

## THOUGHT PROVOKING IDEAS OF THE GLOBAL ESSAY COMPETITION 2022

### The Introduction of a Generations Council - Giving Future Generations a Voice

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#### Introduction

How do we make decisions today that are actually sustainable? And how can we ensure that these decisions are also in the interests of our children, grandchildren and many more generations to come? The ongoing debate in Europe about the sustainability of nuclear energy is a current and important example of intergenerational justice. Many states in the European Union (EU) disagree on whether nuclear power generation can be called sustainable and thus carry it on in good conscience (Noack, 2021). For many representatives of the current generation of decision-makers, politicians and experts, nuclear power may be a green technology. However, if one considers future generations, there can be no question of sustainability if there are no or too few final repositories and nuclear waste continues to emit radiation for thousands of years to come (Shrader-Frechette, 2005 & OECD/NEA, 2015).

Not only in the nuclear power debate, but also in many other issues, such as the use of finite resources, the interests of the current generation do not or only partially correspond to those of future generations. Thus, if we are striving for a sustainable society in the long term, the question inevitably arises as to how the interests of future generations can best be integrated into today's decision-making. Thus, it must no longer be exclusively about acting justly in a specific generation, but beyond that, ways of transferring a fundamental justice to other generations must be considered (Rommerskirchen, 2019). This conception of intergenerational justice must be captured in a new intergenerational contract.

### ***Giving Future Generations A Voice - But how?***

Intergenerational justice can be defined as justice between two currently living generations as well as several successive generations. Since the effects of decisions made today are usually much more far-reaching than merely extending into the following generation, intergenerational justice is considered to involve not just one but all future generations. If all generations are to benefit, it is necessary to ensure that each generation receives what it is entitled to from the previous one and contributes its fair share to those to come (Rawls, 1971). In this context, a balance must always be struck between the freedom of the current generation, which makes the decisions, and its obligations to future generations, which must live with the consequences. The principle of democracy is in some ways an obstacle to intergenerational justice. The political strategy of satisfying the needs of the electorate too often neglects the interests of future generations (Tremmel, 2006). Moreover, in most countries, the voting age is 18. This means that numerous people already on the planet who will be affected by the consequences of decisions currently being made do not have a voice in political decision-making (Peto, 2018). To give this one and all other generations a voice, a tool is needed that incorporates the interests of future generations into the conception and implementation of decisions made today. In many areas of science, society, and economy, the long-term global impacts of our actions today are being considered and taken into account. However, the assurance of a sustainable future needs to be implemented at all levels. Appropriate policy frameworks must be put in place to ensure a sustainable future for generations to come (Doherty, 2010). Even though political and societal decisions made today increasingly consider externalities and their costs, such as environmental damage, these only incompletely reflect the impact on future generations. To ensure the actual sustainability of decisions made today,

an instrument is needed that represents the interests of future generations in the decision-making process and ensures their implementation in laws and resolutions.

### ***Existing Policy Approaches to Intergenerational Justice***

Various political instruments already exist that deal with intergenerational justice and its legal integration. In some countries, such as Ecuador, there is a National Council for Intergenerational Equality (Consejo Nacional Para La Igualdad Intergeneracional, 2018), but this refers exclusively to the coexistence of the currently living generations. The effects of today's actions on future generations, however, are not explicitly considered here. In addition, statements regarding future generations and their interests can be found in various United Nations (UN) conventions. For example, the Convention on the Conservation of Migratory Species of Wild Animals states that "each generation of man holds the resources of the earth for future generations and has an obligation to ensure that this legacy is conserved and, where utilized, is used wisely" (European Communities, 2018). Similar statements can also be found in the constitutions of numerous countries such as Sweden or Estonia (Constitution of the Kingdom of Sweden, 1974 & Constitution of the Republic of Estonia, 1992). However, how these interests of future generations are to be captured and implemented in concrete terms, and how this influences decision-making, is not addressed further. Thus, in a way, it is already stated on different political levels that ensuring a sustainable future for the generations to come is to be ensured. What a concrete implementation of this might look like though is not considered. However, this is exactly what is needed to move from a theoretical recognition of the needs of future generations to an actual and practical safeguarding of the very same.

### ***The Introduction of a Generations Council***

Therefore, a Generations Council is to be initialized, which includes not only currently living but also future generations in the ongoing political decision-making process. This council will be composed of independent experts in the field of intergenerational justice, as well as subject matter experts in various fields. These include, but are not limited to, economic, medical, scientific, legal, social, cultural, philosophical, and ethical areas of knowledge. Experts may be nominated by third parties for appointment to the intergenerational council. In addition, this council also includes young people who are not yet eligible to vote and thus can still exert an influence on political decisions whose effects they will have to bear. Other representatives of civil society should also be part of the intergenerational council to allow for the most diverse perspective possible. One way of appointing representatives from civil society to the Generations Council is to use a multistage selection process, as in the composition of citizens' councils (Lietzmann et al., 2021). Here, a large sample of citizens is first contacted. Among those who agree to participate in the Generations Council, the decision is then made by drawing lots. Persons who are not eligible to vote because of their age can be appointed by youth councils of cities and municipalities, provided that every young person has the opportunity to be part of such a council or to be appointed by it. This is only possible if child and youth participation procedures such as youth councils are implemented nationwide at a regional level (Berger, 2010). All members of the Generations Council are appointed for a fixed period of, for example, 4 years.

### ***Obligations and Rights of a Generations Council***

An intergenerational council must be anchored in the constitution of the respective country in order to exert a sustainable influence on political decision-making. An exemplary legal anchoring of a Generations Council could be analogous to the Law establishing the German Ethics Council (2007). Contrary to the German Ethics Council, however, the Generations

Council could be analogous to the Law establishing the German Ethics Council (2007). Contrary to the German Ethics Council, however, the Generations Council must not be merely an advisory body and forum for dialog. Rather, it must be granted additional rights in order to effectively represent the interests of future generations. First of all, the Generations Council should have the right of review. This would enable it to comment on existing legislative proposals from the point of view of future generations and, if necessary, to voice its concerns and objections. There must also be the right to initiate legislation, so that the council has the opportunity to draft and put forward legislation itself for the benefit of future generations. In addition, a suspensive veto right of the Generations Council should be considered. This would allow decisions made and laws passed, that act contrary to a sustainable future for generations to come, to be stopped and revised accordingly. Since both, governments and constitutions, vary widely around the world, there is no one-size-fits-all solution. Rather, the proposal outlined here is an orientation, with country-specific individual solutions having to be found for, for example, the exact composition of the Generations Council. At the same time, an equivalent instrument should be implemented at an international level, for example in the EU or at the UN level, in order to take the interests of future generations into account in decision-making here as well. An additional possibility could also be the introduction of a 'European Guardian for Future Generations', as proposed by Göpel & Arhelger (2010). It is to be expected that the Generations Council will have to deal with various challenges such as the question of the actual rights of future generations and their formulation (Gosseries, 2008). For this very reason, the selection of the council's members is of great importance so that these and other questions can be debated in an informed as well as diverse manner and answered in the best possible way. To simplify the introduction of multiple Generations Councils, it is recommended to develop a guideline, which should be established across countries, for example by the UN.

### ***Conclusion***

While the opportunities to influence the future are increasing, the foresight of decision-makers cannot keep pace. Decisions are being made that will shape the lives of our children and grandchildren, but whose effects we ourselves will not live to see. That is why a Generations Council, with appropriate rights and powers, is a useful and meaningful instrument for taking into account the interests of future generations in decision-making and for making their needs heard. In this way, it is possible to create a political instrument that ensures a sustainable future for generations to come. A new intergenerational contract should therefore include the establishment of a Generations Council to ensure the inclusion of the interests of future generations in today's political decision-making.

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