A PARTNERSHIP FOR THE AGES

BY

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Abstract: Burke suggests that we should view society as a partnership between the past, the present, and the future. I defend this idea by outlining how we can understand the interests of the past and future people and the obligations that they have towards each other. I argue that we have forward-looking obligations to leave the world a decent place and backward-looking obligations to respect the legacy of the past. The latter obligation requires an understanding of the role that traditions and meta-traditions should (and should not) play in tying together societies—especially national societies—over time.

In one of his rare profound moments, Edmund Burke declares:

> Society is indeed a contract …. It is a partnership in all science; a partnership in every virtue and in all perfection. As the ends of such a partnership cannot be obtained in many generations, it becomes a partnership not only between those who are living, but between those who are living, those who are dead, and those who are to be born (Burke 1790, pp. 84-85).

For Burke, society is not a simple contract, as John Locke and Jean-Jacques Rousseau claimed, but on ongoing collaboration between the past, the present, and the future. We can only make sense of society, he suggests, as an enduring enterprise, one over which those who happen to be living have temporary control.

Burke's framework gives us a way of thinking about society as intergenerational in a way that is often ignored in the literature, which focuses mostly on what the present generation owes to the future, occasionally on what pull tradition should have on us, but only rarely on both (but refer to Thompson 2009). The challenges of using Burke's framework are formidable. It's hard enough to collaborate with our contemporaries whose interests we can actively consult. But to have a partnership across time seems impossible. Future and past people may not have anything that counts as interests at all, or if they do, those interests are often

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unknown, if not unknowable. In one sense, of course, what Burke has in mind is obvious: The society in which we live is a product of what previous generations have made, and so we must start with what they have left us. Likewise, the society of the future will be the product of our decisions, and they will have to cope with what we leave them. But Burke certainly means something more. Burke is, after all, the great proponent of traditions, and so he thinks we owe it to previous generations to embrace those traditions. For him, traditions contain 'the collected reason of ages' (Burke 1790, p. 83), an implicit wisdom, and for that reason, this partnership with the past 'is to be looked on with other reverence because it is not a partnership in things subservient only to gross animal existence of a temporary and perishable nature' (Burke 1790, p. 85). Yet we can reject Burke's devotion to 'wise prejudice' (Burke 1790, p. 84) and appreciate the deeper points: that our society is a collaboration across time and that our politics is enriched when we understand it in this way.

In what follows, I will flesh out Burke's suggestion and try to understand what claims must be defended to make it plausible, but I will offer only a tentative defense of his suggestion, and often I will simply note the assumptions on which the proposal relies. I am not engaging in an exercise in Burke scholarship, but an attempt to understand the political philosophy of societies as entities that stretch over time. Burke's views are as famously conservative, but once we understand the relationships correctly, I will argue, we will also see that they need not have the conservative implications that Burke draws from them. Instead, I will argue how we should understand what the partnership should be by articulating how we should understand the interests of people existing in the past, present, and future. We can then begin to see the role that tradition and role that idea of a nation as a *meta*-tradition should – and should not – have in shaping the relationships between the three.

1. *Finding the interests*

If society is a contract between the past, the present, and the future, that contract is unique. By its very nature, the contract here is unenforceable: the offending party is never around when the injured party would make a claim. Of course, many contracts require a third party to enforce them for an absent partner. In this case, however, whomever we might designate would automatically have a conflict of interest since she must exist in the present. The language of contracts also suggests that the parties have given their explicit consent to the terms of an agreement. Obviously, the parties here have not and could not make such an agreement with each other. For that reason alone, the language of a contract is misleading.

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Burke himself, of course, uses that language ironically, yet he does take the idea of society as a partnership seriously.[1] To say that society is a partnership implies that it is an enterprise that promotes the interests of each of the parties taken by themselves and of the parties considered as whole. That partnership depends, then, on respecting the interests of each of the parties, and the moral obligations that arise are those that are entailed by what is required to show that respect. Strictly speaking, we may be able to generate these duties without appealing to anything like the partnership, much less a contract. But I am not claiming that the partnership is metaethically fundamental; it will suffice, I hope, if the metaphor of a partnership gives us a useful framework for thinking about how to fulfill the separate and joint interests of different generations.

First, then, we must think about what the interests of each party would be and about how a partnership between them might advance those interests. Second, we must think about the obligations that such a relationship might impose on the parties.

Determining the interests of each of these parties is not, of course, straightforward. Burke's critics would argue that the task is, in fact, hopeless. As Thomas Paine put the point:

> Those who have quitted the world, and those who are not arrived yet in it, are as remote from each other as the utmost stretch of mortal imagination can conceive: what possible obligation then can exist between them, what rule or principle can be laid down, that two nonentities, the one out of existence, and the other not in, and who can never meet in this world, that the one should control the other to the end of time? (Paine 1791, p. 64)

Paine's challenge must be addressed. In what follows, I will sketch, first, how we can make sense of the idea that each of these parties has interests at all. These interests present many difficulties, so here I will only articulate the assumptions that must be made to make sense of them. Then I will outline what those interests could be and what kind of obligations they might generate as a way of showing how they could act in a partnership.

1.1. THE INTERESTS OF THE LIVING

In this partnership, the interests of the living are the least problematic part of the triad, but even they can be tricky. About all we can say definitively is that the living clearly have an interest in what occurs now and in the near future. After all, people have different desires and aspirations, different groups want different things for their members, and so finding a means to determine the interests of a whole generation is problematic. Indeed, the problem of determining the interests of a group practically defines the fields of social choice

[1]For a more extensive discussion of the general problems of using contract theory to address intergenerational concerns, refer to Gardiner 2009 and de-Shalit 1995, ch. 4.

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and democratic theory. And even if we solved the problem of how we combine the interests of many, we can still ask whether we are concerned most with the interests that people claim they have, or the interests their actions reveal, or their interests as manifested in what objectively promotes their well-being. I will not attempt to answer any of these questions here. For my purposes, we only need something rough and ready. I shall simply say that the interests of the living are those things that will promote the well-being of the group considered as a collective and assume only that such a thing exists, recognizing that this assumption is not trivial.

1.2. THE INTERESTS OF FUTURE PEOPLE

Future people clearly have interests – in the future. Paine finds puzzling that they have interests in the present since they do not exist. On his view, interests require interest bearers, and where no bearer exists, no interests can be claimed. Yet if Paine holds that view too strictly, then only the interests of current people count, and we are free to act in ways that prevent future people from having the same kinds of choices we do. His fellow co-conspirator in the campaign against tradition, Thomas Jefferson, makes the relevant point better: 'We may consider each generation as a distinct nation, with a right, by the will of its majority, to bind themselves, but none to binding the succeeding generation, more than the inhabitants of another country' (Jefferson 1813, p. 599). On Jefferson's view, each nation and each generation should be free as far as possible to govern its own affairs, and each nation and each generation, then, has an interest governing itself. But Jefferson does not thereby conclude that each generation has no obligations to the future: 'this ground which I suppose to be self-evident, "*that the earth belongs in usufruct to the living*"' (Jefferson 1789, p. 593), where a usufruct is 'the right of temporary possession, use, or enjoyment of the advantages of property belonging to another, so far as may be had without causing damage or prejudice to this' (OED). On Jefferson's view, each generation has a responsibility to the next to leave the world in as good a shape as it was left to it, and future generations therefore have a corresponding interest in having the present generation fulfill that obligation.

In truth, Paine and Jefferson are more interested in protecting the rights of the living against the people of the past (more on this point later), so they should be willing to concede that future people have interests in the present that present people must respect. So they should claim that future people have an interest in being left to run their own affairs and an interest in having a world that is at least as good as the one inherited by the present generation. And once we grant that future generations have these interests, we can ask what other kinds of interests we should ascribe to them.

Yet even this limited set of interests that are implicit in Paine's and Jefferson's claims may be undermined by what Derek Parfit has called 'the

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Non-Identity Problem': the fact that what we do now affects who will exist in the future (Parfit 1984, ch. 16). Because which particular persons will exist depends on the exact timing of reproduction, decisions we make now – no matter what they are – will affect the exact identities of people in the future. The people who would exist because we decide now to continue to burn fossil fuels would not exist if we decide to address global warming early. So, if we keep burning oil, particular people in the future cannot complain that they have been harmed because they would not exist if we had acted responsibly. A different set of people will be born if we treat the world as a usufruct than if we squander its resources. The claim, then, is that nothing we do now will actually harm the interests of particular people in the future since they would not exist had we acted in another way. In effect, the interests of future people as such can have no effect on anything we do.

Fortunately, I do not need to provide a full answer to the Non-Identity Problem for my purposes here. Virtually no one thinks the problem shows we owe nothing to the future; the theoretical question concerns how best to answer it.[2] However, I will note that the problem gets off the ground only if we accept the claim that people are harmed only if we make particular persons worse off. In his last published article, Parfit himself proposes that the problem can be solved either by accepting an impartial view of the matter so that a state of affairs can be worse even if no one is worse for being in it so that we can say simply that people's lives are worse living in a polluted environment even though no particular person is made worse off by this fact, or by accepting a 'wide' sense in which an outcome can be worse for particular people because it is worse for people in general (Parfit 2017). On either of these solutions, we will be able to talk meaningfully about the interests of future persons. So the second assumption is that such a solution is possible.

1.3. THE INTERESTS OF THE DEAD

Many have agreed with Paine that past people cannot have interests because they do not exist (e.g. Partridge 1981, Callahan 1987, and Taylor 2012, ch. 3). At least with future people, we know they *will* have interests, and so we might think that good preparation requires us to think about what those interests might be. But for past people, we might think, their interests are literally dead and gone.

The idea that the dead have interests that can be harmed is not odd in itself. We ordinarily think you harm your grandmother's interests if you bury her in the crypt of her birth family rather than in the plot next to her husband of 55 years as she requested. We think scurrilous lies about a dead politician harm him by damaging his reputation and his legacy. We think Adam Smith

[2]For a perceptive overview of the various ways to answer the Non-Identity Problem, refer to Roberts 2019.

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harmed David Hume when he failed to act as Hume's literary executor to publish the *Dialogues concerning Natural Religion*.[3] These claims require that the dead have interests of some sort that deserve some consideration. I have argued elsewhere for a robust view of the interests of the dead (Dees 2019), but for present purposes we need only accept the weaker – but not uncontroversial – claim that the people have what Janna Thompson calls 'life-transcending interests' (Thompson 2009, p. 33), interests that lie outside the narrow boundaries of their own lifespan. Respecting such interests would then give us some reason to pay attention to the interests of the dead. The third major assumption Burke makes, then, is that Paine is wrong that the dead have no say simply because they are nonentities. Importantly, granting this point does not prejudge the issue that most concerns Paine and Jefferson: they want to free the living from the dead hand of tradition. Granting the dead some interests does not entail that present people have any obligations to past ones, much less that those obligations have much weight. To that question and ones related to it, I now turn.

2. *The interests of the partners*

A partnership is an undertaking between a number of people to advance their interests. Such undertakings are usually narrowly goal-directed, 'an agreement in a trade … to be taken up for a little temporary interest, and to be dissolved by the fancy of the parties,' as Burke puts it (Burke 1790, p. 85). A group of physicians sets up a joint practice. They each want to make money, they want to serve their patients, and they want to be able to divide the more arduous parts of being a doctor, like taking call. They then fix obligations on each other – call schedules, work schedules, and patient loads – and they fix compensation, which is both a means of fulfilling their interest in making money, but also an obligation to share the profits of the practice equitably. If the partnership ceases to fulfill those goals, they will not hesitate to end it.

But other partnerships are less outcome-oriented: they might be more like a marriage. In a marriage, the individual partners have interests that they expect the marriage to promote – companionship, sexual fulfillment, economic stability, and perhaps having and raising children – and the marriage imposes obligations on each to the other. But the partners also have an interest in the continued existence of the marriage itself. Even if that interest is not overriding, part of the goal of the partnership is the *continuing* commitment to support each other; the reliability of that support is the point. Knowing that support will be present allows both partners to engage in long-term projects – in their careers, in their personal lives, and in their family – that would

[3] Hume anticipated that Smith might fail him in this request, and so he ensured that his nephew, the Baron David Hume, would publish it if Smith did not (Mossner 1954, pp. 592–593).

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otherwise be tenuous, fragile, and difficult. So while the particular goals of the marriage change as time passes and as the interests of the partners – both individually and collectively – evolve, a central aim of the partnership does not.

Obviously, the partnership Burke imagines for society is more like a marriage: one of the goals is the continued existence of the society itself, the ongoing relationship between people that constitutes the society and on which people can rely for stability. Of course, each of the parties has its own interests to promote, and to do so requires the partnership to impose obligations on others. Yet, as I have already noted, society is a partnership unlike most since the parties do not ordinarily agree explicitly to be a part of it. Immigrants do, but for others, even a request to consent explicitly is hardly a free one, as Hume noted in his trenchant critique of naïve consent theories (Hume 1752, p. 475). Indeed, because the parties do not truly consent to it, the obligations we impose on them have authority only because they generally advance the interests of each party and of all of them considered together. We should see the partnership, then, as a way to formulate the obligations – and their limits – between the parties so that the interests of each are advanced better than they would be without the partnership.

Thinking of society as partnership in this way has two other implications. First, the scope of our concern is limited at least somewhat in both time and space. We are not thinking about the world as a partnership (at least not yet[4]), so the scope of our concerns is limited to, in its broadest view, national entities. But we also do not think of every group existing in a place as being in the same society as every group that came before. Americans are not in the same society as the native populations of 1450, and modern France is not in a society with ancient Gaul. Even modern Italy is only casually related to ancient Rome. But these groupings are a matter of degree, and I will not attempt to delineate the borders between one society and another, either spatially or temporally.

Second, by thinking of society as a partnership, we can more easily understand that the partners should think of themselves as bound by a common set of norms. At minimum, then, they should display towards each other some sort of reciprocity.[5] If we think of each generation as situated between

[4]For other reasons, of course, we might have moral obligations to create a supranational societies or even a global society, but such questions lie outside the scope of this paper.

[5]Some have suggested that reciprocity between generations is impossible. So Edward Page (2007) argues no reciprocity can exist between generations because later generations can do nothing to enhance the well-being of those that came before. One response to this objection is to note the ways in which generations overlap so that the next generation can influence the well-being of the previous generation by the way it treats them in old age (refer to, e.g. McCormick 2009, Heath 2013, and Howarth 1992). Refer also to Gosseries 2009.Since I think the dead have interests, I think that even if we cannot enhance the well-being of past generations, we can advance their interests. However, I will not insist on that point here. I need only maintain that the reciprocity I have in mind does not require causal interactions. It is merely a form of moral consistency: we should not impose on others obligations we ourselves will not undertake.

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past and future generations, looking towards both, then no generation should impose an obligation on another generation that it is unwilling to fulfill itself, and a generation should expect other generations to meet its interests only insofar as it is willing to do likewise. In this way, by looking at the interests of each of the parties, we can begin to map out the content of these obligations.

The interests and obligations at stake in the partnership of society can be divided into three categories. First, we need to look at the interests of later generations and what obligations they impose on earlier ones. Second, we need to look at the interests of earlier generations and what obligations they impose on later ones. Third, we should consider if there are interests and obligations that all the generations have with respect to each other, just in virtue of the existence of the partnership that is society.

2.1. BACKWARD-LOOKING INTERESTS AND FORWARD-LOOKING OBLIGATIONS

First, each generation has a backward-looking interest in inheriting a world in which its members can live and flourish. The interests of future generations are most salient here since only those interests can be acted upon, but clearly, present people had the same interests in the world that they have now inherited – although they can now only curse past generations if they failed to respect those interests.

That first interest of later generation is in inheriting a world in which a life worth living is possible. So they have an interest in living a world that is not a Mad Max post-apocalyptic hellscape or an overheated, resource-deprived desert. Thus, they have an interest in having previous generations avoid nuclear war and catastrophic climate change. Indeed, they have an interest in living a world in which their basic needs (and many of their nonbasic needs) can easily be met. Of course, whether they can reasonably expect a previous generation to create the preconditions for a minimally decent life is another matter. The US Founders could not have left their successors an America in which everyone had enough resources to eat well and live well, and their not-too-distant predecessors would have been unable to guarantee that they could leave even a rudimentary stable government. The point is perfectly generalizable: later generations can only reasonably hope that the earlier ones will pass on the tools necessary to create a life as least as good as the ones they had if that is possible.

This distinction between the interests of a generation and what they can reasonably expect from their predecessors is important. Later generations have an interest in coming to be in a world that has all the preconditions of a decent society, including well-functioning social institutions and a well-functioning economy (Baier 1981, p. 10) – although the exact nature of those social institutions is less important than their existence. They have

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an interest in being born in a society stable enough that they can pursue long-term, meaningful projects which express their own deepest values, projects which are valuable in themselves and which they can embrace as valuable (Wolf 2010, lecture 1). Such a society probably requires something like the rule of law and an ongoing educational system, both for teaching literacy, critical thinking, and technical competence and for instilling emotional intelligence and civic values. In a word, future people have an interest in finding themselves in a world in which all can have access to the basic elements of well-being. Again, I do not have to answer here what those elements are, although there are many good candidates (refer to, e.g., Powers and Faden 2008 or Nussbaum 1992). So the fourth major assumption of this view is that we can fashion a sensible theory of well-being along these lines.

Yet whatever their interests in living in such a world, they can reasonably hope that previous generations can bequeath them such a world only if that previous generation was capable of creating those preconditions without too much cost to themselves. Our Stone Age predecessors could not, but our mid-20th century forebearers could. There is, then, an outer limit to what obligations earlier generations have. But that limit does not itself imply that the previous generations have any obligation at all to the future. Those obligations are more clear when we think about the reciprocity requirement. Since no generation should impose an obligation on another generation that it is unwilling to fulfill itself, a later generation can expect an earlier generation to provide them with the best possible standard of living that they can provide only if the later generation is willing to do the same for even later generations. If we do not think we have to sacrifice ourselves for the next generation, then we cannot expect previous generations to have done so for us.

In general terms, we should also note that although the obligations are based on reciprocity, reciprocity does not imply that the sacrifices of each generation will be equal. What the obligations require of us will change depending on the circumstances in which we find ourselves. So life may require more sacrifices of some generations than others: to save democracy and create a minimally decent world, the ‘Greatest Generation’ had to fight World War II at great cost in money spent, in lives disrupted, and in people killed. Given the stakes, they had an obligation to do so. But that fact does not imply that the following generations need to make similar sacrifices – although it *does* imply that they should be *willing* to make similar sacrifices if similar threats arise.

So, given this basic principle of reciprocity, the obligation that each generation has towards future generations is to leave the world, if possible, at least as good as it found it. Indeed, in payment for its use of many of the planet’s resources, it has an obligation to leave it somewhat better than they found it – if they can. To do so is to see the world and our society, as Jefferson suggests, as a usufruct: we do not own it; we merely possess it for a while to

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use and pass on to someone else. This obligation does not imply that we can never use the nonrenewable resources, but it does require that we use them to build something that will make the place better in the long run.

Again, the 'if possible' clause is important, because – as the World War II example makes clear – some societies face enormous challenges not of their own making. But a useful perspective is to think about how fair-minded descendants will think of them. We have plenty of reason to honor the generation that fought the Nazi and the Imperial Japanese armies; because of their sacrifice, we owe them a debt of gratitude, so we – rightly – do not think twice about the enormous monetary debt they passed on to us, and we should treat their legacy with some deference. On the other hand, the fossil-fuel uses of the 20th century have certainly left future generations in a precarious position: they may be forced to make great sacrifices to avoid catastrophic events. Insofar as those threats were not clear until the 1990s, we can perhaps forgive the generations who were unaware of the effects of their actions (Baier 1981, p. 9). But that excuse will not avail us now. Nor should we be excused for failing to be prepared for, say, the 2020 coronavirus pandemic. Although the exact timing of such an event was unpredictable, we have known since the Ebola crisis of 1976 and the SARS epidemic of 2003 that unexpected and deadly infectious diseases would emerge, so we as a society (and as a world) should have been prepared for what happened. The world will be worse for our descendants because of what we failed to do, and for that reason, they owe us less. We have no reason to complain: we deserve their scorn.

2.2. FORWARD-LOOKING INTERESTS AND BACKWARD-LOOKING OBLIGATIONS

If backward-looking interests can be summarized as an interest in living in a society that is worth living in, then the forward-looking interests of earlier generations can be summarized as an interest in their legacy. We have an interest in ensuring that our projects will be carried into the future by our own descendants, whether intellectual, biological, or cultural. As Samuel Scheffler notes, part of what makes our lives meaningful now lies in the prospect that our projects will be continued into the future (Scheffler 2013, lecture 1). If we knew the world were going to end shortly after our own death, he argues, much of what we do would cease to make sense. Neither the research into the universe outside of Earth nor the project to preserve a historic battlefield would serve any purpose any longer. Other projects – writing papers for philosophy journals, proving complex mathematical theorems, uncovering the basic particles of the universe – would still have a point given their intrinsic value, but some of what made them valuable would leach away since our descendants would no longer benefit from them. And the traditions we have nourished throughout our lives – be they family traditions

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for Thanksgiving or community celebrations of the Fourth of July or rituals of a church service – would lose some of their meaning if they could no longer be passed on. Such traditions are meant to link the past to the present to the future. Without a future, the link to the past would still give them meaning, but something important would be lost in the knowledge that we are their last link. People with no interest in their legacy can certainly have meaning in their lives, but have an impoverished sense of the possibilities. A significant portion of the meaning of our lives today is tied to the ways they extend into the future.

The interest that each generation has in seeing these ongoing projects and values carried forward into the future has two aspects. First, insofar as we think the projects on which we are working are objectively valuable, we think they should be sustained by those who follow us. Future generations should continue doing them simply because they are worth doing. Second, even if their objective value is not clear, we think that because they are *our* projects, *our* descendants should continue them. Of course, if those projects do not have any value, we cannot expect our descendants to pursue them merely for old-time's sake. If we came to believe that, say, the project of analytic philosophy is mere logic chopping, we should stop doing it, and we should not expect them to continue to do it.

The projects we want continued because they are ours also fall into two categories. The first are those that pursue long-term objective values in themselves, but which may seem less intrinsically valuable than other projects. But because *we* have invested time, money, and intellectual energy in them, there is reason for *our* descendants to continue them and reason for them not to waste our efforts – but only as long as they still promise results. We have, for example, invested much into exploring space. That effort continues to produce new discoveries, and it requires considerable infrastructure. As long as it produces results, like recent revelations about the geology of Mars and the great potential of the new James Webb Space Telescope, it would be a shame to throw away that effort for another project that might be marginally more beneficial. On the other hand, they should not fall prey to the sunk-cost fallacy; they should recognize when a project has failed and go onto other things, and they should not continue a failed endeavor just because it was our pet project. Our only reasonable demand is that they should respect our choices enough to consider carefully whether the project has in fact failed before they abandon it. We should not want them to pursue our projects when they are no longer fruitful. But we can ask to consider carefully before they abandon them.

The other kind of projects we want our descendants to pursue are those nearer and dearer to our hearts, and those are the projects connected to traditions as such. Traditions give us reasons to act if they embody genuine values, of course, but, as Scheffler notes, this justification adds nothing to why anyone should pursue them (Scheffler 2010, pp. 287-288). Yet

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traditions do give us further reasons to act that affect our interest in future generations. First, as Burke suggests, the objective values that a tradition promotes are not always evident. Traditions embody the 'collected reason of ages' (Burke 1790, p. 83), he thinks, so they express values that we may not fully understand and that we and our descendants would do well not to discard. Our own 'stock of reason,' Burke reminds us, 'is small,' and we do best if we 'avail [ourselves] of the general bank and capital of nations and of ages' (Burke 1790, p. 76; Strauss 1996, pp. 891-894). We discard tradition at our peril.

Second, as I have already noted, there are many things that we and our descendants could do in the world that would be valuable, so traditions are one powerful way to pick out one such path (Wall 2016, pp. 143-144). Traditions give us a reason to pursue a particular path, even if we might do something that would, on some calculations, have more value. They also help coordinate our ongoing activities (Cohen 2011, pp. 210-212). They provide what Steven Wall calls a 'framework commitment,' like the choice of a career (Wall 2016, p. 148): many different paths will do, but once we have made a choice, we have good reason (although not an overriding reason) to continue down it.

Third, these practices are special, precisely *because* they are the ones *we* have chosen to pursue, and we therefore have a special relationship to them (Cohen 2011, pp. 221-223). We have a historical relationship to these practices – they connect us in important ways to our past – and for that reason, they have special value for us (Matthes 2013), above and beyond their intrinsic value. As G.A. Cohen puts it,

> We are attached to particular things because we need to *belong* to something, and we therefore need some things to belong to us. We cannot belong to something abstract. We do not keep the cathedrals because they are beautiful, but also because they are part of our past. We want the past to be present among us (Cohen 2011, p. 223).

Given the commitments traditions give us, we have an interest in pursuing a path that we, as a group, have already chosen. We thus have an interest in seeing that this way of realizing value carries on into the next generation.[6]

Fourth, traditions give their participants a sense of joining something bigger than themselves, a sense that they are engaging in a grand project that started before they were born and will continue after they die (Scheffler 2010, p. 305), and that sense is an important element in creating meaning in a person's life (Wolf 2010, pp. 18-25). Traditions give a common purpose, a connection to other generations, by working through a common project. As Hannah Arendt puts it, when we lose touch with tradition,

[6]While this value of traditions is obviously associated with certain forms of conservatism, working out the exact nature of this value is orthogonal to my purposes here. For a discussion, refer to Brennan and Hamlin 2016.

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We are in danger of forgetting, and such an oblivion – quite apart from the contents themselves that could be lost – would mean that, humanly speaking, we would deprive ourselves of one dimension, the dimension of depth in human existence. For memory and depth are the same, or rather, depth cannot be reached by man except through remembrance (Arendt 1954, 94).

Traditions connect us to the world in a different way by giving our enterprises the depth that comes from linking us to our past. As such, participating in traditions may help people find important sources of meaning in their lives. Traditions point us to projects that are not merely fads, projects that have fruitfully engaged people who are connected to us through time. We do not have to accept Alasdair MacIntyre's narrow view of a tradition as 'an historically extended, socially embodied argument … in part about the goods which constitute that tradition' (MacIntyre 1984, p. 222) to understand that traditions embody a deep search for meaningful activities that is enriched by the ongoing intellectual and practical dialogs that constitute it. Through traditions, people come to appreciate many values and to understand deeply what approaches have been successful and which have not. Abandoning a tradition cuts us off from these important sources of knowledge and value.

Note, however, that these 'extra' reasons – the reasons to follow traditions that go beyond the intrinsic value of the activities themselves – have force for an earlier generation if they think they will be carried into later ones. Part of the value of living in a tradition is that it connects us to the past *and to the future*: we sense a connection to the people who lived before and – importantly for present purposes – to the people who will follow. The thought that this connection would be broken feels like a betrayal. For that reason, we have some interest in the continued existence of our traditions.

Note, however, that these reasons do not support traditions that promote objectively bad values (Strauss 1996, pp. 894-896). The supposed 'noble heritage' of the Confederacy that fought to preserve chattel slavery deserves no respect. We can acknowledge the courage and bravery of people who fought for it, but we should never lose sight that those virtues were wasted on a fundamentally immoral undertaking.[7] So, personally, I have some respect for my ancestor, Thomas Jones, who was wheelwright in the 35th Texas Cavalry, but I also feel (and should feel) shame for the association.[8] Certainly, I have no reason to carry on any tradition that might have been passed down from him. For similar reasons, we should never valorize Confederate soldiers and generals in monuments and remembrances.

[7]Ulysses S. Grant may have said it most generously when Robert E. Lee offered his surrender: 'I felt like anything rather than rejoicing at the downfall of a foe who had fought so long and valiantly, and had suffered so much for a cause, although that cause was, I believe, one of the worst for which a people ever fought, and one for which there was the least excuse' (Grant 1885, pp. 721-722).

[8]For the record, I have no idea if he volunteered or if he was drafted, and I have no idea if he or any of my other Texas ancestors actually owned slaves. But they certainly benefitted from a system of white supremacy that allowed them to prosper at the expense of Blacks.

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The deaths of Confederate soldiers are doubly tragic because they squandered their lives for a cause that can only be described as evil.

Of course, those soldiers *thought* they were dying patriotically, defending their country and a noble ideal. But they were wrong. And the fact that they so passionately believed in something that was so immoral should give us pause. We should humbly recognize that our judgments about what has value may be just as deeply mistaken as those of my Confederate ancestor. But the correct lesson to learn is not that we should always respect our ancestors or even that we should ignore them, but that we should recognize that we are always at risk of throwing away our lives on worthless endeavors. We can never guarantee that our most cherished projects are not futile or immoral. Future generations should not compound our mistakes by needlessly perpetuating them.

Given the interests of earlier generations, the obligation of later generations is to show respect for the traditions and to show appropriate gratitude for the efforts of their ancestors, especially if those efforts required considerable sacrifice. Future generations have their own reasons for wanting to respect traditions. As already noted, the connection to the past provides an important source of identity and meaning, and it helps promote stability. However, to respect a tradition does not require them to follow it blindly. Every tradition can and should evolve over time to reflect the changing circumstances in which its practitioners live and to reflect the results of the ongoing lessons that are learned within the tradition. Even the strictest proponents of tradition acknowledge that some changes are needed to make relevant the never-changing truths that they think are essential to traditions (Pieper 1970, pp. 45-47). Living within a tradition, then, does not imply that nothing changes. Even Burke, the proponent of both tradition and the American Revolution, understood that people had to change as the world changes. As Martin Beckstein notes, new generations must always actively interpret their traditions to make any sense of them (Beckstein 2017, p. 500). New practices, he notes, remain within the tradition if the new practitioners are trying to apply the tradition in the changed circumstances in which they find themselves (Beckstein 2017, pp. 501-502). While Beckstein intends this model not to be overinclusive, even it allows many different continuations of the same tradition.

Yet even acknowledging the wide parameters in which future generations can operate *within* a tradition, their obligation to do so is still, I think, weak. Later generations are, of course, free to embrace fully the traditions of their predecessors, but *requiring* them to do so would constrain them too much; it would leave their lives to be dictated by others in ways that undermine their autonomy. It really would condemn later generations to living under the dead hand of history.

However, if they do not have an obligation to follow traditions, the obligation to respect them is not especially burdensome. To respect a tradition

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is merely to take it into account when they make decisions. Other things equal, they should follow a path that would be in accord with a morally sound tradition, and they should discard such a tradition only after a deliberate and well-considered process, one that clearly weighs what will be lost if a tradition is abandoned. But having done so, later generations can judge that other interests and projects are more important than keeping the tradition. Of course, practices that are only one generation old do not count as traditions, and so their descendants will have no presumption that they should keep these new practices, and so the current generation may end up undercutting their own projects. But when they have reason enough to discard a tradition – reasons they think that will justify their actions to their descendants – then they should do so.

Nevertheless, the account I have been sketching does imply that the dead have interests of some sort in how we conduct our society now. And those interests should be taken seriously: to respect our ancestors, we have some reason to take into account their interests. Yet we have our own lives to live in the present, and our own interests and projects may give us reason to act against theirs. Naturally, the fact that our projects are usually shaped by the legacy they have left us already gives our ancestors considerable sway in our lives. And the fact that traditions are important in the ways I have described give us another reason to take them into account. Yet given our own legitimate interests, we only have reason to give it some added weight to the vision of our group that they have given us, but we do not therefore have reason to accede to them.

3. *The partnership*

One of the biggest and most important projects that we wish later generations to carry forward is our society itself, and the obligation to respect tradition is only one part of it. This grand project is the object of the partnership that Burke has in mind. The partnership that is society has a purpose of its own: namely, the continued existence of the society as such. Even Paine can see the need for this kind of connection to the past. His argument for independence for the Thirteen Colonies rests on the need for an *American* government that arises out of the particular experience of America as an immigrant country with people from many religious and cultural backgrounds (Paine 1776, ch. III). So Paine himself sees his project as one that involves an ongoing plan for *Americans*, past and future, resting on a commitment to the American project. He would not think of it in terms of carrying on a tradition, but he would see it as a project embodying the American spirit, which *we* can see as a tradition.

To this point, I have been purposely vague about what I mean by society, because the kinds of considerations I have adduced apply to many different

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kinds of societies: local, ethnic, religious, and national. But both Burke and I are concerned with national societies. Burke's remarks are made in the context of his critique of social contract theory, which depends on a determination of what counts as a 'people' for whom a government needs to be established. Most national governments rely on the feeling of national solidarity, and even living under an illegitimate government does not undermine the feeling that a people is Russian or French or Vietnamese. Sometimes, that national identity is thin, and it will not survive a disruption, like Yugoslavs, an identity that was cobbled out of the splinters of the Austro-Hungarian Empire by the Allied powers after World War I. That identity cracked during World War II as Croatians largely sided with the Axis and Serbs did not, and it fell apart completely after the fall of communism. But a people that considers itself a people is bound by ties of culture over time, usually represented as a 'time immemorial.' More often, those ties are less ancient than modern states pretend: Britons were created in the 18th century (Colley 1992), and the French became unified well after the middle ages and maybe not until the French Revolution (Smith 2002). Indeed, national traditions – like Bastille Day and Thanksgiving – were frequently self-consciously invented to reinforce a sense of common purpose (Hobsbawm 1983). Often, the identity itself is imposed on some by a government, albeit often imperfectly. So, for example, in the name of national unity, Castilian Spanish was imposed on Catalonia (though Catalan still exists), the King's English on Highland Scotland (as does Scottish Gaelic), and American English on the previously Mexican Southwest (where Spanish had been imposed on the Native populations, but where Spanish still thrives and Hopi and Navajo still exist). But it is also an act of selective memory. As Ernest Renan puts it, 'The act of forgetting, I would even say, historical error, is an essential factor in the creation of a nation' (Renan 1882, p. 251). Like tradition, national identity connects us to the past and lends depth to our experience, and both are often – perhaps even always – built on filtering the past. Michael Ignatieff is more blunt: 'Nationalism is a fiction: it requires the willing suspension of disbelief. To believe nationalist fictions is to forget certain realities' (Ignatieff 1997, p. 38). As Benedict Anderson notes, that forgetting is a way to pretend to leave behind the most bitter conflicts of the past: the St. Bartholomew's Day Massacre of Protestants by Catholics in France is presented merely as a spirited squabble, and the American Civil War is portrayed an honorable fight between those who had a few disagreements (Anderson 1991, pp. 199–201). In a similar vein, national identity is often tied to a divine or quasi-divine origin story, as Rousseau emphasizes (Rousseau 1762, bk 2, ch. 7): Romans had Aeneas and Romulus, Jews have Abraham and Moses, and Americans have the Founders. The community is thus an 'imagined' one, Anderson argues, a way for groups to find common cause, to create a solidarity with people with whom one otherwise has no connection. Yet the fact that a nation is imagined does not make it any less

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real. The myths, the selective forgettings, and the selected memories create a narrative for the shared values of a culture that then form the depth of an ongoing community. Or rather, they create a backdrop for a structure of values, a kind of meta-tradition, the tradition of association that ties together many different traditions, even as the traditions within it undergo dramatic changes.

This quality can be seen dramatically in the case of the Quebecois. 'Traditional' Quebecois culture centered on the French language and Catholicism, and its paradigm was a large and devout farm family living in the rural Quebec (Ignatieff 1993, pp. 153–154). But when Francophones took over the government in Quebec, the possibilities for French language culture in North America opened up, and the survival of that culture depended less on its rural and religious base. The culture then became more cosmopolitan as cities like Montreal became more amenable to, and then dominated by, Francophone culture. Yet the sense of the Quebecois as a people connected to the past remained, particularly in the memory of shared suffering, from the defeat by the British on the Plains of Abraham in 1759 to the discrimination they experienced into the middle of the 20th century (Ignatieff 1993, ch. 4).

What makes a nation, then, is precisely that shared sense of community anchored in a sense of a common shared past, even if – or perhaps especially if – that shared sense is romanticized, if not fictionalized. Sometimes, it is a glorious past: the conquests of Napoleon, the triumph of the American Revolution, or the grandeur of the Roman Empire. But just as often it is shared suffering. In Australia and New Zealand, it is the useless sacrifice of ANZAC soldiers at Gallipoli in 1916 by imperial commanders that galvanized their national sense. For Serbs, it is the defeat at the Battle of Kosovo in 1389. And for Russians, it is both the bitter retreat and grim victory over Napoleon in 1812 and the similar defeat of Hitler in 1945. To quote Renan again, 'To have common glories in the past, a common will in the present; to have performed great deeds together, to wish to perform still more, these are the essential preconditions for being a people' (Renan 1882, p. 261). The great deeds of the past give us the desire to live up to our ancestors and to do great things again.

That identity can be shared even if it has a dubious origins – although how fragile it is can be shown by whether it survives exposure to the truth. No Roman felt less like a Roman if he realized that Aeneas was a fictional character. Nor would a Protestant citizen of France renounce his citizenship over St. Bartholomew's Day. The fact that Black Americans continue to embrace their identity as Americans demonstrates, more than anything else, their resilience and the power of an American identity based on the ideals of liberty and equality. Indeed, Black Americans can take some pride in trying to embody the American spirit despite the horrific (and ongoing) efforts to exclude them. As Nikole Hannah-Jones argues, 'Without the idealistic, strenuous

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and patriotic efforts of black Americans, our democracy today would most likely look very different – it might not be a democracy at all' (Hannah-Jones 2019).

Americans often discuss what the Founders intended as a guide to how we should act now, never mind that the Founders themselves would not have wanted us to do so. As we have seen, Jefferson and Paine in particular strongly felt that each generation must make itself anew. The point of their exercise, however, is to reaffirm a commitment to the meta-tradition that is a nation. By subscribing to that meta-tradition, individuals become part of a people that thinks of itself as linked to the past and to the future. Their place in the ongoing story of a people is an important part of their sense of themselves, and so a key interest they have lies in maintaining that relationship. Insofar as a society thinks of itself as a 'people,' one of its important interests is in the continued existence of that people as one connected to the past and to the future.

However, whether each generation is actually required to do so is another question. Obviously, our obligation to remain a part of a multigenerational people is tied to our obligation to maintain traditions, but our obligation to maintain traditions is, at best, one that can be overridden by other considerations. The meta-tradition that arises from the identity as a people is built on such traditions, but it is not identical to them – as the case of the Quebecois shows. But certainly many people can feel betrayed when the traditions they honor are no longer recognized as nationally significant. Many Americans, for example, feel that they are losing their country, as the dominance of white, male Christians is no longer taken for granted (Klein 2020, ch. 5). But what they take as obvious is not. Their interpretation of what it means to be an American is narrow and ethnic, but the American founding documents all point to principles of liberty and equality, not to an ethnic identity. It is a nation built on principles – a civic, rather than an ethnic, nation (Ignatieff 1993, pp. 6–8). Only such a commitment can validate the loyalty of Blacks, Native Americans, and of all the immigrants who have seen America as a beacon. In a real way, then, those who seek to make the United States into an ethnic nation do themselves betray the principles that they claim to revere.

Alas, the question is not so simple, precisely because American practice has not lived up to American ideals. Indeed, the tension is built deeply into the American psyche: Jefferson simultaneously proclaimed it a self-evident truth that all men are created equal and owned hundreds of slaves, all the while fearing the anger of a just God.[9] In practice, then, America has always

[9]'And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the gift of God? That they are not to be violated but with his wrath? Indeed I tremble for my country when I reflect that God is just: that his justice cannot sleep for ever' (Jefferson 1784, Query XVIII).

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been ruled by a white, male, Christian establishment, and so some might interpret that practice as the true American tradition.

American national identity – like most national identities – is contested ground, and the contest is fought on the meaning of the past that should be passed down to the future. Such fights, as bitter as they can be, take place *within* traditions. Indeed, part of the bitterness lies in very fact that it is between groups that share so much else; no betrayal feels so deep as those from the people you loved the most. Giving an account of how best to interpret such a meta-tradition goes far beyond the scope of this paper. But I would argue that there are two reason why seeing America as nation built on freedom and toleration is a better interpretation of the American spirit. First, it accounts better for the whole the American experience by making central the texts of founding documents like the Declaration of Independence, the Constitution, and the Bill of Rights which emphasize political rights and religious freedom, by understanding America as a place in which people from different backgrounds and cultures have always met to forge a new identity, and by fully including everyone who has chosen to see themselves as Americans. In that way, being 'real America' does not exclude minorities, immigrants, and urban dwellers. Second, it is a better interpretation because it is a morally superior ideal to the narrow, ethnocentric interpretation[10] Nations may pursue other paths that have considerable moral worth, but this path is connected to *our* past. It is an American tradition – not a Russian or a Chinese tradition – because it arises from our relationship to a particular set of people. But precisely because it is grounded in important values, future generations will have more of an obligation to follow it. A national meta-tradition that is also a moral endeavor is one that future generations have more reason to follow and on whom an obligation will be stronger.

4. Conclusion

We can now make some sense of Burke's remarks – or we can if we can accept the major assumptions that lie behind it. Our forbearers have an important stake in the project which is our nation. And just as we owe it to our children to pass down a country that is worthy of their admiration, we also owe it to our parents and grandparents. The interests of the past do not outweigh our own or our children's, and we should give them little weight if they want the country to remain exactly as they left it. But we advance their interests, I have suggested, when we create a better society going forward. We do best when we can see that progress as continuous with theirs. Such a view gives due weight to the past and to tradition, but it does not mire us in it. It also

[10]In this respect, this view has much in common with Ronald Dworkin's view of 'law as integrity.' Refer to Dworkin (1986), ch. 7.

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gives a place to concerns for the future and to the autonomous interests of the living.

Paine argues 'for the rights of the *living*, and against their being willed away, and controlled and contracted for, by the manuscript-assumed authority of the dead' (Paine 1791, p. 64). Indeed, he goes even further: 'as government is for the living, and not for the dead, it is the living only that has any right in it' (Paine 1791, p. 66). If we take Paine seriously, then certainly we should give no deference to the past. Yet we can accept Paine's main point without abandoning the value of tradition altogether. He is mostly worried about becoming so enamored with the past that we fail to make decisions for ourselves about how best to live our lives. In arguing against Burke, his point is sound: Burke really does want us always to defer to the past, to view the world through a gauze that obscures the horrors of the past and the ways in which our ancestors have betrayed us.

The best way to understand the partnership that is society rejects both Paine's and Burke's views as extremes. With Burke, we can say that we need to give the past its due (Ridge 2003). Not only have our ancestors created the world in which we live, for which most of us – although certainly not all of us – can be grateful, but they also have interests in the ongoing projects of their society that we should consider. If we are going to reject or modify them, we owe it to them to do so with thought and care. We should not merely let it slide out of existence, but we should make a conscious choice about why their vision does not serve us. However, since our own interests and those of the future are very strong, we need not do any more.

But we also need to give the future its due. While Paine extends his logic against past people to the 'nonentities' that are future people (Paine 1791, p. 64), the reply to him is similar. We can make sense of what we owe them without making their interests overwhelm our own. We owe them the ability to live a good life in the future – not to the exclusion of our own interests, but as a part of what is in our interest. We should leave a world that is habitable and a society that provides a basic infrastructure for flourishing. But we should also leave them projects that are worthy of them to continue. Even Paine can accept the idea that the best legacy we could leave them is one that they will be proud to continue, just as we should be proud to continue the legacies of our ancestors who have treated us similarly.[11]

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