive drastic chemotherapy. When she finished her therapy she looked at her insurance and saw she was covered for a huge sum of money. Naturally, she was very pleased.

Obviously, she was not *compensated* for the cancer or for suffering because of her chemotherapy sessions. But did the payment *rectify* the scar that was left due to the chemotherapy, the anxiety associated with the cancer, and so on? The answer is quite simple: since she had already suffered, she was better off with the payment than without it; although the money *did not rectify* anything. Her memories and pains, and the anxieties she experienced are there forever. To see why, consider the following: given the choice, would she have decided to go through the cancer and the treatments *before* being ill? Would she have chosen to have cancer in order to

receive the money afterwards? Would she have been indifferent towards the cancer if she had known she would receive the money? I doubt it. I dare say that no reasonable person would choose so. If she would have not been indifferent, then the money is neither compensation nor rectification.

3.3 The stepfather metaphor

It seems to me that I can offer a metaphor for what I have tried to say about the loss of place and therefore the loss of a sense of place and therefore the harm to the functioning of identity. When I was a child my father died. I was 12 years old and it was very traumatic. Three years later my mother, who was a young widow, remarried. My stepfather was very kind to me, and my mother's life improved tremendously due to this second marriage. I also got to know three charming stepbrothers who were funny and spoiling (I was the youngest). And yet, while my stepfather completed all his fatherhood duties, he was not a real substitute for a father, in the sense that I never really expected him to love me as I expected my real father. Thus the fact I had a stepfather did not really fully compensate for losing my father. Moreover, even though my stepfather was nice and supportive, I never quite overcame the trauma of losing a father at the age of twelve. In that sense the stepfather did not rectify the wound. While it did compensate in the sense that we had economic security, that he drove me to football games, and that he helped with my homework, it never rectified the feeling of loss and the feeling I was terribly unlucky to lose a father at such a young age, and that other kids did not have to go through this.

Was having a stepfather commensurable with having my own father? One might claim that in several aspects it was: I could compare them; I have just done this. But there is a strong sense in which even if I can compare them, I cannot claim that they are commensurate.

4. Conclusion

The bottom line, then, is that governments have a duty to *prevent* displacement and environmental injustice due to global warming, and not to assume that they can let global warming happen and then rectify the disadvantage caused or compensate for it.[26]

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NOTES

1. I am thankful to Dominic Roser for helping me to define the distinction.

2. See David Schlosberg, *Environmental Justice and the New Pluralism* (Oxford University Press, 1999); Kristin Shrader-Frechette, *Environmental Justice: Creating Equality, Reclaiming Democracy* (Oxford University Press, 2002); Robert Bullard, *Dumping in Dixie: Race, Class and Environmental Quality* (Westview Press, 2000); J. Agyyeman, R. Bullard and B. Evans, *Just Sustainabilities: Development in an Unequal World* (MIT Press, 2003)

3. Amartya Sen, *Development as Freedom* (Oxford University Press, 1999).

4. Sen, ibid., p. 74.

5. Sen, ibid., p.131. This is not to deny that deprivation of capabilities can have close links with the lowness of income. See p.18.

6. Marmot Michael, *The Status Syndrome* (Bloomsbury, 2004).

7. See G.A. Cohen's discussion of "being forced" and "all other options being not reasonable," in "Are disadvantaged workers who take hazardous jobs forced to take hazardous jobs?" in his *History, Labour and Freedom* (Oxford: Clarendon Press, 1988), pp. 239–54.

8. At this point I should note that we are talking about functionings where part of their good is for them to be secured. Obviously, not every time something is good for us is securing it also good. For example, winning a game might be good for me, but securing the win is not part of this good. I thank Nir Eyal for this point.

9. A useful attempt at clarification is Robert Goodin's distinction between "means-substitution" compensation and "ends-displacement" compensation. See his "Theories of Compensation," *Oxford Journal of Legal Studies,* 9 (1989), pp. 56–75. For doubts about this distinction and an attempt to replace it with a continuum, while remaining within the spirit of Goodin's suggestion, see Jonathan Wolff, "Addressing Disadvantage and the Human Good," *Journal of Applied Philosophy*, 19 (2002), pp. 207–18 at p. 209.

10. We can see that there are two quite distinct rationales for offering cash compensation in cases of environmental displacement. "Equality of welfare" theorists would argue that victims of displacement and environmental injustice suffer from lower levels of welfare (e.g. they would have loved to live in their valley, or island, but now that it has been flooded they cannot). Therefore compensation is needed to raise them to an appropriate welfare level. "Equality of resources" theorists on the other hand, argue that these victims lose "resources" (mostly external resources, i.e., wealth, their houses) compared to others, irrespective of the effects of this on their *welfare*) and therefore the disadvantaged should be offered additional resources normally in cash form to make up for this lack. Thus prima facie both arguments point to a policy of offering cash compensation to victims of environmental displacement, albeit for different reasons. This argument is further discussed in Wolff and de Shalit, *Disadvantage* (Oxford, 2007). Clare Heyward argues that the resourcist approach cannot meet the real challenge, which is to meet the emotional cost. See her paper "Capabilities—the Environmentalist's Metric?" presented at the 7th International Conference on the Capability Approach (Annual meeting of the Human Development and Capability Association), in New York, September 2007.

11. Sznajder Mario and Louis Roniger, *The Politics of Exile in Latin America*, (Cambridge University Press, 2009).

12. Here, I mainly follow Meyer, John, *Political Nature* (MIT Press, 2001) chapter 6 and Bryan Norton and Bruce Hannon, "Environmental values: A place based theory," *En-*

vironmental Ethics, 19 (1997), pp. 226–47. See also Sale Kirkpatrick, *Dwellers in the Land* (San Francisco: Sierra Club Books, 1985); David Ehrenfeld, *Beginning Again* (Oxford University Press, 1993); and Mark Sagoff, "Setting America: The concept of place in environmental ethics" *Journal of Energy, Natural Resources and Environmental Law*, 12 (1992), pp. 315–418. I have discussed the notion of place in de Shalit, "Being Israeli," *Government and Opposition*, 39 (2004), pp. 81–100. That is not to say that our sense of well-being is invariably bound to an attachment to "place." Empirically some people enjoy life when they move from place to place, and in fact believe it is good for them not to be attached to a single place. But these are exceptions, and most people's behavior and attitudes shows that places are crucial to their identity, and often their well-being.

13. Norton and Hannon argue that place orientation involves only not a home perspective, but also a sense of the place's environment.

14. Meyer, *Political Nature*, pp. 138–39.

15. See also B.G. Norton and B. Hannon, "Environmental values: A place-based theory," *Environmental Ethics* 19 (1997), pp. 227–45.

16. David Harvey, *Justice, Nature and the Geography of Difference* (Blackwell, 1996), p. 293.

17. See the works of geographers Cosgrove D. and S. Daniels, *The Iconography of Landscape* (Cambridge University Press, 1988) and D.W. Meining, *The Interpretation of Ordinary Landscape* (Oxford University Press, 1979).

18. A. Wilson, *The Culture of Nature* (Blackwell, 1992).

19. D. Cosgrove, *Social Formation of Symbolic Landscape* (London: Croom Helm, 1984).

20. For example, in early twentieth-century America, people were concerned with the loss of generosity, kindness, and brotherhood. These people sought to construct public rather than private place, and by this to restore these values. Their thought was that national parks—a new definition of landscape—could be the way to do this. Thus, they described the formation of public, *national* parks, as the triumph of spirituality over the mean, commercial spirit of the age, and the "Almighty Dollar." When Theodore Roosevelt opened a White House conference on nature conservation, he declared that nature conservation was the scientific way to prevent a decline in national greatness. This example reveals this dialectic relationship: an identity is shaped by its place; then in order to secure or restore certain values against changes, landscape is constructed and values are reflected in it. See R. Nash, *The Rights of Nature* (University of Wisconsin Press, 1989), p. 40.

21. John O'Neill, *Ecology Policy and Politics* (Routledge, 1993), p. 103.

22. There is an additional reason why compensation is inappropriate in the case of environmental injustice, namely that in most cases the ones causing the harm (and usually benefiting from it) are those who define the terms of compensation. However, I shall not discuss this point here.

23. At this point I should explain why, if a relationship to a place is part of our identity, the integrity of our place is so important. On the surface, there is no reason to jump to this conclusion. However, we can compare this to our relationships to other people: if we regard another person or a family as constitutive of our identity, it seems obvious that we would want that source of identity to retain its integrity.

24. I can say, for example, that I think London is more exciting than Paris even though Paris is more beautiful.

25. It might be argued that one's attachment to one's birthplace is never voluntary. I argue elsewhere that it is, especially if one continuously and regularly reflects on one's attachment to that place and one's conceptions of identity. See my *Why Posterity Matters*

(Routledge, 1995) and "Nonconformism and Community," in Emilios Christodoulidis, ed., *Communitarianism and Citizenship* (Ashgate, 1998).

26. Parts of this paper are based on a collaborative work undertaken with Jonathan Wolff (*Disadvantage,* op. cit.) Previous drafts of the paper were presented at Princeton University, a conference on global warming at Oxford University, a conference on the Ethics of Risk at University College London, The Jerusalem Forum for Political Philosophy, and the KKL International conference on Philosophy and the Politics of Distributive Justice. I wish to thank the participants, and in particular Daniel Attas, Shlomo Avineri, Daniel Bell, Simon Caney, Alexander Cappelen, Carl Cranor, Alon Gold, Dale Jameison, John O'Neill, Nir Eyal, Madeleine Hayenjhelm, Clare Heyward, Rainer Forst, Piki Ish-Shalom, Avishai Margalit, Jeff McMahan, Daphna Pery, Tomer Pery, Jonathan Reshef, Dominic Roser, Sabine Roeser, David Schmidtz, Shlomi Segall, Daniel Schwartz, Michael Walzer, Daniel Weinstock, and Yaffa Zilbershatz for their comments. I am indebted to the Israel Science Foundation for its generous grant. Finally, I would like to thank two anonymous referees for very helpful comments.