

8–9 September 2020, online

DEMOCRACY & INTERGENERATIONAL JUSTICE

*Overcoming Harmful Short-termism
Through New Institutions?*

Panel at
MANCEPT Workshops 2020



Welcome

to our two-day panel on democracy and intergenerational justice at the [MANCEPT Workshops 2020](#) (University of Manchester). We are thrilled by the many submissions we received upon our call for papers, which indicate the growing interest in the topic. Our small scholarly niche is expanding! Unfortunately, this also means that we were not able to consider all 29 submitted abstracts for presentation in our workshop. However, by reviewing and ranking all of them independently and anonymously according to their quality and suitability for the workshop topic, we have been seeking to employ a selection procedure as fair as possible. As a result, we are awaiting 13 promising presentations and 2 additional keynotes by Axel Gosseries and Simon Caney, respectively. Thanks to all of you for taking part!

Even if the Covid-19 pandemic forces us to rely on videoconferencing instead of face-to-face discussions, we will strive to provide a socially and academically fruitful conference. Therefore, we would like to ask you to stay around the two full days if your schedule and time zone allow so, and to participate in the ongoing discussions. We have inserted multiple breaks into the programme to allow for informal exchange, fresh air and time off-screen. To facilitate informal conversations, we will provide online breakout sessions where you can meet in randomly assigned small groups during the breaks. Do not feel obliged to take part in the breakout sessions (we fully understand if you want to spend some time off-screen), you may (re-)join your breakout session anytime, though.

Are you not a presenter, but want to participate in our workshop? Just drop us an email! We very much look forward to seeing you soon and having a high quality, insightful and lively workshop. Happy conferencing!

Jonathan, Gab-Kai and Michael

Rules of Procedure

Each presentation slot is 45 minutes. These include 20 minutes of presentation time, around 5 minutes of comments by the discussant (if there is one), followed by 20 minutes' general discussion for the remainder of the timeslot. As a presenter, we encourage you to use some visual aids (e.g. PowerPoint slides) to address at least the two senses that are (limitedly) receptive in virtual settings. Moreover, we would appreciate it if you could share your paper, handout and/or slides with the audience a few days before the event. We will make the material available to all presenters via a Dropbox folder (access details are provided via email, please do not circulate).

Notes on Zoom

We will use [Zoom](#) for videoconferencing. If you are not familiar with the software, please check out the software before the conference. You may use Zoom in your browser or with a client. Usually, the [client](#) works more smoothly. You will find the login details at the top of the programme overview (pp. 5–6) or in an email from the convenors.

- Make sure you have a stable and fast Internet connection.
- Please sign in with your full name.
- Mute your microphone if you are not talking. Feel free to turn your video on, though (unless there are bandwidth issues). It's always nice to see some faces 😊
- Unmute your microphone and activate your camera (if possible) when you are talking.
- If you want to contribute to the discussion, raise your virtual hand (blue symbol in the Zoom participants list). Lower your hand once you have finished your question or comment.
- If you want to add directly to an ongoing discussion, write a few words in the chat, so as to let the chairs know. You may also spontaneously share hyperlinks, papers and other information or material via the chat. The chat also allows for private bilateral conversations.

The Convenors

Jonathan M. Hoffmann is writing his dissertation on the design and justification of institutions for the future at the Department of Politics and International Studies at the University of Warwick. He holds an MSc in Political Theory Research (University of Oxford) and a BA in Philosophy, Politics, & Economics (Witten/Herdecke University). Recently, he and Michael Rose published '*Seven Building Blocks for an Intergenerationally Just Democracy*' for the Foundation for the Rights of Future Generations (2020). Also, they guest-edited a topical issue of the *Intergenerational Justice Review* (2/2019, Vol. 5) on 'The Scope of the Non-identity Problem.' This also includes Jonathan's opinion piece 'Climate change, non-identity and moral ontology.' Further relevant publications:

Hoffmann, JM; M Rose (2020): *Unsere Demokratie ist kurzsichtig – eine Brille für unsere Demokratie*. In ‚Mensch Zukunft‘, akkon Schriftenreihe Band 4, Berlin, pp. 54-55.

Hoffmann, JM (2018): *The Representation of Future Generations in Today's Democracy: Theory and Practice of Proxy Representation* by Michael Rose, *Intergenerational Justice Review* 4 (1): pp. 51-53.



Gah-Kai Leung* is a PhD candidate in the Department of Politics and International Studies at the University of Warwick. His dissertation aims to develop the first systematic normative framework for earthquake and tsunami preparedness policy, with an applied case study focusing on the Pacific Northwest region of the USA and Canada. His doctoral work is funded by the UK's Economic and Social Research Council and forms part of his broader interests in environmental, international and intergenerational ethics. Additionally, he has an ongoing project on the morality of discrimination (especially in LGBT contexts) and recently published a paper on children's capacity to consent to medical decisions. Gah-Kai holds a Postgraduate Certificate in Social Science Research (Warwick), an MA in Transnational Studies (UCL), a BA in Philosophy, Politics & Economics (Warwick) and a Certificate in Political Studies (Sciences Po Grenoble, France).

** first name is pronounced 'GAR-kay'*

Michael Rose is a post-doctoral researcher and lecturer at the Institute of Sustainability Governance, Leuphana University of Lüneburg, Germany. He holds a Dr. phil. (equivalent to PhD) from the University of Düsseldorf and a diploma (equivalent to a master's degree) from the University of Bamberg, both in political science. In his doctoral thesis (2012–16), he researched the theory and practice of political representation of future generations in contemporary democracy. Together with Jonathan, Michael recently authored the policy paper "*Seven Building Blocks for an Intergenerationally Just Democracy*" for the Foundation for the Rights of Future Generations (2020). They also guest-edited a topical issue of the *Intergenerational Justice Review* (2/2019, Vol. 5) on "The Scope of the Non-identity Problem", which includes Michael's brief opinion piece "Non-identity – So What? A Political Scientist's Perspective on a Curious but Somehow Arbitrary Problem". Further publications on the workshop topic:

Rose, M. (forthcoming): Proxy-Repräsentation. Die institutionelle politische Repräsentation der Stimmlosen am Beispiel zukünftiger Generationen, in: M. Neubauer et al. (eds.): *Im Namen des Volkes. Zur Kritik eines politischen Anspruchs*. Tübingen: Mohr Siebeck.

Rose, M. (2019): All-affected, Non-identity and the Political Representation of Future Generations. Linking Intergenerational Justice with Democracy, in: T. Cottier et al. (eds): *Intergenerational Equity. Environmental and Cultural Concerns*. Leiden, Boston: Brill Nijhoff, pp. 32–51, doi: 10.1163/9789004388000_004.

Rose, M. (2018): *Zukünftige Generationen in der heutigen Demokratie. Theorie und Praxis der Proxy-Repräsentation*. Wiesbaden: Springer VS (582 pages), ISBN: 978-3-658-18846-7.

Rose, M. (2016): Constitutions, Democratic Self-determination and the Institutional Empowerment of Future Generations. Mitigating an Aporia, in: *Intergenerational Justice Review* 2(2), pp. 56-71, doi: 10.24357/igjr.2.2.715.



Programme Overview

Tuesday, 8th September 2020 – Theory

All times are **UTC+1** (British Summer Time)

Zoom login for the day: Please contact the convenors

09:00–09:30 **Welcome**

Session 1 (Chair: Jonathan Hoffmann)

09:30–10:15 Simo Kyllönen

Wedding Democracy with Intergenerational Justice: Democratic Sufficientarianism

10:15–11:00 Patrick Taylor Smith (Discussant: Charlotte Unruh)

Guardianship, F-Institutions, and Domination: Intergenerational Justice as Intergenerational Non-Domination

11:00–11:30 *Coffee/Tea Break*

Keynote (Chair: Michael Rose)

11:30–12:30 **Axel Gosseries**

On Why We Should Not Expect Too Much from Intergenerational Legitimacy

12:30–14:00 *Lunch Break*

Session 2 (Chair: Jonathan Hoffmann)

14:00–14:45 Fritz Gillerke (Discussant: Tyler John)

Including the Future: Two Paths of Democratic Legitimacy and the All Affected Principle

14:45–15:30 Masakazu Ogami (Discussant: Fritz Gillerke)

When Political Authority Loses: Democracy and Injustice to Future Generations

15:30–16:00 *Coffee/Tea Break*

Session 3 (Chair: Gah-Kai Leung)

16:00–16:45 Charlotte F. Unruh

Against (Strong) Chronopolitanism

16:45–17:30 Tyler John (Discussant: Kian Mintz-Woo)

Intergenerational Legitimacy

17:30–18:00 **Closing Discussion**

Wednesday, 9th September 2020 – Institutions

All times are UTC+1 (British Summer Time)

Zoom login for the day: Please contact the convenors

Session 4 (Chair: Gah-Kai Leung)

09:00–09:45 Nicky van Dijk

Designing Fair and Inclusive Institutions for Future Generations: Lessons from the Capability Approach

09:45–10:30 Livia E. Luzzatto (Discussant: Peter Lawrence)

Intergenerational Actions as a Justification for Future-oriented Institutions

10:30–11:00 *Coffee/Tea Break*

Keynote (Chair: Gah-Kai Leung)

11:00–12:00 **Simon Caney**

The Challenges of Governing for the Long-Term: Why the Problem is Deep

12:00–13:30 *Lunch Break*

Session 5 (Chair: Michael Rose)

13:30–14:15 Michael Reder

Proxy Representation and Democratic Theory: Potentials and Limits from the Perspective of Political Philosophy

14:15–15:00 Dominic Roser (Discussant: Masakazu Ogami)

A Joint Institution for the Voiceless

15:00–15:15 *Coffee/Tea Break*

Session 6 (Chair: Jonathan Hoffmann)

15:15–16:00 William Chan

Meritocratic Sortition as an Engine for Intergenerational Justice

16:00–16:45 Kian Mintz-Woo

Incentives for the Long-term(ists)

16:45–17:15 *Coffee/Tea Break*

Session 7 (Chair: Michael Rose)

17:15–18:00 Karri Heikkinen

The Committee for the Future: Lessons from Finland

18:00–18:30 **Closing Discussion**

Workshop Description

Democracies are commonly diagnosed with a harmful short-sightedness which makes it difficult to recognise and deal with long-term risks and challenges. This bias towards the present arises out of many institutional, cultural, and anthropological factors, among them the election cycle, the influence of special interest groups and the ineptitude of humans to deal with 'creeping problems.' In light of this, democracies seem ill-equipped to deal with challenges such as the climate crisis, artificial intelligence or microbial resistance. Thus, the ability of the living generation to take the interests of future people into account and to fulfil its obligations to future people is hampered.

Consequently, several countries have taken measures to facilitate long-term oriented decision-making, e.g. by establishing commissioners for future generations (Hungary, since 2008; Israel, 2001-06; Wales, since 2016) or a parliamentary committee for the future (Finland, since 1993), some of them having considerable capabilities for influence. Furthermore, scholars discuss a wide range of proposals for new future-oriented institutions (F-Institutions). These include the representation of future generations in parliament, ombudspersons for the future, regulatory impact assessments, advisory councils, deliberative mini-publics as well as the enfranchisement of the young, the disenfranchisement of the elderly and many more.

Despite the growing range of proposals for F-Institutions, questions regarding their justification and legitimacy, design, and implementation deserve further discussion. Intergenerational equity, democratic legitimacy, and generational sovereignty all exert their normative pull on the democratic system and consequently on the design of F-Institutions. For example, the ability of each generation to govern itself collectively seems incompatible with the idea of institutionally binding the currently living to ensure that they meet their obligations of intergenerational justice. Further, honouring obligations of intergenerational justice may suggest installing F-Institutions with extensive influence on the political decision-making process, while a concern for democratic legitimacy might foreclose many proposals for F-Institutions.

In sum, this workshop aims to bring together moral, political, and legal theorists and practitioners interested in democracy, intergenerational justice, long-term decision-making and short-termism to discuss the various tensions associated with these concepts on both the theoretical and empirical levels.

Abstracts

Tue, 09:30–10:15

Wedding Democracy with Intergenerational Justice: Democratic Sufficientarianism

By Simo Kyllönen (University of Helsinki)

Discussant: TBD

The paper explores the relation between intergenerational justice, on the one hand, and democracy, on the other, and puts forward an account of democratic sufficientarianism. The central characteristic of sufficientarianism is that there is a morally relevant threshold and our main moral concern should be in improving the position of the people below the threshold. Since this helps to avoid many challenges faced by other theories of justice, sufficientarianism has gained increasing popularity in the intergenerational context. Sufficientarianism is purported to avoid some theoretical challenges faced by e.g. egalitarianism and utilitarianism, such as the Non-Identity Problem, the Repugnant Conclusion, and the demandingness objection. Further, there are epistemic challenges related to the relative differences among future people's claims of justice, of their particular way of life and their understanding of important societal values. But these epistemic uncertainties are far more limited if our concern for justice is restricted to certain fundamental human interests that constitute the relevant threshold.

Despite the strengths, sufficientarianism faces problems of its own. First, there is the question about the relation between inter- and intragenerational justice. According to the negative counterpart of the sufficientarian understanding, improving the position of the less well-off people above the threshold is of no particular concern. This has provoked some plausible objections against sufficientarianism when applied among contemporaries. These objections claim that any specification of the threshold, above which the importance of improving the less well-off person vanishes completely, is arbitrary. Moreover, equalizing relative differences between people also above the threshold is often taken to be necessary in order to guarantee political equality between them.

This leads, secondly, to the question about the relation between sufficientarian understanding of intergenerational justice and democratic authorisation and legitimacy of long-term decision-making. Based on Elizabeth Anderson's (1999) theory, according to which every citizen should be able function as an equal in society, the paper suggests a threshold of democratic equality between those who are tied at any point of time, intra- and intergenerationally together by shared institutions of authoritative decision-making. The paper contends that democratic sufficientarianism is able to retain the main strengths of sufficientarian account as a theory of intergenerational justice, while allows also at the same time a justification for future-oriented democratic institutions. First, democratic sufficientarianism provides a minimum outcome standard for future-oriented decision-making in a way that is familiar from democratic theory's treatment of e.g. persistent minorities (Christiano 2008). Second, by extending the idea of 'all subjected' principle to the intergenerational relations (rather than applying 'all affected' principle as the normative ideal), democratic sufficientarianism aims to bridge the gap between moral equality (in terms of counting all fundamental interests equally) and political equality (in terms of equal political power) (e.g. Erman 2014).

Guardianship, F-Institutions, and Domination: Intergenerational Justice as Intergenerational Non-Domination

By *Patrick Taylor Smith* (University of Twente)

Discussant: *Charlotte F. Unruh*

This paper defends a novel theory of intergenerational justice as intergenerational nondomination. Building on neo-republican political theory, I argue that contemporary political institutions, especially future-oriented ones (F-Institutions), should have two fundamental objectives concerning future people. First, each generation should ensure that future people have the necessary resources and institutions to maintain non-dominating *intra*-generational relations. Second, each generation should ensure that *inter*-generational relations are non-dominating; the present should not exercise arbitrary power over the future. This second requirement gives rise to two worries: the *appropriateness objection* and the *inevitability objection*. The former argues that the preconditions for domination do not apply intergenerationally while the latter argues that even if these preconditions obtained, it would be impossible for the present to avoid dominating the future.

This paper is primarily a response to the *inevitability objection* by showing that the present can avoid dominating the future through appropriate institutional design. The response has three interlocking components. First, the view must mitigate a key disanalogy between intragenerational and intergenerational justice: future people cannot directly participate with contemporary people in democratic institutions. Borrowing insights from the structure of state institutions designed to protect children, I develop a theory of representation for those incapable of doing it themselves. That is, I argue that under specific and limited circumstances, the non-arbitrariness condition for non-domination—that there be mechanisms of contestation and control for the exercise of superior power—can be met *on behalf* of someone else. I call this *republican guardianship*. The second component interprets and justifies F-institutions as a pre-commitment strategy by the present generation in order to check and constrain itself in order to serve the interests of future people. This account grounds a response to those who are concerned that F-institutions are undemocratic. F-institutions serve the same underlying purpose of intragenerational democratic institutions: they protect people from domination. Once we see that each generation can be split into multiple constituencies that can hold each other accountable and that each generation has an obligation to ensure non-domination of the next, then the counter-majoritarian or “undemocratic” nature of F-institutions becomes unproblematic. Like various parliamentary norms that constrain actors so that all can participate, F-institutions should be understood as elements of an intergenerational democracy.

Finally, I argue that non-domination requires not merely a public and political commitment to guardianship through F-institutions but also a distribution of material costs to motivate the nondomination of the future. As a result, intergenerational non-domination requires an interlocking matrix of political institutions with economic investments into sustainability and de-carbonization: the financial and economic incentives should align with our political commitments in order to generate a modally more robust set of constraints. In other words, linking incentives for economic investment with the objectives of F-institutions ensures the subsequent protection of the basic interests of the future. A key theoretical advantage of intergenerational republicanism is that it can provide a unified justification for sustainable and low carbon economic structures and F-institutions.

Including the Future: Two Paths of Democratic Legitimacy and the All Affected Principle

By Fritz Gillerke (University of Bayreuth)

Discussant: Tyler John

A pivotal insight of democratic theory is laid down in the so-called All Affected Principle. It states that whoever is affected by a political decision should have a say in the making of that decision. Some authors argue that the All Affected Principle should not only be applied spatially, across territorial borders, but also intertemporally, reaching out to all those future people who will be affected by the decisions of today. This argument gives rise to the claim that decisions about long-term transformations, like adaptation and mitigation of climate change or transformative impacts of digitisation, are fundamentally questions of global intergenerational justice. Possible objections to this claim are numerous and often refer to fundamental principles of democratic legitimacy.

In my paper I investigate some of these objections, taking seriously the idea that future generations should be given a voice in democratic decision-making. My argument can be divided into two parts. In the first step I critique existing conceptions of democratic inclusion and evaluate the underlying principles of democratic legitimacy. I then, in the second step, propose a distinct understanding of democratic legitimacy that allows us to define conditions of legitimate democratic inclusion of future generations.

My approach poses a new challenge for the Boundary Problem of Democracy, a conundrum of democratic theory as to whether democracies can democratically determine their own boundaries. I contest the view that the All Affected Principle can be a constituent principle of democracies. I argue that being affected is an insufficient normative source for democratic constitution. Instead I promote the view that the All Affected Principle should be considered as a principle of democratic legitimacy.

Firstly, I distinguish between the two predominant interpretations of the All Affected Principle in literature; the Principle of All Affected Interests and the All Subjected Principle. Secondly, I claim that the aforementioned interpretations of the All Affected Principle represent a crucial distinction made in democratic theory between the justification of authority and the legitimacy of the democratic decision-making process.

Following this distinction, the All Affected principle must fail to legitimise any *strong* forms of representation for future generations. Since future generations are not subjected to the state in the same way current generations are, it would be illegitimate to grant their representatives strong decision-making powers like vote or veto. However, since future people will be affected in their interests, the Principle of All Affected Interests prescribes that future generations need to be considered, their arguments heard and their interests be taken into account.

I show that my conception possesses three main advantages as compared to the existing literature. First, by emphasising the notion of intergenerational legitimacy rather than intergenerational boundaries, we can circumvent the problem of non-existence of future generations and the Non Identity Problem. Second, the approach can help to escape the deadlock between the two paradigm interpretations of the All Affected Principle. Third, my argument puts forward a renewed understanding of legitimacy for theories of deliberative democracy.

When Political Authority Loses: Democracy and Injustice to Future Generations

By Masakazu Ogami (University of Zurich)

Discussant: Fritz Gillerke

Multiple political theorists currently hold a view that links political authority to democratic political procedures. In this paper, I explore how the proponents of this influential view can address a puzzle, one that begins from recent proposals that call for, in order to better secure the interests of future generations, establishing an institution that is empowered to impede or run counter directives of the elected government. For instance, one proposal argues that there should be an administrative body or agency that has the power to exercise a veto to laws or policies if those laws or policies are contrary to the interests of future generations. Another proposal defends the idea of a trusteeship under which a commission or a citizens' assembly is empowered to delay laws or policies that risk damaging the democratic capacity of future generations. However, how can the impediment of a directive of the elected government be justified, even for better securing the interests of future generations?

According to the view that acknowledges a link between political authority and democratic political procedures, an elected government can morally bind its citizens such that they comply with the directives of that government. Furthermore, in domestic contexts, that a directive of the elected government has authority over the citizens implies that those citizens are morally required to comply with its directive even if the content of the directive is somewhat unjust. Given that interference for domestically unjust directives of the elected government may not be justified, an (apparent) incompatibility between the concept of democratic authority and the idea for impeding the directives by the elected government exists. Therefore, it is not immediately clear why obstructions of the elected government's implementing a political decision are morally permissible, on the basis that the content of that political decision is unjust for future generations.

Confronted with this challenge, first, I shall develop an account for explaining when a directive of the elected government loses authority over its citizens. I shall apply this account to intergenerational contexts and argue that a directive of the elected government loses authority over its citizens if the content of the directive contradicts any interpretation of the moral equality of present and future persons. This will be the case that impeding the directive of the elected government may be morally permissible. Second, I will suggest that a directive of the elected government that does not have authority over citizens may undermine the general authority of the elected government over its citizens. This would imply that the implementation of some political decisions, whose content contradicts any interpretation of requirements of justice for future generations, may undermine the authority of other political decisions that are distinct in their content. A seemingly counterintuitive claim will thus be presented: establishing a future-oriented organisation that is empowered to impede or run counter directives of the elected government may prevent undermining the authority of democratic governments over their citizens.

Against (Strong) Chronopolitarianism

By Charlotte F. Unruh (University of Southampton)

Discussant: TBD

Over whom does justice apply? In the realm of global justice, a distinction is generally made between *nationalism*, the view that justice applies over citizens of a nation state, and *cosmopolitanism*, the view that justice applies over all human beings. In the realm of intergenerational justice, an analogous distinction can be made between *generationalism*, the view that justice applies over the present, or next few, generations, and *chronopolitarianism*, the view that justice applies over all generations (Gosseries 2014, 96; Vrousalis 2016, 58).

I discuss two arguments that have been given for chronopolitarianism and argue that they both face a significant worry in non-identity cases. I then explore possible ways to mitigate this worry. I tentatively conclude that we should adopt a weak version of chronopolitarianism, according to which we have duties of justice towards all generations, but stronger duties towards contemporaries. If this is correct, this might weaken the case for (some) F-Institutions.

The first argument draws an analogy between spatial and temporal distance, suggesting that cosmopolitans should regard both as morally irrelevant (e.g. Cwerner 2000, 335). The second, argument is related, but more general. It points out that we intuitively think that obligations not to harm (for example, by planting time bombs) are unaffected by temporal distance (we still think we are obliged not to plant time bombs set to a far future date). The argument then says that if this is true of harming, it should also be true of injustice. Injustice should therefore be mitigated regardless when it occurs (Vrousalis 2016, 59).

However, both arguments face a significant worry which arises from a peculiar feature of intergenerational relations. The political choices that we make today (unlike time bombs) inevitably influence the identity of people who will live in the far future. According to the most prominent account of harm and benefit, the counterfactual comparative account, these political choices cannot harm or benefit future people. This is because today's policies do not make far future people worse off than they would have been without the policy (as they would never have been born) (Parfit 1984; Schwartz 1978; Kavka 1982). Acknowledging this feature, however, is to acknowledge a disanalogy between temporal distance and spatial distance, and between time bombs and policies. This disanalogy is morally relevant, because harm is morally relevant.

A possible reply would be that we should reject the counterfactual comparative account of harm, rather than chronopolitarianism. However, whether an instance constitutes counterfactual comparative harming seems to retain moral relevance even assuming it is not the correct account of harm (Woollard 2012). If global policies can harm and benefit others in a counterfactual comparative sense, but intergenerational policies cannot, and if the counterfactual comparative sense matters morally, then this suffices to pose a problem for chronopolitans.

In concluding, I tentatively suggest that the previous considerations should lead us to accept a weak version of chronopolitarianism. Non-identity can weaken the claims of future people against us, but it does not cancel them.

Intergenerational Legitimacy

By Tyler John (Rutgers University)

Discussant: Kian Mintz-Woo

A number of recent writers have defended *deontic strong longtermism*, the thesis that what we ought to do is primarily determined by the effects of our actions on the very long-term future. Meanwhile, political leaders and political philosophers are wringing their hands about taking even modest action to prevent catastrophic climate change, believing that a legitimate government must respect the outputs of democratic deliberation, however odious they may be. This paper seeks to reconcile these ideas. I argue that political philosophers have long overlooked the crucial fact that obligations of political legitimacy are owed to future people as well as present people. A legitimate government is one that wields its power in a way justified to all generations who fall under it, not simply present generations.

I analyze three popular grounds of political legitimacy—Autonomy, Equality, and Instrumental Value—and show that the most plausible explanations of obligations of legitimacy imply such obligations to future people. On Autonomy theories of legitimacy, governments have duties of legitimacy to their citizens on account of the *pro tanto* right citizens have against government intervention. As I argue, following Thomas Jefferson and Michael Otsuka, all perpetual laws are *pro tanto* violations of the autonomy of future citizens. Consequently, governments owe duties of legitimacy to future people upon whom they impose perpetual laws. Each Autonomy theory has its own implications for intergenerational justice: some require surrogate representation for future generation, while others imply that perpetual laws are always immoral.

Equality theories of legitimacy, advocated most prominently by Thomas Christiano, state that governments' duties of legitimacy to their citizens fall out of each citizens' fundamental interests in being able to see that they are being treated as an equal in a society. On the assumption that people have such fundamental interests in complex and pluralistic societies, this generates a duty for States to satisfy these fundamental interests. As I argue, because *ex hypothesi* all people who live in complex and pluralistic societies share this fundamental interest, future people share this fundamental interest, and so governments ought to see to it that future people likewise can see that they are being treated as an equal in a society. This thus implies that the State owes an equal duty to all future citizens to ensure that they live in egalitarian societies.

The argument from Instrumental Value is much more straightforward. Because the number of expected people in the long-term future is vast, governments will promote the *most* value if they consider the very long-term effects of policy and the future interests of future generations, rather than considering merely the effects of policy on and the interests of present generations. As I argue, State consequentialists such as Mill who have grounded statist forms of liberal democracy on account of the beneficial effects of these arrangements have been mistaken. The State's primary concern, on the Instrumental Value view as well as several other views considered here, should be the welfare of people millennia in the future, rather than of their own citizens.

Designing Fair and Inclusive Institutions for Future Generations: Lessons from the Capability Approach

By Nicky van Dijk (University of Tasmania)

Discussant: TBD

It is widely accepted that the current generation has some obligations towards people alive in the future, but the precise scope and nature of these obligations are underspecified. Should we protect a safe climate and clean air for future people, or also for example wilderness areas and places of cultural significance? To what extent should we preserve, change or build these resources for future people? Theorising about such intergenerational obligations is important because it is unlikely that our short-term focused democratic process can consider the interests of future people in a fair and unbiased way. Especially now we face the current climate emergency, neglecting or delaying an adequate governmental response to climate change will have an immense impact on the quality of essential living conditions and opportunities of young people growing up and of future generations.

This paper aims to analyse the intergenerational obligations of state governments facing a climate emergency, and discusses how this improved understanding of our intergenerational obligations could inform institutional and legal reform proposals aiming to improve the representation of young people and future generations in our democratic system. To do so, first, this paper uses the Ingrid Robeyns' modular framework of the capability approach as a theoretical lens. Following the approach's central focus on human agency and diversity, it identifies the most essential interests of future people through analysing self-proclaimed essential values of groups of people over time. It combines currently existing capability and human rights lists with grassroots literature, to ensure the inclusion of currently underrepresented groups, and groups that are specifically vulnerable to the impacts of climate change, such as First Nations people. This method shows that, first, individuals have different conversion factors, and may therefore ask for a different quality or quantity in resources to meet their essential capabilities. Second, next to having different abilities to convert a resource into a capability, different groups also value and need different things in the first place. Acknowledging both cases of individual diversity is important, as honouring this could prevent institutionalising a bias towards majority or privileged groups in society into the future.

Second, this paper applies lessons learnt from analysing our intergenerational obligations to current proposals for institutions for future generations. These proposals—whether they consist of commissioners for future generations, constitutional reform, or other more administrative commitment devices—each make different assumptions about our intergenerational obligations, and institutionalise these assumptions through the mandate and powers given to the legal or institutional reform. Thoroughly analysing these proposals is essential, as it could promote a fair and inclusive design of institutions for future generations.

Intergenerational Actions as a Justification for Future-oriented Institutions

By *Livia E. Luzzatto* (University of Reading)

Discussant: *Peter Lawrence*

This presentation explores one way in which future-oriented institutions (f-institutions) can be justified. It argues that f-institutions are justified, at least in part, by the fact that they govern *intergenerational actions* (i-actions). In modern, increasingly intergenerational societies, i-actions constitute the fabric of social, political and economic life.

I-actions are actions that are based on presuppositions about future people. That is, actions which are conceptually incoherent without underlying presuppositions about the existence, capabilities and vulnerabilities of future people.

These presuppositions range from very minimal presuppositions about basic human functions (weaker i-actions) to more advanced presuppositions about specific capabilities of future people (stronger i-actions). At the highest end of the spectrum are i-actions that cannot be completed successfully unless future generations contribute, which consequently rely on particularly detailed presuppositions about the necessary future capabilities.

An example of a weaker i-action is the long-term storage of nuclear waste. To be conceptually coherent, this action relies on the minimal presupposition that there are going to be future people with basic human features, for example the vulnerability to radiations emitted by nuclear waste. Climate treaties and policies are often good examples of stronger i-actions. The Paris Agreement, for instance, which sets clear, future-oriented temperature and policy goals, relies on the more specific presuppositions that there are going to be future people vulnerable to the effects of climate change, and capable of continuing to take the necessary mitigation measures set out in the agreement. At the highest end of the spectrum are, for example, long-term construction projects and the practice of taking on public debt. These actions cannot be completed successfully unless future people contribute, and thus rely on the very specific presuppositions that future people are going to have the capabilities necessary to continue construction, repay the loan, or integrate it in their financial planning.

On the one hand, i-actions ground duties of justice to future people. If our theory is to be coherent with our actions, we cannot deny the agency of future people, on which our own actions are based, when thinking about justice; and once we recognise future people as agents in our account of justice, we must extend to them the basic requirements of justice owed to all agents, which plausibly include respecting those fundamental needs required to live an autonomous life.

On the other hand, where i-actions and the resulting duties are embedded in democratic societies, they call for f-institutions to govern the engagement in i-actions and the fulfilment of intergenerational duties. This presentation focuses on i-actions as the justification of f-institutions and does not provide a full account of what these institutions should look like. However, this justification prompts the following considerations: the resulting f-institutions should include an executive branch that regulates i-actions by enforcing the intergenerational duties that result from them; and a legislative branch representing present and future generations that ensures all agents who are part of i-actions are represented in the formulation of the resulting intergenerational duties and the corresponding laws and policies.

Proxy Representation and Democratic Theory: Potentials and Limits from the Perspective of Political Philosophy

By Michael Reder (Munich School of Philosophy)

Discussant: TBD

To date, philosophical theory only contains scattered references to the concept of proxy representation (eg Robert Goodin, Robin Eckersley and Andrew Dobson). This paper will discuss whether proxy representation necessarily must be conceived as part of a theory of democracy and how to maximise legitimacy of the proxy representor. A contextual approach will be adopted, whereby proxy representation is justified to the extent that it furthers both democratic and justice objectives. Ethically spoke, proxy representation is crucial because it is a vehicle for addressing the massive threat to future generations. Given the under-representation of the interests of future generations in the global order, proxy representation can promote intergenerational justice by playing a role in redressing this injustice.

In a first step, the paper will analyse existing theories of representation including those by Pitkin and Rehfeld. Those theories imply distinctive elements of a concept of proxy representation. For example, in Rehfeld's concept representation is found to occur where an audience accepts that a representor is acting on behalf of the person represented. While Rehfeld argues that representation can be kept distinct from democratic values, the paper will argue that proxy representation must be conceived contextually and is justified to the extent to which it furthers both democratic values and justice (which in this context means both intragenerational and intergenerational justice). Both latter values are widely accepted by the international community.

In a second step, these normative aspects of proxy representation will be reflected in detail. The paper argues that the normative aim of political processes should include promotion of the welfare of the most vulnerable groups in the political sphere. This normative aim is justified by different normative theories (critical theory, pragmatism, poststructuralism). A focus on vulnerable groups – which includes future generations – is the fundament of all theories of representation. Furthermore, representation of vulnerable groups such as future generations is justified claiming it increases the likelihood of achieving intergenerational justice, given the systematic neglect of the interests of future generations in current political institutions. While philosophers have disputed whether democracy is applicable at the international level, given the non-democratic nature of many governments, the international community has nevertheless at least formally endorsed the value of democracy in several UN instruments. If one takes as a starting point democracy's value, then extension of the *demos* to include future generations is fully justified. Thirdly the paper aims to demonstrate that this extension of the *demos* is compatible with many theories of democracy. But it will also show that for a convincing development of proxy representation, these mechanisms should be linked to other democratic instruments like deliberative discourses in the public sphere and educational processes.

In a final step, the paper also wants to discuss some critiques and limits of proxy representation. For example, transferring Butlers theory to a theory of generation trouble, it will be discussed if the distinction between current and future generations as fundament of proxy representation makes sense. Additionally, it will be discussed if all forms of representation create a new blind spot for vulnerable groups which has to be reflected within the concept of (proxy) representation.

A Joint Institution for the Voiceless

By Dominic Roser (University of Fribourg)

Discussant: Masakazu Ogami

Only a small fraction of those who are affected by democratic decisions can contribute to these decisions. In response, a number of proposals have been floated for giving groups such as future generations, persons with severe mental disabilities, animals, etc an institutionalized voice within standard democratic procedures. Examples of proposed innovations include citizen's assemblies, special representatives in parliament, or mandatory impact assessments. This article first presents some examples from the broad range of these proposals and suggests criteria for evaluating them in a non-ideal world. The key consideration for any proposal is its potential to serve as a sustainably upheld instrument for promoting just outcomes. On this basis, a novel suggestion is evaluated: a joint institution which brings up the concerns of the various voiceless groups under a common roof. I lay out how to decide which voiceless groups should receive a voice via this shared 'clearing house', why technical experts should be tasked with giving them a voice, and why the institution should only receive fairly weak powers. The article then discusses considerations for and against bundling the defense of voiceless groups in such an institution. Arguments that stand out are the joint institution's potential to make vivid the problem of democratic exclusion, the political stability of such an institution, and the offensiveness of collecting heterogeneous groups under a common roof.

Meritocratic Sortition as an Engine for Intergenerational Justice

By *William Chan* (University of Warwick)

Discussant: TBD

This article describes an institutional innovation, *meritocratic sortition*, that helps to foster a more future-sensitive politics. The aim of meritocratic sortition is to randomly select a group of meritorious citizens to be members of the core legislature every few years. The indicators of citizens' merit include their age, socio-economic circumstances, experience, expertise and so on. Citizens with the relevant qualifications can register their interest in becoming potential meritocratic representatives.

Some seats of these meritocratic representatives, I argue, should be left to citizens whose interests, experience and knowledge enable issues in intergenerational justice to be better addressed and seen. I call them "intergenerational-justice seats." As a preliminary proposal, citizens fulfilling one of these criteria are eligible for the intergenerational-justice seats:

- (a) They are 18-25 years old, *or*
- (b) They have demonstrated expertise at political issues closely related to the future, such as climate change, education and so on. For example, they can be those who have a postgraduate degree or at least 3 years of occupational experience in future-oriented disciplines (e.g. risk management, sustainable development etc.).

Depending on the socio-economic contexts and feasibility constraints in different societies, of course, the exact number and eligibility criteria of the intergenerational-justice seats are subject to change. Despite the variations of how the intergenerational-justice seats are to be arranged, the key commitment of meritocratic sortition remains that those whose interests, experience and knowledge are beneficial to long-termist policymaking should be given *substantial* power in the core political decision-making process. This is also why my proposal differs from that of Michael MacKenzie (2016, pp. 282-283), who advocates establishing a randomly selected second chamber in the legislature that "would help counterbalance some of the short-term tendencies associated with elected chambers...[although the second chamber] would not have the power to make law itself".

There are two grounds for the proposal that are widely shared among those defending some sorts of intergenerational-justice representation in the legislature: (a) younger citizens, when they make judgments on policies/laws, tend to be more long-termist because they can expect to be affected by the relevant policies/laws for a longer period of time, and that (b) when those with future-related expertise are in the legislature, it becomes easier for urgent intergenerational issues and their possible solutions to be seen by the public.

The more controversial aspect of this proposal, I believe, is that it gives the intergenerational-justice representatives *some* legislative power. This appears to offend a requirement of democracy, namely that the assignment procedure of core legislative members should be *equally* and *positively* sensitive to the choices of citizens. My reply to this concern is that meritocratic sortition is essentially egalitarian and fair in crucial ways, and our commitments to equality and fairness do not underpin a representative-choosing procedure that must *always* be positively sensitive to citizens' choices. If this is true, then there is at least a *pro tanto* case for trading off some positive sensitivity of our democratic procedures for better fulfillment of intergenerational justice.

Incentives for the Long-term(ists)

By *Kian Mintz-Woo* (Princeton University)

Discussant: TBD

What policies could help guide pro-intergenerational behaviour? I propose we consider the policies that govern pro-social (intragenerational) behaviour and expand them. Traditionally, these include command and control legislation that require compliance and incentives that encourage compliance. I begin by using this incentives line of argument to justify costs for intergenerational harm, consider three worries that one might have about such costs, and argue that this line of reasoning strengthens justification for policies like carbon taxes as a concrete intergenerational policy proposal.

Consider traditional (non-person-affecting) harms that are byproducts of apparently permissible actions, such as pollution outputs from manufacturing. Although manufacturing is permissible, we need policies to address the harms it generates in society. When considering incentives, we have two intuitions: (1) that the manufacturers should pay for (internalise) the costs of their pollution and (2) that those payments should be used to compensate or undo the harms to those affected. In other words, standard Pigouvian reasons suggest that we should price activities which generate negative externalities—and those prices should be used for addressing the externalities. These are well-respected intuitions, on which I think people with different substantive philosophical commitments can agree.

In the intragenerational case, these intuitions could justify taxes that apply to externalities which harm extant people. In the intergenerational case, these intuitions could justify taxes that apply to externalities which harm *future* people. But in this case, there are three major problems. The first is epistemic; the second relates to discounting; and the third to transfers.

Of course, we are not able to perfectly determine the effects of current actions in terms of future harms. Does this epistemic problem make this a non-starter? I argue no, because the goal is not to get a perfect estimate, it is to encourage *more* pro-intergenerational behaviour. Currently, people pay no penalty for actions which cause future harms; introducing even small incentives would make a significant difference. Consider the following: if it is free to pollute, there will be far too much. But introduce even a small fine (even not the full cost to society) and pollution will drop steeply.

The second problem is about discounting. Here, the epistemic point is helpful; insofar as our ability to predict future harms diminishes with time, this justifies a positive pure rate of time preference (not 'merely because things are in the future' but because future correlates with increasing inability to predict). This can be justified by familiar arguments and, indeed, is a generalisation of Nicholas Stern's pure discount rate justification in the *Stern Review*.

The final problem involves transfers. If we owe it *to* those harmed to use the resources to undo the externalities, how can this be achieved. John Broome argues for one mechanism (reducing investment) and I point to another (acting now to undo the future harms). Either would work.

Finally, I point out that a practical implementation of this proposal in one domain is the introduction of carbon taxes.

The Committee for the Future: Lessons from Finland

By Karri Heikkinen (University College London)

Discussant: TBD

Founded in 1993, the Committee for the Future of the Finnish Parliament is one of the oldest future-oriented political institutions still active today. In this paper, I examine whether the Committee for the Future has reduced short-termism in the Finnish political system, and if so, what the key mechanisms behind this are. Using original sources as well as existing literature, I argue that the Committee has had the effect of mitigating some of the epistemic sources of short-termism. There are two key reasons for this. Firstly, the Committee has succeeded in creating a space where parliamentarians can consider long-term issues uninhibited by the controversies of day-to-day politics. Secondly, the Committee has produced a large number of research reports on long-term issues and boosted the field of future studies in Finland. However, I also argue that in its current form, the Committee for the Future does little to correct what González-Ricoy and Gosseries (2016) call the motivational and institutional determinants of short-termism. Since the Committee for the Future almost never scrutinizes legislation, it is often considered less important and prestigious than other standing committees, meaning that senior parliamentarians have weak political incentives to engage with it. Furthermore, the relative irrelevance of the Committee entailed by its lack of influence on legislation means that even motivated and informed actors are institutionally constrained in resisting short-termist policy, let alone advancing policy aimed at securing long-term objectives.

Based on my exposition of the Finnish system, I also consider potential ways to reform it and discuss what those interested in mitigating harmful short-termism can learn from the Finnish example. I argue that while giving the Committee for the Future more power to scrutinize or even block legislation might seem appealing, this would risk destroying the features of the Committee which allow it to mitigate epistemic sources of short-termism. Furthermore, we should bear in mind that the lack of these powers might be an important reason for the Committee's continued existence and changing its mandate might pose problems for its legitimacy. The most important conclusion that can be drawn from this discussion is that addressing different types of short-termism requires a variety of institutions. A deliberative parliamentary committee like the Committee for the Future in Finland can go some way in reducing harmful short-termism, but it is far from a comprehensive solution to the problem.