



# Intergenerational Exploitation

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## Abstract

Earlier generations can jeopardise the opportunities, resources and well-being of their successors. Indeed, there is a growing unease with earlier generations leaving large-scale public debts to be paid by younger generations, and many worry that our policies and institutions are being shaped to advantage the interests of older generations at the expense of the young. While much theoretical (and empirical) literature now exists on the many ways in which earlier generations can unjustly jeopardise the well-being of their successors, very little has appeared on how the former's decisions can generate specifically *exploitative* relationships. This is all the more surprising, in light of the fact that very large theoretical literatures exist on both intergenerational justice and exploitation. The aim of the article is to bring these two literatures into long overdue contact with one another and analyse an under-researched and yet fundamental problem – *intergenerational exploitation*. The article answers two questions. (1) What exactly is intergenerational exploitation? (2) What makes this type of exploitation wrong?

## Keywords

intergenerational injustice, exploitation, the COVID-19 pandemic, public debt, precarious work

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Earlier generations can jeopardise the opportunities, resources and well-being of their successors. Indeed, there is a growing unease with governments accruing large-scale public debts on a long-term basis (e.g. to recover from COVID-19) with the repayments falling on subsequent generations. Many worry that our policies and institutions are being shaped to advantage the interests of older generations at the expense of the young.<sup>1</sup> In Organisation for Economic Co-operation and Development (OECD, 2019) countries, young adults have been hit disproportionately hard by the 2007 banking crisis: despite being the most educated generation in history, more than 70 million young adults living within these countries are unemployed. And if the fallout from the banking crisis were not enough, youth unemployment is set to increase dramatically due to the COVID-19 pandemic (OECD, 2020). High levels of youth unemployment create vulnerability among

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young adults and mean that employers can offer unstable forms of employment such as temporary or zero-hour contracts and unpaid internships.

Where young adults are accruing debt and have worse access to employment and state services than other generations, a distinct form of economic inequality is created. There is also an important sense in which these inequalities leave young adults vulnerable to specific forms of exploitation. However, much more needs to be done to explore the idea that exploitation is a threat to intergenerational relations. It does seem exploitative for one generation to design public policies and to maintain institutions that neglect the interests of its successors. It also seems morally troubling for institutions to distribute essential resources and opportunities (such as employment opportunities, state pension provisions and debt) in a way that creates important imbalances of power between generations. Such actions seem to have the capacity both to constitute forms of exploitation in themselves and to create the preconditions for further exploitative relationships.

The aim of this article is to make a case for *intergenerational exploitation*. I focus primarily on two questions: (1) What exactly is intergenerational exploitation? (2) What makes this type of exploitation wrong? The concept of intergenerational exploitation is relatively unexplored. Accounts of intergenerational injustice offer important insights that explain why deep inequalities between generations matter, but they do not tend to conceptualise exploitation between generations. One promising attempt is Christopher Bertram's (2009) *reciprocity account*. Bertram argues that earlier generations exploit later ones if they violate a principle of reciprocity in their cooperative enterprises with earlier generations. But this account is vulnerable to serious problems. The focus of this article is to develop an account of intergenerational exploitation that can get to grips with these issues.

In developing this account, I begin by outlining contemporary transactional theories of exploitation. I argue that while these theories explain how one individual can exploit another, they are inadequate for capturing structural exploitation between groups. I then outline structural approaches that seek to identify exploitation in global relations, particularly sweatshop labour contracts. I argue that in the same way that structural injustice can be identified *globally*, it can also be identified *intergenerationally*.

One of the core concerns highlighted by structural accounts is that our political, economic and legal institutions can constrain some people and at the same time enhance the circumstances of others, and this leaves people vulnerable to exploitation. I argue that just as our background institutions *cross national boundaries*, so that people face a limited set of options (such as entering sweatshop contracts), they can also *cross intergenerational boundaries*, so that succeeding generations face a limited and disreputable set of options. I argue that the intergenerational account provides a philosophically satisfying explanation of exploitation across time and explains how exploitation between generations is not only possible but in our world is likely to arise. To make this case, I examine key contexts involving long-term public debt and employment.<sup>2</sup> In the former context, I show how exploitation between generations is possible, where the earlier generations do the exploiting. However, in the latter context of employment, I show how earlier generations can *give rise to preconditions* that facilitate the exploitation of later generations.

## Exploitation

Sweatshop labour in impoverished countries is a paradigm case of wrongful exploitation. But these contracts involve a mutually beneficial consensual exchange. They improve

people's relative situation insofar as they move workers out of starvation and employers' benefit from labour inputs. Workers also choose to enter these contracts to the extent that they prefer to move from a situation in which they are subject to dire poverty to another situation in which they are spared such hardship. Because sweatshop contracts involve a mutually beneficial and consensual exchange, one standard economic response is that it is strange to condemn these employers as exploitative. According to Matt Zwolinski, although the employer might be able to do more to help her employees, she does more than the majority of individuals who do nothing to provide any comparable benefit. If this is exploitation, then how bad can exploitation be? (Zwolinski, 2007: 710).

The form of Zwolinski's argument is familiar to us. We know its intended implication: a sweatshop worker chooses to enter such a contract because it is the best that she can get. And we not only recognise the form of Zwolinski's argument but instinctively feel its force: at present, plants making clothing and technology for foreign markets are essential for helping developing countries out of poverty. But intuitively, sweatshop contracts are morally defective in some respect and it is this normative consideration that drives accounts of exploitation. Accounts of exploitation seek to identify the wrong-making feature of exploitative contracts, and once revealed, this feature will undermine, destabilise or cast doubt on the legitimacy of these types of exchanges.

The most common accounts of exploitation are transactional, that is, exploitation is seen as taking place between individuals and involves unfairness and/or immoral conduct. According to these accounts, sweatshop employers are guilty of wrongful exploitation as they are taking advantage of workers' desperate circumstances so that they consent to employment conditions that are unstable and involve very low wages, long hours per se. These accounts appeal to distributive injustice or unfairness in the transaction (Berkey, 2019; Buchanan, 1985; Ferguson, 2016; Kates, 2019; Meyers, 2004; Mulkeen, 2020; Steiner, 1984; Wertheimer, 1996). But they may also appeal to immoral conduct in the form of domination (Vrousalis, 2013), disrespect (Sample, 2003; Wood, 1995), using another as a mere means to your own ends (Kymlicka, 1989; Quinn, 1989), or in a more general sense of violating a moral duty (e.g. a duty to protect the vulnerable; Goodin, 1987) or costless rescue (Horton, 2019).

Both the fairness-based and conduct-based accounts offer a plausible defence of the intuition that sweatshop workers are wrongfully exploited by their employers. What these accounts miss is the insight that exploitation can be a structural phenomenon that is built into our political, legal and economic systems and that it can occur between groups. Although transactional exploitation is important, we cannot properly understand the wrong involved in sweatshop contracts without understanding that these are structural phenomena. They are structural because they originate in our political, legal and economic institutions, and they require the active participation of people who are subject to them, including the disadvantaged, to be maintained and authorised. Consequently, structural accounts argue that the background social construct is the real site of exploitation. It is a mistake to concentrate on the exchange between individuals because it is the condition that lies in the background of the exchange that the wrong-making feature is to be found.

While there is agreement that institutional structures matter for exploitation, there has been disagreement about the way in which they matter. Two prominent accounts have emerged in the literature. The first argues that structural background injustices produce inequalities between individuals that can facilitate the exploitation of some by others (Sample, 2003: 165). Ruth Sample (2003: 57) argues that when we extract

benefits from transacting with a victim of structural injustice – and these benefits are due in part to an injustice that she has suffered – then we fail to give the victim appropriate respect. For Sample, it is this form of disrespect that constitutes the wrong-making feature of exploitation.

The second approach holds that structural injustice is necessary to think correctly about responsibility. According to Iris Marion Young (2006: 119–125), most of us contribute to structural injustice because we follow the accepted rules and conventions of our institutions. She holds that many of the problems that we collectively face are large-scale structural problems that cross national boundaries, but the concept of responsibility that we operate with involves fault and liability, which is suited to small-scale interactions. In particular, the fault/liability model pays insufficient attention to social structures that constrain the choices available to us (Young, 2004: 369). Young therefore develops a model of political responsibility. She argues that most of us participate in structural processes that harm or have unjust consequences for others in virtue of our jobs, purchasing choices and other activities. We thus share political responsibility to remedy structural injustice. Political responsibility is forward-looking: the point of highlighting these constraints and unfair distributions is to change these structures rather than to determine who is to be blamed for them. It involves working collectively to prevent future harms on the grounds that we are *connected* by our own actions to the processes that cause injustice for others, along with our relative *power* and *privilege*. More powerful individuals and institutions have more responsibility to change unfair processes and their outcomes, and those with relatively less power can take responsibility actively to pressure the more powerful to take responsibility for change. Those who acquire privileges by virtue of the structures have special responsibilities to contribute to organised efforts to correct them. According to Young (2004: 369), our political responsibilities must be discharged if we are to mitigate exploitation created by our social structures.

Thus, structural accounts argue that the problem with transactional accounts is that they are insufficiently structural. This means that the transactional accounts miss the site of exploitation, and that exploitation can take place between groups. In the following sections, I apply a structural account of exploitation to intergenerational relations. I argue that in the same way that structural injustice can be identified *globally*, it can also be identified *intergenerationally*. What we need is a structural and intergenerational account in order to identify intergenerational exploitation.<sup>3</sup>

## Intergenerational Exploitation

Before developing an account of intergenerational exploitation, it would be helpful to consider a promising view of exploitation in the intergenerational context put forward by Bertram, which I refer to as the *reciprocity account*.

Bertram argues that exploitation consists in a breach of fair reciprocity. This occurs when people are engaged in cooperative relationships together. According to Bertram (2009), there is exploitation if the distribution of rewards from cooperation fails to be roughly proportional to the distribution of effortful contribution. He says that to knowingly impose disproportionate burdens or benefits on those with whom one is engaged in cooperation is exploitative. The key to extending the notion of exploitation between generations lies in the idea that a co-operative arrangement may be extended in time. The possibility of exploitation arises because co-operative schemes may span several generations, for example, a football club. Just as within a group of contemporaries,

shirkers exploit their counterparts; this is also the case in long-term intergenerational cooperation (Bertram, 2009: 156). For instance, if one generation neglects to invest in the maintenance of infrastructure and pushes these costs on to future generations, then this generation would be described as exploiting future people on Bertram's (2009: 156) view.

Importantly, Bertram's account is focused on capturing exploitation between non-overlapping generations. But it is difficult to conceive how a breach of fair reciprocity has occurred if there is no possibility of cooperation.<sup>4</sup> The problem for Bertram is that exploitation requires an *exchange* between the exploiter and the exploited. For example, sweat-shop contracts involve a relationship between two agents in which one agent offers a wage, the second agent deliberates and responds, and the first agent acts based on the second agent's decision. But this kind of conversation does not exist between non-overlapping generations. More specifically, Bertram does not explain how future non-overlapping people *consent* to the exploitative exchange. As Goodin says, extortionists, blackmailers and con artists enlist the support of their victim in some way, and this is why we feel more comfortable in saying that they exploit their victims than we would be in saying the same about thieves (Goodin, 1987: 174–175; see also Caney, 2018).

A more common problem with reciprocity-based accounts of exploitation is that a lack of reciprocity is insufficient for exploitation. For example, gifts are non-reciprocal and involve knowingly imposing disproportionate burdens or benefits on those engaged in cooperation. But in the case of gift giving, we do not want to say that people are exploited because the distribution of rewards fails to be roughly proportional to the distribution of effortful contribution (Goodin, 1987: 175–176). Thus, if an earlier generation transfers resources to a later generation – without hope or expectation of a return – we do not want to say that the interaction is exploitative. A further problem is the danger of swamping later generations with duties of reciprocity, especially if unintentionally produced benefits give rise to the same range of duties as intentionally produced benefits. There are also issues surrounding the involuntary receipt of benefits. According to Nozick (1974: 90–95), foisting benefits on others without their consent can never generate obligations to pay the benefactors, for this would implausibly subject us to other people's will.

A lack of reciprocity cannot, therefore, be the whole story when it comes to identifying exploitation, especially in the intergenerational terrain. What we have is two distinct concerns. The first involves a lack of consent. The second kind of worry is that unless the scope of reciprocity is appropriately restricted, then it will generate implausibly numerous obligations and render the concept of exploitation implausible. In the following section, I explain how these problems can be overcome by modifying Locke's account of tacit consent and drawing on a structural account of exploitation. This work allows us to see how a mutually beneficial, consensual exchange is taking place between generations, but it is the condition that lies in the background of the exchange that is the real site of intergenerational exploitation. More specifically, it is a mistake to concentrate on the exchange between individuals because it is the condition that lies in the background of the exchange that the wrong-making feature is to be found. I then consider the way in which structural injustice disadvantages younger generations within a transaction by placing them in a restricted choice situation. To make my case, I examine social structures in real-world intergenerational problems, such as those involved in long-term public debt and employment. These cases allow us to see how it is possible for members of an earlier

generation to exploit members of a later one or give rise to the preconditions that facilitate the exploitation of later generations.

## Identifying Intergenerational Exploitation: Public Debt

A massive public debt has been created because of the COVID-19 pandemic. Countries around the world approved more than US\$4.5 trillion worth of emergency measures in the initial months of the outbreak and this is only the start of the costs (International Monetary Fund (IMF), 2020). The emergency measures include isolation enforcement to protect the vulnerable, particularly older generations; pumping resources into public health, furlough and welfare packages; and fiscal stimulus policies to mitigate the recession. These massive debts will be passed on to future taxpayers, some of whom are too young to vote.

As well as incurring huge debts from recent crisis, younger and future taxpayers will also be responsible for increasing the levels of deficit created by pension and welfare burdens. These burdens relate to the amount that OECD governments have borrowed to finance their welfare, health and pension systems. There has been a long-term shortfall between revenues and payments in most OECD countries because governments have failed to raise taxes in line with spending. This is partly due to the structure of the pension and benefits system and partly because in many OECD countries, birth rates have fallen so much that the population of working adults is declining (Coyle, 2011: 92–93). What we find is that people are having less children, and people are getting older. Most notably, people who are working are required to give an increasing amount of their income (via taxation) to supporting older generations who need income and assistance. For several decades, many governments have evaded these demographic pressures by borrowing massively from their future tax payments to spend on citizens of the present. This means succeeding generations of taxpayers will not enjoy the same welfare benefits or pensions as their parents and will also have to pay higher taxes to repay the debts incurred on past benefits (Coyle, 2011: 112–113).

To see how it is possible for older generations to exploit younger generations, let us begin by first imagining a democratic society borrows £500 billion at time  $t_1$  to cover the costs of the COVID-19 crisis and deficit created by pension and welfare burdens. Suppose that  $t_2$  is the point in time at which the majority of those alive at  $t_1$  have retired or ceased living, and this massive debt continues to bind those born well beyond  $t_2$  so they pay a significant proportion of costs. In such a case, earlier generations have been able to use political, economic and legal structures to impose disproportionate costs on later generations that are binding. It appears that earlier generation  $A$  and later generation  $B$  take out a loan out from  $L$ . Because  $B$ 's bargaining position is worse than  $A$ 's,  $A$  can get  $B$  to agree to a repayment schedule that involves  $A$  unfairly benefitting more than  $B$  from the loan.

However, a critic might respond that in real-world intergenerational cases, there is no exchange between  $A$  and  $B$ : generation  $A$  simply imposes costs on  $B$  by unilaterally taking out a loan from  $L$  and using institutional structures so that  $B$  is forced to repay on terms that are unfair with respect to  $A$  and  $B$ . If this is true, then I face the same problem as Bertram. It is difficult to see how this is exploitation: there needs to be an *exchange* of some sort. This is akin to my leaving a group dinner at a restaurant without paying my share, and landing others with the tab. Or we might take this analogy further, suppose that, for some reason, unless all bills are paid, every diner will die. Suppose I dine on my own and leave without paying. Other diners now must pay my bill or die. I wrong them,



but I do not interact or exchange with them. This seems like theft. It would make no difference whether I did this or pinched the other diners' wallets to pay for my meal. As such, the intergenerational account I am proposing fails to correctly distinguish between theft and exploitation.

A critic might also argue that the enactment of the debt is coercive. From the standpoint of democracy, no member of later generation *B* ever cast a vote in favour of the massive debts or in favour of the officials that agreed to the debt on their behalf. The critic might take this further and argue that policy decisions are often biased against the future because the 'silent majority' of those who will be affected in the future cannot influence political decisions today (Ekeli, 2005, 2009; MacKenzie, 2016; Tremmel, 2006). Even if some members of generation *B* can vote, earlier generations tend to have more political influence because, as a group, they control more political resources, vote in higher proportions and hold more political offices than later generations (MacKenzie, 2016; Van Parijs, 1998). To make matters worse, generation *B* can be forced to honour the massive debts due to the disastrous consequences of refusing to pay back the money owed: being excluded from further credit, being subject to high interest rates on subsequent borrowing, turmoil in international trade, recession and economic upheavals. All these factors place severe limits on what generation *B* can do. Thus, to show this is a case of exploitation, I need to explain why we should think of this as an exchange – why we should think that the later generation *B* ought to be treated as if they were *consensually engaging in a mutually beneficial exchange* with both *L* and, particularly, *A*. I shall now make this case.<sup>5</sup>

### *Identifying a Mutually Beneficial Exchange*

First, it is helpful to draw on James Madison's argument contained in a letter which he sent to Thomas Jefferson in the year in which Congress proposed the Bill of Rights. Jefferson famously argues that 'a living generation can bind itself only' and that every law should lapse every 19 years unless it is re-enacted for another 19 years by a majority vote of those living at the time of its re-enactment.<sup>6</sup> A law that is not re-enacted should be struck from the books (Jefferson, 1984: 963). In response, Madison (1904: 438n–439n) raises the following objections in his letter:

Would not a Government ceasing of necessity at the end of a given term, unless prolonged by some Constitutional Act, previous to its expiration, be too subject to the casualty and consequences of an interregnum?

Would not a Government so often revised become too mutable and novel to retain that share of prejudice in its favor which is a salutary aid to the most rational Government?

Would not such periodical revision engender pernicious factions that might not otherwise come into existence; and agitate the public mind more frequently and more violently than might be expedient?

When it comes to contracting and public debts, Madison argues that if the earth is the gift of nature to the living, their title can extend to the earth in its natural state only. He goes on to say that the *improvements* made by the dead form a charge against the living who take the benefit of them. Debts may be incurred for purposes which interest the living as well as the unborn. This includes debts for repelling a conquest (the evils of which

descend through many generations) and debts for the benefit of posterity. Importantly, the term of 19 years might not be sufficient for discharging the debts in either of these cases. According to Madison (1904: 438n–439n), given mutual benefits can be promoted by long-term public debt, all that is ‘indispensable in adjusting the account between the dead & the living is to see that the debts against later generations do not exceed the advances made by former generations’.

What Madison’s argument allows us to see is the way in which social and institutional structures can benefit later generations, and how generations can enter exchanges when it comes to contracting and providing public debts. Specifically, later generations pay for the benefits and improvements they receive from preceding generations.<sup>7</sup> If we apply Madison’s reasoning, then we might say that generation *B* engages in a beneficial exchange with both *L* and, particularly, *A*. This is because *L* receives interest payments from the loan and *B* receives benefits of posterity (the effects of a vaccination programme, treatments in the event of contracting a virus, fiscal stimulus to improve employment opportunities, welfare guarantees, etc.) in exchange for servicing the loan. This now leaves us with the issue of consent and worries about making our successors pay for things that they do not want.

### *Invoking the Idea of Tacit Consent*

In his response to Jefferson’s letter, Madison (1904: 440n) also argues that tacit consent may be given to established governments and laws, and that this consent is to be inferred from the omission of an express revocation. This idea of tacit consent may be a starting point for responding to the worry that later generations do not consent to debts created by earlier generations. Tacit consent can highlight the acceptance of public debt on the part of a later generation (compared to the loan not having been taken out at all). But does silence by later generations genuinely constitute morally binding tacit consent to the debts and laws which earlier generations seek to impose upon them? Many would argue that does not. One problem is that Madison does not explain why debts enacted by earlier generations should bind later generations who believe the debts are illegitimate.<sup>8</sup>

But there is a Lockean response to this concern. According to Locke, earlier generations can legitimately exert their influence on later generations. He argues that at the age of majority, later generations come to be bound – by their tacit consent – to obey the laws of their ancestors by inheriting, or residing on, the land of their ancestors. Later generations who enjoy the benefits of government implicitly consent to the law and are bound by it. Later generations would be bound for as long as they owned or set foot on this land, in the same way that an individual is bound to obey the laws of somebody’s household by setting foot in that household (Locke, 1980; see also Otsuka, 2003). It follows that if those who reach the age of majority offer their morally binding tacit consent via residence to the laws that govern them, then this explains how later generations consent to these laws and the paying of public debt. To return to our example: earlier generation *A* and later generation *B* receive a loan from *L* for the benefit of posterity (say, to cover the costs of the COVID-19 crisis, vaccinations, fiscal stimulus and welfare costs); *B* offers morally binding tacit consent to the loan by continuing to remain on the soil of their ancestors and accepting the benefits provided by the loan.

However, some might question the consensual nature of this type of exchange. A familiar objection pressed against Locke concerns the freedom of tacit consent. Hume famously maintains that, for most of us, enjoying the benefits and protection of the laws



of a government is not a free choice. Hume (1963: 281–282) gives us the following analogy:

Can we seriously say that a poor peasant or artisan has a free choice to leave his country, when he knows no foreign language or manners, and lives from day to day, by the small wages which he acquires? (1) We may as well assert, that a man, by remaining in a vessel, freely consents to the dominion of the master; though he was carried on board while asleep, and must leap into the ocean, and perish, the moment he leaves her.

Thus, can later generations really be said to consent to the state if they have nowhere else to go? States have discretionary control over migration: they erect walls, passport control, detain people in camps and so on. Thus, if leaving one's country is the alternative how can these agreements be consensual? It follows that the lack of reasonable alternative undermines the consensual nature of this type of exchange.

In response, it is important to note that a lack of reasonable alternative features in many familiar cases of exploitation. For example, we might similarly argue that if dire poverty is the alternative to entering a sweatshop contract, how can such contracts be consensual? In response, exploitation theorists point out that a lack of alternative does not necessarily vitiate consent. As Alan Wertheimer points out, if a surgeon says to a patient, 'You can choose to have your leg amputated or you will die', we do not say that the patient choosing to have his leg amputated is coerced just because death is an unreasonable alternative. Instead, we seek patients' informed consent in many routine life-saving operations (see Wertheimer, 1996: 110). It therefore seems plausible to hold that a lack of reasonable alternative, and the pressurised nature of consent, seems to align with familiar cases of exploitation.

Crucially, not all cases where a lack of reasonable alternative is present are consensual or exploitative. For example, we do not consent to a bandit who proclaims, 'Your money or your life?' even if we hand over our money at gunpoint nor does it seem correct to characterise this as exploitation.<sup>9</sup> Here, it is helpful to consider Robert Nozick's framework for distinguishing threats from offers. Nozick maintains that threats consist in coercion and offers do not. What is key is that the structure of an exploitative interaction closely resembles what Nozick describes as a restricted offer. For Nozick, a proposal is an offer if a person would rationally choose to move from the pre-offer situation to the offer situation. This can be contrasted with a threat where people do not prefer to make this move – if I were to force you to hand over your wallet at the point of a gun, then I would be moving you from a status quo to another situation in which you would not have chosen to put yourself (Nozick, 1997: 41). In the case of an offer, my intervention involves moving you from a status quo to another situation which you would prefer. For Nozick, the threat/offer distinction is also marked by the fact that compliance with a threat will leave a person worse off than she was in the pre-threat situation.<sup>10</sup> By contrast, accepting an offer makes a person better off than she was in the pre-offer situation, for example, by helping the person or reducing the harm she faced.

If we consider this framework in the context of our public debt example, we can identify a mutually beneficial and consensual transaction: earlier generation *A*, later generation *B* and *L* all gain benefits from the loan. We might also say that generation *B* tacitly consents to the loan by accepting the benefits it provides (e.g. by accepting vaccinations, health care, opportunities created by fiscal stimulus, welfare) To ensure that benefits are not being foisted on generation *B* (due to a lack of reasonable alternative), we can appeal to Nozick's distinction between threats and offers. In our example, it seems plausible

that generation *B* prefers to move from the pre-proposal situation in which they are subject to the harmful impacts of COVID 19, to the proposal situation in which these harmful impacts have been reduced.<sup>11</sup> This now leaves us with the issue of understanding the wrong-making feature of these transactions, so we can identify exploitation between generations.

### *Intergenerational Exploitation: Identifying the Distributive (Fairness-Based) Wrong*

What is key to understanding the wrong-making feature is that just as the background structure of society (the political, economic and legal structures) restricts the options of workers and gives owners of factories the power to impose sweatshop contracts, the background structure of society can similarly restrict the options of later generations and give earlier generations the power to impose binding costs and unfair deals on later generations. It might be thought that power asymmetry between older and younger generations is a hard fact of modern societies: earlier generations will always have more power than later generations. However, the interesting claim here is that the power asymmetry created by the background structure of society is distinct because it is artificial: it is created by social processes and institutional design, and it is possible for us to change these processes. It consists in one generation exerting a kind of power or possessing a kind of advantage over another, and it is people participating in and consenting to these constructs that explains why these power imbalances are maintained and authorised.

To return to our case involving generations *A* and *B*, because the background structure of *A* and *B*'s society restricts the options of later generations, *B*'s bargaining position is worse than *A*'s; *A* can use power to get *B* to agree to a repayment schedule that involves *A* unfairly benefitting more than *B* from the loan.<sup>12</sup> In this kind of case, there is mutual, albeit unequal, benefit and willing tacit acceptance on the part of the later generation *B* (compared to the loan not having been taken out at all). However, there is something distinctive about a society's background structure constraining later generations and, at the same time, enhancing the power and opportunities of earlier generations, so that earlier generations can take out a massive loan based on the repayment of others. We can identify a fairness-based wrong in the exchange if the debts against later generations exceed the advances/benefits made by former generations.<sup>13</sup>

### *Intergenerational Exploitation: Political Responsibilities*

It might also be argued that we can identify conduct-based wrongs in the exchange. Specifically, if earlier generations extract excess benefits from a later generation whose options have been restricted – and this restriction is due to background structures and processes – then it might be argued that earlier generations fail to give the victims appropriate respect, dominate later generations, take unfair advantage of the vulnerable or violate a duty of costless rescue. However, this understanding gives the impression that intergenerational exploitation is being used to hold earlier generations responsible and blame them for certain changes to the economy that are bad for the young and good for them. This is not the claim being put forward.<sup>14</sup> This kind of blaming is unconvincing because it does not seem reasonable to charge earlier generations with intentionally putting in place institutions and structures that benefit them and impose costs on younger generations. While it is true that some members of earlier generations might have

contributed to the accumulation of public debt, others might have done their best to resist these changes. Instead, I am putting forward the more modest claim of how it is possible for individual members of an earlier generation to exploit members of a later one, and the account developed is structural in nature. Given that this is so, it is important to work with a forward-looking idea of political responsibility. That is, the point of highlighting these constraints and unfair distributions is to change these structures rather than to determine who is to be blamed for them.

Following Young's framework, we might reason about our political responsibilities in the intergenerational context along the parameters of (1) *connection*, (2) *power* and (3) *privilege*. To flesh out this framework in the context of public debt, earlier generations might trace connections between their own actions – whether they received furlough payments during the pandemic, vaccinations, pensions and so on – and later generations potentially affected by these activities, particularly if these activities restrict the choices of later generations and impose debts that exceed the advances made by former generations. Tracing these connections helps us to de-reify the structural processes that mediate between generations. More powerful individuals and institutions have more responsibility to change unfair processes and their outcomes, and those with relatively less power (but some ability to influence the powerful members) can take responsibility actively to pressure the more powerful to take responsibility for change. Equally, people who acquire relative privileges by virtue of the structures have special responsibilities to contribute to organised efforts to correct them. For example, the combined wealth of the world's 10 richest men rose by US\$540 billion (£400 billion) during the pandemic due to rebounding stocks, according to Berkhout et al. (2021). This amount would be enough to prevent the world from falling into poverty because of the virus and pay for vaccines for all (Berkhout et al., 2021). Here, the mega-rich have special responsibilities not to impose huge debts on the young – if debts against the younger generation exceed the advances made by former generations. This is not because the more privileged are to blame, but because they have more resources and are able to adapt to changed circumstances without suffering serious deprivation.

Building on the proposal above, it follows that the *intergenerational political responsibilities* of earlier generations should be discharged if they are to mitigate intergenerational exploitation created by our social structures. If members fail to discharge these intergenerational responsibilities, and continue to impose unfair debts on their successors, then we might argue that earlier generations fail to treat their successors with dignity and respect. The spirit of this wrong might be expressed in Kant's Categorical Imperative. Importantly, there are two senses of *using someone as a means*. On one hand, there is the notion that to treat someone as a mere means is to treat him in a way that is incompatible with being an end in himself, for example, drink driving after you have been out on a bender treats others as a means because it does not respect their worth.

On the other hand, there is a narrower understanding of using someone as a means, which is closely connected to the idea of using someone as a tool to fix a problem or advance your own situation. Cutting up one healthy individual to save five is a famous example of this type of use. Warren Quinn draws this distinction by separating harm that results from *eliminative* agency and harm that results from *opportunistic* agency. *Eliminative* agency harm involves situations in which the victim presents an obstacle to one's actions. In contrast, *opportunistic* agency harm involves situations in which one benefits from the presence of the victim. In the case of drink driving, this does not *opportunistically* use others as a means. Instead, the presence of a potentially affected party

presents an obstacle as people would still drink drive even if victims were not there. Indeed, drink drivers would prefer not to hit a victim. This is very different from a case in which we kill another person in order to harvest his vital organs. Unlike the drink driving case, utilising someone's organs is not something that we can do without this person's involvement. This makes it clear that this person's body represents an *opportunity* for us. Quinn (1989: 344) argues that using someone in an opportunistic sense is harder to justify.

Quinn's analysis of opportunistic agency can, I think, be applied directly to the case of long-term public debt and our case involving generations *A* and *B*. If earlier generations fail to discharge their intergenerational political responsibilities and continue to impose unfair debts, then earlier generations treat their successors as having a diminished moral status. Earlier generations secure a massive long-term loan where the specific terms of loan repayment could not have been secured *but for the presence of succeeding generations* and their being in a restricted choice situation. This is on the grounds that *B* is used as security to pay back the loan. More specifically, the presence of the younger *B* generation, and their vulnerability in a restricted choice situation, presents an opportunity or advantage for generation *A*. It seems that generation *B* is being used opportunistically because *A could not have secured a long-term debt (and derived benefits) but for their presence*. This diminishes the moral status of *B*: generation *A* extracts excess benefits and transfers the costs to *B*, whose options have been restricted background structures and processes. On this understanding, generation *A* would be treating generation *B* as a mere means even if members did not intend, but only foresaw the effects of their activities and maintained this condition by failing to discharge their intergenerational political responsibilities.

### *Exploitation across Time: Objection*

Now against this position, it might be argued that identifying unfairness is more complicated in the intergenerational context. One push back is that it is not clear whether this is an age group effect or a birth cohort effect.<sup>15</sup> Age groups are groups of people at a certain stage of their lives, for instance, children or the elderly. Birth cohorts are groups of people born at a specific time and who age together. For example, the baby boomers are a birth cohort of those people born between the end of the Second World War and the 1960s. The difference between age groups, on one hand, and birth cohorts, on the other, lies with the fact that 'birth cohorts are specific groups of people who age together, while age groups are phases through which different cohorts pass as they age' (Bidadanure, 2016: 239; see also Daniels, 1988: 13). It follows that since we all age, treating age groups unequally will not necessarily bring about inequalities between individuals; however, treating birth cohorts unequally does bring about inequalities between individuals. Thus, if I am understanding intergenerational exploitation as an age group effect, then it might be argued that how an individual fares at one moment in time can be compensated for by how they fare at other moments. For instance, members of generation *B* (as they age and become the more powerful generation) can raise capital and pass repayments on to the next generation *C*. Similarly, generation *C* might raise capital and pass repayments on to the next generation *D*, and so on. It therefore seems that there are no complaints of unfairness because as each generation ages, it has the power to draw benefits and pass costs on to future generations. However, the fundamental problem with this justification is that it is tantamount to a pyramid scheme: it is

saying that earlier generations may recruit new members to bring money in and funnel it up the line. This type of proposal clearly involves using later generations in Quinn's opportunistic sense and is thus hard to justify.<sup>16</sup> One of the main problems with pyramid schemes is that they are inherently unstable and end up collapsing. The instability in the intergenerational context relates to the huge public debt and a declining birth rate. As discussed above, in our world most OECD countries have a declining birth rate. If this pattern continues, then the costs of paying towards earlier generations (e.g. interest payments, costs of welfare, health care and pensions) will be greater and greater for each succeeding generation creating instability. Here, we can also note a cohort effect. If we are structuring our political and economic institutions by borrowing heavily from future tax payments to spend on citizens of the present, if we know that due to these demographic pressures succeeding generations will have to pay higher taxes and will not receive the same level of welfare or pensions, and so on, as their parents, then this raises intergenerational political responsibilities. If members fail to discharge these responsibilities, and continue to impose unfair debts on their successors, then we might argue that earlier generations fail to treat their successors with dignity and respect.

In sum, my aim in this section has been to show how it is possible for earlier generations to exploit later generations. In the case of long-term public debt, I argue that the older generation do the exploiting when (1) debts against a later generation exceed the advances/benefits made by the former generation and (2) members of the former generation fail to honour their intergenerational political responsibilities. In the intergenerational context, our political responsibility to work collectively to prevent future unfairness is grounded in how we are connected by our own actions to the processes that cause unfairness to later generations, along with our relative power and privilege. The interesting claim in this section is that the older generation do the exploiting.

The work in the following section is more modest; the claim I defend is that older generations place younger ones in conditions that make them vulnerable to exploitation. I will now consider intergenerational exploitation in the practice of employment. In this case, I will argue that our institutional, political and legal structures can give rise to *pre-conditions that facilitate* the exploitation of younger generations.

## Identifying Intergenerational Exploitation: Employment

It is possible for earlier generations to set the preconditions for exploitation when political, social and legal institutions are designed or maintained in such a way that they make younger generations vulnerable in their trade relations with others, for example, the severe economic consequences that have derived from COVID-19, the 2007 banking crisis, a rapidly ageing population have affected younger generations as a group more than any other generation. Presently, there is a staggeringly high rate of long-term unemployment and poverty among the younger working generation. High levels of poverty and youth unemployment create vulnerability among young adults and mean that employers are able to offer unstable forms of employment such as temporary or zero-hour contracts and unpaid internships.

Recall that on a structural account of exploitation, exploitation arises when political, social and economic institutions against which the exchange is being made restrict a person's choices leaving them with no reasonable alternative but to enter a particular transaction. The fact that a person is in a restricted position allows others to impose unfair deals and extract terms that he or she would not ordinarily contemplate accepting.

To see how the situation experienced by members of the younger working generation can connect to this form of exploitation, consider the following example:

*Brian:* Imagine Brian completed an undergraduate degree at a good university. Brian seeks employment, but despite months of searching and countless interviews, he cannot gain employment on a graduate scheme. Brian's only option to secure a position is to strike a deal with Carl, who offers him a 6-month unpaid internship. Brian begins working 40 hours a week as an intern, but he needs to work an extra three jobs – one as a cleaner, one in a bar and another as a food delivery driver – to try to make ends meet. He is exhausted. He gets up at 5am in the morning, leaves the house by 5:30am and cycles to his first job. He cleans from 6–8:30am and then cycles to begin his internship at 9am. He is finishing this second job at 5pm, then cycles to his final job in the bar. It's midnight when Brian gets to bed. Brian then spends his weekends delivering takeaway food. In each of these extra jobs, Brian is employed using zero-hour contracts. On a good week, he might earn £300 for 50 hours of work. But on a bad week, there are fewer shifts available, and he comes away with half of this sum. When this happens, Brian needs to use his credit card to meet the costs of his rent and food.<sup>17</sup>

We can now counterfactualise Brian's situation to make an exploitation claim. Consider Brian's employment transaction with Carl: Brian is a university graduate, but his access to secure employment is being restricted; younger generations have been most impacted economically by crisis and an ageing population. This has left younger generations vulnerable to precarious forms of employment. Carl takes unfair advantage of Brian when he says, 'Come work a 40-hour week for me – for free – for the next six months and I'll write you a reference'. Because there is a high rate of poverty and unemployment among young people, this gives employers the power to push precarious temporary or zero-hour contracts. This can be seen when Brian needs to work an extra three jobs. Employers can force such one-sided terms because there is a large proportion of young people competing for these contracts. Employers can extract benefits and derive insecure terms of agreement from a generation of young people – such as Brian – who have no reasonable alternative but to accept these terrible deals.

In the same way that people are choosing to enter sweatshop contracts because of global background structures, today's younger generation is choosing to enter exploitative contracts because of serious injustice in the background political and economic institutions against which their decision is being made. Here, we can identify various wrongs in the above interactions. First, if institutions are being designed and maintained by earlier generations so that younger generations face highly restrictive conditions – being blocked or excluded from employment and subject to abject poverty – then this puts young people in a situation of vulnerability. This means that employers can offer unstable forms of employment such as temporary or zero-hour contracts and unpaid internships. Here, we might claim that members of generation *A* – in consenting to and maintaining political, social and economic institutions – put young person *B* in a restrictive condition such that *C* can exploit *B*. This is because *C* can take advantage of *B*'s vulnerability by offering an exchange that involves an unequal division of the surplus. In this case, we might say that *A* acts unjustly if they do this, but it does not follow that *A* exploits *B*; they act unjustly perhaps because *A* does not discharge their political responsibilities and makes *B* vulnerable to exploitation by others.

From this, it might be argued that employers such as Carl are guilty of conduct-based wrongs when they extract benefits and push precarious temporary or zero-hour contracts on vulnerable younger people, that is, employers are failing to give younger people



appropriate respect, dominate or take unfair advantage of the vulnerable. However, again this kind of argument is way too quick. We need to look carefully at the situation of the employers. Although employers might be aware that they are taking advantage of vulnerable younger people, they might also be operating in constrained conditions themselves, so they have no reasonable alternative but to push unfair deals. Employers might desperately want to resist precarious temporary or zero-hour contracts, but this might be the best they can do if they are to remain in business. It is therefore important to work with a forward-looking account of intergenerational political responsibilities. Again, these responsibilities might be determined along the parameters of *connection*, *power* and *privilege*. More specifically, employers might trace connections between their own actions and members of younger generations potentially affected by these activities, particularly if these activities restrict the choices of younger generations so they have no reasonable alternative but to accept precarious employment contracts. More powerful employers and institutions have more responsibility to change unfair processes and their outcomes, and those with relatively less power (but some ability to influence the powerful members) can take responsibility actively to pressure the more powerful to take responsibility for change. Equally, employers who acquire relative privileges by virtue of the structures have special responsibilities to contribute to organised efforts to correct them. Again, this is not because the more privileged employers are to blame, but because they have more resources and are able to adapt to changed circumstances without suffering serious deprivation. It follows that the intergenerational political responsibilities of employers should be discharged if they are to mitigate the exploitation of our successors created by our social structures. If employers fail to discharge these political responsibilities, and continue to impose unfair deals on young people, then we might argue that employers fail to treat young people with dignity and respect. The spirit of this wrong might again be expressed in Quinn's opportunistic sense. Employers extract benefits that could not have been secured but for the presence of younger people and their being in a restricted choice situation.

### Objections

As in the case of debt above, there might be a couple of pushbacks against my account. I will deal with these in turn. First, it might again be argued that it is not clear whether this is an age group effect or a birth cohort effect. If I am understanding intergenerational exploitation as an age group effect, then people might enter temporary and zero-hour contracts when they are younger, but they go on to enter more secure and better paid employment as they age. It follows that there is not any unfairness between generations. However, there is again a big problem with this kind of justification. It is tantamount to saying that it is okay for younger generations to experience the conditions described in Brian's case above because when they age, they get to do precisely the same thing, that is, there will be a fresh batch of vulnerable newbies for them to take advantage of by offering long hours, precarious contracts and an unequal division of the surplus. More specifically, their turn for extracting benefits from the vulnerable will come. This is not okay. It is not okay for our institutions to restrict the choices of our younger generations and for earlier generations to leave them in vulnerable conditions where they have no reasonable alternative but to take a temporary precarious contract. These contracts come with a great deal of worry, sleepless nights and shame. They involve people tirelessly working long hours and missing out weekends because they are frightened of losing the

next contract. Earlier generations and employers have political responsibilities to relieve these generational effects. If they fail to discharge these responsibilities, then this will give rise to exploitation: earlier generations create the preconditions for exploiting the young, and employers do the exploiting.

I also think that intergenerational exploitation can be understood as a cohort effect. This will be the case if this form of employment situation worsens for each succeeding generation and endures for a longer stretch of time. In this kind of situation, there is unfairness between generations. Earlier generations and employers have intergenerational political responsibilities to relieve these cohort effects. If they fail to discharge these responsibilities, then this will give rise to exploitation.<sup>18</sup>

A second objection raised against my account concerns whether exploitation is really an issue of intergenerational relations. It might be argued that I have not chosen the right level of analysis.<sup>19</sup> Some might insist that class forces, and ultimately capitalists are the real actors, and exploitation take place between groups separated by class rather than between generations. For example, the employment situation for the young today – high levels of youth unemployment, low pay, temporary or zero-hour contracts and so on – affects individuals of all generations; someone in their 50s who is laid off and struggles to re-enter the job market may also be exploited and endure a precarious situation. Connectedly, others might argue that the labour market is indeed exploitative for the young, but the exploiters are capitalists, and the changes that have brought this about come from neoliberalism, not from immoral conduct by an earlier generation.

However, the claim that intergenerational exploitation exists does not commit one to the claim that all members of an earlier generation are equally active in producing the preconditions for the exploitation of a later one, or that members of an earlier generation do not use class forces to exploit their own contemporaries: a member of an older generation being exploited by class forces and capitalists is still consistent with the thesis. What I do resist is the invitation to reduce the intergenerational problem to the class power structure or dynamic created by capitalism. Structural exploitation relies on power relationships between groups. It is not necessary to analyse these power relations in terms of class. As feminists emphasise, a structural account which is sex-blind ignores women's reproductive labour in the home, upon which capitalism is entirely dependent. Similarly, a structural account which is race-blind fails to explain the way in which groups racialised as inferior are victims of a particular form of racial exploitation. To use examples by W.E.B. Du Bois (1935) and Charles W. Mills (2004), our institutions and structures give rise to racial exploitation when Black candidates with superior credentials are turned down in favour of White candidates or when Black children are given an inferior education by state governments, with most resources going to White children (Du Bois, 1903, 1935; Harris, 1993; Mills, 2004). This can give rise to racial exploitation as social structures are being maintained to disadvantage Black people so they need to take an inferior job for less money.

There are different forms of structural injustice or at least different ways of understanding structural injustice. These structures distribute advantages and disadvantages among different groups, and this gives rise to exploitation. The desperate circumstances facing younger generations is the outcome of the actions and decisions of members of previous generations maintaining our institutions and social structures. The background structural injustice that many young people are suffering is intergenerational. And this is only compounded by race, gender and social class. For example, 4 years after graduation, Black graduates have, on average, nearly twice as much debt as their White counterparts

and are three times more likely to be behind on payments (Addo et al., 2016; Scott-Clayton and Li, 2016). It is imperative that we understand that older generations can create and/or maintain uncertain and desperate conditions that enable the exploitation of its successors in their employment contracts, and younger people already suffering social disadvantage can be even more exposed to this form of exploitation than their peers.

An upshot of my account is that we should not reduce the intergenerational problem to the class power structure or dynamic created by capitalism. Instead, we can note that the problems of structural injustice concerning social class, race and gender have been created and maintained by some preceding generations. It is imperative that we discharge our intergenerational political responsibilities to ensure that we do not exploit our successors or set the preconditions for their exploitation by others, and this includes along parameters such as class, race and gender. Our intergenerational political responsibilities are the most crucial because they can help to mitigate the injustice faced by our successors.

## Conclusion

The concern that younger generations are becoming victims of injustice has hit unprecedented proportions in a number of countries. While much discussion exists on the many ways in which the younger generations are more disadvantaged than their predecessors, very little has appeared on how the latter's decisions can generate specifically *exploitative* relationships. My purpose in this article has been to develop a criterion for identifying intergenerational exploitation. I have elaborated this conception by examining the way in which considerations of background structures are relevant to this account. What the article has shown is how it is possible for members of an earlier generation to exploit members of a later one or give rise to the preconditions that facilitate the exploitation of later generations. To the extent that it is in their powers to do so, older generations ought to remedy these conditions.

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## Notes

1. Even books from very different points on the ideological spectrum share a common concern about growing intergenerational inequality (Coyle, 2011; Milburn, 2019; Willetts, 2010).
2. Depleting resources and failing to bring down carbon emissions to a sustainable level is another way in which the options of younger generations become constrained and make them vulnerable to exploitation (Mulkeen, in press). This is a hugely important issue, and Stephen Gardiner's work on extortion is terrific in this regard (Gardiner, 2017). However, the focus of this article is with exploitation in the context of employment and long-term debt as opposed to threats and extortion in the context of depleting resources and climate change. I would like to thank a *Political Studies* referee for raising and pressing this point.
3. Importantly, I am not arguing that structural injustice is necessary for exploitation. There are solid cases of exploitation that do not involve structural injustice. If I fall over the side of a cruise ship and the sole witness demands an exorbitant price for throwing me a life vest, this transaction would be mutually beneficial and consensual, but it would still be deeply exploitative and deeply wrong (Valdman, 2009: 1). I would like to thank Ben Ferguson for suggesting that I clarify this point.
4. Edward Page (2007: 232) calls this the 'Non-reciprocity Problem'. See also Parfit (1984: 524–525), Goodin (1985: 177), Barry (1989: 189), O'Neill (1996: 115), Rawls (1999: 254), Arrhenius (1999: 25), Gardiner (2004: 30) and Shue (2004: 164).
5. I would like to thank Matthew Clayton, Ben Ferguson and Brian Berkey for raising these objections.
6. Jefferson arrives at the figure of 19 years because at the time of his writing on average, once 19 years had elapsed, the majority of those who were alive and of voting age when a particular law was passed would have died.
7. Madison's reasoning aligns with recent accounts on intergenerational cooperation. For example, Heath (2013), McCormick (2009) and Page (2007).
8. For example, if later generations believe that earlier generations had no right to take out a loan on their behalf for a transport system that damages their physical environment.
9. I would like to thank Ben Ferguson and a *Political Studies* referee for suggesting that I clarify this issue.
10. For alternative theories of coercion, see Gerver (2021) and Liberto (2021).
11. Sweatshop contracts have the same structure. We can first identify a mutually beneficial transaction: sweatshop workers are relieved of starvation and employers' benefit from labour inputs. We might also say that sweatshop workers choose to enter these contracts: workers prefer to move from the pre-proposal situation in which they are subjected to dire poverty, to the proposal situation in which they can choose to be spared such hardship.
12. Here, I am referring to the background constraints described in the 'Identifying Intergenerational Exploitation: Public Debt' section.
13. I would like to thank Andy Mason, Tom Parr and a *Political Studies* referee for pressing me on this point.
14. I am grateful to a *Political Studies* referee for suggesting that I clarify this point.
15. I would like to thank Brian Berkey, Matthew Clayton, Jonathan Hoffmann and a *Political Studies* referee for raising this objection.
16. Dennis McKerlie has raised powerful concerns about unacceptable inequalities between people at given moments in time. To illustrate, McKerlie asks us to imagine an unequal city where elderly people live in miserable, overcrowded retirement homes with little prospect for happiness, while younger people live in lovely affluent residences. The older residents enjoyed the same happy lifestyles in their past, and the younger residents will end up in the same miserable homes themselves when they grow old (McKerlie, 2013: 6; see also Bidadanure, 2016).
17. For real-life concerns and cases such as Brian's, see Willetts (2010), Coyle (2011), International Labour Organization (ILO, 2016), Organisation for Economic Co-operation and Development (OECD, 2019, 2020) and Milburn (2019). The fate is much worse for those without a university education (see Case and Deaton, 2020). I would like to thank Tom Parr for raising this important point.
18. I am grateful to a *Political Studies* referee for raising this objection and asking me to clarify this point.
19. I would like to thank a *Political Studies* referee for raising this objection.

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