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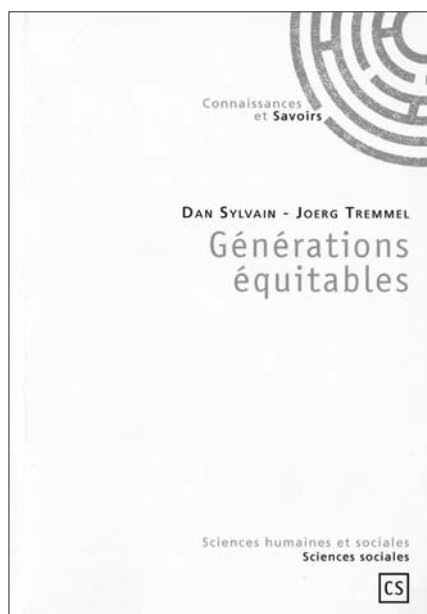
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Dan Sylvain and Joerg Tremmel (eds.): Génération Equitables

Reviewed by Raphaëlle Schwarzberg

Génération Equitables represents a very welcome francophone perspective on the topic of intergenerational justice. The context of an aging European population, consisting largely of baby boomers, coupled with the threat of climate change, appears as the general backdrop of the book, bringing such issues to the fore in the political and academic debate. The articles, from philosophers, economists, demographers and jurists, broadly fall within three main areas of focus. One is concerned with the theoretical challenges of intergenerational justice, a field dominated by the work of Rawls. Another centres around environmental affairs and cultural heritage discussed through case studies both from legal and economics perspectives. The third analyses the consequences of demographic changes, and more specifically population aging, on intergenerational social policy, with a greater focus on current pensions schemes. This very wide-ranging topic thus benefits from being considered by a large array of disciplines and from different and complementing angles. While the articles have clearly not been made available to the authors before publication, this could be a blessing in disguise for the reader; the independence of each of these articles makes divisions and conflicting opinions more salient.

The article by Professor Van Parijs presents a large number of theoretical issues also discussed in the articles concerned with intergenerational social policy. To examine the demands of intergenerational justice Van Parijs considers first, justice between cohorts and thus the question of “just heritage” and second, justice between age groups as envisaged through the question of “just transfers”. A non-utilitarian, Van Parijs is of the opinion that justice is not aiming at the maximisation of the well-being or happiness of individuals but to ensure “to all as much as possible (...) the rights and means allowing them to pursue



the realization of their conception of what a successful life is” (p. 42). His conception of justice relies on the “lexicographic maximin”. It follows that the heritage that a cohort should leave to the next is not one in which the latter receives exactly the same stock of natural resources but one in which it inherits a “productive potential” at least as high as the one the former generation had received. It is thus indispensable that generations invest sufficiently and foster technical progress to preserve the productive potential necessary for the future to be in a position to “promote the real liberty of the least well-off within itself” (p. 49).

With respect to justice among age groups, Van Parijs underlines that two major difficulties in the theory of commutative justice are that it does not specify any minimal level of transfer and is sensitive to life expectancy in a counter-intuitive way. Van Parijs seems to be more favourable to indirect reciprocity. If the productive potential increases or decreases for an age group, the surplus or the deficit should be proportionally born by all, under the constraint of maintaining subsistence for all. The solution to the current pension system crisis

resulting from demographic change lies in the increase of the productive potential for the future generation such as partly financing pensions through capitalization, but also greater investments in infrastructures, R&D and training. In his conclusion, Van Parijs suggests that a coexistence of the demands of intergenerational justice between cohorts and between age groups implies “an obligation of the financing of a basic pension at the appropriate normative level” (p. 59). Thus, “[w]hat matters from the perspective of justice, is the absolute level of basic revenue in each age group and the potential left for each cohort of adults to the next so as to fulfil its obligations.” He can consequently conclude that the benefit ratios are particularly inappropriate as a method of discussing intergenerational justice. Unfortunately, it is not always obvious how Van Parijs reconciles justice between generations and justice between age groups. One other problem is the absence of a criterion to define when the demands of justice start and end for each age group as the model does not allow progression of the adult age group through time. Besides, the author does not explain how the demand from current generations to bequest an at least as high productive potential could constrain the demand to ensure to all and as much as possible the rights and means allowing them to pursue the realization of their conception of what a successful life is.

Professor Bichot’s article on pensions contests the use of indirect reciprocity to evaluate the dues and payments that each age group should receive from and provide others with. Citing a study by Marcilhacy (2009) aimed at assessing the level of reciprocal transfers, he evaluates that the benefits and expenses devoted to younger generations (infants and children) are much larger than what pensioners will receive from them by a ratio possibly as high as four. The benefits that are taken into account to calculate what children have received from their parents seems however re-

strictive. Education, family benefits and the cost of raising children are not the only expenses that will benefit the youth. They will also reap the fruits of research in new technologies, of infrastructure building or even of the efforts to improve the democratic political system. It seems understandable that Bichot may not want to adopt such a methodology given the major accounting difficulties such a definition would entail. A historical comparison of these ratios would also prove most useful, as it would allow us to ask whether the exchanges between different age groups are shifting, and, if that were the case, which age groups are being favoured.

That intragenerational justice can be affected by the demands stemming from intergenerational justice is a crucial issue addressed in Dr. Girard's article. According to him, measures taken in the name of future generations will have strong redistributive effects within current generations. In the case of pensions, capitalization could possibly increase inequalities between individuals of the same age groups and of the same cohort. We can confidently state after reading Girard's article that theories of intergenerational justice theory should be wary of assuming homogeneity within each 'generation'. Group disaggregation can show more clearly the redistributive effects of public policies favourable to future generations. Although this possibility needs to be seriously considered, Girard does not provide empirical data, a detailed analysis of the size of the effect of intergenerational policies on increased intragenerational inequalities or a theoretical justification that intergenerational justice will necessarily lead to greater intragenerational inequalities. Such a conflict between inter- and intragenerational justice may not be necessarily the case.

The question of when the adult age group has fulfilled its obligations towards other age groups and the extent to which such obligations are influenced by group size are key questions that remain after reading the article by demographer Professor Légaré. Légaré seems to believe that greater longevity implies redefining what we understand by 'vieillesse' (old age), possibly by setting it at a certain number of years x expected to be lived before death, based on life expectancy. However, Légaré, as he himself acknowledges, does not succeed in resolving how to calculate when adults should be allowed, or entitled, to retire. He recognizes that this x number of years is as arbitrary as setting pension age to 65, as done by Bismarck. Bismarck's decision might not, in fact,

have been so arbitrary according to economic historian Jacques Marseille: it was possibly based on the knowledge that very few would ever be old enough to benefit from such a pension scheme (Marseille, 2005). After an extensive discussion on longevity, Légaré describes the dramatic population changes (i.e. baby boom) that occurred in Canada after the Second World War, and then draws conclusions for pension schemes. The consequences of longevity and population change on the demands of intergenerational justice seem indeed to require a precise analysis both from an empirical and theoretical viewpoint.

The other theoretical articles testify to the hovering presence of Rawls' writings in the field. Dr. Gosseries' article, in particular, illustrates the originality of Rawls' work but also describes the difficulties that he faced: in formulating the original position in the intergenerational context, the justice principles to adopt in the intergenerational context, and the treatment by Rawls of the just savings principle. The possibility to found intergenerational justice based on the model of rational agents is possibly one of the most crucial questions asked by Gosseries, a question to which game theory could well answer negatively. Gosseries' own interpretation of how we should read Rawls should provide a basis for all future discussions of him in this context. Identifying what the original position would entail in the intergenerational context and the circumstances that would support a conception of justice across generations is also taken up by Professor Tremmel. With Rawls as his backdrop, Tremmel's article discusses two cases, one where history is alterable and one where it is not. He argues that in both cases, for different reasons, it is not an egalitarian distribution of the resources that will prevail. Furthermore, Tremmel discusses what principles of intergenerational justice would emerge. The novelty here lies in taking into account human ingenuity, a biological characteristic, as a source of well-being accumulating over the generations and thus satisfying moral obligations to future generations. There are some interesting points of note arising from his thought-provoking chapter. First, we must question if human ingenuity is necessarily *always* positive for welfare, for instance the development of weapons technology. Furthermore, the conception of equality (e.g. equality of resources, of welfare, of opportunities) used to compare egalitarian and non-egalitarian societies, is not fully discussed in Tremmel's article. A rejection of one of these conceptions may not necessarily imply rejection

of another, though this is implied. In addition, the reader is not provided with a detailed decision procedure explaining why egalitarianism is rejected in the intergenerational context. In the case of "Model 1, n finite and alterable history", Tremmel relies on his readership's intuitions to reject an egalitarian situation whereby all generations have the same HDI as the most ancient generation: "to set everyone to the same level in this way [lowest denominator] is far from being appealing, and will surely not be chosen by the participants." While, in "Model 1, n finite, inalterable history", egalitarianism is rejected on the grounds that it does not correspond to historic reality. In addition, HDI is bounded between 0 and 1 as it is a scale between countries relative to the pre-set, goal-post levels of longevity, GDP per capita and education. It is therefore unclear what version of HDI Tremmel is using as his numbers extend beyond this range. Lastly, for Tremmel to evaluate whether HDI is increasing or decreasing through time, it would have been useful to know the assumptions he has made with respect to these goal-posts which ultimately determine the curvature of the HDI graph in time.

The second focus of the book is on environmental affairs and presents a wide-ranging selection of case studies from the economic, public policy and legal perspectives. Dr. Romeiro's article points towards the hindrances and the inertia that inhibit the emergence of a 'green revolution', especially in terms of public policies. Such difficulties include multiple levels of decision or the difficulty to set into place the structures that will allow individuals to live less 'energyvore' lifestyles. Dr. Maudet's institutional analysis of the bioprospection agreements does illuminate the challenges of relying on market mechanisms to protect the environment. The usual culprits - limited rationality, asymmetry of information, sequentiality of exchange and issues of trust - can explain such market failures. A case study analysis and a quantitative evaluation of how much bioprospection can participate to environmental protection could have completed the argument. Ms. Doumax's article on biofuels reveals how public policies supporting the development of green sectors will have strong redistribution effects within our current generation. We should be careful to consider the fairness of these. Policies taken under the imperative of imminent action to protect the environment, with results that can not be ascertained to be beneficial to the environment, leave the door open to a clash of

interests between developmental objectives and a concern for future generations. Given scientific uncertainty, future generations may not even benefit from current generations' sacrifices and the latter may be deeply altered by such policies, especially from a distributional perspective. Reflecting on our relationship to future generations, Dr. Pierron indirectly echoes such a concern. According to him, our need to imagine future generations must be neither guided by a "heuristic of fear", nor by that of unalterable idolized future generations.

Ms. Kouadio's very informative article on the legal provisions in Côte-d'Ivoire to protect future generations represents an original case study. The particular circumstances in which developing countries find themselves with respect to environmental protection is noteworthy. Indeed, this article makes it necessary to consider: first, the fairness of restricting the use of natural resources by current generations acknowledged to be impoverished (a difficulty equally faced in setting a just savings principle that would apply to the first and poorest generations), second, the international dimension and share of responsibility by other countries in resource depletion and lastly, the additional difficulties of enforcing environmental protection within a developing country (e.g. due to the fragility of state structure).

Dr. Robichaud and Professor Turmel's article on cultural patrimony enlarges the debate of what type of transfer should be made to fu-

ture generations in a generally environment-centred debate. The article opens up the possibility that the transmission of cultural heritage has ambiguous benefits and costs. While fascinating, the comparability of such public goods with environmental goods, or the nature and extent of the demands needed to appropriately preserve cultural diversity will undoubtedly require more analysis than this short article could allow. Languages have evolved and some have certainly died but it remains to be appraised whether speakers of modern languages today live in a less culturally diverse environment. It also remains to be argued that cultural goods necessarily replace each other: one may love both rock but also classical music. Proposing the "transmission of a sane linguistic context and linguistic diversity" from generation to generation does not define the content of such obligations or by whom they should be borne, whether it entails positive and/or negative demands.

Undoubtedly, this new addition to the literature of intergenerational justice will help to boost the francophone discussion of the topic. Overall, the book's greatest merits lies in its capacity to reveal the tensions inherent to intergenerational justice itself and with other major social and economic objectives such as economic growth and intragenerational justice. We might regret the absence of discussion between the texts, including between the theoretical proposals and more empirical case studies. This allows, however, the

reader to chart the large number of theoretical lines and practical difficulties present in this field. Thematically, the dominance of articles on environmental affairs and pensions reflects industrialised countries' most topical concerns within the field of intergenerational justice. Nevertheless, while politicians are summoned to take decisions very soon for the sake of future generations, the philosophical debate remains fiercely open.

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Tim Mulgan: Future People – A Moderate Consequentialist Account of our Obligations to Future Generations

Reviewed by Joseph Burke

With *Future People – A Moderate Consequentialist Account of our Obligations to Future Generations*, Prof. Tim Mulgan has given us a book of profound worth on the subject of our duties to future generations and, indeed much more besides. His earlier book *The Demands of Consequentialism* (2002) was described as "powerful and impressive" (Chappell, 2002, p. 897) and "a formidable achievement" (Eggleston, 2009, p. 125). The same can be said for this methodical work, which attempts to show that a 'Combined Consequentialism' can offer a superlative account of what we owe to those not yet living. The author exhib-

its scholarly patience, an openness to acknowledge limitations and a willingness to tirelessly search out difficult problems to confront his own ideas with.

Establishing moral obligations is complicated by the fact that "our actions have little impact on those who are dead, considerable impact on those currently alive, and potentially enormous impact on those who will live in the future" (p. 1). In consideration of this, Mulgan presents three basic intuitions 'The Basic Wrongness Intuition', 'The Basic Collective Intuition' and the 'The Basic Liberty Intuition', which are, in a sense, the launch pad for

the remainder of the book. The first is that it is wrong to gratuitously create a child whose life contains nothing but suffering. The second is that the present generation should not needlessly cause great suffering to future generations. Finally, the third is that reproductive choice is morally open. Accept these plausible claims and one is set to begin mapping out the moral terrain in this area. Yet, as Mulgan is only acutely aware, placing emphasis on intuitions is fraught with danger. Certainly, the use of intuitions, to make "the journey from the familiar to the familiar" as John Wisdom (in Strawson, 1949, p. 259) put it, is unavoidable in moral philosophy.