

**FUTURE GENERATIONS AND THE RIGHT TO SURVIVAL: A
DEONTOLOGICAL ANALYSIS OF THE MORAL OBLIGATIONS OF PRESENT
TO FUTURE PEOPLE**

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ABSTRACT

The "greening" of behaviors, policies, and values in current American society is undoubtedly an essential first step towards recognizing that the natural resources we depend on are severely endangered and may be irreversibly damaged or absent in the future. But our consumption patterns, desire for wealth and wasteful lifestyles, which encourage us to live only for the present, raise the question: why should I care about future generations of human beings, especially those beyond the livable generations I can foresee? This paper attributes a natural right to survival to all human beings grounded in a deontological ethical explanation. Because we are united as a unique species through the capacity for rational agency and a sharing of central biological and physiological interests, future and present generations are members of the "special" human moral community. Moreover, present people have a duty to the future to preserve those physical conditions that constitute a livable environment, including but not limited to clean air, an adequate supply of water, and access to energy resources. If citizens, government institutions and corporations recognize future human beings as part of this "special" moral community, they can justify, anthropocentrically, why sustainable development, smart growth, and environmental justice are necessary, revolutionary environmental movements.

INTRODUCTION

The interests of future generations should be acted upon as direct objects of the present generation's moral responsibility because our behavior today will directly affect their world. Increasing population, escalating consumption, and a rising standard of living are the result of a modern technology that degrades and depletes natural resources essential to the preservation of human life. These socio-technical practices are unsustainable. We are stuck in a morass of financial concerns, cultural constraints, and an addiction to convenience. While we are more willing to act for and protect generations that we can easily foresee and identify, we need to include distant future generations in our moral community to improve the chances of their survival. The right to survival requires a livable environment; present generations have the duty to respect this central human interest. This natural right, crucial to the survival of the human species regardless of the identity of these future "persons," is a negative duty of present generations to prevent potential harm. The intellectual and technological power we have acquired has left future generations vulnerable to our actions, according to the Vulnerability Principle. Because we can attribute the natural right to survival to future persons through the assertion of the unifying capacity for rational agency as explained by deontological ethics, the possession of similar central interests among all human beings, and our current ability to severely harm the natural environment, present people are morally obligated to preserve desirable physical conditions that are fit for human habitation.

DEONTOLOGICAL ETHICS: THE CAPACITY FOR RATIONAL AGENCY AND INFINITE WORTH

Deontological ethics, a moral framework conceived by Immanuel Kant in which right and wrong is determined as a function of reason, assigns infinite worth to human beings. Our rationality allows us "freely [to] form intentions and deliberately choose to act on them" through conscious decision-making

(DesJardins 2006:34). We act ethically only if, according to Kant's Categorical Imperative, we can universalize the maxim of our actions. One aspect of the Categorical Imperative requires human beings to treat one another as ends in themselves, not as means or objects: "people are subjects who have their own purposes and intentions..."; thus, "we have a moral obligation to respect them as capable of making their own decisions" and treat others as having infinite worth and to refrain from commodifying or comparing any individual to another (DesJardins 2006:34). This duty is accompanied (and preceded) by a complementary right to be treated respectfully in return. According to Joseph DesJardins, deontological ethics establishes our fundamental ethical rights to be treated as ends, as "free and rational beings [with their] own purpose and goals" (2006:34). Indeed, human beings must have equality of consideration, that is, the recognition of a right and a duty automatically affirms that they have interests that are not intrinsically different and therefore must be weighed fairly. Equality of interests presumes infinite moral worth; because human beings are rational agents capable of free will, we equally consider the interests of any person, irrespective of his or her individual characteristics. It is necessary to establish such a rule to ensure autonomy, a person's developmental ability to make his or her own rules and limits. Respecting personal autonomy prohibits the use of coercion or deception that will cause us to act in a way that is contrary to our individual desires. This is because "in order to decide what rules of conduct we are going to establish for our lives, we have to be able to think for ourselves and work out our own views free from the interference of others" (Missner 2004:61). Thus, one may regard the Categorical Imperative as a moral rule that "requires us to fulfill our duties to other people" through the principle of justice at all times and under all conditions (DesJardins 2006:34). If justice must be served at "all times and under all conditions," then deontological ethics provides that members of living generations are morally obliged to members of future generations.

THE DISTINCTION BETWEEN CIVIL RIGHTS AND NATURAL RIGHTS

According to DesJardins, deontological ethics forms the basis of democracy that "provides strong protections of individual freedoms and individual rights" (2006:36). Constitutional protection of rights allows individuals to acknowledge the value of autonomous action; if these individuals do not exist, however, they cannot enter into a social contract. But different categories of rights exist that belong to future generations. Perhaps we can distinguish between natural and civil rights. A civil right is a human right accorded to those who follow certain social rules or laws in a particular polity, for example, not to commit murder. The possession of a civil right must satisfy two main conditions. First, a social contract must be formed between two parties, each of whom voluntarily consents to the establishment of rights and duties. According to Martin Golding, a moral community is formed "by an explicit contract between its members," and therefore future generations cannot be included in today's civil moral community (1972:360). Second, some element of reciprocity is expected, so that individuals share and respect each other's rights. In a social contract, then, current human beings have a right to live because they are part of the civil moral community that accepts the law that prohibits deliberate killing. Because future people cannot consent to a social contract or engage in a reciprocal relationship with present people, then present people have no obligation to invest in these future people civically. However, future people have a right to participate in our "species" community. Present people are morally responsible for future people on a "special" or natural basis because they share the human desire to survive. Thus, although human beings may not have a natural right to live, we do have a natural right to strive for survival, an intention we share with all human generations (Howarth 2008).

While the natural right to life entails a duty not to cause the death of another, the right to survival requires the physical conditions needed to sustain that life. To be a human being is to act and intend to survive, whereas animals and plants survive through instinct, reflex and learned behaviors. By acting and intending to survive through free will, human beings employ reason to preserve their lives. According to Kant, this establishes our infinite worth and our ability to claim rights and possess obligatory duties. Ian Barbour argues that the fundamental equality of persons is derived from the "common nature of persons as rational beings" and the "universality of basic human capacities" which have been established to allow human beings to assert their natural right to survival (2006:113). We can

also expect that future human beings will engage in rational, deliberate action to preserve their existence collectively as we currently do.

SPECIES UNITY, CENTRAL INTERESTS, AND THE CAPACITY FOR RATIONAL AGENCY

Present people can assume moral responsibility for future people, then, because we are united as a species through our capacity for rational agency, rather than through a contractual, reciprocal relationship. Present people can use rational thought to identify what living conditions are necessary for future survival because we share evident physiological and biological interests as a distinct species. I reject Stephen Gardiner's claim that "future generations have no control over what the present generation does with that capacity...they could not in principle have any such control. They are not around to present a claim, nor to represent their interests...they have no bargaining power" (Gardiner 2002:403). In fact, Golding claims that "future generations are members of our moral community because...our social ideal is relevant to them, given what they are and their conditions of their life" (1972:361). Therefore, we can tie the natural right to survival to the fact that we can distinguish the basic conditions of living using rational deliberation to realize our present "social ideal," even if this social ideal becomes more and more obscure as generations become more distant. Although future generations are certainly not able to consent to a social contract, they do have a natural right to survival using rational agency to do so. This establishes the moral obligation of present generations to treat them and their interests with equal consideration.

These future people cannot make claims according to a social contract, but as Golding notes, "have a claim...whether or not [they] make the claim, demands, or [are] even able to make a claim" because we recognize them as members of our moral community with "an entitlement upon [them] to receive what is claimed from me" (1972:360). Therefore, while we do not necessarily *owe* future generations such moral consideration, we are morally obliged to act *with regard* to them (Hubin 1976:71). Although Golding defines it as "a conception of the good life for man," in this argument is related to the natural right to survival and the conditions needed to do so (1972:360). That being said, "the potential for agency and autonomy that is attributed to future generations mandates the recognition of their rights to a natural world that is not destroyed and eroded either in the quantum of its resources or in their richness and diversity" (Jayal 2003:301). To ensure this right, present generations must create a social ideal based on physical, life-sustaining circumstances that will provide future generations with the opportunity to live a healthy life and fulfill their central interests. According to John Rawls, "the different temporal position of persons and generations does not in itself justify treating them differently" (1973:295). Thus, we have a duty to ensure the survival of future generations and must act to protect this right.

One can safely predict that future human beings will share with the present species common physical and psychological characteristics and that, for the preservation of life, they will require food, water and clean air (DesJardins 2006:213). Despite the indeterminacy of their faces and names, which makes it difficult to imagine the individual members of our moral community, they will still be human beings (Feinberg 1974:266). Susan Clayton affirms that identity and attribution of justice to a definable moral community is arguably the overarching uncertainty related to environmental concern. A study found that "the perceived fairness of an environmental policy will depend on who is defined as a relevant member of the justice community: who is entitled to have his or her interest considered" (2000:472-473). But even arguments calling for protecting the interests of future generations grounded in virtue-based and utilitarian ethical theories do not attempt to imagine their individual beings. Robert Heilbroner supports the claim that distinguishable identity is not necessary to preserve natural resources on behalf of future generations; only the identity of the collective species is relevant (1975:349). Derek Parfit's Person-Affecting Principle similarly asserts that, despite our inability to imagine them individually, a current policy that collectively harms future people must be avoided (Parfit 1983:372). Therefore, although they are "remote and unidentifiable," and cannot be labeled as human "persons," we know that human beings will continue to exist unless we foreclose this possibility by our risky actions.

Therefore, we must embrace the "Man of Humanity" argument for the preservation of the human species, rather than individuals, when considering moral obligations to future generations (Heilbroner 1975:350). We can argue that rights can be discussed because although "future humans are distinctive in

that the policies which we adopt now determine the identity of those humans who will exist in the future," these central interests do not depend on what type of "possible persons" are actualized (Elliot 1995:3). Edith Weiss Brown labels the rights of future generations embedded in these central interests "planetary rights and obligations" "held by each generation as a class" (1990:8). Similarly, if future generations have moral standing regardless of their specific identity or personality, then they also must have corporate group rights that are held by a "unitary entity" because "the individuals who make up the group feel themselves strongly bound together as members of a group with which they identify" (Jones 2008:2).

Rights can be socially based as group rights rather than individually based because they are not dependent on identity (Jones 2008:1). If the natural right to survival is the basis for future generations' moral standing as members of the human species, it is also the foundation for a group right to future self-determination. Therefore, "identity makes no moral difference"; either human lives will be better off or worse off depending on our current environmental policies (Parfit 1983:367). Our responsibilities may be temporal and intergenerational because "if I know that some choice I make now will or may harm future people, this is an objection to this choice, even if the people harmed do not now exist" (Parfit 1983:364). Likewise, because "our collective posterity is just as certain to come into existence 'in the normal course of events' as is any given fetus now in the mother's womb" and because this "collective" nature of future generations does not require identification, it does not require the reciprocal relationship typically exhibited between two people (Feinberg 1974:266). This further supports the idea that reciprocity and consent to a social contract are not significant because future people are a species who require the same environmental conditions needed for survival.

Furthermore, we may assume that our emotions will be comparable and that future people will also have the capacity to reason, which will make their interest worthy of equal consideration. Thus, in a democratic society, "the ability to make such probabilistic, nonrandom...judgments about the effects of policies on the interests of a given individual or group is all that is necessary for representation." In fact, uncertainty of identity does not preclude representation in today's policy making (Kavka and Warren 1985:25). These people have rights because although "the identity of the owners of these interests is now necessarily obscure...the fact of their interest-ownership is crystal clear, and that is all that is necessary to certify the coherence of present talk about their rights" (Feinberg 1974:266). Edwin Delattre argues that "the agent's recognition of the existence of such persons coupled with his lack of factual knowledge [still] enables him to appreciate the possibility of their being endangered." His position reflects the Harm Principle that requires a precautionary step to be taken if a risk of serious harm exists despite uncertainty over the likely degree of harm. We can attempt to predict the harm to future generations, even without firm certainty "as long as [one] act[s] in good faith...to the possibilities coherent with the belief" that current behaviors endanger the lives of future generations (1972:258). Even if we do not know the names or recognize the faces of a future group of human beings, the simple knowledge that they are human obliges us to act in a way that does not harm them. In fact, these distant strangers can assert to present generations that "given your social ideal, you must acknowledge my claim, for it is relevant to me given what I am; your good is my good" because recognizing human identity implies moral obligation (Golding 1972:361). Therefore, "in like manner, the vagueness of the human future" does not lessen the claims of these human beings, because we can assume that they will be persons having rational agency and possessing similar central interests in the attempt to survive (Feinberg 1974:266).

While Joel Feinberg does not believe that human beings have a right to come into existence, he accepts that future generations have contingent rights; they have interests when they come into existence. Mary Anne Warren and Kai Chan adopt a similar position (1977:270; 2004:39). According to David Clayton Hubin, "when it is reasonable to expect that there will be future generations, it seems reasonable to claim that we have a duty of beneficence for them - that we are morally required to promote those conditions which are conducive to future human happiness" (1976:83). Indeed, "because all in a society share a similar view of their collective past and future, their concern for that future makes the group of future citizens less alien or abstract" (Hiskes 2005:1356). Therefore, we are obliged to ensure that if they come into existence, they have the opportunity to survive. A right must be recognized by someone and with the recognition of a right comes a complementary duty to act. Because "rights function to limit the

behavior of other people...in order to protect certain basic interests of the rights-holder," this puts the obligation on those presently living to those without a specific claim (DesJardins 2006:81).

THE DUTY OF PRESENT PEOPLE WITH REGARD TO FUTURE PEOPLE: A LIVABLE ENVIRONMENT

If present people have a duty to guarantee the natural survival right of future people, what are our specific, contingent responsibilities? As members of the same species, we have an interest in surviving and protecting the right of future generations to breathe uncontaminated air, drink and use clean water, live in an area that is free of toxic waste and other pollution, obtain energy resources, and have access to arable, fertile land. These are "self-renewing resources...which none of us produced" (Baier 1973:181). These are "planetary rights and obligations," as Weiss Brown observes, "to receive the planet in no worse condition than [did] previous generations, to inherit comparable diversity in natural and cultural resources, and to have equitable access to use and secure benefits from the planet" (1990:8). This requires "cleaning up the environment and making our cities more habitable, [and] also implies restraints upon us," not just on behalf of Golding's "immediate posterity" but more distant generations, as well (1972:363). Our duty, however, entails only a negative natural right to avoid harming their ability to survive, rather than a positive right to receive "direct" assistance from a surplus of our resources (Bandman 1982:99). This is because we act *in regard* to future generations, rather than directly *owing* them responsibility. By recognizing the *contingent* interests they possess irrespective of identity, future human beings have the right to survival and present generations have the moral duty to prevent potential harm by sustaining acceptable basic living conditions.

THE VULNERABILITY OF FUTURE GENERATIONS TO PRESENT GENERATIONS

Our moral duty to future generations emerges from our recognition that as a species we share a common natural right to survival. Indeed, future generations will be "worse off" if we deprive them of the basic right to survival that we presently hold sacred through our current policies, actions, and behaviors. According to Feinberg, our descendants "have an interest in living space, fertile soil, fresh air, and the like" that we are obliged to consider, because "whoever these human beings may turn out to be, and whatever they might reasonably be expected to be like, they will have interests that we can affect, for better or worse, right now" (1974:266). This extends beyond our most immediate descendents, for whom love is "the source of obligation" (Dobson 1998:108). This commitment to human beings as a species follows "if we acknowledge that all humans have and will continue to have rights to certain goods or to have certain interests protected, then our actions today may violate the rights of people of the future" (DesJardins 2006:76).

If we argue deontologically, we are obliged to future generations because we have the power so to alter the physical world as to affect their quality of life. The Vulnerability Principle asserts that one must protect the interests of those who are "specially" vulnerable to harm, are dependent, or in some way unable to protect themselves when an asymmetry of power exists and they cannot reciprocate. Clearly, present people have a moral responsibility to the resource needs of powerless future generations. They are dependent on us to maintain a standard of life that will give them a fair chance to survive; this dependence puts us in a "position of dominance" that constitutes a "special" obligation to the distant future (Goodin 1983:11). This is because "reliance creates dependency" and "the relations that form a moral community, and which, once recognized, give rise to obligations, all concern dependency and interdependency" (Baier 1973:179). Therefore, present people have duties to future people because they are particularly vulnerable and at risk to our actions; their future survival is dependent on the present.

We currently have dominion over the basic necessities that future generations can only contingently claim. Feinberg argues that "we have it in our power now to make the world a much less pleasant place for our descendants than the world we inherited from our ancestors," and from this "unilateral power" stems the vulnerability of future generations (1974:366; Goodin 1985:177). Therefore, we are obliged to act in a way that recognizes this overarching power. Personal, social and organizational behaviors have led to pollution of the atmosphere with greenhouse gases and other

contaminants that have both acute and chronic consequences for the health of our species and our planet. Through technology, we have spoiled and depleted the Earth's supply of natural resources. As Weiss Brown observes, "we now recognize that, for the first time in human history, humans have the power to alter planet Earth irreversibly, on a global scale, and in many different ways" (1990:7). Gregory Kavka and Virginia Warren offer a more vivid explanation of why our obligations to future generations are grounded in the power we have obtained, asserting that "the development of modern industry and technology has given recent generations the capacity, far surpassing that of earlier generations, to do severe harm to the life prospects of future people, by seriously degrading the natural environment, using up vital natural resources, or destroying civilization by nuclear war" (1983:22). Accordingly, we should be aware of these special obligations because of our scientific, technological, and military power (Goodin 1983:22). Therefore, "our knowledge and our power are significantly different even from [those] of our grandparents' generation" and this calls for "new moral relationships and new obligations" (Baier 1973:176). Barbour similarly acknowledges the extraordinary power of contemporary humanity. We "should not neglect the direct and indirect far-reaching consequences of our actions in an ecologically interdependent world" (2006:118).

Hans Jonas contends that modern technology and progressive knowledge require a new "ethics of long-range responsibility" because of new long-range consequences. Technological advances, human behavior and action have changed in three major ways. First, he affirms that the natural environment and our descendants have become vulnerable to the power of technology. Thus, we must recognize the cumulative effects, unforeseen consequences, and irreversibility of our actions. With this power, the "indefinite future" has become the "horizon of responsibility." Second, Jonas argues, "predictive knowledge falls behind technical knowledge which nourishes our power to act" (2006:128). This means that we must use our technology cautiously and responsibly. Finally, we have discovered that the biosphere is in fact a "human trust" that has claims on the present generation for the well-being of future generations. He offers a series of obligations mirroring Kant's Categorical Imperative: "Act so that the effects of your action are compatible with the permanence of genuine human life"; "Do not compromise the conditions for an indefinite continuation of humanity on Earth"; and "In your present choices, include the future wholeness of Man among the objects of your will." If our present treatment of the environment were universalized, would our actions be consistent with the Imperative?

THE PRACTICAL IMPLICATIONS OF THE PRESENT GENERATION'S MORAL OBLIGATIONS

As Jonas concludes, the present generation needs to formulate a new ethical framework that reconsiders whom we include in our moral community and how we should act in regard to them. Modern human beings tend to think of one another as individuals; in order to realize our obligations to future generations, we must first acknowledge that future people are a part of our moral community in a natural or collective "special" sense. They have natural rights and interests that create a duty for us to ensure the preservation of the human species. But just how are we to change our use of resources with future generations in mind? The natural right to survival for our descendants may or may not include the right to obtain modern pharmaceutical and energy resources that we take for granted. We can argue that it is our duty to restrict our consumption of resources to ensure future people an adequate supply of clean, usable water, air and land. But we still may wish to live a comfortable, civilized life. So that "basic necessities" will be available in perpetuity to future generations, we may have to reduce industrial production, search for alternative energy resources and curb fossil fuel emissions to attempt to restabilize the global climate. Such changes are likely to be incremental and uncertain. While sacrificing for the welfare of future generations may be difficult, we can all contribute individually by engaging in such activities as walking to the local grocery store rather than driving and creating a compost pile to dispose of garbage from our homes. If harm to the earth has been cumulative, perhaps conservation efforts will be so as well. But such changes in the daily routines of human beings are only part of the solution. Global social institutions, especially governments and corporations, must commit themselves to the survival rights of future generations.

While focusing on the deontological ethics of survival, I did not consider whether future people have the right to an opportunity to live a "good" life beyond that of the basic physical necessities. It is

difficult to say, for example, whether the aesthetic pleasure we experience in viewing nature will be a central interest of future generations. Janna Thompson cautions that “the idea that wilderness has a psychological value was almost unheard of before the romantics of the eighteenth and nineteenth centuries made the idea fashionable...but fashions come and go. Future generations may not value wilderness” (1983:86). If we continue our consumptive behavior and population growth trends, human beings of the future may have different central interests than we do. Kristian Ekeli warns that “it is impossible to foresee the interest and resources needs of future generations,” although we can understand basic human physiological needs (2004:442). For this reason, Barbour claims that there is a difference between what constitutes a “basic” and a “decent” life (2006:115). If anything, however, we should admit that we cannot easily define “decency.”

Therefore, within the context of duty-based ethics, it does not appear that members of future generations have rights beyond the natural right to survival. That being said, if we engage in present action that ensures usable air, water, energy resources, and land free of pollution, this will give individuals the freedom to develop morally and culturally. Perhaps we can assert that securing the basic necessities of survival provides the means to such an end. If policies are to be put in place to benefit future generations, today’s policymakers must commit themselves to a restructuring of our most basic social, political, and economic institutions. But we may have to balance our concern for future generations with our concern for the world’s poor today. As Garrett Hardin explains, altruism toward our descendants may have to be tempered (1977:354). The positive duty towards present people who are suffering must be weighed against a negative duty to prevent the suffering of future people (Palmer 1997:92; Hardin 1977:354).

CONCLUSION

The national environmental movement of the 1970’s characterized by progressive federal and state policies, activist events, and controversial literature was a catalyst for government action on behalf of future generations. The state constitutions of Illinois and Pennsylvania assert “a right to a healthy environment” as well as “a duty to maintain a healthy environment for future generations” (Raffensperger 2003:1487). Court decisions in Montana and Hawaii have established that the state and residents are obliged to preserve and improve the environment for future generations. Indeed, the Hawaii court insisted that “the duty to protect public water resources is a categorical imperative and the precondition to all subsequent considerations,” adopting the Harm Principle and emphasizing a positive duty to avoid harm or eliminate a threat (Raffensperger 2003:1488). These states recognize public resources as common property and referenced the Founding Fathers who, in writing the federal Constitution, sought to prevent harm. They assert that it is a civil right of future generations to have these basic necessities, and our civil duty to protect them. To convince the present generation of these claims – that we have obligations to future generations – we must begin, as I have in this paper, to extend the boundaries of our moral community.

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