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## A New Kind of Crime Against Humanity?

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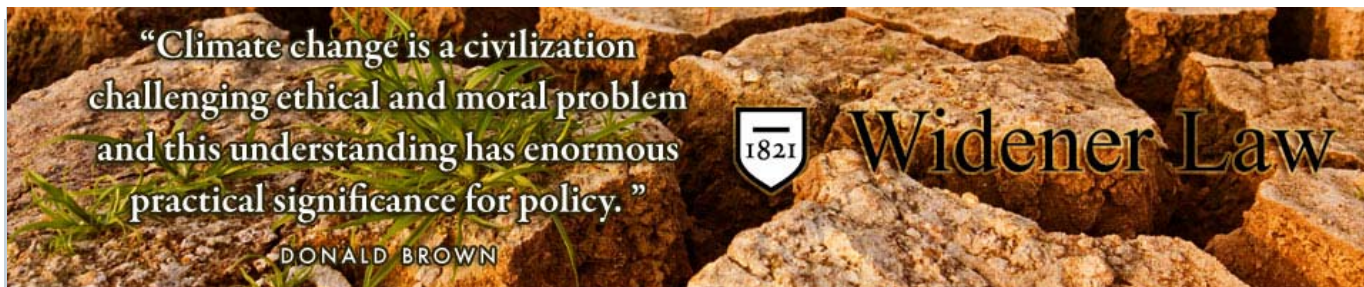
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# Ethics and Climate

Donald Brown



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## A New Kind of Crime Against Humanity?: The Fossil Fuel Industry's Disinformation Campaign On Climate Change

### I. Introduction.

This post examines the question of whether some US companies are guilty of a new kind of crime against humanity that the world has yet to classify. This post is not meant to be a polemic but a call for serious engaged reflection about deeply irresponsible corporate-sponsored programs that have potentially profound harsh effects upon tens of millions of people living around the world, countless millions of future generations, and the ecological systems on which life depends. This post seeks to encourage further reflection on the issues discussed here.

### II. Corporate Disinformation Campaign

Although skepticism in science is needed to make science advance, for almost thirty years some corporations have supported a disinformation campaign about climate change science that has been spreading untruths and distortions about climate science. Several recent books document how this disinformation campaign began in the 1980s including a book by Oreskes and Conway, *Merchants of Doubt*. (Oreskes and Conway, 2010)

Although it may be reasonable to be somewhat skeptical about climate change models, some corporate sponsored participants in the climate change disinformation campaign have been spreading deeply misleading distortions about the science of climate change. These untruths are not based upon reasonable skepticism but outright falsification and distortions of climate change science. These claims have included assertions that the science of climate change that is the foundation for calls to action to reduce greenhouse gas emissions have been "completely debunked" and that there is no evidence of human causation of recent observed warming. Reasonable skepticism cannot make these claims or others frequently being made by the well-financed climate change disinformation campaign.

Given that there are thousands of peer-reviewed scientific studies that support the consensus view on the dangers of continuing to emit increasing levels of greenhouse gases, that most Academy of Sciences around the world have issued statements in support of the consensus view articulated by the Intergovernmental Panel on Climate Change, there are virtually no peer-reviewed scientific articles that prove beyond reasonable doubt that observed warming is naturally caused, that there are a huge number of attribution, fingerprinting, and analyses of isotopes of greenhouse gases that are appearing in the atmosphere that point to human causation, that the basic physics of exactly what initially happens when greenhouse gases are added to the atmosphere in terms of absorbing and reradiating heat in

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watts per square meter has been understood for over 150 years, claims that the science of climate change have been “completely debunked” and that there is no evidence of human causation are patently false. These claims do not represent reasonable skepticism but utter distortions about a body of evidence that the world needs to understand to protect itself from huge potential harms.

On October 21, 2010, the John Broder of the New York Times, <http://community.nytimes.com/comments/www.nytimes.com/2010/10/21/us/politics/21climate.html?sort=newest&offset=2>, reported, that “the fossil fuel industries have for decades waged a concerted campaign to raise doubts about the science of global warming and to undermine policies devised to address it.” According the New York Times article, the fossil fuel industry has “created and lavishly financed institutes to produce anti-global-warming studies, paid for rallies and Web sites to question the science, and generated scores of economic analyses that purport to show that policies to reduce emissions of climate-altering gases will have a devastating effect on jobs and the overall economy.”

Without doubt those telling others that there is no danger heading their way have a special moral responsibility to be extraordinarily careful about such claims. For instance, if someone tells a child laying on a railroad tracks that they can lie there all day because there is no train coming and has never checked to see if a train is actually coming would be obviously guilty of reprehensible behavior.

Disinformation about the state of climate change science is extraordinarily if not criminally irresponsible because the consensus scientific view of climate change is based upon strong evidence that climate change harms:

- (1) are already being experienced by tens of thousands in the world;*
- (2) will be experienced in the future by millions of people from greenhouse gas emissions that have already been emitted but not yet felt due to lags in the climate system; and,*
- (3) will increase dramatically in the future unless GHG emissions are dramatically reduced from existing global emissions levels.*

These harms include deaths and harms from droughts, floods, heat, storm related damages, rising oceans, heat impacts on agriculture, loss of animals that are dependent upon for substance purposes, social disputes caused by diminishing resources, sickness from a variety of diseases, the inability to rely upon traditional sources of food, the inability to use property that people depend upon to conduct their life including houses or sleds in cold places, the destruction of water supplies, and the inability to live where has lived to sustain life. In fact, the very existence of some small island nations is threatened by climate change.

As long as there is any chance that climate change could create this type of destruction, even assuming, for the sake of argument, that these harms are not yet fully proven, disinformation about the state of climate change science is extraordinarily morally reprehensible if it leads to non-action in reducing climate change's threat when action is indispensable to preventing harm. In fact how to deal with uncertainty in climate change science is an ethical issue, not only a scientific matter, because in the case of climate change:

- *If you wait until all the uncertainties are resolved it is likely to be too late to prevent catastrophic climate change.*
- *The longer one waits to take action, the more difficult it is to stabilize atmospheric concentrations of climate change at safe levels.*
- *Those most vulnerable to climate change include some of the poorest people in the world and they have not consented to be put at risk in the face of uncertainty.*

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The October 21 New York Times article mentioned above concludes that some US corporate sponsored activities are helping elect politicians that have been influenced by the most irresponsible climate change scientific skeptical arguments. These corporations are clearly doing this because they see climate change greenhouse gas emissions reduction strategies as adversely affecting their financial interests. This fact leads to even greater moral culpability for American corporations because their behavior is as offensive as if the person who tells the child train that no train is coming when they don't actually know whether a train is on its way makes money by misinforming the child.

The October 21st New York Times article concludes that the oil, coal and utility industries have collectively spent \$500 million just since the beginning of 2009 to lobby against legislation to address climate change and to defeat candidates who support actions to reduce the threat of climate change. It would be one thing for an American corporation to act irresponsibly in a way that leads to harm to Americans, but because of climate change's global scope, American corporation's have been involved in behavior that likely will harm tens of millions of people around the world. Clearly this is a new type of crime against humanity. Skepticism in science is not bad, but skeptics must play by the rules of science including publishing their conclusions in peer-reviewed scientific journals and not make claims that are not substantiated by the peer-reviewed literature. The need for responsible skepticism is particularly urgent if misinformation from skeptics could lead to great harm. For this reason, this disinformation campaign being funded by some American corporations is arguably some kind of new crime against humanity.

### III. Conclusion

The international community does not have a word for this type of crime yet, but the international community should find a way of classifying extraordinarily irresponsible scientific claims about climate change that could lead to mass suffering as some type of crime against humanity. What do we call such behavior?

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#### References:

Broder, John, (2010) "Climate Change Doubt Is Tea Party Article of Faith" New York Times, October 21, 2009, <http://community.nytimes.com/comments/www.nytimes.com/2010/10/21/us/politics/21climate.html?sort=newest&offset=2>,  
Oreskes, Naomi, and Erik. Conway, 2010, Merchants of Doubt, How a Handful of Scientists Obscured the Truth On Issues From Tobacco Smoke to Global Warming Bloomsbury Press, New York.

**Category:** [crime against humanity](#), [General Climate Ethics](#), [reasonable skepticism](#), [scientific disinformation](#), [Scientific Uncertainty and Risk](#)

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