

“What Do We Owe to Poor Families?”

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Introduction.¹

Women in economically advanced societies and in some other locales have gained increased opportunities to participate in the market economy and public life in the past century.² These gains are undeniably great advances in social justice. They have been accompanied by strains. It’s unlikely that so far we have anywhere evolved the right mix of institutional adjustments and changes in social norms and practices to facilitate the transition to a world in which men and women contribute on equal terms in the labor market and the entrepreneurial arena.

In this essay I try to offer a perspective on what we owe to poor families in the context of recent social changes, especially women’s increasing participation in economic life outside the home.³ “Poor families” refers to adults and children living in a household with low income and wealth, roughly the bottom quintile. “We” refers to the nonpoor.⁴ Of course what we owe to people we fundamentally owe to individual persons not groups; focus on families is a heuristic for public policy guidance.

Offering a perspective is here a distinct and separate enterprise from assessing candidate fundamental moral principles. The aim is to identify appealing mid-level norms that might gain wide allegiance among people who differ in their fundamental moral allegiances. Offering a perspective is also distinct and separate from advancing public policy proposals. In order to be in a position to advance and defend a specific public policy proposal, one needs to be able to show that if implemented in our actual circumstances the policy would lead to outcomes that are morally desirable (without violating moral constraints). Doing that requires a comprehensive empirical understanding of relevant actual circumstances to which this essay does not aspire.

My procedure is to suggest how to think about how to fulfill our obligations to people in disadvantaged families on the assumption that what we owe to others by way of cooperating on fair terms or lending a helping hand depends on what policies would do to help people live genuinely better lives, have richer and more fulfilled lives rather than bleak or squalid ones.

John Rawls once wrote that his proposed theory of justice, justice as fairness, does not look behind the uses that people make of their resources and opportunities in order to measure, much less maximize, the satisfactions they gain.⁵ Provided basic institutions are arranged so that the distribution of resources and opportunities turns out to be fair, what individuals do with their resources and what quality of life they fashion for themselves is their business, not the business of society. So Rawls urges. In contrast, I assume that determining what policies would be fair requires us always to be looking past the distribution of liberties and opportunities to see what impact the policies are having on the quality of the lives of the individuals who are affected. (The fact that’s what just and fair depends on what’s good in this way is fully compatible with paying attention to personal responsibility in the all-things-considered determination of morally desirable policy.)

I do not attempt to come up with a complete set of norms regulating what we owe to poor families. I urge that when a poor person becomes the parent of a child and is willing to assume childrearing responsibilities for that child, the rest of us acquire strong

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obligations to help bring it about that the child starts adult life well socialized and with good prospects. In one range of cases, the new child expectedly depletes available resources and hence her arrival renders the rest of us worse off. Nonetheless, the persons responsible for bringing the child into existence may be acting to fulfill a moral obligation that falls collectively on each generation to “be fruitful, and multiply” and that places duties on each member individually to contribute a fair share to the project of procreation and childrearing and adequate provisioning. The extent of what is owed depends on the amount of burden that childbearing and childrearing place on procreators and in part on the amount of burden that helping more or helping less would place on others. In another range of cases, an additional moral obligation falls on nonprocreators. When the addition of a new child to the world expectedly leads to increase of wealth and culture and tends to make those living in the vicinity of the new child better off, the project of childbearing and childrearing **is morally comparable to** a beneficial cooperative practice and those who benefit from the operation of the practice are duty bound not to free ride on the cooperative efforts of others but rather to contribute their fair share of the burdens of the practice.

An additional consideration that generates a duty on the part of **the** nonpoor to aid the childrearing efforts of poor parents is that for people whose labor market prospects are poor, the opportunity to raise children is a very significant, perhaps the only feasible opportunity they have to engage in creative and fulfilling work. In this situation, assisting people to undertake and successfully complete a parenting project may be a requirement of distributive justice owed to them.

Finally, and tentatively, I suggest that people have a defeasible moral right to stable nurturing family arrangements. Children have a right to a decent home environment. Adults have rights to freedom to date and mate on mutually agreeable terms, and a right to a social environment that facilitates successful steady family arrangements. Such a social environment will educate youth to be disposed to seek long-term steady family arrangements and to have the skills and personal traits needed for success in this venture. These family-oriented rights and obligations do not negate the entitlements to fair treatment of those who will avoid family entanglements as adults, but these entitlements properly construed are consistent with society’s implementing policies and promoting norms that nudge individuals toward stable nurturing family arrangements.

1. Duties to procreators.

When a poor person has a child, what, if anything, is owed to the childbearer in virtue of this event? Let’s back up. When any person has a child, what, if anything, is owed to the childbearer in virtue of this event?

A robust libertarianism holds that the new child has a right to decent prospects in life, but that the duty to supply these decent prospects falls only on the individuals responsible for bringing this child into existence and on no one else. A variant of this view holds that the duty to care for a child falls in the first instance only on these responsible individuals, and duties fall on others only as a second-best back-up responsibility that comes into play only if the responsible procreators fail to do what they ought. This is a possible view, but here I set it aside without comment.⁶

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Suppose instead that we all have a duty to do our fair share to help provide each new child with decent life prospects. That means that nonprocreators have a duty to contribute to fair shares for children under conditions of full compliance (when procreators are contributing what they ought to give. But we might wonder what is a fair division of this burden across the procreators of the child and everyone else. After all, in the standard case, those who bring a child into existence either engage in sex with the aim of producing a child or engage in sex with the understanding that a possible outcome of what they are doing is that a new child might be brought into existence. So maybe the procreators bear some special responsibility in this regard.

This issue is insightfully analyzed in a resource egalitarian framework by Andrew Williams and Paula Casal.⁷ Other philosophers inspired by the resource egalitarianism of Ronald Dworkin adopt similar views.⁸ They contrast two possible cases. In one case, bringing a child into existence makes others better off, by increasing the supply of resources available for humans to use. In another possible case, bringing a child into existence makes others worse off, by decreasing the supply of resources available for humans to use. One can discern an asymmetry between the cases. When people voluntarily choose to have children, to the point that there is no undersupply, with resulting benefits to others, we who benefit from the parents' childbearing and childrearing efforts do not owe compensation to the parents for this benefit. This is a positive externality and those who benefit from it do not thereby incur any obligation towards those who produce it to reward them for doing so. In contrast, when people voluntarily choose to have children, and thereby make others worse off, there is a moral case for requiring the responsible procreators to pay the costs their childbearing generates and not seek to impose these costs on nonprocreators.

To illustrate, suppose society begins with a group of adults forming a society with a supply of unowned resources available for fair distribution among them. No one has prior claims on the resources. The resources should then be divided fairly among the individuals. Following the resource egalitarian views of Ronald Dworkin, Williams and Casal suppose a fair distribution is the one that mimics the outcome of an equal auction in which all resources are put up for bid and the individuals are given equal bidding power (equal money for use in the auction) and there is trade to equilibrium, with the added proviso that there are also simultaneously in play hypothetical insurance markets for handicaps and native marketable talents.⁹ Individuals as they bid for resources are also able to purchase insurance against suffering handicaps, with the overall incidence of handicaps known but not the particular risk that one has one or several, and able to purchase insurance against having low marketable talent. In this hypothetical market one knows one's native talents but not what prices they are likely to fetch when the auction ends and economic life commences. The insurance pays out if one has the covered condition and one pays into the fund that makes these payments if one lacks the condition against which one has insured. To simplify, assume the outcome of the hypothetical auction and insurance markets is that all of the individuals receive an equal share of available material resources.

Now suppose some people voluntarily act so that a new child is brought into the world, and suppose the existence of this child will lessen not increase the available stock of resources. Suppose that as each new child enters the world, each is owed an equal resource share as defined by the hypothetical auction and insurance market procedures,

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Comment [1]: But one possible stance we might take on this question is that parents must bear all the costs with nonparents as bearers of remedial duties – a stance which you said, at the end of the previous paragraph, that you are setting to one side.

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and just suppose the outcome continues to be that each new person should get an equal share of available resources. The existing adults must together then be worse off, must accept **fewer** resources, to satisfy the just claim of the new child. Who should bear this cost? Casal and Williams point out in effect that if we start from a fair initial distribution and there is a fair framework for interaction after that (roughly, a standard private ownership free market economy with the requirement that one not harm others without their consent), then those and only those who have voluntarily brought about the child should pay for the costs the child's entry into the world imposes on others.

From the perspective of the nonprocreators, the cost of the new child created by others is bad brute luck, luck that falls on them beyond their power to control.¹⁰ This luck merits full compensation. In contrast, the cost of the new child in its relation to the child's voluntary creators is option luck, costs brought about that they should have foreseen and might have avoided. There is a case then for requiring the procreators to absorb the costs of the new child, including the costs of giving the child resources to enable her to have fair initial prospects should fall on the procreators and no one else. In this respect having children is like building a fire on your property for your own purposes that emits pollution that fouls the air that others must absorb. These costs imposed by your voluntary conduct should be borne by you and no one else, so you owe full compensation to those your behavior would otherwise be harming, in the absence of this full compensation. As in the pollution case, we suppose that it is morally permissible for agents to act with their resources for their own purposes in ways that have spillover negative effects on others (unless there are special circumstances such as that the negative effects are noncompensable) if and only if they fully compensate others for any damages incurred.

It bears emphasis that Casal and Williams are assuming background conditions of fair distribution of resources. Their analysis and assessment would not straightforwardly apply to a world like ours in which the distribution of resources over time fails to conform to the resource egalitarian justice principles. So their analysis and assessment does not straightforwardly yield any implications for what we might owe voluntary procreators who bring costly children into existence and what they might owe us when social relations are already marred by distributive injustice.

There is some plausibility to the account that Casal and Williams provide. However, the view they offer is incomplete and thus defective. Let us look at the two cases they consider.

1a. Case one: procreation imposes costs on nonprocreators.

To see the difficulty, imagine a world with very low population. This might be the situation in a world shortly after the events of the Adam and Eve story as told in the Judeo-Christian Bible have unfolded. Or we might imagine a world with very reduced population in the wake of some natural or man-made disaster such as a war that wipes out almost the entire human population and sets us the task of starting human society afresh. Suppose there are four individuals and resources are initially divided fairly in line with the hypothetical equal auction and insurance markets. Again, to simplify, just suppose the fair distribution is an equal distribution. Each individual gets one-quarter of the Earth's material resources. The four individuals then proceed to save and consume and build with the resources they own. They trade with each other on mutually agreed terms. All is well, as assessed from the resource egalitarian perspective.

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Comment [3]: What do you mean by this? Do you mean that the size of everyone's fair share is readjusted so as to accommodate the fact that there are new claimants? But this adjustment would constitute a form of sharing the costs of children, which, as far as I understand, Casal and Williams would oppose.

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Now imagine that two of the individuals pair up and have two children. This addition of new people might over time reduce or increase the resources available for human use; let us suppose there is a reduction. In these circumstances, the new individuals have a right to a fair initial share of resources; let us suppose this is a share of resources equal to what each of the four initial persons received. Here the resource egalitarian position yields the clear result that the two procreators and they alone should bear the cost of introducing the new people into the world and providing them fair initial shares.

This result seems clearly mistaken. Or at least, an issue needs to be faced, to settle who owes whom what in this setting. In effect Rakowski's assessment of the situation assumes that the resource endowments that the four people initially get are lifetime entitlements come what may. The four are in effect lords and ladies of the Earth, entitled to all of it, fairly divided. There would be no moral impropriety if the four all lived out their lives as nonprocreators and the total population of the Earth after the start of our account turns out to be four. Each might say, "One-fourth of the Earth is mine, to use as I choose."

But someone might protest that each person's initial endowment of resources only provisionally belongs to him. Each is a partial steward of the Earth, with a responsibility to pass it on intact, or perhaps to pass along some combination of material resources plus technology so that future generations of people get fair shares and decent life prospects. Moreover, there is a responsibility of some sort bearing on each of us to bring it about the future generations exist. There is a moral duty falling on the four initial owners to bring about future people.

I would add, there is a duty not simply to maintain current population but, as the biblical injunction says, to "be fruitful, and multiply."¹¹ Exactly what the correct secular version of the biblical injunction requires would involve elaborating a full population ethics, which I am not able to do. But even without having in hand a full population ethics, we can see some of its contours, and can say with assurance that when the Earth can sustain increasing population with good lives for people, it is not morally permissible for existing people to decline to reproduce and let the human race die out. Nor for that matter would it be morally permissible merely to sustain a very low population, as in our toy example. Here I am appealing to a vague but controversial premise, which those who oppose the claim that nonparents owe help to those who voluntarily create costly children may reject. However, rejection comes at a cost. If the resources of the Earth are abundant, or can predictably support a very large population for the indefinite future given predictable improvements in technology that render natural resources increasingly useful, many will agree with me that it is wrong for us to fail to produce the population increase that can bring huge gains in lives worth living.¹²

Of course there are some ways in which the addition of new people to the world might worsen the prospects of already existing people that would plausibly be regarded as trampling on their genuine rights. Suppose the story of how adding new people worsens the existing people's life prospects is that we procreators culpably mismanage the education and socialization of our children and they grow up to be antisocial, disposed to engage in acts that wrongfully harm others. If this is the way that the already existing people's life prospects are made worse off by the addition of new people, the already existing nonprocreators may have a plausible case that the procreators have done

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them wrong. (I say “may have a case,” putting the claim tentatively, because we have yet to see what responsibilities nonprocreators might have regarding the education and socialization of new people.)

But simply being made worse off by the arrival of new people on Earth because one has to share the Earth with them, given that their arrival was beyond one’s power to control, and brought about by the actions of others, does not introduce a justice claim of nonprocreators against responsible procreators. To see whether any such entitlement of nonprocreators is violated, we need to look at the duties and obligations that we all have with respect to childbearing.

I have suggested that there is a collective duty to be fruitful and multiply, a duty that falls on all of us together to bring about sufficient population growth or maintenance (or reduction, in unfortunate circumstances). This collective duty generates individual duties, but in a conditional and indirect way. Consider by way of analogy the duty that falls on an enormous crowd of people lying around at the beach, to carry out a rescue when someone falls in peril of drowning. There is a duty initially that falls on each of us to carry out a rescue if no one else does so, a duty that disappears when someone able to carry out the rescue commences it. The collective duty then is transmuted into a duty to provide help to the rescue team if that is needed, and to compensate for the costs they incur and the services they render, and to participate in follow-up efforts to help the imperiled person recover from the near-drowning incident either by contributing labor directly or by contributing to a fund of resources used for these amelioration efforts.

We need not enter into the abstract question, what theory of morality best explains and justifies the particular shape that the duty to rescue that binds us has. Suffice it to say that according to any moral theory that stands a chance of being right, morality contains a significant beneficence requirement—a requirement to make the world better by one’s efforts. The beneficence requirement may be multifaceted, but it is plausible to insist that it includes a requirement to contribute to making the world better by bringing the number of people who enjoy good life prospects closer to what it should ideally be.

In the context of the initial situation of four people living on Earth, a resource egalitarian view might initially assign each of us provisional ownership of one-quarter of the Earth’s material resources. But this is not a permanent bequeathable property right over the entirety of those resources. Nor is it a full property right that disappears only with one’s death, as the example we are considering illustrates. The initial distribution of resources takes place against a moral background in which population growth is mandatory and there is an obligation to share resources with new people whether or not the addition of the new people worsens one’s situation compared to what it would have been had no new people arrived on the scene. That is not a morally relevant baseline of comparison because one never has any right to enjoy throughout one’s life an undisturbed ownership of the equal share of resources that is implemented at an earlier time on the ground that it is fair to then existing individual persons.

So in my example the procreators are fulfilling a collective duty binding on all existing people, and nonprocreators are obligated to contribute to this mission to some degree, even if population increase takes away from their initial endowment of resources, where the initial allocation of these resources is assumed to be (provisionally) fair. At a minimum the nonprocreators are obligated to accept this reduction in their resources that we are supposing accompanies the morally mandatory population increase.

Notice that the resource reduction accompanying population increase that according to Casal and Williams triggers a duty on the part of procreators to make good this loss to nonprocreators (or prevent it from ever occurring by absorbing themselves the costs of giving their children fair initial shares) need not even involve any worsening of the lives of the nonprocreators all things considered. The presence of the new humans might be pleasurable for everyone to contemplate. Watching children frolic is fun. Hence the population increase might leave no one sad that this event has occurred, without this fact counting against the Casal-Williams claim of the nonprocreators to full compensation for resource losses. This feature of their view is generated by its being resource-oriented, not welfare-oriented.

The position I am sketching regarding procreation obligations need not deny that special responsibilities fall on the particular persons who voluntarily act to produce childbirth. These persons have brought about the existence of particular needy and helpless human infants at a particular time, and surely doing so triggers a special duty of care for the welfare of the dependent beings one has created. Seeing this is compatible with placing voluntary childbearing in a broader context in which we all have duties to contribute to population increase.

What holds true in a four-person world can also hold true in a world already populated with billions of people. Again, I don't presume to be in possession of a satisfactory population ethics principle or suite of principles.¹³ Any of a range of principles will yield the plausible implication that the population of the Earth, given present circumstances, ought to increase. Also, suppose that the right population ethics calls for population stabilization not increase in our circumstances. Carrying out this mandate might still lead to the circumstance that triggers the duty of procreators to absorb costs of procreation and pass none of them along to nonprocreators according to Casal and Williams. Again, those who bring about births necessary for stabilization are still fulfilling a collective duty, and their acts trigger duties falling on nonprocreators, on the view this essay proposes.¹⁴

The claim then is that the voluntary procreator whose childbearing and childrearing incurs costs we all must share is relevantly unlike the polluter who acts for his own purposes in ways that impose spillover harms on others. He is more like the voluntary rescuer when a person in peril is threatened with drowning and many persons might come to the rescue. His act helps to fulfill a duty we all owe and we all have duties to help carry through the fulfillment.¹⁵ Either the rescue effort itself, or the cost of reimbursing those who bear special risk or expense, might impose costs on nonrescuers, but these are costs that nonrescuers are morally obligated to bear, up to some point. Same goes for nonprocreators.

1b. Case two: procreation brings gains to nonprocreators.

Turn now to case two. Suppose some people voluntarily chose to have children—again we are supposing this occurs against the backdrop of an initially fair distribution of resources—and nonprocreators gain spillover benefits. In resource egalitarian terms, which we are here not challenging, the addition of new people to the world brings it about that there are more resources for everybody. In another terminology, bringing children into the world, in some circumstances, generates positive externalities that fall on others, including nonprocreators. In this scenario, do nonprocreators have some duty to assist with costs of childbearing and childraising that is triggered by their receipt of

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these external benefits, on the assumption that they neither asked for nor consented to the imposition of these benefits?

This question calls to mind the Hart-Rawls principle of fairness, which holds that “when a number of persons engage in a mutually advantageous cooperative venture according to rules, and thus restrict their liberty in ways necessary to yield advantages to all, those who have submitted to these restrictions have a right to similar acquiescence on the part of those who have benefited from their submission.”¹⁶ The idea is that when procreation and childrearing are correctly regarded as a cooperative practice that fits this characterization, the cooperating behavior of the participants generates duties of reciprocity and fair play that fall on those who are recipients of benefits. As Rawls remarks, “We are not to gain from the cooperative labors of others without doing our fair share.”¹⁷

Casal and Williams do not deny that obligations can arise from the Hart-Rawls principle of fairness. But they interpret the principle in a way that restricts its applicability. In this connection we might consider doubts about how obligations might arise under Hart-Rawls raised in separate discussions, by Robert Nozick and A. John Simmons.¹⁸ Roughly, the idea is that those who incur obligations to cooperators under the Hart-Rawls principle must either voluntarily accept the benefits of the scheme or at least be willing to accept benefits voluntarily if voluntary acceptance were possible. Mere receipt of benefits does not suffice to obligate. Also, those to whom duties are owed under Hart-Rawls must be intending to benefit others by their cooperative actions undertaken under a fair scheme of rules. Merely acting in ways that happen to benefit others does not suffice to generate obligations of reciprocity to repay. Along a similar line, Casal and Williams say “the principle concerns nonexcludable goods that are produced by cooperative activity in which individuals bear some cost, which they would not otherwise bear, in order to produce the good.”

Casal and Williams anyway hold that in our world, procreation and childrearing as actually practiced do not meet the conditions of the Hart-Rawls principle of fairness suitably interpreted. Hence, procreative activities do not give rise to obligations on the part of nonprocreators to bear a share of the costs of childrearing and fair provisioning of children with resources as they become responsible adult citizens.

In response, the first point to note is that if there is a collective duty to expand or sustain population and individual duties flow from that collective duty, then in the case in which the childbearing and childrearing activities of procreators confer external benefits on others, the requirement falling on recipients of these benefits to do more to assist in the child production enterprise in virtue of this receipt of benefits holds whether or not the conditions of the Hart-Rawls principle of fairness apply. Returning to the analogy with rescue cases, suppose some people undertake a rescue in circumstances in which all of us, including me, bear some responsibility for undertaking rescue and sharing its costs. Suppose the rescue effort happens to shower benefits on some bystanders, who are themselves obligated to share the costs of the rescue. The receipt of benefits alters what qualifies as the fair cost sharing arrangement. If some in the group of those who are snared in the web of collective obligation to bring about rescue happen to gain side effect benefits and others similarly obligated do not, those who benefit should pay a greater share of the overall cost of the rescue operation and those who do not so benefit should pay less.

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Nonetheless, I hold that the childbearing and childrearing enterprise in many communities does qualify as a cooperative practice satisfying the conditions of the Hart-Rawls principle and so triggering obligations of reciprocity to contribute one's fair share.

First point: if other conditions are met, mere receipt of benefits can sometimes suffice to trigger obligations. Some goods provided via cooperative schemes are nonoptional with respect to a group of people: if anyone in the group consumes any benefits, everyone must consume some benefits.¹⁹ When nonoptional benefits are delivered by cooperation, one need not voluntarily accept benefits in order to become obligated to pay one's fair share. Nor need one's will be disposed to voluntary acceptance if that were possible. Casal and Williams cite Ronald Dworkin as criticizing versions of the principle of fair play that assume that "people can incur obligations simply by receiving what they do not seek and would reject if they had the chance." Dworkin comments, "This seems unreasonable."²⁰ Casal and Williams **do not definitely embrace** whatever amendment of the principle Dworkin's claim seems to suggest. I **would definitely deny** that we should endorse the Dworkin criticism as stated in the first instance. Suppose a cooperative practice is operating that provides national defense for the community you inhabit. Suppose you have false empirical beliefs, and do not see that the national defense practice really does provide you genuine benefits, worth their cost, in a scheme whose costs are fairly apportioned. Your subjective disbelief that you benefit does not obviate your obligation to contribute under the scheme. The same holds, I would say, if your error is moral rather than factual. Suppose you have misguided pacifist views and believe benefiting by threat of violence under any circumstance is wrong. Nonetheless, the threat of violence that maintenance of national defense involves is in fact morally right and you do in fact benefit, and benefit from a morally acceptable practice that is fair. I say, in these circumstances, you have an obligation to contribute, indeed an enforceable obligation, which your subjective opinion to the contrary does not obviate.

Suppose that the production-of-children practice does in fact confer benefits on me, and the benefits are worth the cost, and the costs are fairly apportioned by the rules of the practice. Suppose also that at least some of the benefits provided are nonoptional. Just by living in the society, I cannot avoid receipt of benefits. These circumstances do not yet suffice to establish that obligations arise under Hart-Rawls. The enterprise must be a cooperative venture, fairly organized, and the cooperators must be intending by their activity to be conferring the benefits of the scheme on others. Also, the cooperators must be incurring costs under the arrangements. The objection then insists that these further conditions are not satisfied.

There is an interesting question raised here, which this essay will not seek to answer. The question is what obligations if any arise in situations in which some but not all of the Hart-Rawls conditions are met. For example, suppose that the conditions of the Hart-Rawls principle of fairness are satisfied, except that the "cooperators" don't think of themselves as acting to benefit others, but if the fact that their efforts do spread benefits widely through the community were brought to their attention, they would find this welcome news, and acquire an intention so to benefit the others. We might call these people latent cooperators. Do their latently cooperative activities generate obligations in those who benefit from their efforts to pay a share of their costs? I suspect the answer is "Yes" but will not pursue the issue here. I simply contend that the plain unvarnished

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conditions of the Hart-Rawls principle, rightly understood, are standardly satisfied by participants in child production practices, so given that these practices shower benefits on others in the neighborhood, the obligations of reciprocity that the fair play principle generates here are triggered.

One issue is whether participants in the practice are acting to benefit others. I grant that people who either have sex with the aim of having children or who have sex and then make a decision to bring the fetus to term when it is discovered that a pregnancy has started normally act in the expectation that raising children will enrich their lives and make the decision for this reason. But there is normally another element in play. People decide to have children for self-fulfillment, but this is a moralized notion of self-fulfillment. Procreators think that their childrearing activities will significantly enhance the community in which they live, and they are also aware, perhaps in a somewhat inchoate or vague way, that there is a duty to be fruitful and multiply that falls on their community and is one that their procreative choices help to fulfill. People's motives are mixed, but that does not preclude their having the motivations that are conditions for Hart-Rawls to apply. After all, many who volunteer to contribute to national defense, the paradigm of a cooperative scheme to which Hart-Rawls applies, have mixed motives and aim in part at their own self-fulfillment, through meaningful work or glory seeking or the like.

Here is a relevant comparison. Take the standard example of a public goods provision scheme that generates duties under the principle of fairness. Bandits periodically menace peaceful farmers living near each other in a narrow valley. Some farmers initiate a protection system. Valley dwellers are to take turns standing sentry duty each night, which will reduce the losses of all to predatory bandits. Suppose some people really hate standing sentry duty, some don't mind, some fancy the activity even though it is risky. So a fair and tolerably efficient scheme for distributing the burdens of the protection scheme might involve asking for volunteers, and then if the number of individuals who volunteer is adequate, requiring other valley inhabitants to pay into a fund that compensates the volunteer sentries for their noble activity and provides special health care benefits to sentries injured on duty, etc. The sheer fact that people volunteer to supply the needed public good (partly for altruistic, partly for self-interested motives) does not negate the moral appeal of the claim that others who benefit from their activities on behalf of the community owe them compensation.

Someone might object that if people voluntarily act in ways that benefit themselves and spill benefits also on others, without any offer of compensation, no compensation to them is owed—and this is the situation of procreators vis-a-vis benefiting others. In reply: Under the Hart-Rawls principle of fairness reasonably interpreted, obligations can arise on the part of those who benefit from cooperative schemes that shower nonoptional benefits on a group of people (or for that matter on those who voluntarily seek and get optional benefits from such a public goods delivery system), *even if the cooperators are net beneficiaries from the scheme in the absence of contributions from nonparticipant beneficiaries*. The cooperators who gain on balance in this way can still be unfairly treated by the free riders, and the scheme can be made more fair in its distribution of benefits and burdens if nonparticipant beneficiaries are required to pay a fair share. (What constitutes "fair shares" is a topic not addressed in this essay.)

I grant that procreators normally expect their lives to be improved, in prudential terms, by having and raising children. Nonetheless, procreators also expect to bear some costs they would prefer to avoid, or lessen, if they could, despite their expectation of overall gain. And procreators recognize that in deciding to have children they are inevitably making a risky choice, that if things go badly might result in large-scale disruption or degradation of their lives. When children turn out badly, even through no fault or oversight of the parents, the parents' lives can be blighted, pretty much destroyed. I submit that these generally applicable characterizations of the decision to have and raise children suffice to satisfy the condition of sacrifice incurred by cooperators that is required for the Hart-Rawls principle to apply.

Readers may wonder what benefits unavoidably fall on nonprocreators arising from the childrearing efforts of parents in their society. These vary. Some are highly local. Only those living nearby get the benefit of seeing your children gamboling along the street. Some are widely diffused. All people benefit, as they age, from reinvigoration of the culture as a result of the creativity of youth, and of stimulus to the economy from the energy and ambition of the young.²¹

One might raise another worry. The Hart-Rawls principle of fairness stipulates that obligations arise, given certain conditions, when people participate together in a mutually cooperative venture according to rules and others receive benefits from the scheme. Is the production-of-children practice sensibly regarded as carried out according to rules? Yes. In a just society, laws and social norms stipulate what those who contribute to and benefit from childbearing and childrearing owe to one another. There are recognized expectations. In a state of nature, the rules are more inchoate, and essentially consist of the recognized duty to procreate according to population ethics along with the principle of fairness and a sensible range of interpretations of the duties and obligations thereby generated.

The preceding scrappy remarks have tried to support the idea that nonprocreators have obligations to procreators in a wide range of circumstances. Your bringing about the birth of a child generates obligations in bystanders to help in the upbringing of the child.

2. Duties to provide opportunities to the poor to be successful parents.

Whatever we owe to procreators and children generally, we owe more to procreators who are poor and to children born into poverty.²² To return again to the rescue analogy: if there is a drowning threat on a beach filled with people, a few people undertake the necessary rescue of those who are in peril, and the rescuers then turn out to be especially vulnerable and incur large costs in the course of the rescue, or turn out to need extra help in order to complete the rescue effort successfully, the bystanders have an extra obligation to compensate the rescuers who have sustained great loss and especially to assist these would-be rescuers in bring their rescue efforts to success.

A wide variety of approaches to social justice will converge on the judgment that we owe more to worse off (as compared to better off) members of society who are engaged in childbearing and childrearing. Under a wide range of circumstances, utilitarian, egalitarian, sufficientarian, and prioritarian views will affirm this judgment.

I want to focus on the subset of poor children and poor adult family members who are also low in the ensemble of personal traits that constitute native ability.²³ Some poor children and their guardians are below average in bank account wealth and income but

blessed with high levels of talent. Some are cursed with low talent endowments. (Ability is multifaceted and multidimensional, but I suppose some are poorly endowed all things considered; for simplicity let's just speak of those with low talent.) With luck and pluck the impoverished people with low ability may end up leading great lives, but they are surely likely to be clustered among the people who end up badly off in overall lifetime well-being.

A further point is perhaps worth noting. Our duties to poor people likely include a duty to provide them a fair opportunity to become parents and successfully raise children. This duty applies with special force to the subset of poor individuals with low marketable skills.

Parenting is meaningful and creative work. (Of course, it is also drudgery and frustration; that does not undermine the claim just stated.) The parent has the duty to form the child's character, to shape the lumpish infant into a particular person. This is in some respects a creative, artistic task, like painting a picture or making a sculpture, with the special twist that from the very beginning the material on which one is doing the creating is a conscious human with agency interests of its own, which gradually come to include interests in self-making and self-determination. It is as though you were trying to paint a work of art on a canvas that had arms and hands of its own that were clasp painting brushes, and the canvas arms were making their own strokes and painting over your brush strokes—not to mention that there are many other forces besides your artistic efforts that are shaping the outcome of the process, including some deliberate painting by other people's hands. Moreover, the canvas arms gradually become more adept and eventually take over the process, if you are successful.

For many poor people, and especially for those who suffer the double burden of being born into below-average wealth and being born with a weak endowment of native talent potential, raising a child will be their best option for meaningful and creative work. This will be brutally true under circumstances of injustice, but we should entertain the possibility that a potentially tolerably just society might generate a distribution of income and wealth and a distribution of labor market opportunities that give some individuals meager prospects. If such a society is to qualify as tolerably just, the opportunities of those with below-average prospects must be good enough, and surely must include opportunities for meaningful and creative tasks. There will then be a special obligation to encourage people to undertake childrearing by making sure they have reasonable prospects of being successful parents if they do choose this life path.

This line of thought is strengthened by the further consideration that parenting requires a different set of capacities than most kinds of creative and challenging work that positions in the market economy provide, especially those that are available to those with low marketable skills at the bottom of the economic heap. A caring, loving disposition, attentiveness and persistence, and some common sense will go a long way toward making one a good parent, especially in the crucial early years of a child's life. (Agencies other than parents can help foster autonomy and sophisticated skills in older children.) Parenting tends to be an accessible form of meaningful work. So a just society that provides adequate opportunities for meaningful work for all its members will be careful to provide, within the mix of meaningful work options made available to poor individuals, good opportunities to be successful parents.²⁴

Much that should be done to help poor (that is, nonaffluent) parents to be

successful as parents involves familiar welfare-state measures. We should channel public funds for public education to ensure high quality primary and secondary education along with avenues to higher education for children of poor parents. We should provide high-quality day-care that is available to children of the working poor, to help parents combine paid employment and parenting. We should regulate labor markets to bring about decent employment prospects for individuals with small income and wealth and weak marketable skills, if necessary setting up the state as decent employer of last resort.²⁵ We should set income tax policy so that individuals with below-average marketable skills are rewarded for seeking and sustaining paid employment and paying self-employment. We should facilitate adult education that develops improved parenting skills. I suggest that in addition the state should be encouraging people to form marriage (or other long-term stable relationships) that make parenting easier by sharing its burdens and for that matter encouraging people, especially men, to regard sustained commitment to parenting as a valuable life option.

3. Marriage promotion, state neutrality, and marriage abolitionism.

One might first of all object that the state simply has no business interfering in the decisions of sane adults regarding living alone, cohabitating, marrying, or divorcing. The proper functions of the state do not include regulation of people's friendships and romantic lives. The state has a proper interest in securing an adequate upbringing for all children, but this job can and should be done without wrongly interfering in people's private lives. In a diverse society marked by reasonable pluralism of belief, people will differ in their views on sex, romance, marriage, living alone versus living cohabiting versus living communally with several adults, and so on.²⁶ So the state should be strictly neutral on this broad issue, neither promoting marriage nor discouraging it.²⁷

This is in some ways an appealing stance, but notice that if you adopt it, you would seem to be committed to opposing the contemporary movement in some contemporary societies (for example, the U.S.) to establish the legal right for same-sex couples of marry and have the legal privileges of marriage that are restricted to opposite-sex couples in many jurisdictions. (You could **still** accept **as a demand of non-ideal justice** that if there is legal establishment of marriage, the status ought to be equally open to couples of both orientations, without being committed to legal establishment of marriage.) The normatively compelling position would be to abolish the legal status of marriage as a state-protected legal status for anyone, of whatever sexual orientation.

The counterargument against marriage abolitionism is that a long-term committed romantic relationship, combining friendship, sex, and the building of a life together, is a valuable achievement, and the official recognition of this type of commitment by the state is a reasonable, noncoercive encouragement to people to attempt this achievement. The goods to be had thereby can equally well be obtained in same-sex and opposite-sex relationships, and the achievement toward which the marital status aspires is equally valuable no matter what the sexual orientation of those attaining it. Hence there should be no discrimination between same-sex and opposite-sex relationships in the state's policy of marriage recognition and endorsement, and this recognition and endorsement are preferable to a hands-off neutral policy, if the state's policy of putting a thumb on the scale in favor of marriage is likely to bring it about that people are better off and the gains of the gainers are not brought about unfairly at the expense of any losers. The point here

is that to defend same-sex marriage rights rather than abolition of state recognition of marriage, one needs to argue that long-term relationships are instrumentally and noninstrumentally good for people and that society should foster what is good for people. In a slogan, one needs to oppose state neutrality on the good. I suggest we ought not be marriage abolitionists.

(Although the discussion above refers to same-sex and opposite sex *couples*, nothing hangs on the fact that the group of adults seeking recognition of their pledge to long-term commitment consists of exactly two people. Larger groups might well form similar bonds and seek the same type of recognition.)

The condition that the state should recognize and endorse marriage on the ground that people gain overall only if gains and losses are not unfairly divided is nontrivial. Some people will do better living alone, or living with their parents or other close relatives, or cohabiting in shifting groups. Is favoring marriage disfavoring them? In many countries in recent years, your chances of getting married and staying married vary with your income. The poor do it less and stick with it less than the nonpoor. Heaping subsidies on marriage might be unfair to the poor.

Here a comparison might be made to recreational drug prohibitions. Suppose the state bans the recreational consumption of methamphetamine, cocaine, and heroin on paternalistic grounds. Such a policy must confront the fact that some citizens are no doubt hurt not helped by the legal ban. Ideally there should be different legal policies for people who would benefit from having these drugs available and for those who would be harmed, but such a legal regime may be unfeasible. If gainers gain enough and losers lose little enough, the ban may be roughly fair, and understanding this, all should abide by it. Much the same might be true of state policies encouraging romantic involvement and in particular long-term committed romantic involvement. The policies might be roughly fair on balance despite the fact that they produce winners and losers.

A significant residual difficulty is that hard drug prohibitions might well impose especially hard burdens on the poor who violate the prohibitions and are then more likely to be exposed to onerous legal penalties than nonpoor violators. In the same way, marriage promotion policies will benefit some and hurt others, but among those who end up disfavored, those who are poor will be more likely than nonpoor to be grievously afflicted. If those disfavored in these ways will tend to be the worse off among the worse off, difficult tradeoff issues arise. A policy that helps the worse off may be bad for the worse off segment of the worse off. Depending on the costs and benefits and the numbers of people involved, a morally sensitive cost and benefit calculation might sometimes yield the judgment that an instance of this sort of hard tradeoff is acceptable all things considered. But surely in our public policy choices we should seek ways of avoiding kicking those who are already down.

In considering the desirability from a social justice standpoint of pronatalist and pro-marriage public policies, we need to be considering not simply what is desirable from the standpoint of an adult person who is poor, but also what is good for poor children. This section has suggested that promoting stable romantic commitment might be fair on balance in its effects on adults even if the policies produce some winners and some losers. The consideration of children's interests complicates the picture.

4. Marriage promotion and childrearing assistance.

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In several contemporary societies, single-parent households are increasing, especially among the poor. There is evidence that children are likely to fare better in stable two-parent (or two-guardian) households, and that poverty exacerbates whatever problems for children growing up in a single-parent household involves. There is also some evidence that growing up in a single-parent household, with a female as lone parent, creates more difficulties for boys than for girls.²⁸ So perhaps the state ought to be discouraging childbearing and childrearing among people, mostly women, who are likely to end up in single-parent households? I suggest the answer is No, but the issues are tricky, even murky.

When two individuals not involved in a stable relationship produce a child, it is not axiomatic that marrying the man who got you pregnant is a good idea, for you or the child. When a marriage is conflictual, it is not obvious that staying together and fighting is better for the children in the household than separating and divorcing. Working class single-parent mothers in the U.S. are more likely than their European counterparts to marry, but they are also more likely to divorce and cohabit again and perhaps remarry again. As a sociologist studying U.S. marital patterns has put it, we have in the U.S. a “marriage-go-round.” Moreover, working class women in the U.S. are more likely than their European counterparts to form nonlasting cohabitation arrangements—the partner-go-round. For children, the evidence is that unstable household arrangements during early childhood years are stressful for children and interfere with healthy development.

How should public policy tilt? Providing financial incentives to marry might exacerbate the marriage-go-round. Providing financial incentives that encourage stable marriage might pressure women to stay in abusive relationships.

One might be tempted by the thought that policies that discourage poor women from having children when they cannot reasonably foresee a stable household arrangement with two or more dedicated adults playing parental roles for their children, if they were successful, would reduce the incidence of single-parent households, a desirable outcome for children.²⁹

If poor women are less prone than their wealthier counterparts to form stable companionate partnerships, and policies enacted to discourage single-parenting would deter some from having children, that outcome should strike us as harsh. For a very large number of prime-age adults, being successful at childrearing is a great part of their good. For many adults, the job of childrearing is the most interesting, rewarding, challenging, and creative work they have the opportunity to perform. As discussed in section two of this essay, this is more likely to be the case for poor adults, whose labor market options are meager.

There are better alternatives to discouraging childrearing on the part of an adult who would be living alone. We should be trying to help poor individuals who want to be parents to succeed in this role rather than to discourage them from undertaking it.³⁰ This is compatible with encouraging stable cohabitation. Also, since men can benefit from successful parenting as well as women, we should be seeking sensible policies that encourage poor men to want to take on childrearing roles and help them succeed in these tasks. There is an element of “the hat makes the man” here. If I take on a responsible role, I am more likely to become committed to it and personally identified with it, and more likely to function as a responsible role-player. We need to seek policies that will induce the man to put on the hat.

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The weakening of marriage among working-class people in current times is not mysterious. Compared to earlier times, in our time the benefits of marriage for working-class adults are less and the costs of not getting married are less. For starters, men are less marriageable. They offer less in economic security terms, and women now have other options for securing their economic well-being.

A familiar feature of contemporary economic life is that economies are hollowing out, with fewer good jobs for the uneducated and increasing rewards to those with higher education credentials at the level of college degrees and beyond. In the U.S., “by 1996, the average thirty-year old husband with a high school degree earned 20 percent less than a comparable man in 1979.”³¹ Increasing assortative mating in marriage patterns increases the strains on poor and near-poor people seeking mates. “The winners in the new economy are marrying each other and consolidating their gains.”³²

We should assume that these trends will continue for the foreseeable future. In that case, what strategies make sense for poor adults starting out in life? What preparation and—to the extent this might be effective—guidance might society provide them to cope with the world they will face, and what forms of help will facilitate their succeeding in their life aims?

Men with a high school education or less will not offer particularly attractive economic prospects to prospective mates. If these men are predominantly oriented to seeking short-term gratification with male buddies, they won’t appear, or be, good candidates for the role of loving partner in intimate relationships. A feminization of their socialization would render them more companionable, more cohabitable, and more marriageable. Even if my job prospects are bleak, if I have serious nonwork interests that I care about and that make me interesting, if I want long-term friendship on egalitarian terms with someone with whom I will also build an intimate stable romantic relationship, and if my life plans are open to the possibility of committing time and energy into childrearing, I look more credible in the eyes of someone seeking a stable romantic partner. Labor force attachment helps as well. If it is just not in the cards that I will be a good traditional breadwinner, at least I can be a stable, rather than erratically intermittent, crumb-winner.

In interviews, high school educated U.S. women report that they have the same life goals as their more educated and wealthy sisters. In a potential mate they seek economic security, intimate friendship, and cooperative faithfulness. Perhaps the “realistic utopian” aspiration for high school educated women would be to find the latter two of the three, and be happy with that. Of course, economic insecurity tends to erode one’s capacities for intimacy and loyalty. (I assume that in a just society the distribution of income and wealth can be unequal, but the human cost of economic insecurity that falls on the poor surely affects the degree to which justice requires distributive arrangements that eliminate or cushion that insecurity.)

I have been speaking of people seeking heterosexual partnerships, but there are other sorts. If women’s sexuality is more labile than men’s, women potentially have the option of choosing to orient sexually toward women and seek female long-term romantic mates and childrearing partners. Or at least, they have the option to the degree that their culture does not wrongfully rule out this option as socially taboo. (I assume men are more likely to be stuck with whatever sexual orientation is planted in their genes.)

If more stable partnership arrangements would be good for people, the simplest way in which social arrangements can facilitate successful partnerships among the poor is by providing generous financial assistance to people who are making serious efforts to fashion a good life for themselves. That probably would involve income supplements conditional on labor force attachment. Such income assistance would ease the ever-present grinding strain of hovering on the edge of poverty or being engulfed in it that wears down people's attempts to make lasting loving relationships.

Society could also be generous, rather than stingy, in the educational opportunities provided to children of less educated and economically marginal parents. Better teachers, a longer school day, high quality preschool instruction for very young children, a longer school year, flexible after-school child care, all targeted at poor children, would help the recipients and also help their parents fulfill their important life goal of being successful parents.³³ And completing the circle, education of all children, not only the children of the poor, should include a didactic character-forming component. Think of life skills classes that essentially amount to cognitive behavioral therapy—here are the circumstances you can expect to encounter in your future life, here are the difficulties and challenges you will face, what goals do you have and anticipate having and what personal skills and traits will you need to achieve them? This is what I have in mind under the heading of the feminization of socialization, insofar as we are considering the schooling of men.

Regarding state support to the parenting efforts of poor parents, a delicate dance is needed. On the one hand, society should help parents succeed at parenting, for their sake and for the sake of their children. On the other hand, some nonwealthy parents (some wealthy parents too, but that points to other issues) are ineffective parents, and channeling aid to children entirely through their incompetent parents is not an effective strategy for helping children at risk.³⁴ Yet helping poor children in ways that bypass their parents can undermine these parents' authority and self-confidence and decrease their ability to steer their children's lives for the better. To some extent one wants to structure aid to children so that from a very early age they are exposed to authority figures (other than parents) who are visibly working for their benefit and worthy of their trust and emulation. In pre-school and school and day-care centers, though children's peers will probably make a larger imprint on their socialization than their teachers, good teachers can be part-time substitute parents and significant role models. Same goes for the nurse or social worker who makes regular state-sponsored visits to troubled family homes. There is no contradiction in pursuing goals that, in actual circumstances, partially conflict. One seeks to advance the ensemble of the worthy pertinent policy goals appropriately weighted so that one can discern which to pursue more vigorously and to what degree in cases of conflict.

Conclusion.

In this essay I argue that given population ethics obligations that fall on all of us collectively, we owe assistance to procreators in providing a fair start in life to their children, even on the assumption of an initially fair distribution of resources. We also owe people a fair opportunity to be successful parents. I suggest a perspective for determining what shape and form of public policies these obligations press us to endorse. The perspective assumes that what we owe one another depends on what is intrinsically good, what constitutes a better as opposed to a worse quality of life for the individual living it.

I support the perspective largely by illustrating how it would structure deliberation of public policy.

¹ For helpful comments and criticism I thanks Serena Olsaretti and Andrew Williams.

² . Victor R. Fuchs, *Women's Quest for Economic Equality* (Cambridge: Harvard University Press, 1988); also Gosta Esping-Andersen, *The Incomplete Revolution: Adapting to Women's New Roles* (Cambridge: Polity Press, 2009).

³ . Although my discussion stays at an abstract level above social policy choice, I suspect my thinking tends to focus on U.S. problems and circumstances. On the differences between welfare state policy in the U.S. and in Europe, see Irwin Garfinkel, Lee Rainwater, and Timothy Smeeding, *Wealth and Welfare States: Is America a Laggard or a Leader* (Oxford: Oxford University Press, 2010); also Alberto Alesina and Edward L. Glaezer, *Fighting Poverty in the U.S. and Europe: A World of Difference* (Oxford: Oxford University Press, 2004.)

⁴ . For the most part I confine my attention to relations between poor and nonpoor in a single political society. This scope restriction sets aside duties that people have to poor people anywhere, and at any time, regardless of who inhabits what society. This is just a simplification for purposes of discussion; I don't in fact believe people within a single political society owe more to fellow members than to outsiders.

⁵ . John Rawls, *A Theory of Justice*, rev. ed. (Cambridge: Harvard University Press, 1996).

⁶ See Hillel Steiner and Petter Vallentyne, "[Libertarian](#) Theories of Intergenerational Justice," in Axel Gosseries and Lukas Meyer, eds., *Justice between Generations* (Oxford: Oxford University Press, 2009), 50-76.

⁷ Paula Casal and Andrew Williams, "Equality of Resources and Procreative Justice," in *Dworkin and His Critics*, Justine Burley, ed., (Oxford: Blackwell, 2004), 150-169

⁸ . See, for example, Eric Rakowski, *Equal Justice* (Oxford: Oxford University Press, 1993); also Matthew Clayton, *Justice and Legitimacy in Upbringing* (Oxford: Oxford University Press, 2006).

⁹ . Ronald Dworkin, *Sovereign Virtue: The Theory and Practice of Equality* (Cambridge: Harvard University Press, 2000), chapters 1 and 2; also Ronald Dworkin, *Justice for Hedgehogs* (Cambridge: Harvard University Press), chapters. See also Hillel Steiner, *An Essay on Rights*.

¹⁰ . The claim in the text here is advanced by Rakowski, not by Casal and Williams. On the distinction between brute luck and option luck, see Dworkin, *Sovereign Virtue*, p. See also Peter Vallentyne, "Equality, Brute Luck, and Initial Opportunities" *Ethics* 112 (2002), 529-557.

¹¹ . Genesis 1: 28.

¹² . For a view contrary to what is asserted in the text, see Jan Narveson, "Utilitarianism and New generations, *Mind* 76 (1967), 62-72.

¹³ . For a useful introduction to population ethics issues, see John Broome, *Weighing Lives*.

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¹⁴ . I do not deny that in some circumstances adding people to the world will be morally wrong according to a reasonable population ethics. In this case procreators might be wronging nonprocreators by imposing unfair costs on them. But whether this is so depends on the shape of the collective duty we all share, in some circumstances, to bring about population decrease. It might turn out that nonprocreators have not done all that they ought to do, to facilitate population decrease, so the mere fact that Alf has been directly responsible for adding a child to the world, when this outcome is morally undesirable, does not by itself establish that Alf has wronged nonprocreating bystanders.

¹⁵ . I assume that Casal and Williams would agree that if there is a duty to procreate that falls in one way or another on all of us, that duty might generate obligations on the part of nonprocreators to assist in the childrearing and resource provision for children that voluntary procreators are morally required to give their children. They will disagree that there is any such duty.

¹⁶ . Cited from Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), at 90.

¹⁷ . John Rawls, *A Theory of Justice*, 96.

¹⁸ . See Nozick, 90-95; also A. John Simmons, *Moral Principles and Political Obligation* (Princeton: Princeton University Press, 1979), chapter 5; also Simmons's contribution to A. John Simmons and Christopher Wellman, *Is There a Duty To Obey the Law* (Cambridge: Cambridge University Press, 2005). For defense of the principle of fairness, see Richard Arneson, "The Principle of Fairness and Free-Rider Problems," *Ethics* 92 (1982), 616-633; also Arneson, "Paternalism and the Principle of Fairness," in *Paternalism: Theory and Practice*, Christian Coons and Michael Weber, eds. (Cambridge: Cambridge University Press, 2013), 134-156.

¹⁹ . There are further distinctions that need to be drawn here. Sometimes if any members of a group consume any of a good, all must consume the same amount of it. Here the good just falls on people and there is no choice whether or not to consume it. Sometimes all must consume some if any group members consume some, but a different amount of the good might fall on different group members—again, all of this happening in the absence of anyone's voluntary choice as to how much to consume. In still other cases even though a good is nonoptional for members of a group, how much of the good each individual consumes is up to that individual. In this last case, the extent of one's obligation to help pay for the good may depend on how much one chooses to consume ("may depend", because consumption may be nonrival, and one's choice to consume may be just a decision to avoid waste, in the context of a scheme that is not worth its costs and should cease to exist). These complications do not affect any claim I urge in this essay.

²⁰ . Ronald Dworkin, *Law's Empire* (Cambridge: Harvard University Press, 1986), 194 (cited after Casal and Williams, 168).

²¹ . In an interesting essay, Serena Olsaretti raises doubts as to whether obligations to share the costs of having children arise under Hart-Rawls along the lines I have urged. My discussion in the text answers these doubts. She makes a further suggestion: that as modern societies are actually organized, significant benefits of parenting are coercively channeled to nonparents, as when children are taxed to pay for old age assistance programs and other elements of the modern welfare state. This sounds plausible. However, I worry that critics might respond that in an ideally just society, these

arrangements would be made on a pay as you go basis, and there would not be forcible takings of the sort she highlights. For example, each generation could save for its own future, and use the proceeds to purchase goods needed in old age. See Olsaretti, "Children as Public Goods?", *Philosophy and Public Affairs* 41 (2013), 226-258.

²² . See Paul Bou-Habib, "Parental Subsidies: The Argument from Insurance," *Politics, Philosophy, and Economics* 12 (2012), 197-216.

²³ . For an interesting defense of the view that in determining people's fundamental political status and political entitlements a duty of opacity respect is owed all agents above a threshold of rational agency capacity, and that opacity respect requires us to refrain from assessing or measuring individuals' agency capacities, see Ian Carter, "Respect and the Basis of Equality," *Ethics* 121 (2012), 538-571.

²⁴ . I don't deny that a just society in some circumstances might restrict rights to have children and provide fair opportunities for meaningful work to its members in other ways. For example, consider scenarios of severe overpopulation and a drastic need to reduce the birth rate.

²⁵ . See R. Arneson, "Is Work Special? Justice and the Distribution of Employment," *American Political Science Review* 84 (1990), 1127-1147.

²⁶ . The invocation of reasonable pluralism of belief is claimed to support state neutrality on the good. See John Rawls, *Political Liberalism* (New York: Columbia University press, 1996), also Jonathan Quong, *Liberalism without Perfection* (Oxford: Oxford University Press, 2010).

²⁷ . This view is vigorously advanced in Elizabeth Brake, *Minimizing Marriage: Marriage, Morality, and the Law* (Oxford: Oxford University Press, 2012).

²⁸ . David Autor and Melanie Wasserman, "Wayward Sons: The Emerging Gender Gap in Labor Markets and Education," *Third Way* (2013).

²⁹ . This is a theme of political conservatives in the U.S. See for example the collected works of Charles Murray.

³⁰ There is a tradeoff here. Individuals vary in their capacities for good parenting, and vary in how propitious their circumstances are for this social role, and some individuals (rich and poor!) should be discouraged from assuming a childrearing role, even under ideally supportive social conditions. This is consistent with maintaining that generally speaking, people, especially the poor, should be encouraged both to take on the parental role and to form stable family-type relationships, for their sakes and for the sake of the children they will raise, and that those among the poor who have weak parental skills should be helped and supported so that their parenting ventures are successful.

³¹ . Andrew J. Cherlin, *The Marriage-Go-Round: The State of Marriage and the Family in Contemporary America* (New York: Vintage Books, 2010), 163.

³² . Cherlin, 179. See also Esping-Anderson, 59-70.

³³ . See Jane Waldfogel, *What Children Need* (Cambridge: Harvard University Press, 2006).

³⁴ . This is one lesson that might be drawn from Susan E. Mayer, *What Money Can't Buy: Family Income and Children's Life Changes* (Cambridge: Harvard University Press, 1997).