

Elaborations on a communitarian approach to transtemporal obligations

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Elaborações a uma abordagem comunitária às obrigações transtemporais

José M. Pereira

Resumo

Grande parte da população atual acredita dever algo às gerações futuras. Poucos negariam que gastar e consumir desregradadamente hoje seria errado. No entanto, as pessoas futuras ainda não existem. Não temos como saber quais são os seus interesses, nem como acordar conjuntamente princípios de distribuição. Ademais, a existência de pessoas futuras depende das nossas ações presentes, o que torna problemático afirmar que a escolha de uma política em lugar de outra hoje causará dano a futuros indivíduos. A maioria das teorias éticas e políticas contemporâneas tem dificuldade em responder aos pontos levantados acima, e, conseqüentemente, em oferecer uma defesa teórica válida da existência de obrigações entre pessoas separadas pelo tempo. A teoria comunitária, pelo contrário, por tomar como unidade básica uma entidade que é inerentemente transtemporal (comunidades), é capaz de estabelecer ligações moralmente relevantes entre indivíduos ao longo do tempo. Nesta dissertação, baseando-me na compatibilidade entre conceitos comunitários e o contexto transtemporal, e combinando-os com outras teorias filosóficas – como o contratualismo moral -, proponho alguns argumentos a favor da existência de obrigações entre pessoas cujas vidas nunca se cruzam temporalmente. Termina a dissertação com um outro argumento, este contra a cada vez mais difundida ideia de que o cumprimento das nossas obrigações para com as gerações futuras poderá justificar a implementação de práticas não-democráticas.

Elaborations on a communitarian approach to transtemporal obligations

José M. Pereira

Abstract

A majority of present people feel that they owe something to future generations. Few wouldn't think it wrong to spend and consume unreservedly today. However, future people don't yet exist. We have no way of knowing what their interests might be or of according with them any principles of distribution. Moreover, their existence is dependent on our actions today, so it is not unproblematic to claim that we will harm future persons by presently choosing one policy over another. Most ethical and political theories struggle to overcome these issues, and consequently fail to provide a sound account of obligations between temporally-separated persons. Communitarian theory, however, by taking as its basic unit an entity that is inherently transtemporal (communities), is capable of establishing morally relevant connections between individuals across time. In this dissertation, I draw on the adequateness of communitarian concepts to the cross-temporal context, and combine them with ideas from other philosophical theories – like moral contractualism – to provide a set of accounts of transtemporal obligations. I end the dissertation with an argument against the growing idea that the effective discharging of our obligations to future persons might justify non-democratic practices.

Index

Introduction.....	7
Chapter I – In the transtemporal context.....	12
I. Introduction.....	12
I.1. How Not to Think About the Future.....	12
I.2. Struggling with Time.....	16
I.3. Cross-temporal Contractualism.....	17
I.4. Transitive Theories of Transtemporal Obligations.....	19
I.5. Communitarianism and Obligations to Future Persons....	23
I. Conclusion.....	26
Chapter II – Transtemporal Obligations and the Community. 28	
II. Introduction.....	28
II.1. Communities and Being Transgenerational.....	29
II.2. Probing for Communitarian Transtemporal Obligations. 34	
II.2.1. The Personal Account.....	36
II.2.2. The Distributive Account.....	37
II.3. Issues with Community.....	41
II.4. Not the Relational Account.....	44
II.5. Relational Equality.....	45
II.6. The Structural Account.....	47
II. Conclusion.....	49
Chapter III – Democracy and the Future.....	52
III. Introduction.....	52
III.1. Instrumental Democracy.....	53
III.2. Valuing Democracy.....	55
III.3. Sustaining Democracy.....	58
III.4. Virtue, Democracy, and The Future.....	59
III. Conclusion.....	61
Conclusion.....	63
References.....	66

Introduction

As everyday it becomes clearer, we live in a finite and enclosed world. This means that a tendency for the depletion of goods and the accumulation of offscourings is something we have to live with. However, the “we” here is not *us*, presently existing people, but Humanity across time. This is something that may not factor in most of our daily considerations, but that we know to be so and that we care about. It’s not just that we don’t want our children and grandchildren living in a world of scarcity and pollution, or our most prized natural and cultural patrimony destroyed, we also think it would be *wrong* to bequeath a wasteland to whomever will live after us¹.

But should we really think this? After all, these people don’t yet exist. Who knows what they will actually want? Maybe a wasteland is just as appealing to them as lush forests. And even if it isn’t, and if the meagre natural resources we have left them with allow only for an austere mode of life, what could they do? They have no chance for vindication or retribution, or for agreeing with us what would be the fair terms of cross-temporal interchange, we will be gone by then ourselves. Furthermore, should these people even have the right to complain? The fact is that, had we acted any differently, they would probably not even exist². Future people and whatever their world might be are wholly dependent on what we do now. We may leave them in distress, but we will *make* them.

What these questions suggest is that the *moral* underpinnings of the relationships between people whose lives don’t overlap are elusive. It is no obvious task to define what we *owe*, if in fact we do, those who will live in the future, and vice versa. A justification for the existence of transtemporal obligations requires dealing with the theoretical hurdles posed by temporal separation.

This essay tries to tackle these challenges through a broadly communitarian approach to ethics and politics. Communitarianism – in many ways that will later be discussed – is able to establish morally relevant connections between individuals across time, something inaccessible to the vast majority of ethical and political theories. This is so mostly due to its prioritization of entities that, unlike individuals, are inherently transtemporal: communities. The choice of communities also departs from the common use of “generations” as the basic unit of

¹ It is important to note here that, in this essay, I’ll be mainly discussing the possibility of *wronging future people*, not of *doing wrong*. Wronging future people doesn’t necessarily mean, however, and this is something that will be extensively discussed ahead, to wrong any particular person or persons.

² This is the question raised by Derek Parfit’s “Non-Identity Problem”. See Parfit (1984, 351-79, 522-23).

transtemporal (or intergenerational) ethics. Therefore, and even if not restricted to them, the basic precepts of communitarianism will be the cornerstone of the inquiry pursued in this text. It will be by making recourse to them that I'll provide a set of possible accounts of transtemporal obligations.

I want to add a caveat before we go any further. The essay here presented to the reader may feel tortuous as one progresses through it. The reader may find herself puzzled by the sudden introduction of a new topic or argument, seemingly unconnected to the hitherto development of the discussion, or surprised by its structure. This is in part a failure of the writer, but also a consequence of the essay's aim. The aim is as unambitious as its title suggests, but also much broader. This text is not solely about obligations, and undoubtedly not restricted to communitarianism.

Because of such features of the text, a few introductory clarifications are in order. It is not the aim of this essay to inquire into the nature of duties, obligations or responsibilities. Nor to make a fine-grained distinction between these concepts and their applicability. Its purpose is to provide some form of moral justification for the widespread intuition that we *owe* something to future people, and to elaborate how, or on what grounds, can we accord moral standing to future individuals. Endowing future persons with such standing, or granting them the chance for laying claims on us, requires, as we will see, more than just an appeal to their future existence as humans. To simply state that we should refrain from fossil fuel extraction because future persons *qua* persons have a *right* to or a valid *interest* in a bearable climate, access to natural landscapes, or chance at a good life is, though seemingly sensible, largely insufficient.

I will also not be discussing whether these moral imperatives are collective or individual³, nor attempting any profound characterization of them⁴. I am, however, making a deliberate choice to use the expression "obligations" over "duties" or "responsibilities". This is so because, to act morally, in some frameworks I'll be discussing, will imply less discretion than responsibility usually entails. It may require adherence to specific rules of conduct, rather than, less stringently, to a favoured outcome (Goodin, 1986). However, in some other cases, the focus will be more on an outcome than on moral norms. Therefore, and with a certain degree of ambiguity, I'll be using the expression "obligation" as what a present agent (collective or

³ This is, of course, a topic of major relevance for intergenerational and environmental ethics that is worth pursuing. I am, in this essay, however, focusing on a more general stage of the debate. For discussion on these matters, see Page (1999), Schwenkenbecher (2013), and Collins (2013).

⁴ I will not be making clear distinctions, for example, between political obligations and obligations of justice, between outcome responsibility and remedial responsibility, or between liability-based responsibility and political responsibility. See Walzer (1970), D. Miller (2007, Ch.4), and Young (2010).

individual) owes a future one, by virtue of certain attributes of the latter or of the relation between the two.

What is also not of major relevance for this essay is the concept of a *generation*. The literature on which a large part of the essay is based on uses expressions like “intergenerational obligations”, “intergenerational ethics”, and “intergenerational justice” with some largess. When alluding to relations between generations, authors are seldom connecting specific birth cohorts. What’s usually at stake, broadly speaking, are temporally separated individuals (whose lives may briefly overlap). The expression *future* generations, in particular, tends to refer, rather abstractly, to an undetermined set of individuals who don’t yet exist.

Recurrence to the concept of generations is, nevertheless, understandable. It imbues time with a coherent structure that facilitates analysis and moral reasoning, and that fosters a sense of agency by creating collective subjects and objects and by providing them with a relative location (White, 2016). The generational timescape⁵ also has some relevant downsides, however. Most glaringly, the blurring of intragenerational differences. This may make the framework vacuous, for example, when it comes to the attribution of responsibility⁶.

The choice of the generational framework reflects as well, I believe, a certain bias for some precepts associated with the liberal tradition. The division into generations agglomerates individuals in a purportedly objective and neutral manner, which dismisses the role of preferences and affiliations. Simultaneously, it affords these artificially created groups a significant degree of autonomy, in lieu of a more historicist view of time with less voluntaristic inclinations. I will be departing, to some degree, from liberal ethics and ontology by highlighting the inherently transtemporal nature of many entities – like communities (e.g., nations) and (individual and collective) projects -, and the way in which they are constitutive of our moral views. I’ll be thus relying on a view that emphasizes the historical and continual nature of time, and that ascribes much greater relevance to community-like collectives.

The concept of generation, therefore, is not central to this essay, nor is any other that divides time in some definite way. I will, nevertheless, and as many authors do, employ the terms “generation” and “intergenerational” as a heuristic device. I’ll be using, interchangeably, words like “cross-temporal”, “transtemporal”, and “intergenerational” to allude to a timescape of

⁵ A “timescape” is a specific delineation of time’s structure. See Adam (1998).

⁶ According to Oxfam’s 2020 report “Confronting Carbon Inequality”, the richest 1% of humanity, in the last 25 years, are responsible for more than twice as much carbon pollution as the poorest half. The degree of responsibility for any resulting impact on future living conditions can’t, in any way, be accorded generationally.

undefined structure, constituted by a number of years sufficient for individuals not to have overlapping lives.

Something this essay clearly is is exploratory. I will not be providing, or attempting to, a single, definite account of transtemporal obligations. I'll critically analyse a series of previously made arguments and provide some of my own. What I hope to achieve is to shed some light on the relation between time – or, more precisely, the temporal separation of persons – and our ethical and political theories. The transtemporal context poses obvious difficulties to some of our most well-regarded theories. What I want to think through here is the way in which we should reconfigure our thinking so as to seriously tackle such problems. If we add time to the equation, do some theories surge then with greater appeal than we usually grant them? Are there some theories inherently more apt to integrate time into their theoretical apparatus? If so, why? And what does their success in this context tell us about politics and ethics more broadly?

I will not be doing, for obvious reasons, a comprehensive survey of the merits and misgivings of all (or even many) ethical and political theories. I have selected approaches and arguments based on one of three criteria: 1) I broadly concur with the view, and will use some of the ideas to construct my own arguments in chapter two (e.g., communitarianism), 2) though I disagree with the view, I believe it has some merit, and it allows us to better understand what is entailed by the views selected under 1) (e.g., transitive theories), 3) I significantly disagree with the view, but I think that what I take to be its misgivings are (negatively) illuminating (e.g., longtermism/utilitarianism).

This survey will be conducted in chapter one. There I'll also broach the characteristic features of the cross-temporal context that make it so cumbersome. Additionally, I will clarify my adherence to a vision of transtemporal obligations that combines concepts from communitarian ethics and moral contractualism.

In chapter two, I will examine with greater depth the two main accounts of communitarian intergenerational obligations present in the literature, and will tentatively provide some original accounts. I'll accompany these with brief discussions on communitarianism and relational equality, with the purpose of situating my arguments.

My accounts of obligations – which I've named the *distributive* and *structural* accounts – follow the commitments I've been alluding to, and are stressed throughout chapters one and two. These include a significant emphasis on the importance of history and situatedness for morality, and a vision of future persons not as alien, utility-maximizing individuals, but as members of our communities and/or as fellow contributors to our projects – i.e., as somehow connected to us. A notion of *continuity* – of people's selves, of communities and projects, of

the effects of actions - pervades these arguments, and departs, to some degree, from the liberal canon.

Chapter three deviates somewhat from the preceding ones. Not in the theoretical inclinations and normative commitments, but in the object of study. There I discuss not obligations, but democracy. In line with the aims of this essay, I try to add the variables *time* and *future people* to previously developed visions of democracy. I argue that by relying on a notion of democracy as deliberative and intrinsically valuable (vs. aggregative and instrumental) we can make a better case against growing sympathies for non-democratic practices in favour of future generations. I tentatively put forward the claim that, if we follow this notion of democracy, present people may even be said to have an obligation to preserve and foster democracy, in favour of future persons.

In the final chapter, I touch with greater emphasis on a topic that looms in the background of the whole essay – climate change. I don't tackle the issue of climate change directly in this text⁷, but it is the main instigator of the growing interest in intergenerational matters and it is indissociable from any discussion about the future. Many of the examples used throughout the chapters will, therefore, be derived from or relate to this problematic. I will also lean on some literature on environmental ethics, a field much larger than its intergenerational congener.

Considerations aside, I hope this essay is able to shed some light on the nexus time/future-politics-ethics. I hope I am able to provide argumentative substance to intuitions that, despite basic and widespread, sit uncomfortably in the theoretical ground of theories like utilitarianism and liberalism⁸. I don't intend to provide a comprehensive normative account of such intuitions, but I hope I can make salient some - maybe scattered and unconnected - aspects that should not elide our thoughts when thinking of the future and future persons.

⁷ Many authors have taken up this task. I would highlight S.M. Gardiner's brilliant book *A Perfect Moral Storm: The Ethical Tragedy of Climate Change* (2011).

⁸ Some versions of them, of course.

Chapter I – In the transtemporal context

Introduction

My aim with this chapter is to introduce the debate on transtemporal obligations so as to pave the ground for a more in-depth inquiry, which will be performed in chapter two. This first chapter will clarify my position in the debate mainly by way of exclusion. The complicated endeavor of incorporating temporal distance into our moral and political theories has led to a flurry of disparate arguments, many of which are of great merit. I aim, therefore, not to provide a thoroughly original outlook on transtemporal obligations, but to examine a select group of accounts which, once their strengths and shortcomings have been weighted, will provide us with some reliable building blocks for further theorizing on the issue.

I start the chapter by discussing some of the difficulties that inevitably surface when we begin, or fail, to think of future persons as a condition of our actions. And by highlighting some of the problems that the transtemporal framework – the irrevocable temporal separation between persons – poses for thinking relationships and the associated obligations. These will serve as a measuring rod for judging the arguments discussed in the succeeding sections.

In the remaining part of the chapter, I critically appraise what I believe to be the sturdiest accounts of cross-temporal obligations. These range from transtemporal contractualism and transitive theories of intergenerational duties, to transgenerational communitarianism. In light of this analysis, I tentatively suggest that a combination of concepts from communitarian theory and moral contractualism provide the most reliable backbone for an account of transtemporal obligations that avoids the traps posed by the transgenerational context while speaking closely to our intuitions regarding the future people.

1. How Not to Think about the Future

Humans have never had it easy with the long-term. We seem to be inevitably, and dangerously, oriented towards immediacy. Lovers of procrastination and loathers of diligent planning, we are hastily pushed towards the future with our backs turned to it⁹. Times of reckoning come

⁹ I am here making reference to Walter Benjamin's image of the "Angel of History". A feature of Benjamin's criticism of bourgeois visions of progress, expounded in his famous *Thesis on the Philosophy of History*. See Benjamin (2007, 253-264).

periodically, the past catching up with the present, unscrupulously willing to cash-in our debts. But never has this been so obvious as with the tragedy of climate change¹⁰. With varying degrees of responsibility and intention, past (and present) generations have chosen shortsightedness and self-interest over preventiveness, setting in motion a train whose threatening cargo is due to unload at the doorstep of those who will succeed them.

To focus on the short term is not itself a problem. A sudden earthquake requires the expediency and resolved spontaneity of presentist reasoning. Our current predicament results from the pervasiveness of a particular type of short-termism, what Simon Caney calls “harmful short-termism”¹¹. Short-termism is harmful when it unjustifiably fails to protect long-term interests. These can be the interests of contemporaries which relate to life-long concerns (food security, access to water, breathable air, etc.), or the interests of those not yet born. Harmful short-termism can hence be present in two, very much interrelated, ways. Through an inefficient pursuit of the interests of present persons (which yields unduly costs to succeeding generations), and/or through a disregard of the interests of future generations.

Climate change is a prime example of the effects of harmful short-termism, and a case in which both above-described scenarios verify. 1) Energy systems were created around fossil fuels with the interests of contemporaries in mind, but, in comparison to having invested in renewable energy, that choice now means dramatic costs to some of those contemporaries and generations to come; 2) future generations are likely to be left worse-off in many aspects (like biodiversity and weather stability). But, as Caney notes, there are many other examples of areas fraught with the perverse effects of short-termism, from disaster preparation to war and foreign policy (Caney, 2016, 139-140).

Caney has provided a comprehensive list of harmful short-termism “drivers” (Caney, 2016, 143-145; Caney, 2019, 7-10). These range from matters relating to our “nature” (psychological caveats like the “identifiable victim syndrome” or positive illusions), to institutional limitations (such as election cycles and promiscuity with business) and issues intrinsic to cross-temporal relations like uncertainty about the future and the necessary exclusion of core constituencies (children and the not-yet-born). Caney makes this diagnosis with the purpose of tackling harmful short-termism at its roots. Building on it, he offers a set of little-demanding policy proposals, which are a worthy guide for practicing politicians (Caney, 2016, 136-137).

¹⁰ Andreas Malm makes this point in *The Progress of this Storm* (2020, 5-11). Malm illustrates it in poetic, but illuminating fashion, saying that “History [our decision to use fossil fuels, and the years of digging] has sprung alive, through a nature that has done likewise.” (Malm, 2020, 11).

¹¹ See Caney (2016) and Caney (2019).

However, not all philosophers concerned about the long term adhere to such weighted solutions. Some are set to make a bigger impact. A school of ethical thought to which we may call *longtermism* seems to be positioned at the exact opposite end of short-termism, and favors much more radical measures.

Among the most renowned proponents of this moral theory are Nick Bostrom and Toby Ord¹². Both philosophers, strongly moving against short-termist thinking, have as their priority the future of humanity. The future of humanity meaning, for them, not simply the future lives of Earth-originated intelligent beings, but something rather more abstract - humanity's *potential*. The realization of humanity's potential, following an extreme form of utilitarianism, is here equated to reaching "technological maturity". A stage of development in which value has been maximized to its fullest through the colonization of space (so as to increase the number of possible value-holders) and through forms of transhumanism (enjoyment-maximizing body alterations, and, possibly, the download of human minds into computers). The value of this stadium of existence (and of the future leading up to it) makes humanity's hitherto (short) History pale in comparison. Therefore, it is argued, our chief aim as a species must be to guarantee the possibility of this future being actualized. That is, to reduce "existential risk" (Bostrom, 2002; Ord, 2020).¹³

In face of the pervasiveness of short-termist thinking, the preventive effort of reducing existential risk – even if such risk is said by longtermists to come mainly from technology still years away – may seem laudable. But the implications of this form of total utilitarianism are unlikely to be readily accepted by most. As Bostrom notes, humanity's potential is so extraordinary – he estimates that the future may hold over 10^{16} lives, some of which, the most distant, likely living in a state of absolute bliss – that "the expected value of reducing existential risk by a mere one millionth of one percentage point is at least a hundred times the value of a million human lives" (Bostrom, 2012). This means that, under a longtermist framework, a minuscule endeavor to mitigate existential risk must take priority over any other agenda. Work to reduce world poverty, protect biodiversity, or increase access to health services means very little once we consider the wider scope of things. Bostrom makes this clear when he urges humans not to "fritter away" resources on "feel-good projects of sub-optimal efficiency" (Bostrom, 2012). Even seemingly catastrophic scenarios like climate change are relativized by

¹² See Bostrom (2002), Bostrom (2007), Bostrom (2012); and Ord (2020)..

¹³ Some longtermists have a more moderate view. Despite still prioritizing the long term, the emphasis on technology and its interconnection with human potential is much more meagre. See Greaves & MacAskill (2021).

some of these theorists, since they pose little risk of wiping out *all* humans. Climate catastrophe might just be “a small misstep for mankind” (Bostrom, 2007).

But the implications of adhering to longtermism may go way beyond neglect of present people’s interests. If our uttermost priority is to assure the actualization of this future state of affairs, all that’s seen as necessary to take us there is fair game. Imagine that COVID-19 was a disease that actually posed us the threat of extinction. And that this was discerned when the virus was still restricted to one city, which could be isolated. According to longtermism and the concept of existential risk, to eliminate the city’s whole population with a bomb might be entirely justified. Another “repugnant conclusion” may be drawn if we focus on the fact that longtermists see as an existential catastrophe not only extinction, but any future in which our full potential is not realized. “Technological stagnation” would be “of comparable seriousness, entailing potentially similarly enormous losses of expected value”, contends Bostrom (Bostrom, 2012). Following this rationale, if we were to reach an innovation dead-end somewhere along our path to technological maturity, a century in which all generations worked as slaves to solve this impasse, so that future generations get to highest point of human development, would be justified.

As we can see, harmful short-termism is a serious malaise, but so it is to think of the future as a homogenous landscape, composed not by persons and communities, but by utility-maximizing subjects. Theorizing about the future, or even just incorporating our concerns for it into our most standard theories and institutional processes, is no easy task.

However, despite these natural “temporal misgivings”, the argument for *temporal neutrality* is, on close attention, hard to dismiss.¹⁴ That people’s moral status should be made contingent on their temporal location seems as groundless as hinging it on their spatial whereabouts. Short-termists and longtermists partiality for the immediate and the far-off future, respectively, stand on shaky moral terrain.

Nevertheless, appealing to future people’s value *qua* persons is not, as we will see next, a sufficient argument for justifying the existence of obligations owed to them. This will require highlighting some other attributes of theirs. In the next section we will discuss these issues – the theoretical difficulties inherent to the cross-temporal context and some of the possible solutions. This will be a first step in the development of an account of transtemporal obligations that adequately explains our intuitions on intergenerational matters, and that emphasizes our relationships to future people.

¹⁴ See Parfit (1984, Ch.8) and Scheffler (2021).

2. Struggling with Time

When thinking about non-overlapping cross-temporal relationships, the idea that some ethical considerations must be kept in mind is hard to shake. From the understanding that present actions will have an effect on future people follows the common assumption that things owed and the possibility of wronging exist. However, the particularities of these relationships provide difficulties for a cogent account of rights and duties between people whose lives don't overlap.

For one, the obvious fact that future people don't yet exist leads some to defend the impossibility of them having rights, and of their interests having any weight on a theory of justice (de George, 1981; Pasek & Beckerman, 2001). Pasek and Beckerman illustrate their case with the example of "the right to see a Dodo". As they contend, a contemporary of ours could not have had a right to see a Dodo before its extinction because she was not yet born. And neither can she have a right to see a Dodo now because that right can't be fulfilled (no Dodo remains alive). Therefore, for Y to have a right to X, they argue, two conditions must be met: Y must exist, and it must be possible, in principle, to provide her with X (Pasek & Beckerman, 2001, 14-17). Future people meet neither of these conditions.

Others regard temporal distance as inherently incompatible with talk of justice and obligations. So-called contextualist theorists of justice¹⁵ argue that different principles apply in different contexts, rejecting the existence of an underlying master principle that applies to all. This concerns not only spatial separation, but also temporal distance. Following this school of thought, Terence Ball argues that uncertainty about the future makes it impossible for us to know what it means to act justly toward future persons, as their interpretation of our actions may radically differ from ours. Obligations are, accordingly, owed only to those said to be members of the same moral community, which is significantly limited in its temporal extension (Ball, 1985).

Another feature of cross-temporal relations with thorny implications is the fact that the existence of future generations depends on the actions of past ones. More specifically, assuming that procreation at different times yields different individuals, the *identity* of future persons is unavoidably contingent on the acts and decisions of present persons. This situation of dependence leaves future people in a peculiar position. If they face a situation of, for example, water scarcity, which was brought on by a policy decision made by past people, as long as they have lives that are worth living, they can't claim to have been harmed by their predecessors since, if the policy choice would have been any different, they would not exist at

¹⁵ For a description see Miller (2002). For examples see Walzer (1983) and Miller (1999).

all. From the impossibility of being harmed or wronged, follows the incoherence of any talk of rights. This is the poignant issue raised by Derek Parfit's *non-identity problem* (1984, 351-79).

Parfit's case, although remarkably sturdy (Heyd, 2009; Campos, 2019) and likely the greatest obstacle for our purposes here, is not, however, completely unassailable. For one, because it hinges on a presupposition that can be contested - the idea that, for someone to claim to have been wronged, that person must have been left worse-off than it would have been if that act had not been committed. Such a position appertains to what is generally called a *person-affecting* view of morality. Approaching cross-temporal matters through an ethical theory with different basic precepts might thus prove helpful in developing an account of transtemporal obligations. This is not, however, the only way around the non-identity problem.

The debate on intergenerational matters has been fruitful in original outlooks, and approaches like the transitive and communitarian theories of intergenerational obligations seem to be successful in avoiding many of the traps inherent to cross-temporal relations. In this chapter I will be surveying the case made by each of these contenders, in search of an account of transtemporal obligations that is immune to the inherent difficulties of the intergenerational condition, and that is able to comprehensibly capture our intuitions about the future and future persons.

3. Cross-temporal contractualism

The contractualist approach to morality departs most significantly from the view informing the non-identity problem in that it shifts the focus of analysis from the *outcomes* of an action, i.e., the after-state of the wronged, to the conduct of the wrongdoer in relation to the one who claims to have been wronged (Kumar, 2003). What we see here is a contrast between a consequentialist and a *non-consequentialist* approach to morality.

But what should we be looking for in the actions of an alleged wrongdoer that would allow us to characterize her as such? According to the non-consequentialist view, one can claim to have been wronged when the wrongdoer violates legitimate expectations which one is entitled to expect, in virtue of one's value as a person. Accordingly, moral principles take a form similar to a legal system, establishing the terms of what is to be reasonably expected in interpersonal

conduct. This is the Scanlonian contractualism¹⁶ that Raul Kumar aims to apply to the intergenerational context¹⁷.

However, based solely on the framework described above, the non-identity problem remains unchallenged. People yet to be born have no expectations that we can grasp. Moreover, if their existence depends on our actions, any expectations they may turn out to have will only be there to be respected because of a particular course of action we took. Contractualist reasoning is able to avoid these problems because it considers moral principles that are relevant to *types* of situations, irrespectively of the identities of the parties involved. Kumar puts in this way

“(…) what matters to one who values standing in a relation to others of mutual recognition is that if a particular individual were to come into existence whose particular point of view is aptly *characterized by the cluster of interests constitutive of a certain standpoint*, it will be true that, in living in conformity with principles no one could reasonably reject, one will have given appropriate consideration to the relevant interests of that individual.”¹⁸

These clusters of interests, which must inform our conduct beyond general respect for the value of others as persons, refer to many forms of relationships and situations of our daily lives. The intuition we have that parents have certain duties to their children, or friends between themselves, no matter who is, or how they have come about, at both ends of these relationships is thus substantiated by the contractualist approach.

An account inspired on Kumar’s framework, deemed the *relational approach* to intergenerational duties, has been developed by Janna Thompson (Thompson, 2012; Thompson, 2017). Thompson’s approach is also non-consequentialist, but it puts more emphasis on what it entails *to be in a relationship*. Drawing on Joseph Raz’s and Samuel Scheffler’s reframing of the value of duties¹⁹, Thompson stresses how the good that may accrue from relationships, like parenting or friendship, can only be understood if there is a preliminary idea of the duties that that relationship entails. In this regard, we can say that it is the relationship itself that generates a framework of obligations and entitlements, or that the duties are “intrinsic” to the relationship (Thompson, 2017, 5). Accordingly, for the duty-holder to fulfil her moral obligations, she has to meet what are the, generally considered, reasonable requirements associated with that type of relationship. That the right-holder’s identity is dependent on the actions of such duty-holder is irrelevant, since that doesn’t change the fact

¹⁶ See Scanlon (2000).

¹⁷ See Kumar (2003) and Kumar (2009).

¹⁸ Kumar, 2009, 266. My emphasis.

¹⁹ See Raz (1989) and Scheffler (1993).

that they are parties in a type of relationship from which specific, reasonable expectations can be drawn.

Both of these accounts seem to respond cogently to the challenge posed by the non-identity and non-existence problems. But there is one glaring issue with contractualism: the fact that its conceptual apparatus can't justify why it is morally objectionable to ensure that no one will live in the future. Thompson tries to escape this by emphasizing the role of *partial* relations in transtemporal matters, cases in which one has a strong personal interest in the life of others or in particular cultural and moral forms and goods. Like parents regarding their children, or members of some groups in relation to their traditions and values.

But by narrowing in on these types of relationships, one is faced with a whole new set of problems. Duties owed to children, which will be more extensively covered in the next section, have an evident problem of extent, and also exclude all those who have no interest in procreating. As for members of groups, the question of how long a community can be judged to be the same community, and thus if its temporally-separated members are co-members, immediately surfaces. Additionally, there is also the possible problem of one considering oneself a member of more than one community, the chance being that the preservation of one may prove impossible if the others are to be maintained as well.

4. Transitive Theories of Transtemporal Obligations

Transitive theories of intergenerational justice circumvent the difficulties associated with transtemporality in a much more straightforward way being grounded on obligations to already-existing people. What is here implied is a reliance on the existing overlap between successive generations. The most immediate case of overlap is that between parents and their children. Hence it is no wonder that many have attempted to develop conceptions of intergenerational duties with parental relationships as their normative starting ground. Some have done so in a way that stresses the partiality of such relationships, while others emphasize the universal character and features of procreation and childrearing.

Pertaining to the former, we have theorists that, despite considerable differences, describe something like a *chain of feeling*. They look to establish obligations towards future persons grounded on the love or concern (Passmore, 1974) that members of present generations feel for their immediate successors. These feelings extend to further generations as one's concern or love for one's children implies taking into consideration the fact that those children will have

the same disposition towards their own children, and so on. Accordingly, present individuals are said to have a strong motivation to act in ways that ensure that future generations, even ones in a considerable time distance, have sufficient conditions to flourish.

This approach, while speaking to hard-wired intuitions, seems to run into some difficulties. Some are due to the use of love or concern as ground-stones. Such feelings are necessarily exclusionary, if they are to have any meaning. Therefore, individuals can only be assigned justified obligations to a restricted set of people. In some cases, striving for the well-being of those we care for or love will require the type of action that leads to generalized benefits, but that can't be set down as a golden rule. Another concern is the chance of the chain breaking off. Significant numbers of people may choose not to have any successors, or may simply not be motivated enough by any sort of feelings to make the necessary sacrifices. A final problem relates to the actual distance that care or love may be able to cover. It is hard to imagine many individuals thinking of people who will live 150 years from now as their bloodline successors, let alone having any relevant disposition towards them. This fact makes it hard to morally justify resistance to policies which only produce a negative effect to distant generations.

Other philosophers have kept the parent-child framework but with an emphasis on a language of rights and justice. If we take the possibility of raising children as a relevant feature of a good life, prospective scenarios of scarcity or climate breakdown may proportionate situations worthy of being deemed intergenerational injustices²⁰. According to this view, from the moment a child is born, her parents have a duty to ensure that she is not confronted with the situation of having to choose between not having children, or having a child that won't have an adequate life. This duty of ensuring that one's children can "parent justly", since it is owed by every parent to their children, surfaces in every generation and is thus able to produce a chain of duties with indefinite extension (Gheaus, 2016).

Some objections may be raised here. For one, it is not entirely clear whether we can claim that assuring one has all the conditions necessary for raising children is a duty that parents have. Parenthood seems to imply some undeniable duties, such as assuring basic sustenance, and promoting integration in society. But even these most basic duties have a temporal frame. It is archetypical of parenthood that some of its inherent duties start to weaken as the child's autonomy increases. Accordingly, ensuring that an autonomous adult has all the necessary conditions to procreate seems to be a duty whose ambition falls outside of the scope of the common parent-child relationship. In addition, despite the undeniable importance given by

²⁰ For examples see Gheaus (2016) and Cripps (2017).

many to the possibility of having children, resting a theory of intergenerational duties on this point seems out of proportion when considering the worldwide dramatic effects that climate breakdown may produce for the following generations.

Parental relations are not, however, the only approach to which defenders of transitive theories have turned. Some have argued for the existence of rights and duties between any members of potentially overlapping generations²¹. According to this account, duties to future generations are understood by reference to duties owed to already-existing-people from neighbouring generations that, in a chain-like manner, extend through the overlaps. This view can best be understood with a three-generation example, in which G1 is the oldest, G2 the middle one, and G3 the most recent, G2 overlapping with both the others. Based on an egalitarian account, G1 has a duty to ensure that those at G2 have the conditions for living a life at least as good as theirs. However, when ensuring that this is so, G1 must take into account that the G2 generation will also have successors (G3) to whom it owes at least an equal quality of life. This means that G1 must proportionate to G2 a plethora of goods not only sufficient to assure an equal quality of life between the two, but one that also allows G2 to stand in the same position towards G3 with similar effort. G1 would be in violation of its duties to G2 if it forced extra efforts from G2 to assure an equal quality of life for G3. Wronging here means unequal “compliance costs” (Gosseries, 2008).

A compliance cost approach to obligations can also be applied, complementarily, to relationships between individuals of the same generation, with respect to actions that will have an effect on future generations (Mazor, 2010). Starting from the presupposition that we owe, at least to overlapping future generations, an equal share of natural resources, we may say that members of the same generation have a justice-based duty not to force other members to incur in extra efforts to meet the said intergenerational requirements.

Models in which duties are attributed to generations *qua* generations have benefits and downsides when compared to the other abovementioned accounts. On the positive side, they extend the number of those said to have intergenerational duties, and cluster everyone under the same moral orientation. Such an effect seems particularly appropriate for the type of requirements associated with action on matters concerning climate change. On the other hand, taking generations as block-units makes it harder to identify the actual content of duties and to distribute them in ways that take into consideration intragenerational differences. Moreover, if

²¹ See Howarth (1992) and Gosseries (2008).

generations are taken as international units, the problem of moral identification and motivation also surfaces, suggesting weak humanitarian duties as a general framework.

Generation-based transitive theories also suffer from a problem already alluded to above. The absence of *direct* duties to non-neighbouring generations. In sidestepping the non-identity and non-existence problems by attributing rights only to those already alive, these theories entail a progressive withering of moral and political concern that may be incompatible with the intuitive idea of temporal neutrality and unable to deal with situations in which the wronged and the wrongdoer are separated by a lengthy time frame. This is so because it is quite different to assure that a future generation has the conditions to meet the justified requirements of its overlapping future generations, than to work presently for those generations (which don't neighbour us) to have adequate life prospects. Both the type of reasoning and the range of actions pertaining to each situation exclude a number of possible scenarios. If only one of such paths is morally justified, as happens with transitive or chain-based theories, one is bound to characterize such theories as incomplete or minimalistic.

Consider the following example. A team of researchers discovers a process for the production of a medicine that treats a serious and common disease. Once commercialized, it will save tens of thousands of lives annually for a number of years. The cost of the long-term development of the drug is minimal, but it requires a substantial amount of initial investment. Unfortunately, the drug will only be ready for use in 100 years and, if the process of development doesn't start now, the chances of it being developed ever are very slim. For the initial investment, the present generation would have to shoulder a non-negligible cost. The succeeding generations will only have to make very marginal contributions for the development process, but will not benefit from the drug in any way.

I believe it speaks to our intuitions that, if the cost of initial development is not astronomical, some sacrifice is justified in favour of developing this drug for the benefit of distant-future people. It is intuitive to consider that we stand, somehow, in a direct relationship to those persons. Transitive theories fail to capture such intuitions and to respect the principle of temporal neutrality, and, hence, can't account for some of the necessarily lengthy projects and problems of Humanity. In this case, what the present generation owes to its future overlapping ones (or those to the subsequent ones) matters very little in framing a possible duty to refrain from life-quality improvements so that thousands of lives can be saved in the future.

We might debate the acceptable level of costs the present generation should be expected to shoulder for the development of the drug. But I believe it is hard to dismiss the idea that there is an obligation to at least carefully consider the possibility of refraining from some

improvements in the quality of life of present people, in favour of the lives of those who we and our immediate successors will never meet. This direct concern for such people might be explained in many different ways - we may consider them members of our community, part of the common project of Humanity, worthy beneficiaries of the historical development of science and technology, simply our successors, or something else. But its presence in many facets of our lives is hard to deny. Any scientific or political endeavours have, even if only subconsciously, as addressees those whom we will never meet, something that pertains to the inherently transcendental character of any project (Partridge, 1981). It is the task of philosophers concerned with cross-temporal matters to clarify the underwritings of *all* such dispositions.

5. Communitarianism and Obligations to Future Persons

Contrary to authors aligned with other major philosophical traditions, communitarians don't have to jump through hoops when confronted with matters of transtemporal obligations. The problems raised by the non-identity problem, for example, are easily dismissed by the conceptual architecture of the theory itself - the way in which communitarianism frames relationships between individuals, and between individuals and their communities. Communitarians consider individuals always, and first, as part of a community. A community which, in a reciprocal manner, is the product of their thinking and actions, and a constitutive part of their own views and identities. Communities being naturally intergenerational entities, *membership* to one implies an acknowledgement of the role of History in producing current states of affairs, but also an understanding of one's interests and desires as transcending one's lifetime towards the future. To this point, one can say that communitarians see the "self" as extending from the past into the future (de-Shalit, 1995, 15).

The inherently human desire for self-transcendence (Partridge, 1981), the ubiquity of lifetime-transcending interests (Thompson, 2009b), or the notion that "there is no present which is not informed by some image of some future" (McIntyre, 2007, 215), illustrate the idea that individuals can be viewed as members of a community even after their deaths. If one understands one's community and its members as a relevant part of one's identity, not only now, but also in the future, when one's projects and values will be considered or in fact actualized (even if to be eventually rejected), one is bound to have an interest in its

perpetuation, and to acknowledge the existence of obligations towards her community and its future members. Avner de-Shalit puts it this way:

“(…) the fact is not that we have feelings for future generations who belong to the same community as we do, but rather that we understand the transgenerational community and all its members, no matter when they exist, as integral to ourselves and to what constitutes our identities. This is because our moral values—not simply abstract ideas, but rather part of what we are—are derived from this transgenerational community.”²²

Therefore, as long as one understands herself as part of a community, one will be duty-bound to other members, irrespectively of who they are, or of how they have come about. This reframing of the position of individuals in relation to others and the future allows us to swiftly avoid many of the problems associated with the transtemporal framework.

We may name this view, put forward, most noticeably, by de-Shalit, the *situational account* of communitarian intergenerational obligations. Situational because the most relevant condition for present persons to have obligations towards future ones is their identification, or prospective identification, with future states of affairs. This identification with future states of affairs doesn't require full intergenerational agreement and unchanging practices, but implies, at least, some coherence in the pursuit of the good for the community (de-Shalit, 1995, 42). In this sense, although de-Shalit defends the existence of direct obligations to the community and its future members, these are absolutely contingent on one's belief that future generations will work to perpetuate what *one thinks* is a worthy project.

Communitarian approaches to intergenerational justice already face some difficulties when debating the intricacies of cross-temporal communities – most notably the temporal limits of such communities – but the situational account seems to step into even muddier terrains. It suggests a need for continuity in states of affairs that is unlikely to actually verify, and it personalizes, or subjectivizes, the framing of obligations in a way that seems to depart from some of the basic precepts of communitarianism, namely the preponderance of relationships.

Without disparaging the idea of the temporally-extended “self”, we can conceive of a communitarian approach to transtemporal obligations that puts a greater emphasis on the relationships between members dispersed across time. Understanding themselves as members of a community, present individuals will see its values and practices as important and valuable. If they also understand their community as being transgenerational, they will consider future persons as members and successors of the same community. Obligations to those members

²² de-Shalit (1995, 33).

don't need to be connected to present people's interest on the preservation of the community's values and practices, as de-Shalit suggests. An obligation to preserve, or better, to pass on, what present members consider valuable can be connected to the interests that those future members will have *as successor-members*. If present generations consider certain goods valuable, they must consider the likely chance that other members, even if not yet born, will value them as well. Not only value them, but need them if they are to have the chance of understanding themselves as members of that community. Accordingly, present generations have an obligation to pass on to future generations whatever they value and have reasons to believe their successors will value as well.

We can call this approach the *relational account* of communitarian intergenerational obligations, in reference to the above-mentioned work of Janna Thompson (Thompson, 2017). Here, as it was illustrated in the last paragraph, duties are derived from a type of relationship, in this case one of *membership*, which extends between generations. It is constitutive of this relationship the existence of duties between its members, duties that make such a relationship understandable and that provide some good to those involved.

Despite tackling some of the issues previously raised in relation to de-Shalit's work, the relational account still faces some clear difficulties. For one, duties are only owed to community members. In some cases this fact may not be problematic, and occasionally even beneficial, but if there are questions of whether people living in a very distant future can be said to belong to the same community, we may have a cumbersome situation at hand. As de-Shalit argues, for a community to be judged as such it must have some degree of moral similarity and cultural interaction (de-Shalit, 1995, 21). From our own History, we can tell how substantial changes in values and outlooks on ways of life can happen in a few decades. Accordingly, it is hard to argue for people living in 200 years from now having the status of members of already existing communities. And if they don't belong to our transgenerational community, then there can be no claim on us having obligations towards them, at least under the common communitarian framework. de-Shalit and Thompson resolve this situation by appealing to obligations of humanity rather than obligations of justice (de-Shalit, 1995, 63; Thompson, 2017, 12). These obligations are not concerned with a fair distribution of goods, but rather with a regard for the well-being of those outside the community's reach. This view seems largely insufficient. It can't respond to the non-identity challenge, and it downplays the responsibility that present generations may have on catastrophic events happening in many decades or centuries.

There are, however, many positive sides to the communitarian relational approach. As noted, it swiftly addresses the non-identity and non-existence problems and does so while not dismissing the existence of direct obligations between non-overlapping generations (as transitive theories do). Additionally, it captures with greater acuity our concerns for future people and states of affairs. There is no doubt that most of us have general worries about the fate of the planet, but our deepest and most concrete concerns are about the futures of our families, of our friends and their families, of the places we cherish, and of the manifold political, scientific, and cultural projects we are involved in or appreciate. To this point, one more positive aspect can be recognized – a greater ease in defining the content and weight of our obligations. The communitarian approach brings talk of intergenerational obligations to a much more grounded level, one in which we can actually envision and debate what is owed to whom. One final point in favour of communitarian theories is the issue of moral motivation. When one understands herself as part of a community, not only does one feel duty-bound to others, but one's fulfilment of such duties is taken to be an integral part of one's life, something that gives meaning to it. While according to most theories of intergenerational duties, acting for the benefit of those not yet born is always first framed as a cost, from a communitarian perspective that action is viewed, dialogically, as a benefit.

Conclusion

Now that we have a better grasp on what are the challenges for thinking about obligations across time, we are better positioned to offer some original insight. We have narrowed in our scope of study to a view of transtemporal obligations that has communities as, if not its starting ground, surely a very relevant feature. And that takes interpersonal relationships as a fundamental loci for normative theorizing. What this means exactly still has to be clarified. Accordingly, before moving forward in our discussion of transtemporal obligations, we will need to provide some theoretical background that substantiates and justifies some of the arguments we have begun to sketch in this chapter.

Furthermore, despite the second chapter being built on what we see as the strongest aspects of the communitarian approaches, we will attempt to go beyond them. Some of the shortcomings of the communitarian accounts are impossible to ignore. We will, therefore, draw on other philosophical traditions and areas of inquiry in our search for a robust rendition of cross-temporal obligations.

Chapter II - Transtemporal Obligations and the Community

Introduction

The aim of this chapter is to investigate the possibility of producing an account of cross-temporal obligations that pays heed to the objections raised in chapter one against prevailing conceptions, and that builds from what was then identified as the most promising theories and concepts for the intergenerational context. We will start the chapter with some clarifications on the ethical and political theory whose merits we most praised in the last chapter - communitarianism. Our goal is to defend such praise, and to make clear the natural connection that exists between communitarian concepts and the transtemporal context.

In section two, we will debate and propose a series of arguments for cross-temporal obligations which will be highly reliant on communitarian notions. Some of these arguments will have onerous shortcomings, the identification of which will prove helpful in moving us forward towards a better-attuned notion of obligations. These misgivings will also force a critical analysis of communitarianism, to be performed in section three.

Our conclusions from that section will allow us to re-discuss (section four) the previously introduced relational account of obligations, identifying its pitfalls and recovering its most valuable suggestions. This will make it possible for us to highlight a feature of communitarianism which we had somewhat relegated to the background – the relationships between community members.

In section five, we will briefly introduce the idea of relational equality contrasting it with distributive equality. From there we will stress how we relate and connect to members of our communities across time, and how this interaction can be a source of obligations. This argument will be laid out in section six, in which we present the structural account of cross-temporal obligations. We will end by reappraising our arguments and by debating what this process of scavenging for transtemporal obligations can tell us about how we should think about the future and future people.

1. Communities and Being Transgenerational

The transgenerational character of most communities is a feature most of us can recognize with ease. Many of our experiences as members of communities are pervaded by an understanding of those communities as having a past and a future beyond our lifetimes. Celebrating, debating or simply remembering the lives and accomplishments of those we consider our predecessors, for example, is a central part of the lives of many communities. Be it a nation honouring dead compatriots deemed worthy of a national holiday or ceremony; or a branch of scientific research discussing and building upon the work of long-perished colleagues. The sense of a future to which we also somehow belong to as members of a community is part and parcel of these same examples. To engage in activities and projects like public service or scientific research make sense to most only when there is a belief that those that will come after us, our future fellows, will in some way benefit from and/or continue the endeavours that we have committed ourselves to²³.

From the examples given above, we can already hint at some of the necessary features of a community. On one hand, there needs to be some similarity in moral and political values, and in the types of practices members regularly partake in. Individuals who disagree about the moral character of slavery will hardly see each other as members of the same community. The same can likely be said of individuals who analyse natural phenomena using scientific methods and individuals who interpret the natural world solely through religious scripture. Commonality doesn't have to be complete, nor to include all domains, but there must be some fundamental shared values, practices and meanings that allow for the existence of an evolving, but collective, notion of the good.

For this first condition to be met, another has to verify - the possibility of interaction. Communitality is only possible if there is a constant exchange of ideas and experiences. This must not be seen narrowly, however. Interaction here doesn't require face-to-face, direct encounters, it can be mediated in multiple ways without losing its relevance. When speaking of "the Portuguese community", for example, we are often including people who live in countries separated by thousands of kilometres, people who have never met each other and that

²³ Many of us will take such engagement in lifetime-transcending projects as paramount for a meaningful existence. This is not, however, simply a colloquial consideration. Renowned psychologist Martin Seligman, in his book *Authentic Happiness: Using The New Positive Psychology To Realise Your Potential For Lasting Fulfilment*, claims that: "what Positive Psychology tell us about finding purpose in life, about leading a meaningful life [is that] it consists in attachment to something larger, and the larger the entity to which you attach yourself, the more meaning in your life." (2004, 249).

never will. A dynamic form of interaction is sustained through cultural forms, customs, language and rituals, fading the limits of co-habitation and co-temporality.

This account of community is still a very superficial one. A more thorough picture requires, however, entering into more contentious debates. One relevant subject in which opinions differ substantially is the *position* of individuals in a community. With this I mean the way in which we conceive of the relationships between members and between individuals and the community in general. Different accounts of the nature of these relationships yield very disparate conceptions of community which will be more or less coherent with a view of communities as cross-temporal entities.

One of these accounts describes communities as purely instrumental enterprises. Individuals who belong to a community cooperate with each other with the sole purpose of achieving their private ends. Overlapping aims and shared values may verify but only contingently. And the community is described as having no inherent value *qua* community. This is an account somewhat comparable to Will Kymlicka's view of communities. For Kymlicka, membership in a community is relevant solely as "what enables individual freedom, what enables meaningful choices about how to lead one's life" (Kymlicka, 1989, 208). The community here works like a (neutral) structure which supports each individual's private pursuits, its value being solely instrumental.

A different account of community is defended by John Rawls in *A Theory of Justice* (Rawls, 1999, section 79). Rawls' acknowledges the existence and relevance of common ends, and the possibility of members valuing the community for itself. Rawls' notion of community implies the existence of non-instrumental relationships between its members, relationships based on sentiment (Rawls, 1999, 178).

But despite the easily graspable differences, these two accounts of community share an underlying stance. They both start from individualistic moral and anthropological premises. Assumed in these views of community is the idea that the subject may engage with the ends of others and of the community, but that they are strictly separated from its self. The self is freely-choosing, unencumbered by its circumstances. It is not naturally informed by or dependent on a conception of the good that results from a history of interaction in its community, it is necessarily capable of abstracting into a position of neutrality.

This is a point of major relevance for Rawls who, under a Kantian framework, argues that "the self is prior to the ends which are affirmed by it" and that the right is prior to the good (Rawls, 1999, 560). Accordingly, we have, even in the case of Rawls, an account of community that allows little power to the community vis-à-vis the individual. The individual's internal

motivations, even for an involved and concerned member, are never the product of external wills, shaped by the influence of others.

It is in this respect that the third account of community most differs from the previous ones. Deemed the “constitutive conception of community” by Michael Sandel (Sandel, 1998, 150), this view conceives of members not just as bound by partial sentiments and shared values and ends, but as individuals whose identity is shaped by and understood in relation to the community. We have here a completely different view of the self, described instead as situated and dependent.

Few have provided shrewder accounts of this “encumbered self” than Alasdair MacIntyre (MacIntyre, 2007, Ch.15)²⁴. MacIntyre proposes, in opposition to the general modern conception, a so-called “narrative” view of the self. His aim is to shift the frame of analysis from one focused on unconnected, decontextualized actions to one that considers life as a whole. For MacIntyre, an action can only be made intelligible if one is aware of the history of the agent and of the history of the relevant settings. Understanding – of oneself and others – is thus reliant on positioning the object along a narrative, one that includes its past influences and its future possibilities. This past and our present, not a product of our wills but the result of the inevitable intertwining of other narratives with ours, are constitutive of our identities and determining in our choices. To deny these encumbrances is to look-through our relationships. As MacIntyre puts it

“I am someone's son or daughter, someone else's cousin or uncle; I am a citizen of this or that city, a member of this or that guild or profession; I belong to this clan, that tribe, this nation. (...) As such, I inherit from the past of my family, my city, my tribe, my nation, a variety of debts, inheritances, rightful expectations and obligations. These constitute the given of my life, my moral starting point (...) For the story of my life is always embedded in the story of those communities from which I derive my identity. I am born with a past; and to try to cut myself off from that past, in the individualist mode, is to deform my present relationships. The possession of an historical identity and the possession of a social identity coincide.”²⁵

This view of the self and the community as interconnected entities allows us to think of transtemporal matters, and to tap into some of our intuitions regarding our relationships to non-contemporaries, in a way that conceptions that posit the two as separate can't. If I believe myself to be a non-situated individual, with no unconsented moral ties, I am either rejecting

²⁴ Also of particular relevance, Taylor (1994) and Taylor (1985, Ch.2).

²⁵ MacIntyre (2007, 202-221).

notions of *belonging* (to a nation, a family, a religious group, etc.), that belonging is a source of special obligations, or both. The first view is quite hard to defend, and, if actually argued for and practiced, it must come with great costs. To outright reject the possibility of being part of an identity-defining group is to deny oneself the chance of comprehensive self-knowledge and to jump into a sea of homogenous unattachment, where all others are floating moral atoms.

The idea that belonging is a privilege that implies the existence of non-voluntary obligations, though more contentious, is also intuitive to many. When one belongs to a community and feels that her identity is partially a product of that community's life, one will likely feel a moral connection to many actions perpetrated either in the name of the community or by other members, regardless of one having any direct or indirect influence on the outcomes. Very few will claim to never have been proud of the achievements of, say, a compatriot or compatriots. Portuguese people, for instance, have a generally unanimous sense of self-pride in the endeavours of Aristides de Sousa Mendes, a Portuguese consul who helped over 30.000 Jewish refugees escape from France during the Nazi invasion of the country in the 1940's. And hardly any Portuguese will deny feeling at least a small tingle of emotion when the national football team won the Euro Cup in 2016.

Feeling part of a History and of common projects, and valuing what they mean and achieve, implies, however, also the recognition of moral responsibility for actions whose regrettable results were not of our doing. Hence, though some may decidedly disagree, it is the view of many Portuguese people that at least an apology by official representatives is due to countries which suffered the brutish effects of Portuguese colonialism. Putting aside such official, and always contentious, demands, many of us have felt, I believe, at some point our lives – be it when reading on historical events, or when learning about the current life conditions of people living in former colonized countries – a sense of shame or guilt for the atrocities carried out centuries ago by our predecessors.

But even if one argues vehemently against any sort of compensation or recognition of responsibility for the deeds of others, and personally feels absolutely irresponsible for past events, the fact is that this is an ongoing, relevant debate. Some people do feel this way – guilty, responsible for the actions of past members of their community. A non-constitutive account of communities and an individualist view of the self can't explain these concerns and intuitions.

There is, then, an involuntary fettering, a dependence on others, that can make some liberals and moral individualists uncomfortable. But to see these costs as absolute red lines is to dismiss altogether the existence of a relation between valuing and feeling responsible for, and to reject acknowledging our particularity. It amounts to being, according to Sandel,

“(…) a person wholly without character, without moral depth. For to have character is to know that I move in a history I neither summon nor command, which carries consequences none the less for my choice and conduct.”²⁶

We thus “move in a history” and live in communities that grant us special responsibilities to past and present people. But the narrative of our selves doesn’t stop here, it is naturally forward-looking. As MacIntyre stresses, our lived narratives have a teleological character - “there is no present which is not informed by some image of some future and an image of the future which always presents itself in the form of a *telos* - or of a variety of ends or goals - towards which we are either moving or failing to move in the present” (MacIntyre, 2007, 215). Both as individuals and in collectives, when going about our lives, we are constantly conceiving of (our) future states-of-fairs, which serve as justification and guidance for whatever we commit to or act out now. When a group of people come together to create a political party, for example, they have a vision of themselves in the future debating and struggling with other parties, of themselves enacting policies, of a society shaped by those policies, etc. When someone enrolls in an online dating app, she has an image of a type of relationship she aspires to, of a type of person she would like to meet, maybe of a life she would like to build far into the future.

But even if the states-of-affairs we aspire to are never realized by us, they exist as our desires and aims even beyond our lifetimes. The members of the political party may never see the model of society they worked for actualized, but they can be said to have a posthumous interest in the materialization of their ideal. This sort of bigger-than-life aspirations are fairly generalized, most of us are part of some project (an association, a nation, a field of science, a family, etc.) whose state of fairs after our deaths is a significant present concern of ours.

In the sense that these motivations and desires are a major part of our present selves, we can say that their realization after our deaths equates to an extension of our selves into the future. If we take MacIntyre’s view of life as a continuum of intermingled actions and intentions, there is no reason why physical or temporal boundaries should be insurmountable. As Avner de-Shalit puts it

“(…) provided that events in the future reflect one’s desires and intentions, inasmuch as now, in the present, one knows, wishes, or hopes they will occur, and inasmuch as one’s future narrative meets and joins with others’ future narratives [this] future is also the future of one’s ideas— the

²⁶ Sandel (1998, 179).

very ideas which are not merely ‘one’s own’ but also part of what and who one is. This is what we mean when we say that a person orients herself—her self—towards the future.”²⁷

As we can see, the ways in which we live and understand ourselves are full of inherent intergenerational connotations. We constantly consider, reject and acclaim our past, and every day we plan, conjecture and dream of what is to come. But these thoughts and feelings are not summoned upon us out of our free volition, they are produced and mediated by our communities and their histories. Therefore, an account of our relationships to past and future persons and an inquiry into the nature of cross-temporal obligations find the most promising starting-ground in communitarian theory. Accordingly, in the sections that follow, I’ll conduct a preliminary investigation of possible accounts of transtemporal obligations based on its premises.

These accounts will, in different ways, elaborate on the view of community sketched out above. In some way, it will be what is taken in these accounts to be the defining element or elements of community – shared values and customs, cooperation, shared politics, social interaction, etc. – that will provide the backbone argument for the existence of obligations. The next sections will thus be also a continuation of our attempt to understand communities as transtemporal entities.

2. Probing for Communitarian Transtemporal Obligations

If, as Michael Walzer claims, “our obligations start with membership” (Walzer, 1970, 5) and, as we have seen above, we commonly understand ourselves as being part of transgenerational communities, we must have some responsibilities to past and future members of our communities. This might be true, but the issue at hand is not quite so simple. The derivation of obligations from the concept of membership can be done in more than one way, and the notion of membership itself can have different connotations and implications.

One way to provide a communitarian account of cross-temporal obligations, which we’ve called the *situational account*, is to focus on the idea of communities as a continuum of cultural and moral interaction (de-Shalit, 1995). Communities are here described as the locus of a transtemporal debate about the good in which members are included by engaging in personal and collective projects, public debate, production of cultural forms, voting, etc. The view of

²⁷ de-Shalit (1995, 39).

the self as extended beyond one's lifetime is here also an important premise. Individuals are said to be engaged in this intergenerational discussion as long as non-contemporaries consider or adhere to outlooks, values and desires they had. To put it in another way, as long as a degree of moral and political coherence with one's views sustains, one is said to remain a member of the community, her self reflected in the future states of affairs of the community.

Being future states of affairs also constitutive of one's identity, one's inclination to defend their preservation is as strong as it is for one's present circumstances. Therefore, obligations that are owed to contemporary community members are extended, without prejudice, to future members (de-Shalit, 1995, 58). These future members, like contemporaries now, will be the ones capable of carrying forward something that is more than valuable to us, something that is part of who we are. There is, thus, no question that an obligation to provide them with the conditions necessary to achieve this can justifiably arise in ourselves.

The idea of the transtemporal self seems fundamental for a communitarian account of intergenerational obligations. But the situational account appears to rely on it in an exaggerated or misguided manner. In grounding its notion of obligations fully on the coherence between cross-temporal states of affairs - in seeing one's self reflected in the life of the community in the future - the situational account diminishes the role of obligations as an integral feature of interpersonal relationships. Describing them instead as absolutely *conditional* on the existence of an uninterrupted pursuit of *a* good that present generations support.

This is problematic in two related ways. For one, it makes the well-being of future generations wholly dependent on the preservation of views and ways of life. Despite the fact that obligations are owed to future persons, this is only the case as long as they uphold certain values considered important by the late generations. Of course, the idea of shared membership implies certain shared moral and political values, and common belonging to a transgenerational community is not something I am willing to give up here, but this quasi-indirect account of obligations is not a necessity when assuming a communitarian approach. Secondly, and this is something that Avner de-Shalit, the main proponent of this view, willingly gives away, the situational account "relies on contemporaries to do the entire job" (de-Shalit, 1995, 126). The entire practical job, the discharging of obligations, will obviously have to be done (or not done) by the present generations, but that's not all that is implied here. What the situational account does is to ignore the way in which the present generation *relates* to the future ones. Apart from a possible match between intangible states of affairs (regarding which the present generation is wholly responsible for defining what is to be matched) little is discussed about how members

of transgenerational communities might relate to each other, and how these relationships and practices might be a source of cross-temporal obligations themselves.

2.1. The Personal Account

For purposes of shifting the focus from a stringent continuum of moral and political similarity to the personal interactions between members, it may be useful then to think of the community in a new light. Let us picture it now mainly as a system of cooperation. This is not a retreat for our chosen definition of community (i.e., as constitutive), for the notion of a self that extends beyond temporal limits will still be of prime relevance.

If, as I have been arguing, we consider that humans have legitimate interests in states of affairs situated beyond their lifetimes, we may want to attribute to those interests a value that is independent of their necessary coherence with the general views of the community. We may realize that these interests are so widespread and their actualization so dependent on intergenerational relationships that they can serve as a normative source of transtemporal obligations. Taking our community to be (also) a cooperative enterprise, in which members rely on each other to pursue their individual and collective interests, moral obligations that result from claims made between contemporaries can also stem from demands made by those already deceased. A community we have reason to value is one in which not only our present interests are considered, but also one in which those interests whose materialization can only verify beyond our lifetimes are not flatly denied.

Under this framework, Janna Thompson suggests that we can have an account of intergenerational obligations – let us call it the *personal account* - based on commitments to maintain institutions that allow for these lifetime-transcending interests of members of our community to be realized (Thompson, 2009a, 2009b). From the fact that each generation is faced with morally legitimate demands by its predecessors stem obligations to assure that these can be made and addressed in a just manner.

This anchoring of an account of intergenerational obligations on lifetime-transcending interests appears, however, to run into some difficulties of its own. One standout is the seemingly overly personalistic character of lifetime-transcending interests. Another potentially problematic matter, which derives from the latter, is that one finds it hard to envision the sort of institutions that could be devised so as to take into consideration lifetime-transcending interests *in general*. Let us examine an example that may make the point of these two remarks clearer.

Imagine the case of John and Mary, two adults that live in the same small city. John has dedicated his whole adult life to the conservation of Nature. He spends a significant number of hours a week volunteering in associations that work to protect the natural world, and he's greatly worried about current and future threats to the environment. The work that he does, though it also promotes changes to present states of affairs, is meant to produce results beyond his lifetime. We can thus say that he has a legitimate lifetime-interest in his efforts being carried on by other members of his association (or by anyone who cares about Nature), or simply in the object of his concern not being destroyed. Mary, on the other hand, runs a highly-polluting family business. The business has been in her family for generations and is a relevant part of her and her family's identities. She wants to leave the business to her children when she dies, and that its practices be maintained according to the family's traditions. That is her lifetime-transcending interest, and it is made clear to her family in her testament.

Looking at this case through Thompson's lens, we seem to be faced with an unresolvable conflict. We are also left with the difficult task of trying to conceive of institutions that can be responsible for assuring that these apparently contrasting lifetime-transcending interests are, at least, given honest consideration. And lifetime-transcending interests may be not just contradictory, but contingent or even futile. They do make a connection between generations, but they have no inherent normative force – they are not collectively acknowledged or the product of debate, nor are they the foundation-stone of membership relations in a community.

Thompson's account, therefore, dismisses any reliance on a notion of the good, for a view of obligations that herself characterizes as "personal" (Thompson, 2009b, 38). That is, an account that binds people directly (i.e., in a non-mediated way) through their individual desires and aspirations. Thompson's account, a liberal contractarian view sprinkled with some communitarian concepts, is thus not problematic because it emphasizes what people owe *to* each other, but because it divorces this from what is *shared* in a community.

2.2. The Distributive Account

We are, it seems, back to the situational account. Or we are, at least, now more conscious of its merits. A notion of continuity – of values and/or practices – must stand as an integral part of our justification for the existence of intergenerational obligations. Without an obvious point of connection or convergence between temporally distant persons, we are either left with a feeble and contradictory account of obligations, or with one based solely on values of charity or

humanity. But as I have argued above, the situational account uses continuity in a way that is quite vulnerable to criticism. We need to develop this idea in another way.

One place for us to start from is an idea that we have yet to touch upon. The view of the community as a system of provision and distribution (Walzer, 1983, Ch3). To belong to a community implies having access to goods that allow one to understand herself as a member of that community. Goods must be provided not only because of need but also “to sustain membership” (Walzer, 1983, 78). To belong to a polity implies having the right to vote, to be a member of a sporting club implies having access to sporting venues and materials, and to belong to a religious sect implies being able to attend certain religious ceremonies.

Now, what kind of implications can this have for thinking the cross-temporal context? Another argument made by Walzer is that communal provision is an *interpretation* of the social contract, of the moral bond that creates a union (Walzer, 1983, 83). The way in which a community understands goods and needs is thus paramount for defining what a just system of distribution is - as opposed to universal principles of justice. Accordingly, when considering distribution, members of a community have to take into account what has been the history of its distribution and what are its future prospects. That’s the only way of actually grasping the meaning of a given good and of the associated needs.

Many discussions today on the topic of distributive justice ascribe to this understanding of goods as positioned in a continuum, as historically charged. Take, for example, the case of African Americans and affirmative action. The case for a particular schema of distribution – one that disproportionately favors African Americans’ access to education, public office or employment through the application of instruments like racial quotas – is grounded on the history of a set of goods and its correlate needs (i.e., the history of slavery and racial segregation and their impact on access to wealth, political participation, etc.) as understood by a particular community (the USA nation)²⁸.

At any point, then, when considering distribution, one is forced to ponder the history of the community. This is not just a backwards-looking exercise, but a forecasting one as well. Many goods and patterns of distribution are only intelligible if posited in relation to a given vision of the future - from cultural and environmental goods to pension schemes. We thus have two elements that a communitarian perspective must consider: 1) goods as membership-constitutive and 2) future (and past) states of affairs as constitutive of the present meaning of goods.

²⁸ See Mosely (2005).

But what does this mean for our discussion on intergenerational obligations? It highlights how, whenever we are thinking and arranging mechanisms of provision in the present, we are already in a relationship with those who will succeed us. This happens in three ways: we constrain future distributive arrangements in a material way (by increasing or diminishing the availability of certain goods), we construct meanings and traditions that will influence, or determine, what will be deemed a just allocation of goods and what will be the scope of those entitled to those goods (i.e., who will be the members) in the future – in Walzer’s words, “politics present is the product of politics past” (Walzer, 1983, 29). And, by virtue of the future-oriented character of our appreciation of some goods, when thinking about present distribution of those goods, we inevitably consider future members of our community and their standing in relation to the goods.

To fully understand goods – a chief condition for setting up just schemas of distribution (Walzer, 1983, Ch.1) – requires placing them in a narrative continuum. Present generations will, therefore, have to consider future persons and states of affairs when making their interpretation of the union, required for establishing their systems of provision. Justice present, future, and cross-temporal will thus depend on comprehending and acting according to a view of the community as a transgenerational entity.

These are the building-blocks of what we may call the *distributive account* of transtemporal obligations. Let us clarify it further and measure it against the situational account to assess our progress. Both accounts rely on the existence of a continuum, but in significantly different ways. The situational account hinges its justification of intergenerational obligations on there being a *content-homogenous* continuum of moral and political values. The distributive account, on the other hand, depends only on a *formal* continuum. I characterize the latter as formal because what is recurrent in it is the presence of a system of provision and the existence of *some* community members which are the beneficiaries of that schema. The “content” in this account is not itself homogenous, but can only be fully understood as whole. Furthermore, while the situational account justifies present generations’ obligations to future ones solely on the former’s interests, the latter emphasizes the position of future community members in the common system of provision.

The accounts coincide, however, in the preeminence given to present generations as the locus of responsibility. In the distributive account, it will be the present generation which, in ascertaining the meaning of the goods to be distributed, will have to judge their transgenerational character and thus their relevance (the reason for attaching them to an obligation) for future generations. This is an exercise that we naturally do when thinking about

the distribution of goods, and that shouldn't be hard to make clear. For example, when considering access to natural landscapes we immediately reject a "presentist" view of its distribution – we will not go above and beyond in facilitating access to them to present generations, while tarnishing them for generations to come. The opposite goes for goods like political participation – in a direct sense, its allocation is strictly restricted to present members of a political community.

As we see, understanding goods requires *considering* those who have and can be encompassed and influenced by their distribution. We are recurrently making what Onora O'Neill calls assumptions of plurality and connection (O'Neill, 1996, 100-106). We assume that others will exist, as individuals with the ability to react, and that they may be affected by our actions. We thus attribute them ethical standing, however distant (in space or time) they are from us. As O'Neill puts it

“We view others as connected as soon as we see a real possibility of activity by either party as bearing on the other, even if no actual activity, let alone interactivity, now connects them or is planned.”²⁹

The identity or situation of future generations is irrelevant here. What matters is the assumption of their existence as beings somehow connected to us. This is a premise that fits just perfectly within our communitarian framework and the distributive account. Furthermore, O'Neill's case for “constructing” ethical standing finds common ground with our defense of the historical character of goods. O'Neill argues that the only way to avoid being blind to unintended consequences or falling into detached subjectivity is through experience, by better understanding past consequences and patterns of activity (O'Neill, 1996, 120). This learning process based on particular experiences is what we have been defending as the touchstone for thinking about systems of distribution.

Let us, finally, lay-out the distributive account of cross-temporal obligations in the clearest way we can. We start from two fundamental premises: that the community can be understood as a system of provision and that it can be intergenerational. We also rely on the idea that access to some of the provisioned goods is necessary for one to be considered a member of a given community. From this, we argue that the goods and needs that a given system of distribution must distribute and target have particular meanings which are constructed by each community. We then claim, following Michael Walzer, that a system of distribution will be that more just the better we understand the nature of those goods in relation to the community. We add further

²⁹ O'Neill (1996, 114).

that a full understanding of a good requires positioning it along a narrative continuum of the history (past and prospective) of its distribution in that community – i.e., we argued that goods have a historical character. Accordingly, we assert that, when presently thinking of the distribution of certain (non-presentist) goods we inherently posit the existence and connection to us of future members of our community. In this way, we are ascribing ethical standing and membership to those future persons which will be influenced by or the actual beneficiaries of our systems of provision. Therefore, in light of this relation we establish between ourselves and future people, we can argue for the existence of obligations owed to them.

However, the distributive account faces its own set of difficulties. By fundamentally grounding obligations on the future-oriented considerations of present generations, it may be accused of subjectivism and of being overdemanding. On these two respects, it is important to stress how this pondering is not simply detached conjecturing. It is reasoning informed by the meanings created by the community over time, that tries to address a question which relates to present states of affairs - understanding what is the most just system of provision of a given good for the community.

After discussing these accounts of obligations, which can be broadly ascribed to the domain of communitarian theory, we have started to grasp how communitarianism may help us in concocting a solid account of intergenerational obligations. We are now more familiar with the kinds of concepts we can use from communitarian moral and political theory for advancing the purposes of our study. But despite the apparent cogency of the distributive account, there is still much to be done before putting forward a definitive account of cross-temporal obligations. Many of the precepts we've taken for granted when adopting a communitarian approach can be contested. Moreover, even if we can provide a sound defence of such premises, the communitarian framework has inherent limitations that may be detrimental to the advancement of our purposes. Hence, it is necessary to make a critical assessment of communitarianism and of the account of community we defended in section one. This will be the issue under discussion in the proceeding section.

3. Issues with Community

The constitutive notion of community, and communitarianism in general, are obviously not devoid of critics. And, importantly, most points raised by its adversaries speak not only to the

tenability of the communitarian position as whole, but specifically to the vision of the transgenerational community.

One criticism, the one most often made, speaks to the core of communitarianism. It amounts to an accusation of inescapable conservatism and of neglect for individuality in general, most worryingly, individual rights³⁰. The levels of cultural and moral homogeneity that authors like Sandel or MacIntyre allude to are said to be only possible by excluding or repressing any diverging views, interests, and ways of life. Examples of small, rural communities marginalizing racial or sexual minorities, or of religious groups persecuting those who don't adhere to their dogmas are commonly brought up.

Some go further and claim that such levels of identification are not only undesirable but impossible. Iris Marion Young argues that the ideal of community implies a notion of transparency between subjects that is not realistic. For Young, understanding and reciprocity can never be complete, as “subjectivity is negativity” (Young, 1990, 232). A view that claims total shared understanding is one that must collapse ontological differences within and between subjects. This subsumption of differences has no parallel in modern societies, and should not be promoted, Young contends.

Michael Walzer, himself a thinker with communitarian inclinations, shares some of these worries. In trying to preserve and respect differences, he prefers to see the community as a “liberal union of unions” (Walzer, 1990). He admits to the importance and ubiquity of communal institutions and relationships, and to the threat that liberalism poses to them. But asserts that most of the ethos of liberalism – ideas of pluralism, toleration, separation, privacy – is, today, “simply inescapable”.

I believe there is a touch of exaggeration in some of these remarks. The level of shared meanings and practices entailed by communitarianism need not be more than a steady background, a starting ground of commonality. That is why we can consider an entity as diverse as a nation to be a community. An absolute fusion of subjects or subjection to an indefectible plan or good are not demands of any communitarians. Moreover, there is an inherent logic of public participation in communitarianism that works against its conservative proclivity. The static, over-traditionalist image evoked by some of the examples wielded by critics are often more the product of structures of power not specific to close-knit communities than the result of necessary mutuality and proximity.

³⁰ See Gutmann (1985), Kymlicka (1988), Buchanan (1989), and Ellis (1991).

However, the issues raised on the question of cultural and moral homogeneity might be particularly damaging for the argument being made in this essay, as continuity itself constitutes the groundstone of the concept of the transgenerational community. Hence it is important to respond with greater depth to these concerns, and to find, to the extent possible, some common ground. Walzer and Young, already mentioned above, are also committed critics of the atomized and non-situated versions of liberalism, so they might provide helpful conceptual tools for thinking of an alternative.

We have just seen how Walzer favors the idea of a “liberal union of unions”. He takes communal engagement to be central for a good life, in fact, he argues that meaningful political participation, for example, can only happen through the community (Walzer, 1970, Ch.10). But Walzer contends that convergence on values and conceptions of the good between the citizens that inhabit today’s polities (if simply for their sheer size and density) is unlikely. He thus urges the state to secure plurality and community by protecting the various groups and associations that exist in the polity from the dissociative forces of liberalism (Walzer, 1990).

Young follows a rationale similar to Walzer’s. She stresses how liberalism misrepresents human relationships and how people are naturally associative, but she is highly concerned with the preservation of (unoppressed) differences (Young, 1990, Ch.8). Therefore, Young proposes a model that has the same purpose as Walzer’s, to balance the tensions between individuals and community, and between pluralism and homogeneity – “city life as normative ideal” (Young, 1990, 238-241). In Young’s words, city life “is a form of social relations which I define as the being together of strangers. In the city, persons and groups interact within spaces and institutions they all experience themselves as belonging to, but without those interactions dissolving into unity or commonness” (Young, 1990, 237). The city is described as being composed of multiple groups and associations, which commonly go beyond their enclaves to join in the public spheres of politics, commerce and leisure.

In my view, what Walzer and Young are doing here is highlighting a dimension of human community other than moral and cultural similarity - connectedness. This has two sides to it, 1) mutuality and 2) shared politics. The two are connected, and usually coexist, but they can be distinguished. With mutuality I mean the inevitable relations of influence and dependency that are created between individuals in contemporary societies. Even if interaction occurs across lengthy spatial and temporal distances, what characterizes Young’s normative vision is “the awareness that this unknown, unfamiliar activity affects the conditions of one’s own” (Young, 1990, 238). As for shared politics, I am alluding to the role of public institutions in a community. These exist as a fulcrum for all its composing (and possibly adverse) groups and

activities, and are akin to a meeting-ground. This speaks to both Walzer's argument for a collective compromise on fostering associativity, and to Young's urge for politicizing public space. There are here as well echoes of John Jay's idea of there being a connection between people across space and generations, based on a common "[attachment] to the same principles of government" (Jay, 2008, 15), that unifies them in a community.

There is still much to say on the line of reasoning I am starting to sketch out here. That is to be done in the final part of this chapter. In the proceeding sections, I'll work towards an account of cross-temporal obligations that emphasizes, precisely, human interactions and relationships.

4. Not the Relational Account

The distributive account, discussed in section two, already brings to the fore the idea of interconnectedness that is paramount for our purposes going forward. But it does so in an incomplete way. Relations of influence and dependency are present intra and intergenerationally not only at the level of the distribution of goods by institutions, but in many other relevant forms. These connections can themselves be a source of obligations, born out of the intrinsic, and specific, characteristics of those relationships.

It is, in a way, by drawing on this framework that Janna Thompson steered from her previously-presented work³¹ and developed what she calls the *relational account* of intergenerational obligations (Thompson, 2017). This account has been already presented in chapter 1, but here I intend to briefly discuss its weaknesses, and attempt a reconfiguration. As we have seen, Thompson draws on Kumar (2003), Raz (1989), and Scheffler (1993) to argue for the existence of duties *internal* to *types* of relationships. She applies this rationale to three types of intergenerationally-relevant relationships, but the one most pertinent to our purposes here is Thompson's case for obligations between members of "essentially intergenerational groups" (Thompson, 2017, 7). Thompson argues that those who value the traditions and goods characteristic of their (transgenerational) communities have an obligation to pass them on to their successors, the future members of the community. These future people may reject what is passed on but they are, nevertheless, entitled to be granted access to them because, being members of this essentially intergenerational group, they are also likely to value them.

Thompson's argument is problematic because it depends on a significant assumption that is in no way justified by her. Thompson takes for granted that there will be future persons that

³¹ Discussed in Chapter 1, Section 5.

identify themselves, and are identified by present people, as members of the community, regardless of what choices, concerning values and traditions, are made by those people. To escape having to provide a fundamental justification for the basis of this relationship, Thompson resorts to the term “essentially intergenerational” to characterize some specific groups (such as tribes and religious sects). But no community has a guarantee of perpetuity, and it seems hard to argue, under Thompson’s framework, that one can claim to belong to the same community as another whose values and practices have been rejected and replaced. The relationship that exists between Thompson’s successor-members has to be justified by more than a descriptive allusion to the features of certain types of groups.

There is, nevertheless, potential, as we have seen also with the distributive account, in a vision that grounds obligations in the connections and relationships that exist between people, even across time. However, debates on justice and equality tend to dismiss the importance of interpersonal relations. With this, they ignore also the relevance of processes, and with processes, temporality. Therefore, before moving on to the task of providing a definitive account of cross-temporal obligations, I want to take a small detour, and to engage briefly in the debate on relational and distributive equality. This discussion will, hopefully, provide a start for dismissing some of the objections to transtemporal obligations.

5. Relational Equality

Since the last quarter of the XX century, philosophers that conceive of equality as represented by end-state patterns of distributed goods³² have made their views dominant. However, persuasive criticisms of these views have been put forward, and strong alternatives have been devised³³. The points raised by the latter theorists on the shortcomings of distributive egalitarians are worthy of mention here because, I believe, they open the door for a conceptualization of social life more conducive to accommodating cross-temporal relations.

As Elizabeth Anderson contends, distributive egalitarians focus solely on “the distribution of divisible, privately appropriated goods, such as income and resources, or privately enjoyed goods, such as welfare” (Anderson, 1999, 288). For a strain of distributive theorists – a group to which Anderson calls “luck-egalitarians”, and that includes theorists as different as Richard Arneson, Ronald Dworkin or G.A. Cohen - people are said to be treated in a just way if *each*

³² See Sen (1979), R. Dworkin (1981), Cohen (1989), Arneson (1990), Roemer (1998).

³³ See Young (1990). Wolff (1998), Anderson (1999), Scheffler (2003), Schemmel (2012), Lippert-Rasmussen (2018).

individual is *granted* what *each* morally deserves. The decision on what to give to whom depends on an evaluation of the circumstances, characteristics and life-choices of each individual that have led him to a certain, current state of affairs. In this position, disadvantage caused by brute luck will assure compensation, while that which is the product of voluntary choice amounts to no redress.

The points raised by critics are manifold, but I'll focus on a particular strand. One of the most common objections levelled at distributive egalitarians is that, by focusing on end-states – someone having this or that amount of a given good, from income to welfare, at a given point in time – they ignore the social structures and institutional settings that not only have a specific effect on distributions, but that can themselves be a source of injustices. The emphasis on end-states is combined with an atomistic view of society to produce a framework that is unable to critically analyze human relationships and social processes as matters of egalitarian concern.

A commonly used example of what is missed by distributive egalitarians is the plight of women in most societies. It is now the case in many countries that women are not discriminated against by national law. Opportunities for political participation and access to the job market, for example, are today as open to men as to women. Nevertheless, the number of women in positions of power both in politics and in business is greatly disproportional. Focusing on what men and women have been given, as something that can be privately appropriated, will not go a long way in explaining the unbalanced numbers. What we must look at, proponents of relational equality argue, are the norms, rules and meanings that govern interpersonal interactions, and that create social structures, which have an oppressive and dominating effect on specific groups. In the case of women, the division of labor when it comes to care and domestic work, the exposure to sexist stereotypes during education and in cultural forms, the attitudes expressed by people and institutions, all work, materially and psychologically, to place them in a position of non-equality vis-à-vis men.

This widening of the field of analysis advocated by relational-egalitarians inevitably brings to the table a vector usually overlooked by theorists of justice³⁴ - temporality, or historicity. This is clear in Iris Marion Young's contention that, for many issues of social justice, what is most important "is not the particular pattern of distribution at a particular moment, but rather the reproduction of a regular distributive pattern over time" (Young, 1990, 29). Young asks us to conceptualize action as producing and reproducing structures, and structures as de-

³⁴ Nozick is an interesting exception, see R. Nozick (2001, Ch. 7). But his approach has little parallels to what is being argued for in this essay.

centralized conglomerates of rules, relationships and meanings which spread-out across time. The realization of the relational egalitarian's ideal, a community in which "people stand in relations of equality to others" (Anderson, 1999, 289), thus hinges on the abolition of the socially-created oppression that these structures generate.

It is along this notion of social action as interconnected, structure-producing, cross-temporal activity that I want to think of cross-temporal relations. Think less of future people as alien persons that we might affect *if* we choose to implement this or that policy, or to whom we owe a carefully designed basket of goods, and more as people whose lives we are already influencing, and will inevitably continue to do so. These ideas will be taken up in the next section, in which I'll elaborate on another account of transtemporal obligations – the structural account.

6. The Structural Account

Having thought about relational equality and the role of social structures in matters of justice will allow us now to construct a new account of cross-temporal obligations which will hopefully evade the problems discussed before. This account will take up as its most fundamental premise the transtemporal character of social structures. Let us call it the *structural account*.

Thinking about equality relationally, not simply as a matter of patterns of distribution but as a question of social norms, rules, and meanings, invites us to think along a temporal continuum. The structures produced are not only the result of spatially decentered actions, but also of actions spread out across time. Oppressive social norms, rules, and meanings are the product of years of repetitive behaviors and forms of relationships. Once engrained, the tendency is for them to be naturally self-reproductive, to perpetuate in time, if no external element interferes. The transtemporal character of social structures so obliges.

Accordingly, when facing cases of present structural injustice, those who are engaged in such structures can be said to have an obligation of justice to work against its perpetuation that is owed to future persons. I am here providing a future-oriented version of Iris Marion Young's "social connection model" (Young, 2006), which contends that to partake in social processes, even if engagement seems indirect and is not ill-intentioned, may be reason enough for one to incur in obligations to those who are harmed by them. In Young's words, "obligations of justice arise between persons by virtue of the social processes that connect them...all agents who

contribute by their actions to the structural processes that produce injustice have responsibilities to work to remedy these injustices” (Young, 2006, 102-103).

The possibility of using Young’s framework for the cross-temporal context relies on the facts that 1) the social rules, norms, and meanings which cause oppression and domination, and to whose reproduction one daily contributes to, will be maintained if unaddressed, and 2) that the existence of those liable to being wronged is a future certainty (women, black people, the poor, LGBTQI+ people, and other historically oppressed groups aren’t likely to vanish or to stop being oppressed as groups). This rationale is, in fact, generally echoed by those engaged in, for example, the feminist and anti-racism movements. Despite obviously aiming at ending present injustice, these groups understand the future-oriented nature of structure-producing actions, as is confirmed by the commonly heard assertions of their fight being “for our children” or “for our daughters”. Such assertions are no doubt justified because, as is known, the dissolution of oppressive social structures usually happens in piecemeal fashion. Present struggles produce no great effect today, only generations of a not-so-close future will be wholly exempt from those injustices.

In the case of gender-related injustice, if one understands women as being a structurally oppressed group, and oneself as obliged to combat, or at least refrain from reproducing, the social norms, rules, and meanings that yield this oppressive structure, one must understand oneself as owing something not only to present women but also (and in fact mostly) to future women. This is so because this situation of injustice is bound to perpetuate if nothing is presently done, as all the necessary elements - the existence of an oppressed group and oppressive practices - are an assured reality of years to come. Commonly raised objections to the existence of cross-temporal obligations like those relating to difficulties of prediction, or the non-identity problem³⁵, are here dismissed outright.

There is, in the scenario I am describing, certainty in that future people will be wronged and that present (non-counter-structure) behavior is the cause of that future injustice. It is thus hard to argue against the claim that present people have an obligation owed to future persons to presently work in undermining (refraining from pro-structure behavior already counting as such) oppressive structures to which they daily contribute themselves.

³⁵ I owe it to whoever is “at the other end” of the oppressive/dominating structure that benefits me, to work towards its dissolution. There is a relationship of oppression/domination established across time. See Bertram (2009) for an argument regarding transtemporal exploitation.

Conclusion

The merits of communitarianism, as we have seen at the end of chapter one and at the beginning of this chapter, when it comes to the transgenerational context, are notable. Communitarian theory seems to capture better than any other a great deal of our intuitions regarding both our predecessors and our (not so distant) successors. However, some of the strongest arguments levelled against it in debates about synchronic obligations, apply also to the transtemporal condition. Spatial separation simply converts into temporal partition.

The *situational* and *relational accounts* struggle with this problem in a way that leads them to a thorny dilemma. Both of these models have to deal with the issue of communities' temporal limits. They must supply a reason for persons separated by, say, 50 years to be deemed members of the same community. The easiest way to respond to this is to highlight, or defend, some form of commonality between these people. But this leads right into the lion's den of the accusations of conservatism, homogenization, and individual rights neglect made by liberal critics.

The *distributive account* attempts to circumvent this dilemma by focusing on the nature of the cross-temporal distribuenda. It argues that the interpretation of the patterns of distribution of goods by a community is itself a process that attributes moral standing and claims on goods to future persons. The existence of obligations is thus not dependent on any form of intertemporal convergence between generations regarding values and practices. It is, however, wholly conditional on the discretion of present people. It is the present members' evaluation of the nature of a given good that will define the existence or not of an obligation to make it available or not to future persons.

All these three accounts fail to respond to another concern - what is owed to those who are not members of the community. The difficulty in addressing the moral standing of non-members is a well-known pitfall of communitarianism. And it becomes more pressing when we take into account that some of the issues that are most likely to impact future people significantly – say, climate change - must be dealt with at an inter-communitarian, if not global, level. Some hypothesis for thinking communitarian ideas along these lines have been proposed³⁶. I believe, however, that this problem, at the transtemporal level, is somewhat derivative. If we establish clear obligations owed by members of each community to its future members, collaboration with members of other communities will likely be a requirement for

³⁶ See Pickering (2003), Walzer (2006), and Norton (2017).

those obligations to be discharged. Such collaboration will then have particular, independent obligations as established by that partnership.

From a different starting point, the *structural account* alerted us to how we are connected to members of our communities across time, and to how these connections can be the source of transtemporal obligations. The limited content scope of the obligations associated with this model prevents it from having the universal character we might be striving for, but at the same time it offers very tangible and concrete ethical orientation.

Now, what do the strengths and shortcomings of these accounts of obligations tell us, as a whole, about the transtemporal context? Some points can be made. For one, the discussion we have had shows how, when thinking about future people and what we owe them – what goods should we safeguard, which behaviors should be changed, etc. – there is no escaping, contra Dworkin³⁷, from adhering to a notion of the good. It is impossible to be neutral in decisions regarding the future. And it is dangerously naïve to think we can, or worse, actually attempt to, keep all options open for future generations.

Secondly, we may also conclude that thinking of future people as existing in some relation to us (co-members, relatives, citizens, colleagues, etc.) is of significant importance for theorizing about cross-temporal obligations. Presenting others as enrolled in some form of relationship to us is an especially adequate way of elucidating the obligations we may owe them and vice-versa. It may be complicated, as we have seen, to define exactly what sort of relationship exists between some temporally-separated people without falling into a circular argument. But moral contractualism seems, nevertheless, better fitting for the intergenerational context than consequentialist views.

Both these observations speak to the importance of indirect motivation in future ethics. Many of the universalistic moral principles to which we commonly adhere to seem to make no discrimination based on people's temporal position. There is, however, no area of ethics in which we struggle most to act in accordance to those principles than this one. Envisioning ourselves as part of a transtemporal project and as somehow connected to past and future people makes it possible to harness a plethora of moral, quasi-moral, and non-moral motives that serve as a “more reliable emotional basis” with “potentially greater effectiveness in guiding behavior” (Birnbacher, 2009, 285). These motives, which are not purely abstract nor impersonal, include compassion, a sense of duty, love, solidarity, and even self-interest.

³⁷ See Dworkin (1985, Ch.9 and Ch.11).

Chapter III – Democracy and the Future

Introduction

Our concern for future persons may, ironically, lead to a perverse reappreciation of what political institutions owe to present people. There is no question that, if we broaden the scope of responsibility, and the means to live up to that role are not increased proportionately, something ought to be given up by the hitherto claim-holders in favor of the newly-considered ones. This is not an unresolvable situation, but if you supplement it with additional factors like profound urgency and increasing scarcity, you have a recipe for tension. This is the predicament we find ourselves under with the current threat of climate catastrophe. If we are to successfully discharge our obligations to future people, some suggest, business as usual won't do, policies deemed authoritarian according to western liberal-democratic standards may be a requirement³⁸. The safeguard of present people's "modern liberties" may have to be downgraded on the priorities' scale, in favor of effectiveness in avoiding a future state of affairs not conducive to the flourishing of future generations³⁹.

This type of rationale is already producing practical consequences, as countries deviate from democratic conduct with the aim of providing future generations with an environmentally stable planet⁴⁰. How are we to take this? Charges against democracy are never an easy sell. But the particularities of our current situation, if we are to respect our obligations to future people or even simply assure our own survival, may justify some form of autocracy or epistocracy.

In this chapter I'll argue that, relying on some conceptions of democracy, this might be rightly so. But that, if we defend a deliberative notion of democracy and take democracy to be intrinsically valuable, an argument can be made for present democracy in favor of future persons. In section one, I briefly sketch the instrumentalist position and show how it may justify future-oriented non-democratic practices. I then introduce the vision of democracy as intrinsically valuable and deliberative, and, from this ideal, proceed to supply two arguments – one grounded on an idea of cross-temporal equality, and one based on the intrinsic benefits of deliberative democracy's process - for preserving and fostering present democracy for future

³⁸ For work questioning liberal-democracies' ability to handle the political challenges posed by climate change see Ophuls (1973), Ophuls (2011), Barry (2012), Mulgan (2014), and Mann & Wainwright (2018).

³⁹ For a case defending the possible need of curtailing individual and group-based rights as means of guaranteeing the preservation of current political systems in face of climate change see Mittiga (2021).

⁴⁰ See Beeson (2010), Heejin (2015), and Heejin (2017).

persons (sections 2 and 3). In section four, I attempt to further solidify this position by arguing that a dynamic and participated democracy can contribute to the development of a virtuous citizenry, which will, in turn, be more prone to respecting transtemporal obligations.

1. Instrumental Democracy

When thinking of future people and potentially harmful long-term situations such as climate change, we are likely to worry about results more than anything else. We usually debate what might, or might not, bring about a given state of affairs that will affect those who'll live after us in a specific way. We wonder, say, whether prohibiting fossil fuel extraction will prevent the dreaded 2°C global temperature increase, or whether taxing meat producers will reduce the pace of deforestation. The decision on which policies to pursue, and to which degree, will vary depending on the adopted standards of intergenerational justice, and on the impositions of the natural world. But, regardless of us following strictly egalitarian or libertarian principles, our focus will be on the distribution of present and future bundles of resources⁴¹. We will focus on assuring very specific end-states. If ours is such a determined task, it is no wonder that some question the need for much discussion, or even democracy.

This is so, at least, if we take democracy to be valuable only instrumentally. According to instrumentalists⁴² the choice between regimes should be made solely on the base of the results that each system brings about. Democracy, it is claimed, is not intrinsically just, nor the only (or even preferable) way to guarantee equality between citizens (Arneson, 2019). The standards used to judge democracy's capacity to promote justice and equality are said to be conceptually independent from the standards that characterize the democratic ideal. The only thing preventing instrumentalists from vouching for non-democratic regimes is thus their, so far, mostly disappointing empirical record⁴³. However, considering the drastic measures that tackling climate change seems to imply, this may change.

It is not contentious to say that, even though democracies have historically performed better than autocracies, they have, as we've already pointed out, been ostensibly dismissive of the long-term, and with that of the lives of future persons. Could the lack of competence shown by liberal-democratic governments on these matters justify a change to another system of government? Jason Brennan argues that we all have a right to competent government, and that

⁴¹ For an overview of the "standards" of intergenerational justice see Campos (2018).

⁴² For examples of this position see Arneson (2003), Arneson (2004), and Arneson (2009).

⁴³ See Sen (2000).

it is presumptively unjust to use an incompetent political decision-making system when there is a more competent one available (Brennan, 2016, Ch.6). For Brennan, a form of epistocracy might just fit that criterion⁴⁴. Similarly, William Ophuls suggests that, without some version of it, there is no escaping climate catastrophe (Ophuls, 2011).

Non-democracy might actually be a moral requirement. Following the instrumentalist approach, it will all depend on the particularities of the situation. Take this example given by Richard Arneson (Arneson, 2019, 14). A group of mountaineers taking a hike on a steep mountain side find themselves unexpectedly stuck in a perilous passage. A minority of these mountaineers are experienced and knowledgeable climbers, but the rest have little to no experience on the matter. It is an inevitable safety condition that, to climb down the mountain and save themselves, all mountaineers must be roped together. The process of getting to the bottom will require collective decisions on what, how, and when to engage in certain collective and individual actions. To thicken the plot, and bring it closer to our subject of concern, we may add that, during their hike the mountaineers had spotted a leaky pipe at the bottom of the mountain that risks irreversibly polluting a fundamental source of drinkable water. If able to save themselves, it would be possible, without much effort, to deal with the pipe (say, by alerting nearby authorities).

Now, can the incompetent mountaineers, since all will be equally affected by the decisions made, claim to have a right to participate in the decision-making process that will establish the strategy for climbing down the mountain? Or, being that the former's participation is likely to worsen the result of the decision process, should we say that the competent have a moral right to rule? It wouldn't be shocking to say that they do. It is, however, important to stress here that rule by the competent is not being justified on paternalistic grounds. The restriction on people's liberty is justified not by the good it will bring to those who are prevented from participating in the decision, but by the good that will accrue to everyone who is vulnerable to the consequences of that decision, a group that includes a vast number of future persons.

This is a situation that has some general parallels with our current predicament. Adherence to some non-democratically concocted and/or applied policies – provided by a “benevolent” and scientifically-informed, but authoritarian government⁴⁵, or contingent on the approval of a “Supreme Court of Climate Experts” (Mittiga, 2021) – may be the “best results” option, and

⁴⁴ See Brennan (2016, Ch. 2, 7 and 8).

⁴⁵ China might be considered an example of such. See OECD Report (2018) *China's Progress Towards Green Growth: An International Perspective*, Kerry & Khanna (2019), and Dikau & Volz (2021).

hence an uncontestable one. Limitations on political participation may prove justified in face of significant apparent threats to the fulfilment of our obligations to future people.

Such a dilemma is, however, I believe, on offer only to those who propose an instrumental view of democracy. Those who take democracy to be intrinsically valuable, and that favor deliberative democracy as a political framework, have better tools to handle the tension between democracy and our future⁴⁶. The next section will explore such views.

2. Valuing Democracy

Those who consider democracy to be intrinsically valuable generally favor a different architecture for democracy, one in which deliberation is central⁴⁷. While instrumentalists tend to see democracy as a mechanism for agglomerating individual preferences, non-instrumentalists believe that preferences can, and should, be created and transformed during the democratic process⁴⁸. This leads such theorists to consider democracy as an end in itself. More than that, it invites some to equate it to “a culture or way of life”. One “defined by equality of membership, reciprocal cooperation, and mutual respect and sympathy, and located in civic society” (Anderson, 2009, 214).

Goods like equality, sympathy, and respect are said to be inherent to deliberative democracy, not a goal to be achieved at a later, post-procedural, stage⁴⁹. Such a view implies a different temporal framework than the one suggested by the instrumental notion of democracy. As public justification and collective learning are taken to be fundamental premises, we move to an emphasis on the continual, non-definite character of democracy and democratic decisions. In Joshua Cohen’s words, “a deliberative democracy is an *ongoing* and independent association, *whose members expect it to continue into the indefinite future*”⁵⁰ (Cohen, 1997a, 72). What’s at stake is thus not only the quality of the achieved results, taken as static states of affairs, but the promotion and maintenance of the conditions required for citizens, as equals, to reflect on and reconfigure government policies and goals.

⁴⁶ Not all theorists that contend that democracy has intrinsic value are supporters of deliberative democracy. Theorists of deliberative democracy, on the other hand, are usually take democracy to be intrinsically valuable. Here I will be arguing in favor of the two.

⁴⁷ See Dewey (1981), Cohen (1997), Cohen (1997), Christiano (2008. Ch.5), Anderson (2009).

⁴⁸ See J. Elster’s seminal text *The Market and the Forum: Three varieties of political theory* (1997).

⁴⁹ For a sound defense of the claim that equality can’t be “assured later”, i.e., non-democratically, see Kolodny (2014).

⁵⁰ My emphasis.

Legitimate and worthy results will be those that follow from free and reasoned discussion. Citizens are required to supply reasons for their claims, reasons strong enough to stand a chance at persuasion (Cohen, 1997b). This prerequisite constraints the content of publicly advanced claims and shapes individual motivations in a way that suppresses partial private interests, and orients the debate to some form of “common good”. This common good is not a compromise between net interests nor a teleological or traditionalist imposition, but a set of interests people have *qua* citizens, i.e., “public interests”. As Philip Pettit puts it, “the [facts], for short, that [are] best supported by the reasons that are publicly admissible within the group” (Pettit, 1997, 163).

In this sense, the proper goals to be pursued by democratic institutions can’t be identified independently of the democratic process. They are the consequent result of what Elizabeth Anderson calls, following John Dewey, “collective experimental intelligence” (Anderson, 2009, 222). In a dynamic feedback process, citizens both in civic society and government continuously evaluate and reconfigure claims and policies. This transtemporal exercise of collective learning and autonomy inevitably blurs the lines between what is valued instrumentally or intrinsically, and what is an end result or simply a means.

A commitment to a deliberative, non-instrumentalist conception of democracy carries implications for the way in which we think about what is owed to future members of our political communities. I believe it implies further responsibilities, but it also provides a strong justification against anti-democratic politics. In the next section I’ll expand on this position, making the case for present democracy for future people.

3. Sustaining Democracy

Those who consider democracy in instrumentalist terms may see democracy as a hindrance for intergenerational justice. Meeting our obligations to future people through anti-democratic practices might be – and some, as we have seen, actually believe so – the “best results” policy. However, following a deliberative view of democracy, I’ll argue, there are reasons to believe that our obligations to future people can only be met by preserving and fostering present democracies.

My argument will be based on reasons of equality and on prudential reasons. Let us start by the former. The conjugation of our commitment to deliberative democracy with the precepts of relational equality discussed in Chapter 2 yields a position which states that, for equality to

verify, all members of society must be continuously enabled to function as full, participating members of democratic society. According to this perspective, a situation in which a benevolent dictator assures, better than any other regime, equality between all citizens (but himself) is not justifiable⁵¹. True equality requires that each citizen be imbued with the autonomy, standing, and esteem which only surface when one is able to partake in the decisions that concern the background conditions of one's life⁵².

Therefore, any attempt to assure equality between present and future people by decree – i.e., by devising policies that assure equal access or chance for access to certain goods between temporally-separated persons - will be, at least, incomplete. A comprehensive notion of transtemporal equality will take democracy to be an ongoing, indefinite process whose preservation and access to must be secured. Only if future generations are assured the necessary conditions for democratic participation can we say that there is cross-temporal equality. This implies that present governments preserve and foster democratic institutions, thus sustaining the ongoing process of deliberation, but also that they refrain from implementing policies that entail great costs if they are to be overturned or reconfigured.

On the other hand, the prudential argument suggests that the idea that the best results for future people can be known and promoted *a priori* is unrealistic. Successful implementation of any policy – especially policies that require such drastic changes, as those concerning climate change will – requires testing, adaptation and reimplementation⁵³. By stipulating a given future state of affairs – say, a number of running fossil fuel enterprises - as the sole orienting goal, calls for non-democracy may seem reasonable. Whatever is most expedient will do best. However, if we take into account that, somewhere in the future, when the materialization of this goal is due, the messiness of reality will likely hit us back in the face⁵⁴, the pursuit of deliberative practices seems like a preferable objective.

This line of thought speaks to the epistemic argument for democracy put forward by John Dewey and his followers⁵⁵. According to these theorists, democratic ways and institutions constitute a unique and powerful method for gathering scattered, diverse information (Anderson, 2006). While non-democratic regimes, by constraining or not paying heed to wide political participation, reduce the amount and diversity of informational inputs, democracy –

⁵¹ See Arneson (2019).

⁵² See *supra* Anderson (1999), *supra* Anderson (2009), Anderson (2017).

⁵³ For the benefits of deliberation in climate policy, and the problems stemming from the exclusion of “on the ground” social actors see Stevenson & Dryzek (2014) and Gilley (2012)..

⁵⁴ Just consider the backlash that seemingly sensible measures (in environmental and intergenerational justice terms) caused in the case of the “gilet jaunes” movement. See Boyer *et al.* (2020).

⁵⁵ See Dewey (1976), *supra* Dewey (1981), Putnam (1990), Anderson (2006).

through institutions that go beyond the vote (a free press, civic associations, etc.) – promotes access and deliberation over situated knowledge, which is inaccessible to any central authority. In this manner, democracy is able to, in a way similar to the scientific method, make use of error, dissent, and experimentation to refine practices and policies (Dewey, 1976).

When the issue in question is future-oriented policy, the epistemic problem becomes even thornier, and the virtues of deliberative democracy make themselves clearer. As Michael MacKenzie puts it

“(…) the present is diverse, and the future will be too. As such, it is not clear what we should do now or how we should respond to any specific problems with potential long-term effects or consequences. We will need inclusive, deliberative democratic processes to make judgements about what we should or should not do as collectivities, precisely because there will be many legitimate but potentially conflicting concerns associated with any course of action (or inaction).”⁵⁶

Therefore, in truly having future people’s interests in mind, states should seek to protect and establish institutions that serve not only as means to *implement* decisions of deliberation, but mostly institutions that “provide the framework for the formation of the will”, institutions that can determine “whether there is equality, whether deliberation is free and reasoned, whether there is autonomy, and so on” (Cohen, 1997a, 80)⁵⁷. The indeterminacy of the future calls not only for strictly defined future-oriented policies protracted in the name of intergenerational justice, but for policies that allow future people to think over, concoct, and then implement whatever measures they democratically consider to be most fitting for their circumstances. Accordingly, promoting democracy should be seen as something we owe to future people.

4. Virtue, Democracy, and the Future

The kind of democracy that is being suggested above might be seen by some as too demanding or unrealistic. The level of civic engagement and the openness and intellectual honesty that seems to be implied may have been once and reality, and might still apply to small communities, but many would be quick to discard them as serious goals for contemporary

⁵⁶ MacKenzie (2021, 7).

⁵⁷ With this I mean two things: 1) states should support institutions that allow for deliberative practices in the present. This would benefit future persons by drawing on the diversities of present inputs and due to the inherent logic of deliberation. See MacKenzie (2021, Ch.4 and 5); 2) states should assure that future persons have the necessary institutional conditions to exercise their collective autonomy. See Thompson (2010).

polities. There is, however, a long-dated association between political virtue and the control of arbitrary power⁵⁸. In republican thought, individual and collective freedom goes hand-in-hand with a virtuous and politically active citizenry⁵⁹. Those who belong to the demos must be at all times vigilant and righteous in their oversight of institutions, and those institutions themselves must be conducive to the development of virtue in the citizens who control them. Republican institutions and politics are “formative”, they “[don’t] take people’s existing preferences, whatever they may be, and try to satisfy them” but “[seek] instead to cultivate in citizens the qualities of character necessary to the common good of self-governance” (Sandel, 1996, 25).

Praise of active political participation is not, however, solely a feature of the thought of pre-modern republicans and their XX-century revivalists⁶⁰. Many contemporary self-proclaimed liberals are less dismissive of the role of civic virtue than one might think⁶¹. In search of a synthesis between republican and liberal political theory, Richard Dagger claims that “the ability or capacity to lead a self-governed life” requires “combining a respect for the rights and liberties of the individual as a citizen...with a recognition of the need for active, public-spirited citizenship” (Dagger, 1997, 104). These ideas seem that more persuasive in a time when, even in face of an existential catastrophe, the vice of apathy seems to have taken hold of most of us.

Despite the predominance of an eudaimonistic and individualistic view of virtue in the literature on virtue and the environment, some do stress that, in order to respond to the problems posed by climate change, the promotion of public virtue is of the utmost importance⁶². Even if we recognize the significance of individual virtuous behaviour, both for its direct consequences and for the “power of example”, argumentation and confrontation – actions publicly directed at others – must, at least today, be fundamental facets of an environmentally virtuous individual. The need for public engagement is further deepened by the fact that environmentally and intergenerationally virtuous behaviour suffers from an epistemic problem. Notwithstanding some virtues being widely acknowledged and of clear import – temperance, economy, humility, etc. –, many are still unaware of the most basic precepts of environmentally-friendly behaviour, and even the most environmentally conscious individuals struggle with understanding what constitutes the best conduct. Furthermore, as the climate changes, what is considered a virtue is likely to change as well (Kawall, 2018). Only through

⁵⁸ Political or public virtues are character traits that promote, primarily, the benefit of the community. A politically virtuous person is someone who is intellectually and practically involved in the everyday life of her community.

⁵⁹ See Pocock (2003).

⁶⁰ See, for diverse examples of this broad current, Sandel (1996), Skinner (1997), Pettit (1999).

⁶¹ See, for example, Sunstein (1988), Sunstein (1993), Dagger (1997).

⁶² See Sandler (2009), Treanor (2010), and Ferkany & Powys Whyte (2011).

widespread deliberation and cooperation can we deal with such uncertainty, and eventuate the needed changes in institutional practices and personal behaviour.

It is thus a necessity that governments facilitate and instigate the active engagement of citizens in the life of their communities, i.e., cultivate public virtue. This should not be taken as a grandiose, top-down endeavour. While deliberative democracy does require an active and virtuous citizenry, democracy is itself a promotor of virtue. Democracy in the Deweyan sense we have been discussing – as a social mode of existence based on collective inquiry and experimentation – helps to prevent intellectual and epistemic vice (impulsivity, rashness, biasedness, superiority, etc.), by fomenting virtues like self-evaluation, reasoned argumentation, communication, adaptiveness, and equal respect (Farrelly, 2018). Besides contributing to this refinement of our intellectual abilities, democracy also promotes virtue non-instrumentally. If we take humans to be innately social and political beings, which strive for rational control over their lives, democracy is the most adequate mode of life for the general development of our natural capacities, and for a meaningful, happy existence (Ober, 2007).

All things considered, we can say that democracy, like no other regime, foments a set of virtues which have instrumental value to the community and the individual – say, capacity for reasoned argumentation – while at the same time being a medium through which individuals can exercise their natural strengths, and hence flourish. Democracy thus assures a dialectic between individual and collective development that no other mode of life can provide. As Hilary Putnam puts it

“There is a moral tragedy inherent in efforts to further the common good which prevent the result from being either good or common—not good, because it is at the expense of the active growth of those to be helped, and not common because these have no share in bringing the result about. The social welfare can be advanced only by means which elicit the positive interest and active energy of those to be benefited or 'improved'.”⁶³

The “active growth” and “improvement” of citizens that Putnam talks about are likely to be necessary for us to assure that future people are endowed with the sufficient conditions to live good lives. With our short-termist proclivity pushing the other way, individual intergenerationally virtuous behavior – to act in ways that don’t hinder the life-chances of future persons –, of both politicians and members of civil society, will have to be promoted if such an obligation is to be respected. The virtues fostered by deliberative democracy – like weighted reasoning and equal respect – are particularly adequate for this context. It has been

⁶³ Putnam (1990).

rash, non-plural and exclusively present-focused decisions that have put the lives of future generations in jeopardy.

Accordingly, a defense of present democracy for the benefit of future people is also a vindication of the need for an active and virtuous citizenry, and of policies that favor such behavior. Character formation, rather than utilitarian calculus, is probably the best option for a situation in which immediate individual action is not likely to bring about any substantially positive results (Jamieson, 2007).

Conclusion

As we have seen, despite the intuitive appeal of non-democratic practices as a means to protect future generations, a case can be made for present democracy in favor of future persons. This implies, however, that we take democracy to be intrinsically valuable, and that we defend a deliberative account of democracy. Based on these premises we've presented a set of arguments in favor of the idea that present persons have an obligation towards future ones to preserve and foster democratic practices.

We have argued that, for transtemporal equality to actually verify, future persons need to be granted the possibility of unrestricted democratic participation. That we provide an equal or proportional share of goods to future generations is not sufficient, if self-government is not one of such goods. We have contended also that being democracy an ongoing, non-definitive process, it is both artificial and likely less beneficial to focus on static end-states. Democracy must be seen as an exercise of experimentation and re-examination, and thus, if we are to preserve it, we must strive to foster institutions suited not only for policy implementation but also for deliberation and the formation of the will. On this note, we have discussed as well how democracy has significant epistemic advantages vis-à-vis non-democratic regimes, as it is able to integrate diverse types of knowledge and feedback from the citizenry.

Finally, we have contended that democracy is also a medium through which individuals can develop their natural capacities and become virtuous citizens. By fostering virtues like weighted reasoning, self-analysis and equal respect, deliberative democracy can contribute to the development of a citizenry with character dispositions more conducive to the fulfilment of transtemporal obligations.

It is on these grounds that we argue that citizens and governments have an obligation to preserve and foster democratic institutions and practices for future generations. We are not

outright rejecting the idea that non-democratic governments may be closer than democratic ones to discharge some of the obligations owed to future persons – say, of resource preservation, or of sustainable indebtedness -, but we sustain that a defense of democracy is nevertheless the best chance of consistently guaranteeing cross-temporal equality and justice.

Conclusion

I have made repeated reference throughout this essay to the dire state of affairs we seem likely to bequeath to future generations. It thus seems appropriate that we clarify how, if in any way it does, this text pushes against such destiny. I believe there are significant similarities between our failed efforts to protect future generations and our shortcomings regarding the alleviation of global poverty. In both situations most people accept that something is owed to members of these groups, but disagreement abounds regarding the content of the obligations and about who exactly owes something to whom⁶⁴. The combination of this moral undefinition with a structural lack of individual motivation has left us in an unfortunate stalemate.

The concept of rights has helped in the quest for global justice, but it has also contributed to this situation⁶⁵. I believe this might have something to do with the blatant one-sidedness of the discussion. As Onora O’Neill notes, “although serious writing on human rights must entail correlative obligations, we find no Universal Declaration of Human Duties, and no International Obligations Movement” (O’Neill, 1986, 104). I speculate that discussing what we owe future persons through the perspective of their rights might have the same, if not worse, consequences. This was another reason for me to have focused this essay on the idea of obligations, and on obligations as I have discussed them.

The notions of social interdependence and continuity that I have stressed throughout the essay cohere with this emphasis on obligations over rights. The prioritization of rights favors a vision of the individual as anterior to society, and in some ways even in opposition to it. This is something even liberals once recognized and contested. T.H. Green, writing in the late XIX century, criticized the metaphysician view of rights, claiming that rights should only be seen as social goods whose justification lay on collective purposes⁶⁶. Such collective agenda can only begin to be pursued if there is a preliminary understanding of the obligations of those involved.

This view echoes the emphasis on agent behavior that we’ve seen made by moral contractualists. There needs to be, however, a background motif that allows us to say that two or more people are in fact in a relationship, or somehow connected. Globalization, via commerce and digital communication, has provided the framework for the global context. For

⁶⁴ And maybe even further, who should discharge them.

⁶⁵ See Moyn (2019).

⁶⁶ See Green (1986).

temporal separation, I've highlighted the inherently transtemporal nature of entities like communities, projects and our selves, and the enduring effects of our actions (their structure-producing nature).

The need for this motif is, however, a limitation for any account of cross-temporal obligations. I've pointed out this problem when discussing the *situational*, *relational*, and *distributive* accounts of obligations. In all these proposals, the existence of transtemporal obligations depends on future people belonging to the same community as present ones. The three models justify belonging in different ways, nevertheless. With the distributive account, I tried to work around the conservative implications of the other accounts by focusing on the present meaning of goods for the community, rather than on a community's cultural and moral uniformity across time. This perspective is flawed – for starters, the meaning of goods can be a matter of reasonable contention – but it stresses the need for an active and constant “dialogue” with the future.

The structural account also highlights the superposition between past, present, and future, but at a micro level. It aims to show how the future is not a place out of reach, but a state of affairs very much of our responsibility. Despite being limited in scope it provides clear justification for present action.

My defense of present democracy for future generations follows a similar line of reasoning. It highlights the continual nature of democracy, framing it as a mode of life based on collective reasoning and experimentation that must be equally accessible to all across time. Such defense of democracy implies, however, and again, not to divide the future into static end-states and not to see future persons as simple recipients of bundles of resources, but the future as a prolongation of the present and future persons as participants in the same political project as present ones.

The argument for deliberative democracy also relates to our early discussion on short-termism. In chapter three, I suggested that the promotion of widespread democratic participation may be a very important factor for the development of a more virtuous citizenry. Active public engagement can make for the amelioration of the vices that characterize short-termism – rashness, unthoughtfulness, presumption, dogmatism, etc. – , and thus contribute to the inculcation of patterns of behavior that are more environmentally friendly and more considered of future generations.

Greater consideration for future generations can also be achieved, and this is something I've tried to convey throughout the whole essay, by thinking of future people along some identifying lines. Even if people's identities are contingent on our present actions, the existence of social

roles is not. The future will be populated by citizens, children, partisans, professionals of all kinds, etc. These people exist in some relation to us, and are owed something in virtue of that. Such relationships are probably not sufficient to cover all that we intuitively think we owe to future persons. But we live and frame our lives mostly as participants of these types of relationships – as citizens of a country, as members of a family, as supporters of a cause, as members of a field of scientific research. Not to stress this when talking about intergenerational matters means, I believe, paying less respect to future people than we can. There are expectations and interests that we know future persons will have, not only *qua* persons, but also due to their social roles. We shouldn't use the future's inscrutability and dependence on the present as arguments to dismiss this.

Seeing future people as our fellows in all kinds of undertakings is also a way to understand our obligations to them not as costs but as a necessary condition for the materialization of our own aspirations and even, in some way, the preservation of our selves. This perspective seems much more prone to elicit the needed action and changes in behavior that are required to maintain a livable planet for centuries to come, than one that envisions future people as unrecognizable atoms or generational lumps.

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