

مبدأ المناخ المشترك أو نظرية المصلحة الجماعية (التأثير الجماعي على المناخ
أولسون منكور وأوليفيه جودارد

Principle of a common climate or theory of collective goods (collective action on
climate). Mancur Olson, Olivier Goddard.

Principe d'un climat commun ou théorie des biens collectifs (action collective sur le
climat). Mancur Olson, Olivier Goddard.

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الملخص

قد أثرت العديد من القضايا على الصعيدين الوطني والدولي، تشير إلى تغير المناخ والتلوث البيئي نتيجة لانبعاث غازات الاحتباس الحراري. ولأسباب اقتصادية ورفاه اجتماعي، أصبح استخدام الوقود الأحفوري والوقود النووي حتمية لا مفر منها. لكن نتائج هذا الاستعمال كانت وخيمة لأنه ذات تأثير كبير على النظام البيئي والتنوع البيولوجي. اختفت إثرها العديد من النباتات والحيوانات، وظهرت الأمراض التي تهدد حياة البشر وتقلل من العمر المتوقع. الفلاسفة، الاقتصاديون، المحامون، السياسيون، النقابات والجمعيات، أصبح الجميع متحدين لأن هذا المناخ صالح عام، وهو الآن مهدد بالظواهر السلبية التي تسبب فيها جشع الإنسان. وهذا ما يجعل كل واحد منا يتحمل مسؤوليته تجاه سلوكه من حيث الاستغلال المفرط للوقود بنوعيه الأحفوري والنووي. لذا نصبح مدفوعين إلى المساهمة في التعويض من خلال دفع ضريبة للحد من الإزعاج عند الإضرار بالمناخ، على سبيل المثال ربح شركة ملوثة، و"صافي المنتج الجماعي". يتم الترويج للضريبة كوسيلة للقضاء على فشل السوق، أو ما يعتبر الآن أن الملوثة يدفع مقابل تلويثه للمحيط. هل ستكون هذه الحلول المطلوبة كافية للمحافظة على المدى الطويل على الصالح العام للجميع؟ إن تحليل هذه الإشكالية، المتعلقة بالمناخ كصالح عام، يتطلب في رأبي، الإشارة إلى الدراسات التي أجراها الاقتصاديون والفلاسفة أمثال مونكور أولسن وأوليفيه جودارد.

الكلمات المفتاحية: التنمية، الرفاه، البيئة، المناخ، الصالح العام، الاستغلال المفرط، الضرائب، التلوث.

Summary

Many issues have been raised nationally and internationally, concerning climate change and environmental pollution because of GHG emissions. For economic reasons and societal well-being, the use of fossil and fossil fuels becomes a categorical imperative. But the consequences were highly influential on the ecosystem and biodiversity. Many plants and animals have disappeared, the appearance of diseases that threaten the lives of human beings and decreases life expectancy. Philosophers, economists, lawyers, politicians, unions and associations, everyone becomes united because this climate good is common and this collective good is threatened by negative externalities caused by man and his greed. What makes us think, that each individual is responsible for his behavior in terms of excessive exploitation of fossil and fossil energies. So we are motivated to contribute to compensation by paying a tax to reduce its nuisances, for example the profit of a polluting company, and the "net collective product". The tax is suggested as a way to eliminate a market failure, or what is considered today as polluter pays. Will these solicited solutions be sufficient to preserve in the long term the common good of all? The analysis of this problematic situation, concerning the climate as a collective good, requires, in my opinion, to refer to studies made by economists and philosophers like Moncur Olson, and Olivier Godard.

Key words: Development, welfare, environment, climate, common good, overexploitation, tax, pollution.

Introduction

The notion of the common good is born of the awareness of the existence of a common heritage of humanity (in a state or in the world) and thus to preserve certain material goods

example: water, air, soil, material and non-material goods such as climate, knowledge, health, culture, peace, financial stability.

This concept of the property was first introduced in the United Nations (UN) in a report in 1990 on the United Nations Development Program (UNDP) and under the leadership of economists such as Pakistani Mahbubul Haq and the Indian AmartyaSen, when this organization is convinced that development is not only about economic growth but other elements that summarize the improvement of well-being such as life expectancy is threatened by the problems of climate change, and the degree of literacy. Since this report, accesses to health and education services have been taken into account as sources of individual satisfaction and social cohesion. And from the moment these factors are posed as collective categorical imperatives.

The development of this problem is supported by the leading economists and philosophers, supports the idea of going to specialists in this field as Mancur Olson and Olivier Godard. And, how do we manage to challenge this problem and its circumstances?

Development

In 1992, the United Nations Conference on Development and the Environment of Rio de Janeiro took into consideration the Brundtland Report (1987), which set its goal of meeting the needs of present generations without compromising the ability of future generations to answer their needs. By maintaining social cohesion, inequalities will be reduced on the long-term and equilibrium of ecosystem will be supported by development.

In 1999, a book entitled "Global public goods, international cooperation in the 21st century", published by a UNDP (United Nations Development Program) Center for Development Studies. In addition to that, the World Bank has published a book entitled "Effective use of development finance for international public goods." These books really reflect the concern of

these organizations about the commons by identifying six categories of these goods: environment, health, peace, financial stability and governance.

According to the identification of these categories, the two public goods cross each other, but their governance remains a different issue. This brings us closer to this problem and to treat it by drawing inspiration from some economists: Mancur Olson, Olivier Godard, and others.

In this analysis, climate change, despite being an expression of recent use, increasingly poses a crucial and vital problem for humanity. This is a reality that has a very real impact on the environment. This phenomenon is triggered by several causes, such as emissions of greenhouse gases, carbon, nuclear radiation, under the influence of man or it is a natural effect caused by chance. But on the other hand we discover that every agent acts on the climate and the environment, it should be responsible for its externalities.

Samuel Son, in his 1954 article, identifies two main characteristics of public goods or common goods (Collective). In analysis, a public good or a common good is revealed by two criteria:

- A non-rival criterion: this means that the consumption of this good by a user does not involve any reduction of the consumption of other users (the good is not appropriable).

- A non-exclusive¹ criterion: It can't belong to any ones, so it is impossible to prevent anyone from taking advantage of this property or having it pay for its use. This offer is indivisible. The most cited examples in this area are the lighthouse and public lighting. The latter is a property that belongs to no individual, and does not entitle anyone to reserve his share of the illuminated sidewalk. Example: the port lighthouse that all boats take advantage of its lighting to better navigate to the docks². But, the port's lighthouse can be transformed from a pure public good to a non-rival public good "good club"³, "The lighthouse signal, a typical example

of the pure public good, can be replaced by an accessible electronic signaling system only. To those who pay for his access; the genetic information of a plant may be reserved for those who buy them at least for a period, or on the contrary, left by decision in the public domain"⁴. In the case where the two criteria meet (non-rivalry and non-exclusion) will be pure public goods. In the case where one of the criteria is excluded, these goods are common goods (non-exclusion but rivals) example fish resources, or are club goods (exclusion and non-rivals) example of infrastructures such as the Suez Canal, which is a good that had to pay and reserve access. See the table below.

Table 1:

Typologie des biens publics	Exclusion	Non-exclusion
Rivalité	Biens privés <i>Vêtements, voitures.</i>	Biens communs <i>Ressources halieutiques, bois, charbon, le service national de santé, l'éducation nationale.</i>
Non-rivalité	Biens clubs <i>Cinéma, télévision par satellite.</i>	Biens publics purs <i>L'éclairage public, l'air, la défense nationale.</i>

Typology of public goods

We can generalize these criteria on other domains of the public good such as transport, telecommunications, sovereign functions; the quality of the environment, health ... In the case of fisheries, this has been developed recently, it is possible to set quotas⁵. Other examples where the common goods have a cost and are not necessarily "free" such as public facilities, a hospital or a school, certainly require a significant initial investment, but the quality of the public service can be modulated in terms of materials, staff or places of reception.

After identifying the different forms of the common good we present the views of our key players in our research, Mancur Olson.

1- Mancur Olson and the paradox of collective goods

According to this analysis, it turns out that these goods are highly necessary or even vital, which can only be produced by the State, which can legitimately impose taxes on citizens in order to finance the production of these collective goods. Particularly, where markets are unable to provide them and need to be filled. Political power would be indispensable to ensure its proper execution.

From this logic of Mancur Olson, each private agent has an interest in adopting a behavior, according to the terminology of Olson, a "stowaway" or "free rider" or "free ticket"⁶, skilled at take advantage of collective goods without contributing to their financing, as long as others, in their place, take the initiative to produce this good, and then they will benefit without paying any cost. Unlike trade in private goods where each partner has an interest in getting involved.

The sociobiologist Garrett Hardin denies the notion of the common good, because it leads to a "tragedy of the commons" where a resource is freely accessible any user spontaneously benefits from it until its exhaustion, based on the example a pasture, each breeder will seek to increase his flock as there is nothing to pay, it is an opportunity not to be missed. These common goods can form natural resources that are often victims of overexploitation or waste, this catastrophe of the commons was expressed by Aristotle saying "We pay less attention to what is common to all because the man is interested more to what is proper to him than to what he shares with others. "

In this condition we risk facing two problems: to have produced nothing good or produced in insufficient quantity. And, to overcome this difficulty and the tendency to "free rider", Olson (1965) suggests incentives by rewarding what contributes and sanctioning what might harm the group.

We find among us either businesses or individuals who, by their production or consumption, often have positive or negative impacts on individuals (nationally and / or internationally) who do not participate directly in this process of transaction. These effects are sometimes negligible at a stage when they will become a problem, which economists call externalities. These externalities are strong reasons that force the public authorities to contribute in the economic sphere.

Negative and positive externalities (Most externalities are technical in nature)⁷.

. In the case of negative externality, we can start from the classic example of pollution. The polluter has only the profits that he can derive from the production of his factory, without interfering with the effects of fumes released from the factory chimney, which provoke undesirable effects for the people living beside factories, who can take several forms such as the degradation of nature respiratory diseases and other chronic.

. In the case of positive externalities we talk about earnings. For example, the effects of socially funded research and development activities are positive because they improve scientific knowledge and open up new horizons for research. But, without other people indirectly gaining from these activities. In this case, the private gain is therefore lower than the social gain.

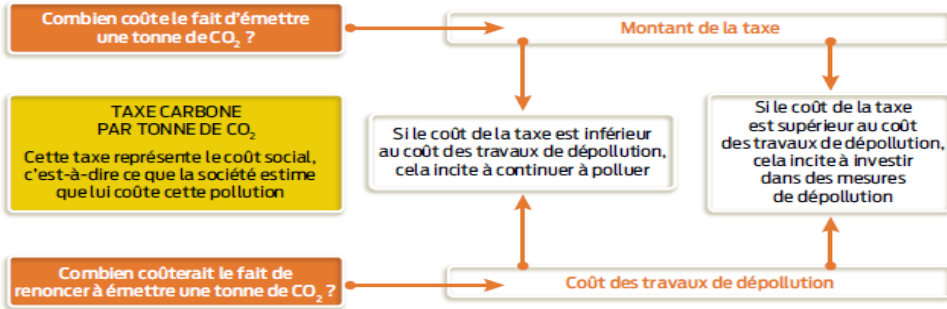
From the perspective of well-being, economists find that the market may lose its effectiveness when there is a difference between private costs or gains, and social costs or gains. And to escape from this problem and support the well-being of all members of society, gains should be maximized and social costs minimized.

Take the example of pollution, particularly at this time of the cement shortage in Algeria, its social cost will increase with the level of pollution that will be caused by overproduction and the private gain is maximized. But once production is reduced, the social cost is minimized.

Taxation of negative externalities (the Pigovian tradition: reducing nuisances through taxation)

In the welfare economy (Welfare Economics) and the liberal theory that was developed at the end of the First World War, whose idea, the state should intervene to correct some market failures. Arthur Cecil Pigou (1877/1959), as one of the forerunners of environmental economics, is particularly interested in externalities. In such situations, he identified the existence of a discrepancy between what he called "the net private product", such as the profit of a polluting enterprise, and the "collective net product". He suggests a tax as a way to eliminate a market failure, or what is considered today as polluter pays. In the case where an agent is responsible for a negative externality, the resulting consequence; the community will bear a social cost (pollution) greater than the cost of the polluting agent. As a result, the state must intervene by imposing a tax on the polluter to repair the damage caused by its negative external effect and support agents producing positive externalities. And the gap between social cost and private coup will be eliminated.

Figure 2



*The principle of the taxation of carbon emissions (Occasional Economic Alternatives Review
N° 100 - Environment section - February 2014)*

This taxation, in my opinion, can have two positive consequences: It sounds the alarm on the seriousness of the environmental situation (excess of GHG emissions) ie the preservation of the collective good, destroy the gap between the polluting agent and the society suffering from pollution. Finally, all this will put in order when we will see a decrease in greenhouse emissions and avoid an environmental disaster. We can compare it to the taxation of cigarettes in France. For reasons of health and its name and the prevention of risks associated with tobacco and the reduction of smoking, the State regularly surcharges the sale of cigarettes so that it has exceeded VAT (16.4%), because it rose to about 81% of the price of a single package the increase was due to 10%. The long-term demand for tobacco decreased by 4.7% (2000 to 2003). The French State has proceeded to other devices, for example: smoking ban in collective places but, without effectiveness noted⁸.

In opposition, Ronald Coase (1910-2013) wrote in 1960 his article "The Problem of Social Cost" which introduced new concepts in the economy as "transaction costs", "theorem of Coase", criticized the theory of Arthur Pigou who expanded the missions of the state. He wrote: "*I explained in the problem of collective cost that what is traded on the market is not, as is often*

*assumed by economists, physical entities, but the rights of exercise certain actions, and that the rights that individuals possess are established by the legal system*⁹. For him, it is not up to the State with its taxes and regulations to make polluters pay for their damage or negative externalities; as long as they polluted, they must pay.

In cases where the property rights of the agents are established on the public or common goods (and not the right to use this property), and when the negative externalities of a human activity are established, can be negotiated. It is for the property rights of market agents on public or common goods, and the moment when are established the negative externalities of a human activity will be able to be negotiated. Pollution may be the subject of negotiation between the owner of a polluting cement factory and the surrounding households, whether the latter demand the cessation of pollution or sell their property (land and habitat), and to live elsewhere.

It does not matter who the beneficiary is, what is important is that the rights are allocated to one or the other of the negotiating partners (*the provocateur of the nuisance or the one who undergoes it*)¹⁰. The state, in most countries of the world, takes charge of the effects of pollution as diseases caused by different phenomena in drugs and treatments.

For "Coase", the market must take over from the state to manage the negative effects of agents and other problems, because the price of these externalities cannot be determined, and that the State is known by a triad dilapidated: more intervention, regulation and taxes. Therefore, the role of the state must be simplified to the police and justice and to ensure the respect of the law and its application.

In summary, Coase develops two ideas: the first, the object of negotiation, which means that property rights are well defined. Buying a polluting company is legal. The second, the agreement, write the contract, undertake the checks to make sure everything is in order, the reads.

Reviews «objections»

According to the critics of the economists, "Coase" relies only on concrete examples to back up his theorem, avoiding demonstrations and generalizations. This opened up major debates on his analysis. To cite one example: the moment of the direct negotiation on the price between the two partners, we note the absence of the auctioneer who puts in transparency this transaction and avoiding any confrontation possible and direct between the two, by referring the supply-demand rule and proposing a price to agree on the "reserve price" where the seller and the buyer cannot sell and buy, and the whole negotiation aims to bring them closer to this price.

Going back to the problem of the polluter, will we have positive consequences in making him pay? If we talk about the climate issue, the polluter pays principle makes no sense as long as climate degradation is irreparable or it takes thousands of years, like the hole in the ozone layer. Some animals have disappeared, for example the dinosaur. Groundwater contaminated by methane trapped in the deep rocks of shale gas, its water will remain unsafe for centuries. So, "paying the pots off" does not make sense, as long as these pots will never recover.

The polluter payment can serve as a financial resource to feed the state budget for taxes, and as long as the externalities last the hard financing. This transaction will lead us to negative consequences. Where the polluter pays, two side effects generate; the cost rises and the nuisance persists. What makes one think of another sustainable, clean and safe energy: unlimited renewable energy and its accessibility is free.

Road traffic remained an essential financing tool for the state, polluters paid the risk of accidents and their consequences, but they never pay the noise of their trucks and cars. The case of planes is striking; their polluters do not pay kerosene emissions, which have more effect on the atmosphere.

2- The challenge of a climate justice "Olivier Godard"

Climate change is a recent expression in use, which is increasingly posing a crucial and vital problem for humanity. This is a reality considered today as equivocal by the "IPCC¹¹" intergovernmental group of experts on the climate, which impacts very concretely the environmental milieu. This phenomenon is triggered by several causes, such as the emission of large quantities of greenhouse gases "GHG" into the atmosphere since the beginning of the industrial revolution under the influence of man, hence its excessive exploitation fossil and nuclear energy or it is a natural effect caused by chance.

The first part of the fifth IPCC report (September 2013) tells us that there is between 95% and 100% chance that these emissions emitted by human activity are the main cause of climate change that we know in recent years, and that will have impacts on future generations, if we do not intervene at the right time. The 1992 United Nations Framework Convention on Climate Change (UNFCCC) states as a first principle that it is the responsibility of the Parties to preserve the climate system for the benefit of present and future generations on the basis of equity and on the basis of their common responsibilities, but differentiated from their respective capacities¹².

Climate change is widely recognized to have consequences for many sectors: health, biodiversity, the environment, and may kill thousands of species and destroy the very conditions of human survival on the planet. We think of well-being, only thinking of human beings and thus sacrificing the rights of other species and the well-being of future generations. Therefore, our life and especially our economy will be at stake, the latter will be impacted by our dependence on natural resources whose exploitation is the basis of our economic system. The estimates of the IPCC experts, referring to their fifth report on the impact of global warming (2014), the economic cost resulting from a temperature rise of more than 2 ° C, ability

to which we are moving currently stands at between 0.2% and 2% of global GDP, or between \$ 156 billion and \$ 1.560 trillion.

The most affected countries are the poorest because of the negative effect of the climate on the economy, without categorically excluding the developed countries from this phenomenon, China is setting an example; by 2030, according to Stern's report¹³, it is likely to incur huge losses of the order of \$ 1,200 billion, and estimates according to this report that India, its economic loss to 5% of its GDP in 2030 and that of the US at 2% or about 600 billion dollars a year.

We are witnessing a big problem, how to accept this inequality between countries that pollute and others that assume. The North is responsible for 78% of cumulative GHG emissions in the atmosphere, although it accounts for only 15.5 of the world's population? The fact of thinking of a climate justice, we attend a considerable challenge for our theories of justice that they are liberal or others for theoretical causes and empirical: first, the climatic changes exceed the political borders of a national State, they pose problems at the international level that encompass all states. Second; our theories of justice are classic that deal with issues between individuals of the same state. And, in addition, these theories are liberal, which encourages us to reformulate them to deal with this kind of problem.

With the deficiency of theoretical tools, and inspired by the work of the economist Olivier Godard, we will try to deal with this problem that has challenged one of the foundations of distributive justice.

The equal sharing of a healthy climate (Olivier Godard)

Olivier Godard is an economist who is interested in his work on climate issues. To dismantle the political and especially moral difficulties related to the principle of a common climate.

For equity in our fight against climate change and its negative effects, it is logical to start from a certain reality that some countries bear a greater responsibility than others. The reduction must be done with regard to this responsibility, and therefore in priority to the northern states of the world. And, that equity in these industrialized countries is paying their "ecological debt" to other developing countries for aid in the form of financing and appropriate technologies to deal with the various consequences of climate change. This support is the result of strong demand from the South. Eco Equity and the Stockholm Environment Institute have titled a tool dubbed Green House Right Development (GDR)¹⁴, which relies on the right to development in a carbon-constrained world. This tool is composed of two essential indicators: responsibility and capacity.

Responsibility: the obligation of a country to act on the ecological debt (cumulative known emissions of fossil GHG from the industrial era 1850 to 1990) and the responsibility to contribute to climate change.

Capacity: Human Development Index and GDP per capita. It corresponds to its degree of disposition (its contribution to answer the problem at national and international level, in terms of financing either for the reduction of CO₂ emissions at both scales, or to put in place adaptation policies and activities. in developed countries).

While the "reference" deadline of the responsibility is 1990, Olivier Godard enumerates the possible factors of the exoneration of the responsibility starting from the year 1970 and ending with the year 1990; these two decades have qualified them as a period of ignorance:

- During the year 1970, the generation that lived through this period considers global warming as a good for agriculture, so the citizen has a duty to use fossil fuels for more climate warming.

After this year, people begin to hear about the possible risks to global climate change, without knowing if it is a warming or cooling. In 1980, public opinion began to be known that,

something will happen and will have great negative risks on the climate, without being able to decipher it. In 1989, the IPCC with its three groups (Working Group WG: WGI, WGII, WGIII) was informed about these risks, and in 1990 submitted its first report on the scientific aspects of climate change, i.e. to say, science has confirmed the existence of an overall increase in temperatures and its adverse consequences on humans and their environment (the state of the art of climate change WGI) and the potential adverse effects on ecosystems and human societies WGII, and formulate recommendations concerning the strategies to adopt to limit GHG emissions and, more generally, the extent of global warming WGIII¹⁵.

The year 1990 became pivotal, separating two periods; previous: where the inhabitants of the earth are not informed of what will happen to the climate, therefore, they do not know everything; posterior: where each climate-impacting risk, its information is disseminated internationally enough to make adequate arrangements and react¹⁶ *"In sum, the most important ethical question seems to be the following: what are we waiting for?"*¹⁷.

Everyone is being accused for responding to this concern to take responsibility and do a few things to solve the problem of global warming and its undesirable effects.

If we start from the idea that ignorance will be enough to exonerate guilt by moral fault as has been approved by a number of academic researchers in favor of a cosmopolitical approach to the climate problem such as: Henry Shue, 1999; 2009; 2014 ; Neumayer 2000; Gardiner Stephen¹⁸; that does not mean that this is enough to remove the obligation to compensate the costs of the damages suffered by the victims. Goddard, his idea was clear on this; "From 1990, no one can put forward the argument of ignorance about the existence of a major climate risk to dismiss his responsibility"¹⁹.

Since the year 1990, the concept of cosmopolitanism has gained momentum in the political field, particularly ethics. As S. Chauvier notes, despite the immorality of an apparent rivalry between states, distributive justice issues related to climate change are becoming a subject for cosmopolitan treatment. A first idea deduced the emergence of the law of people (classical concept) into a modern interpretation: the right of peoples to be free and sovereign, each individual is treated as a citizen of the world, to ensure peace and stability. This equitable distribution of rights among peoples (sovereign equality of States, as stated in the United Nations Charter) gives rise to justice.

Goddard, inspired by the philosophy of Rawls, distinguishes justice at the level of a "domestic" state at the national level and at the international level. The first is endowed with representatives who will debut under the veil of ignorance to establish a rule of law by defining the rules that form its institutions. On the other hand, at the international level, the representatives of the States are well aware that there is no government similar to that of a "domestic" state to ensure justice between the political units of the world. What complicates things, for example, the relationships of trust that exist between individuals are based on the effectiveness of rights in a state, but they are not so much at the international level.

Climate justice is an international and intergenerational issue, it goes beyond the geographic boundaries of states and the present generation, so it represents a challenge for all of our classic conceptions of distributive justice, and the example of the failure of the Kyoto Protocol²⁰ (which has presented strong evidence that climate change is the result of human activity), forms a proof (weakness of the international system because of the absence of any real mechanism to punish and punish the signatory States and which does not have not achieved their greenhouse gas reduction targets, Pogge (1994) has argued, that citizens of developed countries are responsible because they do not dare to act with their states to reduce climate risks, so they must bear the cost of these negative consequences.

Goddard does not charge developed countries with what has been emitted as a GHG since 1990, because these countries are causally only about 40% of these cumulative emissions since this reference year.

We are confronted in this analysis with the problem of a fair distribution of responsibilities, how to act to distribute rights and duties (obligations) for all the citizens of the world?

Just distribution of responsibilities

When we talk about justice, we always think of a fair distribution of well-beings, but in the case of climate problems things are different and complicated. If we start from negative externalities, the principles that will regulate distributive justice will allow each agent to use his right to pollute without paying (damaging the atmosphere), but without determining the limits of this service provided. And, as this resource of the atmosphere is common to humanity but, limited and rare, we must think about the sharing of this resource between states?

Among the economists who answer this question Henry Shue, who distinguishes between two kinds of broadcasts; for luxury purposes, the former are legitimate and allowed to claim them, respecting, of course, the objectives designated to reduce emissions. If we accept this analysis, we wonder what the luxury is on the one hand and the other, which will guarantee the frenzy of the objectives? Here will appear the problem of private and social costs.

Social cost (public goods²¹) and private cost.

We have explained above that there is an accumulation of GHG emissions from the 1850 industrial era to the 1990 reference year identified as a period of ignorance. But this did not exclude the responsibility, from 1990, of the developed countries to compensate the victims of climate externalities, such as emerging and developing and poor countries.

Ronald Coase explains to us, from examples, this dualism of the shared costs between the social and the private "*the case of a confectioner whose noise and the vibrations of the*

*machines disturbed a doctor in his work. To avoid the nuisance inflicted on the doctor would be to inflict a nuisance on the confectioner. The problem in this case is essentially to know what is most worthwhile: to reduce the production level of the confectioner or to favor the doctor's profession at the cost of a reduction in the supply of confectionery products"*²². G. J. Stigler gives us the example of the problems related to the pollution of a river, which has the effect of the death of fish. We are in front of a choice, either we admit the nuisance of this wealth in fish or the manufacture of this plant, which pollutes this river. Economists find the solution by calculating the value of the effects, and we choose the least important. That is to say: if the value of the fish is higher, we will stop the pollution²³. To bring an effective solution we must consider the total gain and the marginal gain. But, lawyers treat these problems from a legitimate point of view and not the gain.

In the environmental field, our challenge is to face the notion of justice not only on the benefits or benefits derived from the use of environmental resources but on "responsibilities" in our fight against climate change on the national scene, especially on the international scene.

Our moral intuitions are clear on this, when we are confronted with deplorable and regrettable situations, we must remedy them. David Miller ²⁴ wanted to explain this obviousness about liability, as long as an agent is identified as responsible for harm to others must remedy. It is easy to attribute this responsibility, but the problem lies in finding moral principles that allow us to justify a kind of distribution.

In summary, there is a link between the damage observed and their actors. We perceive three elements in this relationship: the cause (the agent), the result (the damage) and the remedy (compensation).

1- Principle of causality: Each effect results from a cause, from which the agents (individual, collective, company, State) having contributed to negative externalities (pollution), must

assume their responsibility. Since they have contributed to these problems, they will be required to remedy them.

2- The result: or the damage as a negative externality, which is a consequence of a historical heritage (industrial era) and of the present.

3- Compensation: the polluter in terms of GHG and / or CO₂, must pay the victims who suffer from its pollution and remedy its problems of injustices that require compensation.

We note in this enumeration that the polluter must assume his responsibility and the burdens that flow from it. Currently, we live in a risk-haunted society since our consumption of fossil fuels.

Conclusion

The climate common good or a fair distribution of a healthy climate is a notion that opens up to constant questioning because of the problems that derive from it at the national and international levels. How to do justice in a world, divided between developed States with a large industry and others emerging or developing, not to mention the poor of all that. In a world where industrialization has become a cultural paradigm with which to measure human progress, and which remains a guiding force in the search for a transitional outcome to a post-industrial world.

To get out of the problems of climate change and its adverse effects and consequences passed on to large numbers of humanity, to advance in promising projects and support large clean energy projects, in order to focus our efforts on the protection of the environment rather than research on those responsible for climate change²⁵. Therefore, remain as a unified humanity to fight all, this common enemy: climate change.

The challenges for distributive justice are enormous, so the standard of an equal rights for every human being to have the atmosphere as a common resource for everyone, but in a limited way.

Footnote:

¹Goods that meet the non-exclusion criterion, but that rival goods such as fish resources, are generally referred to as commons, can be easily accessed, but are depleted when consumed. They are unclean public goods because they designate goods that meet only one of these criteria.

²Paul A. Samuelson, 1954

³In 1974, an article "The lighthouse in economics", Ronald Coase challenged the classic vision of the tragedy of the commons, using the often-used example of lighthouses. He recalls that in 1820, three quarters of English lighthouses were managed by private operators and that the nationalization dates from the late nineteenth century.

⁴L. Tubiana et J.M. Severino, 2001.

⁵Larabi Z, Guyader O, Macher C, Daurés F. 2012.

⁶Braud Philippe. 2002, p 303.

⁷This is the term used when indirect effects affect the consumption and production potential of others, but the price of the good consumed or produced does not take it into account. As a result, there is a gap between private returns or costs and returns or costs to society (Thomas Helbling) <http://www.imf.org>. Viewed on (29/11/2016).

⁸A quoi sert la taxation sur les cigarettes, *EconomicReview* / Presses de Sciences Politiques. The 03/02/2015. Learn more about <http://www.lesechos.fr>, accessed on 31/11/2016.

⁹COASER. H. 1992, p713-9.

¹⁰Elodie Bertrand, Christophe Destais.2002/2, pp 115-116

¹¹World Bank, Let's drop the heat, why it is absolutely necessary to avoid a rise of 4 ° C of temperature of the planet, 2012. Available on the official site: www.worldbank.org. Accessed November 06, 2016

¹² Pierre-Yves Néron. 2013.

¹³Sir Nicolas Stern, economist, senior vice president of the World Bank, is the author of the 700-page report, published on October 30, 2006. First report funded by a government of (United Kingdom) on global warming.

¹⁴GDR is a justice-based framework for sharing efforts to show how the costs of rapid climate stabilization can be shared among all countries.

¹⁵ Eric Léonard, Patrice Vimard . Paris. 2005, p110.

¹⁶ Olivier Godard. 2015, p93.

¹⁷**Pierre-Yves** Néron, 2012.

¹⁸ Stephen Gardiner, Stephen Gardiner. 2004.

¹⁹ Olivier Goddard. 2015 p80

²⁰Kyoto Protocol is an international agreement for the reduction of greenhouse gases that has just been added to the United Nations Framework Convention on Climate Change, whose participating countries meet once a year since 1995. Signed On 11-12-1997 at the 3rd Conference of Parties to the Convention (COP3) in Kyoto, Japan, it came into force on 16-02-2005, see <http://en.wikipedia.org>. Seen on 17/12/2016.

²¹We must note that the transition from English to French, it seems difficult to distinguish between "public goods" and "public goods" or "public goods".

²²Coase Ronald. 1992, p154.

²³ Ibid. p155

²⁴ Miller David. 2007, p 86-104.

²⁵ Hamza Hamouchène et Mika Minio-Paluello. 2015, p79.

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