

Lockdowns and the ethics of intergenerational compensation

Politics, Philosophy & Economics

1–19

© The Author(s) 2023



Article reuse guidelines:

sagepub.com/journals-permissions

DOI: 10.1177/1470594X231178497

journals.sagepub.com/home/ppe**Kalewold Hailu Kalewold** *University of Leeds, Leeds, UK*

Abstract

Lockdowns were a morally and medically appropriate anti-contagion policy to stop the spread of Covid. However, lockdowns came with considerable costs. Specifically, lockdowns imposed harms and losses upon the young in order to benefit the elderly, who were at the highest risk of severe illness and death from Covid. This represented a shifting of the (epidemiological) burden of Covid for the elderly to a systemic burden of lockdown upon the young. This article argues that even if lockdowns were a morally permissible response to Covid, the harms and losses they imposed on the young ground a claim of compensation. I defend an intergenerational compensation argument that defends a claim for an egalitarian intergenerational transfer to compensate the young for the harms of lockdown.

Keywords

lockdowns, COVID-19, intergenerational justice, compensation, wealth tax

Introduction

By instituting lockdowns¹ to mitigate or eliminate the spread of the Covid² virus, states imposed harms and losses upon the young for the benefit of the elderly.³ And the younger one was, the greater the harms. Here are just some of the harms and losses imposed upon the young by lockdowns: the most disrupted industries—retail, leisure, and hospitality—have disproportionately younger workers. Educational institutions suspended in-person

Corresponding author:

Kalewold Hailu Kalewold, School of Philosophy, Religion, and History of Science, University of Leeds, Botany House, Leeds, LS1 9JT, UK.

Email: k.kalewold@leeds.ac.uk

instruction and moved to remote learning. Disruption to education harms not only children but also their parents since parents of school-age children themselves tend to be young.⁴ Bans on gatherings disrupt the social life of the young, particularly those who are single or living alone, among other hardships brought on by lockdown.

Harms due to lockdowns were concentrated among the young, while the benefits were concentrated among the elderly. Lockdowns principally benefit the elderly since Covid poses the highest risk for older age groups. More than half of all deaths from Covid in the United States have been of people over the age of 75 (CDC, 2022). Nearly 75% of deaths were among those over the age of 65.⁵ By the summer of 2020, it was evident that “age is by far the strongest predictor of an infected person’s risk of dying,” with people under the age of 50 having a very low risk of death from Covid infection and the risk rising rapidly for those over 50 (Mallapaty, 2020: 16). At the same time, it is unlikely for people in those older age groups to have their education, work, childcare, and so on disrupted by lockdowns, at least to the extent of the young. This makes Covid lockdowns an interesting case for thinking about justice across generations.⁶ A natural focus in jointly considering intergenerational justice and Covid is what the young owe to the elderly in preventing the spread of the virus. For instance, whether the young ought to be compelled to vaccinate for the benefit of the elderly (John and Curran, 2021). This article defends a compensation argument that addresses a relatively neglected question at the intersection of intergenerational justice and Covid policy, namely, what the elderly owe the young as a result of the harms and losses they have suffered due to lockdowns.

The argument of the article is not that lockdowns were unjustified. Proponents of lockdowns argued that, among other reasons, given the tens of millions of additional lives that would have been lost and hundreds of millions more who would suffer from severe illness if Covid were permitted to spread unchecked, lockdowns were a medically and morally appropriate anti-contagion response. The article grants that this was sufficient to ground the permissibility of lockdowns.⁷ Furthermore, I grant that democratic states⁸ have the legitimate authority to impose Covid lockdowns in order to achieve the desired public health outcomes.⁹ Rather, this article argues that even if the tradeoff between different mitigation strategies favored the lockdown measures implemented, the distribution of harms and benefits of lockdown are such that they ground a claim for compensation by the young. The young, like any individual or group, have a *pro tanto* right not to have harms and losses imposed upon them for others’ benefit. The right against being harmed for the sake of others is a cornerstone of the deontological critique of consequentialism and, more importantly, of liberal political theory (Muñoz, 2021; Rawls, 1971). I grant that this right was overridden by the emergency created by the Covid pandemic. However, while this right was overridden, it did not evaporate. Lockdowns were a type of policy I call shocks, which may be permissible but nonetheless ground what Dan Moller (2018) calls “residual obligations” to redress the shifting of harms. In this instance, the shifting of the burden from the elderly to the young. These obligations include compensation¹⁰ for the losses incurred by the young to stop Covid’s spread.¹¹

The article goes as follows. In the costs and benefits of lockdown section, I discuss the balance of costs and benefits of Covid lockdown policies and their generational impact. In the intergenerational compensation argument section, I outline and defend the

intergenerational compensation argument. In the objections and replies section, I discuss objections to the compensation argument and respond. The strategies for implementing intergenerational compensation section forwards strategies for implementing intergenerational compensation, making use of wealth taxes as a source of revenue; and the conclusion section concludes.

The costs and benefits of lockdown

Beginning in the spring of 2020, national and local governments instituted policies to limit or eliminate the spread of the Covid virus. Lockdown measures varied by jurisdiction in their stated outcome and reach. Some common lockdown policies include the closure of in-person instruction at schools and universities, curfew for the hospitality sector, closure or capacity restriction of indoor recreational activities, remote work for office-based workplaces, ban on large gatherings, and a legal limit on social contact of persons from different households, among others. In many jurisdictions, police were empowered to fine or arrest those in violation of lockdown restrictions (Grace 2020).

Lockdown policies were largely successful in preventing or mitigating the spread of Covid. Some countries—including China, Vietnam, Australia, and New Zealand—were effectively able to stop the spread of the virus through a combination of lockdowns and the implementation of centralized quarantine and contact tracing procedures. Others, such as the United Kingdom and the United States, experienced considerable spread and a resulting high rate of hospitalization and death. Nevertheless, a worst-case scenario of transmission and mortality was averted even in these countries. According to one estimate, by May 2020 approximately 2.8–3.5 million deaths were averted across 11 European countries due to lockdown measures (Flaxman et al., 2020). Another study found lockdown policies significantly and substantially lowered the transmission of Covid virus, with countries implementing stricter measures virtually eliminating community transmission (Hsiang et al., 2020).

The public health benefits of the lockdown came at a considerable cost. Lockdown measures were directed at whole societies, but their burden was not evenly distributed.¹² The harms of lockdown fell disproportionately upon the young. Given the nature of the labor market of advanced countries, many young workers were doubly disadvantaged by lockdown policies. They suffered both high rates of job and income loss and increased childcare duties due to school and center closures. Additionally, students and recent graduates missed out on crucial educational, professional networking, and employment opportunities, with long-term consequences for success in the job market.

Those who oppose lockdowns adduce these facts to argue that the costs of many of the policies outweighed their public health benefits (Godfrey-Smith, 2021). It would have been better, critics of lockdown argue, for other mitigating strategies to have been employed. For instance, Savulescu and Cameron (2020) argue that selective isolation of the elderly is the morally appropriate Covid containment policy. General lockdowns constitute what they call “leveling down equality,” which results from the fact that people who could be better off (in this case the young) are made worse off in order to treat everyone equally.¹³ Selective isolation of the elderly would achieve the same result—keeping down infections, hospitalizations, and deaths among the most at-risk

group (i.e., the elderly)—without coercively imposing harms upon the young (Savulescu and Cameron, 2020).

It is not the aim of this article to come down on one side or the other on the permissibility of general lockdowns. I concede for the sake of argument that lockdowns were morally permissible and appropriate. However, that lockdowns involved the imposition of harms, particularly on the young, is hard to dispute. And critics of general lockdowns are right to point to the considerable costs associated with that policy. Below, I outline some of the dimensions of harms imposed upon the young by lockdowns.

The burdens of lockdowns on the young

Lockdowns had a major impact on employment. Tens of millions of people were furloughed or made unemployed, with the heaviest job losses in sectors such as leisure, hospitality, and retail with disproportionately younger workers. All sectors and workers of all ages were impacted by unemployment and income loss. But workers in the youngest age groups were the worst affected. According to a survey conducted by the Organization for Economic Cooperation and Development¹⁴ (OECD), 51% of surveyed 18–29-year-olds reported some form of job loss or pay reduction, with losses higher among those with lower incomes (OECD, 2021). As a result of the concentration of young workers in the hardest-hit sectors, “while young people aged 16–29 make up less than a quarter of the labor force, they accounted for about a third of the rise in the unemployment rate between February and April of [2020]” (Aaronson and Alba, 2020). Beyond the pandemic itself, lockdowns contributed directly to the rise in unemployment. Lockdown policies that restricted mobility as an anti-contagion measure had disemployment effects. Economists at the Federal Reserve found “such effects of reduced mobility, especially due to stay-at-home orders and closure of non-essential businesses in the first wave, account for a substantial rise in unemployment across hourly workers, particularly those working in non-essential industries” (Dockerty et al., 2021).

The impact of Covid lockdowns on education is potentially the most consequential harm imposed on the young. Education was disrupted by school closures and remote learning, and the quality of instruction suffered as a result. These disruptions deeply affected the lives of young children, depriving them of the social and intellectual development enjoyed by previous cohorts who did not experience lockdowns. On the impact of school closures on learning, a study of the effect of lockdowns on education in the Netherlands, a best-case scenario given Netherlands’ high income and equitable education funding, found learning loss during remote learning “equivalent to one-fifth of a school year, the same period that schools remained closed. Losses are up to 60% larger among students from less-educated homes” (Engzell et al., 2021: 1). This finding suggests little to no progress for students engaged in remote learning and a significant loss for the least-advantaged students. A global estimate of the effect of school closures and remote learning by the World Bank found potential losses of “between 0.3 and 1.1 years of schooling adjusted for quality, bringing down the effective years of basic schooling that students achieve during their lifetime from 7.8 years to between 6.7 and 7.5 years” (Azevedo et al., 2021: 1). These learning losses have serious economic effects. They amount to \$6 to \$32 thousand in loss to lifetime earnings

for the average student in present value terms. Under moderate assumptions, the study estimates five months of global school closures leading to learning loss equivalent to \$10 trillion in present value terms (Azevedo et al., 2021). Additionally, school closures created new childcare obligations for parents and guardians. These added duties fell disproportionately upon the young and were gender-regressive (Power, 2020).

In addition to the disruption of education and employment, social activities were severely curtailed by lockdowns leaving millions feeling isolated and exacerbating depression and other mental health issues. Students and young adults in particular experienced higher levels of stress, anxiety, and depressive symptoms compared to measures taken before the Covid pandemic Elmer et al., 2020). In a study of the general population in Italy, being younger, female, and having discontinued work activity were associated with posttraumatic stress symptoms, depression, anxiety, insomnia, perceived stress, and adjustment disorder symptoms (Rossi et al., 2020).

Research into the short- and long-term effects of lockdown policies is ongoing, and much will be learned in the years and decades to come. The picture that currently emerges, however, is one of significant negative impacts on students, young workers, and families. The financial cost of learning loss, childcare obligations engendered by school closures, and worsening mental health and substance abuse crises, among others, will pose serious challenges to the long-term well-being of the global young. While the public health benefits of lockdown were substantial, they accrued mostly to the elderly. And the heaviest losses were shouldered by the young. This article does not argue such harms were imposed impermissibly but advances an argument to explore the obligations of the elderly to compensate the young.

The intergenerational compensation argument

Compensation and moral wrongdoing

The global Covid pandemic has raised a number of pressing moral and political issues including the ethics of lockdown policies, scarce medical resource allocation (including vaccine priority), global justice, and vaccine access, among others. In this article, I want to address a relatively neglected question. Namely, given the lockdown policies that have been implemented, and the distribution of costs and benefits of lockdown discussed above, what obligations (if any) exist to settle the moral balance? I argue that the intergenerational dynamics of Covid risk and lockdown ground a claim of compensation by the young from the elderly. The Intergenerational Compensation Argument I defend goes as follows:

Premise 1: States morally permissibly imposed lockdowns in order to mitigate or prevent the spread of Covid

Premise 2: Lockdown policies shifted the burden of harms and losses due to Covid from the elderly to the young

Premise 3: If harms and losses are shifted from A to B for A's benefit, A has a *pro tanto* duty of compensation to B

Conclusion: The elderly owe the young compensation for the harms and losses they suffered due to lockdown.

I do not argue for Premise 1 in this article. I concede that it was morally permissible for states to impose lockdowns as an anti-contagion measure. In any case, those who hold it was *morally impermissible* for states to impose lockdown policies have more reason to accept the harms and losses of lockdown for the young demand compensation. As for Premise 2, I discussed in the costs and benefits of lockdown section (and I return to it in the shocks and compensation and COVID lockdowns and benefits to the young sections) the major balance of costs and benefits of Covid lockdown policies. While critics of lockdown argue the costs of lockdown outweighed the benefits, I simply use the facts outlined above to illustrate how the balance of harms and losses of lockdown policies disproportionately fell upon the young, while the public health benefits disproportionately redound to the elderly.

The compensation argument hinges on the moral principle expressed in Premise 3.¹⁵ A duty to compensate due to a moral remainder from (permissibly imposed) harms has a grounding in many traditions of normative inquiry. For instance, ethicists with a rights-based approach have defended the view that compensation is sometimes owed for morally permissible harms imposed to save a life (Coleman, 1992; Feinberg, 1978). Joel Feinberg (1978) and Jules Coleman (1992) draw on a distinction between the infringement and violation of a right to argue that compensation is owed to owners of property damaged or destroyed to save a life. Feinberg poses a case where a backpacker is trapped in the mountains by a life-threatening blizzard. The backpacker comes upon an unoccupied private cabin. They break into the cabin to wait out the storm. In the meantime, the backpacker consumes food stored in the cabin and burns up wooden furniture for warmth. Feinberg argues that the actions of the backpacker are justified. They nonetheless have infringed upon the rights of the cabin owner. While it was morally permissible for the backpacker to save their life by doing so, there is nonetheless a moral remainder which grounds a duty of compensation (Feinberg, 1978: 102).

Similarly, Coleman poses a case where Hal loses his diabetes medication, which he needs immediately, in an accident. Hal goes to Clara's (a fellow diabetic) house. Seeing she is not home, he breaks in and takes the doses of insulin for his immediate needs and leaves the rest. Coleman argues Hal is justified in taking the insulin but must compensate Carla for her losses (Coleman, 1992). Feinberg and Coleman argue that while the cases they pose are infringements of rights, they are not violations of rights (Feinberg, 1978: 102; Coleman, 1992: 301–302). But as infringements, they ground a claim for compensation from those harmed. Thomson (1986) also shares this view of rights as *pro tanto* considerations which may be permissibly overridden with a remainder duty to compensate (Thomson, 1986: 39–41). However, even those who have a view of rights as *all things considered* claims recognize weaker claims that correspond to *pro tanto* rights. The infringement of *these pro tanto* claims grounds a duty of compensation.¹⁶

The upshot of the discussion above is that the permissibility of an act that infringes on a *pro tanto* right, or some other claim, does not obviate a moral remainder (i.e., a duty to

compensate). It is possible for an agent to owe compensation for the harms they have caused even if the harms resulted from a morally permissible act. For our purposes, one case where compensation is owed is instances where harms are imposed on one agent or group for the benefit of others.¹⁷ However, the cases discussed above involve interpersonal obligations between individuals (or corporations). Lockdowns, on the other hand, were social policy directed at whole political societies. This raises the question of how the interpersonal approach translates to the case of lockdown.

Of course, public policy is sometimes concerned with questions of compensation for harms, whether permissibly imposed or not. As it happens, we have examples of compensations for (permissibly) imposed harms undertaken as a matter of public policy. Two examples include (1) compensation for workers who lose jobs due to trade agreements. The NAFTA agreement signed between the United States, Mexico, and Canada had a Trade Adjustment Assistance mechanism to provide compensation for impacted workers (Baicker and Rehavi, 2004); and (2) perhaps the most expansive historical case of social compensation is the US GI Bill, which provided numerous benefits for American servicemen who served in the Second World War.¹⁸ I argue that what these cases of social policy have in common is that the public policies for the effects of which compensation was sought constitute *shocks*. The normative features of shocks make the harms associated with them a ground for compensation. In the next subsection, I outline and defend an account of public policy shocks and why I argue their harms call for compensation.

Shocks and compensation

Shocks are a species of harms that ground a claim for compensation. Unlike other cases in which harms call for rectification, shocks need not involve any moral wrongdoing. Shocks shift burdens from one group or individual to another. And their benefits are not equitably realized by those who shoulder the costs of the shock. However, shocks share these features with a number of other justifiable policies which are typically not taken to ground a claim of compensation. Indeed, most public policy will involve at least some burden shifting. For instance, when general taxes are imposed to fund primary education, burdens are shifted from children (or parents of school-age children) to society. Nonetheless, as long as the tax is democratically imposed, this burden-shifting does not ground a claim of compensation.

I argue that what distinguishes shocks from ordinary burden shifting that occurs as a matter of course in democratic societies is that shocks *disrupt* background expectations and life plans.¹⁹ Liberals of many traditions recognize that life plans are of paramount importance to citizens. Kugelberg (2021) notes that Isaiah Berlin's conception of freedom recognized weightings for different freedoms. The kinds of freedoms that matter are those "that have special importance for people's life plans. Everyone will want to live their lives in a certain way. In order to pursue a life plan, whatever it is, we must be free to make certain choices" (Kugelberg, 2021: 138). Among the most important choices related to pursuing one's life plans include education, the pursuit of romantic relationships, and employment, among others. What is objectionable about

some forms of coercive interference, then, is that they block choices that may be necessary to form life plans that are a core interest of citizens.

John Rawls (2001) recognizes that any just principle governing the basic structure must respect the legitimate expectations of citizens subject to that basic structure. Of course, it is not just any frustration with our expectations that are politically objectionable. Individuals living in democratic societies can expect that a host of policies upon which political institutions are empowered to make decisions are subject to change. However, for Rawls changes to public policies, such as taxation, are not objectionable “since the effect of those rules are foreseen, they are taken into account when citizens draw up their plans in the first place. Citizens understand that when they take part in social cooperation, their property and wealth, and their share of what they help to produce, are subject to the taxes, say, which background institutions are known to impose” (Rawls, 2001: 51–52). Most cases of burden shifting, then, are part of the ordinary hustle and bustle of democratic life. We make life plans around the expectation that changes to certain policies are part of the limitations basic institutions impose upon us. These changes, therefore, do not as a matter of course prevent us from forming and realizing life plans.

Shocks, on the other hand, fundamentally disrupt the background expectations and life plans of citizens. Although citizens can expect democratic and open societies to be ever-changing, shocks are a *sui generis* imposition of burdens and harms. Shocks, as those discussed above, need not be the result of *all things considered* unjust policy choices. Workers are not entitled to protectionist policies that reduce overall welfare. American GIs during the Second World War had a duty to fight against the Axis Powers. In both cases, political institutions making these choices (conscription, trade liberalization) may very well be acting rightly. Nonetheless, the disruption to the life plans and expectations of citizens—who find themselves conscripted into an army or the economic base of their community devastated—have a claim for compensation from those who (disproportionately) reaped the benefits of the harms they bore.

Furthermore, shocks need not have a coercive element, but coercion adds to the moral weight of the need to compensate. For this reason, I take the GI case to be the close analog of lockdowns. Although there are important differences, both conscription during the Second World War and lockdowns involved: (1) permissibly imposed coercion; (2) significant harms borne by the young; and (3) those harms were partly constituted by a disruption to the background expectations and life plans (i.e., a shock in my sense).

In summary, both interpersonal ethics and social policy are responsive to residual obligations to compensate those harmed as a result of discharging their duties. The moral and medical necessity of Covid lockdowns does not imply that those harmed by those lockdowns for others’ benefit, namely, the harms to the young for the benefit of the elderly, are not owed compensation. Shocks are a species of permissibly imposed harms that ground a claim of compensation.

Intergenerational justice and age-based preferential treatment

This article defends a compensation argument that grounds a claim for compensation by the young from the elderly since lockdowns harmed the young for the benefit of the

elderly. This raises the question of why a policy that favors the elderly in its outcome, as lockdowns did, ought to be counted as a *shock* with the normative dimensions identified in the shocks and compensation section. After all, there are many policies that give preferential treatment to the elderly at the expense of the young (e.g., pensions). In order for lockdowns to stand out as shocks, they must possess (or lack) a normative dimension of ordinary preferential age-based policies.

Norman Daniels (1988, 2008), in his influential Prudential Lifetime Account, adopts a whole lives perspective to the institutional problem of how to distribute resources between age groups. Daniels aims to show that “differential treatment by age does not generally create morally objectionable inequalities across persons of the sort created by differential treatment of races or genders” (Daniels, 2008: 480). The prudential allocation principle Daniels defends uses a procedure that asks an agent to distribute resources across a lifespan. The agent makes allocation decisions under the assumption that she will live through all of the stages of that life. Daniels argues that a prudent agent would distribute resources across a lifespan in a way that recognizes different needs at different ages, such as more education during childhood and early adulthood, more health care during old age, and so on. Inequalities between age groups are not objectionable as long as they serve to make an agent well-off across a whole life. On the Prudential Lifetime Account, what matters is how one fares over a complete life.

Dennis McKerlie (2001, 2013) rejects Daniels’ whole lives approach to justice between age groups. He defends a “time-specific priority view” according to which distributive priority should favor those who are badly off regardless of whether they were better off at an earlier time or that they are not worse off than others over their whole lifetime. For McKerlie, age in itself does not play a distinctive distributive role. The elderly’s claims to social resources, for instance, “do not depend on their being in a distinctive stage of life, old age. They receive priority because they are badly off, not because they are old” (McKerlie, 2001: 166). McKerlie argues that a prudential principle would provide too little for the elderly. This is because a prudential agent would prioritize the earlier and middle stages of life since these have a greater impact on whether our lives have gone well as a whole (McKerlie, 2001: 160). For McKerlie, such a policy orientation would leave the elderly systematically under-resourced.

Juliana Bidadanure’s (2021) account of justice between age groups builds on Daniels’ prudential approach and incorporates a relational egalitarian principle that addresses objections such as those raised by McKerlie. Bidadanure’s principles of intergenerational justice illuminate how lockdowns are distinct from the ordinary age-based preferential policy. Bidadanure (2021) notes that certain policies, such as the higher share of health-care spending among older age groups, give age-based preferential benefits. Other policies that provide preferential treatment for the elderly include discounts on public services (such as transit fares), free or reduced tuition for public higher education, and priority for public housing, among others. Yet these are not necessarily wrongful from the perspective of intergenerational justice. Like Daniels, Bidadanure (2021) defends the principle that “young and old can be treated differently (not the same) and unequally (with preferential treatment for some age groups) as long as it is compatible with diachronic equality and beneficial to us all when considering our prospects over time” (Bidadanure, 2021: 122). That is, inequalities between different segments of life (and

groups in those segments) are not objectionable as long as it benefits all over their complete life (i.e., diachronic equality). At the same time, a relational egalitarian principle prevents resource distribution that leaves the elderly (or young) under-resourced, miserable, dominated, or infantilized.

Taken together, these principles hold that while the elderly may not currently enjoy policies that preferentially benefit the young, they did so when they were themselves in those age groups (or could have). Similarly, the young will benefit from the preferential policies for the elderly once they age into them. When considering one's life prospects over time, these policies benefit everyone regardless of age. However, the distributional effects of lockdowns run afoul of these constraints. That is, lockdowns were not "beneficial to us all when considering our life prospects over time." Rather, as the above discussion shows, lockdowns seriously compromised the life plans and future prospects of the young by disrupting employment, educational, social, romantic, and other activities central to their life plans. Unlike other cases of preferential treatment for the elderly, such as the high share of health care spending for older age groups, the benefits of lockdown are not something the young can age into. Lockdowns were a policy response to a pandemic emergency whose characteristics are highly unlikely to repeat. Nor were lockdowns something that the young could and can factor into their life plans and expectations. The chances of another global pandemic with a similar risk profile for the elderly striking in the coming decades are not high enough to consider Covid lockdowns as part of the ordinary cycle of age-based preferential policies. The compensation argument is, therefore, compatible with core commitments of justice between age groups.

Next, I discuss some objections to intergenerational compensation for lockdowns and respond.

Objections and replies

Covid lockdowns and benefits to the young

One objection to the compensation argument challenges Premise 2 by claiming that the young also benefit from lockdowns. Even if Covid infection did not pose a risk of severe illness and death to the young, its danger to the elderly and wider society was considerable. Tens of millions of the elderly dying would be a shocking turn of events. Additionally, overwhelmed hospitals and medical systems attempting to manage large inflows of patients would have to begin rationing care, affecting patients of all ages seeking non-Covid-related care. The medical system that many of the young rely on was preserved by anti-contagion policies. The young therefore benefited directly from lockdowns.

First, it is important to note that the compensation argument does not claim that it would have been better for lockdowns not to have occurred; but, now that they have, we should compensate the young for their harms as a second-best moral solution. On the contrary, the argument concedes that lockdowns were morally required. Nevertheless, as I argue in the intergenerational compensation argument section, the moral permissibility or necessity of an action does not preclude the harms arising from it from requiring compensation.

Second, the young surely do benefit from avoiding mass deaths and the strain on the medical system and the economy that uncontrolled spread of Covid would bring about. However, even if we factor in the benefits of Covid lockdowns to the young, the balance of benefits and losses indicates there is a shifting of burden from the elderly to the young. Burden-shifting can occur when sacrifices are borne by some for everyone's benefit. For instance, consider the case of heroic sacrifice in war discussed above. Almost everyone benefited from the defeat of the Axis Powers in the Second World War. Liberal democratic states succeeded the despotic regimes in Germany, Italy, and Japan, mass atrocities were halted, and future ones were prevented. Nevertheless, those that bore the burden of war by fighting and risking injury on behalf of their fellow citizens who could not be drafted due to age or infirmity had a special moral claim. They paid a steep physical and psychological price to secure victory. Consequently, they were owed gratitude and compensation for their sacrifices even if it was their moral duty to bear them. The soldiers who fought the Axis Powers themselves benefited from their victory. But that does not detract from the moral weight of the hardships they bore to prosecute the war. And such a weight grounds obligations of gratitude and compensation by others who benefited. This obligation was widely recognized by society. The Servicemen's Readjustment Act of 1944, commonly known as the GI Bill, passed in the United States was, among other things, intended to offer such compensation (Altschuler and Blumin, 2009).

Intergenerational compensation and distributive justice

One may object that the compensation argument fails because it demands unfair and inequalitarian intergenerational transfers. There are many wealthy young people who suffered little harms during the pandemic (insulated as they are by their wealth). By contrast, many elderly people experienced harms and losses as a result of lockdowns. Indeed, for many of the elderly both Covid and the lockdown policies constituted serious risks and hardships. It seems unfair that the elderly should be taken to have a moral obligation to compensate the young when many of the elderly are worse off than many of the young. The compensation argument is therefore potentially in conflict with widely-held principles of distributive justice.

This objection raises a reasonable worry. Luckily, the compensation argument can be made consistent with egalitarian distributive aims. Intergenerational compensation can, and ought to, be subject to a *progressivity constraint*. According to this constraint, both the compensatory payment to the young and the levy for raising funds from the elderly must be progressive. That is, contributions would be from the most well-off among the elderly and compensation would be directed toward the least well-off among the young. Compensatory transfers would therefore be progressive. The progressivity constraint eliminates the tension between the compensation argument and distributive justice. The compensation argument does not require the elderly poor to bear the cost of compensating the young rich. And the progressivity constraint is not an ad hoc addition that is extrinsic to the compensation argument. Intergenerational compensation was grounded in the fact that the burden of lockdown disproportionately fell on the young while the benefits were disproportionately for the elderly. While this is the case, the best-off among the young were shielded from the worst of harms and losses experienced

by ordinary young people. And the elderly poor, while benefitting from the public health outcome of lockdown policies, were still exposed to the depredations of poverty exacerbated by the lockdown. A progressive compensatory regime protects the elderly poor from bearing the cost of compensation, while at the same time directing compensation to the young who suffered most from the lockdown.

Strategies for implementing intergenerational compensation

Compensating the young

Finally, I turn to the question of how intergenerational compensation ought to be realized. Compensation procedures and policies need to satisfy two criteria. First, compensation has to be an *intergenerational transfer*. That is, the taxes levied to fund compensation must fall mostly on the elderly, and the benefits must accrue mostly to the young. Second, compensation must satisfy the *progressivity constraint*. The least well-off among the elderly are not expected to contribute, and the most well-off among the young should not benefit. To begin, let us consider what kinds of programs can be pursued as part of a compensation package.

The GI Bill passed in the wake of WW II (and subsequently renewed with modifications) provides one model for the implementation of intergenerational compensation. The bill provided low-cost business loans and mortgages, free college education, and unemployment benefits, among others, to most returning WW II veterans. The bill's design set the groundwork for expanding opportunities afforded to ordinary people at the time (Altschuler and Blumin, 2009). A similar effort could be deployed for the young as compensation for the harms of the lockdown. Like the GI Bill, such an effort could prioritize investments that would benefit the young, including education, student debt relief, investments in housing and employment, and so on. Just as the GI Bill afforded a generation of American servicemen new opportunities and laid the groundwork for their future prosperity, an intergenerational compensation package could address pressing and long-neglected problems facing the young from rising housing and education costs to future dangers such as climate change.

Closer to the present, the Coronavirus Aid, Relief, and Economic Security (CARES) Act passed in the United States in March of 2020 is a good example of what intergenerational compensation (as it is paid out) could look like. CARES spent over \$2.2 trillion on a variety of programs intended to blunt the negative economic impact of lockdowns and to provide resources to medical systems to treat the sick and develop treatments and vaccines (Taylor et al., 2020). Among the programs were: the Paycheck Protection Program, which provided grants and low-interest loans to businesses and nonprofits to smooth income losses; generous unemployment benefits; direct transfers to highly-impacted industries; fiscal support to state and local governments, school districts, higher education institutions, and health care providers; "economic impact payments" in the form of a \$1200 check for every adult resident (and \$600 for children) under a certain income threshold, among other programs. A similarly wide-ranging package targeting the young could be set up to implement intergenerational compensation.

One may argue that in the United States, CARES obviates the need for intergenerational compensation. Anticipating the negative impact of lockdown policies, the U.S.

government passed a comprehensive and generous economic package to support Americans. While CARES provided significant support to Americans, particularly the young, two outstanding issues motivate the continued pressing need for intergenerational compensation. First, it is far from clear the U.S. fiscal response was commensurate to the economic damage caused by the lockdown. It will take time before a full accounting can be given. Second, and more importantly for my argument, whether or not CARES obviates the need for intergenerational compensation depends on who is expected to finance the fiscal recovery in the post-Covid emergency period. This question has not yet been settled. If taxes or other fiscal policies that would disproportionately draw from the young are used for the post-Covid recovery, then the young will have shouldered both the fiscal and economic costs of the lockdown. Such an approach would involve the young effectively borrowing from their future selves to finance Covid economic policies. If that is the case, CARES would not fulfill the moral demand of the compensation argument. In the United States and around the world, the compensation argument gives us reason to pursue an intergenerationally compensatory post-Covid fiscal regime.

The United Kingdom provides an example of policies that put the fiscal weight of post-Covid fiscal recovery on the young. The British Parliament passed a new national insurance payroll tax levy of 1.25% to fund social care. The levy would be used to shore up the National Health Service and establish a social care program. The funds raised in the first few years would be used to clear the backlog of medical care caused by Covid²⁰ (Parker et al., 2021). The U.K. response goes in the opposite direction of what the compensation argument calls for by pushing the cost of post-Covid fiscal recovery onto the shoulder of relatively young and less well-off workers. A flat payroll tax increase would disproportionately affect young and less well-off workers. By contrast, my argument would call for implementing a compensation package for the young and using a funding mechanism that (progressively) draws from the elderly.

Wealth as an intergenerationally compensatory tax base

So much for how compensation could be designed. I next turn to how such compensation can be funded in a way that satisfies both the intergenerational transfer and progressive constraint criteria. Luckily, we need not tax the pensions of retirees or impose age-based levies to fund intergenerational compensation. I propose wealth taxes as a funding mechanism that satisfies both criteria. The wealth tax need not be designed to exclude the wealthy young as the generational distribution of wealth skewing heavily towards the elderly means that well-designed wealth taxes would necessarily draw significant revenues from the best-off elderly. According to one estimate, in the first quarter of 2021, people over 70 had \$35 trillion in wealth, representing 27% of all U.S. wealth. In the United Kingdom, wealth inequality increased during the run of the pandemic, with “strong growth in global stock markets and in U.K. house prices has yielded significant gains in the wealth of pension holders and homeowners, who sit in the middle and upper part of the wealth distribution” (Romei, 2022). According to the U.K. Office of National Statistics data, households with retired heads had the highest median wealth, with the bulk of their wealth held in property and financial assets (ONS, 2022).

Consequently, a wealth tax would disproportionately draw revenue from the elderly (rich). A threshold of wealth above which the tax is applied can be set high enough to exclude those with low or moderate wealth. Wealth taxes are therefore better than payroll, income, consumption, and other taxes for financing compensation for the young and/or post-Covid fiscal settlement.²¹ By raising money disproportionately from the elderly, wealth taxes would shift the burden of compensation and fiscal recovery on those who benefited most from the lockdown without harming the least-well off among the elderly.

An additional reason wealth taxes are an attractive source for intergenerational transfers has to do with the generational dynamics of wealth accumulation. The present stock of wealth held (mostly) by the elderly represents the educational, employment, and other prevailing economic conditions the elderly enjoyed over their lifetime. Using wealth taxes as an intergenerational transfer appropriates part of the gains over a lifetime the elderly rich have made to compensate the young for the losses due to lockdown, losses that will negatively impact the opportunities the young will have over their own lifetime.

Conclusion

Covid was, and remains, the most urgent pandemic the world has faced in a century. Governments around the world responded to the designation of Covid as a pandemic by the World Health Organization by imposing lockdowns to prevent or arrest the spread of the Covid virus. Given Covid's transmissibility and severity these measures were morally and practically appropriate. However, lockdowns carried a high price, especially for the young. While Covid poses the most epidemiological risk to the elderly, lockdowns disproportionately harm the young. Disruptions in work, education, social activities, and so on contributed to significant harms and losses imposed upon the young due to the lockdown. The background expectations and life plans of the young, during the most formative years for the fruition of some of these plans, were severely disrupted. I do not argue this gives us cause to reconsider the permissibility of Covid lockdowns. Rather, the harms and losses imposed upon the young by lockdowns ground a claim for compensation by the young from the elderly who principally benefited from these anti-contagion policies. Intergenerational compensation is morally required to balance the shifting of the burden of harms from the elderly to the young brought about by lockdowns.

Acknowledgments

The author would like to thank Javiera Perez-Gomez, Dan Moller, Jessica Mardo, Rob Reich, Katie Creel, Linda Eggert, Valerie Soon, Elsa Kugelberg, Henrik Kugelberg, Todd Karhu, Diana Acosta, Javier Mejia Cubillos, Anne Newman, Nan Keohane, Joe Bowen, and an audience at the University of Alabama for helpful comments on earlier drafts of this article. Thanks also to an editor and two anonymous reviewers at PPE for invaluable comments and suggestions.

Declaration of conflicting interests

The author declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The author received no financial support for the research, authorship, and/or publication of this article.

ORCID iD

Kalewold Hailu Kalewold  <https://orcid.org/0000-0001-7113-8670>

Notes

1. I use the term lockdown to refer to nonpharmaceutical interventions imposed to stop the spread of the virus including stay at home and shelter in place orders, school closures, remote work, curfew, bans on social gatherings, online provision of education and services, among others.
2. For the sake of simplicity, I use Covid throughout the article to refer to both COVID-19 and the SARS-CoV-2 virus.
3. for the purposes of this article, I use 65 as the cutoff for the young-elderly line. Nothing essential hinges on this threshold, but 65 as an age captures relevant factors for my discussion. In most of the developed world 65 is at or near the age of eligibility for full retirement. Multiple studies on the age-specific infection fatality ratio (IFR) for Covid showed a significant increase in risk of death from Covid for age groups 65 and older. Using data from 45 countries, O'Driscoll et al. (2021) find an IFR ranging from less than 0.01% for those younger than 25 to greater than 1% for those 65 and older. Their results are consistent with analyses reported in the 34th Report of the Imperial College London Covid-19 Response Team, which found "age-specific IFRs found that the IFR rose steeply with age, ranging from <0.01% in those aged under 30 to 7.3% in the 80 and older age group" (Brazeau et al., 2020: 2).
4. The median age of first-time mothers is 26 and 31 for fathers in the United States (Bui and Miller, 2018).
5. Although I highlight deaths, figures for severe illness and hospitalizations also show a similar age profile. Furthermore, it is precisely the relatively high transmissibility and lethality of Covid that elicited lockdowns to attempt to control or prevent the spread. Past outbreaks such as Ebola (high lethality, low transmissibility) and H1N1 (low lethality, high transmissibility) did not elicit lockdowns.
6. See Daniels (1988, 2008); McKerlie (2001, 2013); and Bidadanure (2021) for discussion of justice between age groups.
7. This is not to imply that there were no good arguments in support of alternatives to general lockdowns to contain the spread of Covid. Policies ranging from voluntary compliance with Covid management (Schmelz, 2021) to selective isolation of the elderly (Savulescu and Cameron, 2020) were plausible containment strategies to stop the spread of Covid (see the costs and benefits of lockdown section). Indeed, it is important for my argument that lockdowns were not an inevitable or unavoidable response to the Covid emergency. Whether or not they were justified, lockdowns were a policy choice.
8. This article addresses intergenerational obligation in democratic and economically advanced states. I leave aside consideration of lower income countries or political societies with non-democratic regimes.
9. See Dahlquist and Kugelberg (2021).

10. Karhu (2019) argues that in cases where compensation is not possible because of the nature of the harms (e.g., disability, death, etc.), there is a duty to promote the impartial good of those harmed in proportion to the harms that are noncompensable. Throughout this article, I take compensation to also include policies that promote the good of those harmed that are pursued *because* those harms ground a claim of compensation.
11. The argument of this article does not preclude that other dimensions of Covid policy might also call for compensation. See for instance Broadbent et al. (2020) on the harms of lockdown on the global poor. These harms may ground a claim for compensation.
12. The relevant counterfactual for my moral argument is not what would have happened if no lockdowns were imposed. Rather, what matters is what would have been done if, say, the lethality of Covid for those aged over-65 had been as low as for those under-35. In that case, lockdowns would likely have not been imposed at all. This counterfactual gives an indication of where the burden-shifting has occurred, namely, from the elderly to the young.
13. See Hughes (2020) for a response to Savulescu and Cameron (2020) defending general lockdowns from their leveling down objection. John and Curran (2021) defend a novel contractualist argument in favor of universal lockdowns, going beyond cost-benefit analyses that are more commonly used in public policy. Van Basshuysen and White (2021) challenge criticisms of lockdowns including that benefits of lockdowns were insufficient to justify the policy.
14. The OECD is an intergovernmental organization of 38 high-income member states.
15. The shocks and compensation section outlines the conditions under which I take Premise 3 to hold in instances when the burden shifting was morally permissible.
16. See Walen (2019) for an *all things considered* view of rights.
17. Another case in which compensation is owed is one where agents have a duty to bear harms to achieve a greater good, but the resulting harms turn out to be greater than what those agents had a duty to bear. The harms borne by the young due to lockdown discussed in the costs and benefits of lockdown section arguably make lockdowns an instance of this, grounding a claim for compensation. Thanks to Linda Eggert for raising this point.
18. Compensation for U.S. servicemen of WW II is discussed further in the Covid lockdowns and benefits to the young section
19. Thanks to an anonymous reviewer for pushing me to clarify the distinction between ordinary burden shifting and cases such as lockdown that ground a claim of compensation.
20. This policy was later rescinded as part of a general package of support for British residents during the energy and cost of living crisis. URL: <https://www.gov.uk/government/news/national-insurance-increase-reversed>
21. See Saez and Zucman (2019) and Smith et al. (2021) for different estimates of potential revenue from wealth taxes.

References

- Aaronson S and Alba F (2020) Unemployment among young workers during COVID-19. Brookings Institution. <https://www.brookings.edu/research/unemployment-among-young-workers-during-covid-19/>
- Altschuler G and Blumin S (2009) *The GI Bill: The New Deal for Veterans*. New York, NY: Oxford University Press.

- Azevedo JP, Hasan A, Goldemberg D, et al. (2021) Simulating the potential impacts of COVID-19 school closures on schooling and learning outcomes: a set of global estimates. *The World Bank Research Observer* 36(1): 1–40.
- Baicker K and Rehavi M (2004) Policy watch: trade adjustment assistance. *Journal of Economic Perspectives* 18(2): 239–255.
- Bidadanure JU (2021) *Justice Across Ages: Treating Young and Old as Equals*. Oxford, UK: Oxford University Press.
- Brazeau N, Verity R, Jenks S, et al. (2020) COVID-19 Infection Fatality Ratio: Estimates from Seroprevalence. *Imperial College London*. Vol. 34. Tech. Rep, DOI: 10.25561/83545.
- Broadbent A, Walker D, Chalkidou K, et al. (2020) Lockdown is not egalitarian: the costs fall on the global poor. *The Lancet* 396(10243): 21–22.
- Bui Q and Miller CC (2018) The age that women have babies: How a gap divides America. *The New York Times*. <https://www.nytimes.com/interactive/2018/08/04/upshot/up-birth-age-gap.html>
- Centers for Disease Control and Prevention (2022) Weekly Updates by Select Demographic and Geographic Characteristics. https://www.cdc.gov/nchs/nvss/vsrr/covid_weekly/index.htm#SexAndAge
- Coleman JL (1992) *Risks and Wrongs*. Cambridge, UK: Cambridge University Press.
- Dahlquist M and Kugelberg HD (2021) Public justification and expert disagreement over non-pharmaceutical interventions for the COVID-19 pandemic. *Journal of Medical Ethics* 49(1): 9–13.
- Daniels N (1988) *Am I my parents' keeper?: An Essay on Justice between the Young and the Old*. Oxford, UK: Oxford University Press.
- Daniels N (2008) Justice between adjacent generations: further thoughts. *Journal of Political Philosophy* 16(4): 475–494.
- Dockerty JM, Kotidis A, and Zer I (2021) How much lockdown policies contribute to local unemployment? Evidence from the first and second waves of COVID-19. *FEDS Notes* DOI: 10.17016/2380-7172.2903.
- Elmer T, Mepham K, and Stadtfeld C (2020) Students under lockdown: comparisons of students' social networks and mental health before and during the COVID-19 crisis in Switzerland. *Plos One* 15(7): e0236337.
- Engzell P, Frey A, and Verhagen MD (2021) Learning loss due to school closures during the COVID-19 pandemic. *Proceedings of the National Academy of Sciences* 118(17): e2022376118.
- Feinberg J (1978) Voluntary euthanasia and the inalienable right to life. *Philosophy & Public Affairs* 7(2): 93–123.
- Flaxman S, Mishra S, Gandy A, et al. (2020) Estimating the effects of non-pharmaceutical interventions on COVID-19 in Europe. *Nature* 584(7820): 257–261.
- Godfrey-Smith P (2021) COVID heterodoxy in three layers. *Monash Bioethics Review* 40(1): 17–39.
- Grace S (2020) Policing social distancing: gaining and maintaining compliance in the age of coronavirus. *Policing: A Journal of Policy and Practice* 14(4): 1034–1053.
- Hsiang S, Allen D, Annan-Phan S, et al. (2020) The effect of large-scale anti-contagion policies on the COVID-19 pandemic. *Nature* 584(7820): 262–267.
- Hughes JA (2020) Lockdown and levelling down: why Savulescu and Cameron are mistaken about selective isolation of the elderly. *Journal of Medical Ethics* 46(11): 722–723.

- John SD and Curran JE (2021) Costa, cancer and coronavirus: contractualism as a guide to the ethics of lockdown. *Journal of Medical Ethics* 48(9): 643–650.
- Karhu TN (2019) Non-compensable harms. *Analysis* 79(2): 222–230.
- Kugelberg HD (2021) Opposing laws with religious reasons. *Journal of Social Philosophy* 52(1): 132–151.
- Mallapaty S (2020) The coronavirus is most deadly if you are old and male. *Nature* 585(7823): 16–17.
- McKerlie D (2001) Justice between the young and the old. *Philosophy & Public Affairs* 30(2): 152–177.
- McKerlie D (2013) *Justice between the Young and the Old*. New York, NY: Oxford University Press.
- Moller D (2018) *Governing Least: A New England Libertarianism*. New York, NY: Oxford University Press.
- Muñoz D (2021) From rights to prerogatives. *Philosophy and Phenomenological Research* 102(3): 608–623.
- O’Driscoll M, Dos Santos GR, Wang L, et al. (2021) Age-specific mortality and immunity patterns of SARS-CoV-2. *Nature* 590(7844): 140–145.
- OECD (2021) Young people’s concerns during COVID-19: Results from risks that matter. *Tackling Coronavirus (COVID-19): Contributing to a Global Effort*. <https://www.oecd.org/coronavirus/policy-responses/young-people-s-concerns-during-covid-19-results-from-risks-that-matter-2020-64b51763/>
- Office of National Statistics. 2022. Household total wealth in Great Britain: April 2018 to March 2020. <https://www.ons.gov.uk/peoplepopulationandcommunity/personalandhouseholdfinances/incomeandwealth/bulletins/totalwealthingreatbritain/april2018tomarch2020>
- Parker G, Hughes L, and Giles C (2021) Boris Johnson plan to fund health and social care lifts UK tax burden to 70-year high *Financial Times*. <https://www.ft.com/content/eceaf8fa-6ac2-4a48-8450-69bb0720117e>
- Power K (2020) The COVID-19 pandemic has increased the care burden of women and families. *Sustainability: Science, Practice and Policy* 16(1): 67–73.
- Rawls J (1971) *A Theory of Justice*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press.
- Rawls J (2001) *Justice as Fairness: A Restatement*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press.
- Romei V (2022) Wealth inequality rises in Britain after decade of stability. *Financial Times*. <https://www.ft.com/content/d52743ca-c669-4c71-941f-8281230a21b5>
- Rossi R, Socci V, Talevi D, et al. (2020) COVID-19 pandemic and lockdown measures impact on mental health among the general population in Italy. *Frontiers in psychiatry* 11: 790. DOI: 10.3389/fpsy.2020.00790.
- Saez E and Zucman G (2019) Progressive wealth taxation. *Brookings Papers on Economic Activity* 2: 437–533.
- Savulescu J and Cameron J (2020) Why lockdown of the elderly is not ageist and why levelling down equality is wrong. *Journal of Medical Ethics* 46(11): 717–721.
- Schmelz K (2021) Enforcement may crowd out voluntary support for COVID-19 policies, especially where trust in government is weak and in a liberal society. *Proceedings of the National Academy of Sciences* 118(1): e2016385118.

- Smith M, Zidar OM, and Zwick E (2021) *Top wealth in America: New estimates and implications for taxing the rich*. National Bureau of Economic Research, working paper no. w29374.
- Taylor A, Fram A, Kellman L, et al. (2020) *Trump Signs \$2.2 T Stimulus after Swift Congressional Votes*. Associated Press. <https://apnews.com/article/donald-trump-financial-markets-ap-top-news-bills-virus-outbreak-2099a53bb8adf2def7ee7329ea322f9d>
- Thomson JJ (1986) Self-defence and rights. In: Parent W (eds) *Rights, Restitution, and Risk: Essays in Moral Theory*. Cambridge, Mass: Harvard University Press, 33–49.
- Van Basshuysen P and White L (2021) Were lockdowns justified? A return to the facts and evidence. *Kennedy Institute of Ethics Journal* 31(4): 405–428.
- Walen AD (2019) *The Mechanics of Claims and Permissible Killing in War*. New York, NY: Oxford University Press.

Author biography

Kalewold Hailu Kalewold is a Lecturer in Philosophy at the University of Leeds. His main research interests are in philosophy of science (especially biology), philosophy of race, and political philosophy. He is especially interested in how science (and the philosophy thereof) can inform questions in philosophy of race and value theory.