

A Preliminary Report on the Idea of Justice between Generations

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Justice between generations or inter-generational justice is a new concept that began to attract attention in the Western academic community in the early seventies. It is concerned with the rights of the future generations. Since then, many a scholar has contributed to its exploration. This article is a preliminary report on the background and development of the concept in the past twenty five years in the West.

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This paper is a preliminary report on the discourse on justice between generations in the Western academic literature of the past two and a half decades. The emphasis is placed on clarification and exposition of the concepts and theories by influential writers. Thus, several lengthy citations are judged necessary. Quite a few other writers are only mentioned in passing. Furthermore, some very puzzling theoretical problems, such as the non-identity problem and social discount rate, are left for experts with the required special training and skills. If some comments were made in the concluding part of this paper, they are merely an indication of the direction of my thinking; they are hardly the results of sustained reflections.

I

The speed with which public opinion and the thinking of pundits went through a sea change was indeed astonishing. Beginning in the late sixties, the intellectuals in the Western nations were suddenly assailed with a sense of doom and dismay. It was discovered that mankind was confronted with extremely serious if not insurmountable obstacles to its survival. Population explosion was declared to be inevitable. Global food security was in jeopardy; and coupled with the high consumption patterns in the rich countries and the urge to rapid industrialization in the poor nations, natural resources were being irreversibly depleted and pollution of the air and the sea was quickly making the globe unlivable.

As if the situation described above was not disastrous enough, the nuclear future is far from stable. If we managed to avoid a nuclear war, the wastes from this desperate weapon as well as the peaceful use of nuclear energy would haunt us for a very, very long time to come. Could there still be a future for man?

Against this background, contemporary man is "naturally" concerned not only with his situation but also with the well-being of his descendants. Nevertheless, it is ironic that in the early seventies when the concern about future generations was first raised, it took place in a context of a very calm discourse on a theory of justice: John Rawls' discussion of just savings rate (Rawls, p.140,pp.284-293) However, this provided a beginning. (Laslett and Fishkin, p.20) Since then, many writers have contributed much to a quickly expanding literature on justice between generations.

In terms of the traditional approach to political philosophy, the concern with future generations poses very serious problems. To begin with, a consensus on a definition of what is precisely the concern with future generations turns out to be far from being easy to achieve. Moreover, many a concept and theory which had been taken for granted became inapplicable when the time dimension was incorporated. For example, the well-known concept of social contract or that of political trust must be seen in a new light, as will be shown later.

In Rawls' gentle discussion of the problem of justice between the generations, he was primarily concerned with how the social system as a whole could be made to satisfy his two principles of justice. "The answer is bound to depend," Rawls argues, "to some degree anyway, on the level at which the social minimum is to be set. But which in turn connects up with how far the present generation is bound to respect the claims of its successors." (Rawls, p. 284) Given his concern with the difference principle, it is not suprising that he ends up with the stipulation of a just savings rate. "Each generation must not only preserve the gains of culture and civilization... but it must also set aside in each period of time a suitable amount of real capital accumulation." By assuming a just savings principle, Rawls' social minimum is set, and the difference principle is satisfied.

Prior to Rawls' publication, in a short piece entitled "The Conversation between the Generations," Peter Laslett briefly presented his thinking on justice over time. Originally an address to the Royal Institute of Philosophy in London and published in Volumn 3 of their lectures , edited by Godfrey Vesey in 1970, it was primarily concerned with the difficulty of defining generation as well as the need to face up to it. The justification for doing so " must be that palpable consequences for all of us seem to flow from the use we make of the word generation. These consequences are practical as well as moral. Policies are decided, money is spent, armies are moved, legal judgements are passed and personal sacrifices are made in virtue of the concept of the generation..." (Laslett(1) p. 39.)

Nevertheless, the need for confronting the problem does not mitigate its difficulty. For if Burke were the first to refer to the idea of generation, he definitely did not spell it out in any satisfactory fashion. The entire tradition of contractarian political thinking left much to be desired. (Laslett(1) p. 41.) Similarly, "the Hegelian metaphysic is no substitute. Existentialists, phenomenologists, logical analysts, veil of ignorance contractarians, are all in

a like delimma when it comes to such a question as the conversation between generations. (Laslett (1) p. 56)

As for substantive matters, this tentative piece manages to conclude, among other things, that " moral ties between generations almost inevitably go forward in the time dimension, rarely backward." Or to phrase it differently: "duties go forward in time, but rights go backwards. Duties of parents to children reciprocate rights of parents: rights of children in parents are reciprocated by duties of these children towards their children (i. e. the grandchildren of their own parents."(Laslett(1) p. 48.)

These are some of the questions that were to absorb the attention of Laslett for many years to come.

In 1972, M. P. Golding published a peice on "Obligations to Future Generations," in which he argues tentatively that "future generations are possessors of presumptive rights." (Goulding, p. 89) Further more, he proposed the concepts of a social ideal and a moral community, saying that "whether someone's claim confers an entitlement upon him to recieve what is claimed from me depends upon my moral relation to him, on whether he is a member of my moral community." (Golding, p.90)

Two years later , in a wide ranging article dealing with the rights of animals and unborn generations, Feinberg suggested that in talking about the rights of the future generations," The real difficulty is not that we doubt whether our descendants will ever be actual, but rather that we don't know who they will be." Yet he insisted that " they will have interests that we can affect, for better or worse, right now." As much as this is so, "they have rights that can be claimed against us." (Feinberg, p. 65)

A few years later, in his comments on John Rawls, Brian Barry proposed that in thinking about our relations with our successors in hundreds of years time, we must take into account both power and knowledge. "A truistic but fundamental difference between our relations with our successors and our relations with our contemporaries, then, is the absolute difference in power."(Barry (1) p.269.) People alive in hundreds of years time will not be able to do anything that will make us better off or worse off, but we can to some degree, in our decisions, affect their well-being. The depletion of natural resources is a case in point.

Similarly, knowledge makes a difference. As Barry put it, " we have less and less knowledge about the future the more remote the time ahead we are thinking about." (Barry(1)p. 273) Can we then say that we do not have obligations towards

the future generations because of it? Barry is especially concerned with what he refers to as "ecological sleeper-effect," that is, the kind of decisions that "we set off now with no ill effects for some hundreds of years and then catastrophic effects." (Barry (1) p. 277.) Real examples are not difficult to come by. The use of fluorocarbon is well -known. To the extent that we have some idea of the way in which our current actions will affect the interests of the future generations, it seems that it cannot be right to completely disregard those interests. (Barry,(1) p. 275.)

Almost at the same time, Hubin in his piece on "Justice and Future Generations" took Rawls gently to task for making " a serious mistake in attempting to account for justice between generations in the same manner in which he accounts for justice within a generation." (Hubin, p. 79) Like Barry, he also emphasizes the discrepancy in power, that is, "members of earlier generations are invulnerable with respect to members of later generations." (Hubin, p.80) He manages to come to the conclusion that it would be unjust for our generation to spoil the environment to the extent that the next generation would be severely deprived in resources. Yet this is because in doing so we have treated our contemporaries unjustly; it does not have anything to do with our obligations to the future generations.

The question of the existence of future generations must be faced. As R.I. Sikora and Brian Barry in their introduction to the collection of essays put it: "...the central question seems to be whether and to what degree it can be morally incumbent on us to make sacrifice to bring happy people into the world or to avoid preventing them from being brought into the world." (Sikora and Barry, p. viii) Some scholars answer in the positive; some in the negative, as could be expected. Professor Thomas Schwartz deserves to be mentioned in this context. He argues that "not merely that it is in no way wrong per se to prevent the existence of happy people but that it is permissible to use resources in such a way that there will be a much less happy world population in the future than there would have been otherwise." (Sikora and Barry, p. viii)

His arguments are something like this: (1) that to do something morally wrong, some particular person must be less well off than he would have been otherwise; and (2) that if we deplete our resources rather than conserving them, different particular people will be born so that no one (or almost no one) will be worse off through our having squandered our resources. The second argument plainly follows that of Derek Parfit in non-identity problem.(Sikora and Barry, p. viii)

This position, it seems, is very extreme. More on this later. Brian Barry, nevertheless, attempted in his paper to go beyond this debate. Instead, he is interested in the following question: "assuming that there will be people in the future, can it be said that we should be behaving unjustly if we neglected their interests in deciding how much to use up finite resources, how far to damage the environment in ways that are irreversible or at any rate extremely expensive to reverse, and how much to invest in capital goods or research and development of new technologies (e.g. into non-exhaustible energy sources)/ (Barry (2), p. 204)

By returning to the idea of "circumstances of justice" of Hume which was revised by John Rawls, Barry realizes that if that doctrine is true, there can be no place for justice between generations of those alive at any given time and their successors. However, he makes a gallant effort to break through the impasse. He proposes that for the discussion of justice between generations, justice should be conceptualized as equal opportunity and taken in sufficiently broad terms. "What justice requires," Barry concludes, "is that the over all range of opportunities open to successor generations should not be narrowed. If some openings are closed off by depletion or other irreversible damage to the environment, others should be created (if necessary at the cost of some sacrifice) to make up." (Barry (2), p. 243)There are many advantages to this suggestion; among others, it corresponds to the feeling of many people that making future generations better off is a nice thing to do but not required by justice, while not making them worse off is indeed required by justice. (Barry (2), p. 244)

In a similar fashion, Ernest Patridge brought out an anthology on environmental ethics. Two articles from Sikora and Barry's collection of essays were selected. Patridge apparently takes a very proactive position. He argues that not only we have responsibility towards future generations, but we have the knowledge and power to do something about it. (Patridge, pp.4-5) In his perspective, philosophers should be involved in policy analysis so that they would not be judged to have shirked their moral responsibility. (Patridge, p. 15)

Derek Parfit began to write on personal identity in early 1970s. (Parfit (1))In part four of his *Reasons and Persons*, he takes up the non-identity. He uses the case of a 14-year -old girl to good effect in tackling the problem of what weight should we give to the interests of future people. Consider, he invites his readers, the 14 year old girl. This girl chooses to have a child. Because she is so young, she gives her child a bad start in life. Though this will have bad effects throughout this child's life, his life will, predictably, be worth living.

If this girl had waited for several years, she would have had a different child, to whom she would have given a better start in life.(Parfit (2) p. 358)

From this beginning, Parfit engages his readers in a highly complicated discussion of whether we can claim that the girl's decision to have a child now instead of later was worse for her child? And what is our objection to her decision? etc. He concludes that an appeal to rights can not wholly solve the problem. Similarly, in the case of lesser depletion concerning the use of natural resources, an appeal to rights would not be sufficient. Only an appeal to what Parfit refers to as the Principle of Beneficence could justify our objection, provided that we imagine away the non-identity problem. But when we restore the non-identity problem, the situation becomes more intractable, and appeal to the Principle of Beneficence turns out to be inadequate. To solve the problem satisfactorily, Parfit proceeds with his gallant quest for Theory x.

In 1992, Peter Laslett and James Fishkin brought out a collection of essays they had edited dealing with justice between age groups and generations. As the Sixth Series of Philosophy, Politics, and Society, it serves as a kind of progress report on the discourse of this multi-dimensional question. It started as a conference held at the University of Texas at Austin in October 1988. Of the papers presented in the collection, that by Laslett, Fishkin, and Parfit will be briefly discussed.

To begin with, Laslett and Fishkin in their introduction makes it clear that as far as they were concerned, the revival of political theory since the sixties had taken place "within the glossily simplifying assumptions of a largely timeless world." (Laslett and Fishkin p.1) Rawls, Nozick and Ackerman as well as the utilitarian thinkers had only given the impression that they were taking justice over time into account, yet they were really not. However, the scholars, politicals and administrators are confronted daily with many urgent problems demanding decisions. Policies concerning population, the use of oil, air pollution, to mention a few, are well-known examples. Thus, to seriously tackle the problems of justice between generations is indeed a revolutionary endeavor and would herald a new era in political philosophy.

The reasons why the grand theorists of ethics and politics were not concerned with justice between generations Laslett and Fishkin attributed to a large degree to the tradition of religious sentiment. Through the Classical and Christian eras in Europe, all the great thinkers incorporated some versions of a metaphysical providentialist doctrines into their writings, a doctrine that would look after

the question of duration and succession." (Laslett and Fishkin, p. 15) This reliance on religious revelation was especially noticeable in the outlook of the population during the Christian era. In a moving passage, Laslett and Fishkin described how this religious sentiment manifested itself:

In village churches up and down the country, in Britian as in the rest of Christendom, the most conspicuous decoration was a picture of the Last Judgement on the chanel arch facing the nave where the congregation assembled, portraying all humanity, past, present and future, being consigned to Heaven or Hell. Christians knew that in sight of God a person's date of birth on the human time scale was irrelevant, and that those not yet born would be summoned to meet all other created humans and the Almighty. Such an assemblage, of course, would deny, or completely transcend, the processional limitations that we have insisted here. (Laslett and Fishkin, p.17)

After some discussion of the difficulties concerning social contract which will be taken up later again, Laslett and Fishkin settles on a definition of justice between generations. It deserves to be quoted in length:

The Definition of Justice over time that we favor goes as follows. It consists in an obligation on all present persons to conduct themselves in recognition of the rights of all future persons, regardless of geographical location and temporal position. No generation is at liberty to ransack the environment, or to overload the earth with more people than can be supported, or even, though this is more debatable, to act in such a way as to ensure that the human race will disappear. This duty goes beyond beneficence, the idea that it would be better to act in this way and magnanimous to our successors. Rather, we are required so to conduct ourselves because of the rights of future persons. (Laslett and Fishkin,p.14-15)

Framed by this definition, Laslett and Fishkin proceed to propose a metaphor for a solution to the obstacles in thinking about justice over time. This is the metaphor of a procession:

When walking in a procession, an irregular moving assembly such as Saint Patrick's Day Parade in New York City, rather than in a military formation in defined ranks, we can interact only with those walking in our immediate vicinity. We can have no knowledge of how long the procession is in temporal terms, that is, how long it would take for

the whole to pass a particular point, but we can be confident that it is not of infinite length. We are conscious that our predecessors, those ahead of us in the procession, have acted in ways that control us to some degree, because we are liable to be slowed down or halted by a motion communicated along the line from them. But we are well aware that we can have no such impact on our predecessors. If we decelerate or stop, either of our own accord or because our predecessors make it unavoidable, there will be a similar impact on our successors, those who will come after us in the future, but they can have no such impact on us. "Us" here denotes the immediately surrounding part of the procession, an indefinite area, but one which both action and reaction can take place, one part of the area in interaction with another, a forward, later part with a hinder, earlier part. We are conscious, moreover, of how irregular and indefinite is the boundary that separates our area from the remainder of the procession, fore and aft. We recognize a further crucial fact, that those to the front of us are in interaction with others in front of them, and so on indefinitely, and those at the back of us with those to the back of them. (Laslett and Fishkin, p.12)

Plainly, Laslett and Fishkin realized that the metaphor of processional justice could not cover the whole range of problems or disposed of all the contradictions and ambiguities. Nevertheless, they tended to think that it helped. It definitely is better than the alternative, that is, to resort to the state as the only collective institution with which individuals could be related in terms of rights and obligations. For that alternative exacts a high price : "the image of an eternal, all-inclusive collectivity embracing everyone alive, and everyone who has been or will be alive, scarcely belongs in the arena of individual rights, government by consent of the governed, and the rule of law." (Laslett and Fishkin, p.14)

Based on the concept of processional justice, Laslett went on to discuss the concept of generational contract and generational trust.

He is especially interested in a particular version of the generational contract which he calls the "intergenerational tricontract," and the "intragenerational intercohort trust." The arguments he set forth here, however, were derived from his ideas first formulated in 1970 and elaborated in 1979. "These propositions maintained that the rights a generation has in preceding

generations are matched by the duties that have to be performed towards generations yet to come." (Laslett (2), p. 26)

In this context, an image different from that of procession was summoned up: that of a row of hooks linked into eyes, at the forward end of which is a hook without an eye, though an eye will be forthcoming from the next generation in the procession. In processional reality, of course, the empty hook is always in process of forming and the complementary eye is likewise a perpetually emergent phenomenon. (Laslett (2), p.26) To put it differently, the two-generational contract that are usually assumed simply could not explain, nor justify the obligations between removed generations.

Closely related to the idea of intergenerational tricontract, Laslett further proposes the concept of intragenerational intercohort trust to tackle the relation of trust between cohorts and age-groups. The concept is vague, Laslett concedes." The important point, however, is that the trust and trust relationships that we are discussing subsist between cohorts, rather than between age-groups of the generational kind... The picture is of cohorts, which together constitute each of the age-groups concerned, having trust relationships with each other, the provisions of which change as the cohorts age and so proceed from one age-group to another." (Laslett (2), p. 31) In this relation, social institutions and above all the state play a very significant part: it serves as the trustee, especially when the wealth and social goods that are transferred come from taxation." It is not a question...of one party repaying another for benefits received earlier, which is why the transfer arrangement is more trustlike than contractlike. Nor is it a question of beneficiaries receiving a specified payment, never reducible, always increasable, at a particular time. This is because of the discretionary character of the trust, and because the trustees are obliged to provide for future demands due to anticipated demographic and economic developments by accumulating a balancing fund as necessary."(Laslett(2),p.33) Pensions, especially the kinds supported by the pay as you go taxation, is a case in point.

Professor James Fishkin, the junior editor of this series, in his article Limits of Intergenerational Justice is especially concerned with three areas: (1) procreational liberty and the interests of future possible people; (2) procreational liberty and intergenerational equity; and (3) the liberty of families to benefit their children and the relation of that liberty to equal opportunity. (Fishkin(1) p. 63) In each case, the liberty implies intergenerational relations. Yet as Fishkin argues, in each case, the systematic

and comprehensive solutions of the liberal theories, such as that of John Rawls simply would not do. "Even under the best conditions that can be realistically be applied, the fundamental commitments of liberalism do not add up to a single vision in clear focus to be gradually approached. Rather, they add up to conflicting principles, each of which, if implemented, would take public policy in a quite direction." (Fishkin (1) p. 63)

Faced with this difficult prospect, Fishkin decides that liberalism needs to curb its ambition. What could be successfully attempted, however, is an unsystematic version of liberalism, "ideals without an ideal."

In his discussion of procreational liberty, Fishkin was clearly influenced by the writings of Parfit on the non-identity problem. As he sees it, the contemporary political and moral philosophers are caught between the two horns of a delima. The identity-specific position, on the one hand, must lead to bizarre conclusions. as testified by the "wrongful life lawsuits." Yet on the other hand, the identity-independent theories suffer from the problem of replaceability. Fishkin's description and analysis of the delimma deserves to be quoted in length:

The very merit of the identity -independent principles in dealing with the earlier counterexamples to the identity-specific view --namely, that they disconnect the assessment of interests from the identities of the people affected--is what render them vulnerable to this replaceability scenario. Because the interests are viewed anonymously, such theories permit us to object to the production of the deformed child or to the miseries of overpopulation without worrying about whether the better off people envisioned by the alternative are the same people. But this anonymous consideration of interests lead these theories to neglect the question of whether people under the replacement scenario are the same people as those in the orinigal population. The general delimma is that if we consistently tie interests to personal identity we face the identity-specific counterexamples, but if we consitently untie them from personal identity, we face the replaceability scenario...(Fishkin (1) p. 67)

The solution, for Fishkin, is clear: to aim for "a robust and demanding form of unsystematic theory." " Rather than producing new and exceptionless first principles, this strategy aims at legitimizing institutions that can wrestle with moral conflicts, such as those posed by generational relations, in all their concrete particularity. (Fishkin(1) p.81) He concludes that:

A theory of legitimacy does not yield a systematic theory of justice. But in its place it yields a theory of the fully legitimate political system. And such a system, in all its parts can produce justice defined in all its concrete particularity. It is the justice that comes from people operating in roles whose norms have achieved self-reflective legitimacy. The result is the collective reasonableness of a political system that reexamines itself from generation to generation. If such a system can maintain a self-reflective consensus, then it can maintain legitimacy and in that sense, preserves a certain kind of social contract specifying moral relations across generations. (Fishkin(1), p. 82.)

This theme was later elaborated in Fishkin's *The Dialogue of Justice: Towards a Self-Reflective Society*. (Fishkin (2))

In a highly technical paper in this same volume, Tyler Cowen and Derek Parfit argue against the social discount rate from many perspectives, both non-economic as well as economic arguments. It deserves very careful reading. (Cowen and Parfit, pp.144-161)

II

The above discussion only gives a brief account of the literature on justice between generations in the West in the past twenty five years. Nevertheless, it is clear that to pose the problem of justice over time is literally to open the Pandora's Box. More and more books and articles were published each year; and the theorists fanned out in all directions. Some endeavors are challenging; others indifferent; and still others could only be described as non-sensical and trivial. From this welter of writings, on further reflections, we can certainly discern a pattern as well as the debates that have been going on.

Risking gross simplification of things, we could say that three broad problems constitute the discourse. First, if and to what degree "it can be morally incumbent on us to make sacrifices to bring happy people into the world or to avoid preventing them from being brought into the world," as Sikora and Barry put it? Second, assuming that there will be people in the future, what obligations do we have in our decisions that affect their interests, such as the use of natural resources and damage to the environment, etc. In this connection, would the

uncertainty of knowledge about the situation of the future generations and the discrepancy in power between us and them make any difference? Third, if we agree that we have some obligations to the future generations, what justifications can be presented to bolster the case?

Tentative are my preliminary reflections. For the first problem, it would seem that the position assumed by Thomas Schwartz is far too extreme to be tenable. Is it so convincing that to do something morally wrong, some particular person must be less well off than he would have been otherwise; and that if we deplete our resources rather than conserving them, different particular people will be born so that no one (or almost no one) will be worse off through our having squandered our resources? Schwartz's learned exposition would seem designed to avoid coming to terms with realities. The serious depletion of natural resources and the pollution of the air, the rivers and the seas can not simply imagined away.

If we decline to join Professor Schwartz and other thinkers holding similar position, we need to ascertain the kinds and the degree to which we have obligations to future generations. In this connection, it would seem that the uncertainty of our knowledge about the situation of future generations and their moral commitments and the discrepancy of power between us and them must make a difference. To begin with, it is easy to agree with Barry's concept of "justice as equal opportunity" when we deal with justice between generations. In his words, "What justice requires, I suggest, is that all the overall range of opportunities open to successor generations should not be narrowed. If some openings are closed off by depletion or other irreversible damage to the environment, others should be created (if necessary at the cost of some sacrifice) to make up. (Barry (2) p. 243) Among other attractive features, it accords to the feeling of many people that to make our successor generations better off is a nice thing to do but not required by justice, while not making them worse off is indeed our obligations. (Barry, (2) p. 244)

Further more, what was said about equal opportunity above dovetails with earlier discussion on uncertainty of knowledge and discrepancy of power. Let us first assume that indeed we can not change the power situation: we can affect our successor generations, yet they can not do anything to affect us. This assumption, it should be noted, need not be so absolute. For example, if we care about how do the future generations think of us, if we are very much concerned with our reputation after our death, then it could be argued that we would definitely give our successor generations much control over us. As for knowledge, it would seem

that to the extent that our knowledge is certain, our obligations are not open to doubt. For example, we know for sure that nuclear wastes would remain radioactive for thousands of years. Can we really argue that some new technology would probably intervene and therefore relieve us of our obligations? This knowledge also bears on the debate concerning social discount rate. Can we really argue that a death in next year is the equivalent of millions and millions of death a few hundred years in the future?

I don't think we can.

The most intractable problem refers to the justifications for our obligations to the future generations. Here we see a pattern in the search for theory. There are three serious efforts, derived from three different but equally honorable traditions. Professor Peter Laslett, the grand old man of political philosophy from Cambridge University, and long-time editor of the prestigious series *Philosophy, Politics, and Society*, aims at the formulation of a theory modeled on the social contract theory, especially drawing upon the fertile ideas of John Locke. The ideas of contract in the inter-generational tricontract and that of trust in intra-generational inter-cohort trust could have derived from John Locke. Laslett's background as an expert of John Locke must have been very useful indeed.

Laslett was careful to note that his efforts were tentative and could be charged with incoherence. He said : "...I have gone as far as possible in this context toward answering the question, Is there a generational contract? No doubt other analysts might work out more convincing interpretations. Still others might judge it best to abandon the set of concepts altogether, in spite of its currency among politicians, propagandists, and people at large." (Laslett (2) p. 44) Nevertheless, he judged his position worthy of pursuit. He was quite prepared to argue against the lawyers with their charge of incoherence. Indeed "contract belongs to the language of law" and the lawyers would not have thought that the concepts of contract and trust as used by Laslett "barely defensible in court," yet such an attitude could not help tackle the difficult problem of justice over time. In this connection, Laslett came close to endorsing the natural rights position.(Laslett(2) p.4)

Laslett's contribution, in the assessment of this writer, lies in his proposal of the metaphor of a processional justice and his concepts of contract and trust. His metaphor is vivid and descriptive. His concepts of inter-generational tricontract and intra-generational intercohort trust, however, tend to be far too complicated. His language, given the subject matter, is as concise

and precise as it could aspire to. Nevertheless, it still is difficult. Furthermore, do we really need two separate concepts to deal with two different kinds of obligations?

Professor Parfit took a different path. His work on *Reasons and Persons* was brought out in 1984. It was immediately hailed as a great achievement, as "something close to a work of genius." (Alan Tyan in the *Sunday Times*) It is an ambitious and difficult book. The author claims that we have a false view of our own nature; that it is often rational to act against our own best interests; that most of us have moral views that are directly self-defeating; that we often act wrongly, even though there will be no one with any serious ground for a complaint; and that when we consider future generations, it is very hard to avoid conclusions that most of us will find disturbing. The author concludes that non-religious moral philosophy is a young subject, with a promising but unpredictable future. (from back page of Oxford Paperbacks)

It would be difficult to dispute Parfit's achievement or his influence. His theory comes close to being a type of utilitarianism. Fishkin is right in his comments that "Derek Parfit is the most prominent example of a theorist who has argued for some variant of utilitarianism precisely on the grounds that it is identity independent; that is, it avoids the counterexamples inherent to the identity-specific view." (Fishkin,(1)p.66) Nevertheless, it need be noted that Parfit did not find theory X. In his own words:

When he was asked about his book, Sidgwick said that its first word was Ethics, and its last failure. This could have been the last word of my part four. As I argued, we need a new theory about beneficence. This must solve the Non-Identity Problem, avoid the Repugnant and Absurd Conclusions, and solve the Mere Addition Paradox. I failed to find a theory that can meet these four requirements.

Though I failed to find such a theory, I believe that, if they tried, others could succeed. (Parfit(2)p.443.)

So far, we have two great scholars inspired in their work by two different yet equally powerful traditions. It would not be going too far to describe them as conscious in their choice of commitment as well as strategy. And they have indeed demonstrated the resilience of the right-based theory and utilitarianism.

Third position was held by Professor Fishkin. He was determined to escape from falling into the trap of the identity-specific position on the one hand and that of the identity independent principles on the other. He was quite prepared to

give up first principles and aim at only "a robust and demanding form of unsystematic theory." He was well aware that such "a theory of legitimacy does not yield a systematic theory of justice." Yet it is far better to solve some of the problems some of the time. "If such a system can maintain a self-reflective consensus, then it can maintain legitimacy and in that sense, preserves a certain kind of social contract specifying moral relations across generations."

Would it be fair to conjure up the image of a pragmatic scholar in the American tradition? I think it is. Much can be said on his behalf, just as of his two colleagues discussed earlier. Yet there is a lingering doubt that is self-reflective consensus all that we can ever aspire to? Would we be prepared to leave so much to the discretions of the political system?

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世代間正義之觀念的初探

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世代正義是歐美政治哲學領域中的一個新課題。最早的討論始於七〇年代初期。近二十多年來，由於不少學者的努力，成績相當可觀，但在若干觀念上也仍沒有共識。這篇文章只就世代正義觀點的討論做一初步釐清與分析。

關鍵字：正義、世代、世代間、權利