

Advantage, Authority, Autonomy and Continuity: A Response to Ferracioli, Gheaus and Stroud

HARRY BRIGHOUSE

University of Wisconsin-Madison

ADAM SWIFT

University of Warwick

Abstract

We address three critiques of our book *Family Values: The Ethics of Parent-Child Relationships* (Brighouse and Swift 2014), published simultaneously with this reply. In response to Stroud (2016), we emphasize the specificity of parents' rights, and the modesty of our claims about them, challenging her laissez faire position on parents' right to confer advantage on their children, and stressing the merely illustrative role that we give to fair equality of opportunity. In response to Gheaus (2016), we clarify our "dual-interest" approach and the content of the adult interest in parenting, while defending the claim that that interest is relevant to the justification of arrangements for the raising of children. In response to Ferracioli (2016), we explain our views about how many adults may properly parent a child, the significance of children's autonomy, and the value of continuing relationships between parents and their adult children.

Keywords: family, children, right to parent, autonomy

INTRODUCTION

It is gratifying to have our views subjected to such careful attention. Much of our response will consist of clarification—explaining what we are and, perhaps more importantly, are not trying to do. Our argument is wide-ranging in that we address a series of issues concerning the ethics of parent-child relationships that are often treated separately, and ambitious in that we offer a novel and unified theoretical approach to those topics. But in other ways it is modest, more modest than it has seemed to some readers.

Between them, our three critics offer a varied and contrasting set of objections. Stroud (2016) focuses on the egalitarian or distributive dimension of our argument, challenging our views about the limited scope of parents' rights to confer advantage on their children. Gheaus (2016) addresses rather what we call the liberal challenge to the family: issues concerning the moral basis of the right to parent and of parents' rights over their children. While Stroud is enthusiastic about our "expanding the discourse around the family by highlighting the interests of (would-be) *parents*" (2016: 1, original emphasis), it is precisely our willingness to give adults' interests any role in justifying childrearing arrangements that troubles Gheaus. Ferracioli (2016), for her part, endorses a dual-interest approach like ours but thinks we have misidentified the interests!

Stroud raises the most general methodological questions. She generously credits us with some 'game-changing insights and argumentative strategies' (2016: 180) but it soon emerges that in her view we are playing the wrong game! So we begin by explaining what game we are and are not playing, and why we think it's the right one. Those explanations underlie our approach to parental partiality and parents' rights to confer advantage on their children, which is the substantive aspect that Stroud criticizes. They also provide a framework for discussing key issues raised in the other papers. It is precisely because there is something morally distinctive, *sui generis* we might say, about claiming rights to control another human being that Gheaus is doubtful about our dual-interest account. Our attempt to explain those rights depends on our specific conception of the parental role as fusing love and intimacy, on the one hand, and authority or control, on the other—a fusion that is challenged by both Ferracioli and Gheaus.

1. BEING SPECIFIC

Stroud wonders both why we want a *sui generis* justification of parents' rights and why we limit them to the minimum necessary. The answer is that we regard parents' rights as distinctive, and distinctively problematic, in two ways that she appears not to. On the distributive side, parents' rights and duties to act partially towards their children conflict with ideals such as equality of opportunity; children will have better or worse prospects in life depending on their parents' ability and willingness to confer advantage on them. This challenge demands an account of why exactly parents should be free to do things to, for, or with their children that benefit them relative to others, and what they should be free to do. The liberal challenge, on the other hand, arises from the fact that parent and child have distinct and sometimes conflicting interests, and children are vulnerable and non-consenting parties to the relationship. We need an explanation of why exactly adults

should have rights over children, which adults should have them, and what those rights should be.

For us, then, the family raises specific justificatory questions that require specific responses, and explain why, for us, parents' rights are the minimum compatible with the kind of parent-child relationship that will realize familial relationship goods for its participants. Like many liberal theorists, we see relationships involving some people exercising authority over the lives of non-consenting others as *prima facie* problematic. That exercise requires justification, and limitation, because those subject to that authority can properly demand an account of why they should be, or should have been, subject to *those* people within *that* domain of decision. Like many egalitarian theorists, we think that relationships creating inequalities of opportunity are *prima facie* problematic. Those inequalities require justification, and limitation, because those on the wrong end of them can properly demand an account of why they should be worse off than others just because they were raised by different parents.

To be sure, the liberal challenge is more *distinctively* problematic. Controlling other non-consenting human beings requires special justification; that's why parents' rights to exercise authority over their children pose peculiar problems. Indeed, they trouble Gheaus enough for her to argue that "the claim to a right to control a child's life must be grounded exclusively in the child's interest, in which case there is no *sui generis* right to parent" (2016: 202). Benefitting others, by contrast, is commonplace. People routinely act partially in favor of particular others—friends, lovers, co-religionists, compatriots—and these other types of relationship might be invoked to justify their doing so. Indeed, one might doubt that relationships of *any* kind are required to justify inequality-creating interactions. Plausibly, there is a general prerogative—one that has nothing at all to do with relationships, valuable or otherwise—not only to pursue one's self-interest but also to confer benefits on others in ways that depart from equality. Indeed, conferring benefits on others might be part of what it is in one's self-interest to do.

Stroud seems surprisingly unconcerned on both counts. For her (2016: 183),

"one might doubt whether parents raising children requires a *sui generis* justification in terms of the distinctive values it realizes, as opposed to simply falling under a more general and less demanding moral schema... [B]eing a parent is something that a great many adults very much want to do with their life. If someone very much wants to do *x* with her life, one might think that alone creates a significant moral presumption in favor of allowing her to do *x*—regardless, it would seem, of *x*'s specific content, or of whether her (or anyone's) doing *x* would realize important objective values".

We are not sure quite what counts as a “presumption”, but for us—as for Gheaus - the specific content of x in the child-raising case puts the burden of justification on those claiming the right to engage in that particular activity. It is problematic to claim the right to control the current life, and influence the future life, of another human being by appeal to considerations other than that other’s own interests.

According to Stroud (2016: 184), “there is no issue facing us as a society, to be settled collectively, about how to bring up children: there are only individual adults who want to parent children”. As a claim about how parents should be allowed to raise their children this is false. Our society is constantly making collective decisions on such controversial questions as what kind of discipline parents should be permitted to exercise, what forms of medical treatment they should be permitted to administer or obstruct, what kind of education they should be permitted or required to provide for their children. But it also looks mistaken as a claim about whether there should be parent-child relationships—or, according to our stipulation, “families”—at all. The mere fact that individual adults want to parent children is not sufficient to establish the moral propriety of their doing so.

Her view on the distributive side is also surprisingly laissez faire. Readers may disagree with our view that parents do not have the right to bequeath substantial wealth to their children, but surely few will reject it so quickly. Disclosing that an inheritance from her husband’s mother made possible the purchase of the Vermont farmhouse in which she wrote the first draft of her paper, she writes (2016: 185):

“She loved her son, and the rest of us, and we know she would be deeply gratified by all the new horizons her bequest has opened up for us. Faced with this vivid awareness of what her bequest has made possible for her son and my family, I find it simply impossible to accept that my mother-in-law ought not to have been able to leave my husband that money: that it would violate nobody’s rights to prevent or prohibit people from doing any such thing”.

Let us assume that the sum in question was indeed justly her mother-in-law’s in the first place; that she had the moral, and not merely the legal, right to *any* say over it. Even so, it is strange to think that one could assess whether she had the right to bequeath it to her son merely by awareness, however vivid, of the value of the bequest to her and its beneficiaries. Suppose that the state had taxed the inheritance sufficiently to make purchasing the farmhouse impossible. Would awareness of what could have been enjoyed in the absence of that tax make such a constraint on the bequest similarly “impossible to accept”?

We and Stroud, then, approach these matters from very different perspectives. But we must also emphasize the limits of our ambition. The flip side of our offering a *sui generis* treatment of parent-child relationships is that we do not address all the rights that adults may properly claim with respect to the children they parent; we confine ourselves to those that invoke the fact that the adult is the child's parent. We want to know when "because I am your parent" is a good answer to the question "Why do you have the right to do that to, or with, me?" We want to know when "because I am her parent" is a good answer to the question "Why do you have the right to do that for her?" (see Brighouse and Swift 2014: 120).

Other good answers to such questions might be available. Perhaps parents have permissions, deriving from sources other than the familial relationship, that permit them to pursue their own projects in ways that will affect what they may legitimately do, all things considered, by way of exercising authority over their children's lives (see Brighouse and Swift 2014: 121-2). Perhaps they have permissions to confer benefits on anybody they like, including their children, which derive from a more general moral schema of the kind that Stroud mentions. It would be a different task to engage with those other justifications. As far as our theory of parents' rights is concerned, we are interested only in what kinds of partiality, and what exercises of authority, can be justified specifically on the ground that the other person involved is a child one is parenting.

So Stroud is mistaken in attributing to us (2016: 182) the view that "if *disallowing* parents a certain right or privilege would *not* impede the development of a flourishing parent-child relationship, then that putative right or privilege stands exposed and undefended against any arguments that could be raised against it" [original emphasis]. The putative right or privilege stands, for us, exposed and undefended only against the kind of argument that appeals to the fact that the alleged right or privilege holder is the child's parent. Indeed, when assessing what, all things considered, they should be free to do with respect to their children, we acknowledge the relevance not only of parents' other roles or statuses but also of more indirect factors such as incentive considerations (see Brighouse and Swift 2014: 130-1).

Our contribution on the distributive side pursues a suggestion from Samuel Scheffler, for whom parental partiality raises, in a particular form, the general issue of the "distributive objection" to special responsibilities that arise in the context of valuable relationships: "The problem with such responsibilities is ... that they may confer unfair benefit. ... [S]pecial responsibilities give the participants in rewarding groups and relationships increased claims to one another's assistance, while weakening the claims

that other people have on them". Scheffler (2003: 102) observes that his account "is compatible with the view that the strength of one's responsibilities depends on the nature of the relationships that give rise to them, and on the degree of value that one has reason to attach to those relationships. *As far as the content of the responsibilities is concerned, we may assume that this too depends on the nature of the relationships in question . . .*" [added emphasis]. Our aim is to put the parent-child relationship under the microscope while allowing that a host of other considerations will be relevant to questions of legitimate parental partiality, all things considered, in any particular circumstances. It is compatible with recognition both that other relationships may generate other distributive claims and that individuals may enjoy prerogatives to favor themselves and others in ways that make no reference to relationships at all.¹

Whether we are playing the right game, or even a game worth playing, depends, then, on how important it is to identify, and isolate, this particular kind of justification. In our view, parents' rights to exercise authority over their children *are* typically and substantially defended by appeal to the specific thought that the adults in question are indeed the child's parents. We acknowledge that rights to benefit children are, by contrast, more often presented in a more general frame: "It's my money and I can do what I want with it. If I want to leave it to my children or spend it on their education, that's up to me". But even here, distinctively familial considerations are often invoked, especially in attempts to justify blocking egalitarian measures. ("My job is to promote my child's interests; you violate my rights as a parent if you interfere with my capacity to do that by, for example, limiting bequest, or restricting my freedom to spend my resources on her education".) The task of identifying and isolating "family values properly understood", and thereby exposing as unwarranted many such normative appeals to "the family", seems to us a game well worth the candle.

2. CONFERRING ADVANTAGE

That remains true even if, as Stroud (2016: 191-192) claims, "the prohibition not just of bequests, but of *all* the various ways in which parents might seek to use their superior financial resources to benefit their children (think private schooling), would have only an insignificant effect on the unequal distribution of prospects for desirable jobs, etc. across children. That is, parents' direct use of *money* to benefit their children is—it turns out—a relatively minor contributor to inequality of opportunity (Brighouse and

1 A "relationship goods" approach may be relevant to those also. For an initial schematic move in one particular direction, see Brighouse and Swift (2011).

Swift allude to this at 31-32 and 125-127.)” She thinks (2016: 192) that this admission makes “overly optimistic” our claim that our “account of ‘family values properly understood’ … mitigates—*massively mitigates*—the conflict with equality” [original emphasis]. But any appearance of tension between these two claims is illusory; dispelling that illusion may help to clarify our aim further.

The first is an empirical point about existing societies. Given current reward schedules, and the mechanisms by which people reach their places in the distribution, the direct use of parents’ money to benefit children may indeed be less significant contributors to inequalities of opportunity, between children raised in different families, than parent-child interactions of the kind endorsed and protected by our theory. The second is an observation about the kind of society that would be compatible with our account: it is perfectly possible to respect, and promote, what is important and valuable about the family without allowing parent-child relationships to produce anything like the inequalities of opportunity that they currently do. One way of doing this would be by reducing the extent to which children who participate in those relationships also benefit, in other ways, from doing so—that extent depends on how other social institutions are designed (see Brighouse and Swift 2014: 33). At present, “family values” are often invoked to defend not only the interactions within the relationships but also the conferral of external benefits that they currently involve. By rejecting the claim that parents (*qua* parents) have the right to confer advantage on their children in ways that conflict with fair equality of opportunity, we challenge that defense.

The game is still worth the candle, we believe, even when we add a further caveat: although we invoke “familial relationship goods” to identify the interests that ground parents’ rights, we are explicit that the rights we are talking about are *prima facie* only. Indeed, strictly speaking, the category of “familial relationship goods” is intended only to isolate those parent-child interactions that are “susceptible to justification by appeal to the parent-child relationship” (see Brighouse and Swift 2014: 146). Some of those goods, and hence some of the interactions that produce them, are worthy of protection even when they conflict with fair equality of opportunity. Others – such as the loving general promotion of one’s child’s interests – are not, we claim, weighty enough to warrant the cost in terms of that distributive value.

Just as one might have rights to benefit one’s children that do not derive specifically from the fact that one is their parent, so too one might *not* have, all things considered, the right to do things for them that one has, *prima facie*, in virtue of being their parent. Perhaps, in a world where some lack what they need for mere survival, much of the time and energy spent by

affluent parents on the provision even of core familial relationship goods, for themselves and their children, exceeds the scope of any plausible right—especially where parents have more than one child. Having identified a criterion for evaluating parent-child interactions as important contributors to valuable familial relationships, and so *prima facie* protected by parents' rights, we offer a judgment about the considerations at stake in the conflict between the advantage-conferring aspects of familial relationship goods, on the one hand, and fair equality of opportunity, on the other. But we explicitly refrain from offering judgments about the rights that parents have, all things considered, in circumstances (which we take to be our own) where the distributive ideal with which those rights might conflict is more urgent than fair equality of opportunity (see Brighouse and Swift 2014: 143–5). We similarly refrain from considering what kinds of conferrals of advantage on children might fall under the parental duty of care – the discharge of which is justified even where it conflicts with fair equality of opportunity—in circumstances where societal arrangements mean that those children face the risk, as adults, of falling into poverty or lacking medical treatment.² A lot more is needed to get from (i) a criterion for identifying which parent-child interactions are and are not important enough to be worth protecting even where they conflict with fair equality of opportunity to (ii) all things considered evaluations of particular prescriptions—whether political policies or individual actions—in our current circumstances. Indeed, a lot more is needed even, more modestly, to identify the precise content of parents' rights in those circumstances.

Stroud doubts that fair equality of opportunity can bear the weight we put on it. We invoke that distributive principle as a criterion for distinguishing between different types of familial relationship goods. The “core” goods, as we term them, are important enough to be worthy of protection even when that undermines fair equality of opportunity. (Though, as just noted, parents would have no complaint were institutions to be designed in such a way that that conflict was reduced or even eliminated.) But the good of *generally* having one's interests promoted by a loving parent is not, we say, important enough to be worthy of similar protection; it should yield to children's interest in competing on fair terms with others. We agree with her that fair equality of opportunity is not a hugely weighty principle—we emphasize its limitations, and the importance of other distributive values, several times (see Brighouse and Swift, 2014: 33–5, 38–45, 143–8). Maybe we are wrong to claim that, were it the only distributive consideration at stake, it could serve as a constraint on interactions in which the parent is lovingly motivated generally to further

2 For remarks on this issue in the specific case of school choice, see Swift (2003: 119–125). Brighouse and Swift (2014) attempts no analogous discussion of the more general issue.

the child's interests. If so, that would be an objection to our proposed particular weighting of the conflicting values, not to our methodological approach.

But we should also point out that our account of the *core* familial relationship goods leaves plenty of room for parental spontaneity and discretion in the way that they relate to their children (see Brighouse and Swift 2014: 140-3). That, combined with the recognition that loving parents will be spontaneously motivated to benefit their children quite generally, seems to us to leave sufficient room for the concern in question. In so far as the things that parents do to benefit their children are done as an inevitable part of a healthy loving relationship, they are protected by our theory. Again, though, our view is that the familial relationship itself cannot plausibly be invoked to defend any resulting conferral of advantage that gives children better chances than they would enjoy under fair equality of opportunity. The fact that one is spontaneously motivated to benefit one's children, and healthy relationships require space for spontaneity, explains why one should be free to act on those motivations, but provides no objection to societal attempts to limit, or even eliminate, the impact of those actions on children's prospects of the kind with which fair equality of opportunity is concerned.

3. CLAIMING AUTHORITY

According to Gheaus (2016: 196), "a right to parent is an anomaly by liberal lights: liberals acknowledge no other entitlement to exercise power over another individual legitimized in part by reference to an interest—no matter how important—of the one exercising power". Our dual-interest theory—and our positing different grounds for the right *to* parent and the rights *of* parents—is an attempt to strike the right balance between the interests of the different participants in the relationship. But we need to be clear about what exactly it means to have a dual interest theory, and where exactly adults' interests come into the picture.

To clarify our approach, and our attempt to strike the right balance between the interests at stake, notice that there are at least three somewhat different issues under discussion:

- I. How children should be raised. Here our argument for the family – for parent-child relationships – defends that practice against alternatives such as their being reared by professionals in state-run childrearing institutions.
- II. The content of parents' rights: what rights parents can properly claim with respect to their children in virtue of being those children's

parents. One can know that children should be raised by parents without having a full specification of parents' rights.³ Here we challenge conventional views that grant parents extensive rights to confer advantage on their children and to shape their children's values.

- III. How to match up children and adults in families. One can know that children should be raised by parents and what rights their parents should have without knowing who should parent, or by parented by, whom. Here, *inter alia*, we reject both the view that genetic connection establishes an adult's claim to parent a child and the claim that children have a right to be parented by the best available parent.

In our view, different considerations are relevant to addressing these different issues. With regard to (ii), the content of parents' rights, our account is exclusively child-centered. The rights in question are those needed properly to discharge the role of parent, which role is itself entirely fiduciary. But it's a separate question, of type (iii), who has the right to *be* a parent, and our answer to that question invokes the adult interest in fulfilling the role (see Brighouse and Swift 2014: 121). Understanding this position depends on keeping in mind the specific point with which we started: that parents' rights are specifically the rights one has *qua* parent. The right to parent, by contrast, is one that one has, if one has it, simply as an adult.

Clarifying the structure of our view does not show it is valid, or even coherent, but before moving on to that challenge, we can illustrate it further by attempting to address one of Gheaus' concerns. She is troubled, *inter alia*, by the right of parents to exclude others from having close relationships with their children, and attributes to us the view that parental authority includes a right to exclude those others "for reasons other than the protection of the child's interest" (2016: 202). But, for us, the duty on the part of others not to undermine the relationship between parent and child, like the right of parents to exclude others where it is likely to do so, derives entirely from children's interests in the relationship (see Brighouse and Swift 2014: 87). It is precisely because—and only in so far as—it would be bad for children to have their familial relationships disrupted that parents have a right to exclude others from forming relationships with their children. That right, like all parents' rights, is limited by, and justified in terms of, that fiduciary consideration. This is consistent with children having interests in relationships with other adults and indeed with facilitating such relationships being part

³ Of course this is not an entirely separate enterprise. To justify the family just is to justify a child-raising arrangement in which particular adults have certain rights over the children they parent (see Brighouse and Swift, 2014: 86-7). Still, the detailed and careful specification of the rights that one has, *qua* parent, is sensibly conceived as a further task, to be carried out after one has done enough to answer the first two questions.

of parents' fiduciary role.

Gheaus may object that the right to exclude is not properly characterized as a right one that one has *qua* parent. Rather, she might suggest, it should be seen as an aspect of the right *to* parent. After all the right to parent includes the right to exclude others. Something of this kind, indeed, is true of all parents' rights: the relationship involves various rights (and duties), so in claiming the right *to* parent one is claiming the rights *of* a parent. If, as we think, adults' interests are relevant to deciding who has the former, then they are obviously relevant to deciding who gets the latter. So adult interests do indeed come into the story that explains why they have the right to exclude others from relationships with particular children; they come in as considerations taken into account by the procedure that grants to adults the (entirely fiduciary) rights that they have with respect to the children they parent. Gheaus may yet be right to reject our view: we have not yet defended the claim that adults' interests are indeed relevant considerations. But we doubt that those adults who, as a result of the allocation, are excluded from relationships with those particular children, have a valid complaint. Their exclusion is the outcome of the right way of deciding who should get to exclude.

Let's think about Gheaus' refugees. In her scenario, the refugees seem *only* to be refugees. There is a question about how they should be socialized into the host community but no suggestion that, having been socialized, they might in turn be involved in the socialization of future waves of refugees. Suppose, instead, that migration is expected to continue, and that most of the current refugees, having been socialized, will come to have a strong interest in playing a socializing role for those future refugees. Suppose we agree with Gheaus (2016: 201) that "it is exclusively the refugees' interests that determine the ideal way of socializing them". Which way of socializing refugees does in fact serve these refugees' interests best?

The answer will surely take into account not only their interests *qua* refugees, but also the future or prospective interest they are likely to develop, *qua* prospective socializers. Imagine asking a refugee how she would like to be socialized: "Would you rather be socialized in whatever way was best for you, or in a way that meant that your opportunity to take your turn in socializing future refugees did not depend entirely on whether you were the best available socializer?" Wouldn't she reply: "I'm not sure I understand the question. The way of socializing me that's best for me *is* the one that is best for me over my life as a whole. If it's very valuable for me to have the opportunity to socialize future refugees, then the system of socializing that would be best for me, over my life as a whole, is unlikely to be one that makes that opportunity depend entirely on my being the best available socializer

of any one of them".

This is one sense in which a theory of childrearing arrangements could be "dual interest": it takes into account people's interests both as children and as the adults those children will become. If, as we claim, and Gheaus does not deny, many adults do indeed have a weighty interest in parenting a child, then so do the children who are going to become those adults. They are the same people. On this interpretation, a child-centered view might be one that regarded as relevant only people's interests *as children*, i.e. during the period of life in which they are children.

Such a position is deeply implausible. Children's interests in that sense are indeed important, and we agree that there has been a tendency to overemphasize the view of children as "adults in the making", to see them too much as "becomings" and not enough as "beings", and to underplay the value of what we might think of as the intrinsic or special goods of childhood. But, in standard cases, nobody would seriously suggest that we could assess childrearing practices by ignoring their formative impact on the adults that children become. Indeed, this understanding of what it would mean for a theory to be child-centered would run contrary to standard usage in the literature. When philosophers talk about children's interests in how they are raised, they include their developmental interests, their interest in developing capacities that will benefit them when they reach adulthood.

Those, like us, who frame their views in terms of a contrast between the childrearing interests of children and adults actually intend something different: by "children's interests" we mean simply all those interests in how they are raised, including those that will affect their lives as adults, *except* the interest they will have, as adults, in how children are raised. We are interested in people's lifetime interest in childrearing arrangements, but we separate out that particular adult interest for analytical purposes, and to show how giving it its proper weight qualifies the extent to which their *other* interests should determine those arrangements. A child-centred account, on this interpretation, would treat that adult interest as irrelevant to the question of how children should be raised. That too strikes us as implausible.

To be clear, on this construal, a dual interest view does not guarantee that any particular child will be raised by the particular adult(s) who would in fact have been best for her over her lifetime. Nor do children collectively have a claim to that particular allocation of adults to children that will be best, overall, for children over their lifetimes. The point is not that, once we have the right account of children's lifetime interests, they do have a claim to the best available parents after all. Rather, they should be parented according to *childrearing arrangements*—understood as a *way of arranging the raising of children* and, more specifically, a way of arranging who is parented by whom—that

is best for them over their lifetime.

The rationale for a dual interest view is that the price, for children themselves, of being parented according to childrearing arrangements in which children are parented by their best available parents will be too high. Discussing how much we owe children, Matthew Clayton (2015: 251) points out that: “What is best for us as children … may not be best for us taking our lives as a whole when we factor in the costs of fulfilling the duty to provide the best childhood for any offspring we might have”. Similarly, the way of arranging the raising of children that is best for us “as children” may not be best for us taking our lives as a whole, when we factor in the costs of fulfilling the duty to provide children with the best way of raising them “as children”.

An entirely child-centered way of arranging the raising of children, in either of the senses we have identified, will be costly in two different ways. First, it could leave adults who have a weighty interest in parenting unable to do so simply because there would not be any children for whom their parenting would be best. Second, less obviously, and empirically less plausibly, it could require adults who have no interest in parenting—indeed whose lives would go much worse—to serve in that role, simply because, as it happened, enlisting their services would be optimal for children. Thinking about people’s interests over the life course, this surely gets the intra-individual balance of interests wrong.

What about a child who will never reach adulthood, so has no interest in being able to parent? It might seem that her interests are decisive against the claims of any would-be parents. But what drives our intuition in that case may be not the fact that she is a child but rather that her life’s shortness, and her failure to develop into adulthood, mean that she will be so badly off, on a lifetime view, that her interests during the short time that she has should be regarded as decisive. Think instead about children whose lives will otherwise go normally, but who, as it happens, have no interest in themselves becoming parents. It is true that we cannot say to them that *their* lifetime interests are better protected by a way of arranging childrearing that gives some weight to the adult interest in parenting. But it is not clear to us why the interests of adults who do have that interest should be ignored altogether. Imagine a parent saying to her child: “I know that someone else would have done a better job of parenting you. I know, further, that you will not personally benefit from the way in which our society’s childrearing arrangements protect people’s interests in becoming parents. But I hope you agree that it was so wonderful for me to get to be your parent that you don’t have any complaint against me for parenting you, despite not being the person who would have parented you best, or, more relevantly, not being the parent you would have had under a system that regarded children’s

interests as the only ones that matter. After all, I was good enough". Of course there is a question about quite how much worse than the relevant alternative a parent could be before the child did indeed have a complaint; that is the question of whether "good enough" should be construed in absolute or comparative terms (see Shields 2016). But to resist Gheaus' objection we need only defend the view that adults' interests should play some role in deciding childrearing arrangements.

Two considerations, both raised by Gheaus' example, might seem to lend support to the view that only children's interests should count. One is the suggestion, more than hinted at by the analogy with refugees, that children are in a parlous state and in need of rescue. This would correspond to the thought that childhood is a "predicament", an unfortunate state, certainly inferior to adulthood (Schapiro 1999). Suppose childhood *is* a predicament from which people need to be rescued. Would it follow that they should be rescued in the way that was best for them, without any regard to the interests of the rescuers? When we think of refugees, of course, we typically imagine them to be not only in desperate need through no fault of their own but also victims of injustice. But unless we regard children as wronged simply by being brought into existence, we doubt the analogy holds. Indeed, in standard rescue cases it's not obvious that potential rescuers have to rescue in the best possible way, and with no regard to the costs, to them, of different ways of rescuing. In the case of children, we need to keep in mind that, for all we know, children may go on to have much better lives, overall, than those who parent them—even if their interests are not the only ones that determine how they are raised. With that clearly in mind, why should we only think about them when deciding how they should be raised?

Perhaps, however, the problem is specifically that the child is subject to the authority of the parent. She needs others to exercise control over her and, as we have said, there is something distinctively problematic about one person claiming a right to authority over another on grounds other than that other's interests. This is what Gheaus (2016: 200) calls 'the republican response': "if it were possible to promote the refugee's current well-being and future autonomy without locking her into any particular relationship, then giving you—or another private individual—authority over her would be wrong because it would make her subject to (perhaps benevolent) domination". This frames the point in relation to issue (i): should children be raised by parents (in families) at all? But it applies also to issue (iii). Grant, for the sake of argument, that it is best for children to be raised in families. One might still think it objectionable, on republican grounds, to

subject particular children to the authority of particular adults except on the grounds that the matching-up of children to adults is optimal for the children.⁴

It is misleading to give too much emphasis to the idea that parents have an interest in exercising authority as such. Gheaus is more careful, but Ferracioli (2016: 217) claims that we vindicate “the current model of parental authority” by arguing that parents have an interest in “exercising authority over children”. Our exposition of the adult interest emphasizes the normative significance of the particular *combination* of features of the parenting relationship (see Brighouse and Swift 2014: 88–93). It’s valuable to play the fiduciary role, and to have responsibility for decisions affecting the child’s upbringing, in the context of a relationship with other distinctive features, which might be summarized as loving intimacy. Controlling, or exercising authority, plays a key role in our analysis because this is the distinctively troubling aspect of the relationship, and the one that has led some theorists to develop entirely child-centered accounts. But that does not mean that it is the interest in controlling, or exercising authority, that does the work on the adult side. Someone who wanted to parent in order to control or exercise authority over a child would be badly missing the point.

Both Gheaus and Ferracioli press us on the way in which our account of the parent-child relationship fuses intimacy and authority. We emphasize the value to the child of experiencing her parent as both loving and authoritative, as well as the adult interest in having some responsibility for and discretion over how she conducts her relationship with her child. (Imagine the reading of prescribed bedtime stories as the dutiful execution

4 At the end of her paper, Gheaus considers how the way that children come into the world might relate to the question of how they should be raised and, if parented, who should parent them. It is, as she says, surely an important disanalogy between children and her refugees that children already have connections of various kinds to particular adults. Although she talks about biology, an analytically distinct—though empirically often associated—connection should perhaps be particularly salient to those worried by the idea of adults appealing to their own interests to justify claims to parent children. What’s objectionable, for Gheaus, is an adult claiming a parenting relationship with a child on the ground that the relationship will benefit the adult. In general terms, we might say, the adult is using the—non-consenting—child as a means to the adult’s ends. If Gheaus thinks that would be troublesome in a world where babies were brought by storks, she should surely be much more concerned about a world, like our own, where babies are typically produced *in order* to serve the interests of those producing them. It seems less problematic to allow hosts’ socializing interests to influence how refugees are socialized than it is to allow adults’ interests to influence how children are raised *when those adults have deliberately created the children and have done so in order to claim a parental relationship with them*. That really does look like using children as a means to one’s own ends. Rather than a gestatory relationship helping to establish a right to raise a particular child, as she has elsewhere suggested (Gheaus 2012), perhaps an adult’s interests should count *less* where she has deliberately created the being that now stands in need of rescue-by-authority from his predicament.

of state directives.) But interesting questions arise about the extent to which, and ways in which, these two features need to go together, and how they might come apart while preserving the essential core of the relationship.

In thinking about this, it might be useful to distinguish *micro*-authority, understood as the day-to-day regulation, disciplining, and control of the child, from *macro*-authority, understood as the making of big picture decisions, such as where the child goes to school, whether she eats meat, whether she attends religious services, and so on. We already insist that the weighty familial relationship goods at the heart of our account could be produced in parenting regimes that gave parents much less discretionary authority than they currently enjoy on macro-issues, so we think of ourselves as attempting to limit the authoritative dimension to the minimum necessary. Those goods are surely hard to produce when parents are having to deny or conceal too much of themselves, or to raise their children in ways that they regard as deeply misguided. But we are in principle sympathetic to Gheaus' suggestion (2016: 202) that (macro) authority and intimacy might be disentangled in so far as that can be done without undue cost to relationship goods.

Like Gheaus, Ferracioli objects to our claim that both adults and children have an interest in the adult simultaneously loving, caring for, and having considerable authority over, the child. The family as we understand it is coercive, the parent exercising power over the child, and we claim that children need at least *one* person who *both* loves them and exercises discipline over them. Children need one person to love them because being loved is a precondition for their healthy emotional, moral, cognitive, and even physical development. They—especially when they are very young—need someone who disciplines them because they are inexperienced in the world (they do not, for example, know what is dangerous) and lack the kind of self-control necessary fluently to exercise agency. And they need these roles to be played by a single person because that person will then more successfully guide them understand and regulate their emotional reactions to the world and develop the tendency to react appropriately to it. Someone who disciplines them without loving them or being loved by them may, perhaps, be able to get them to comply with commands through fear, or charisma, but the important developmental aim of disciplining a child is not to secure their compliance in the moment, but to get them, over time, to internalize disciplinary regulation. This is one reason why children can only have a limited number of parents—we don't know the number, but in the book we suggest that four might be the limit.

Ferracioli sees this as a drawback, and poses an alternative that would allow for “more dispersed authority among parties who care robustly for a child, and so, in principle, allows for more than four parents”. For her (2016:

218), “this is already taking place with modern family arrangements where children are loved deeply by their parents, stepparents and godparents ... it seems odd to artificially limit the size of the family just so that each adult can exercise more authority over her life”.

Our suggestion that a child cannot have more than four parents is a conjecture, not a stipulation. We just don’t know how many parents (in the sense of lovers who also discipline) a child can have. But too many—and we suspect that five would be too many—carries risks. First the child may not receive sufficiently harmonized information about how to interpret and interact with the world. Adults have different parenting styles, conveying different messages; though all five may discipline the child well, for example, her development may be impaired by too many mixed signals. Second, she may not be well enough cared for, because the coordination costs escalate as the number of caregivers increases. Consider a typical day with a toddler. You look after the toddler for 6 hours, and then a second parent takes over while you go to work for a while. To look after the toddler well the second parent needs a good deal of information—what mood is she in today? How might it affect her behavior? When did she last eat and did she eat well? Is a tooth bothering her? Did she nap well, or not at all? Has anything happened that might produce a delayed reaction? It is easier to convey this information well if the other parent has spent a good deal of time with her recently; partly because he then has a good deal of the necessary background information about the child, but also because his skills of caring for her are still in good shape. The more transitions the child makes among adults, the leakier the information bucket, and the rustier the carers’ skills. Finally, as the number of parents with authority increases, the potential for disputes about what the interests of the child are and how to meet them escalates, as do the costs of resolving them, while the prospect of resolution diminishes. Already, with just two parents, this can be difficult. The reason to limit the number of parents, then, is not so that any individual can exercise more authority over a child’s life, but so that children’s interests can be better realized

All that said, our claim that parents rightfully have authority over their children does not imply a vision of a cramped, socially isolated, nuclear family. It is in children’s interests that parents exercise considerable authority over them, and others must be careful not to undermine the parent-child relationship. But over the course of their childhoods children have a profound interest in having relationships with a variety of suitable adults: it helps them to see alternative ways of being an adult, and alternative ways of dealing with the world, giving them resources to reflect on who they really are, what they really value, and how to conduct themselves. Parents have a duty to facilitate and encourage those relationships (see Gheaus 2011).

4. ACCOMODATING PLURALISM

Ferracioli proposes two desiderata for a justification of the family: it should account for the value of the family over the life-course (2016: 201-212); and it should be pluralistic, in that it should be able to justify the family in “non-liberal cultural contexts” (2016: 212-214). Our theory, she says, satisfies neither. It fails on the first because it focuses on relationship goods produced by the interactions between parent and child during the latter’s childhood; those goods are, for the most part, no longer produced once the child has become an independent adult. It fails on the second because of its emphasis on parents’ obligation to facilitate their child’s autonomy; parents in some non-liberal cultural contexts are indifferent or hostile to the development of autonomy but still “manage to enjoy a great degree of intimacy, love and affection with their children, and ... the lives of all parties go much better as a result of partaking in such loving relationships” (2016: 213).

Let’s start with pluralism. Ferracioli (2016: 213) claims that we are “too quick in assuming that parents are typically capable and willing to ensure that their child develop the agential skills needed to make their own life choices...” and “fail to see that the right of children in becoming sufficiently autonomous can instead correlate with a duty on the part of the state to create a neutral system of compulsory public education” (2016: 213-214). But we assume neither that parents will be motivated to facilitate autonomy nor that, even if so motivated, they will be able to do so without a cooperative environment, such as the right kind of schooling and a reasonably fluid and pluralistic culture. When the environment is not supportive – when, for example, adequate schooling is unavailable, or, as for some Black families in some American cities, access to it puts children in physical danger—parents are raising children in non-ideal circumstances. As we have said, we make no attempt at the complex task of weighing the different considerations that apply to parents in such circumstances. Nevertheless, in liberal societies, autonomy is an important achievement, and parents who successfully resist the development of their children’s autonomy in a liberal society are wronging those children. More, they are losing something valuable for themselves—the challenge of raising a child to independence, aiming to enable her to separate herself from them, while hoping that, nevertheless, they can remain close.

The value of autonomy—and of raising a child to be autonomous—enable us to say something about what is wrong with illiberal societies and societies that, although not illiberal, permit environments in which parents’ concern for their children’s wellbeing rightly inclines them not to facilitate their

children's autonomy. One thing that is wrong is just this: that they make it harder, or dangerous, for children to become autonomous, and make it harder, or wrong, for parents to experience the good of raising a child to become autonomous. It also enables us to say something about what parents do wrong when unduly insistent that their child "uncritically endorse what they take to be deep truths about the world" (Ferracioli 2016: 213).

Does our theory justify the family in non-liberal cultural contexts? Assume that non-liberal contexts are characterized by indifference or hostility to autonomy: parents do not aim to make their children autonomous and independent, and the social environment does not take up the slack, as it were, so autonomy is neither valued as an aim, nor an achieved as an outcome. In such contexts the family can still be valuable, and can still be justified, and our theory does explain why: parents can still oversee children's development, and both parties can enjoy intimate, close, loving relationships and enjoy familial relationship goods. But both parties are also missing something of great value—a vital developmental interest of children is neglected, and parents miss out on the distinctively rewarding challenge of acting as a fiduciary for someone whom one is raising to full independence of thought and word and deed.

Someone who did not value autonomy, or was even hostile to it, could accept a great deal of our theory, while rejecting the claims we make about the importance of autonomy for children, and the distinctive value of fostering autonomy as part of the fiduciary obligation toward children. She would offer different content for children's interests, and hence for the adult interest in acting as a child's fiduciary, but could nevertheless think we have said enough that is right both to justify the family, and to vindicate, for example, our analysis of legitimate parental partiality.

5. VALUING CONTINUITY

Ferracioli's second desideratum for a successful justification of the parent-child relationship is that it can explain the continuing value of the relationship between parent and child after the child has reached adulthood. While we agree that there is great value to such relationships—and we think our theory explains it—we reject her view if it is understood as proposing an adequacy condition on a justification of the family. We nevertheless found this objection helpful in clarifying what the project of justifying the family is.

The task of *justifying* the family is different from the task of *exposing all of the good-making features* of the family. Ferracioli's description of the

value of continuing relationships between parent and child beyond the latter's childhood does, indeed, seem to us to be a description of something very good in human relationships, that the family (or something very like it) makes possible. In justifying the family, though, we are trying to justify a distinctive arrangement that, given its unusual character and, in particular, its assignment of considerable discretion in the use of coercive power to some human beings over others who are asymmetrically dependent and vulnerable, appears to call for justification. A principle of parsimony seems in order: we should invoke just those good-making features that are needed in order to do the justificatory work, and no more. We do think that the good of continuing relationships in adulthood adds to the value of the family, but invoking it to justify arrangements of this kind is not necessary and, in fact, probably does no work, because the relationship it refers to is among consenting adults.

Anticipating this response, Ferracioli (2016: 212) rejects it as follows:

"One reason why this response is unsatisfactory is that the inability of the child to exit a parent-child relationship is not a necessary feature of this sort of relationship and that it is possible for there to be intimate relationships where the child actually enjoys exit options. These are, for instance, relationships where a parent lacks custody rights over the child and decides to give the child a lot of space to choose whether or not, and to what extent, to partake in the relationship. One might think that the enjoyment of exit options on the part of the child dispels the need for justification in such cases, but I take it that the degree of intimacy involved at all stages of the relationship, and the mere possibility that society could be arranged differently, suffice for making the parent-child relationship, at its most general level, proper subject of philosophical justification. It would therefore be unsatisfying if Brighouse and Swift were solely in the business of explaining why it is permissible for there to be relationships between competent parents and children where the latter have no prospect of exiting the relationship".

We are not sure whether we understand the case properly. If the child had exit options from the start of the relationship it seems to us that it just isn't a parent-child relationship. Is the child mature enough that a responsible parent is justified in giving her *exit* options, as opposed to on the one hand making the choice for her (because he is in the rare situation of having good reasons to believe she will be much better off without him) or, on the other, giving her temporary space to spend less time with him? If so, then it is not clear that he is, any longer, a parent to her because, even before she exits, he is no longer playing the fiduciary role. In any case, we agree with Ferracioli

that something is going wrong in this relationship, and we agree that our theory does not explain what is going wrong, but we are not unsatisfied with this.

That said, we think that our justification of the family does help to explain the value of the continuation of the parent-child relationship into the child's adulthood. In general, it is good for people to continue intimate relationships with others, and it is easy to see why, for the parent, continued intimacy with an adult whom he has raised from childhood would be especially good. It is similarly easy to see why the loss of that relationship might be devastating. For the child, continuing into adulthood a relationship with someone who has overseen her development, but from whom she is now independent, is distinctively valuable, and in ways that go beyond the disorientation likely to result from the ending of the relationship.

CONCLUDING COMMENT

It is delightful to have one's work read at all. To have it read carefully, thoughtfully, and engaged with by excellent critics is an honor. We're grateful to the editors for prompting the critics and to the critics for giving us such rich food for thought.

BIBLIOGRAPHY

- Brighouse, H., and A. Swift, 2011: "Legitimate Partiality: Parents and Patriots", in *Arguing for Justice: Essays for Philippe Van Parijs*, ed. A. Gosseries and Y. Vanderborght, 115-24, Louvain-la-Neuve: Presses Universitaires de Louvain.
- 2014: *Family Values: The Ethics of Parent-Child Relationships*, Princeton NJ: Princeton University Press.
- Clayton, M., 2015: "How Much do we Owe to Children?", in *Permissible Progeny?*, ed. S. Hannan *et al.*, 246-64, New York: Oxford University Press.
- Ferracioli, L., 2016: "Why the Family?", *Law, Ethics and Philosophy* 3: 205-219
- Gheaus, A., 2011: "Arguments for Nonparental Care for Children", *Social Theory and Practice* 37:483-509.
- 2012: "The Right to Parent One's Biological Baby", *Journal of Political Philosophy* 20: 432-55.
- 2016: "Is There a Right to Parent?", *Law, Ethics and Philosophy* 3:193-204
- Schapiro, T., 1999: "What is a Child?", *Ethics* 109: 715-38.
- Scheffler, S., 2003: *Boundaries and Allegiances: Problems of Justice and Responsibility in Liberal Thought*, Oxford: Oxford University Press.
- Shields, L., 2016: "How Bad Can a Good Enough Parent Be?", *Canadian Journal of Philosophy*: published online, DOI 10.1080/00455091.2016.1148306.
- Stroud, S., "Egalitarian Family Values?", *Law, Ethics and Philosophy* 3: 180-192
- Swift, A., 2003: *How Not To Be A Hypocrite: School Choice for the Morally Perplexed Parent*, London: Routledge.