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Who Should Represent Future Generations in Climate Planning?

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ABSTRACT

Extreme impacts from climate change are already being felt around the world. The policy choices that we make now affect not only how high global temperatures will rise, but also how well-equipped future economies and infrastructures will be to cope with these changes. The interests of future generations must therefore be central to climate policy and planning. This raises the questions: *who* should represent future generations and according to which *criteria* should we judge whether a particular candidate would make an appropriate representative for future generations? In this essay, we argue that potential representatives of future generations should satisfy what we call a “hypothetical acceptance criterion,” which requires that the representative could reasonably be expected to achieve the acceptance of future generations. This overarching criterion in turn gives rise to two derivative criteria. These are, first, “epistemic and experiential similarity to future generations” and, second, “motivation to act on behalf of future generations.” We conclude that communities already adversely affected by climate change best satisfy these criteria and are therefore able to command the hypothetical acceptance of future generations.

Keywords: Climate justice; representation; intergenerational justice; institutional justice

Extreme impacts from climate change are already being felt around the world. These include droughts, sea level rise, ocean acidification, extreme weather events, and increased exposure to infectious diseases.¹ As global temperatures increase, these impacts will become both more widespread and more severe. The policy choices that we make now affect not only how high global temperatures will rise, but also how well-equipped future economies and infrastructures will be to cope with these changes. The interests of future generations must therefore be central to climate policy and planning.² What is less clear is how those interests ought properly to be represented in relevant fora.

Various potential arrangements for the representation of future generations have been suggested and occasionally tried. Proposals include an ombudsman;³ reserving seats for representatives within democratically elected assemblies,⁴ including youth quotas;⁵ a randomly selected second chambers of legislative bodies;⁶ constitutional provisions to protect the environment for future generations;⁷ independent and/or parliamentary committees and councils;⁸ a common heritage fund to support and preserve the living conditions of future generations;⁹ philanthropic foundations;¹⁰ and democratic, employee-owned firms.¹¹ Some countries have even begun to experiment with forms of representation for future generations (albeit with significantly limited powers), such as Hungary's ombudsman for future generations, Israel's abandoned Commission for Future Generations, New Zealand's environmental commissioner, and Wales's Future Generations Commissioner.

However, there is little in the literature on the question of how to evaluate these arrangements and proposals. Simon Caney proposes that arrangements should be evaluated according to four criteria:¹² moral legitimacy, effectiveness, political sustainability (the "tendency to remain in operation over time"), and political accessibility ("how likely it is that we can get from 'here' to 'there'"). This essay seeks to answer a specific question that arises within the first of Caney's criteria, namely the moral legitimacy of representatives. That question is: who should represent future generations? Or, more specifically, according to which criteria should we judge whether a particular candidate—or class of candidates—would make an appropriate representative for future generations? We treat this question as a sub-question of wider issues about moral legitimacy. Our answer and argument is that potential representatives of future generations should satisfy what we call a "hypothetical

acceptance criterion,” which requires that the representative could reasonably be expected to achieve the acceptance of future generations. This overarching criterion in turn gives rise to two derivative criteria. These are, first, “epistemic and experiential similarity to future generations” and, second, “motivation to act on behalf of future generations.” We conclude that communities already adversely affected by climate change best satisfy these criteria and are therefore able to command the hypothetical acceptance of future generations.

Two notes of clarification about our argument may be helpful. First, although our concern is with moral legitimacy, we believe that the criteria that we recommend also make representation more effective. That is, we believe that Caney’s moral legitimacy and effectiveness criteria are likely to converge on our criteria for selecting representatives. This is because having the right people perform the representative function is both necessary for ensuring that such arrangements are morally legitimate and also a major part of ensuring that such arrangements are effective. But it is certainly not the whole story about effectiveness, because there are other questions that bear on the effectiveness of proposed arrangements for representing future generations, such as what sort of institutions are likely to be sufficiently empowered to achieve necessary policy changes and what sort of institutions are likely to command public support. These further questions are beyond the scope of the present paper.

In addition, we note that our aim is to give an account only of who should represent future generations in decisions that bear specifically on climate planning. Some theorists have recommended that a common set of representatives for future generations should address all issues affecting future generations, rather than having different representatives charged with looking after different issues (as Stephen Gardiner has in this roundtable). One consequence of the arguments in this paper is that, from the point of view of moral legitimacy, we have reason to prefer the issue-by-issue approach over the common-set-of-representatives approach. However, it may be that there are considerations of other types that favor the common approach. If so, then the arguments that follow might provide a case for ensuring that the common body of representatives include individuals directly impacted by climate change and other issues of likely concern to future generations, where different representatives might bring familiarity with different issues to their collective deliberations.

THE HYPOTHETICAL ACCEPTANCE CRITERION FOR THE REPRESENTATION OF FUTURE GENERATIONS

According to Michael Saward's influential account of what he calls "the representative claim," representation is a symbolic and aesthetic act in which someone puts forward a claim to represent a group of individuals, which can then be rejected or accepted by those it purports to represent,¹³ whether in relation to a particular issue (e.g., in relation to climate change) or in independently any specific issue.¹⁴

This view contrasts with a conventional, more passive view, in which representation merely consists of giving information about the represented group and their interests.¹⁵ The problem with the conventional view, according to Saward, is that it leaves little room for the represented to reject the accuracy of the representation and thus opens up the door for misrepresentation. In contrast, if representation consists of a particular claim that can be rejected or accepted by the represented, a potential representative would be well-advised to present this claim in ways that are not just intelligible to but which resonate with and are convincing to the represented. As Saward writes:

"claims are contestable and contested; there is no claim to be representative of a certain group that does not leave space for its contestation or rejection by the would-be audience or constituency [...] Representing is performing, is action by actors, and the performance contains or adds up a claim that someone is or can be 'representative' [...] Makers of representative claims could be makers of bad, or unacceptable, or unaccepted claims; they could also be makers of compelling, resonant claims about themselves and would-be constituents [...] In addition, representative claims only work, or even exist, if 'audiences' acknowledge them in some way, and are able to absorb or reject or accept them or otherwise engage with them [...] Representation is produced by processes of claim-making and consequent acceptance or rejection by audiences or parts of audiences."¹⁶

Let us give the name “the acceptance criterion” to the view that, in order for a representative claim to be successful, the potential representative must be accepted as representing the group in question by the members of that group. While we endorse the acceptance criterion in normal cases of representation—for example, when a politician claims to represent a particular demographic—we note that it poses an obvious problem in the context of representation for future generations. The problem is that it seems impossible for a representative’s claim to represent a group to be accepted by the members of that group if the members do not yet exist, as is the case of future generations.¹⁷

Two responses are possible. One is to conclude that, if legitimate representation must satisfy the acceptance criterion, then no legitimate representation of future generations is possible. The alternative is to argue that, even if acceptance is required for legitimate representation where acceptance is possible, it is nevertheless reasonable to endorse a weaker criterion for cases where acceptance is not possible. What would such a weaker criterion look like?

One plausible view would be that where direct acceptance of a representative claim cannot be given, as in the case of future generations, we need to consider who they would hypothetically accept as a representative.¹⁸ In other words, who could we reasonably expect future generations to accept to represent their interests and what characteristics should such a representative display? Stated more fully:

Hypothetical acceptance criterion. *A legitimate representative of future generations must be willing and able to represent the interests of future generations in such a way that we can reasonably expect that the future generations would approve of the representation were they able to do so.*

The case for the hypothetical acceptance criterion is based, first, on the thought that, in the absence of actual acceptance, hypothetical acceptance is better than having no criterion at all, as in the status quo. But more significantly, the case for the hypothetical criterion *vis-à-vis* alternative criteria is based on an analogy with other areas of our moral thinking. Consider, for example, proxy consent for medical care. In cases where patient consent would normally be required for some medical intervention, the consent of others, such as a close relative, may suffice when patient consent is not possible. Importantly, however, the proxy does not have free reign to consent to any medical

treatment they choose but is instead charged with asking themselves what the patient would have consented to had they had the opportunity to do so. In other words: what would the patient him- or herself consider to be fairly in their best interests?

We note that several authors have argued that hypothetical consent conditions are shorthand for a condition requiring that something be fair from the perspective of the person whose interests is at stake. Dworkin, for example, writes in response to Rawls that:

...you use the device of hypothetical agreement to make a point that might have been made without that device, which is that the solution recommended is so obviously fair and sensible that only someone with an immediate contrary interest could disagree. Your main argument is that your solution is fair and sensible, and the fact that I would have chosen it myself adds nothing of substance to that argument. If I am able to meet the main argument nothing remains, rising out of your claim that I would have agreed, to be answered or excused.¹⁹

Those who endorse Dworkin's line of thought may see the hypothetical acceptance criterion as equivalent to something like the view that representation of future generations is legitimate when representation aims at fair consideration of the interests of future generations. We remain agnostic about whether or not to endorse any equivalence of hypothetical choice conditions with fair consideration of interests conditions. The arguments that we give in subsequent sections about the criterion can be applied in practice, and the responses to objections that we suggest can be framed both in terms that assume the equivalence and in terms that reject the equivalence.²⁰ But it is worth noting that those who do endorse the equivalence will find further support for the criterion from the widely endorsed thought that political representatives have the "fiduciary responsibility"—that is, a legal or ethical relationship of trust entailing duties to act on behalf of a beneficiary or beneficiaries—to make choices based on the best interests of those that they represent, weighed fairly against other interests,²¹ even if the representees did not or cannot, as in the case of children, themselves choose their representatives.²² One might reasonably argue that if political representatives have this fiduciary responsibility—in the ethical sense, at least, since a legal responsibility would be difficult to implement—then in the absence of an

opportunity to choose representatives themselves, future generations can be legitimately represented by those who are able and willing to discharge this responsibility effectively.²³

The hypothetical acceptance criterion, we believe, describes the condition that must be met for representatives of future generations to provide legitimate representation. But in its raw form, the criterion cannot readily be applied to the real world because it would be all too easy for potential representatives to claim that their representation would gain the approval of future generations, and very difficult to arbitrate these claims. To resolve this difficulty, and render the hypothetical acceptance criterion usable in practice, we need to unpack the following questions: What concrete criteria must potential representatives satisfy in order to claim the hypothetical acceptance of future generations? What characteristics should a suitable representative exhibit in order to respond to the preferences, needs, values, and interests of future generations, in a manner such that we could expect that future generations would endorse the representation that they offer? In response to these questions, the following section introduces two criteria, which can be seen as derivative from the more fundamental hypothetical acceptance criterion. These are, first, epistemic and experiential similarity to future generations and, second, motivation to act on behalf of future generations.²⁴

TWO DERIVATIVE CRITERIA FOR REPRESENTATION OF FUTURE GENERATIONS

Epistemic Criterion

The first characteristic that a suitable representative should exhibit in order that we might have a reasonable expectation of hypothetical acceptance concerns the extent to which they are able to understand and communicate the experiences and knowledge of those they claim to represent. As Saward notes, merely being able to provide information about the represented group and its interests and needs is insufficient for a representative claim to be successful. Representation is an act of symbolically and aesthetically “standing for” the represented.²⁵ The representative must not only understand in the abstract what the issues facing a particular constituency are but also must understand what it feels like to be a part of that constituency. Expertise is not only acquired through formal education but also importantly through practice and experience—so-called “experiential knowledge.”²⁶ Experiential knowledge stands in

contrast to formal scientific (or explicit) knowledge, which is created through methods that adhere to shared norms of scientific practice. Whereas representatives can gain scientific knowledge by appointing expert advisors, it is much harder for them to gain experiential knowledge if they do not already bring it to their position. Without experiential knowledge, subtle forms of knowledge that are relevant to policy decisions may be missed. It is (partly) for this reason that women cannot properly be represented exclusively by men, minority ethnic communities cannot be represented properly by exclusively white people, and people with disabilities cannot be represented properly by exclusively able-bodied people.²⁷

In the climate case, changes to global and local environments are likely to expose future generations to negative impacts on their lives, livelihoods, and well-being, such as through food insecurity; lack of access to clean drinking water, sanitation, and infrastructure; exposure to infectious diseases; and extreme weather events.²⁸ In order to satisfy the hypothetical acceptance criterion, it is important that representatives of future generations understand more than just the scientific data; they also need to know how it feels to live with the societal impacts of climate change, as well as with the socioeconomic factors, such as different forms of inequality and injustice, that exacerbate climate vulnerability.²⁹ Understanding of this nature can only be reliably gained by undergoing similar experiences. Representatives cannot, of course, experience the future impacts of climate change. But since severe impacts are already being felt, representatives could be drawn from the growing pool of people who have experienced the current effects of climate change. We therefore suggest the following first derivative criterion for determining whether a representative would achieve hypothetical acceptance:

Epistemic criterion. *A legitimate representative of future generations in decisions about climate policy must, to a reasonable degree, have experience living with the adverse effects of climate change, or with the environmental and health hazards that climate change is anticipated to exacerbate.*

3.2 Motivational criterion

The second characteristic that a suitable representative of future generations would need to display in order to render a claim to hypothetical acceptance plausible is motivation to represent the interests, needs, and values of future generations as fairly

and accurately as possible. There is currently insufficient consideration to future generations within current policy-making. This is largely caused by decision-makers lacking motivation to address the factors that underpin climate vulnerability compared to other pressures, such as the short-term need to satisfy existing voters.³⁰ The motivational criterion thus aims to ensure that potential representatives of future generations are motivated to represent their future constituents even though future generations, at least at present, lack political power and prestige. We can state the criterion as follows:

Motivational criterion. *A legitimate representative of future generations must be sufficiently motivated to fairly represent the reasonably expected preferences, needs, values, and interests of future generations vis-à-vis current generations.*

Motivation to represent future generations effectively can be grounded in different underlying motivations. Someone might, for example, be motivated by a desire to reduce injustice against future generations, or by a desire to reduce suffering independently of its relationship to justice. The practical problem that we face however, is how to verify that any potential representative has the required motivation in the face of incentives to game the system by feigning motivation in order to achieve status or power.

We suggest that the most promising approach to reducing the potential for gaming the system is not to seek out individuals who claim to display the required motivation, but instead to rely on what is known from psychology about who is most likely to have such motivation. There is clear evidence that one of the most reliable predictors of motivation to help a particular group of people is empathy for that group—the so-called “empathy-altruism hypothesis” of Daniel Batson.³¹ Research by Batson and others confirms that similarity of experience often elicits empathy,³² and that empathy-induced altruism not only provides the motivation to help those in need but also is more likely to result in forms of helping that are more responsive to those needs.³³ Thus, shared experiences provide would-be representatives with the strong, altruistic motivation to act in the best interests of those that they represent—in this case, future generations.

Given the links between shared experience and empathy, and between empathy and altruism, the motivational criterion seems to converge on the epistemic criterion’s

preference for representatives who have experienced similar environmental difficulties as those of future generations. This is not to say that others cannot be strongly motivated to do the right thing by future generations, but it can be difficult in practice to separate out those who genuinely have the right motivation from those who game the system and claim to have the right motivation. To avoid such potential abuse, we suggest that future generations would endorse representation by those who have undergone similar climate-impacted experiences. This is because the evidence suggests that such experiences are likely to generate empathy, which, in turn, is likely to lead to strong motivation to represent the interests of future generations facing climate change, both forcefully and accurately.³⁴

THREE OBJECTIONS

We have argued that members of vulnerable communities who already experience the impacts of climate change are best placed to act as representatives of future generations. Such individuals are likely to have both the experiential knowledge and the motivation to discharge their representative duties effectively, and therefore seem most likely to gain the hypothetical acceptance of future generations.³⁵ To operationalize this proposal would require the creation of new public offices for representatives of future generations, with a selection process that favors representatives who meet the stated criteria, though, as noted at the outset, we leave open here what the exact form of such arrangements might be. In the present section we consider three objections to which the proposal might be thought to be vulnerable.

Objection 1: Balancing Interests

The first objection to the hypothetical acceptance criterion is that it would unfairly prioritize what is in the interest of future generations to the detriment of the interests of current generations. It requires us to choose representatives that future generations would endorse, rather than those whom both future generations and the present generation would endorse—or who are likely to strike a balance between the interests of future generations and the interests of the present. In contrast, it could be argued that we should strike a balance between what is justifiable to future generations and what is justifiable to the current generation.³⁶

We suggest, by way of response, that the objection can be met by distinguishing between policy and representation. The hypothetical acceptance criterion does not dictate that policy should adhere to what future generations would accept, only that the representatives of future generations must be hypothetically acceptable to future generations. Thus, while we endorse the view that there is a balance to be struck between the interests of future generations and the interests of present generations, our view is that this balance should be embodied in the design of the representative institutions—how power is balanced between representatives of future generations and representatives of the present—and not in the selection of the representatives themselves. Through such institutions, representatives of current and future generations would be required to reach a compromise on policy. Policies chosen should ultimately be justifiable both to future generations and present generations, and the design of institutions should be built around that goal. But that does not mean that each generation must choose representatives that are also acceptable to the other. That said, we note that some scholars have argued that since the impacts of climate change will be felt more by future generations, justice requires that future generations—presumably by proxy of representatives—should have a larger say in current policymaking on climate issues.³⁷

Objection 2: Vulnerable Communities and Short-Termism

The second (hypothetical) objection to our proposal is that vulnerable communities, whose lives and livelihoods are already affected by climate change, should not represent future generations because they would favor short-term solutions that do not address the root-causes of climate change. That is, rather than petition for mitigation efforts that could prevent climate breakdown from happening in the future, climate-affected vulnerable communities could instead favor policies that would enable them to adapt to, or be compensated for, the impact that climate change has on their lives and livelihoods, even if such policies are not beneficial in the longer run. For example, they may favor adaptation funded by debt, which will be paid off by future generations. The objection concludes that since such policies and short-term solutions would not be in the interest of future generations, vulnerable communities would not, in fact, be the best representatives of future generations.

We suggest that there are two reasons to think that the stated worry is unlikely to pose a problem in practice. First, in many cases policies that would help those already suffering climate impacts are likely to be aligned with policies that would help future

generations. For example, socioeconomic inequality is one of the main drivers of climate vulnerability: climate vulnerability is often compounded by a lack of adaptive capacity caused by economic injustice and a lack of access to responsive and inclusive institutions.³⁸ Measures to address socioeconomic inequality not only would facilitate the adaptive capacity of the present generation but they also would have a lasting effect to the extent that the decreased inequality endures for future generations (or at least diminishes future inequalities compared to what they would otherwise have been) and, as such, continues to facilitate adaptation over the longer term. Second, as we argued above, there is good reason to believe that the policy choices of those already hit by climate impacts would be strongly guided by a sense of empathy for future victims of climate change, and a commensurate desire to reduce the harm that they suffer.

Objection 3: Unequal Global Impacts of Climate Change

Finally, the third objection to our proposal arises from the fact that the impacts of climate change are felt unequally around the world.³⁹ As such, those who are hardest hit by climate change are concentrated in certain countries, while other countries (including many of those responsible for the lion's share of global greenhouse gas emissions) are not at present experiencing severe effects of climate change. Does this mean, so goes the objection, that our proposal would require that those countries not currently hardest hit by climate change must select representatives for future generations from other countries to guide their climate policy? Such a proposal might seem objectionable from the point of view of certain conceptions of national sovereignty, or it might seem worrisome from the point of view of political feasibility and political sustainability, insofar as such proposals are unlikely to gain widespread support among the citizens of the countries in question (that is, those required to select representatives from other countries). If so, we might prefer alternative arrangements in order to assuage worries about political feasibility and sustainability, such as the proposal that children citizens (of the country in question) should represent future generations,⁴⁰ or that adult citizens of the country in question could represent future generations provided they had some familiarity with the present victims of climate change even if they had not suffered the effects themselves (see Caney in this issue).

We agree that if the proposal required one country to appoint representatives from another country, this would pose worries about political feasibility and sustainability. However, we believe that the proposal can accommodate the fact that the

global effects of climate change are unevenly distributed without requiring cross-national representation. Moreover, we believe that the gains in terms of both moral legitimacy and effectiveness motivate pursuing our proposal over alternatives. To accommodate the fact that the effects of climate change are unevenly spread, we propose that representation of future generations should take place at both the national level and the international level, with representatives drawn accordingly. The propositions below would of course require significant restructuring of national and international institutions in order to be effective and feasible. As we have mentioned, it is beyond the scope of this paper to develop the exact institutional structures needed.

At the international level, representatives would be drawn from climate-vulnerable communities within and across affected countries—emphasizing the need to fully represent the variety of climate-risks face⁴¹—but here it would be possible, and morally legitimate, to give particular weight to those hardest hit in global terms by the present effects of climate change.⁴² Similarly, at the national level, countries should identify individuals hardest hit by climate change to serve as representatives, taking into account their ability or inability to adapt to these changes. Thus, someone who has significant adaptive capacity to deflect negative impacts would make a less suitable representative than someone with little adaptive capacity. While it is true that the degree of severity of such experiences will vary between countries, it is nevertheless true that most countries have populations who have been negatively affected by climate change. In the Global North, in 2021 alone, Europe saw unprecedented rainfall, leading to catastrophic floods in Germany, Belgium, and the Netherlands, costing human lives and destruction of property.⁴³ Southern Europe has suffered from heat waves⁴⁴ in recent years that have killed thousands of people.⁴⁵ The West Coast of the United States fought the largest wildfires in recorded history.⁴⁶ And the East Coast was forecast to have a severe hurricane season,⁴⁷ which in recent years has seen record-setting devastation.⁴⁸

CONCLUSION

Our purpose in this essay has been to argue that whatever precise form representation takes, future generations can, and should, be represented on matters of climate policy by those who have the most insight into what it will be like to be them: those who already suffer from the worsening consequences of climate change. This novel proposal can be used to evaluate and further develop the various institutional implementations

of intergenerational representation in climate policy. More research needs to be done in several areas, including what exactly it means to be a vulnerable community and how exactly to institutionalize representation of future generations in the manner proposed. Our aim has not been to develop the nuts and bolts of how the proposed basis for choosing representatives of future generations would work in practice. Rather our aim has been to set out the justification for the approach, a necessary first step in demonstrating the need for further concrete work on institutional design.

Notes

¹ IPCC, “Climate Change 2014: Impacts, Adaptation, and Vulnerability”; IPCC, “IPCC Special Report on Climate Change, Desertification, Land Degradation, Sustainable Land Management, Food Security, and Greenhouse Gas Fluxes in Terrestrial Ecosystems”; Masson-Delmotte et al., *Climate Change 2021*.

² Ludvig Beckman, “Do Global Climate Change and the Interest of Future Generations Have Implications for Democracy?,” *Environmental Politics* 17, no. 4 (August 1, 2008), pp. 610–24, <https://doi.org/10.1080/09644010802193500>; Avner De-Shalit, *Why Posterity Matters: Environmental Policies and Future Generations* (Routledge, 2005); Mathew Humphrey, “Mapping the Moral Future: Environmental Problems and What We Owe to Future Generations,” *Res Publica* 15, no. 1 (February 1, 2009), pp. 85–95, <https://doi.org/10.1007/s11158-008-9057-z>; Sverker C. Jagers and Göran Duus-Otterström, “Intergenerational Responsibility. Historical Emissions and Climate Change Adaptation,” *The Quality of Government Working Papers Series 4* (2007); Iñigo González-Ricoy and Axel Gosseries, eds., *Institutions for Future Generations* (Oxford University Press, 2016); John Nolt, “Future Generations in Environmental Ethics,” *The Oxford Handbook of Environmental Ethics*, 2017, pp. 344–54; Bryan G. Norton, “Environmental Ethics and the Rights of Future Generations,” *Environmental Ethics* 4, no. 4 (1982), pp. 319–37; Edward Page, “Intergenerational Justice and Climate Change,” *Political Studies* 47, no. 1 (March 1, 1999), pp. 53–66, <https://doi.org/10.1111/1467-9248.00187>; Edward A. Page, *Climate Change, Justice and Future Generations* (Edward Elgar Publishing, 2007).

³ Ludvig Beckman and Fredrik Ugglå, “An Ombudsman for Future Generations,” in *Institutions for Future Generations*, pp. 117–34.

⁴ Andrew Dobson, “Representative Democracy and the Environment,” *Democracy and the Environment* (1996), pp. 124–39; Kristian Skagen Ekeli, “Giving a Voice to Posterity – Deliberative Democracy and Representation of Future People,” *Journal of Agricultural and Environmental Ethics* 18, no. 5 (September 1, 2005), pp. 429–50, <https://doi.org/10.1007/s10806-005-7048-z>; Kristian Skagen Ekeli, “Electoral Design, Sub-Majority Rules, and Representation for Future Generations,” in *Institutions For Future Generations*, pp. 214–27.

⁵ Juliana Bidadanure, “Youth Quotas, Diversity, and Long-Termism,” in *Institutions for Future Generations*, p. 432.

⁶ Michael K. MacKenzie, “A General-Purpose, Randomly Selected Chamber,” in *Institutions for Future Generations*, pp. 282–98.

⁷ Iñigo González-Ricoy, “Constitutionalizing Intergenerational Provisions,” in *Institutions for Future Generations*, pp. 170–84.

⁸ Simon Caney, “Political Institutions for the Future: A Five-Fold Package,” in *Institutions for Future Generations*, pp. 135–155; Dennis F. Thompson, “Representing Future Generations: Political Presentism and Democratic Trusteeship,” *Critical Review of International Social and Political Philosophy* 13, no. 1 (2010), pp. 17–37; Dennis F. Thompson, “Democratic Trusteeship,” *Institutions for Future Generations*, p. 184–195.

⁹ Marcel Szabó, “A Common Heritage Fund for Future Generations,” in *Institutions for Future Generations*, pp. 197–213.

¹⁰ Chiara Cordelli and Rob Reich, “Philanthropy and Intergenerational Justice,” in *Institutions for Future Generations*, pp. 228–44.

¹¹ Virginie Pérotin, “Democratic Firms,” in *Institutions For Future Generations*, p. 331.

¹² Caney, “Political Institutions for the Future.”

¹³ Saward explicitly endorses the possibility of hypothetical consent to representation. See Michael Saward, "The Representative Claim," *Contemporary Political Theory* 5, no. 3 (August 1, 2006), pp. 297–318, <https://doi.org/10.1057/palgrave.cpt.9300234>; Michael Saward, "The Subject of Representation," *Representation* 44, no. 2 (July 1, 2008), pp. 93–97, <https://doi.org/10.1080/00344890802079433>; Michael Saward, "Authorisation and Authenticity: Representation and the Unelected," *Journal of Political Philosophy* 17, no. 1 (2008), pp. 1–22; Michael Saward, *The Representative Claim, The Representative Claim* (Oxford, UK: Oxford University Press, 2010).

¹⁴ Saward, "Authorisation and Authenticity: Representation and the Unelected."

¹⁵ Saward, "The Representative Claim," p. 301.

¹⁶ Saward, pp. 302–3.

¹⁷ There are two further issues at play here, namely (i) the problem of having obligations to future generations, whose existence is owed to current actions – the so-called 'non-identity problem' – and (ii) how to distinguish between current and future generations given the fact that they often overlap. Although these issues are certainly relevant for assessing and specifying the claims to representation of future generations, we will in this paper not discuss the non-identity problem or the fact that generations overlap since they do not impact on our current argument have been discussed elsewhere. See, for example, Davidson, "Wrongful Harm to Future Generations."

¹⁸ Saward, *The Representative Claim*, 2010, 97; Saward, "Authorisation and Authenticity: Representation and the Unelected," 11.

¹⁹ Ronald Dworkin, "The Original Position," *Reading Rawls*, Norman Daniels, ed. (New York: Basic Books, 1975), p. 18

²⁰ Those who do not accept the equivalence may claim that in certain cases, the hypothetical acceptance criterion and what we might call a fair interests criterion can come apart. For example, they might point to cases in which voters endorse deceitful or charismatic candidates who in reality are neither well-placed nor well-motivated to promote their interests. Based on such cases, those who reject the equivalence might argue that likewise we cannot assume that all members of future generations would choose representatives who will fairly promote their interests over deceitful or charismatic candidates. If so, then our move from the hypothetical acceptance criterion to the derivative criteria that we offer, based on who is epistemically and motivationally well-positioned to promote the interests of future generations, might seem to be in doubt. We do not believe that this objection poses a significant obstacle for our argument. At most, it may be true that some members of future generations would choose deceitful or charismatic candidates over candidates who are genuinely well-placed to promote their interests. But it is also true that many other members of future generations would choose candidates who are genuinely well-placed to promote their interests over deceitful or charismatic candidates. As such, even if it succeeds, the objection shows only that it is possible for representatives of future generations to be legitimate in terms of meeting the hypothetical acceptance criterion either by being well-placed to promote the interests of future generations (by virtue of meeting the two derivative criteria that we propose), *or* by being the sort of candidates who future generations might choose despite their not being well-placed to promote their interests. But if so, we needn't suppose that legitimacy is the only thing that matters when choosing representatives for future generations. If there are some potential representatives who would be both legitimate and well-placed to promote the interests of future generations, and other potential representatives who would be legitimate but not well-placed to promote the interests of future generations, then it seems plausible that we would nevertheless have reasons grounded in duties to promote the interests of future generations to choose the former over the latter.

²¹ Leib, Ponet, and Serota, "Translating Fiduciary Principles into Public Law"; Rave, "Politicians as Fiduciaries."

²² Leib and Ponet, "Fiduciary Representation and Deliberative Engagement with Children."

²³ Lawrence and Linehan, "Introduction to Giving Future Generations a Voice."

²⁴ For a similar, though undeveloped, set of criteria for the representation of future generations, see Eckersley, "Deliberative Democracy, Ecological Representation and Risk," in *Democratic Innovation. Deliberation, representation and association*, 2000, p. 129.

²⁵ Saward, "The Representative Claim," 2006, p. 300.

²⁶ Polanyi, *The Tacit Dimension*.

²⁷ Toole, "From Standpoint Epistemology to Epistemic Oppression." Of course, including experiential knowledge as part of the criterion might entail that women cannot and should not be properly represented by men at all. While it seems to us endorsable, it is beyond the scope of this paper to discuss this argument in full and we therefore retain the more modest claim here that women cannot be *exclusively* represented by men.

²⁸ IPCC, “Climate Change 2014: Impacts, Adaptation, and Vulnerability”; IPCC, “IPCC Special Report on Climate Change, Desertification, Land Degradation, Sustainable Land Management, Food Security, and Greenhouse Gas Fluxes in Terrestrial Ecosystems”; Masson-Delmotte et al., *Climate Change 2021*.

²⁹ Whyte, “Is It Colonial Déjà Vu?”

³⁰ MacKenzie, “Institutional Design and Sources of Short-Termism.” Of course, the problem of motivation is also a response to structural and institutional problems of current democratic institutions, which often skew towards short-term benefits: someone might be highly motivated to advance the interests of future generations, yet be voted because he fails to advance the interests of his *current* constituents. Hence, as many authors argue, representatives of future generations should not depend on currying favor with current constituents.

³¹ Charles Daniel Batson, *Altruism in Humans* (Oxford University Press, 2011)

³² Barnett et al., “Similarity and Empathy”; Barnett, Tetreault, and Masbad, “Empathy with a Rape Victim”; Heinke and Louis, “Cultural Background and Individualistic–Collectivistic Values in Relation to Similarity, Perspective Taking, and Empathy.”

³³ Batson, *Altruism in Humans*, 163–64.

³⁴ One objection to the empathy approach is that empathy leads to bias and favoritism, whereas a rational approach leads to a fair balancing of interests (Bloom, *AGAINST EMPATHY*. Pinker, *The Better Angels of Our Nature*. Pp. 692-713). For a response to this objection, see Hyams, ‘Empathy in Politics’ (forthcoming).

³⁵ Eckersley goes even further and argues that “risk-generating decisions should literally be extended to all those potentially affected, irrespective of social class, geographic location, nationality, generation, or species.” Eckersley, “Deliberative Democracy, Ecological Representation and Risk,” p. 119.

³⁶ Rawls, *A Theory of Justice. Revised Edition*, 254–56; Campos, “Intergenerational Justice Today”; United Nations, “Report of the International Law Commission Sixty-Eighth Session (2 May-10 June and 4 July-12 August 2016),” 281.

³⁷ Campos, “The British Academy Brian Barry Prize Essay”; González-Ricoy and Gosseries, *Institutions for Future Generations*; Gosseries, “Constitutions and Future Generations”; Gosseries, “On Future Generations’ Future Rights.”

³⁸ S. Nazrul Islam and John Winkel, “Climate Change and Social Inequality,” DESA Working Paper (New York: Department of Economic and Social Affairs, United Nations, 2017).

³⁹ Islam and Winkel.

⁴⁰ Campos, “Representing the Future: The Interests of Future Persons in Representative Democracy.”

⁴¹ Eckersley, “Deliberative Democracy, Ecological Representation and Risk,” 119.

⁴² Mary Robinson Foundation, “Meeting the Needs of Future Generations: Applying the Principle of Intergenerational Equity to the 2015 Processes on Climate Change and Sustainable Development”; United Nations, “Intergenerational Solidarity and the Needs of Future Generations.”

⁴³ Watts, “What Is Causing the Floods in Europe?”

⁴⁴ Garrett and Dewan, “Italy May Have Hit Europe’s Hottest Day on Record as Anticyclone ‘Lucifer’ Sweeps In.”

⁴⁵ Fisher et al., “World Disasters Report 2018.”

⁴⁶ Elamroussi and Chan, “‘Unprecedented’ Conditions Feed Northern California Wildfire, Forcing Thousands to Evacuate.”

⁴⁷ NOAA, “NOAA Predicts Another Active Atlantic Hurricane Season.”

⁴⁸ NOAA, “Record-Breaking Atlantic Hurricane Season Draws to an End.”