



Parental justice: A Rawlsian proposal

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Abstract

Discussions of parental justice typically start from the thought that when people become parents through voluntary choices, they are presumptively responsible for the costs of raising their children. This *responsibility-based argument* is often presented as innocuous. I argue that it actually denotes a highly contentious view of how voluntary choices relate to the demands of justice, and that this view is particularly problematic regarding the kind of choices at stake in parental justice. In light of these concerns, I contend that the literature on parental justice would benefit from a Rawlsian turn. To negotiate this turn, we must acknowledge that the significance of the choice to have children depends on the justice of the institutional background against which it is made—not the other way around. The first question of parental justice is therefore not what responsibility parents should bear for their choices, but rather how a just institutional order would define the rights, duties, and responsibilities associated with the social position *parent*. I outline how a Rawlsian theory of parental justice might tackle this question.

Keywords

Parental justice, distributive justice, responsibility, children, John Rawls

Introduction

Having children is a costly affair. Even setting aside the lost sleep and the endless waking hours devoted to their care, the direct financial costs—food, shelter, clothing, education—are colossal. Depending on your country's parental leave policy, you may also have to

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forego substantial income. This adds up: it's hard to think of another endeavor that human beings commonly (and mostly quite willingly) undertake that generates greater costs. There are blissful rewards, of course, but since they don't eliminate the costs, we still face hard questions. Should parents pay the full costs of raising their children? Should society foot the bill? Or does justice favor an intermediate solution—richer parents subsidizing poorer ones, say?

At issue here is what Serena Olsaretti identifies as the defining question of *parental justice*: whether, and to what extent, a just society would require that nonparents share the costs incurred by parents in caring for their children.¹ Given the central role of child-rearing in human life—not to mention the magnitude of the costs—you might expect the question to attract attention from political philosophers of all stripes. As it turns out, debates about parental justice tend to unfold among writers who share a very specific and controversial assumption: that when people become parents through voluntary choices (as would occur in a just society), they are *presumptively responsible* for the ensuing costs. Parents made their choices, the thought goes; absent strong countervailing considerations, they must bear the consequences.²

This kind of *responsibility-based argument* is familiar. It forms the core of the “luck egalitarian” position in political philosophy, which holds that inequalities should be rectified just when they don't result from choices for which individuals are responsible.³ What is striking about the debate on parental justice is that, whether or not they are card-carrying luck egalitarians, all involved seem to take the responsibility-based argument seriously. Perhaps this stems from self-selection: the argument gives the question of parental justice a special bite, since it casts doubt on whether nonparents should contribute *anything* to child-rearing costs.⁴ Still, the outcome is that the issue of parental justice is typically approached from a rather narrow theoretical angle.

In what follows, I argue that this narrow angle has been a source of distortion, and that a fundamentally different approach to parental justice is needed. The responsibility-based argument is often presented as innocuous—not the whole picture, perhaps, but something that anyone who takes personal responsibility seriously must accept. This is doubly misleading. Despite what its proponents intimate, the argument reflects a broader understanding of the relation between voluntary choices and the demands of justice that is far from obvious. Moreover, the responsibility-based approach fails to acknowledge that the choices at stake in parental justice must be viewed in light of the complex role that human reproduction plays in a just society. Taken together, these two considerations suggest a need to rethink the standard approach. I explore how this might be done by defending a more positive claim, namely, that the literature on parental justice would benefit from a Rawlsian turn. To negotiate this turn, we must acknowledge that the significance of the choice to have children depends on the justice of the institutional background against which it is made—not the other way around. In short, we must turn the logic of the responsibility-based argument on its head. Doing so will require us to revise our understanding of the basic question of parental justice, and to attend to a broader set of considerations than the responsibility-based outlook allows. These are significant changes. The payoff, I submit, will be a picture of parental justice that more accurately reflects the complex role that child-rearing plays in human societies.

As this brief overview shows, I am setting for myself both a critical and a constructive task. Neither is straightforward, and each would arguably warrant an extended treatment on its own. As a result, my discussion will inevitably be selective at times. For instance, I won't attempt to show that the Rawlsian outlook I put forward is uniquely suited to addressing the issue of parental justice—only that it improves on approaches that rely on the responsibility-based argument.⁵ I proceed in this way because bringing together the critical and constructive tasks is essential to my overall argument, which calls for a fundamental reorientation of our thinking about parental justice.

Responsibility-based parental justice

I want to begin by considering a discussion that strikes me as particularly representative of the existing literature on parental justice: Olsaretti's influential attempt, in "Children as Public Goods?," to show that taking the responsibility-based argument seriously need not lead to radical cost-internalizing conclusions. I focus on this paper for two main reasons. First, it provides a sophisticated illustration of how conclusions are typically reached in the parental justice literature, and of how intuitively tempting the reasoning can be. Second, it calls our attention to the broader role that population renewal plays in a just society—an issue that is too often overlooked. Olsaretti takes a step in the right direction on this point, although as I explain below she doesn't quite follow the argument to its logical conclusion.

Olsaretti's discussion exemplifies the standard approach to parental justice in being squarely focused on the implications of the responsibility-based argument for the allocation of child-rearing costs. At first glance, as we saw above, the argument seems to lead in the direction of a radical cost-internalizing conclusion: insofar as parents voluntarily choose to have children, they should bear the ensuing costs. Olsaretti asks whether those who take personal responsibility seriously really have to accept such an uncomfortable conclusion.⁶ There is an obvious way to resist: you could try to show that the conclusion conflicts with values other than personal responsibility—the demands of gender justice, say, or the interests of children.⁷ As Olsaretti sees it, however, that would be premature. Before we can determine what may be required of parents and nonparents all things considered, we need to know exactly what the responsibility-based argument entails. Does it really show that cost-internalization is *pro tanto* required—that parents must bear the full costs of child-rearing, provided this doesn't undermine gender justice, children's rights, and so on? It is on this point that she wants to push back.

Olsaretti maintains that if we take account of all the relevant facts, we find that the responsibility-based argument doesn't support the cost-internalizing conclusion after all.⁸ To show this, she starts by considering an argument frequently invoked in the parental justice literature. It rests on two simple ideas. First, that children necessarily bring benefits to all members of society, including nonparents. Second, that in light of that fact, basic considerations of fairness demand that nonparents pay some of the costs of children. The first idea is commonly fleshed out by saying that the benefits that children generate constitute what economists call *public goods*—that is, goods from which everyone in the relevant group inevitably benefits.⁹ The second idea involves a *principle of fairness* usually traced back to H. L. A. Hart and John Rawls.¹⁰ On Olsaretti's construal, it

states that “if some people engage in a cost-incurring, benefits-producing cooperative scheme, it is unfair to free ride on them, and those who receive benefits have an enforceable obligation to do their fair share in maintaining, or bearing the costs of maintaining, the scheme.”¹¹ Combine the two ideas and you see that radical cost-internalizing conclusions rest on a truncated view of the role of children in society: since nonparents necessarily receive the benefits of parents’ having children, it’s only fair to require them to do their share in covering the relevant costs.

That all sounds promising—except that, as Olsaretti points out, the argument suffers from an embarrassing weakness: the central¹² benefits associated with parents’ having children are *not* public goods in the relevant sense. That would require the benefits to be *nonexcludable*—excluding noncontributors would have to be “either impossible or too costly.”¹³ This is plainly not the case for some of the key benefits associated with children: excluding nonparents from social programs that depend on contributions from the next generation may be morally questionable, but it is not *infeasible*. By contrast, paradigmatic cases of nonexcludable goods (national defense and clean air, say) inevitably benefit all who dwell on a given territory.¹⁴

The public goods argument doesn’t quite work, then, but Olsaretti has an elegant fix to propose. The main benefits that children generate may not be public goods strictly speaking, but in societies with a welfare state they are *socialized goods* in the following sense: “social and economic institutions are *intentionally so structured as to ensure that the product of parents’ labors is socially beneficial for everyone, including nonparents.*”¹⁵ That is why proponents of the responsibility-based argument are mistaken when they jump to radical cost-internalizing conclusions. Children are needed to sustain the institutions of the welfare state. As a result, parents inevitably benefit everyone by having and raising children; our political institutions are set up to make it the case. Demanding that nonparents contribute to the costs of child-rearing is thus only fair by the very logic of the responsibility-based argument—a matter of making sure they do their share to support the system they depend on.¹⁶

One way to put pressure on Olsaretti’s argument would be to question her interpretation of the principle of fairness. In this vein, Paula Casal and Andrew Williams argue that fairness requires nonparents to contribute to the costs of children only when parents specifically intend to incur those costs *for the benefit of others*. Since most people who have children do so for their own fulfillment (or something along those lines), Olsaretti’s conclusion doesn’t follow.¹⁷ She disagrees, although some have contended that this comes at the cost of embracing a version of the principle of fairness so broad as to have severely counter-intuitive implications.¹⁸ There would be more to say, but for our purposes we can set this dispute aside. It concerns how different interpretations of the principle of fairness—and certain empirical claims about the benefits parents generate—affect the implications of the responsibility-based argument for parental justice. I want to resist the dominant approach at a deeper level, by questioning the very idea that the responsibility-based argument has the significance that Olsaretti and her interlocutors claim for it.¹⁹

Taking a step back from the details of Olsaretti’s argument, what is most striking about her discussion of parental justice is its narrowness of focus. Her emphasis on viewing children as socialized goods would seem to call for a sustained examination of the

broader role of children and of human reproduction in a just society. But that is not how the argument unfolds. Olsaretti considers the costs and benefits associated with the choices made by parents and nonparents entirely in the abstract. The question, as she sees it, is what should count as a fair distribution of these costs and benefits *given the responsibility that the members of each group bear for their respective choices*. How benefits, burdens, and opportunities are otherwise allocated in the society in question doesn't enter into the equation. This is surprising. Whether a person has a complaint against the allocation of the costs of child-rearing in her society depends on a wide range of factors—how health care and education are paid for, how employment opportunities are distributed, how having children affects these opportunities, and so on. Can we really establish how the costs of raising children should be distributed between parents and nonparents without considering these broader societal factors?

To be fair, contributors to the parental justice literature—Olsaretti included—are aware of how narrow their focus is, and they don't see it as a problem. They don't aim to defend conclusions about what political institutions or individuals should do all things considered; only *pro tanto* conclusions about a specific aspect of justice—what we might think of as *responsibility-based parental justice*. So long as we bear in mind that conclusions reached in this way will need to be qualified when other values are brought into the picture, adopting a narrow focus is not problematic *per se*.

I am not so sure. Even if we stay on the surface, I worry that this fragmented approach endlessly defers questions that a theory of justice must confront—about the priority relations that may obtain between different parts of the theory and, in the case at hand, about how these priority relations could impact the conclusions that are reached when responsibility-based considerations are applied to issues of parental justice. Absent any worked-out view on these questions, we risk focusing on considerations that, although they *look* like they should feature in our final theory, turn out to be systematically crowded out.

And there is a deeper worry. The narrow focus that characterizes discussions of parental justice stems from the thought that the responsibility-based argument is an important part of—an important *input* into—the story about what justice demands regarding the allocation of the costs of children. After all, the thought goes, who could deny that people should be held responsible for their choices, so long as these are deliberate, informed, and so on? And who could doubt that, in a just society, the choice to have children would be deliberate and informed? Even in less-than-fully-just societies, people tend to approach the decision to have a child more deliberately, and with greater attention to remote consequences, than pretty much any other decision. If any choice is likely to have the agential qualities that support claims of personal responsibility, this has to be it.

I think we should be suspicious of this whole outlook. As I argue in the next section, the responsibility-based argument is far from innocuous. Moreover, as I claim in the subsequent section, regardless of the agential qualities that the choice to have children typically manifests, the context of parental justice gives rise to complications that defy the straightforward logic of the responsibility-based argument. To tackle questions of parental justice without brushing these complications under the rug, we will need to leave the responsibility-based argument behind.

The significance of voluntary choices

The responsibility-based argument rests on a conception of the significance of voluntary choices that calls for closer examination. For that purpose, I want to draw on an insightful discussion by Stephen White that offers a particularly illuminating articulation of the core idea underlying this style of argument.²⁰ According to White, what characterizes responsibility-based arguments is the simple idea that claims of responsibility are to serve as *independent inputs* into arguments about distributive justice—and that, accordingly, they can't depend on the outputs of such arguments. To assess the justice of a society, then, we must first determine what each individual is responsible for; only after and in light of that determination can we assess whether the distribution of resources is just. Since this amounts to viewing personal responsibility as strictly prior to the theory of distributive justice, White calls this general idea the *priority of private responsibility*.²¹

White emphasizes that we must be precise about how responsibility should be understood here—about *what* exactly is claimed to have priority. In particular, we should bear in mind that, as T. M. Scanlon has pointed out, when we say that someone is responsible for something, we can mean two very different things.²² A person may be responsible for an action in the sense that *the action can be attributed to her*, so that it constitutes an appropriate basis of moral appraisal. A judgment of responsibility in this sense leaves open whether the appraisal should be positive (praise, gratitude, etc.) or negative (blame, resentment, etc.); the claim is that the action fulfills certain agential conditions (for instance, that the person acted knowingly and deliberately)²³ that make appraisal of this kind appropriate. Call this *agential responsibility*.²⁴ Contrast this with a different sense in which we might say that someone is responsible for something, namely, that she must provide the thing in question, assume its costs, take care of it, or something along those lines. Judgments of responsibility in this sense are, as Scanlon puts it, “substantive claims about what people are required . . . to do for each other.”²⁵ Think of this as *substantive responsibility*.

To see why the distinction matters, consider a case in which you fail to drive your child to school because you fell into a temporary coma.²⁶ From the point of view of agential responsibility, your incapacity makes all the difference: the failure to drive your child to school can't be attributed to you, since it isn't connected to your agency. But it doesn't follow that getting the child to school isn't your substantive responsibility. If your neighbor had to hire a taxi to drive your child to school, asking you to pay for the fare isn't inappropriate; you are on the line for that cost even if you were in a coma when it was incurred. By contrast, it *would* be inappropriate for your neighbor to blame you if the incident made her miss a meeting, or to think less of you as a parent: those reactions only make sense if you were agentially responsible for failing to get your child to school.

With that distinction in hand, we can see why the responsibility-based argument is more controversial than it initially appears. To claim that parents, because they knowingly and deliberately chose to have children, are presumed to be responsible for the full costs of raising them is to view substantive responsibility as following straightforwardly from agential responsibility. It is to hold that, if we can show that a person fulfills the agential conditions for an action's being attributable to her, we have thereby shown that, absent countervailing considerations, she should internalize the costs generated by her action.²⁷

The problem is that, although agential considerations can be relevant to judgments of substantive responsibility in some contexts, the latter intuitively depend on a much broader range of considerations. What is more, as Scanlon emphasizes, substantive responsibility plausibly depends on considerations of a *fundamentally different kind* than those relevant to agential responsibility—such as how difficult it would have been for others to provide the agent with a better choice situation, or how burdensome it would be for them to bear some of the costs of the agent's decision.²⁸ If I make a poor choice under horrible conditions, and if these conditions could have been greatly improved at little cost to others, it doesn't follow that my choice was agentially problematic; I may have acted knowingly, deliberately, and so on. But it makes all the difference to what I can be held substantively responsible for. If others didn't do as much as they should have to place me in an acceptable choice situation, they may have to bear some of the costs of my questionable decision. To jump from claims about what choices people have made to presumptive conclusions about what costs they should bear, as proponents of the responsibility-based argument enjoin us to do, would be to ignore how agential and substantive responsibility answer to fundamentally different considerations.

You may think that the difficulty can be circumvented by bringing in conditions that go beyond those required for agential responsibility, strictly speaking, but that are still suitably uncontroversial—for instance, that the agent had other options, and that those options were good enough.²⁹ But that would just muddy the waters. What should count as good enough options plainly depends on our conception of distributive justice, so we can't make this move while maintaining the priority of private responsibility. And the same is likely to be true of other similar conditions that might be invoked here. Insofar as judgments of substantive responsibility depend on judgments of distributive justice, attempts to align the conditions for agential responsibility with those for substantive responsibility inevitably tend to undermine the priority of private responsibility. So there is a real complication here. The responsibility-based argument only makes sense if we take as our starting point a conception of agential responsibility. But how we can move from judgments of agential responsibility to conclusions about substantive responsibility while preserving the priority of private responsibility is far from obvious, despite what contributors to the parental justice literature tend to assume.³⁰

We now see how misleading it is to suggest that the responsibility-based argument stems from a simple idea that anyone who takes responsibility seriously must accept. If anything, it seems to turn on an equivocation between two importantly distinct types of responsibility. There may still be a way to make the argument work, of course, but the obstacles are considerable, and the result is unlikely to retain the air of inevitability that distinguished the original formulations. Moreover, even if such an interpretation were to be found, applying the argument to questions of parental justice would raise distinct problems, as I now want to argue.

Social reproduction as a public purpose

Olsaretti's claim that we should view children as socialized goods points us in the right direction: away from the notion that we should consider the choices of parents and non-parents in the abstract, and toward the thought that we must take into account the broader

social structures in which those choices are made. But once we start shifting our focus in this way, it becomes apparent that children play a much more fundamental role in a just society than the socialized goods argument lets on. And once we grasp that, we see that a viable approach to parental justice can't take the responsibility-based argument to be fundamental.

Olsaretti's argument would be unsatisfying if socializing the benefits of children was something we just happened to do, for no particular reason. That would leave unsettled whether we should share the costs of raising children or stop socializing the benefits. I take it that she agrees: part of what motivates her view is precisely the thought that we *must* socialize the benefits of children, because doing so is a condition of maintaining a functioning welfare state—something that, on any plausible view, we have excellent independent reason to do. The point may seem trivial, but it shows that her argument ultimately rests on a deeper understanding of the role that population renewal plays in a just society. Once we start thinking in these terms, however, it becomes unclear why we should restrict our focus to the institutions of the welfare state; after all, a society's interest in population renewal plainly outstrips its interest in maintaining a functioning welfare state. Let me explain.

To dispel the impression that the welfare state is essential to Olsaretti's argument, start by noting that its various institutions could in principle operate as intra-generational insurance schemes. People from a given generation could contribute to a fund and draw welfare benefits when needed; with an adequate savings rate, the next generation needn't come into the picture at all. The same could be done for pension funds.³¹ Note further that even societies with nothing like a functioning welfare state have a fundamental interest in population renewal. The reason is clear: given human biology as it currently stands (leaving aside how genetic modifications may alter the shape of human life in the future), a constant supply of children is essential to the functioning of society over time. Even if older generations don't need younger generations to pay for anything, they still need their *work*, since human beings commonly stop being able to work productively long before they die. Unless there is a generation of working age to produce the goods and services a person needs in her old age, it won't matter how much she has saved: there will be no one around to supply what she needs.

The point may seem contingent on existing (and fast-shrinking) limits to robots' capacities, especially when it comes to providing services. But even if robots did most of the work, our need for other human beings would persist. For one thing, barring a complete transformation of our psychology, our need for emotional support would continue to require other human beings—indeed, given the complexity of our emotional lives, a rich variety of human beings of different temperaments. Moreover, people of working age will always be needed for the functioning of political institutions. Many aspects of the state apparatus can, and in some cases should, be robotized (the delivery of speeding tickets, for instance). But it's hard to see how a just society could do without human beings to act as judges or as political representatives.

We must also bear in mind an important point that has been powerfully articulated by Samuel Scheffler in his recent work: that it's unclear whether forming a capacity to develop a conception of the good—and hence leading a minimally meaningful life—would even be possible absent the expectation that further generations of human

beings will come after us.³² This isn't just because so many projects (searching for a cure for cancer, say, or writing a novel) explicitly aim to bring about some benefit for people in the near or distant future. It's also that our very sense that our lives can be worthwhile seems to depend on the belief that human life will go on at least for the foreseeable future. On this point, Scheffler follows P. D. James in viewing a world in which people were unable to conceive children—in which humanity became extinct by the day—as one in which we would lose the emotional ability to lead lives we see as meaningful.³³ If this is correct, then shutting down society would not only make it impossible to keep just institutions running; it would obliterate the point of having such institutions in the first place.³⁴

All this points to a familiar conclusion: a just society must be treated as an open-ended endeavor over time. There is simply no acceptable alternative to viewing political society “as a scheme of cooperation over time indefinitely,”³⁵ to borrow Rawls's phrase. Any other approach would lead to a predictable and avoidable breakdown of the very fabric of society, and threaten to destroy our ability to lead lives that we perceive as meaningful.

In the context of Olsaretti's argument, this could be taken to show that some crucial benefits associated with children (the continuance of society over time, most notably) *are* public goods after all, since they are nonexcludable in the relevant sense. To be fair, she doesn't deny this: her claim is only that certain *particularly significant benefits* should be viewed as socialized goods.³⁶ But what's at stake at this juncture is not whether the benefits associated with children are public goods or not. That question only appears central if you accept the responsibility-based argument in the first place. The present point cuts deeper. It shows that the reproduction of society over time is a purpose that is mandatory for *any* just society; it is what we might call a *public purpose*. And since children are needed for the reproduction over time of our social structure as a whole, not just for the continued functioning of the highly specific (and recent) part of that structure that is the welfare state, parents clearly have an essential role to play in our collective pursuit of this public purpose.³⁷ The hard work they do in raising children is, as Rawls puts it, “socially necessary labor.”³⁸

This, I submit, is where we end up if we follow Olsaretti's reasoning to its logical conclusion: not with the thought that children are public or socialized goods, but with the much more fundamental thought that the role of parent is essential to the maintenance and reproduction of just institutions over time. Discussions of parental justice tend to pay too little attention to this idea. Admittedly, they make room for a related thought: that the duties of nonparents toward parents will change depending on whether children are needed or not, and hence on whether having children serves the public purpose of social reproduction over time or not.³⁹ But the claim that social reproduction is a mandatory purpose for any just society supports stronger conclusions. It entails that this is a purpose that we, collectively, *ought* to pursue. And, crucially, it means that individual choices that stand to contribute to this purpose occupy a distinctive position in a just society: they are choices that involve, and must be answerable to, the interests of all, not just private choices answering to a person's private interests.

These considerations show that the logic of the responsibility-based argument is particularly ill-suited to the context of parental justice. Treating the choice to become a parent as an independent input into our theory of distributive justice when it is so

tightly interwoven with society's most fundamental interests is just too simplistic. We need to acknowledge that choosing to have children is not just another choice for which individuals may or may not be held responsible, but rather a choice that is essential to the continued existence of a just society over time. In the next section, I try to provide a sense of what a theory that takes this line of thought seriously might look like. I introduce a Rawlsian approach to parental justice that squarely rejects the priority of private responsibility. And I make the case that it is precisely because it rejects the priority of private responsibility that the account is able to integrate, in a way that responsibility-based accounts fail to do, the complex web of considerations that determine the respective substantive responsibilities of parents and others regarding child-rearing.

Rawlsian parental justice: An outline

The issue of parental justice can look like a non-starter on a Rawlsian view. The very idea that children's claims of justice are held primarily against their parents, not against society as a whole, may seem like a misguided attempt to reinterpret questions of justice, which concern what we owe each other collectively, along lines more suited to tort law. What's more, the fact that individuals voluntarily choose to become parents can't have the foundational importance that the responsibility-based argument claims for it. Individual choices are significant in a Rawlsian framework as well, of course, but their significance is a function of the justice of the institutional background against which they take place. The primary focus must therefore be, not on the different choices that parents and nonparents have made, but rather on what a just institutional background would look like.

This isn't to say that the Rawlsian framework leaves no room for parental justice, but it requires a different construal of the issue. Start by noting a point that shouldn't be controversial: being a parent amounts to occupying a certain *social position*—a position defined in part by shared expectations and social norms, but also, crucially, by the various political institutions that codify the rights, duties, and responsibilities of parents. In Rawlsian terminology, we can say that the different social and political institutions that constitute the basic structure of society work together to define the social position *parent* in a specific way.⁴⁰ The institutions that are relevant here range broadly. They include family law and the school system, but also the health care system, employment law, housing rights, and welfare policy—in short, all aspects of the political and legal system that determine what it's like to be a parent. The fundamental question of parental justice, on a Rawlsian view, concerns how these institutions should be set up. In short, we need to ask: *how should a just society define the social position parent?*

At first glance, this may look like a less explicit restatement of Olsaretti's question, but note how the underlying perspective has changed. We no longer assume that the agential responsibility that parents bear for their choice to have children must play a foundational role in our reflection—that it must act as an independent input. Nor do we assume that parents are on the line to pay until proven otherwise (with the burden of proof on those who claim that parents' choices have consequences entailing that others can't complain if they have to share the costs). Nor are we tempted to think that the fundamental question of parental justice must be posed in terms of the contrasting obligations of

two groups: those who have made the fateful choice to become parents, and those who haven't. Once we acknowledge that the significance of individuals' choices depends on the justice of the institutional background against which they are made, the nature of our inquiry is radically altered. We see that the first question of parental justice is not what responsibility parents should bear for their choices, but rather how a just institutional order would define the rights, duties, and responsibilities of parents. Indeed, we see that there is simply no independent answer to the narrow question that proponents of the responsibility-based approach raise. We must start with a question that is both broader and more open-ended: how the social position *parent* should be defined *taking all the relevant considerations into account*.

What are the relevant considerations? We can think of them as falling under two main headings: the *aims* that the social position should serve, and the various *objections* that individuals can present against different possible ways of construing the position, based on how their interests would be affected.⁴¹ The substantive responsibilities of parents and of society at large regarding child-rearing will depend on all these factors—not on a conception of agential responsibility that is somehow prior to them. That's the fundamental shift in perspective.

In the previous section, we saw the central aim that the social position *parent* must serve in a just society: the reproduction of its scheme of cooperation over time. As I pointed out, the parental justice literature tends to ignore that issue, since it plays no role in typical applications of the responsibility-based argument to the choices of parents and nonparents (except maybe to determine whether additional children constitute "benefits" or not). But on a Rawlsian view, the idea is central: what counts as a just definition of the social position *parent* must be informed by what can allow society to achieve its aim of social reproduction.⁴² Those with Rawlsian sympathies may find the point obvious, but it has ramifications worth laying out.

Justice doesn't merely require that there be a next generation in some form; it requires that there be a next generation of a size that allows just institutions to be sustained and further improved.⁴³ It therefore demands a rate of population renewal that falls within a certain range. This shouldn't be controversial. If the rate is too low, there won't be enough productive agents to sustain existing institutions, which will then deteriorate or even collapse. If it's too high, institutions will be unable to cope, leaving citizens without reliable access to the basic services that a just state must provide—health care, education, and so on.⁴⁴ To remain just, a society must achieve a renewal rate that falls between these two extremes, within what we might call the *permissible range*.

On this picture, if renewing the population at a certain rate is mandated by justice, then it's legitimate for the basic structure to define the social position *parent* to ensure that just enough people decide to take on that position to produce (roughly) the required number of children. What this looks like exactly will depend on the context. In our present circumstances, with environmental collapse looming, it seems plausible that justice requires that we aim to limit population growth as much as we can without triggering societal breakdown.⁴⁵ Apart from choosing the means to that end, there is little room for discretion. In more favorable conditions, however, societies may have genuine choices about where their renewal rate should fall in the permissible range—either because the range is wide, or because their epistemic situation is such that

different rates can reasonably be thought compatible with the maintenance of just institutions for the foreseeable future.

How should decisions about the renewal rate be made in such circumstances? You might think that so long as the rate of population renewal is expected to remain within the permissible range, it should be left entirely up to each individual to decide how many children to have. But when the permissible range is wide enough that variations within it can make a significant difference to the quality of life of citizens and of their descendants, such a *laissez-faire* approach runs into at least two serious difficulties.⁴⁶ First, it fails to give citizens an equal say in a matter of great importance, since the “vote” of the person who chooses not to have children is outweighed by the multiple votes of the person who chooses to have seven or eight. Second, the approach gives rise to a collective action problem: since no single individual has a measurable impact on a country’s birth rate, anyone who wants to have an extra child can tell herself (correctly) that it makes no difference whether she does. Indeed, she may view the choice as entirely rational even if she would prefer the population renewal rate to be lower, and even if she would enthusiastically vote for policies promoting such a result. This risks yielding a renewal rate that satisfies no one.

In light of these problems, we need to ask whether anything can be done to guide reproductive decisions—beyond conducting advocacy campaigns or writing strongly worded letters to the editor. One alternative seems particularly plausible. When the permissible range is sufficiently wide for decisions to be meaningful, they could be made by the people *collectively*, in accordance with the ideal of democratic decision-making. How exactly that ideal should be construed is a notoriously difficult question.⁴⁷ But if we grant that there is such a thing as legitimate democratic decision-making (something that, for all the worries about specific arguments, very few people deny), its deployment in the present case should not be particularly problematic. Given the significance of the issue, and given the shortcomings of the *laissez-faire* approach, deciding democratically whether we should favor a higher or a lower rate of population renewal within the permissible range seems entirely appropriate.

There are obviously constraints on the means that may be used to achieve the democratically chosen rate. If the rate will remain within the permissible range in any case, measures that severely curtail individual choice—by prescribing a minimal or maximal number of children per couple, say—are unjustifiable. But this leaves open other possibilities. For instance, the state could use financial incentives to achieve the democratically chosen rate of population renewal, raising or lowering the costs associated with having children as needed.⁴⁸ That would acknowledge that some people want children more than others, and that they may reasonably choose to make greater sacrifices to achieve their goal.

None of this should be controversial, but note how far we have moved beyond responsibility-based discussions of parental justice. We are saying that the costs of having children can justifiably be raised or lowered based on a democratic decision that selects a certain rate of population renewal from the range of possible rates allowed by justice. This sits very uneasily with the claim that the costs of raising children should be determined in accordance with the agential responsibility of parents and non-parents for their respective choices. Perhaps there is no contradiction, strictly speaking—

once again, the claim was only about the demands of *responsibility-based parental justice* narrowly construed, which can be outweighed by other values. But there is still a deep tension. It would be odd to think that the costs of parenting can be adjusted based on discretionary democratic aims to influence the choices of would-be parents, and at the same time to think that these choices should act as an independent input for parental justice. Once we take seriously how a just society is entitled to define the conditions of parenting to achieve its goal of social reproduction, and even to modify these conditions to achieve the democratically favored conception of the goal in question, the idea of the priority of private responsibility looks distinctly out of place.

That we have moved well beyond a narrow focus on responsibility is further confirmed when we turn to the other main heading under which the considerations relevant to defining the social position *parent* fall: the various objections that can be made, from the relevant representative points of view in society, against different possible construals of the position. I hinted at one such objection already: a measure imposing a maximal number of children would, except in the most extreme circumstances, give rise to the objection that it unduly restricts people's freedom. There would be many other possible objections to consider. Indeed, what I want to emphasize here is that the objections will be quite diverse, much more so than a responsibility-based outlook can countenance. The relevant objections may stem from each of the different positions that individuals can occupy in society. And they may be directed at any part of the basic structure that contributes to defining the social position *parent*—and hence at institutions as diverse as family law, the school system, the health care system, welfare regulations, and so on.

A complete theory of parental justice would offer a detailed account of the kinds of complaints that individuals can raise against different ways of defining the social position *parent*, taking into account the various points of view from which the complaints arise and the different institutions at which they can be directed. In light of these complaints, it would put forward a positive account of how the social position should be defined in a just society. In the present context, I can only provide a general sense of what such a theory would look like by saying a few words about the main points of view from which the relevant objections can be made. This will bring out how the Rawlsian outlook allows us to paint a more satisfyingly complex picture than responsibility-based discussions of parental justice.

It makes sense here to start with the point of view of children, since their interests are most directly and deeply affected by how the role of parent is defined. This may seem obvious, but it points to a possibility that the literature on parental justice tends to underplay: that taking the interests of children seriously could lead us to rethink radically what it means to be a parent. Different issues need to be considered in this connection, including complex questions about the extent to which it is in the interest of children to have adults other than their parents play central roles in their lives.⁴⁹ We must also take note of the various arguments put forward by radical thinkers who call into question the role of the traditional family.⁵⁰

Rawls himself wonders (albeit briefly) if his theory of justice might end up requiring that the family as we know it be abolished.⁵¹ This should not be surprising: there are inevitably tensions between the institution of the family and the demands of distributive justice—or, more broadly, between the rights and responsibilities of parents and the

demands of justice as they pertain to children as citizens in becoming. To take an obvious example, an unrestricted right to bequeath property to one's children would be in tension with the demands of distributive justice, and also with what Rawls calls the fair value of political liberties.⁵² There is also the problem that most concerns Rawls: the tension between the unequal conditions to which children are inevitably subject in their different familial contexts and the demands of fair equality of opportunity.⁵³

This is not the place to adjudicate these thorny issues. They turn on complex empirical questions that are beyond the purview of the present discussion. Moreover, addressing them would require a detailed account of our broader theory of justice.⁵⁴ For our purposes, the crucial point is that some of the most important considerations restricting what can count as an acceptable definition of the social position *parent* will be grounded in the interests of children. Given the magnitude of what is at stake for children, we must take these considerations into account before asking what complaints would-be parents and nonparents may have about how the role of parent is defined. Indeed, we should be open to the possibility that a fuller understanding of the interests of children could demand that the duties and responsibilities of parents and nonparents change beyond recognition.

Once "child-centric" considerations have been duly taken into account, we must ask how the definition of the social position *parent* should acknowledge the claims of citizens as *potential parents*. This brings us closer to the main concern of the existing parental justice literature, although we are coming at it from a very different angle. We are not assuming that whether anyone has a valid complaint against a given construal of the social position *parent* turns on the agential responsibility that parents and nonparents bear for their respective choices. We are asking, much more generally, how individuals' life prospects are affected by the way the relevant social position is defined, and whether anyone has a valid complaint against *that*. This framing of the issue acknowledges that the choice to become a parent (or not) is made against a particular institutional background that includes a specific way of defining the social position *parent*. It is therefore not primarily qua parent or nonparent that a person will voice her complaints; it is qua *individual whose life prospects are affected by the way the social position is defined*.

I don't mean to imply that contributors to the literature on parental justice view parents and nonparents as fixed groups (in the way that gender or racial groups can be viewed as fixed, say).⁵⁵ It would be more accurate to say that they view parenting as a certain kind of labor that can benefit society (or not), and that their focus is on who should bear the costs associated with that labor, given the choices made by parents and nonparents.⁵⁶ However, this still focuses our attention in the wrong place. A person's choice to do the labor associated with being a parent will be made in light of how her society defines the duties and responsibilities of parents and nonparents. The primary question therefore remains: what objections does she have to different ways of defining these duties and responsibilities as *someone who will face that choice*?

What then are the main objections that can be voiced by citizens from that point of view? They fall into two predictable groups, which we can identify broadly as *objections against making the conditions too good for parents* and *objections against not making the conditions good enough*. Given the heavy burdens that contemporary societies typically place on the shoulders of parents, objections falling in the first category may not seem

particularly pressing. But, in principle at least, there can be valid objections against making conditions too good for parents. Think for instance of how the position *medical doctor* is defined in Canada and the United States. Yearly income for everyone from general practitioners to surgeons is much higher than what is needed to attract the best talent, with the result that scarce resources are diverted away from important societal needs, both within and outside the health care system. The most obvious complaint against this is grounded in considerations of *efficiency*: the goods provided by medical doctors could be produced at a lower cost to society, thus freeing up resources to produce other essential goods.⁵⁷ A similar complaint would hold against making the conditions for those who choose to become parents so good that people would gladly do it, in numbers sufficient for society's purposes, under considerably less favorable conditions. Note however that, in contrast to how things are typically presented in the existing literature on parental justice, this would *not* be a complaint of nonparents against parents per se. The complaint could be voiced from the point of view of any representative citizen, since the inefficiency would deflect resources away from the satisfaction of other important societal needs.

Turn now to complaints against not making conditions good enough for parents. Those have a stronger resonance, since human societies are always tempted to exploit the fact that some people will want to have and raise children regardless of how bad the conditions are for doing so. As a result, conditions for all but the richest parents tend to be very bad. The complaints on this front range widely; here I simply note some of the most pressing. To start with the most obvious, anyone expected to shoulder a disproportionate share of the costs of child-rearing because of their gender—as has been the case for women in virtually all human societies—has a serious complaint.⁵⁸ There are also strong objections to any definition of the social position *parent* that leaves some people unable to afford having children at all, or that demands unsustainable personal sacrifices. And even if no one is outright excluded in this way, serious complaints may remain—for instance, when the choice to have children comes at the cost of major career penalties, or when it forces one to choose a career on purely financial grounds.

Many of these complaints echo the worries on which the existing parental justice literature focuses, but with a crucial twist: at a fundamental level, the complaint a person has against an unfavorable definition of the social position *parent* is simply that *society is not placing her in a sufficiently good position with respect to the possibility of choosing to become a parent*. Whether the complaint is valid thus depends, not just on the specific costs that parents are expected to bear, but also on how the whole structure of society is set up—including, for instance, what opportunities individuals have in terms of education and income. It also depends on what conditions society *can* provide for parents at an acceptable cost to all its members. How the costs in question track the agential responsibility that parents and nonparents bear for their respective choices is simply not on the table.

In this context, it is not particularly helpful to think of the complaint as directed by parents against nonparents, or even by would-be parents against would-be nonparents, since its target is not specifically the allocation of costs as between these two groups. It needn't matter to less fortunate would-be parents if childcare is subsidized by taxing everyone, or only by taxing rich parents, or if the issue is addressed by changes elsewhere

in the economic structure. Any complaint they have ultimately stems from the way *the basic structure as a whole* defines the social position *parent*, and from the fact that, given how things are set up, the costs they would have to incur to occupy that position are prohibitive. Objections falling under this heading can be extremely powerful, but they don't sound in the narrow considerations that are privileged in responsibility-based accounts of parental justice. They are objections against society as a whole, grounded in what we collectively owe each other.⁵⁹

Conclusion

I don't claim to have offered a comprehensive account of the considerations relevant to defining the role of parent in a just society; nor have I explained how these considerations might be integrated into a coherent outlook. In that sense, we remain far from the level of complexity that a theory of parental justice would need to achieve to take full account of the place that child-rearing occupies in our societies. What should be clear from the foregoing discussion, however, is that justice has much to say about how we should define the social position *parent*. That should suffice to motivate moving beyond the responsibility-based outlook, toward something more like the Rawlsian approach I have outlined.

We saw that the key ideas animating responsibility-based arguments about parental justice are straightforward. You start by considering the agential responsibility of parents and nonparents. You then take the extent to which parents are agentially responsible for having children to create a strong presumption that they are substantively responsible for the full costs of child-rearing. Perhaps you find that, in light of the full facts, the presumption doesn't hold after all—because children are public or socialized goods, for instance. Or perhaps you find, at a later stage in your argument, that the claims of responsibility-based justice are outweighed by other considerations—the demands of gender justice, say. But the foundational role of agential responsibility remains.

I argued that there are general grounds for doubting that we can move seamlessly (as responsibility-based arguments presuppose) from claims of agential responsibility to conclusions about substantive responsibility, because the two forms of responsibility answer to fundamentally different considerations. I also highlighted reasons to be skeptical of the move specifically in the context of parental justice. As we saw, given the wide range of considerations that are relevant to the definition of the social position *parent* in a just society, it is unclear how the responsibility-based line of reasoning could get off the ground. A person who decides to become a parent is making that choice in light of how the social position is defined in her society. She is likely responding to incentives that were put in place following a democratic decision to increase or lower the birth rate. In light of that, it seems odd to turn around and say that, by voluntarily choosing to have children, she agrees to take on the duties and responsibilities of parenting as defined by her society *whatever those might be*.

The upshot, I submit, is that we ought to reject the priority of private responsibility in the context of parental justice, and turn our attention to the broader question of how a just society should define the social position *parent*. Addressing that question will require taking into account a broad range of factors: the legitimate interest of a just society in

social reproduction over time; the interests and rights of children, and how these shape the duties and responsibilities of parents; and the claims that individuals can make against their society based on their interest in becoming a parent (or not). In a just society, the choice to become a parent would be made against an institutional background reflecting the significance of all these considerations. The task ahead for those who share my sense that we need a more Rawlsian theory of parental justice is to think more concretely about what such an institutional background would look like.

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Notes

1. See Olsaretti (2013: 227) and (2017: 153).
2. For arguments along these lines, see notably Rakowski (1993: 152-54); Casal and Williams (2004); Clayton (2006: 69); Steiner and Vallentyne (2009: 66-68).
3. The phrase “luck egalitarianism” goes back to Anderson (1999). Seminal discussions include Dworkin (2000: chap. 1 and 2); Cohen (1989); Arneson (1989). For a detailed discussion of these views and of some more recent variations, see Lippert-Rasmussen (2016).
4. See Olsaretti (2013: 227).
5. A different alternative to responsibility-based views that would need to be discussed in a longer treatment of the subject is the Marxist line of argument stressing the importance of viewing

parenting as productive work. For an informative critical discussion of the recent literature on this point (and an interesting case that Marx's own writings contain a more satisfactory treatment of the issue of social reproduction than is usually assumed), see Cammack (2020). I am grateful to an anonymous reviewer for stressing the relevance of the Marxist literature to the question of parental justice.

6. See Olsaretti (2013: 226-29). Despite the framing of Olsaretti's discussion, the claim she goes on to defend—that we should view the benefits of children as “socialized goods” (on which more below)—does not itself presuppose a responsibility-based outlook. She sees it as essential to a proper understanding of the implications of the responsibility-based argument (which is what she focuses on in her discussion). But it could be relevant to very different conceptions of parental justice (indeed, the Rawlsian view I outline below could be seen as taking on board some of her insights while unmooring them from the responsibility-based argument). I am grateful to Olsaretti for clarifying this point in correspondence.
7. Appeals to the interests of children can be made within a responsibility-based outlook, but they remain orthogonal to the question of parental justice as Olsaretti understands it, which concerns how costs are to be allocated *as between parents and nonparents*. Applying responsibility-based arguments to the situation of children will obviously have strongly egalitarian implications, since for them everything is a matter of circumstance, not choice (see Caney, 2005: 111-12). But parental justice could still dictate that parents pay for the full costs of their children *provided they have the means to do so*.
8. To be more precise, her view is that the responsibility-based argument lacks determinate implications absent what she calls “a *principle of stakes*, that is, an account of what consequences can justifiably be attached to features that are the appropriate grounds of responsibility” (Olsaretti, 2009: 167). Her argument in “Children as Public Goods?” can be seen as an attempt to articulate a principle of stakes for parental justice. In that sense, it is intended as a contribution that is internal to the logic of the responsibility-based argument—a contribution that, in her words, “amounts to fleshing out the demands of responsibility rather than imposing limits on those demands” (2009: 167). I am grateful to Olsaretti for stressing this point in correspondence.
9. See Folbre (1994).
10. See Hart (1955); Rawls (1999a: §18).
11. Olsaretti (2013: 238).
12. This qualification is important; see *ibid.*, 248n42 and footnote 36 below.
13. *Ibid.*, 248.
14. See *ibid.*, 250.
15. *Ibid.*, 252.
16. I assume for present purposes that even someone who never actually needs the services of the welfare state still depends on the protection that it offers.
17. See Casal and Williams (2004).
18. For Olsaretti's argument against Casal and Williams, see (2013: 240-47). For an argument that her interpretation of the principle of fairness is implausibly broad, see Hohli (2020). For Olsaretti's rejoinder, see Olsaretti (2022).
19. Although I set aside disputes concerning the interpretation of the principle of fairness, I do want to note that the principle that Olsaretti invokes differs substantially from the one that Rawls defends. For Rawls, the principle of fairness doesn't play a role in establishing what the

demands of justice are, or what individuals can be coerced into doing. It is a principle that applies to the voluntary actions of individuals *in a just society*. It states that if an institution is just (according to the principles that apply to it), and if one has voluntarily accepted its benefits, then fairness demands that one voluntarily do one's part as defined by its rules (see Rawls, 1999a: §18). General considerations of fairness play a role in determining what the demands of justice are (or, in Rawlsian terminology, what the parties in the original position can agree to), but the principle of fairness applies downstream from this.

20. See White (2025).
21. The phrase comes from Hurley (2011). Hurley uses the phrase to denote an idea that differs slightly from the one White articulates. I follow White.
22. See Scanlon (1998: chap. 6).
23. I say "for instance" because these are not necessary conditions, strictly speaking: certain omissions (forgetting an anniversary, for instance) may also warrant the relevant moral reactions. On this, see Scanlon (2015: 97).
24. Scanlon speaks of "responsibility as attributability" (1998: 248). For a slightly different characterization of this kind of responsibility, see Scanlon (2015: 89).
25. Scanlon (1998: 248).
26. The example is from Scanlon (2006: 76).
27. To be clear, the claim is not that the relation between agential and substantive responsibility is one of simple logical entailment. People who defend the connection described in the text see themselves as making a substantive normative claim about how the two forms of responsibility are related, although they do tend to present the claim as uncontroversial. Thanks to Pablo Gilabert for pressing me to be more precise on this point.
28. See Scanlon (2006: 76).
29. These are sometimes presented as conditions on agential responsibility, but I follow Scanlon in thinking that a lack of options does not block attributability; it simply changes what can be attributed to the agent. Choosing to give you money because I am moved by your predicament and choosing to do so because you are holding a gun to my head are very different actions, with different moral consequences, but they can both be things I do knowingly, deliberately, and so on. See Scanlon (1998: 279-80) and (2015: 99).
30. To her credit, Olsaretti takes this complication seriously. As I interpret her argument in "Responsibility and the Consequences of Choice," it shows precisely the need for a principled way of moving from judgments about agential responsibility to conclusions about substantive responsibility (see 2009: 167-73). She doesn't defend a specific principle in her discussion, but she seems confident that one could be found. I am inclined to think instead that the complications she articulates show that the responsibility-based approach isn't really viable. Defending this broader point would take us too far afield, but I refer the reader to White's discussion, which presents a detailed (and, to my mind, persuasive) argument against the priority of private responsibility. In a nutshell, he first shows that an agent cannot possibly be substantively responsible for *all* the consequences of her choices (for instance, it can't be true that by deliberately choosing to go on a walk when it's windy I forfeit my claim to help if a falling branch hits me). He then goes on to argue that attempts to restrict what the agent is responsible for—in terms of what outcomes are foreseeable, or of what it would be prudent, reasonable, or moral for the agent to do in the circumstances—either can't do the work, or

turn out to be incompatible with the ideal of personal responsibility that was supposed to make the responsibility-based argument attractive in the first place. See White (2025: 114-23).

31. Olsaretti acknowledges this point but minimizes its import by stressing that all welfare benefits are funded by children in any case, since everyone is *someone's* child (see 2013: 251). But if the next generation isn't needed to keep the welfare state afloat, then why would the fact that every current contributing member of society is someone's child imply that I have to support would-be parents? Their efforts are (by hypothesis) not needed to sustain the welfare state as far as I am concerned. For a slightly different line of argument against a narrow focus on the welfare state in this context, see Blanc and Meijers (2020).
32. See Scheffler (2016).
33. See James (1992). Scheffler's argument here is basically an exercise in imagination about what our reaction to such a situation would be, so there is room for disagreement. Like him, however, I find it overwhelmingly plausible that "such a world would be characterized by widespread apathy, anomie, and despair; by the erosion of social institutions and social solidarity; by the deterioration of the physical environment; and by a pervasive loss of conviction about the value or point of many activities" (2016: 40). There is of course the additional question of whether these emotional reactions would be *rational* (a question pressed notably by Susan Wolf in her comments on Scheffler's discussion, also included in the book). But for present purposes it is the conjecture about the probable emotional impact that is relevant. It is possible that *some* people could sustain a sense of meaning in the world James imagines, but that would require either a very rare psychological disposition or, more likely, some kind of religious belief (in the afterlife in the traditional sense, for instance). In any case, given the central importance of the capacity to develop a conception of the good, it would be an abject failure of justice to allow social conditions to develop in which the vast majority of human beings cannot sustain a sense of meaning unless they adopt a conception of the good involving very specific (and otherwise highly controversial) religious beliefs. I am grateful to an anonymous reviewer for pressing me on this last point.
34. Here I am echoing Rawls's well-known remark that "while justice draws the limits, . . . the good shows the point" (1993: 174).
35. Rawls (1999b: 595). He goes on to say that "the idea of a future time when its affairs are to be concluded and society disbanded is foreign to the conception of political society. Thus, reproductive labor is socially necessary labor" (ibid., 595-96). This is very much in the spirit of the point I am making here (although I wouldn't say that the possibility of disbandment must always be *foreign* to the theory of justice, but rather that it could be entertained only in response to catastrophic circumstances; the primary question must be how a just scheme of cooperation can exist over time indefinitely).
36. See Olsaretti (2013: 248n42). Olsaretti focuses on the role that children play in maintaining the welfare state because she thinks this provides a particularly uncontentious starting point for her argument (see ibid., 259-60, where she also mentions that Scheffler's argument could be the potential starting point for a further argument).
37. I am assuming here that the need for new members translates into a need for children. Of course, from the point of view of a single society in a multi-state world, having children is not the only way to add new, younger members. Another possibility is to adopt children from other countries. This is arguably the morally preferable option for citizens of rich countries as things stand, but it does not really make a difference here: whether people have their

- own children or adopt, they are raising and educating children and (one hopes) turning them into contributing members of society. In doing so, they incur significant costs (in time, money, and foregone career opportunities), so questions arise about the allocation of those costs and of the associated benefits. Yet another possibility would be to rely on a supply of adult immigrants who bring their skills and their willingness to work along with them (as Australia, Canada, and the United States already do to a significant extent). In principle, this could allow for population renewal without child-rearing, but since the approach is necessarily exceptional and parasitic, it does not alter the broader picture.
38. Rawls (1999b: 595-96). I am grateful to an anonymous reviewer for stressing the importance of this way of putting the point.
 39. See esp. Casal and Williams (2004: 160-64).
 40. On the basic structure, see Rawls (1999a: §2).
 41. This way of framing the inquiry is perhaps broadly Rawlsian rather than orthodoxly so. For one thing, contrary to Rawls's own interpretation of the original position, I don't appeal here to an idea of rational choice behind a veil of ignorance (see Rawls, 1999a: §4). Instead, I take on board Scanlon's interpretation of the original position, according to which the fundamental question is not what it would be rational for a single person to choose from behind a veil of ignorance, but rather what objections can be made from the different representative points of view in society (Scanlon, 2003: 146). I follow Scanlon in thinking that this construal better captures the spirit of Rawls's theory (cf. Cohen, 2015). A further point on which my approach may seem to diverge from Rawls's is that I don't attempt to apply his two principles of justice to the definition of the social position *parent*. I don't think that could be a fruitful approach. As Rawls repeatedly stresses, the two principles are intended to apply to the basic structure *as a whole* (1999a: 6-7; 2001: 10-12). What their implications are for particular institutions that are part of the basic structure is a complicated matter (see Scheffler, 2015). In the present case, I submit that we do better by looking directly at the objections that can be made against different ways of defining the role of parent. Besides, we can't determine the requirements of justice that apply to a specific institution unless we understand what justifies its inclusion in the basic structure—which in turn will depend on the aims that it is intended to serve.
 42. See once again Rawls (1999b: 595-96).
 43. Cf. *ibid.*, 596.
 44. The problem runs particularly deep when the education system is concerned: if members of the next generation aren't socialized as a just society requires, then they can't play their part in upholding the cooperative scheme.
 45. For a detailed case that we have largely failed to appreciate the radical moral implications of climate change, see Conly (2016).
 46. I am assuming here that some costs that are worth taking seriously in our decision-making—for instance, the unpleasantness that comes with a country's being more crowded than would be ideal—need not amount to injustices. Some maximizing conceptions of justice may be incompatible with this assumption.
 47. For a sense of the many difficulties that traditional arguments for democracy run into, see Kolodny (2014).
 48. One objection to such an approach is that it affects poorer would-be parents more than richer would-be parents, and hence raises concerns of equality. This is not a serious problem. Presumably, it would not arise in a just society, since the gap between rich and poor would

be much narrower than what we are accustomed to. And even leaving that aside, the point just shows that a cost-varying approach must be designed so that the costs that parents have to bear take wealth into account. Thus, if the goal is to reduce population growth, the rich should be made to pay for the full, unsubsidized costs of their children (or even more, if that's what it takes for the incentives to kick in) while the less fortunate should pay only for a share of the costs (again, so long as that allows the incentive structure to operate as it should).

49. See Gheaus (2011).
50. For an example that stresses how society largely takes over the traditional role of the family in an Israeli *kibbutz*, see Spiro (1954).
51. See (1999a: 447-48). Perhaps unsurprisingly, Rawls decides against the possibility of abolishing the family, but he leaves open many questions about the exact form that the family should take in a just society (see 1999b: 596n60). On this issue, see Munoz-Dardé (1999).
52. See (1999a: §36).
53. See *ibid.*, 447-48. For a statement of the fair equality of opportunity principle as Rawls understands it, see *ibid.*, 63.
54. Rawls's view is that the tension between the family and fair equality of opportunity is resolved by other aspects of his theory (see *ibid.*, 448). The suggestion is underdeveloped—and almost certainly in need of qualification—but he is surely correct in thinking that we must pay attention to how the different components of our theory of justice work together.
55. On this point, parental justice differs fundamentally from branches of justice that are concerned with the treatment of individuals sharing a specific personal trait (belonging to a certain gender or race, say, or having a certain disability). Objections voiced by women qua women don't concern how a specific social position is defined, since being a woman is not a social position defined by the basic structure in the relevant sense (it is not a social position that one chooses to occupy or not). Rather, these objections should be understood as concerning how the various social positions that the basic structure defines (*parent, doctor, member of parliament*, and so on), and that people can choose to occupy or not, affect the life prospects of women. The same goes for objections voiced by members of racialized communities, persons with disabilities, and so on. These branches of justice thus address questions that are fundamentally different in form from the question of parental justice, which (as I interpret it) *does* concern the definition of a specific social position—a definition that, once again, must take account of the objections that can be voiced from all relevant points of view, including the points of view of persons of different genders, races, and so on.
56. See for instance Olsaretti (2013: 252).
57. This is the most weighty complaint, but there are others—for instance, that such high financial incentives draw the wrong kinds of people into the medical profession. Parallel worries could become relevant if the conditions for parents were much too desirable, although that would require the benefits of being a parents to reach levels that no society has ever provided on a large scale.
58. This could be because of the way the basic structure itself defines the social position *parent*, or it could be because of certain norms that are widely accepted in the society in question. In the latter case, those who are disadvantaged have a complaint if the basic structure fails adequately to counteract the norms in question (for instance, with a policy mandating that parental leaves be split equally between both parents).

59. As I stressed above, the various complaints voiced from the point of view of citizens who face the choice to become parents, although important, remain subordinate to considerations grounded in the interests of children as future citizens, and to the fundamental importance for a just society of assuring its social reproduction over time. Some readers may wonder if “parent-centric” considerations should play *any* role in a Rawlsian framework, since invoking a citizen’s interest in being able to become a parent could be seen as amounting to smuggling in perfectionist considerations of the kind that Rawls rejects. I don’t think this is a problem. We don’t have to appeal directly to the claim that being a parent is a great good, or to the claim that it is something that everyone has reason to want. Instead, we can invoke a two-pronged thought: that the social position *parent* plays an essential role in a just society; and that many people quite reasonably want to occupy the position, and indeed see it as an important part of their life plan. These people can plainly object if society is structured in a way that unfairly rules them out from occupying the position in question. For Rawls’s position (which, for the record, I am inclined to read as less strictly anti-perfectionist than what the present objection assumes), see Rawls (1993). For a detailed discussion of the significance that the interest in becoming a parent can have for an individual, see Brighouse and Swift (2006: 91–101). I am grateful to an anonymous reviewer for urging me to consider this objection.

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