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Sentiments and Posterity: Smith on Intergenerational Justice

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Abstract

In his *Theory of Moral Sentiments*, Adam Smith lays out an account of ethics based on reflected passions towards our neighbours. I argue that this account can inform theories of intergenerational justice. Existing approaches implicitly focus on claims of justice between generations, not individuals. Instead, following Smith, we should think of each individual situated in her spatio-temporal neighbourhood. Relations between neighbours take the form of intergenerational sentiments. Reflection on these sentiments then allows us to identify due claims of justice. On this account, individuals are not just members of their respective generation, but also of their intertemporal community.

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1. Introduction

Adam Smith's metaphor of the "invisible hand" has been the concern of economists and philosophers alike. Hailed by some as a source of great efficiency, it has been condemned by others as a justification of outrageous inequality. The individual pursuit of one's idiosyncratic interests best furthers societal welfare: this notion has been employed and abused to support positions diametrically opposed to one another. On the one hand, proponents of a minimal state rely on the invisible hand to argue for a laissez-faire economy and a market freed from the shackles of intervention. This very market, it is argued on the other hand, can only function and flourish if it is properly embedded into a system of social and political institutions, the existence of which requires the market to be confined and controlled. The debate between these two camps, however, only captures half of what is to be learnt from the metaphor.

In his *Theory of Moral Sentiments* (TMS), Smith ([1759] 1982) argues that the members of society, striving for their individual interests, "are led by an invisible hand to […] advance the interest of the *society*" (TMS IV.1.10, emphasis mine). While this reasoning has been the focus of the debate, it has often been overlooked that Smith continues this very sentence by arguing that the invisible hand has a second effect: to "afford means to the *multiplication of the species*" (emphasis mine).

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The invisible hand thus is not a static one. It does not merely operate within a stationary society of fixed size and at a certain point in time. Instead, it guides us towards the solution of a dynamic optimisation problem, where not only the distribution of goods among the members of a society is endogenous, but even the size and composition of this very society. The dual objective of societal welfare and "multiplication" thus resembles Jeremy Bentham's dictum whereby doing the right thing lies in ensuring "the greatest happiness of the greatest number" ([1776] 1977, 393).

However, this dual objective of greatest happiness and greatest number can cause conflict. Conflicts of interest may already arise within a given generation, but will now additionally occur between generations. In addition, the temporal dimension gives rise to an asymmetry absent in stationary models: interaction between members of society now is unidirectional if these members belong to different, non-overlapping generations. This lack of reciprocity nullifies the notion of a society relying on mutually beneficial cooperation and instead calls for an alternative conception of justice, *i. e.*, a new concern for the design of social institutions. It leads to the issue of intergenerational justice.

The first aspect of Smith's metaphor gave rise to questions of justice *intra*generationally: if the invisible hand guides us towards an efficient state of affairs in a given society, do we need additional safeguards to also make it a just one? Does concern for fairness require us to curtail or rather to unleash the market? These questions have dominated the debate. The present text now turns to the second aspect of the metaphor, and thus to intergenerational justice: society is not a given, but rather an endogenous entity whose size is determined by "multiplication" (or lack thereof) and whose future happiness is affected by today's policies. Smith himself claimed that a wise design of social institutions will have in mind the "happiness […] for many succeeding generations" (TMS VI.ii.2.14).

However, spelling out this very design of institutions which is meant to do justice across generations has proven a notorious problem both for philosophers and economists. The lack of reciprocity sketched above, the uncertainty of future identities and preferences, or the attempt to discount these preferences the further they are in the future ignited a controversy over how to conceive of a coherent theory of intergenerational justice – and whether it even exists at all (Beckerman 2006). The present contribution provides a novel approach to the debate, drawing on Smith's work.

I argue, first, that the attempts made so far share one common element in all their varieties: they perceive intergenerational justice as an issue of justice between generations. What sounds self-evident and innocuous at first sight proves ridden with presuppositions upon a closer look. Questions are taken to be settled among generations as collectivities, not among the individuals comprising these collectivities. Each generation is assumed to have its claims of justice settled *intra*generationally before the *inter*generational dimension comes into play. I term this unifying aspect of existing theories their *synchronicity*, for it embraces the intratemporal notion of justice first and the intertemporal only later.

Second, contrasting these synchronic theories of intergenerational justice, I argue for a *diachronic* alternative. It takes as its starting point the individual members of society and their respective claims of justice. These individuals are distributed both in

space and in time. A synchronic approach implicitly assumes a primacy of the spatial dimension by focusing on the competing claims within a generation, which are taken to be settled before moving to the temporal dimension. The diachronic alternative embraces the temporal dimension right from the start. Individuals are not just connected spatially to their contemporaries but also temporally to their ancestors and descendants. They are not just members of a generation spanning in space, but also of a community spanning in time. These "transgenerational communities" (de-Shalit 1995, 20) form the basis of the diachronic approach to intergenerational justice. The notion of such transgenerational communities has, however, been taken as given in the literature so far. Little light has been shed on their moral force. It, however, seems necessary to ask to what extent a theory of justice can, and should, rely on community membership lest it turns from warranted communitarianism to undue particularism.

In a third step, I draw on Smith's concept of moral sentiments to address these questions and to substantiate the moral content of transgenerational communities. In particular, I introduce the idea of transgenerational sentiments to bolster the normative weight of these communities. Smith famously analysed the central role of sentiments as a source of normativity in TMS. It was not until the fourth edition of his work that he supplemented its title by the explanation that it assesses "the principles by which men naturally judge concerning the conduct and character, first of their neighbours and afterwards of themselves." Moral analysis for Smith hence is an assessment of our sentiments towards our neighbours. I argue that we must read this neighbourhood not just as a spatial one, but also as a temporal one. Moral sentiments arise not only vis-à-vis our contemporaries, but also in relation to members of our transgenerational communities. Claims of justice are due claims when they resemble an impartial spectator's sentiment towards their spatio-temporal neighbourhood.

This article proceeds as follows: section 2 discusses the conceptual challenges of intergenerational justice and introduces different approaches as well as their limitations. An alternative approach is introduced in section 3, where the existing, implicitly synchronic theories are contrasted with a diachronic one. In section 4, the notion of intergenerational sentiments is invoked to substantiate this diachronic alternative. The role of sentiments for Smith's understanding of morality and justice is discussed and its scope is extended intergenerationally. Section 5 concludes.

2. The Many Faces of Intergenerational Justice

What do we owe to future generations? This question has sparked a plethora of theories, each seeking to provide a framework within which the topic of intergenerational justice can be addressed. As this section argues, each of these frameworks is prone to conceptual difficulties. These difficulties arise from the attempt to extend pre-existing theories of justice designed for a static, intragenerational setting to a dynamic, intergenerational one.

In the long tradition of moral philosophy, *i. e.*, the reflection on morality, three key approaches have emerged. I briefly introduce each and then move to the difficulties they run into if applied intergenerationally. First, consequentialism focuses on the out-

comes of our actions and deems an action right if it leads to the best possible outcome. What is considered "best" differs amongst consequentialist theories. The most well-known of the consequentialist approaches, and the one most relevant for economic analysis, is utilitarianism. It takes individual utility as a desirable good, capturing one's joy or preference satisfaction. Since different actions can lead to different utility distributions, the best action is the one maximising total utility, summed over all individuals.

In contrast, deontology argues that an action may very well maximise total utility but still be inherently wrong. This is true in particular when an individual's rights are violated. An infringement of one's rights can *prima facie* not be justified by an appeal to the greater good, deontologists argue. They call us to instead ask whether an action respects these rights and whether it fulfils the duty of the agent pursuing the action. Somewhat coarsely put, the agent fulfils her duty if the maxim which motivates her action is morally appropriate for universalisation in that (all) other agents also take her maxim as their guiding principle.

Both consequentialism and deontology may appear unsatisfactory in terms of guiding our everyday decision making. Seldom are we able to go through the computational complexities as to whether an action does indeed cause the greatest good or is suitable for universalisation. Hence, virtue ethics invites us to reflect on morality not via theoretical expertise but via practical wisdom, also called phronesis. If led by such practical wisdom, an agent will focus less on the abstract assessment of states of affairs and more on the question what kind of person she ought to be. In particular, what sort of character is she to exhibit, which traits to acquire? Being moral in this reasoning is not so much about acting morally, but instead about being and thinking in a virtuous way.

We now turn to the challenge of choosing an appropriate ethical basis for a theory of intergenerational justice. As we will see, none of the aforementioned approaches have generated a coherent solution. In the subsequent analysis, I will focus on the conceptual difficulties of consequentialist and deontological theories if extended intertemporally. Virtue ethics has so far received little attention in the debate on intergenerational justice and where it has, its scope is limited to the issue of climate ethics (Knights 2019; Williston 2015). When we turn to the role of intergenerational sentiments, we will see that this neglect is undue.

2.1 Consequentialist Approaches and the Two Horns of a Dilemma

Consequentialist moral theories, if applied to the question of what we owe to future people, face a dilemma. Initially, the extension of consequentialism to multiple generations is a relatively straightforward endeavour: when assessing the possible outcomes of an action, we no longer restrict our attention to those people affected that currently live. Instead, we broaden the scope by also including the consequences for those yet to be born. For the sake of brevity, I shall omit the issue where the very existence and identity of those possibly born depends on the action in question. For details on this so-called non-identity problem, see Parfit (2017). Assuming that the identities of our descendants are fixed and known, we must note the sheer magnitude

of this future population: it will vastly outnumber the population of those currently alive. An action today may thus affect a large number of people today, but will most likely affect an even larger number of people still to be born. This is particularly true for current issues of intergenerational justice such as the use of fossil fuels, environmental degradation, and even the design of pension schemes.

This is where the first horn of the dilemma for intergenerational consequentialism arises: it can prove to be a theory overly demanding for the present. A sacrifice made today may cause losses for a few billion people, but can generate positive gains for trillions yet to come. It suggests we ought to invest most of today's resources in long-term research of technologies which have the potential to improve the future without any immediate benefits in the present, such as far-off projects on fusion power or oncological therapy. Long-termists embrace this reasoning and argue that we ought to devote much more time and energy to the prevention of existential risks threatening the continuance of humanity, such as asteroid impacts or stellar explosions (Ord 2020). Critics reject such arguments as overdemanding for the present (Meyer 2018, 51).

Avoiding the over-demandingness objection but maintaining consequentialism leads to the second horn of the dilemma. Philosophers, but much more so economists, have suggested modifying the function aggregating individual utilities into total welfare and abandoning equal-weighted summation. Instead, the further away future utilities are, the less weight they ought to receive in today's assessment. That is, future preferences are discounted vis-à-vis today's. This route is sometimes motivated by technological progress allowing our descendants to make more efficient use of the resources endowed to them; or by reference to human psychology where regarding one's own preferences, more weight is given to their satisfaction today than in the future. However, neither line of reasoning has normative force.

First, why should an increase in resource efficiency justify a decrease in utility weighting? The currency of justice consists not in the mere resources but in the utility that people can derive from them. And existential risks would prevent them from putting these resources to any use whatsoever. Therefore, we are still bound to sacrifice most of today's well-being on behalf of posterity. Second, people individually might indeed prefer to enjoy their well-being today rather than tomorrow. But it is utterly unclear why this self-regarding behaviour ought to extend to society as a whole. Consequentially, even economists have rejected discounting as "ethically indefensible" (Ramsey 1928, 543).

2.2 The Deontological Approach and a Nonexistence Issue

With the consequentialist dilemma unresolved, I now turn to deontological theories of intergenerational justice. Unfortunately, they do not fare any better in that they, too, generate conceptual difficulties when extended from the static to the dynamic case. Recall that this approach focuses on the honouring of individual rights rather than assessing collective consequences. The crux now lies in the nature and existence of these rights. Consider the claim that *X* has a right to *Y*, where *X* is the right-bearer and *Y* is an object, action or state. Beckerman and Pasek (2001, 16) argue that for this right-claim

to be valid, two necessary conditions must be met. First, the right-bearer *X* has to exist, and second, the fact that *X* has/does/experiences *Y* must be possible. A right of a non-existent person *X'* or a right to an impossibility *Y'* is void of meaning.

To see how this dual requirement poses a riddle for intergenerational justice, consider the example of environmental preservation in general and biodiversity in particular. Following the idiom that we only borrow Earth from our children, some argue that we ought to provide future people with the same richness of nature as we experience it. More specifically, we should focus on a species in danger of extinction due to human action, such as the rhinoceros. Can we say that future people have a right to see a rhino, grounding claims of intergenerational justice in such rights-claims? To develop a response, one must assess whether at least the necessary conditions for the existence of the right are met. Today, the future people potentially holding the right do not exist yet. That is, there is no right-bearer *X* and hence no right. In the future, these people will be born and hence exist. By that time, however, the rhino has become extinct and with it the object *Y*, invalidating a future right. Thus, since the right exists neither in the present nor in the future, it never exists, ruling out such deontological approaches as a basis of intergenerational justice.

A brief synopsis can by no means do justice to the full spectrum of approaches addressing the introductory question, *i. e.*, what we owe to future generations. First, many theories do not quite fit into the dichotomy of consequentialism and deontology suggested above, drawing on elements of both. Second, authors have sought to address the very issues outlined in this section, adapting the respective intragenerational theory to accommodate the specific requirements of an intergenerational extension. For a more thorough analysis of the full spectrum, see Gosseries (2008) and Page (2007). In line with this section, however, both authors criticise different theories of intergenerational justice for very different reasons. No specific single issue has been identified to explain the conceptual difficulties of the various approaches. In the next section, I offer one such explanation, suggesting a unifying element in the heterogeneity of these theories.

3. Proximity vs. Posterity

In the previous section we asked: what do we owe to future generations? We saw how rivalling approaches all ran into normative challenges in their attempt to derive a conclusive answer. In the quest for a more promising alternative, I now start by questioning the question itself.

Note the agents referred to in the question: "we" and "future generations." There is little mention of the individual people constituting our present or any future generation. Each individual and her claim of justice is subsumed in her respective generation. The competing claims are assumed to first be settled within each of these generations, and only afterwards do the different generations weigh their aggregated claims against one another. Intergenerational justice has become a matter of justice between generations. While it may live up to its name quite literally in doing so, we need to ask whether this approach is warranted.

3.1 Proximity First: the Synchronic Approach

To gain a better understanding of this approach's particularity, imagine the individuals affected by our potential theory of justice in their entirety. These individuals are distributed both in time and in space, viz. in a two-dimensional grid. For any given person, other people are located at varying temporal and spatial distances. Each person raises individual claims of justice. We just saw that existing theories of intergenerational justice first settle these claims along the spatial dimension, within a generation. It is not until then that the temporal dimension comes into the picture, between generations. That is, intragenerational justice is prior to intergenerational. An individual's claims are first resolved vis-à-vis her (spatial) proximity and only then against her (temporal) posterity.

But maybe we are not doing justice to the existing theories of intergenerational justice here. Maybe this notion of "proximity before posterity" is implicitly inherent to the question posed – what do we owe to future generations? – but not to the theories addressing the question. A brief look at the respective theories proves the opposite, namely that they do also exhibit this very notion. To begin with, consider the idea of consequentialism and its most common intergenerational extension: total welfare as the sum of individual utility levels over time and space, where the individual levels may or may not be weighted and discounted (for a current collection of such approaches, see Roemer and Suzumura 2007).

Two works reflecting on these approaches explicate the implicit methodology of prioritising the spatial dimension. First, Asheim writes that if we are to choose between different policies, each having a different impact on today's and future people, intergenerational utilitarianism follows a route whereby "the problem of giving an ethical basis for intertemporal choice is reduced to making comparisons between feasible intergenerational streams of well-being" (2010, 198). Notably, each of these intergenerational streams resembles an allocation of utility across generations, assigning utility levels to each generation in its entirety. Second, d'Aspremont writes that, put differently, posterity is treated "as if a generation were composed of a single individual" (2007, 113). It is precisely the observation I made with respect to the introductory question, whereby intergenerational justice seems to take generations and not individuals as claim holders.

We turn to the other class of approaches seeking to address the introductory question, the deontological ones. Recall that these approaches emphasise the relevance of rights and call upon us to choose actions based not on their consequences but on the extent to which they respect the duties we bear. The above example of an endangered species and the potential loss of biodiversity mirrored the focus on generational collectives just described for the consequentialist case: the issue revolved around the question as to whether today's generation as a whole has a duty to respect the right of some future generation, and if this right exists. That is, bearers of rights and duties are generations, not individuals. We have first subsumed all right claims intragenerationally and then turn to the settlement of intergenerationally competing claims. Again, proximity is dealt with first, and posterity second. This approach is made most explicit by the proposal to move "from considering individual rights to genera-

tional rights" (Brännmark 2016, 680). The concept of such generational rights is put forward most prominently by Weiss, who describes them as "group rights" (1990, 203), "not rights possessed by individuals" (*ibid.*, 205). However, we have seen above how this concept has difficulties substantiating claims of future people whenever the claimant and the object claimed do not exist at the same point in time. The shell of a generation fails to serve as a vessel for the individual rights and duties.

Both consequentialist and deontological theories of intergenerational justice thus reduce the issue at hand to one between generations, not between the members of these generations. Steiner and Vallentyne describe this approach as the "view […] that justice is a relation between generations as collectivities" and continue: "[w]e believe that this view is mistaken. Justice […] is matter of relations between individuals, not relations between generations viewed as collectivities" (2009, 64). It seems to suggest that the theories discussed so far put an undue focus on the temporal dimension, overstressing the role of posterity at the cost of proximity. Quite the opposite is the case: by taking intergenerational justice to revolve around generations only, these theories have implicitly settled the spatial dimension at the very outset, giving proximity full priority over posterity. Call this approach a *synchronic* conception of intergenerational justice: it first considers all claims of justice at a given time and only then trades off these aggregated claims distributed in time against one another.

3.2 A Diachronic Alternative

Compare the above with a *diachronic* conception of intergenerational justice. It embraces the temporal dimension from the outset and asks how to best incorporate future claims given that they lack current claim holders. Crucially, it perceives a future claim holder not primarily as a member of her respective generation, but more so as a member of a protracted community. While the future generation, just like its members, does not exist yet, the protracted community does. It extends in time and has deceased past members, currently living members and yet-to-be-born future members. It is a "cross-generational" (Baier 1985, 293) or "transgenerational" (de-Shalit 1995, 20) community. We will talk about the nature of these communities below.

Conceptualising intergenerational justice diachronically instead of synchronically has two main advantages. First, it ameliorates the difficulty of guessing future people's preferences. If we perceive posterity as a mere series of subsequent generations, we effectively subsume the individual wishes and desires in one abstract generational preference. But this does little justice to the heterogeneity and uncertainty which characterise these desires. Even economists have come to acknowledge that "the tastes, the preferences, of future generations are something that we don't know about" (Solow 1991, 181). But this does not require us to throw in the towel. Instead of guessing the preferences of future generations, sensu Solow, we can draw inferences about future individuals. More precisely, we can look at the preferences held by today's members of a future individual's transgenerational community. Within such community, Norton argues, a "value-articulation-and-transmission process" (2005, 331) takes place. While subsequent members need not uphold the very same set of values as their

present-day predecessors, their desires will nevertheless be formed in relation to the ones we observe today. A diachronic approach makes use of this epistemic advantage.

Second, we have so far implicitly assumed that any theoretical identification of rightful claims of intergenerational justice will actually have practical implications. We have taken for granted that a right of future individuals will indeed be respected, or that a utility-maximising option will be chosen. That is, we have expected today's agents to care for tomorrow's agent. But this is no innocuous assumption. Wissenburg raises this concern by arguing that "it is not immediately obvious that *I* should make room and sacrifices for *your* not yet conceived offspring" (2006, 435, his emphasis). Again, a diachronic approach fares better than a synchronic one at dispelling such concern. Recall that a synchronic conception relies on our willingness to make such sacrifices for future generations in their entirety. The vague relationship between myself and a future generation in general seems to have little motivational force, reiterating Wissenburg's remark. Under a diachronic conception, however, I am not compelled to make room for a prospective generation in its entirety. Instead, my obligations are primarily directed towards prospective members of my own transgenerational community. These do not need to be my own offspring, but by definition they are individuals with whom I share a certain form of relatedness. It will be much more "obvious," in Wissenburg's terms, why I should be concerned with their fate. We need to take seriously the limited motivational capacity of individuals if our theory of intergenerational justice is to get off the ground. The diachronic approach does so by providing not only "the rational ground of obligation" but also "the psychological ground" (Jonas 1984, 85).

In this section, I drew the distinction between synchronic and diachronic perspectives on intergenerational justice. I argued that existing theories implicitly assume the former: they take intragenerational affairs to be settled prior to intergenerational ones. The temporal dimension of conflict and cooperation is reduced to one between generations, not individuals. But not only does this approach lead to conceptual difficulties discussed in the previous section, it also is normatively questionable as laid out in this section. Instead, I made a case for a diachronic alternative, drawing on both its epistemic and its motivational advantage. I appealed to the concept of transgenerational communities to which individuals belong and within which they connect with one another. I have, however, yet to substantiate these alleged connections. Can we really expect an individual to sympathise with other members of her transgenerational community? And if so, does this sympathy have any normative relevance? I argue that drawing on Smith's notion of moral sentiments, we can answer both questions affirmatively. The next section turns to these sentiments and their intergenerational scope.

4. Moral Sentiments Across Generations

The diachronic approach to intergenerational justice introduced in the previous section relies on the assumption that an individual perceives herself as a member not only of her present-day society, but also of a community extending in time. While the idea of such intertemporal communities has been employed in previous literature,

it so far had a rather narrowly confined scope. Baier's "cross-generational community" (1985, 293) focuses on relations to our respective biological ancestors who "formed and cared for [us]" and to whom we are "heirs" (*ibid.*, 85). These relations resemble Passmore's "chain of love" (1974, 89), explicitly restricted to the love for one's children, grandchildren, and so forth. A grander, but still rather peculiar form of such community is described by de-Shalit (1995). He exemplifies his notion of intertemporal belonging by reference to the early "Socialist-Zionist community" (*ibid.*, 40) and continues to mostly focus on Jewish communities – and subcommunities thereof – in virtue of their "moral similarity" (*ibid.*, 26).

Two observations can be made from the above. First, the relevance of transgenerational communities for the conceptualisation and facilitation of intergenerational justice has been acknowledged in the literature. Second, however, the assessment of these communities has been rather restrictive, either limited to one's immediate kin or to a particular ethno-religious group. In order to substantiate the diachronic approach, we are in need of a more general concept of such communities and of the connections between its members. Are we, first, justified in presuming the existence of such intergenerational sentiments – relating individuals to one another across time? And can we, second, ascribe moral relevance to these sentiments – ultimately resting a theory of justice on them? This is where we turn to Smith's TMS again. We shall see that his work not only supports the idea of sentiments across generations but also explains the normative force of such sentiments.

Smith declaredly distinguishes his assessment of morality based on sentiments from alternative moral systems based on self-love or reason (TMS VII.iii). Two sentiments are of particular relevance for the assessment of justice, both intra- and intergenerationally: "*Love*", Smith writes, "is an agreeable; *resentment*, a disagreeable passion" (TMS I.i.2.5, emphasis mine). For either passion, there is an agent experiencing the passion and an individual or a group at whom the passion is directed. But either way, we want to be bearer or addressee of such passions not just coincidentally, not just because they happen to arise in us or the other person. We want it to happen for the right reasons. It is why Smith introduces his concept of an "impartial spectator" (TMS II.i.2.2). A sentiment is appropriate if the impartial spectator sympathises with it – if she shares its experience.

Equipped with the two central sentiments of love and resentment, as well as the notion of appropriateness in the eyes of the impartial spectator, we can turn to justice. In the following, I first sketch how sentiments can point us to justice simpliciter. Smith's notion of justice, however, seems to be at odds with the contemporary understanding, particularly pertaining to modern theories of intergenerational justice with their focus on distribution. This paper argues that Smith's work nonetheless allows us to remedy conceptual difficulties of those theories as lined out in section 2. To this end, I first bridge the gap between Smith's and today's notion of justice. Subsequently, I turn to the case of intergenerational justice specifically.

4.1 Justice, Simpliciter

Justice, for Smith, is not merely an integral element of society, it is *the* integral element. He metaphorically describes it as "the main pillar that upholds the whole edifice" (TMS II.ii.3.4), as opposed to a mere ornament. In the absence of justice, "the great, the immense fabric of human society […] must in a moment crumble" (TMS II.ii.3.4) and will be "utterly destroy[ed]" (TMS II.ii.3.3).

But how to conceive of justice in terms of sentiments? This is where the two key passions come into play. First, resentment acts as an indicator of injustice. We feel proper resentment if we have been the subject of injustice, *i.e.*, if we have not been treated duly. A due treatment for Smith is not merely the abstention from harm. Instead, treating someone duly requires us to meet him with "all that love, respect, and esteem, which his character, his situation, and his connexion with ourselves" (TMS VII.ii.1.10). The notion of fittingness leads us back to the concept of *appropriate* sentiments. We cannot expect arbitrary degrees of love and respect from others. And we cannot derive injustice from an arbitrary harbouring of resentment. Smith used the qualifier of "proper" resentment: the impartial spectator must sympathise with our passion for the resentment to be an indicator of injustice, for the treatment we received to be undue, for the underlying love and respect (or lack thereof) to be unfit.

Ideally, however, sentiments would not only reveal justice where it has occurred, but even prevent its occurrence in the first place. Fortunately, Smith provides us with a line of reasoning why passions act not only as an indicator, but also as a "safeguard of justice" (TMS II.i.1.4). People, Smith argues, tend to avoid being the subject of proper resentment. Here, the second key passion of love comes into play. It is the immanent desire of people to be the subject of love, rather than resentment. And again, they wish to be so for the right reasons: "Man naturally desires, not only to be loved, but to be lovely" (TMS III.2.1). It is in the eyes of the impartial spectator that we want to appear worthy of love and of praise instead of deserving hate and blame. We will therefore in general aim to align our behaviour towards others in a way that their response is a passion of love rather than one of resentment. We want to be the cause of praise rather than injustice. To some extent, this even applies to "[t]he greatest ruffian" (TMS I.i.1.1), who nevertheless has some interest in the well-being of others, as Smith argues.

Spelling out acts of justice more specifically, Smith argues that justice is actually more about *in*action than about action. Justice requires us to "abstain from doing him [our neighbour] any positive harm" (TMS VII.ii.1.10), rendering it a "negative virtue" as opposed to a positive, active one (TMS II.ii.1.9).

This understanding of justice seems to be at odds with contemporary ones in two ways. First, notice how on this account, virtue – or a lack thereof – lies with the individual, for she treats her neighbour in the appropriate way – or fails to do so. Modern theories may follow Smith in taking justice as a virtue, but they ascribe it at the societal instead of the individual level. Rawls famously described justice as "the first virtue of social institutions" ([1971] 1999, 3), embodied in rules and norms, physical and immaterial institutions governing societal interaction. This institutional account stands

in contrast to Smith's idea of justice being *prior* to the state (Thrasher 2015, 199). Schmidtz and Thrasher describe these two seemingly opposing conceptions as "justice as a virtue of the soul [sensu Smith] and of the polis [sensu Rawls]" (2014, 60). In other words: whereas TMS, as the name suggests, may be more of a work on moral philosophy, today's analysis of justice is situated in the realm of political philosophy.

But this conceptual difference does not rule out bringing together Smith's premodern account and modern theories of justice, particularly intergenerational ones. First, while distinct, the two conceptions nevertheless have "connections [that] are robust in two directions" (*ibid.*). Second, we have seen in section 3 that contemporary theories particularly struggle when it comes to their implementation: *why* am I to make room for claims of justice (the motivational challenge) and *what* is the content of these claims (the epistemic challenge)? Smith's focus on the individual rather than the societal level may help us to fill these gaps, as we shall see below.

There is a second way in which Smith and contemporary theorists differ with respect to their account of justice. Contemporary political philosophy distinguishes between different dimensions of justice, the most prominent ones being distributive, procedural, recognitional and epistemic. Theories of intergenerational justice tend to focus on the first, *i. e.*, on the questions of (in)just endowments and of what we owe to one another, including past and future people. Smith, too, mentions "distributive justice, and […] the becoming use of what is our own [and what is not]" (TMS VII.ii.1.9). But for Smith, this distributive aspect of justice is no proper part of justice in the fundamental, edifice-upholding sense above. Instead, he takes distributive justice to be a question of beneficence – a mere "ornament which embellishes, not the foundation which supports the building" (TMS II.ii.3.4). Where justice is a negative and passive duty, beneficence is active and "productive" (TMS II.ii.1.9).[1]

Hence, the idea of endowments and distributions being an integral element of justice simpliciter is not shared by Smith nominally. But this does not imply he disagrees with the content of such distributive concerns. Quite the opposite is the case, and so Fleischacker argues "against those who regard Smith as an opponent of distributive justice in its modern sense" (2004a, 62). He takes Smith as inheriting the traditional view of non-enforceable, beneficence-based distributive justice, yet also "push[ing] that tradition in the direction by which the modern notion of distributive justice could come to birth" (Fleischacker 2004b, 212). Fleischacker points to Smith's assessment of the "poverty problem" (2004a, 64). Prior to Smith, scholars had primarily been concerned with the social dimension of poverty, *i. e.*, how it gives rise to vices and crimes. In Fleischacker's account, Smith shifted the attention away from how the distribution of endowments affects the poor in their "lives as citizens" and instead towards their "private lives" (2004a, 62). Quite similarly to today's focus on distributive justice, Smith hence is very much concerned with the challenge of highly unequal endowments and their detrimental impact not just on society writ large but also on the individual. This, Fleischacker argues, brings Smith close to modern scholars, prominently Rawls and his *Theory of Justice:* inequalities are legitimate only to the extent that they

[1] Thrasher (2015), for whose comments on this section I am immensely grateful, further discusses Smith's distinction between justice and beneficence.

improve the well-being of the poorest, and alleviating poverty is "a duty, and not an act of grace, for the state" (*ibid.*, 226).

But what does Smith have to add to today's discourse on justice beyond the state's duty to alleviate poverty? In particular, can we learn from him about distributive justice in the modern sense despite his quite different interpretation of the term? I turn to this question next.

4.2 Distributive Justice

Although sentiment-based theories of moral and political philosophy have come somewhat out of fashion in modern times, prominent modern justice theorists nevertheless employ some version of Smith's moral sentiments in in their work. As we shall see, even though Smith operates with a different terminology pertaining to issues of justice, his ideas can nevertheless be translated into the contemporary discourse. For example, Sen (2006, 216) invokes Smith's sentiments to criticize what he calls "transcendental" approaches to justice. Scholars belonging to this camp, Sen argues (and he assumes most contemporary justice theorists do), have focused on identifying states of affairs and distributions that embody the pinnacle of justice. He contrasts these transcendental approaches with "comparative" ones (*ibid.*). The latter, instead of asking about states of perfect justice, seek to compare different states which may be more or less just than one another. Comparative approaches, *i. e.*, offer an ordering of different societal arrangements rather than constructing the ideal arrangement. And in order to conduct these comparative assessments, Sen invokes Smith. In line with Rawls and most other scholars, Sen agrees that justice involves a notion of impartiality. But he dismisses Rawls' (and other contractarians') idea of impartiality from behind a veil of ignorance on the ground of it being an instrument of transcendental theory.

Smith, on the other hand, is well aware that an undue focus on the ideal can cause blindness for the comparative. He criticizes the "man of system" for being "often so enamoured with the supposed beauty of his own ideal plan of government, that he cannot suffer the smallest deviation from any part of it" (TMS VI.ii.2.16). Schmidtz and Thrasher (2014, 69) fittingly describe the "man of system" as "intoxicated by an ideal." Instead, Smith provides us with the aforementioned impartial spectator. Beyond merely considering the position and preferences of everyone within the system and trying to perfect this very system, the impartial spectator also takes the perspective of those outside of the system and asks whether they fare better or worse under different system configurations. Sen (2002) distinguishes the former, in-group approach of closed impartiality from the latter, group-permeating one of open impartiality. He argues that only the latter allows us to "throw light on specific issues of advancement or retardation of justice in a comparative approach" (Sen 2006, 230).

How exactly are these comparative assessments to be made? This takes us to a second instance of Smithian sentiments in modern conceptions of justice. If we take the goodness of a state to be determined by individual well-being, and if justice pertains to the distribution of well-being, we are required to make interpersonal comparisons of well-being. But how are we to make such comparisons unless we resort to some ob-

jective proxy such as financial assets or other physical endowments? Mental states can hardly be elicited, let alone be quantified. If Ann believes herself to be better off in Bob's shoes than in her own, does this make Bob have a higher level of well-being?

Scholars have long struggled to conceive of meaningful interpersonal comparisons, and some have resorted to Smith in the exercise of doing so. Prominently, Harsanyi (1977) takes a starting point similar to Rawls, Sen and others: if we want to assess the justice of a state of affairs, we need to take an impartial perspective. But impartiality as a form of abstraction can be counterproductive lest it is paired with a notion of empathy allowing the impartial spectator to actually experience the well-being of those affected. Hence, comparative assessments of justice "will essentially amount to looking at it from the standpoint of an impartial *but humane and sympathetic* observer" (*ibid.*, 623, emphasis mine). Harsanyi finds this combination in Smith's work, himself providing "a modern restatement of Adam Smith's theory of an impartially sympathetic observer" (*ibid*, 633). The impartial spectator has an equal chance of putting herself into the shoes of any party involved, and her maximization of expected well-being amounts to a sum-utilitarian ranking of the possible states of affairs.

Binmore (1994, 1998) takes a similar route. He, too, invokes the Smithian impartial spectator and takes her as an instrument to numerically convert levels of well-being across individuals.[2] But instead of Harsanyi's equiprobability postulate, Binmore employs evolutionary game theory. He identifies the conversion rates of well-being brought forward by the impartial spectator with those that form an evolutionary stable equilibrium in society. To this end, he introduces the idea of a "symmetric empathy equilibrium" (Binmore 1998, 240). In such equilibrium, there is consensus on the empathetic preferences by means of which individuals put themselves into the shoes of one another, and no one can profitably deviate by submitting a different set of such preferences. This evolutionary process, Binmore argues, is the real-life counterpart to Smith's hypothetical impartial spectator.

In this section, we have considered the intricate relationship between Smith's conception of morality and contemporary notions of justice, particularly their distributive dimension. We have seen that on the one hand, justice is of great concern for Smith while on the other, his very understanding of the term departs from today's. Smith takes justice to be a negative virtue preventing us from unduly harming others, while the productive aspect of distributing endowments is a matter of beneficence. But even though today's understanding of (distributive) justice is more closely related to this latter idea of beneficence than it is to the premodern notion of justice, we have much to learn from Smith in terms of evaluating (in)justice. His idea of empathetic, yet impartial, consideration allows us to flesh out comparative instead of merely transcendental assessments, some of which have been illustrated above. In the next section, I argue that we can learn from Smith not only with respect to justice simpliciter and distributive justice, but also with respect to intergenerational justice.

[2] Instead of well-being or utility, Binmore (1994, 55) actually speaks of "utils" as his currency of distributive justice.

4.3 Justice, Intergenerationally

Smith neither diagnoses nor demands universal love. He does not describe that individuals harbour such feeling towards humanity in general, and he also does not prescribe that they should. Instead, his theory of sentiments as a source of morality is best visualised by concentric circles around each individual. Other people are distributed in these circles depending on their degree of proximity to the individual. And just as this degree of proximity varies, so do the accompanying duties and passions. Smith in a much-cited passage describes how man's sympathetic capacity sequentially diminishes as he progresses from "the care of his own happiness, [to] that of his family, his friends, his country" (TMS VI.ii.2.2; see also TMS VI.ii.1.1).

These "circles of sympathy" (Griswold 1998, 212) capture an individual's relationship with the outside world. At the innermost circle, directed at other individuals close to us, duties of and desire for care and attention arise. Moving one step from the centre, to the societal level, we turn to beneficence. And going even further, beyond society, benevolence shall be our guide of conduct towards humanity at the universal level.

In the following, I want to argue that we can take Smith's circles of sympathy as radiating not only in space, but also in time. I do so by addressing two challenges. First, can we really expect sympathetic ties to be knit in the absence of physical proximity? Second, even if we can find good reasons to consider a temporal instead of a merely spatial radiation of sympathy, will these rays reach sufficiently far to substantiate genuinely intergenerational claims of justice?

Let us first consider the issue of spatially versus temporally radiating circles. Smith's idea of sympathy is much influenced by Hume's thought, who indeed stipulates a close connection between the intensity of perceived sympathy and the shared physical space. That is, greater proximity implies greater sympathy. But while Smith heavily draws on Hume, he also moves beyond. He dismisses Hume's utility-based conception of sympathy (TMS IV.ii) and develops a richer understanding of space within which sympathy radiates. Forman-Barzilai describes the original Humean space as "physical" to which Smith adds "affective space and historical/cultural space" (2010, 141). Physical proximity neither necessitates nor implies familiarity. There are more complex forms of proximity from which sympathetic ties can emerge.

While Forman-Barzilai reads Smithian sympathy to operate in a richer spatial framework, she still limits it to "sympathy in *space*" (*ibid.*, 137, emphasis mine). At this point, however, it is only a small step to visualise the circles of sympathy as propagating spatially and temporally. Smith introduced the idea of moral sentiments to provide society with an endogenous coordination device. No longer does the proper code of conduct emerge from divine wisdom or earthly coercion. Instead, society itself develops its moral code, rendering Smith one of the first authors of an "endogenous theory of ethics" (Witztum, 2023, 195, original emphasis omitted).

But since Smith, the need for such coordination has grown steadily: today's actions increasingly affect not only contemporary citizens but also those spatially and temporally distant from us. That is, actions and their consequences permeate physical space. But Smith equips us with the tool of exploring sympathetic ties not only within this physical space, but also within the affective and the cultural space: the tool of circles

of sympathy. An individual's sympathetic ties are not merely expanding lines, connecting her to other members of an intratemporal society. They are expanding circles, connecting her to other members of an intertemporal community. Ties of sympathy can be established synchronically between contemporaries, but also diachronically between fellows of a transgenerational community.

4.4 Sympathy and the Community

We have seen that sympathetic ties may be knit spatially and temporally, but we have not yet considered the span of these ties. It takes us to the second challenge: does intergenerational sympathy reach far enough to foster justice across generations? Or is it limited to our close descendants, effectively reducing our moral considerations to presentism? Initially, this limited view seems to apply: Forman-Barzilai writes that "sympathy for Smith is the very process through which the self integrates the tastes and values of the people with whom it lives and interacts" (2010, 15). But she goes on to argue that sympathy is not constrained by reciprocal interaction. Instead, the very passage continues, throughout life the individual "becomes a member of that particular moral culture, and then passes that culture on to others" (*ibid.*). Just as the individual today integrates the tastes and values of the culture she has grown into, she can reasonably expect future people within her moral community to integrate her own tastes and values. She can fulfil her desire for "self-transcendence" beyond her death as stipulated by de-Shalit (1995, 130). Within one's affective and cultural space, the aforementioned "value-articulation-and-transmission process" (Norton 2005, 331) takes place.

Sympathy is thus "sticky" in a two-fold way. First, it is an anthropological constant of human behaviour an a cornerstone of Smith's theory. Second, it is forward- and backward-looking instead of only being directed at one's contemporaries, thereby linking generations and their moral cultures. And from this stickiness of sympathy then follows a "'stickiness' of institutions" (Berry 2003, 247). "Moral culture is thus passed from each generation to the next, through the infinite repetition of sympathetic contacts" (Forman-Barzilai 2010, 75–6).

It is not required that the individual experiences all-encompassing sympathy with all of humanity in the past, present, and the future. Instead, each individual is connected to predecessor and successors of its transgenerational community, the extent of which is somewhere in between her immediate offspring and humanity as a whole. Through iteration of these transgenerational ties, an intergenerational net is woven and intergenerational justice is substantiated. Smith does not only provide an account of how a moral code comes into existence and how intragenerational justice is obtained. He also provides us with an understanding of how this very code can persist in time, subject to continued re-formulation in the process of transmission.

Acknowledging this temporal dimension of Smith's work provides the link missing up to now. Recall our conclusion of the previous section. On the one hand, we argued that synchronic theories of intergenerational justice faced inherent conceptual difficulties. A diachronic account, embracing the temporal dimension at the outset, could overcome these difficulties. However, it relied on the notion of an intertemporal belonging of the individual and a normative weight of this belonging. On the other

hand, authors had appealed to such transgenerational communities without specifying or substantiating these communities. Smith's idea of moral sentiments provides just this specification and substantiation. It identifies certain sentiments as psychological constants, forming a descriptive basis. And it argues how morality can be derived from reflection on these sentiments, aligning them with the impartial spectator's sympathy and allowing for a move from the descriptive to the prescriptive. A thorough analysis of these sentiments and their reflection then leads us to "the principles by which men naturally judge concerning the conduct and character, first of their neighbours and afterwards of themselves" (TMS subtitle) – or plainly a theory of moral sentiments.

To make this theory of moral sentiments an intergenerational theory, we must then recognise the temporal dimension of Smith's thought. Our "neighbours" are not just people close to us in space, members of our current generation. They are also people close to us in time, members of our transgenerational community. It is a spatio-temporal neighbourhood which serves as a basis of sympathetic reflection and as an endogenous source of morality. It does not limit intertemporal belonging to one's direct ancestors and heirs, as some restrictive accounts did. But neither does it argue for a single universal, all-encompassing intergenerational community. It accounts for the psychological and motivational limits of humans by situating the individual at the centre of expanding concentric circles of sympathy. Spatial proximity is one dimension in this view, but no longer the only or the primary one. Temporal vicinity, the relation to one's posterity, is just as relevant for morality. Moral sentiments operate both in space and in time.

5. Conclusion

The slogan that we did not inherit the Earth but merely borrowed it from our children seems like a far cry from the work of Adam Smith. The most atrocious consequences of the Industrial Revolution were still a distant prospect when he wrote, and the idea of negative externalities stemming from environmental degradation was still far from its conceptualisation. Borrowing seemed mostly a question for monetary theory, its normative weight being relevant for financial ethics at best.

Yet, Smith was not unaware that more is to be said about the give and take across time. He conceived of his invisible hand operating not only today, but also in time, allowing for a "multiplication of the species" (TMS IV.1.10). But is that all there is to be said about the distribution of well-being in time – that pursuing individual self-interest best furthers collective welfare? Or do we need to, and can we, provide a more thorough account of justice where it pertains to the interaction of generations, not just contemporaries?

The first part of the question – whether we *need* to account for the temporal dimension of justice – clearly is to be answered affirmatively. Time shapes the very interaction of generations, often rendering it a unidirectional interaction and causing power asymmetries. When the originator of an action and the bearer of its consequence do not live at the same point of time, responsibilities may not be attributable, and redress may not be possible. The identity of the individuals affected in the future may not even be

known in the present, let alone their prospective preferences. Resolving claims of justice, when these claims are dispersed in time, requires particular conceptual care.

The second part of the question is the more challenging one: how can we account for the particularities of justice in time? Existing approaches aimed at providing a comprehensive theory of intergenerational justice each ran into difficulties of their own. Neither consequentialist – and specifically utilitarian – nor deontological extensions of intragenerational theories managed to overcome these challenges, instead being left with ambiguities and dilemmas. The problem, I have argued, is this very procedure of extension: taking a theory of justice for a society of contemporaries and then extending it in time to also cover future generations. This procedure reduces intergenerational justice to claims of justice between generations. While true to its name, this approach misses the essential point of justice being about the relations between individuals, not collectivities. It takes each generation as a collective entity within which all competing claims are settled before then moving to the resolution of claims across generations. An individual's relations with others are only conceived of in her spatial proximity. Her posterity, on the other hand, comes into play only afterwards and only at an aggregate level.

Previous theories of intergenerational justice thus implicitly assumed a primacy of proximity over posterity. I have called this a synchronic approach, where justice is thought of first at an instance of time and then extended in time. This approach is contrasted with a diachronic one, embracing the temporal dimension at the outset. To this end, the relations of today's and future individuals must not be reduced to the relations between their respective generations. Instead, just as an individual has ties of varying intensity to her contemporaries, so does she to her ancestors and descendants. She perceives herself not just as a member of her current generation, but also as a member of a community spanning in time.

The idea of the individual belonging to one's transgenerational community is the central element of the diachronic conception. It therefore required further specification regarding both the descriptive origin of these communities and their prescriptive normative weight. That is: first, what are the ties members of a transgenerational community; and second, how can we draw moral inferences from these ties?

Adam Smith's TMS allows us to address both questions. Smith provides an endogenous account of ethics as opposed to an exogenous source such as divinity; and the source endogenous to society is not reason of self-love, but sentiment. People feel agreeable or disagreeable passions in response to the actions of their fellow human beings. These passions are directed not just at contemporaries, but also backwards and forwards in time: we may resent our predecessors for their overly exploitative use of natural resources, or we may experience love towards heirs of our genes, our visions, our values. These feelings are stronger the closer the social ties, both in space and in time. Each individual is thus located at the centre of expanding circles of sympathy.

This psychological constant of love and resentment as central passions captures the descriptive aspect of transgenerational communities: it describes their genesis. In order to move to the prescriptive, Smith calls us to qualify our sentiments. The impartial spectator must sympathise with these sentiments for them to be due. The sentiments we harbour in relation to our fellows ought to match their character and behaviour, not

just our idiosyncratic opinion. Note how Smith departs from consequentialist and deontological traditions and instead comes to embrace a virtue ethics approach. McCloskey deems TMS one of the last instances of virtue ethics before the tradition "somewhat mysteriously disappeared from academic circles after the sixth and final and substantially revised edition of Smith's own favourite of his two published books" (2008, 43). In the context of intergenerational justice, however, a revival of this virtue-based approach is very much in need. It guides us from passions simpliciter to proper resentment by reflecting on the traits and actions of the people around us. It tells us how "to judge concerning the conduct and character, first of their neighbours and afterwards of themselves" (TMS subtitle). Only then can resentment be an indicator of injustice and love a safeguard against it.

Our neighbourhood is a spatio-temporal one. The circles of sympathy expand in two dimensions, spanning the neighbourhood. Within this neighbourhood, we are members not just of our current generation, but also of our transgenerational community. Hence, we experience social ties not just to our contemporaries, but also to those before and after us. These ties become manifest in intergenerational sentiments. And a critical assessment of these sentiments is the basis of a diachronic conception of intergenerational justice.

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