Where justice and realism meet: a climate change solution?

Caspar Henderson

Benito Müller

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Rich north, poor south, and causing the problem: the distributive justice aspect of climate change

openDemocracy The question of climate change is often discussed in terms of its more visible impacts and appearances. But you seem to approach the issue more from a philosophical and moral point of view, in terms of distributive justice on a global level. Can you explain this latter idea?

Benito Müller I’m worried about global inequalities in general; that they will bring social instability to the world on an unprecedented scale. Even without man-made climate change, the wealth gap between rich and poor is widening. Climate change will exacerbate this in a way that makes it difficult to contain the effects.
Let me give an example. If you have increasingly frequent major floods in a poor country, and the floods create large numbers of permanently displaced people, this can lead to political instability. In many poor countries the infrastructure is often not very good to start with, and political stability is already a problem. Large numbers of additional displaced people are particularly hard to cope with, and political and economic uncertainty is likely to intensify.

What does this mean for a poor country in concrete terms? Well, for one, forget foreign direct investment. Any expectation that economic growth could be driven by foreign direct investment will prove completely wrong. It’s not a matter of economic growth being reduced from, say, 6% to 4%; the likelihood is of collapse.

The idea of distributive justice bears directly on this type of predictable outcome. Why should a poor country face these catastrophic social effects when the core responsibility for them lies elsewhere? My central point here is to argue that, in relation to climate change, countries must bear a burden in proportion to their responsibility. There is a basic principle, almost universally accepted, known as the polluter pays. This means that you have to clear up the mess and repair the damage in accordance with your responsibility for having caused it.

Climate Change Links

Alliance of Small Island States nations thought to be among those most vulnerable to global warming

Benito Müller’s homepage

Centre for Science and Environment Indian think tank with views and information on climate change

Climate Change Guide an introduction to the science and politics of global warming

Climate Ark a portal site for news and views on climate change and renewable energy

Climate Change Knowledge Network bringing together expertise and experience
from over a dozen organizations from developing, transitional and developed countries

Bjorn Lomborg the Skeptical Environmentalist

Ecoequity a US organization which describes itself as part of an emerging international Climate Justice network

UN Framework Convention and its Kyoto Protocol a guide

Intergovernmental Panel on Climate Change an international body set up by the World Meteorological Organisation and the UN Environment Programme

Skepticism about global warming for those who believe there is no problem

But isn’t the question of human responsibility and climate change more complicated than this? As you know, there are uncertainties regarding the consequences of human emissions of greenhouse gases. The Inter-Governmental Panel on Climate Change (IPCC) has outlined some scenarios from now until the end of this century, and some analysts have tried to calculate the probabilities of these various outcomes. For example, if greenhouse gas emissions continue to grow as they have done historically, then there is roughly a five per cent chance of a rise in the average global temperature of five degrees Celsius or more—catastrophic, needless to say. But we cannot know for sure what will happen.

Historically, the Western industrialised nations have been by far the biggest emitters of greenhouse gases, but during the course of the 21st century they may become the minority emitters. Moreover, it might never be possible to tell which quantum of emissions might lead to really big, adverse changes in climate, if indeed that is what happens. Given this, will it be plausible in the longer term to maintain a model of rich North versus poor South?

There are three points here. Firstly, there is a difference between being causally responsible without awareness of the impact of your actions, and being wilfully responsible for a bad outcome. It is certain that, until recently, the northern industrialised countries were not aware of the fact that spewing out
CO2 could harm future generations. So we cannot hold them responsible for wilful neglect, until 1990 at least – since, by then, we had achieved a reasonable level of certainty on the science.

Secondly, the attribution of responsibility in view of uncertain causal relations is a familiar problem in law and economics. Take the use of a product with components produced by different firms; if it harms your child, but you cannot identify any particular part that caused the harm, what do you do? This kind of issue has been looked at for a long time, and many types of different practical solutions have been used in courts of law to do justice to the injured parties.

The relevance for climate change is that while it is not possible to say that the US is responsible for 20% of this hurricane, or its quantifiable impact burden, it is possible to assign the degree of responsibility for climate change as a whole. This, together with the methods just mentioned, could be used to do justice to those who carry a disproportionate impact burden, if there were a will to do so.

Thirdly, climate change is thus becoming an issue where the relevance of morality and justice to international political processes is most vividly clear. It is true that there are political theorists – so-called ‘neo-realists’ – who think that states act only in their narrow self-interest, and that ethical concerns are not relevant to their behaviour. I think this is wrong and for simple reasons.

When, for example, diplomats go home after negotiating an international treaty, they might work along precisely these lines, driving the hardest bargain they can. But, if the treaty they bring home is perceived to be, or can be shown by others to be, unfair to their country – then the treaty is dead in that country, even if it would have been of economic benefit.

The perception of being treated unfairly is a very strong opinion-forming force. So, in order to be a willing participant in international negotiations, it is important to work towards a treaty that is seen to be fair to you (and your constituency). The ethics of the real world trump ‘neo-realism’.

The US and the Kyoto agreement

BM A case study of this issue of fairness is the controversy in the United
States over the Kyoto Protocol. Many US voices complain that, under the first stage of the proposed regime for emission reduction, only industrialised countries are given targets.

Of course, there's a good reason for this—industrialised countries have caused the problem in the first place. But, regardless of this, the complaint is that the lack of targets for developing countries would put an unfair burden on the US and its economy. The size of the costs that the Kyoto Protocol would impose on the US would be completely disproportionate—particularly since US firms would have to unfairly bear emission reduction costs while their competitors in the developing world would not.

open Isn't that a perfectly logical position? If I'm a US manufacturer and it's going to cost me more to manufacture because my government has signed up to the Kyoto Protocol, I'm going to lose business or move my factory abroad.

BM As an argument about fairness, it raises two issues. Firstly, can it be fair that the US— or firms in industrialised countries, in general—is required to reduce emissions while developing countries are excluded during this first reduction period?

This rather depends on whether, at this stage, developing countries would actually carry any responsibility. For example, it is often justifiably argued that if one were to introduce a worldwide emission cap, then the emission permits would, as a matter of fairness, have to be distributed on a per capita basis, i.e. in proportion to population size.

The way things are, most developing countries have per capita emissions far below those of industrialised ones, with the effect that, in realistic terms, their assigned fair target levels would in most cases be substantially above their near term emissions, i.e. they would in the near term, at least not be under any obligation to reduce. It can also be argued, as we have agreed, that the parties most responsible for a problem have the obligation to take the lead in overcoming it.

In short, yes it is fair that industrialised countries should be asked to lead the
way in reducing emissions, even if it would put them at a competitive disadvantage. The issue here is not one of unfair competition, but of imposing unfair burdens in dealing with the problem of climate change. (And incidentally, it is not self-evident that a unilateral imposition of targets would lead to a competitive disadvantage. Even if some industries migrate to less-regulated countries, the incentive to develop new energy technologies can also be a huge boost to a national economy.

The second issue raised by the Kyoto would be unfair to the US argument is the unfair overall size of the burden that would be imposed on the US economy. Even though opponents of the Kyoto Protocol often claim that it would lead the American economy into a deep freeze while the developing countries would be allowed to pollute at whim, the projected welfare impact of any effects on the US economy of implementing Kyoto is actually rather less dramatic.

Even a study sponsored by the American Petroleum Institute, generally accepted as a worst-case scenario, could not find more than a 2% reduction in gross domestic product (GDP) by 2020 if the US were to implement the Kyoto Protocol, as against the business as usual projection. According to forecasts by the US administration, US GDP per capita would rise in real terms from around $33,000 per head today (5.3 times the world average) to $51,000 in 2020 (6.4 times the world average in 2020) under the Kyoto Protocol as against $52,000 (6.5 times world average) per capita without the Kyoto Protocol.
Source: Benito Müller, Axel Michaelowa and Chistiaan Vrolijk (2001) Rejecting Kyoto, p.4

Indeed, a model developed at the Oxford Institute for Energy Studies has shown that, if the balance of trade effects (recalling that the US is the world’s largest importer of oil) and the benefits of new technology are taken into account, then the costs would barely register. Whether this sort of burden is unfair or not is one thing. What is certain is that it would not mean the end of the American way of life.

open This argument is accepted by many influential organisations, and even by parts of the machinery of government in the US. Isn’t there another argument against Kyoto? Namely, that there is no way for the US to meet the target of cutting its emissions of greenhouse gases to 1990 levels by 2008–2012, and therefore Kyoto is the wrong mechanism. Is this the logic behind the promised alternative policy of the US administration?

BM At the moment, US annual emissions of greenhouse gases are about 30% above 1990 levels, and their target under the Kyoto Protocol would be a reduction of 7% on 1990 levels by 2008–2012. So they are 37% too high already, and their emissions are likely to continue to rise between now and 2012.

open So it’s clearly impossible for them to meet the target and they’re quite right not to adopt Kyoto?

BM It clearly would be if the Kyoto Protocol were asking countries to achieve their target purely by domestic action. However, due mainly to pressures by the US administration at the time, the Kyoto Protocol contains numerous flexibility (i.e. trading) mechanisms which allow for making up for a domestic deficit by buying in permit from abroad. And the system, as it stands, has plenty of these cheap surplus permits, particularly from Russia, which would make US compliance perfectly feasible.
However, since the US has rejected Kyoto, the important question now is what should be happening on the ground to actually change the trend line in US greenhouse gas emissions. President Bush has an alternative to the Kyoto Protocol based on the idea of reducing US emission intensity—that is, reducing the amount of greenhouse gas produced per dollar of GDP.

In theory, if the US was stringent enough, this could lead to a reduction in total emissions even as the economy continues to grow. But, at the moment, the plan calls for an 18% reduction in intensity over the next decade—roughly business as usual, thanks to normal technological progress. Predicted economic growth over the same period is much greater and, as a result, total US emissions would be around 40% above 2000 levels by 2020. In other words, Bush’s plan fails to address the need to reduce total emissions.

**open** You have observed the US political scene closely. For example, you witnessed the Congressional Hearings on the Kyoto Protocol a couple of years ago. What in your view would lead to substantive change in the US?

**BM** One of the concepts economists love is no net effect regulation. It simply describes a situation where the losses of the losers are balanced (netted out) by the gains of the winners. The problem is that in politics, potential losers tend to make much more noise than potential winners.

In the case of the US and Kyoto, the potential losers are the traditional energy providers, who are important and powerful players. The winners, in contrast, scarcely exist yet—there are renewables, of course, but the thought that you could actually be a big time winner by decarbonising the economy has in the past not been taken seriously enough.

But things are changing in the US, especially at the State level, and in industry. For example, some of the biggest US utilities have asked the administration to introduce a carbon-dioxide cap and trade regime—a regulation that would limit the output from power stations.

Why? Well, when it became clear that the Kyoto Protocol itself was not dead that the Europeans and others would go ahead even without the US—it dawned
on the US power sector that, eventually, they will be faced with some form of stringent regulation. Now the Bush administration is asking the utility sector to build around 1500 new power stations in the next decade – clearly an enormous, long-term investment. In response, the industry has said: Look, it would be much cheaper for us to introduce these measures to limit carbon-dioxide emissions when we build these plants, as opposed to having to retrofit five or eight years down the line. Sometimes businesses are ahead of politicians.

**Making fairness work for everyone: the logic of grandfathering**

*open* Looking to the longer term, is a fair global agreement on greenhouse gas emissions possible, and if so how?

*BM* Is a fair agreement possible? Let’s set this in context. Kyoto is meant to be a first step. No one in their right mind would think that the five-year targets it sets could in themselves solve the problem of greenhouse gases and global warming.

So we need to start thinking about the next period – what we do *after* 2012, how we handle the issue of further targets in a fair way. But there is an even more important equity issue, namely the fact that the predicted impacts of climate change will fall most heavily by far on developing countries who are least responsible for them.

We in the North tend to focus on allocating emissions as the big equity issue. But people in the South are much more concerned about being faced with impacts that are wholly disproportionate to their causal responsibility, and about not having the resources to deal with the situation.

In this light, the question should not so much be *Is it possible?* but rather *Why is it necessary?* If people in developing countries see an overall agreement as blatantly unfair, they will just not join in as we would not either. And even if their governments joined, the resulting treaty would be shot down in the various parliaments as Kyoto was in the US. Emissions control would become even less likely. In short, in order not to be unfair and unacceptable
an agreement will, first of all, have to take into account the concerns of developing countries about unfair impact burdens.

As for the issue of an equitable distribution of emission targets, there have been, as you know, numerous proposals. One of the best known is the contraction and convergence model suggested by the Global Commons Institute.

open This is based on the idea that, ultimately, everyone in the world has an equal right, as it were, to emit greenhouse gases; and that the expression of this right must be limited, so that the aggregate amount of emissions is safe for the global climate.

The practical implication of this idea is that communities of people which emit a lot, such as the nations of Europe and North America, must sharply contract their emissions to a safe level that would ultimately converge with people in other countries from Bangladesh upwards if you like. Like a few obese people among a larger group of slimline people, the contraction of the former’s waistlines would bring them closer to convergence with the latter’s benefit.

BM In my view, the main drawback with contraction and convergence is that it starts out with a grandfathering allocation essentially a uniform percentage target across the board and only moves towards presumably the fair per capita solution over time.

Depending on the speed of the convergence and the contraction, it is thus not only likely to impose initial reduction targets on even the least developed countries, but it deprives them of their legitimate surplus permits at the time when they need these most in their quest to reach a path of sustainable development namely now.

In contrast, I think it would be feasible, affordable, fair and sensible to give everyone in the world an equal per capita allocation now. Each person would also have the right to trade emissions so that the poor low emitters could benefit from this legitimate asset.

Let’s take a simple example, and contrast the US and Sierra Leone, respectively,
among the richest and poorest countries on the planet. US per capita emissions are now in the region of 5 tonnes per head per year; in Sierra Leone they are something like 120 kilograms. So, if you were to go for, say, a 1 tonne per person per year target (a 10% reduction from the current world average) the person in Sierra Leone would clearly get a substantial surplus.

The basis for a trading regime has already been put in place under the Kyoto Protocol. It would be very important for countries such as Sierra Leone to use the benefits of this trade for sustainable development, including of course environmentally friendly energy systems.

**open** Would it really be feasible to do this now?

**BM** As long as we have an agreed trading regime, then in my view we could go for equal per capita emissions right now. The emphasis on trade is vital — a static per capita regime would mean that we, in the rich countries, would have to reduce emissions by a wholly unrealistic 60–80% within five years. With trading, it is both feasible and not life-threatening. Nor will it freeze the advanced economies; in our model, the costs are actually less than current overseas development assistance from the North.

**open** So what is the problem with it?

**BM** The problem is our grandfathers and their right to bequeath their hard-earned assets to their descendants. It is fundamental here to recognise that the existing order, which is a distribution in proportion to current emission levels (‘grandfathering’), can also be defended on moral grounds. How so? Well, people and countries in the North can say: ‘Look, we’ve worked hard to get where we are. It is not just exploitation of the South. Along with our fathers and grandfathers, we have actually earned through our work an entitlement to our proportion of the global emissions, particularly since no one knew the adverse consequences.’

Unless this view is addressed, countries in the industrialised North may refuse to take part in a truly global treaty on grounds of inequity, and they can do so by referring to well-known entitlement theories of distributive justice.
The key difference to the egalitarian proponents of a per capita allocation is simply whether the distribution is seen as an allocation of new entitlements (the per capita position) or as a re-affirmation of existing entitlements (the grandfathering position). Unless both these views are somehow taken into account, we could well end up in the worst of all worlds, where nobody benefits, and the urgent issue of climate change is not addressed adequately.

open How do we deal with this?

BM The key, I believe (based on the experiences of my own forefathers in Switzerland, I suppose) is to try and find a fair and transparent compromise between the two positions. Instead of gradually transforming the status quo (grandfathering) proposal gradually into the per capita distribution as proposed in the contraction and convergence model thus starting out with one of the contending positions and ending up with the other why not mix them right now, mathematically, as a weighted mean?

The effect would be that each country would have both a grandfathering and a per capita component in its allocation of emission credits. Low-emitting developing countries would in particular obtain immediately at least a portion of the surplus permit which according to the per capita position they would have seen as their legitimate due.
Academie francaise The method to arrive at such a compromise is based on a voting procedure first used in elections to the French Academy of Sciences, but probably better known from the Eurovision Song Contest. There, each country’s judges across the continent give nul points to the song they least prefer, then une or deux for their moderately favoured, all the way up to dix or douze for the songs they really like. At the end, all the scores are added up.

Now, these total scores in a sense reflect in their proportions the social desirability of the candidates amongst the electorate, in this case the panel of
judges. Multiplying the scores given by each judge by the number of people he or she represents, the scores could even be interpreted (under some simplifying assumptions) to reflect the social desirability of the candidates amongst the total represented public.

Now, the point of the ‘preference score method’ is simply to use these social scores, not to elect the highest scorer, but as weights for mixing up the candidates to create an acceptable compromise. Clearly, this would not work with people, nor presumably with music scores, but it works perfectly well with permit distribution proposals.

**open** Can we focus on a simple example to clarify this? Let’s imagine a negotiation between just two countries – the US and India. There are roughly four times as many Indians as there are Americans – over a billion as against 270 million or so. Of their combined current emissions, about 16% originate in India and 84% in the US. India pollutes about five times less than the US. Now, if the two nations wanted to reach an agreement how would it work?

**BM** In practice, people often combine moral preferences and self-interest, convincing themselves that a solution, which would benefit them, is also the fairest one. In this light, the obvious starting point of an Indo-US negotiation might be that either country would suggest the approach that seemed to suit them. Populous India would recommend per capita distribution, in order to obtain emission permits in proportion to its population (1000 for every 250 to the US). Meanwhile, the high-emitting US would argue for the ‘grandfathering’ approach (which would give it around five permits for every Indian permit).

Now, what would happen after these opening gambits were stated? If India ranked these two proposals, clearly it would rank its own proposal best and a socially weighted score of one times its population equals 1bn while ranking the US proposal as second best, giving it zero points. The US would, in turn, provide grandfathering with a score of 250m, and zero for the per capita proposal.

In other words, the proportion between the social desirabilities of the two proposals would be around 250 to 1bn, which is a mere 0.00025.
proposals, in this simple case, would be 1bn:250m, which is of course the same as 4:1 (per capita:grandfathering). According to the compromise method I am suggesting, the agreement would end up being a 4:1 mix of the two proposals, with India ending up with two-thirds, and the US with one-third of the permits. The take-home message here is that you can mix the proposals of different countries in a transparent way so that people can see there is an element of fairness to all sides.

What would happen if this approach was applied to a real world divided between rich and poor countries as they currently stand, assuming that each would make preferences according to its own interests? In this case, the emissions trading regime would turn out to be a mixture of about 75% of the per capita model, and 25% of the grandfathering model.

This regime would entail a very strong per capita component in emissions trading from the outset. Hence, significant trade flows—not aid flows!—would help desperately poor countries in the developing world to improve their economies.

**Delhi: the last chance for progress?**

**open** What should be the next step in climate negotiations? You’ve written that an environmentalist agenda has dominated discussions so far and that this needs to be complemented by a humanist agenda. What does that mean?

**BM** The Kyoto Protocol will come into force by the spring of 2003 at the latest, as the quorum of nations, sufficient to ratify it, is passed. The Protocol establishes emissions targets for the rich industrial countries for a five-year period after 2008. Even more important, it establishes an architecture and the basis on which rich nations can trade and so achieve reductions at the least cost.

What next? Most people in the North who have been involved in the negotiations for the last decade believe that the next item on the agenda should be emissions targets beyond 2012. In my view, this is a mistake. Politically speaking, there is absolutely no way that the US will engage in discussions about a future commitment period at this stage. And it is fanciful to think that developing countries would take on commitments to reduce emissions without the US even being willing to discuss their own commitments.
So what is to be done? It became clear to me at the 2001 Conference of the Parties in Marrakech that we have to address the key concern we started with, namely the impact of climate change on poor countries. What are the best ways of trying to share the burden of these impacts fairly between North and South?

Let me be clear: it was not wrong for us to begin the process by talking about emissions in the North. After all, they are the main cause of the problem. But this does not mean that we can completely ignore the effects, simply because we are too late actually to prevent them from happening altogether.
to give the issue of impact management a more prominent role – not to replace the issue of emission mitigation in the North, but to balance it.

open And how could that happen?

BM I believe there should be something like a ‘Delhi Mandate’. In 1996, there was the famous ‘Berlin Mandate’, where parties to the Framework Convention on Climate Change agreed that voluntary targets for reduced greenhouse gas emissions were inadequate. At a Conference of the Parties (COP) to the Convention in Berlin, they decided that negotiations should be started to strengthen the commitments. These negotiations, in 1997, led to the adoption of the Kyoto Protocol.

The next COP will be held in New Delhi in October 2002. New Delhi is the capital of one of the biggest and most important developing countries, and the latter’s concerns should be high on the agenda. There should be a decision to at least start discussing, if not negotiating, an instrument to do for impact management what the Kyoto Protocol aims ultimately to do for limiting emissions. This would be the basis of a ‘Delhi Mandate’.

open Would it help if this proposal was raised at the World Summit for Sustainable Development in Johannesburg starting in late August?

BM No, and for two good reasons of ‘summit politics’. The climate change regime, I believe, has been the only successful outcome of the Earth Summit in Rio in 1992, whereas other issues have stagnated.

So, firstly, there is no need to push climate change at Johannesburg, since the next conference devoted to the subject falls only a month later. Secondly, the main focus of Johannesburg should be on development issues.

It is what happens after Johannesburg that is crucial. If and when the Kyoto Protocol does indeed come into force by next spring, then the subsequent meeting of the nations will be not a COP, but the first Meeting of the Parties that is, the first governing body meeting for the Kyoto Protocol.

We will be in new decision-making territory, and a tremendous number of unresolved outstanding issues, such as compliance, which have been postponed...
until this first meeting, will take up all the negotiating time. So, New Delhi is likely to be the last COP, and the last chance to raise the question of impacts before most energy is eaten up by the particular details of the emissions Protocol.

Climate change and disaster relief

open For a conference organised by the International Federation of the Red Cross you recently presented a proposal for an Impact Response Instrument. What is that about?

BM An urgent and neglected issue is the increasing prevalence of weather-related disasters, such as hurricanes and extreme floods. In the last 25 years, the number of disasters and the number of people affected has more than doubled for the latter, 168% from 1975, even after allowing for population growth. Climate-related disasters are happening now. It’s not a matter of 50 years time, as is the case with the rise in sea levels.

One small and relatively easy thing we can do in response is to improve the international disaster relief system. At the moment, in most cases, we wait until the disaster happens; then the UN and other agencies, having been asked to assist, go out and ask for donations. That’s the way in which international disaster relief funding is currently organised. Yet, why isn’t there a single country in the world that uses it to finance their domestic emergency services? After all, there is no national ambulance service financed by voluntary contributions after the event!

Some countries, including the UK, have already realised that it would be better to pay annually in advance for international disaster relief. I’m suggesting that we make this a general way of doing things. It would allow for much better disaster preparedness, and consequently for a more efficient relief regime.

open Are we talking about extra money here?

BM No. The point is that national budgets already include provisions for such emergency donations on an annual basis. Countries know that there will be disasters around the world every year for which they will be asked to make some
Mozambique floods, 2000 Two illustrations will make the point. Firstly, another flood in Mozambique is inevitable. A proportion of up front money would mean that boats could be stored in the region in case of emergencies, as opposed to having to fly them in a month late, or using helicopters, which give good pictures but are close to useless.
Secondly, this reform would make the whole emergency relief system independent in a way that would benefit people’s lives. For example, there is a Disaster Emergencies Committee (DEC) in Britain, which coordinates the work of the different international relief agencies here.

After the terrible earthquake in Gujarat last year, the DEC commissioned a report on the effectiveness of their work. (This was not a climate-related disaster, of course, but the point is important and relevant.) One of the biggest criticisms in the report was that aid agencies had a tendency to deliver relief where the media is. The agencies know that next time they have to raise funding, they need to be able to prove their visibility. (Note that organisations comprising the DEC receive funds from the British government as well as those they raise in sponsorship from the public.)

There was a similar phenomenon during the floods in Mozambique in 2000, where nothing happened for about a month. Then the media made it a big story, and the country was overwhelmed with aid but not necessarily of the right sort in the right places. Meanwhile, other disasters, which were not covered by the media, did not receive aid. These non-humanitarian ties need to be broken and the up front method of payment into a fund would do this.

Making emergency disaster relief independent, and introducing an element of forward planning into it would help to save lives even in places not properly covered in the media. This connects directly to the distributive justice theme we started with. One of the most profound changes which climate change is forcing on us is the need to think globally.
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In conversation:

**Nick Dearden** Director of Global Justice Now and author of 'Trade Secrets: The Truth about the US Trade Deal and How We Can Stop It'

**Caroline Molloy** Editor of openDemocracyUK and ourNHS

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