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**Intergenerational justice, social capital and the role of the empirical  
in normative theories**

- SUMMARY -

Scientific Supervisor:

**Prof. Univ. Dr. Adrian MIROIU**

PhD Candidate:

**Adelin-Costin DUMITRU**

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## Introduction

Much of contemporary political philosophy has to do with distributions. Starting with Rawls’ groundbreaking *Theory of Justice* (1971), philosophers have dedicated many pages to discussions that tried to settle what distributive justice is. Such debates concerned for instance the question of the *pattern* of distributive justice, or how we should distribute resources<sup>1</sup>. The main contenders here are egalitarianism<sup>2</sup>, (according to which everyone should have the same advantages<sup>3</sup>), prioritarianism (the view which states that resources that accrue to the worst off individuals have more moral weight and thus we have a *prima facie* reason for benefiting those individuals)<sup>4</sup> and sufficientarianism<sup>5</sup> (which holds that people ought to have enough, and that above that level of well-being our obligations to help others either dwindle or completely disappear). Recently, a fourth alternative – limitarianism - has been advanced by Ingrid Robeyns (2017). Limitarianism states that it is morally impermissible to be rich, and that we ought to take fiscal measures that reflect this. In chapter 5 I investigate whether limitarianism is a true competitor to the other views or if it represents something else entirely.

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<sup>1</sup> The following presentation is not meant to be an exhaustive one. For a recent detailed overview of the state of distributive justice and of the major debates within it, I recommend chapter 2 of Alexandru Volacu (2016)’s PhD thesis, “On the structure and content of theories of distributive justice”.

<sup>2</sup> See Arneson (1989), Cohen (1989), Dworkin (2002), Vallentyne (2002), Temkin (2003), Chor-Tan (2008).

<sup>3</sup> I thank Alexandru Volacu for the suggestion of using the term “advantage” here instead of the more ambiguous and normatively charged “well-being”.

<sup>4</sup> Arneson (2000a), Holtug (2007a), Parfit (2012).

<sup>5</sup> Frankfurt (1987), Crisp (2003), Benbaji (2005, 2006).

Other intense battles concerned the *currency* of distributive justice, or how to measure the well-being of individuals (Sen: 1992 referred to it as the evaluative space question). The currency question asks what matters when we evaluate distributions. With the risk of oversimplifying things, do we care about how individuals feel about the goods that they own, do we care about the actual distribution of goods, or do we care about what they can do with those goods? Utilitarians, for instance, considered that a good life should be measured by looking at utility levels, or at how much enjoyment or happiness they brought to the individuals. More recently, discussions about utility have been replaced by discussions about *welfare*. Cohen (1990, p. 359) mentioned two prevalent senses of welfare: either as enjoyment (a hedonic interpretation of welfare) or as preference satisfaction. Sen (1985, pp.188-9) mentioned as potential iterations of the welfare metric the choice, the happiness or the desire fulfillment views, with the latter two overlapping Cohen's and the first one representing a "purely ordinal view [that looks at] what the person chooses from each subset of alternatives" (Sen: 1985, p. 188). Dworkin (2002) distinguishes between conscious state, relative success and overall success theories of welfare. As Cohen (1990, p.359n4) mentions, Dworkin's first two categories can also fit his distinction. Overall success theories of welfare are an intermediate case between these subjective interpretations of welfare and more objective ones. Dworkin defines equality of overall success as "equality in people's overall success as judged by themselves, from the standpoint of their own perhaps differing philosophical beliefs" (2002, p. 32). Theories of overall success allow for the possibility that individuals have "confused, inaccurate or just wrong [...] philosophical convictions about what gives value to life" (Dworkin: 2002, p. 32). Lastly, objective list theories hold that "certain things are good or bad for us, whatever our desires may be" (Parfit: 1984, p. 465)<sup>6</sup>. If our life can be said to check most or all items on such an objective list, then it is assumed that our well-being is high.

Resources represent an alternative currency. A resourcist measurement of well-being can either take the form of primary goods - "things which it is supposed a rational man wants whatever else he wants", such as rights and liberties, opportunities and powers, income, wealth and the social bases of self-respect (Rawls: 1971, p. 92) – or resources interpreted in a more general way, such

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<sup>6</sup> Authors such as Cohen (1990) deny that objective theories of welfare are really *welfare* theories, finding them "alternatives to any sort of welfare theory" (1990, p.359n4). Authors such as Dworkin (2002) include them in the list of welfare theories.

as in Dworkin's theory, where they are considered "whatever resources are privately owned by individuals" (Dworkin: 2002, p. 65).

Lastly, we have *capabilities* as a currency of justice, which represent opportunities for functionings, which are "doings and beings" as variate as "being free from malaria or not being ashamed by poverty" (Sen: 1985, p. 197). Capabilities have been proposed by Sen as an alternative to other currencies of justice which ignore the differential conversion rate that individuals have (Sen: 1992). Capabilities draw attention to the fact that just because two individuals have the same level of income, it does not necessarily follow that they have the same level of well-being: "a poor person's freedom from undernourishment would depend not only on her resources and primary goods, but also on her metabolic rates, gender, pregnancy, climatic environment, exposure to parasitic diseases and so on" (Sen: 1992, p. 33).

The third aspect that generated debates among political philosophers was the *scope* of distributive justice. Thus, some theoreticians emphasized the societal characters of justice<sup>7</sup>, while others favored a more global approach<sup>8</sup>. The scope debate concerns not only the spatial dimensions, but also the temporal one. Some philosophers argue that justice between generations is not possible<sup>9</sup>, while others plead for paying attention to the rights of future generations<sup>10</sup>. Extending the scope of justice to take into account our obligations to other generations poses unique challenges to political philosophy, starting from the fact that our relations with past or future generations are not direct, unlike the ones with our contemporaries. We have a slim chance of interacting with an inhabitant of even the most remote community on the globe, but there is zero probability that we might directly interact with our grand-grand-grandchildren<sup>11</sup>. Should this be relevant for how we conceive our obligations of justice? Furthermore, can we still talk about such obligations of justice in intergenerational contexts, or ought we to bring into discussion a less stringent concept, such as that of humanitarian concern?

The individual merits of each pattern and currency of justice will not be explored in this thesis. In my previous works, I emphasized the merits of a capabilityarian currency in the specific

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<sup>7</sup> Rawls (1999), Blake (2001), Miller (2007), Sangiovanni (2007).

<sup>8</sup> Pogge (1994), Buchanan (2000), Nussbaum (2005), Gilabert (2008).

<sup>9</sup> Heyd (2009a, 2009b).

<sup>10</sup> See the volume edited by Gosseries and Meer (2009).

<sup>11</sup> Assuming that human lifespan does not increase. In Dumitru (2020b) I argue, for instance, that we have a moral duty to invest resources in projects that aim at extending human lifespan.

context of educational justice in Dumitru (2018a) and I underlined the merits of a sufficientarian pattern in Dumitru (2017). In line with the arguments that I put forward in those articles, I also embrace capabilities and sufficientarianism as the currency, respectively the pattern, of distributive justice. I do provide a defense of sufficientarianism in chapter 5. However, it is a rejoinder to an internal criticism, not an attempt to argue for the normative superiority of sufficientarianism. Also, in chapter 3 I highlight several indirect merits of sufficientarianism that emerge in the specific circumstances of intergenerational justice. Lastly, at the end of this introductory section I present several advantages that sufficientarianism has as a non-ideal theory. In most of the chapters I remain agnostic about the question of the spatial scope of justice. While in chapter 4 I seem to assume a societal scope, maximizing the available stock of social capital at the level of a community represents a public policy that can be promoted at any number of administrative levels, from a local one to a global one (with intermediate levels such as international organizations or *sui generis* entities<sup>12</sup> such as the European Union having the potential to play significant roles).

What I am concerned with in the present thesis is the subject of distributive justice between generations. More specifically, I am investigating the subject of justice in relation to future generations. The domain of intergenerational justice is much wider, as it refers to the rectification of past wrongs, from expropriations imposed by communist regimes after World War II to colonialism, from Holocaust to slavery. In my M.A. thesis<sup>13</sup> I studied the essence of our obligations to rectify historical injustice. This time, I turn towards a subject that has already transcended the academia and entered the public agenda, being heavily featured among the priorities of international organizations such as the United Nations. For instance, the Sustainable Development Goals have at their heart the “need for action to tackle growing poverty and address the climate emergency”<sup>14</sup>. Furthermore, the 12<sup>th</sup> Sustainable Development Goal concerns the matter of responsible consumption and production. It is based on the assumption that “worldwide consumption and production rest on the use of the natural environment and resources in a way that continues to have destructive impacts on the planet”. It also includes the realization that the

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<sup>12</sup> See Phelan (2012) for an overview of the reasons why the European Union represents a *sui generis* international organization.

<sup>13</sup> Entitled “Reconsidering reparatory justice: a forward-looking account of alleviating historical injustice” and coordinated by Adrian Miroiu. Part of it was published in Dumitru (2019), while the theoretical framework was employed once again in Dumitru (2020a).

<sup>14</sup> <https://www.un.org/sustainabledevelopment/development-agenda/>

“environmental degradation [...] is endangering the very systems on which our future development depends”<sup>15</sup>. That being said, climate justice itself poses distinct theoretical and practical challenges. On the one hand, “with respect to intergenerational justice, climate change raises particularly pressing issues, such as which risks those living today are allowed to impose on future generations, and how available natural resources can be used without threatening the sustainable functioning of the planet’s ecosystems”<sup>16</sup>. On the other, achieving climate justice is also inextricably linked with global justice. Caney (2020) mentions several aspects that are investigated under the heading of climate justice, including here the issue of who is responsible for addressing climate change. Thus, climate justice is a separate topic, which in the last couple of years has generated a distinct literature (Page: 2006, Posner and Weisbach: 2010, McKinnon: 2012, Gosseries: 2004, Gardiner: 2006). In the present thesis I engage only marginally with the issue of climate justice, and almost exclusively when I am discussing the non-identity problem.

Even after setting aside these topics, the domain of intergenerational justice remains larger than could be discussed in a thesis that has to respect certain space constraints and which had to be written in a finite period of time. This can partially account for my decision to write the thesis as a collection of separate articles. This way, I could approach some topics concerning intergenerational justice without having to delve into all the numerous debates surrounding this field. Even if all the chapters of the thesis represent self-standing entities, there is a common thread. By the end of the thesis I intend to vindicate a theory of intergenerational justice that is fact-sensitive and that could pass a test of public justifiability. I thus propose a multifaceted approach to intergenerational justice that also sheds light on the role of the empirical in normative theorizing. There are two subdomains of political theory that are concerned with the role of facts in justifying or generating moral principles. Firstly, facts are featured in meta-ethical debates, with the constructivist approach specifically considering justice as being sensitive to empirical aspects (Cohen: 2008, p. 275). Within the constructivist approach, the principles that we ought to adopt are those that individuals themselves would accept in some idealized circumstances (Bagnoli: 2017). The constructivist approach rejects the existence of objective, absolute moral facts, that would purportedly exist outside the procedure of choosing principles, be it reflective equilibrium or a variant of the social contract (Rawls: 1980). Secondly, facts are present in the ideal – non-

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<sup>15</sup> <https://www.un.org/sustainabledevelopment/sustainable-consumption-production/>

<sup>16</sup> <https://www.unicef-irc.org/article/920-climate-change-and-intergenerational-justice.html>

ideal debate, with non-ideal theory being concerned with issuing achievable and desirable recommendations (Stemplowska: 2008, p. 234). Non-ideal theory is important because it helps us rank the options in circumstances that are far from ideal (in which individuals do not comply with the principles of justice, in which there are scarce resources, in which it is difficult to ascertain whether the distributive measures will reach their ends) (Swift: 2008). However, non-ideal theory can be problematic if we make too many concessions and thus end up with a diffused theory of justice (Estlund: 2014). This is why many contemporary defenders of ideal theory consider that normative theories have to find an equilibrium between ideal and non-ideal theory (Volacu: 2017). Balancing ideal and non-ideal considerations is one of the secondary aims of this thesis. At the end of this introductory section, I mention a potential model of transitioning between ideal and non-ideal theory that is based on Volacu's (2017) suggestion that we need both a way of using "normative principles derived at the level of ideal theory to guide our attempts at assessing and improving our current state of the world", as well as a way of identifying how we can move from non-ideal circumstances to an ideal (or close to ideal) state of the world.

Pursuant to this methodological part, I am preoccupied with showing how we can put forward principles of justice that can subsequently be instantiated in public policies without the risk of being violated by real-world denizens. Thus, in one of the chapters I argue that, if certain empirical conditions are satisfied, individuals would be more likely to respect principles of justice. For instance, if at the level of a certain community exists a certain level of social capital, not only will individuals be more willing to redistribute resources towards future generations, but this will also create the necessary empirical conditions for ensuring that the circumstances of justice will be safeguarded for future generations. After a defense of relying on certain empirical information in the justification of normative theories, the second half of the thesis develops and defends a sufficientarian approach to intergenerational justice. At the end of the thesis, I attempt to join the two parts by emphasizing that a sufficientarian approach, besides its normative appeal, should also be endorsed due to the fact that it better satisfies a feasibility criterion. Following David Miller, I assume that feasibility depends not only on physical or sociological laws, but also on what, at an empirical level, people deem as acceptable or unacceptable outcomes (Miller: 2013). My sufficientarian proposal can be classified as a kind of aspirational theory, one whose standards are not achieved at the moment, but could be, if we follow a specified path (Estlund: 2008). Furthermore, I will present several reasons why sufficientarianism has the potential to be more

publicly justifiable than alternate distributive patterns, such as utilitarianism, prioritarianism or egalitarianism. Of course, the public justifiability of a distributive principle is relevant only if we endorse a constructivist approach to justice. By the end of the thesis, I plan to have accomplished the following things:

1. Explaining the source of our obligations of justice to future generations;
2. Highlighting what types of public policies are compatible with maximizing compliance with principles of intergenerational justice (a non-exhaustive list includes measures such as adopting a universal basic income, imposing a progressive taxation system, investing in improving the stock of social capital in a community<sup>17</sup>);
3. Showcasing the way in which normative theorizing can be reconciled and integrated with empirical research, in order to issue a theory of justice that respects the joint criteria of feasibility and desirability.

Given that the chapters themselves have an eclectic character, in what follows I present in a more detailed manner how the thesis is structured, with a focus on the role played by each of them in achieving one of the aforementioned aims. One overarching theme of the thesis could be considered an exploration of sufficientarianism, with a focus on the implications of embracing it as a distributive pattern for intergenerational justice. This is the consequence of my attempt to show why sufficientarian principles should be the ones that we use to ensure distributive justice between generations. As such, it becomes important to defend sufficientarianism and to show what other implications it has. Furthermore, the institutional implementation of sufficientarianism becomes important if we want to have an empirically sensitive theory. This explains the focus on limitarianism in several of the chapters. One important caveat that I mention from the outset is that some of the literature will repeat itself throughout the thesis. For instance, I present the sufficientarian view in three of the chapters (chapter 3, chapter 5 and chapter 6). However, as I am trying to achieve different things in each of those chapters, I am concerned with different aspects of the sufficientarian view. Last but not least, although I highlight different parts and aspects of sufficientarianism or limitarianism, the variant of the sufficiency view that I present in chapter 3 is meant to represent my definite stance on this distributive pattern. It refines arguments that I

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<sup>17</sup> The second public policy is mentioned in Chapter 7, “Limitarianism and inheritance ethics”. The third one is presented as a desirable one in Chapter 4, “Creating the conditions for intergenerational justice: social capital and compliance”.

previously developed in my B.A. and M.A. theses. The other chapters including discussions about sufficientarianism are meant to be compatible with that definitive view.

Chapter 2 presents constructivism, the meta-ethical position which states that, although we cannot have direct access to moral facts, we can still come up with a set of principles which can be justifiable and which ought to be respected by individuals. The strength of these moral principles derives from the fact that they are the result of a procedure respecting certain desirable conditions. Constructivism concerns the methodology of political philosophy, being preoccupied with the process of generating moral principles and of justifying those principles. In this chapter I present the main contentions of constructivism (focusing especially on the Kantian constructivism advanced by Rawls and Scanlon), I describe its positioning on the realist – anti-realist axis, and I compare it with its main competitor in the field of meta-ethical views, intuitionism. I dedicate a separate section to the method of reflective equilibrium, which represents an important part of several meta-ethical accounts, be they constructivist, realist, or intuitionist. I show how reflective equilibrium represents the main instrument constructivists can employ in order to capture the appeal of relying on intuitions in moral theorizing, without leaning towards intuitionism. At the end of the chapter I present G.A. Cohen's (2003 and 2008) criticism of constructivism. I focus on the replies Ronzoni and Valentini (2008), Hall (2013), de Maagt (2014) and Rossi (2016) give to Cohen, ending with a criticism of my own. To that note, I argue that Cohen's thesis is affected by a conflation of fact-dependency with fact-sensitivity. While no normative enterprise should be fact-dependent, moral theorizing in the field of justice should be fact-sensitive.

In chapter 3 I defend the idea that future individuals have rights, and that we have correlative obligations towards those individuals. To that end, I argue for subject-centered theories of justice and criticize reciprocity-based theories. I show how the reciprocity problem is tied with the non-identity problem in the context of intergenerational justice. Scanlonian and Rawlsian approaches to intergenerational justice are presented, and I conclude that what they have in common is sharing some sufficientarian intuitions. Afterwards, I present one of the dominant ways of circumventing the non-identity problem introduced recently in the literature, the threshold conception of harm proposed by Meyer (2001). Finally, I sketch a sufficientarian proposal that incorporates this threshold conception of harm.

Chapter 4 introduces a concept which so far has been largely neglected in contemporary political theory: social capital. The argument that I make in the chapter is that it can play an important role in ensuring the feasibility of intergenerational justice theories, and in solving some of the most powerful objections that they face. Resorting to social capital can help both subject-centered theories of intergenerational justice, as well as reciprocity-based ones. What social capital does is to increase the willingness of individuals to distribute resources towards future generations. Furthermore, by solving collective action problems, it can secure the sustainability of common-pool resources usage, and thus it can ensure that enough environmental resources are preserved for future generations.

In Chapter 5 I continue to analyze sufficientarianism and its connection to limitarianism, which is hereby introduced in the thesis. The sufficiency view holds that justice requires that people have enough, that is, that they achieve a level of well-being postulated as adequate. Recently, the sufficientarian view has received numerous criticisms, mostly concerning its disregard for inequalities above the threshold (or upper threshold, in the case of multilevel sufficientarianism) and the arbitrariness of the threshold. A particular criticism raised by Lasse Nielsen (2017) comes from within the sufficiency view and states that sufficientarianism fares badly in regard to our intuitions that the well-off have more duties even in societies where there is no absolute deficiency. This chapter represents a rejoinder to that criticism, showing that a properly construed multilevel sufficiency view employing capabilities as its metric is not vulnerable to what Lasse Nielsen calls the unequally distributed burdens objection. Nonetheless, Nielsen's objection captures the important insight that how duties are distributed matters even in such societies in which no one falls under a certain threshold. My claim is that one way that this can be achieved is by incorporating limitarian considerations into the sufficientarian project.

Having introduced limitarianism, I continue to explore its implications in the following two chapters. First, in chapter 6, I investigate the relationship between limitarianism and republicanism, aiming to show how the former can be useful for the latter if republicans want to better refine some intuitions they hold regarding extreme inequalities extant in the society. Thus, the chapter intends to show that freedom as non-domination can be instantiated in contemporary societies by setting upper limits to individuals' wealth. The relationship between the two is not one-way only, as limitarianism has something to gain as well from republicanism. One of the main

tenets of the chapter is that implementing limitarianism *sans* republican policies could lead, in our non-ideal societies, lead to taxing more than just the surplus money, a consequence of phenomena such as availability cascades, populism, group polarization or the outrage dynamic.

Finally, in chapter 7 I discuss one of the prevalent practices in contemporary societies: inheritance. Nevertheless, just because a practice has become ingrained, it does not necessarily mean that it is morally justifiable. A society in which people can hold private property, but are not allowed to pass on to their descendants that property, is not inconceivable. Similarly, we can also think of a world in which the state does not intervene in acts of bequest, neither by taxation nor by confiscation of property. Although neither of these options is outside the realm of possibility, it is far more likely that most of us would want to leave at least something to our children or to our close friends and relatives. On the other hand, inheritance has far-reaching effects, which often contribute to accumulation of wealth in the hands of a minority of wealthy individuals. Tempering the negative effects of inheritance and preserving individual freedom requires a careful balancing act. I offer an argument for using limitarianism as a way of refining our intuitions concerning restrictions on the rights to bequeath and to inherit. Limitarianism can help us forge better policies, on the one hand, and can tell us what we are morally allowed to do on a personal level. As such, it has both moral and political implications. What these implications are is the main topic of this chapter. I have to mention that in this chapter I depart to a certain degree from tying discussions about sufficientarianism with discussions about intergenerational justice, as I explore mostly the egalitarian objection to inheritance. Nonetheless, I indicate in the chapter that some of the negative implications of inheritance should also be concerning for sufficientarians. Thus, although this does not follow the mold of the other chapters, it is not incompatible with them and it can find its place within the structure of the thesis.

All the chapters included in this thesis benefited from external feedback. Some of them were presented at conferences during the last three years, approved for publication or published in international peer-reviewed journals. A modified version of Chapter 2, “How should we justify moral principles? A constructivist defense of fact-sensitivity”, was accepted for publication *Prolegomena: Journal of Philosophy* 19, no.2, 2020. Chapter 5, “Rescuing sufficientarianism from itself”, is forthcoming in the *South African Journal of Philosophy* 39, no.4, 2020. An early version of chapter 6, „Why republicanism needs limits to wealth”, was presented at the ASPP Annual

Conference: Justice in times of austerity, rupture and polarisation, held at Newcastle University in 2019. Finally, chapter 7, “Limitarianism and inheritance ethics”, is based on the chapter “Limitarism etic și responsabilități individuale în etica moștenirilor” [“Ethical limitarianism and individual responsibilities in inheritance ethics”], written for *Teme actuale în etica publică* edited by Alexandru Volacu, Daniela Cutaș and Adrian Miroiu and *forthcoming* at the Polirom Publishing House (Iași).

### **How do we ensure the feasibility of a normative proposal? From ideal to non ideal and back again**

What is the purpose of a theory of (distributive) justice? When we develop theories of justice, should it bear any relevance that we live in a mostly unjust world? Should individuals be motivated by principles of justice? Can principles of justice be too demanding? These are just some of the questions that belong to the ideal – non-ideal theory debate. Like many other lines of research in contemporary political philosophy, the origins of this debate can be found in Rawls’ groundbreaking *A theory of justice* (1971). There Rawls noted that “everyone is presumed to act justly and to do his part in upholding just institutions” – this represents what he calls “strict compliance as opposed to partial compliance theory” (1971, p. 8). Rawls noted that he starts from full compliance because “a deeper understanding can be gained in no other way, and that the nature and aims of a perfectly just society is the fundamental part of the theory of justice” (1971, p. 9). In Rawls’ initial interpretation, ideal theory entails the identification of principles that would apply in a fully just society. In recent years, however, this approach has come under siege. Amartya Sen (2006) led the most formidable attack against what he called “transcendental theories of justice”. According to Sen, relying on a search for ideal principles does not respond to the question of what we should do here and now, in our unjust, non-ideal circumstances: “to consider an analogy, the fact that a person regards the Mona Lisa as the best picture in the world does not reveal how she would rank a Gauguin against a Van Gogh” (Sen: 2006, p.221). A second way in which transcendental theories are lacking is that sometimes it is irrelevant to know what the best iteration of a principles of justice is. We do not need to know what an ideal society looks like, says Sen, if we want to operate changes here and now: “the existence of a [...] best alternative [...] does not

indicate that it is necessary (or indeed useful) to refer to it in judging the relative merits of two other alternatives” (Sen: 2006, p. 222). Sen argues that we should instead focus on comparative theories, which are much more applicable and yield much more mundane results than transcendental ones: “it may well turn out that in a comparative perspective, the introduction of social policies that abolish slavery, or eliminate widespread hunger, or remove rampant illiteracy, can be shown to yield an advancement of justice. But the implementation of such policies could still leave the societies involved far away from the transcendental requirements of a fully just society” (Sen: 2006, p. 217).

What Sen criticizes here is the supposed failure of ideal theory to achieve two purposes of normative theorizing: to guide action and to assess state of affairs (Stemplowska: 2008). However, we seem to have departed from Rawls’ original distinction of ideal/non-ideal theory as being based on full compliance / partial compliance. Hamlin and Stemplowska (2012) mapped the ideal/non-ideal distinction by highlighting four elements that can be used to distinguish between them: full compliance/non-full compliance, idealization/abstraction, fact-sensitivity/ fact-insensitivity and perfect justice/local improvement in justice (pp. 48-9). The distinction between abstraction and idealization was introduced by O’Neill, who distinguished between simplifying by assuming falsehoods (idealization) and simplifying without assuming falsehoods (abstraction) (1996, pp. 40-1). That ideal theory is based on idealization is why we should reject it, say authors such as Farrelly. Non-ideal theory, for Farrelly, involves acknowledging a variety of non-ideal constraints, such as: “non-compliance, unfavorable historical, social or economic conditions, indeterminacy, fallibility, disagreement, human vulnerability, problems of institutional design” (2007, p.847). What political philosophers should do is to “advance theories of justice that adopt a critically reflective attitude towards their own background empirical assumptions concerning what is realistically possible” (Farrelly: 2007, p.845). It could be said that for Farrelly, the full compliance /non-full compliance distinction is actually subsumed to the idealization/abstraction distinction. The distinction between a theory of perfect justice and a theory of local improvement in justice follows the same lines as Sen’s differentiation between transcendental and comparative theories. This leaves the fact-sensitivity dimension. Hamlin and Stemplowska mention that “a theory is more fact-sensitive the more facts it recognizes and incorporates as elements of the model or as constraints on the model” (2012, p. 51). I leave aside fact-sensitivity, as I will discuss it in the following chapter together with the meta-ethical question of how to build and justify moral

principles. Hamlin and Stemplowska reach the conclusion that there is in fact a continuum of ideal/non-ideal theory, which “is concerned with the identification of social arrangements that will promote, instantiate, honour or otherwise deliver on the relevant ideals”; they oppose it to the theory of ideals, whose “purpose is to identify, elucidate and clarify the nature of an ideal or ideals” (2012, p. 53).

Elsewhere, however, Stemplowska had mentioned that the distinction between ideal and non-ideal theory is based on what kind of recommendations they offer. While non-ideal theory offers achievable and desirable recommendations (“that are both achievable and desirable, as far as we can judge, in the circumstances that we are currently facing, or we are likely to face in the not too distant future”), ideal theory issues recommendations which are not achievable and desirable (2008, p. 324). Why would one want to embrace a theory that issues such recommendations as those issued by ideal theory? The reason, according to Stemplowska, is that ideal theory plays a function of diagnosing what is wrong with current societies, that might not be available to non-ideal theory: “ideal theory helps us see our principles and problems more clearly, it ensures that even when we are not motivated to do what can be required of us we are not thereby let off the hook, and it allows us to uncover more of what we value and should pursue” (Stemplowska: 2008, p. 339). If this is true, then we need both ideal and non-ideal theory: “we need the non-ideal in order to assess how we can move from our current state of the world to a comparatively more just one, and we need ideal theory in order to assess what such a perfectly just state of the world looks like” (Volacu: 2017, p. 8).

Non-ideal theory remains important because it has an importantly practical role (Swift: 2008). Non-ideal theory “provides the careful conceptual and evaluative thinking needed to rank the options that social science tells us to be within the feasible set” (Swift: 2008, p. 369). What is feasibility? According to Volacu (2017), feasibility is a property of the outputs of a normative theory. Together with desirability, it provides a way of assessing and comparing different theories of justice. While desirability tells us why a theory should be appealing due to the values it instantiates, feasibility indicates how to achieve the realization of a state of the world similar to the one postulated in our preferred theory of justice. Both criteria concern the transition from non-ideal theory to ideal theory. While desirability refers to the “constraints on the permissible moves allowed in the transition” (Volacu: 2017, p. 9), feasibility refers to the possibility of actually getting

to that state of the world. Gilabert and Lawford-Smith (2012) define a state of affairs as being a feasible one if “it is one we could actually bring about” (p.1). Nonetheless, we should not opt for a static understanding of feasibility. Gilabert and Lawford-Smith underline the role played by dynamic duties, which concern not only what we can do at the moment, but what can be done in order to “change circumstances so that new things can be done” (2012, p. 3). Feasibility is what Carey (2020) calls a “value-adder”; this means that we have more reasons to endorse a theory or a principle if it is more feasible than another. This is similar to the argument advanced by Gilabert and Lawford-Smith, for whom “one demand may be more desirable than another, but if the former is much less likely to be met than the latter, it may make more sense to pursue the latter” (2012, p. 11).

However, I stipulate that, in order for feasibility considerations to trigger, a theory has first to have met a certain desirability threshold. Generally speaking, such a threshold is raised if it passes either a case-implication critique or a prior-principle critique, where the former entails checking the implications of a principle in thought experiments, and the latter checks whether a principle respects some more fundamental values (Sen: 1979, p. 197). Alternatively, this could be accomplished by satisfying the criterion of moral accessibility mentioned by Buchanan (2004), which can be understood as “a criterion whose fulfillment would show that a set of principles do not impose unreasonable moral costs on an individual and thus are not overdemanding” (Dumitru: 2017, p. 147). This represents a way of using “normative principles derived at the level of ideal theory to guide our attempts at assessing and improving our current state of the world” (Volacu: 2017). At first, we formulate a theory that seems to be desirable. Afterwards, we test its implications: what would happen were we to try to implement it? Would it lead us towards a state of the world similar to the one that we have originally envisioned? If the answer is not positive, because it poses feasibility problems, then we can operate additional changes to the initial theory. This could be an example of what Volacu (2017) calls a model of incremental derivation. However, space and time constraints prevented me from fully engaging with such a model of bilateral transitioning. Some vestiges of my initial plan of developing such a model remain in the thesis, but I provide no thorough discussion.

There are several reasons why sufficientarianism is proposed as a theory of intergenerational justice in this thesis, some of which having to do with the feasibility criterion.

Firstly, it is proposed because it can be more easily acceptable by real-world individuals. This does not mean that we form our theories on the basis of the actual distributive preferences of individuals, but that we must restrict the pool of potential principles of justice to the ones that would be most acceptable for real-world individuals, perhaps after doing efforts of instilling in them a sense of justice or cultivating a more empathic positioning towards others.

Thus, sufficientarianism is proposed as the pattern of intergenerational justice because it fits our carefully considered intuitions that it represents a desirable conception of justice. Perhaps it seems too undemanding, if we lean towards egalitarianism. But then we would have to ask ourselves if real-world individuals would be more willing to distribute their resources and to comply with principles that aim at equalizing their well-being, or if they would prefer principles that guarantee that everyone has enough (however we interpret the notion of enough). If we are concerned about feasibility, then the next step is to see how it can be maximized, so that our preferred principles of justice could eventually be realized. In the case of the intergenerational proposal that I make in this thesis, some necessary steps are investing in developing the stock of social capital or adopting limitarian fiscal policies. These are institutional steps that can help us achieve the objectives of intergenerational sufficientarian justice. For instance, investments in social capital can bring a further reason why individuals comply with principles of justice. We should neither assume full compliance, nor remain idle in the face of non-compliance. Instead, we should take measures that aim at maximizing the probability that individuals will respect the principles that we initially considered to be just.

On the other hand, embracing the role of the empirical in normative theories and paying attention to the question of feasibility means that armchair philosophy may not be sufficient. We may need to step into the real world, and see what really drives individuals, and what they have to say on the matter of distributive justice. A true constructivist approach would be to build a fair procedure that could lead to the public adoption of a set of principles of justice. At this point, however, I assume that such a procedure would lead to the adoption of a sufficientarian theory of intergenerational justice. In the chapters that follow I refine this conception of intergenerational sufficientarianism, showcasing from time to time the reasons why it would be a feasible conception of justice.

## Conclusions and final remarks

The present thesis tried to vindicate a fact-sensitive, publicly justifiable theory of intergenerational justice. The main candidate for this endeavor was a sufficientarian theory of justice between generations, which employs capabilities as the currency of justice and which could be instantiated if we adopted limitarian public policies in a republican polity.

There are several reasons which stand behind the decision to nominate sufficientarianism as a candidate. First of all, it represents a less demanding conception of justice than alternative egalitarian views. It satisfies the criteria advanced by Buchanan (2004) for a fair transition from our current non-ideal circumstances to a state of the world approaching our idealized conception of justice: accessibility, feasibility and moral accessibility. Accessibility entails for Buchanan the existence of a practical way that can tell us how to go forward towards “a reasonable approximation of the state of affairs that satisfies the theory’s principles” (Buchanan: 2004, p. 61). Feasibility refers to a general congruence with human capacities. Lastly, moral accessibility asks that we do not commit a moral wrongdoing in the transition from a non-ideal world to an ideal world. It is a proceduralist criterion, which elsewhere I interpreted as “a criterion whose fulfillment would show that a set of principles do not impose unreasonable moral costs on an individual and thus are not overdemanding” (Dumitru: 2017, p. 147). The theory of intergenerational sufficientarian justice that I advanced satisfies these criteria. First of all, it respects accessibility because it is based on limitarian taxation policies (as argued in chapter 5, “Rescuing sufficientarianism from itself”), it entails the promotion of policies that encourage the development of social capital (as I mentioned in chapter 4, “Creating the conditions for intergenerational justice: social capital and compliance”) and its prospects would be improved were we to embrace a limitarian ethics when it comes to inheritance (chapter 7, “Limitarianism and inheritance ethics”). It respects feasibility, *i.e.* it does not “have requirements that go beyond the limits of human psychology, human capacities or natural resources” (Gilbert and Lawford-Smith: 2012, p. 4). Instantiating a state of the world similar to the one presented in chapter 3 (“On the threshold conception of harm and non-identity. Sketching a sufficientarian proposal”) is possible to the extent that we bring ourselves in the position to change some of the circumstances in which we find ourselves (of interest here are especially a wider participation in political processes, which stems from a republican understanding of the individual freedom, and raising more money for redistributive policies in a

way that does not violate individual rights, which can be achieved by implementing limitarian policies, which in turn can afterwards be used to create social safety nets or adopt a variant of the universal basic income).

The proposal is feasible in another sense of the feasibility concept as well. Carey (2020) mentioned that “in a world like ours, the probability of success for some particular distributive scheme can be affected by a wide range of factors. These include [...] whether people are or could be sufficiently motivated to endorse and comply with said distributive scheme”. Carey (2020) mentions several features of sufficientarian schemes that could make them publicly justifiable: they are less demanding than egalitarianism, as they trigger considerations of justice only if persons are situated below a morally relevant threshold, permit people to keep additional benefits, even if this leads to inequalities, and it can generate more political agreement, in that “there is general agreement that extreme deprivation ought to be eradicated”. The introduction of limitarian policies, taxing what Robeyns (2017) called surplus money, could be understood as violating the purported appealing feature of allowing individuals to keep additional benefits. However, limitarian policies only apply to the extremely wealthy individuals in a society – economic inequalities would still be permitted, as there will still be a morally not regulated area above the maximal threshold and below the limitarian threshold (which, as explained in chapter 5, is not a justice proper threshold). Furthermore, those subject to limitarian taxes would have a say as to how the money raised from them will be used (as argued in chapter 6, “Why republicanism needs limits to wealth”). This latter point also shows that my proposal respects the moral accessibility criterion, as it involves no significant moral costs in the transition to a more just state of the world.

The thesis also aimed to show the role of the empirical in normative theorizing. This is why in the second chapter I defended a constructivist approach to justice. It is also the reason why in chapter 4 (Creating the conditions for intergenerational justice: social capital and compliance) I emphasized how the study of an empirical concept – social capital – can help us better instantiate the values of intergenerational justice. Embracing constructivism as a meta-ethical approach to generating and justifying principles of justice also accounts for my focus on respecting the feasibility criterion. In a true proceduralist fashion, Raikka (1998) explained how the feasibility of a political theory “should be evaluated by judging whether the ideal suggested by the theory is acceptable, once the moral costs of changeover are taken into account” (p. 36). Using a reflective

equilibrium procedure, we could balance the intuitions that we have concerning justice, with the moral principles of sufficientarianism, and with a set of background theories (following the steps of the reflective equilibrium mentioned by Haslett: 1987, p. 306). Thus, it would be difficult to deny the basic intuition of sufficientarianism, that everyone is entitled, just in virtue of being human, to a certain social minimum. There is already a fit between moral principles and our intuitions. In chapter 4 I attempted to show how these further fit with background theories concerning social capital and its role in solving the tragedy of the commons. However, it is an acknowledged limitation of the thesis that I have not developed this fitting process.

One other limitation of the thesis is that the importance of republicanism for the intergenerational justice sufficientarianism that I advance is not emphasized enough. I do provide a justification for connecting sufficientarianism and republicanism in Chapter 6 (“Why republicanism needs limits to wealth”), but the argument that I make that references a more generic sufficientarian view, and not the version that I present in Chapter 3. However, as I also mentioned in the Introduction, all less articulated sufficientarian views presented in the thesis are meant to be fully compatible with the definite sufficientarian view advanced in Chapter 3. In the future, I plan on further developing the implications of reforming institutions in accordance with the neo-republican framework for intergenerational justice. At the moment, however, I must concede that this is a somewhat neglected topic of the thesis.

Another topic on which I did not focus enough was the public justifiability character of sufficientarianism, which I have taken as an axiom rather than as a claim requiring proof. A defense of this claim could start from the fact that individuals, acknowledging the necessity that their lives be governed by principles of justice, would be more willing to accept a conception such as sufficientarianism, which asks less of them than alternate conceptions such as egalitarianism. There is no levelling down requirement, not even a *prima facie* one, in sufficientarianism. Thus, no individual has to be brought down to a certain level just to be on par with others. The moral requirements of sufficientarianism refer to raising individuals about thresholds of normative significance, not bringing them down. A further reason which could account for the public justifiability character of sufficientarianism is that it can lead to what Rawls called “stability for the right reasons”, that is, “stability brought about by citizens acting correctly according to

appropriate principles of their sense of justice, which they have acquired by growing up under and participating in just institutions” (Rawls: 1999, p. 13).

While not overdemanding, sufficientarianism – at least in the version advocated in this thesis –remains a view on justice which asks individuals to do more than what they are currently doing. Thus, it is action-guiding and at the same time “not too normatively modest” (Herzog: 2015, p. 959). Clarifying the role of who the burden-bearers should be in a sufficientarian society in chapter 5 was mostly a task that aimed to respond to Herzog’s observation that “it is the perception of a social norm, namely the fair distribution of burdens, that might contribute to the unwillingness of individuals to act on motives other than self-interest” (and thus sometimes pose difficulties for the achievement of justice) (Herzog: 2015, p. 966). Social capital can also play a role in solving what Herzog called “feasibility gridlocks”, or coordination problems resulted from perceptions regarding the behavior of others. An interesting challenge for the future is to work out exactly how to model the transition from the non-ideal to the ideal world (perhaps following the procedure of incremental derivation proposed by Volacu: 2017). At the moment, what can be said with certainty is that achieving intergenerational justice requires, at a theoretical level, to accept the idea that normative theorizing can be reconciled and integrated with empirical research and, at a practical level, the adoption of public policies that aim at maximizing compliance with principles of intergenerational justice (a non-exhaustive list includes measures such as adopting a universal basic income, imposing a progressive taxation system, or investing in improving the stock of social capital in a community). The prospects for intergenerational justice can only be improved if we embrace the idea that empirical factors play a role in normative theories.

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