

# Beyond the Earth Charter: Taking Possible People Seriously

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The Earth Charter is largely a wholesome embodiment of a commendable and globally applicable ecological ethic. But it fails to treat responsibilities toward future generations with sufficient clarity, presenting these generations as comparable to present and past generations, whose members are identifiable, when in fact most future people are of unknown identity, and when the very existence of most of them depends on current actions. It can be claimed that we still have obligations with regard to whoever there will be whom we could affect, and in addition, all the possible people of the future whom we could affect have moral standing, as well as corresponding members of other species. These obligations clash with the person-affecting principle, which considerably restricts such obligations and the scope of moral standing at the same time. Finally, there are implications for sustainability, at least with regard to sustainable levels of population and with regard to global warming, and thus a need for further clarification of the content of responsibilities toward future generations.

## INTRODUCTION

The Earth Charter is a fine and wholesome expression both of a globally applicable ecological ethic and of a sensitive approach to a wide range of social issues needing to be confronted in the contemporary world.<sup>1</sup> As such, it should be welcomed by proponents of a global ethic, as well as by advocates of environmental sensitivity and of global citizenship,<sup>2</sup> advocates including the current author.<sup>3</sup> This charter is of particular relevance to those of us concerned

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<sup>1</sup> The Earth Charter can be accessed at <http://www.earthcharter.org>.

<sup>2</sup> Such advocates include the various authors of works in the "World Ethics" series of Edinburgh University Press, of which Nigel Dower is both a contributor and general editor. See Nigel Dower, *World Ethics: The New Agenda* (Edinburgh: Edinburgh University Press, 1998).

<sup>3</sup> In one of the works in the World Ethics series (see note 2), I linked the need for a global ethic relevant to environmental and developmental issues to the importance of developing in society an awareness of our global citizenship. See Robin Attfield, *The Ethics of the Global Environment* (Edinburgh: Edinburgh University Press, and West Lafayette, Ind.: Purdue University Press, 1999).

for enhanced global governance in matters such as global warming.<sup>4</sup> While its publication increases the likelihood of such arguments being heeded, the text of the charter seems to strike the right note on a wide range of crucial issues.

I nevertheless argue here that the Earth Charter does not treat responsibilities to future generations with sufficient clarity. Future generations are certainly mentioned in Principle 4, the last of the four underlying “broad commitments” of the charter. We are, it says, to “Secure Earth’s bounty and beauty for present and future generations” and to recognize that the freedom of action of each generation (including our own) is qualified by the needs of their successors; and we are to “transmit to future generations values, traditions and institutions” supportive of “the long-term flourishing of Earth’s human and ecological communities.”<sup>5</sup>

But the basis of this principle is not given, and future generations seem to be regarded as entities to which unproblematic reference can be made in much the same way as to identifiable generations of the present and the past. The reference to their needs is not regarded as problematic either. Again, the notion of harming them is treated as unproblematic in Principle 6.<sup>6</sup> Further, there is a corresponding unclarity in the reference to “future generations” at the end of the final sentence of the preamble, which includes the words: “. . . it is imperative that we, the peoples of Earth, declare our responsibility to one another, to the greater community of life, and to future generations.”<sup>7</sup> Why it is unclear is explained in the next section.

### POSSIBLE PEOPLE

It is undeniably increasingly recognized in contemporary society that we have obligations *with regard to* future generations, for example, to preserve for them the natural systems on which we ourselves depend, together with resources comparable with those that we received. The text of the Earth Charter is fully in line with these widespread assumptions, but is written as if we who are alive now have obligations or duties to specific people or sets of people of the future who can already be foreseen as our successors. In particular, the Preamble, with its mention of “our responsibility . . . to future generations,” embodies the assumption that future generations are something to which responsibilities are owed, just like the responsibilities which it declares that we have to one another, and thus that they somehow consist of specific, identifiable people or sets of people. But this is a mistaken assumption.

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<sup>4</sup> In the concluding chapter of a further book, Robin Attfield, *Environmental Ethics: An Overview for the Twenty-First Century* (Cambridge: Polity Press, 2003), a biocentric and consequentialist global ethic was related to such problems of global governance.

<sup>5</sup> The Earth Charter, Principle 4, p. 2

<sup>6</sup> The Earth Charter, Principle 6, p. 3

<sup>7</sup> The Earth Charter, Preamble, opening paragraph, p. 1.

Certainly, when we think of future generations, we sometimes think of our children and possibly grandchildren; and this approach allows us to think of our responsibilities arising out of relationships or at least out of the community to which we belong, and (perhaps because of these relationships) as being owed to individuals whom we can affect for better or for worse, and thus benefit or harm. This approach is already problematic if either our children or our grandchildren do not yet exist, or if we are hoping to have more children or grandchildren than at present in the course of time; but these place-holding expressions (“our children” and “our grandchildren”) appear to allow us to persevere with the standard assumptions just mentioned, since these are children and grandchildren to whom we expect to become related. Many people would allow that we have obligations with regard to other people’s children and grandchildren, too; however, we can imagine that we are related to these individuals also, at least by proxy (via the said other people). This move adds to the bearers of obligation those people who have no children and do not mean to have any either; they are usually taken to have much the same obligations as the rest of us with regard to the future. Obligations to plant trees and to plan open spaces, as well as to hand on good schools and hospitals, would often be regarded as having this kind of grounding. They are also in accord with the assumptions of the Earth Charter.

However, the impacts of the present generation on future people are much more extensive than this. While the roads and tunnels and bridges that we build may be intended to last for a century, the nuclear power stations that we use or decommission are likely to have impacts for half a million years; and much the same applies, in terms of more beneficial impacts, when we preserve species, as long as our successors do the same. So, quite often, does our use of natural resources, for good or for ill. Further, concern for future generations is typically intended to include impacts not only on the next two or three generations, but on the further future. Our responsibilities, most people are prepared to agree, extend as far into the future as the impacts of current action (and possibly inaction too) are foreseeable.

But if so, various questions can reasonably be asked. To whom do we owe these obligations? No one, apparently, with whom we have or can have relationships, or who in that sense belongs to our community. Besides, are the people concerned actually ones that we can advantage or harm? There is a particular difficulty here, to which Derek Parfit has given prominence, for, beyond the individuals who have already been born or conceived, different individuals will come into being depending on different social policies adopted from now onwards because such policies (for example, transport policies and housing policies and education policies) affect which people meet and mate, as well as how many future people come into existence. Also, since personal identity depends on the timing of conception, depending as it does on the particular gametes that coalesce, acts and policies that slightly retard or bring

forward the timing of conception are sufficient to bring about different new people and a different new generation. Hence, most future people are neither advantaged nor harmed by much that we do because if we had acted otherwise they would not have existed at all, and other possible people would have existed in their place.<sup>8</sup> As for their needs, many of our acts have a bearing on which future people there will be to have needs, and can also change future needs—for example, decisions not to bring to term fetuses with genetic illnesses or impairments.

These reflections have led some philosophers to adopt what Parfit calls “the person-affecting principle,” and to say that we only have obligations to actual people that either exist already or are already identifiable in some other way (and not just through placeholder expressions such as “future generations”). The central thought here can be expressed in the words: “We should do what harms people least and benefits them the most” (people, that is, who can be affected one way or another).<sup>9</sup> A key implication of this thought is conveyed by Larry Temkin, “One situation *cannot* be worse (or better) than another if there is *no one* for whom it is worse (or better),”<sup>10</sup> for this principle has nothing to say when, instead of affecting identifiable people, our actions make the difference between the existence of one set of people and of another. It should be stressed that the person-affecting principle is not Parfit’s view, but a view that he finds in writers such as Thomas Schwartz.<sup>11</sup> Indeed, some have gone further and even claimed that we have no obligations to future generations that will not or would not belong to our community, or with whom we have no relations.<sup>12</sup> However, as Parfit has argued, positions such as these do not account for certain judgments that we would not hesitate to make. Since one of his examples concerns conserving or depleting resources, it is relevant here.

Imagine that we have a choice of policies, and that one of them (“Depletion”) produces a very high quality of life for a hundred years through people acting in accordance with it and consuming and depleting resources, after which

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<sup>8</sup> Derek Parfit, *Reasons and Persons* (Oxford: Clarendon Press, 1984), pt. 4.

<sup>9</sup> *Ibid.*, chaps. 16 and 18.

<sup>10</sup> Larry Temkin, “Harmful Goods, Harmless Bads,” in R. G. Frey and Christopher W. Morris, eds., *Value, Welfare and Morality* (New York and Cambridge: Cambridge University Press, 1993), p. 290. Temkin calls the words quoted here “the Slogan.”

<sup>11</sup> Thomas Schwartz, “Obligations to Posterity,” in R. I. Sikora and Brian Barry, eds., *Obligations to Future Generations* (Philadelphia: Temple University Press, 1978), pp. 3–13. See also Schwartz, “Welfare Judgments and Future Generations,” *Theory and Decision* 11 (1979): 181–94. For an insightful critique of Schwartz’ position, see Alan Carter, “Can We Harm Future People?” *Environmental Values* 10 (2001): 429–54.

<sup>12</sup> Martin Golding, “Obligations to Future Generations,” *The Monist* 56 (1972): 85–99; M. P. Golding and N. H. Golding, “Why Preserve Landmarks? A Preliminary Inquiry,” in K. E. Goodpaster and K. M. Sayre, eds., *Ethics and Problems of the 21<sup>st</sup> Century* (Notre Dame and London: Notre Dame University Press, 1979), pp. 175–90. Without going as far as this, Avner De-Shalit holds a related (but much ampler) communitarian position, in *Why Posterity Matters: Environmental Policies and Future Generations* (London and New York: Routledge, 1995).

period quality of life will drop (as a result of resource depletion, or, we might imagine, of pollution) to a tolerable but very much lower level, a level which would then continue indefinitely. The alternative policy is a policy of "Conservation," which means a lower quality of life than the other policy (but still a decent quality of life) for the first hundred years, but also means that this quality of life continues indefinitely thereafter, involving a much higher quality of life for many centuries than the other policy would deliver.<sup>13</sup> When we compare these policies, it seems clear to most people that the second policy (of "Conservation") is ethically preferable. However, no one after the first hundred years is affected for better or for worse, whichever policy is adopted, as different people would be alive depending on which policy is adopted. Thus, if we adopt the person-affecting principle, we cannot criticize adoption of the first policy ("Depletion"); for holders of this principle are concerned for already-identifiable-individuals only, and these are the people of the coming century, who would, on average, be better off if "Depletion" is adopted.

But this stance is altogether unsatisfactory, for current agents can make a difference to the quality of life that is led more than a century hence, even if we cannot make individuals of that tract of time better or worse off. What we can do is to bring it about that whoever then lives has a better quality of life than might have come the way of others who might have lived instead; and, as Parfit recognizes, doing so remains morally important. Accordingly, ethics should be recognized to be (in his words) "impersonal" to some degree; not all obligations are owed *to* anyone at all (despite the assumptions implicit in the Earth Charter), let alone to anyone already identifiable. In addition to having concern for existing people, we can and should be concerned for whoever there will be, within the period that we can affect, even if this concern relates to more than one alternative population, or, as this point could be re-expressed, alternative futures, comprising different sets of possible people. While the Earth Charter does not explicitly subscribe to the person-affecting principle, it also does not express concern for whoever there will be, including all the possible people that there could be. Thus, when it writes of "our responsibilities to future generations," it is in danger of being construed as being concerned with identifiable people of the future only, or with actual future people only, as opposed to the different sets of possible ones that we could bring into being, unless, that is, it is so clarified or interpreted to the contrary.

Another way of putting all this, which (as far as I am aware) Parfit has not used himself, is that the possible people that we or others currently alive could bring into being are morally considerable. When we are reviewing policies with foreseeable long-term effects, we should take into account the foreseeable differences capable of being made between the qualities of life of the various sets of people who could be brought into being. Sometimes (as with population

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<sup>13</sup> This thought experiment is loosely based on Parfit, *Reasons and Persons*, p. 362.

policies) one set might foreseeably be more numerous than another (and relatedly have more extensive needs); at other times (as with energy and pollution policies) one set might foreseeably be more healthy or longer-lived than another. Because we could be making the difference between one future and its inhabitants and another, both sets should be taken into account, and thus both sets should be regarded as having moral considerability or moral standing in the present. (Doing so does not commit us to claims about future people, let alone possible people, having rights in the present, for the notion of moral considerability was introduced to cover items or entities that ought to be taken into account, whether or not they have or could have rights.) Normally we would not need to reflect on alternative populations separately, because we can instead use ambivalent language and ask “What would the effect be on the next two centuries?” But this phrasing is in fact shorthand for talk of more than one set of people, and the different qualities of life that current policies might facilitate for them. (We would not, of course, in any case determine their quality of life, as they would make a good deal of difference to that themselves, but we might easily set the constraints with which they would operate in moulding their own lives, particularly in environmental matters.)

This suggestion about the moral standing of certain possible people should be clarified in two respects. First, I am not suggesting that *all* possible people have moral standing. What endows the possible people that current agents could bring into being with moral standing is that they could come into being in a stretch of the future on which current actions could have impacts, and this is why they should be considered. In this respect, they are completely different from possible people of the past or of the present, who are not going to come into existence at all, even though their coming into existence was once possible at times before the present. The lives that matter for purposes of decision making are the ones that remain open possibilities, rather than might-have-beens.

The second clarification concerns why possible people of the future are to be taken into account when only some of them will be actual. Would our decision making not be distorted by taking into account possible individuals many of whom will never exist? Only, I suggest, if we envisaged them as existing alongside and together with all the other possible people of the same generation or of the same century, thus maybe outvoting current people, or maybe all coexisting in some timeless eternity. Decision making will not be distorted as long as we take into account all the alternative future populations over which we exercise any discretion, weighing up the impacts for good or ill of each policy in turn on whoever there would be if this policy or that one were to be adopted. This is very much like the situation of two parents thinking of starting a family, and reflecting on whether to have five children within eight years, or two children well spaced out over the same period, or one child but not for (say) five years. All the children of this reflection are possible people, but it remains

responsible to consider about all of them whether they can be provided for, and whether their dates of birth and likely circumstances at that time will affect their life-prospects. None of them should have their interests discounted by two thirds, as compared with those of existing people, as one economist has recently suggested, just because they are merely possible.<sup>14</sup> Rather the foreseeable good and evils likely to befall whoever there will be in each future that the parents could bring about should be fully taken into account.

This granted, the people of the twenty-second century are almost all, I suggest, in the same position as the possible children of this example, at least with respect to being unidentifiable at present, and yet vulnerable to and liable to be affected by foreseeable impacts of current action, for this very vulnerability (I suggest) makes them morally considerable. They are also alike in that obligations held in their regard are not owed to particular individuals, but concern whoever could be brought into being by what we do and then live in a future partly moulded by ourselves. As they are not identifiable individuals, these obligations do not arise from relationships that we already have, nor from our or their membership of a community (except that they, like ourselves, will form part of the human community, as the Earth Charter recognizes). Further, our obligations cannot simply consist in advantaging them or in not harming them, since their very existence would depend on present choices, and they would not exist otherwise. So we cannot ask whether one policy or another would harm or benefit them, as there is no possible alternative impact of our actions on them with which to compare the quality of life that they are likely to have if we choose policies that bring them into being. To harm someone has usually been regarded as implicitly making him or her worse off than he or she would have been otherwise; but such a person is someone who would not have existed otherwise, that is, in the absence of these policies. But if this is the case, then most of such people cannot be harmed, contrary to the assumptions of the Earth Charter. We are limited to making things better for whoever there will be in their territory at that time, and I concur with Parfit that that is what we should do (other things being equal). Hence, the Earth Charter should either be revised or (since it may well be too late for revision) interpreted by its readers and supporters in this sense.

There are apparent ways of circumventing or of qualifying this conclusion, for some future people would exist in more than one future, and so how they fare in one can be compared with how they would fare in the other, and therefore talk of harming these persons can make sense after all.<sup>15</sup> But these devices are insufficient to underpin our responsibilities or to make the avoidance of harm do the necessary ethical work (let alone the non-infringement of

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<sup>14</sup> Thus, Partha Dasgupta, *Human Well-Being and the Natural Environment* (Oxford: Oxford University Press, 2001), pp. 226–30.

<sup>15</sup> See Alan Carter, “Can We Harm Future People?” *Environmental Values* 9 (2000): 429–54.

the rights of those possible future people who would exist in more than one future), for we ought to be comparing as many as possible of the various futures that we can bring into being, and not just two or three. Otherwise, we might find ourselves choosing between two or three very bad futures, and disregarding futures with a much higher quality of life that could have been brought about instead, and would have different people in them.

It will not have escaped attentive readers that there will be parallel issues concerning the treatment of nonhumans, and the different possible nonhumans (including food-animals) that humans can cause to exist. These issues include which kinds of nonhumans should be brought into being, now that genetic engineering makes it possible to transpose characteristics from one species to another. However, issues of this latter kind are issues that have to be encountered whatever we say about the moral standing of possible creatures, and I mean to say no more about it here, except that for the position that I have been upholding as many as possible of the different creatures that we might call into existence should be taken into consideration before people go ahead and generate them. A parallel point also seems an asset in a theory about the ethical treatment of animals in general, as opposed to the sphere of genetic engineering in particular; the moral standing of possible creatures means that, for example, the lives that animals would lead in factory farms are relevant to whether they should be brought into existence with a view to living those lives. However, I now set aside issues about possible nonhumans, granted that it is difficult enough to be clear about the human future, or rather about human futures.

### IMPLICATIONS FOR SUSTAINABILITY

Now one of the policies that is widely recognized as desirable is, as was mentioned earlier, the sustainability of natural systems; indeed, this policy seems likely to be in the best interests of whoever lives in coming centuries. If so, it is difficult to resist the conclusion that a sustainable level of human population across time is also important, for otherwise many natural systems cannot remain intact. There again, it is likely to be in the interests of most future people not to live in an overcrowded world, and this consideration supports the same conclusion. So we should not regard issues of global population as morally indifferent; governments and many individuals probably have obligations to stabilize population levels at as early a time as this proves to be compatible with the currently foreseeable human population increase. I suggest that, once again, we need to reflect on how to theorize this issue, and that one way to do so is to take into consideration the quality of life of whoever there will be, that is, of the alternative possible populations in the centuries that lie ahead. Since that quality is likely to be lower for the different populations concerned if population levels are not stabilized than if they are stabilized as soon as possible, a policy of stabilizing seems clearly to be indicated.



To mention one further example of sustainability, the issue of global warming also requires us to consider the good of the possible people of coming decades. Given some futures, there will be no people in a few decades living on Mauritius, or on the sandbanks of the Ganges Delta in Bangladesh and India, or indeed in most current coastal settlements; on other scenarios, even the communities of Mauritius and the Ganges Delta have futures and thus future members. Parfit seems right in suggesting that if we can make a difference in such cases, we should do so responsibly, even though many of those affected are (as of now) possible people, and even though almost all are or will be strangers with whom we have no relationships and few ties of community. Thus, in this case, as with many other environmental issues, the familiar rhetoric of saving the planet and of providing for future generations (echoed in the Earth Charter) turns out to involve (among other things) either treating future people (including possible future people) seriously (as I am arguing that we should), or disregarding those that cannot now be identified, or disregarding all except those that we now think will be actual (as many writers do). My own conclusion is that we should recognize the moral standing or considerability of possible people and of possible nonhuman animals, but even if I am wrong on this point, we certainly must reflect on the grounds and the basis of our responsibilities in their regard, in a manner and to an extent beyond anything included in the Earth Charter. In my view, we also almost certainly must arrive at a comprehensive and effective treaty curtailing global warming, something that the Earth Charter seems to imply without saying so explicitly.

Similar conclusions could have been generated if I had chosen to reflect here on policies of sustainable development, of which the above examples form no more than fragments. What such policies would in my view be like has most recently been presented in the chapter on sustainable development in my book *Environmental Ethics*,<sup>16</sup> and I refer readers to that chapter to see how the argument of the current paper can be taken further.

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<sup>16</sup> Attfield, *Environmental Ethics* (see note 4 above).