Just Provision for the Future

by Prof. Ernest Partridge

ABSTRACT: CAN INDIVIDUALS OF ONE GENERATION DEVISE RULES OF JUST PROVISION FOR ALL SUCCESSOR GENERATIONS, DESPITE A PROFOUND AND UNRESOLVABLE IGNORANCE OF LIFE CONDITIONS OF FUTURE PEOPLE WHOSE LIVES ARE NOT CONCURRENT? I ARGUE THAT IT IS BOTH POSSIBLE AND MORALLY REQUIRED TO DEVISE SUCH RULES. I THEN PROPOSE SEVEN RULES OF JUST PROVISION FOR THE FUTURE.

Two Thought Experiments:

Looking Ahead from 1787. When delegates from the newly independent United States of America met in 1787 to draft a Constitution, the rights and welfare of future generations were prominent among their concerns. In the Preamble, we read that this document was ratified "in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty *to ourselves and our posterity*."

Perhaps, in private conversations, some of the delegates to the Constitutional convention speculated about the practical policies that their generation might adopt to address their responsibilities to future generations. They might have proposed that quotas be imposed upon the whaling industry, so that the whales would not be hunted to extinction and thus that future generations might be permanently supplied with whale oil for lamps. Similarly, forests should be preserved to supply firewood to heat homes, and in order to preserve resources for transportation and communications, pastures should be set aside to ensure an adequate supply of horse-power far into the future.

They might propose all this because they were totally unaware of the significance of electricity and petroleum to the future economy of the nation. There are still good reasons to protect the great whales, but ensuring a permanent supply of lamp oil is not one of them. At the same time, with an "empty" continent to the west waiting to be settled and subdued (the rights of the native Americans being of no great concern to the framers), the prospect of future overpopulation and resource depletion was far from the minds of these individuals.

Looking Back from 2508. My home is in the San Bernardino mountains of California, some 30 kilometers north of the city with the same name. It is impossible to know today if this site will be occupied in five hundred years, or, if it is, what might be the living conditions of the residents. Climate scientists project that if present trends continue without human mitigation, the semi-arid southwestern quadrant of the United States may become an uninhabitable desert. Throughout the world, coastal cities and some island nations will have to be abandoned, as the loss of most of the Greenland and Antarctic ice caps results in the sea level rising more than thirty meters. If new and sustainable energy sources are not developed, the depletion of fossil fuel reserves in the next century may cause the collapse of industrial civilization, widespread famine, disease, warfare, and eventually a drastic reduction in global population.

> Injustice anywhere is a threat to justice everywhere.
> / Martin Luther King /

That's the doomsday scenario. Fortunately, there are others. In five hundred years, the time interval separating our generation from the discovery of America by Columbus, this mountain community, along with communities throughout the world, may be thriving economically, within a robust and sustainable natural ecosystem. Even today, world population growth is decelerating as some demographers project a peak world population next century of about nine billion, followed by a slow decline to an eventually sustainable level. Scientific discoveries and technological developments as unimaginable to us today as were gasoline engines, petrochemicals, household electrical appliances and telecommunications to the delegates of the Constitutional convention of 1787, may supply abundant, cheap and inexhaustible energy, and might, through massive "geo-engineering" projects, remove excess greenhouse gases from the atmosphere, stabilize sea levels and reverse global warming.

Which of these or countless other scenarios eventually take place five centuries in the future depends significantly upon policy decisions and investments made by the present generation of humans and its immediate successors. But what policy decisions and investments might the present generation, with even the most benevolent intentions, make to benefit remotely future generations, when we manifestly do not and cannot know the conditions of their future lives or the knowledge and technology at their disposal to deal with these problems? Will the people in that remote generation judge us well or judge us ill for the provision we might have made, or failed to make, for our successors? How can they fairly judge us when we can know so little of the conditions of their lives?

We will address these questions in the remainder of this essay.

Arguments Against Responsibility to Future Generations.

Our brief glance forward and backward in time has highlighted several difficulties entailed with proposals of just provision for the future. Such difficulties have led some philosophers and other scholars to deny that the present generation has any responsibilities whatever to future generations. Listed below are the most prominent reasons put forth to deny such responsibility. Because I have published lengthy responses to each I will mention them briefly here without extended rebuttal and then cite my published responses in the end notes.[1]

Future persons are not identifiable as individuals. But the fact that one cannot identify futu-

re victims of negligence (e.g., leaving broken glass on a public beach) does not absolve one of responsibility.[2] This rebuttal applies to potential victims both living and as yet unborn.

Future persons, because they are potential or even imaginary, do not exist now and thus have no rights-claims upon the present generation. They will have rights only when they come into existence. This assertion is true for some but not all rights: namely, "active" rights, but not "passive rights." True, future persons can not act now to exercise "option rights" (to do or not do such and such). But they have rights today not to be harmed by acts or policies of those now living.[3]

We cannot know what future generations will value and therefore do not know how to benefit them. But while we cannot foresee what future persons will value in the arts, literature, sports, folkways, or mores, we are well aware of what John Rawls calls their "primary goods" – that which is valued by all people at all times, no matter what else they might or might not value. Among these primary goods are health, longevity, liberty, opportunity, and a sustainable natural environment.[4]

Individual human ingenuity and market incentives will suffice to meet the needs of future generations. Public policy is not required, and might even be counter-productive. This is the libertarian position, and particularly the view of the late economist, Julian Simon.[5] On the contrary, history and practical experience teach us that the uncoordinated, self-interested activity of individuals can lead to disastrous consequences ("the tragedy of the commons" – *good for each, bad for all*), and that social benefits often require mutually acceptable personal sacrifices (e.g., taxes and legal constraints – *bad for each, good for all*).[6]

The motivation problem: Human beings, individually and collectively, are incapable of accepting and enduring the sacrifices required to significantly improve the life prospects of remotely future persons. According to the metaethical rule, "*ought* implies *can*," the present generation has no responsibilities to the future. In rebuttal, history shows that in times of war and other emergencies, individuals and societies are capable or extraordinary sacrifice. Furthermore, human capability is a function of culture and education. Finally, there is abundant evidence that the "primary good" of psychological health is characterized by "self-transcending concerns," which would include a benevolent concern for the well-being of future persons.[7]

The Future Persons Paradox. We cannot harm or benefit particular future persons. The policies that we enact today will cause different persons to exist in the future. Because the very existence of future persons depends upon choices of their predecessors, they can not complain about past policies, since, had they been otherwise, those future persons would not exist.[8] But while it is true that those of us now alive cannot improve the lives of remotely future individuals, we do influence the life qualities of various alternative future populations. Moreover, this is a forced choice – "doing nothing, is doing something" – whatever we choose, responsibly or not, will result in some future, for better or worse, for some persons.[9]

Just Provision for Posterity: Some Policy Proposals.

If we successfully surmount all the above objections, the question remains: how might the present generation best respond to its moral responsibility to future generations?

In his landmark book, *A Theory of Justice*, John Rawls addressed the question from the perspective of a "hypothetical contractor" in what Rawls called "The Original Position" – an elaborately articulated version of what philosophers call "the moral point of view." The "contractor" in the Original Position possesses general scientific, economic, historical and psychological knowledge and is aware of the "primary goods" – that which any person at any time would desire for oneself. The primary goods include health, intelligence, rights, liberties, opportunities and self-respect. "Whatever one's system of ends," writes Rawls, "primary goods are the means."[10] What one does not know in the Original Position, is anything at all that identifies one as an individual – one's personal economic circumstances, tastes, aspirations and, most relevant to the posterity issue, one's place in history. Thus, in the original position, as one chooses for oneself, one chooses for all mankind and all generations. And from this perspective, not knowing one's generation, one judges what one's generation justly deserves as a legacy from one's predecessors, and conversely, what one should justly provide for one's successor generations.

From this perspective, Rawls derives his principles of "just savings," according to which each generation should set aside a portion of its goods and preserve its advantages for the benefit of its immediate successors. "Just savings," writes Rawls, entails that "each generation must... preserve the gains of culture and civilization... maintain intact those just institutions that have been established... [and] put aside in each period of time a suitable amount of real capital accumulation." By "capital," Rawls means "not only factories and machines, and so on, but also the knowledge and culture, as well as the techniques and skills, that make possible just institutions and the fair values of liberty."[11]

It's a good beginning, but in need of some elaboration.

Just Anticipations and Forbearances. Just provision for the future presupposes a knowledge of the future consequences of current events and processes if these are uninterrupted, or, on the other hand, if they are altered and mitigated. For example, the erosion of the stratospheric ozone layer would have continued causing a devastating increase in ultraviolet radiation had not Paul Crutzen, Sherwood Rowland and Mario Molina discovered the consequences of the release of chlorofluorocarbons into the atmosphere. An international ban on these chemicals followed, to the great advantage of future generations. Similarly, studies in the biomultiplication of pesticide residues and the effects thereof on predatory fish and bird populations led to remedial action. Today, atmospheric scientists throughout the world are warning of dire consequences if global climate change continues unchecked. These warnings entail responsibilities to the future. If the current generation fails to avert future catastrophes, this failure cannot be excused due to ignorance, for we can foresee the consequences of business as usual.

The Critical Lockean Proviso. In his essay, *Of Civil Government*[12], John Locke wrote that a

> Let justice be done, though the heavens may fall.
> / William Murray, 1st Earl of Mansfield /

person is entitled to remove a resource from nature, mix it with his labor and then claim it as his property, provided he leaves "enough and as good" for the use of others. This made good sense in a sparsely populated world with open frontiers and abundant resources. However, in today's world, over-populated and with limited and declining resources, this "Lockean Proviso" is no longer tenable. If, for example, we were to share the remaining unextracted fossil fuels with all future generations, our personal share would be a lump of coal and a cup of petroleum, and the present industrial civilization, entirely dependent upon these energy resources, would collapse. What we owe future generations is not fossil fuels, but what these resources provide: namely, energy and critical organic chemicals. Our obligation to the future is realized as we invest in research and development of alternative and sustainable energy sources, utilizing the remaining available fossil fuels as a "bridge" to a future that will no longer require them.

"*First Do No Harm.*" This fundamental principle of medical practice applies as well to just provision for the remote future.[13] Earlier, we encountered the objection that the present generation cannot predict what future generations will value – what will be their tastes in the arts, literature, or what will be their folkways and mores. The objection appeals to common sense and ordinary experience. Pain and misery that can be avoided and treated demands the moral attention of everyone, while "the pursuit of happiness" is a private concern. Moreover, the pleasures and satisfactions of future persons will result from an evolution of culture, taste and technology that we cannot imagine. Even so, we not are absolved of all responsibility for the future. For while we may not know what might benefit future generations, we are well aware of what will harm them; namely, anything we do now that will deprive them of their "primary goods" of health, intellect, rights, liberties, opportunities and self-respect. Thus we are not entitled to leave future generations a legacy of long-lasting radioactive and chemical debris in the ground and the oceans, nor are we permitted to ignore the projected consequences of global warming (sea level rise, expanding deserts, extinction, etc.) without attempting massive programs of mitigation.

> Justice is conscience, not a personal conscience but the conscience of the whole of humanity. Those who clearly recognize the voice of their own conscience usually recognize also the voice of justice.
> / Alexander Solzhenitsyn /

Just Stewardship. Because there is no prosperity on a ruined planet, a flourishing ecosystem must be prominent among the "primary goods" that a responsible generation would preserve for its successors. For whatever else they might need – knowledge, technology, just institution, resources and capital – future generations will need a life-sustaining atmosphere, water, food and a viable gene pool. To have all this, they must have what all preceding generations have had: a functioning ecosystem.

A Spaceship Economy. In nature, there is no "garbage." All plants and animals, when they die, return their matter to the soil or the sea, whereupon this matter is reduced by decomposing organisms to provide nutrients for succeeding organisms. Nothing is wasted, and nothing is lost. It is a system that can endure, as it has in the past, indefinitely, as long as the sun continues to supply the energy that drives the life-machine. Modern industrial civilization does not work this way. Instead, raw materials are extracted from nature, fashioned into economically valuable goods, used up, and then discarded "forever" into land fills, ocean dumping, or as air, water, and soil pollution. The US Environmental Protection Agency reports that in 2006, "US residents, businesses, and institutions produced more than 251 million tons of [municipal solid waste], which is approximately 4.6 pounds of waste per person per day."[14] This massive "throughput" conversion of raw materials into garbage is unsustainable, as, even today, concentrated ore deposits are depleted, and the end of cheap and abundant petroleum is in sight. If human civilization is to endure long into the future, the "cowboy economy" of use up, discard, move on, must be abandoned. In its place, writes Kenneth Boulding, mankind must adopt a "'spaceman' economy, in which the earth has become a single spaceship, without unlimited reservoirs of anything, either for extraction or for pollution, and in which, therefore man must find his place in a cyclical ecological system which is capable of continuous reproduction."[15] All the resources that humanity has, or can ever have, with the exception of the incoming solar energy, is now on "spaceship earth." There will never be any more.

Doing Well by Doing Good. As noted earlier, a lack of *motivation* can be a significant obstacle to just provision to future generations. This obstacle might be partly overcome by adopting policies that will benefit, not only remotely future generations, but also, at the same time, our own generation and the generation that follows immediately – the generation of our children and grandchildren, individuals with whom we have bonds of affection and to whom we have personal responsibilities. Among the economic and planetary emergencies that face us immediately and, at the same time, threaten the welfare of future generations, are pollution, "peak oil" and the need to develop alternative energy sources, global warming, and the maintenance of just political institutions. Promoting these benefits and avoiding these threats, to the advantage both "to ourselves and our posterity," leads directly to our final policy proposal.

Education and Research: The Foundational Responsibility. Pre-requisite to all these policy proposals is a substantial investment in education and scientific research. At the

beginning of this essay, I conceded that it is difficult to provide for the remote future when "we manifestly do not and cannot know the conditions of their future lives or the knowledge and technology at their disposal to deal with [their] problems." Future generations may devise new sources of energy, methods of controlling global climate, and technologies for recycling essential resources that we can not even imagine today. But if they are to do all this and more, they will do so because they have acquired the required knowledge and technological capacities. But while we cannot provide today the advanced knowledge and technology that might solve future problems, we can invest today in the institutional means that might lead to these developments in the future. For example, the Massachusetts Institute of Technology was not founded in 1861 specifically to discover and develop genetic engineering, or digital computers, or nanotechnology. It was founded to support basic and applied research which, as it turned out, was to lead to these technologies, none of which were anticipated in 1861. Likewise, today we can not foresee a solution to the planetary emergency of global climate change. However, we can support basic and applied research that might eventually lead to a solution.

It is no secret that the current generation is delinquent in its responsibilities to future generations. This generation is creating, not solving, the climate emergency. It is lavishly consuming fossil fuels while it is miserly in its research and development of alternative energy sources. It is not facing the implications of continuing population growth. All this and more supports the pessimistic view that human beings are incapable of just provision for future generations.

But such neglect of the future is not inherent in human nature, it is absorbed from the culture. Accordingly, it can be discarded. Thus if this generation and the next are to fulfill their responsibilities to future generations, the pivotal institution must be public education, including the mass media. We and our children and grandchildren must learn anew a loyalty to our planet and our species. We must regain an historical consciousness, and see ourselves as participants in an ongoing drama. In the words of Edmund Burke, we must appreciate once again, that "Society is ... a partnership in all science; a partnership in all art; 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."[16]

Notes:

(1) All of these published articles are included at my website, The Online Gadfly, http://www.igc.org/gadfly.

(2) Pletcher 1981; Partridge 1990: 56. Also: http://www.igc.org/gadfly/papers/orfg.htm.

(3) deGeorge 1981; Partridge 1990: 48-56. Also: http://www.igc.org/gadfly/papers/orfg.htm.

(4) Golding 1981; Partridge 2001. Also: http://www.igc.org/gadfly/papers/futgens.htm.

(5) Simon 1981.

(6) Partridge 2004. Also www.igc.org/gadfly/papers/liberty.htm. And Partridge 1998a. Also: http://www.igc.org/gadfly/papers/cornuc.htm (Revised, expanded and improved post-publication version).

(7) Care 1982; Partridge 1981. Also: http://www.igc.org/gadfly/papers/wcaf.htm.

(8) Schwartz 1978, Kavka 1982 and Parfit 1982: 351-441.

(9) Ernest Partridge 1998b. Revised, expanded (and much improved) post publication at http://www.igc.org/gadfly/papers/swsabf.htm.

(10) Rawls 1971: 93.

(11) Rawls 1971: 285, 288.

(12) Rawls 1971: Sections 26-27, 30-32.

(13) Primum non nocere. Contrary to popular belief, this maxim is not in the Hippocratic Oath, although it is found in the Epidemics, an ancient text attributed to Hippocrates.

(14) US Environmental Protection Agency 2007. http://www.epa.gov/msw/facts.htm.

(15) Boulding 1970: 96. The concept of "spaceship earth" originated with Buckminster Fuller, in his book, Operating Manual for Spaceship Earth, originally published in 1969.

(16) Burke 1906.

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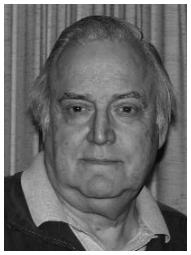

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