

Intergenerational Justice I: Rawls' Just Savings Principle

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Background: Rawls' Justice as Fairness

Contractarian theories—like Rawls' *Justice as Fairness*—characterize justice in terms of a set of principles regulating cooperation between people in society. For Rawls, the **principles of social justice** assign *rights and duties* in the basic institutions of society and define the appropriate *distribution of benefits and burdens* of social cooperation.

The Two Principles of Justice

JUSTICE AS FAIRNESS

1. **Equal Rights:** Each person is to be granted an equal right to the most extensive basic liberty compatible with a similar liberty for everyone else.
2. **Social Inequality:** Social and economic inequalities are to be arranged so that they are . . .
 - (a) . . . attached to positions and offices open to all under conditions of fair equality of opportunity (*Equal Opportunity*);
 - (b) . . . to the greatest expected benefit of the least advantaged (*The Difference Principle*).

The Original Position

Rawls argues that these principles are what we would agree to in the:

THE ORIGINAL POSITION. We are tasked with deciding which principles of justice to adopt. We are all (1) rationally self-interested, and (2) behind the "**veil of ignorance**".

Is there some set of principles that we would agree to unanimously? If so, what are they?

- **Claim 1:** Those principles that would be agreed to in the Original Position are just.
- **Claim 2:** Rawls' two principles of justice are the ones that would be agreed to in the Original Position.

What is Society? "A *society* is a more or less self-sufficient association of persons who in their relations to one another *recognize certain rules of conduct as binding* and who for the most part *act in accordance with them.*" [T], p. 4]

Conflict and Cooperation. "There is an *identity of interest* since social cooperation makes possible a better life for all than any would have if each were to live solely by his own efforts. There is a *conflict of interests* since persons are not indifferent as to how the greater benefits produced by their collaboration are distributed, for in order to pursue their ends they each prefer a larger to a lesser share."

Idea Behind Justice As Fairness: "Once we decide to look for a conception of justice that prevents the use of the *accidents of natural endowment* and the *contingencies of social circumstance* as counters in a quest for political and economic advantage, we are led to [Rawls' Principles of Justice]. They express the result of leaving aside those aspects of the social world that seem *arbitrary from a moral point of view.*" [T], p. 14]

Behind the Veil of Ignorance . . .

1. No one knows one's place in society, one's class position, or one's social status;
2. No one knows his fortune in the distribution of natural assets and abilities (e.g., intelligence, strength, agility);
3. No one knows one's conception of the good (e.g., the particulars of his rational plan of life).
4. No one knows anything about the special features of one's psychology (e.g., one's aversion to risk, whether one is an optimist or a pessimist).
5. No one knows the particular circumstances of their own society (e.g., its economic or political situation, the level of civilization and culture).

The Problem of Intergenerational Justice

Rawls thinks matters of justice hold, not just *within* a generation, but *across* generations as well. In particular, he thinks that the "social minimum" (the minimal standard of living required by the Difference Principle) must be constrained by our duties to leave enough capital and resources for future generations.

Just Savings Principle: We ought to leave enough for future generations to establish and preserve a just basic structure over time—one that secures equal liberty, just cooperation, meaningful work, and basic welfare.

Problem: Unlike our contemporaries, we don't stand in relationships of reciprocity and mutual cooperation with future generations. So, on what (contractarian) grounds can the Just Savings Principle be justified?

Two Versions of the Original Position

Rawls must rethink the details of the Original Position in order to address these intergenerational issues. He considers two alternatives:

1. *The General Assembly.* In this version, *all* human beings of all past, present, and future generations (or at least their representatives) take part in the original contract.
2. *Present Time of Entry.* In this version, the contractors in the original position all belong to *one* generation

Both alternatives raise problems.

Problems for the General Assembly. It's hard to imagine because we don't know what future generations will be like. Furthermore, because our decisions in the Original Position will affect future generations—e.g., how well-off they might be, how large their population might be, etc.—it's not clear exactly who should be represented.

Problems for Present Time of Entry. Without supplementation, it's hard to see how this would secure the Just Savings Principle because, instead, we seem to be locked into an intergenerational Prisoners' Dilemma.

Rawls attempts to block this by making a motivational assumption: people care, not just about themselves, but also about their *children* and their *grandchildren*.

Everyone knows that everyone represents a *different* generation, but no one knows which particular one they or anyone else is representing.

Everyone knows they belong to the same generation, but no one knows which generation that is.

All *actual* generations? (But that depends on what's decided.) All *possible* generations? (How can merely possible people negotiate about a contract that might preclude their actual existence?)

Each generation thinks, "whether or not the past generation saved for us, it's better for *us* to not save for the next generation." But, as a result, we bring about a sub-optimal-for-every-generation result: no generation leaves enough for the next.

Questions: Does making this assumption get Rawls the conclusion he wants? Is this within the spirit of Rawls' project?