

Our Intergenerational Obligations

by Prof. Dr. Axel Gosseries

Three meanings of generation

The concept of a generation can be used in three different ways to identify *what* each generation owes other ones, and *why*. In line with Jefferson, one may first want to look at a generation as a “nation”.¹ Rather than putting forward the idea of an intergenerational community, it stresses instead the need to take generational *sovereignty* seriously. An illustration of such a concern is the discussion as to the extent to which constitutional rigidity can be defended, since it restricts the sovereignty of subsequent generations. More generally, the question arises as to whether the past should be allowed to bind us, either through commitments made in our name, necessarily without our approval (e.g. a government contracting an external debt that will need to be repaid over decades), or out of past wrongful actions that would require compensation (e.g. reparations for slavery). Here, I share Jefferson’s intuition. If we consider that a person should not be bound by - or be held responsible for - (in)actions that took place before its birth, we face a fascinating challenge. What we need to do is to come up with alternative accounts for e.g. the need for constitutional rigidity, for the intuition that mere debt cancellation may be unfair and/or counterproductive, or for the need to do something about the current impacts of past slavery. To put it differently, considering the principle of ‘common but differentiated responsibility’ in the environmental realm (e.g. in the climate change debate), we need to be able to argue for differentiated obligations without implying differentiated responsibility. While it is not possible to go into details here, I think that this can be achieved.

There is a second meaning of generation that raises specific challenges for theories of justice. It consists in treating generations as ‘age-groups’.² Here, the key focus point is the ‘complete-life’ view. Age is special when compared to e.g. gender or race. We cannot change our age. Yet, our age changes. This matters. For if we consider that e.g. egalitarians should care about complete-life inequalities as opposed to inequalities obtaining

at a given moment in people’s life or in time, it may well be that if certain conditions are met, age discrimination will not lead to a differential treatment over complete-lives. In the end, we may thus end up having all benefited from the same access to power, to health care or to employment. Theories of justice need to identify the conditions under which this would arise. They also need to find out whether complete-lives should always be seen as the relevant unit of moral concern. And they should even ask themselves what (if anything) justice between age-groups has to say about what specific age groups owe to one another. For instance, what do parents owe their children - and conversely - and what do teenagers owe the elderly - and conversely.

The third meaning is the one of a ‘birth cohort’, i.e. a set of people who were born between time x and time y (e.g. all those born after Jan 1st, 2000 and before Dec. 31, 2001). Here, we use the word ‘generation’ simply to refer to people located at different moments in time. In fact, treating cohorts as a ‘nation’ is a specific instance of this third cohortal approach. We may then begin to explore the various ways in which time and justice relate to one another, impacting potentially on the justification and content of our intergenerational obligations. Investment requires time. People at two different locations in time that are far apart are unable to meet and properly interact. Time has a direction such that some come first and others later. And so on and so forth. Each of these features has significant implications on how we should conceive of our intergenerational obligations.

Hereinafter, I will refer to generations as birth cohorts - as opposed to ‘nations’ or age-groups, or even richer notions that sociologists tend to rely upon. We will simply focus on a twofold issue: *what* does each generation owe the next generation and *why*? This is a specific way of framing things that leaves aside many issues, including the three following ones. First, our current actions may affect the very identity of future people, i.e. *who* will be born and who will not. This ‘non-identity problem’, on which there is a

huge philosophical literature, is a challenge to the very *possibility* of having intergenerational obligations.³ Second, there are further complications when it comes to trying to identify whether choices can be made regarding optimal population.⁴ Is it better to bring to existence a generation constituted of a vastly larger population that is slightly poorer on average, or should we go instead for demographic choices leading to the existence of a smaller and much better off population on average than the former? Is there any sense in which we can say that it is *better for them*, knowing that some people will only exist under one of the two options? Finally, if we consider that the number of future generations is indefinite, if not infinite, this raises in turn specific problems. For how are we supposed to divide fairly the various types of pies that make our existence possible, enjoyable and meaningful if we have no way of knowing how many people are sitting around the table. We will leave these three issues aside here.

Why and what?

Let us thus focus on a simple and restricted setting. One generation asks what it owes the next one. I assume that this has a lot to say about the broader intergenerational set of issues, including when very remote generations are involved, when large uncertainties are at stake... In asking ourselves *why* we owe something to the next generation, theories of justice have very different stories to tell us.⁵ A mutual advantage contractarian will tell us that if a generation is to owe anything to the next one, it needs to be on grounds of mutual advantage. In contrast, a reciprocity-based view will tell us that we owe something to the next generation because we have a debt towards the preceding generation. In this case, the intuition is that net transfers need to be erased out. No one should end up having received more than what it gave back. An egalitarian or a utilitarian theory will not rely on ideas of mutual advantage or of debt towards the past. They will instead simply insist on being impartial. For an egalitarian, we owe something to the next generation, not because it is at

our well-understood advantage to cooperate or because we inherited a debt from the previous generation. Rather, it simply results from a concern for not leaving the next generation in a worse situation than ours, due to no fault of its own. The obligation neither results from a prior action from an earlier generation, nor necessarily leads to a net benefit to all parties involved. We owe it to them simply because an impartial approach to what it means to treat persons as persons requires it. These are just three examples of possible justifications of our obligations towards the next generation. Other ones could be explored. For example, the fact that as generators, we *cause* the very existence of the next generation could in itself be a distinct source of obligations.

It is one thing to account for the *reasons* why we owe something to a generation. It is another to account for the *content* of our obligations. Again, there is more diversity in this respect than what we might expect at first sight. Consider a very simple ‘quantitative’ approach to our obligations towards the next cohort. It involves *dis-savings* (i.e. the fact for a generation to transfer *less* to the next one than what it inherited from the previous one) and *savings* (i.e. the fact for a generation to transfer *more* to the next generation than what it inherited from the previous one). I am not claiming here that deciding about the appropriate composition of the basket of ‘things’ that needs to be transferred to the next generation is irrelevant or uninteresting. To the contrary. I do not endorse (naïve) materialism here. The composition question raises serious challenges for anyone concerned with some form of neutrality towards the various conceptions of the good life. Similarly, the debate between defenders of ‘strong’ and ‘weak’ sustainability clearly revolves around the difficult issues of the physical and normative limits to substitutability. Here, I am simply assuming that even with an oversimplified setting that leaves this ‘composition’ problem aside, we are able to identify very different contents of obligations that translate differences in underlying logics.

Consider a few examples of such a diversity of views. Most theories will prohibit generational dis-savings in principle. What about generational savings? A theory of indirect reciprocity is unable to justify an *obligation* to save. The concern here is to avoid net transfers between people and generations. However, once a generation has given back at least as much to the next one as what it inherited

from the previous one, justice will not require anything further. Contrast this mere *authorisation* to save, endorsed by reciprocity defenders, with the idea of an *obligation* to save. Utilitarians will typically defend such an obligation to the extent that savings may increase the total amount of welfare over the whole generational path. This is so whenever the gains from current investment – in terms of future welfare – overtake the losses in current welfare – due to the fact that people will not be able to consume as much as what they otherwise could. Rawlsians will also advocate an accumulation phase to a more limited extent, requiring from the least well off generations to save to the benefit of the next – and hence richer – generations. As we can see, these are examples of theories that will not simply authorise but even *require* generational savings.

I believe that beyond a limited accumulation phase, savings should be neither authorised, nor required.⁶ I would rather advocate the view that savings should be *prohibited*. The intuition is the following: consider, along Rawlsian lines, the leximin requirement according to which we should identify an intergenerational path such that the least well off people along this path are better off than the least well off people under any alternative scenario. Leximin involves a special form of egalitarianism, one that is concerned with improving the situation of the least well off, even at the cost of growing inequalities if needed. What does leximin require in terms of general intergenerational rule of thumb? It demands that if a generation anticipates that at the end of its life, it will end up with a surplus, the latter should benefit to the least well off members of the *current* generation, rather than to the next generation(s). It amounts to a prohibition on savings. This is not at all in breach of the requirement of impartiality. It does not translate any moral preference for the members of our own generation. It simply flows from the fact that if each generation were to adopt this strict rule, the least well off – whichever the generation they are part of – would end up being better off than under any alternative rule.

Population change and cleronomicity

As we can see, not only do various theories provide us with different *justifications* of our obligations. They also advocate very different policies. If we consider only savings, some will *authorise* it, others will *impose* it, and still others will *prohibit* it. This is of

course a very general claim and specific exceptions could be considered. However, there are further complexities that should be considered here. Let me point at two of them in particular. The first one has to do with *population change*. Imagine a cohort that collectively decides to double the population. Each couple would have slightly more than four kids on average. The question is whether the size of our intergenerational obligations should be adjusted accordingly. According to a theory of indirect reciprocity, it shouldn't. For the logic of that theory is to empty one's debt, whatever the number of beneficiaries. If I received ten, I need to give ten back, regardless of the fact that there will be twice as many people among which it will have to be divided up. Contrast this with a theory that is demo-sensitive, such as egalitarianism. Here, the intuition is that even if we were not causally responsible for the size of the next generation, the mere fact that they are twice as numerous should modify our obligations upward. For there is no reason why they should be twice as poor as we are, simply because they happen to follow us. Hence, not all theories are demo-sensitive. And I also think that we underestimate what demo-sensitivity, once taken seriously, would demand. Before concluding, let me mention another property of theories of intergenerational justice, i.e. *cleronomicity*. A theory is cleronomic when, in order to define what we owe the next generation, it bases itself on *what we inherited from the previous one*. It does not mean that we necessarily have to transfer the *same*. Whether we should transfer more or we could transfer less, etc. what matters is that the reference transfer is the one linking our parents to us. Almost all theories of intergenerational justice are cleronomic. There is one exception: sufficientarianism. The latter will require that we transfer to the next generation enough for them to cover their basic needs, *regardless* of what we actually inherited from the previous generation. It allows for massive dis-savings if what we inherited goes well beyond what is needed to cover people's basic needs. This may seem shocking. And yet, non-cleronomic theories may actually have some advantages. One of them is that in case of non-compliance, even if they potentially place a heavy burden on each generation, non-cleronomic views may guarantee that the obligation of each generation will not shrink gradually as cases of non-compliance by preceding generations multiply.

To conclude, I believe that we should think

twice before claiming that intergenerational issues are too radically different to be dealt with on the basis of our standard moral and political theories. The intergenerational context raises specific challenges. Of course, it is often tempting, in the face of major *practical* challenges, to assume the need for paradigm shifts at the *conceptual* level. This temptation should be resisted, at least initially. Let us make the effort to understand first what standard theories have to offer us. They have things to tell us. They mobilize intuitions that are shared by various segments of the public. They exhibit some degree of robustness because their properties have been tested for a while. Moreover, relying on standard theories allows us to relate our intuitions in the intergenerational realm with those in the intragenerational one. And if it were to turn out that a paradigm shift is needed in the end, let us make sure that we justify such a need. And let us try and give enough flesh to such a new paradigm, to ensure each of us do not engage in new avenues without minimally understanding what it is about.

Notes:

1. Jefferson, T. (1789): Letter to J. Madison, 6 of September.
2. Daniels, N. (1988): Am I My Parents'

Keeper? An Essay on Justice Between the Young and the Old, NY/Oxford: OUP.

3. Parfit, D. (1984): *Reasons and Persons*. Oxford: Clarendon Press.
4. Arrhenius, G. (2000): An Impossibility Theorem for Welfarist Axiology. *Economics & Philosophy*, p. 16, pp. 247-266.
5. Gosseries, A. and Meyer, L.(eds.) (2009): *Intergenerational Justice*, Oxford: Oxford University Press, p. 419.
6. Gaspard, F. and Gosseries, A. (2009): Are Generational Savings Unjust? In: *Politics, Philosophy & Economics*, 6 (2), 2007, pp. 193-217.

Biography:

Axel Gosseries is a philosopher (PhD, Louvain, 2000) and law scholar (LL.M., London, 1996). He is a permanent research fellow of the FNRS (Belgium) and a Professor at the University of Louvain where he is based at the Hoover Chair in economic and social ethics. He has been spending time doing research in various parts of the world (Oxford, Canberra, Montreal, Collegium Budapest, Bergen) and has been lecturing abroad in various universities (Krakow, Bern, Montevideo, Bucharest, Prishtina, Braga, and Lille). He is a specialist of intergenerational justice issues. He is the author of *Penser la justice entre les générations* (Au-

bier, Paris, 2004) and the editor of *Intergenerational Justice* (with Lukas Meyer, Oxford University Press, 2009). He is the author of about 50 chapters and articles in books and journals, in philosophy (e.g. *Canadian J. of Philosophy*; *J. of Political Philosophy*; *Politics, Philosophy and Economics*; *Stanford Encyclopedia of Philosophy*; *Oxford Handbook for Practical Ethics*), law (e.g. *Loyola of Los Angeles Law Review*; *New York University Environmental Law Journal*) and economics (e.g. *International Economic Review*, *Economics and Philosophy*).



First Panel "What is Intergenerational Justice?": Prof. Dr. Dr. Jörg Tremmel, Prof. Dr. Viriato Soromenho-Marques, Prof. Dr. Almeida Ribeiro and Prof. Dr. Marques Guedes

CONFERENCE PAPERS

Intergenerational Justice – Scope and Limits

by Prof. Dr. Dr. Jörg Tremmel

The presentation is based on the speaker's new book:

Tremmel, J. C. (2009): A Theory of Intergenerational Justice. London: Earthscan.

Ever since Greek antiquity, the notion of justice has been at the centre of intense philosophical debate. Nevertheless, systematic concepts and theories of justice between non-overlapping generations have only been developed in the last few decades. This delay can be explained by the fact that the impact of man's scope of action has increased. Only since the twentieth century has modern technology given us the potential to irreversibly impair the fate of mankind and nature into the distant

future on a global scale. In Plato's or Kant's days, people did not have the same problems with regard to the environment, pension schemes, and national debts as we have today. Therefore, there was no objective need for theories of justice that were unlimited in space and time. According to Hans Jonas, the new territory man has conquered by high technology is still a no-man's-land for ethical theory which lives in the Newtonian age.

Comparisons between 'generations'

Statements on generational justice require comparisons between generations. Yet, the term 'generation' is ambiguous. Distinctions can be drawn between 'societal', 'family-re-

lated', and 'chronological' meanings of the term 'generation'. Statements on generational justice normally refer to the chronological meaning of 'generation'. They can also refer to the family-related meaning of 'generation', but not to its societal meaning. We can also distinguish various comparisons between chronological generations: vertical, diagonal, horizontal, and overall-life courses. Diagonal comparisons as well as comparisons of overall-life courses are decisive. Other comparisons are of only limited use for statements on generational justice.

Arguments against theories of generational justice

The non-identity problem coined by