
(INTER)GENERATIONAL JUSTICE: REFLECTIONS ON THE GENERATIONAL ROLE OF INSTITUTIONS IN PANDEMIC TIMES

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Before there was a "new normal", in the second half of 2019, the Journal of Institutional Studies had launched its second call for international papers on the theme of '(Inter)generational Justice', in search for international and unpublished articles for the publication of a collection of high-level academic works in this volume 6. The call for papers was inspired by the theme of the *Research Committee of Sociology of Law (RCSL)* conference entitled '*Linking Generations for Global Justice*' held on June 19-21, 2019, in Oñati, Spain. The Conference was held at the International Institute of Sociology of Law, founded in 1989, celebrating precisely its thirty years of existence and an intergenerational collaborative effort for socio-legal debates.

Our call encouraged not only RCSL conference participants, but any interested international researcher in submitting their work. We were open to work on different aspects of (inter)generational justice, including related to time and space, asymmetric transnational social networks, protection of members of minority groups, women, citizens of weak states and the excluded. In terms of interdisciplinary themes, we expected to receive work related to sustainable development, constitutionalism, Economic, Social and Cultural rights – the so-called 'ESC Rights' and on transitional justice, among other topics exploring the challenges of transmitting law and justice from generation to generation.

Our call echoed the message of the RCSL conference that humanity is renewed with the emergence of new generations, each of which brings a new perspective of thought and changes values, institutions and practices, being vital in times of fast global transformation. On the other hand, several open questions were asked for reflection: how to protect the environment for future generations? How to integrate generations of migrants? How to ensure the diversity of judicial institutions and legal institutes? How should be the distribution of resources within the structure of the Welfare State? How will the judicial system of generations impacted by the

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digital revolution look like? How can young generations have a voice and participation in decisions about their future? How can old generations be protected in times of accelerated social change?

The theme of (inter)generational justice strongly reflects the spirit of our number three, which closes volume six of the Journal of Institutional Studies (REI). First, this number marks a 'pass of baton' and the beginning of a new editorial cycle, as our Editor Daniel de Souza Lucas, after leading as Executive Editor the process of publishing volumes four (2018), five (2019) and six (2020), becomes the Deputy Editor of REI and the post of Executive Editor is now occupied by Abner Serapião, inaugurating a new cycle of work and renewing our journal with his new perspectives and ideas. In fact, in addition to international articles, the theme of (inter)generational justice also permeates this whole issue, both in the special dossier on COVID-19, coordinated by Professor Fábio Corrêa Souza de Oliveira, as well as in the dossier on changing labor and its institutions, coordinated by Professor Sayonara Grillo. As the editors of the dossiers have already prepared texts to present their collection of articles, we refer our readers to their texts.

Regarding the international articles, Professor Alberto Pino Emhart offers us an excellent academic article on the value of excuses for law and morality. The work prepared by Professor of the *Universidad Adolfo Ibáñez of Chile*, as part of the investigations of his doctoral research at the *University of Oxford*, under the supervision of Professor John Gardner, is a great study of analytical philosophy of tort law. The article *The Value of Apologies in Law and Morality* explores the role of excuses in cases of wrongdoings, arguing that they constitute a moral requirement in a strong sense of seeking reparation and restoring social relations from the perspective of restorative justice. In terms of torts, there is the objective of restoring a normative relationship between the parties and the communication of a restorative message to the victim. The article also presents the discussion about the possibility of compensation and the symbolic function of civil liability.

Additionally, Anna Rosa Favretto and Giacomo Balduzzi, provide a powerful work on theme of (inter)generational justice from the perspective of the Welfare State and the challenges presented by the Italian case study. The prominent academics of the *Università del Piemonte Orientale* produced interdisciplinary research on the increasing inequality between generations emerging from recent economic crises, discussing how public policies address this problem with a focus on the political and social context. Defending that solutions based only on the labor market are insufficient to expand social inclusion, the authors advocate more active participation and popular empowerment in local communities as institutional strategies for intergenerational inclusion. The article *Intergenerational Justice as Intergenerational Inclusion: New Challenges for Welfare Systems* discusses the Welfare State, its effectiveness and contemporary challenges.

Finally, this collection of articles on the theme of (inter)generational justice is completed with the article by Antônio Pedro Dores and Marta de Sousa e Silva. In their text entitled *The New Clash of Generations*, the Portuguese authors discuss intergenerational conflicts from the perspective of the ecological struggle for

survival of the human species and the global problem of sustainability. In the current setting of a post-pandemic world, thinking on how modern law deals with intergenerational relationships and how a healthy natural environment could be identified as a human right have become even more relevant to our reflection on the role of institutions.

In this context, it is important to recall the questions posed by the RCSL Conference: how can we improve our collaboration between generations in our disciplines while addressing these challenges? How can we ensure and work to expand intergenerational justice across the globe? Such questions have been discussed by some of our authors in this issue, but they will certainly continue with humanity in the future, as old and new challenges arise. These are our brief introductory reflections on (inter)generational justice and the generational role of institutions in times of pandemic. Recording our special thanks to Daniel Lucas from our entire team for his leadership as Executive Editor and welcoming Abner Serapião to the same position, we wish you all a good read!