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Development as intergenerational Justice: Lines for a possible joint path

Substantive and Analytical Workshop:

RETHINKING DEVELOPMENT IN A WORLD IN TRANSITION

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The Argumentative Path

- I. The Meaning of an Anniversary: A (re-)Reading Exercise
- II. The Rising of the Intergenerational Problem
- III. Towards a Joint Path: The Intergenerational Development and the Pragmatic Objection
- IV. Intrinsic Problems for an Intergenerational Perspective
- V. Standard Intergenerational Models for Answering the Pragmatic Objection
- VI. Non-Standard Intergenerational Attempts: Three Possible Paths for going further

I. The Meaning of an Anniversary: A (re-)Reading Exercise

UN as Genuine Intergenerational Institution

- Charter of the United Nations Preamble
- WE THE PEOPLES OF THE UNITED NATIONS DETERMINED
 - to save **succeeding generations** from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, [...]
 - to establish conditions under which **justice** and respect for the obligations arising from treaties and other sources of international law can be maintained, and
 - to promote social progress and better standards of life in larger freedom [...]
- (Signed: San Francisco, 26. June 1945)

Universal Declaration of Human Rights

- Article 22
- Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.
- (Approved by the UN General Assembly, the 10. of December 1948)

Declaration on the Right to Development

The General Assembly,

[...] Recognizing that development is a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom [...]

Recognizing that the creation of conditions favourable to the development of peoples and individuals is the **primary responsibility of their States**,

Proclaims the following Declaration on the Right to Development:

Article 1

- 1. The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.
- 2. The human right to development also implies the full realization of **the right of peoples to self-determination**, **which includes**, subject to the relevant provisions of both International Covenants on Human Rights, **the exercise of their inalienable right to full sovereignty over all their natural wealth and resources**.

(UN Resolution 41/128 – the 4. December 1986)

II. The Rising of the Intergenerational Problem

The Paradigmatical framing coming from the *Declaration of the Right to Development* (Art. 1)

- A) Right to Development (RtD) as a Human Right (HR) which
 is deeply interrelated to all other HRs and the fundamental
 freedoms > RtD is a «timeless right»
- BUT
- B) the legitimate «Right of peoples to self-determination and the full sovereignty over their natural wealth and resources» could put forward severe limitations of RdT from a diachronical point of view.
- <u>The rationale of the Intergenerational Problem</u> > Human Rights Vs Local/National Politics

III. Towards a Joint Path: The Intergenerational Development and the Pragmatic Objection

Development in transition - I

- Development in transition as a potential slippery slote
- Starting from the re-reading exercise:
 - The intergenerational approach as a shared committment that can not be postponed
 - An increasing risk in terms of development: The risk of oscillation without a clear direction and the need of a comprehensive goal to be durably pursued

Development in transition — II

- Two unavoidable questions
 - > Which Development?
 - Which Transition?
- Two possible answers...
 - The more sustanaible one
 - The more fair and open for the anyone's exercising of her own freedoms.
- ... and the correlative problems
- A) What does it mean "sustainable"?
- The sustainability mantra and its (traditional) problems:
 - A definition problem
 - The «ultra-greens» opposition
 - The cultural critics

Development in transition — III

- B) What does it mean "fair and open transition"?
 - Opening up the intergenerational approach
 - The attempt for a Right to Intergenerational Development (RtID)
 - Who is in charge for reclaiming RtID?
 - An incoming revolution for our political and legal systems?
 The future generations as rightholders

The Pragmatic Objection

The pragmatic objection

(or: the intragenerational need for development)

"Today, in the present situation, we can't take care and afford thinking about who will come in future times to live here"

Vs: The normative assumption

(or: the intergenerational need for development)

"We must create, maintain and leave to those who will come after us at least the same development capabilities we had"

IV. Intrinsic Problems for an Intergenerational Perspective

«Generation»: the difficulty of a definition – I

- Generation: Ad Vocem, Merriam-Webster Dictionary
- a: a body of living beings constituting a single step in the line of descent from an ancestor
- b: a group of individuals born and living contemporaneously (es.
 The young generation)
- c: a group of individuals having contemporaneously a status (such as that of students in a school) which each one holds only for a limited period
- d: a type or class of objects usually developed from an earlier type

«Generation»: the difficulty of a definition – II

Generation: an "instrument" or a "obstacle" for the social sciences?

- a: The difficulty of a limitation
- b: in a chronological sense
- c: in a spatial sense
- d: in a normative sense: the borders of duty

The intergenerational level of justice — some methodological problems — I

- An epistemological problem
 - Identification and management of <u>variables</u> to be considered
 - The reshaping of the concept of <u>agreement</u> (among present and not-yet-present stakeholders/shareholders)
- A problem of stability
 - The <u>duration</u> of a generation
 - The <u>stability/continuity</u> of the (political/moral) will
 - The <u>stability/continuity</u> of duty

The intergenerational level of justice — some methodological problems — II

- A problem of space and places
 - How large is the <u>normative sphere</u> of such a kind of justice?
 - Topical and <u>meta-topical justice</u>
- The identity-dependent account of justice
 - Identification and roles of the <u>stakeholders</u> and <u>shareholders</u>
 - The <u>actors at stake</u>: Who is in charge for assuring the implementation of justice?
 - Who controls the controllers?

The intergenerational level of justice — some methodological problems — III

- Conflicting approaches
 - From <u>distributive justice</u> to <u>intergenerational</u> one? A non-linear path
 - Intra-generational justice Vs inter-generational justice approach?

V. Standard Intergenerational Models for Answering the Pragmatic Objection

Three Models

- The Contractualistic Models
 - Rawls (1972) and the Original Position
 - Gauthier (1986) > the Constrained Maximizer
- The Utilitarian Model
 - ... and the indeterminacy towards the future
 - Sidwick (1874); Sikora (1978); de-Shalit (1995)
- Theories of Descending Reciprocity
 - ... and their critics
 - Barry (1991); Gosseries (2008); Gardiner (2011)

VI. Non-Standard Intergenerational Attempts for Answering the Pragmatic Objection

Three Possible non-standard Paths

- The core of the Pragmatic Objection: the <u>problem of motivation</u> towards the future generations
- Three non-standard paths Vs the motivation problem:
 - A) «The gift theory» revised
 - B) The graduation of obligations
 - C) The inclusive approach

a) The Gift theory revised

- The starting point: the theory of Marcel Mauss, «The Gift»
- The structural elements of a gift:
 - giving (the first move towards social relationships)
 - <u>receiving</u> (you can't refuse the gift you received)
 - <u>reciprocating</u> (the move towards social integrity)
- The rationale of the Intergenerational Gift:
 - From reciprocity to reciprocation
 - the structural non-reciprocability from G2 towards G1 directs reciprocation towards another G: it triggers a reciprocability towards G3.

b) The obligations ranking

- The starting points:
 - Aristotle, Nicomachean Ethics > # proximity > # duties
 - W. A. Galston, Cosmopolitan Altruism
 - Personal Altruism
 - Communal Altruism
 - Cosmopolitan Altruism
- The rationale of the obligations ranking
 - Considering as a priority the obligation towards the recipient most close to the agent's perspective BUT, at the same time,
 - considering such an obligation as <u>just one among other</u> <u>obligations</u> than cannot be avoided.

c) The inclusive approach – I

- The starting point:
 - Rawls, Constructivism in Moral Theory (1980)
 - The search for reasonable grounds Vs the search of moral truth
 - i) starting from a concrete and practical problem
 - ii) considering the affirmation of normative judgements from the perspective of the directly involved agents
 - iii) scrutinizing the targeted set of normative judgements
 - Iv) The result: implementing a comprehensive and inclusive solution from the involved agents' point of view

c) The inclusive approach – II

- The theoretical proposal:
- The policy design should contemplate, from the very beginning
 - A) the <u>Intragenerational Right to Development</u>
 - B) the <u>Intergenerational Right to Development</u>
- Just and only the policies that include both expectations of rights can be considered as legitimate.
- The Hyper-pragmatic answer to the pragmatic objection.

Reconsidering the meaning of an anniversary:

«A politician [...] thinks of the next election; a statesman of the next generation».

(James Freeman Clarke)

Thank You for Your attention!

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