

The Moral Duties of Parenthood

Charles Howell

Northern Illinois University

Few moral obligations are more keenly felt or more energetically asserted than the duties of parents toward children. In part this is because of the intimacy of the relationship. If we treat those closest to us badly, how can we be expected to treat anyone well? In part it is because of children's neediness and vulnerability. People depend on others throughout their lifespan, but after infancy one is never again in the position of both being utterly helpless and having a whole life to lose. The urgency of parental duty may also reflect cultural influences. We see around us countless ways in which lives can go terribly wrong. If there is any way for parents to immunize children against tragically flawed choices, it seems obvious that they have a duty to do so.

The close link between parental care and children's well-being has also seemed problematic to some. Jonathan Kozol, for example, attributed inadequate educational facilities to the partiality of wealthy parents toward their own children,¹ while James Fishkin and others have linked the institution of the family to inequality in life prospects.² Those who believe government has a responsibility to bring about a certain pattern of distributive outcomes must confront the institution of the family, which inevitably thwarts plans of this kind.

Liberal theorists like Fishkin and Peter Vallentyne who argue for intervention in the family tend to focus on the low end, where children's physical needs are not met. But, as Annette Lareau's work on families and social class vividly demonstrates, it is not just deficits in physical needs that disrupt equality.³ Families do much more than just meet children's basic physical and emotional needs: they introduce them to cultural practices that may be more or less adaptive, they teach more or less effective social and educational strategies, and they impress beliefs about what is worthwhile and important in life. The myriad practices, strategies, and beliefs can lead to huge differences in well-being throughout life, even for children whose physical and emotional needs have been met and who have enjoyed the same opportunities for formal education.

An egalitarian distributive regime cannot tolerate such discrepancies. Hence the liberal egalitarian critique of the family cannot be interpreted just as a plea for all children's basic physical and emotional needs to be met. Beyond this, it implies a more fundamental objection to the family's role in shaping who children are and what is important to them.

With a few exceptions liberal theorists do not challenge the informal influence of the family directly. James Dwyer objects to families' efforts to influence children's religious beliefs,⁴ but other discussions of parental rights avoid directly confronting the propriety of this type of influence. Instead, they treat influence as a by-product of an established social institution that should, in general, be monitored

and if necessary regulated by the liberal state to ensure that it meets children's and society's interests.⁵

In the United States, the institution of the family enjoys constitutional protection.⁶ However, as Dwyer points out, recognition of a legal right does not imply the existence of a moral right.⁷ Moral rights require justification. One such justification is based on the child's interests, because of parents' alleged unique ability and inclination to further the child's welfare.⁸ Another is based on parents' interest in furthering an important life goal, educating a child in accordance with their own preference.⁹ For various reasons, neither of these justifications is particularly cogent. Most obviously, interests can be traded against and trumped by other interests, and hence the supposed parental right affords scant protection, especially against claims based on the public good or distributive justice.

If, however, the claim of parental rights is founded not on interests or preferences, but on duty, then the situation is different. Duties have a distinct moral status. Rights founded on them cannot be traded off against mere interests or preferences, and consequently they are less easily curtailed through social policy.

In this essay, I briefly survey arguments for and against the proposition that parental duties are basic moral duties, and consequently are not merely the product of a social agreement. Having established the moral character of parental duties, I then sketch out possible accounts of the extent of parental duties. These accounts are of particular interest insofar as they imply that parents' duty to their children may extend beyond the minimum that liberal states typically guarantee. The accounts are then applied to a test case, transmission of values, a source of deep concern to contemporary families and an issue that poses interesting challenges for educational policy, which are explored in the concluding section.

ARE PARENTAL DUTIES BASIC MORAL DUTIES OR THE PRODUCT OF A SOCIAL AGREEMENT?

There is a large overlap between legal and moral duties. Laws are enacted partly to provide a mechanism to enforce moral obligations — for example, laws against murder proscribe killing of innocents. Laws can also give rise to moral obligations that would not otherwise exist. Traffic regulations create social expectations, obedience to which helps to protect innocent lives. Absent law, which side of the road one drives on has no moral significance; once a law is in place, however, noncompliance is morally unacceptable because of the risk of harm to others.

Where the requirements of law and morality coincide, it is always a question whether the applicable norm is a *basic* moral requirement or whether it arose from a social agreement and thus is only derivatively a moral requirement. We can answer this question by asking whether, if the law were to be changed, the proscribed action would be morally permissible or the required action no longer obligatory. We know obedience to traffic laws is a derivative moral requirement because the required action would change if the law changed, as it did in 2007 in Samoa. Killing of innocents, however, is a basic moral requirement, because such actions would remain morally abhorrent even if no law forbade them.

In many societies, legal and moral duties of parenthood coincide. Parents can be held legally liable for neglect or abuse of their offspring. They also incur moral praise or blame, depending on how well their children are cared for. In Western societies, parents' moral duty toward their children is so widely accepted that it is difficult to think of it as anything *other* than a basic moral duty, rather than one derived from a social agreement and therefore mutable.

As Jeffrey Blustein points out, however, there are societies in which child-rearing duties are assigned to neighbors or to family members other than parents.¹⁰ In these societies, parents are not blamed for neglect of duties that by custom are assigned elsewhere. The existence of these alternative arrangements, Blustein contends, shows that Western and East Asian conceptions of parental duty are social constructs and thus derivative rather than basic moral requirements. If so, then they are subject to change through political action if the advantage of some alternative arrangement can be shown.

Blustein's argument does not depend entirely on the existence of child-rearing practices very unlike those in contemporary Western societies. One could argue that the advent of universal public education signals the assumption by the state of duties formerly assigned to parents, and the same argument can be made wherever the state offers services formerly performed by parents. Following Blustein's line of reasoning, one might be tempted to assume that when the state takes on these duties, parents are relieved of them, and thus the very existence of moral duties of parents toward children is dependent on state action.

The Blustein argument appears to be focused on a specific account of parental duty that is based on children's interests: namely, their interests in safety, love, warmth, emotional security, and so forth. generate a moral duty for parents because they alone are in a position to respond to these needs. But is this claim about the exclusivity of the parental role the strongest argument for parental duty? One obvious problem is an ambiguity in the term "parents," which could refer either to a legal arrangement or to a biological bond. If the target is legal parenthood, then the exclusivist thesis effectively concedes what Blustein asserts, since a legal definition of parenthood is self-evidently a social construction. If the target is biological parenthood, then the exclusivist position is plainly untenable, since some biological parents conspicuously fail to meet children's needs, while adoptive and foster parents and other guardians may do so admirably.

Is there an account of parental duty that does not depend on the exclusivity thesis? One promising alternative is a claim based on the causal relationship between parents and their biological children. This link is highlighted in Immanuel Kant's account of procreation, "by which we have brought a person into the world without his consent and on our own initiative, for which deed the parents incur an obligation to make the child content with his condition so far as they can."¹¹ Henry Sidgwick, echoing Kant, claims that parents "being the cause of the child's existing in a helpless condition, would be indirectly the cause of suffering and death that would result to it if neglected."¹² For convenience, call this claim procreationalism, since it holds that the physical mechanism of procreation generates moral duties.

How would Blustein's argument fare against the procreationalist defense of parental duty? Blustein contends that if society assigns others to meet the child's needs, parents are not responsible. But there are two ways to interpret this claim. One is that certain actions are not required of parents if others act in their stead. It is not likely that Kant or Sidgwick would deny this. Responsibility for meeting a child's needs does not imply one ought to feed the child lunch if someone else has already done so. The other interpretation is that parents are no longer responsible for results if someone else agrees or is assigned to bring them about. But this is plainly not true in myriad cases where parents enlist others to assist in a child's care. It is only true if parents have no basic moral duty to the child to begin with, and thus it is irrelevant to the Kant-Sidgwick argument.

What about adoption, where legal procedures permanently extinguish the duties of biological parents, rather than merely delegating them temporarily?¹³ Few would blame biological parents who consented to adoption for the sake of the child's interests. Are their moral as well as their legal responsibilities diminished?

Parents who give children up for adoption do not necessarily deny that they ought to meet the child's needs; their rationale is not usually denial of responsibility but inability to fulfill it. Most parents in this predicament, moreover, retain and exercise the capacity to assure themselves of the good will, competence, and resources of the adoptive parents, thus discharging their duty to see to the well-being of their children insofar as they are able, and the law supports them by requiring evidence of fitness of the adoptive parents. Adoption, then, is clearly a case in which legal and moral responsibilities coincide. However, were the law to be relaxed and the legal requirement of fitness removed, birth parents would not be absolved of the responsibility to examine fitness to the extent they are able.

Blustein's argument is not the only objection that has been made to the procreationalist thesis. Those who question the causal relationship between parents and biological children, claiming that the very concept of a causal link is a socially constructed understanding, have also invoked the social constructivist argument. Two sets of concerns are adduced to support this claim. First, cases of pregnancy without consent or intention appear problematic. Second, reproductive technology may interrupt and/or complicate the causal chain. I have dealt with these issues elsewhere;¹⁴ for present purposes, suffice it to point out that since a rape victim does not voluntarily contribute to the conception of the child, responsibility is not incurred. When birth control fails, however, both partners do contribute voluntarily to conception; the result is not intended, but it is foreseeable, and thus parental responsibility follows. Reproductive technology does complicate the causal chain, but the expansion of moral responsibility to include other agents need not diminish the basic moral responsibility of biological parents.

WHAT ARE THE SCOPE AND CONTENT OF PARENTS' BASIC MORAL DUTIES?

Some people concede the procreationalist thesis, but go on to claim that parental duty is limited, and consequently parental authority should be as well. Amy Gutmann, for example, acknowledges parents' responsibility for a child's basic

welfare, but assigns to the state responsibility in preparing the child for citizenship.¹⁵ Clearly a defense of parents' basic moral duties would be nugatory if unaccompanied by an account of the duties' scope and content.

Legal prohibitions against abuse or neglect of children provide a starting point. To avoid the suffering and death to which Sidgwick refers, children's physical and emotional needs must be met. Presumably they must also be brought to a state in which they can fend for themselves: prepared for a career and for the duties of citizenship. These conditions are summed up by the conventional phrase "a good start in life." This much is consistent with the standard liberal view of what society owes children, and consequently uncontroversial.

Kant's view, though, clearly requires something more. People are not made content with their condition merely because physical and emotional needs are met and they are prepared for work and the duties of citizenship. These capacities and satisfied needs provide a sustaining framework, but within that framework, a life can be empty, unsatisfying, or destructive. Consider parents living a rich life filled with varied pleasures of music, good food, and interesting conversation, who excluded their children from these pleasures and restricted their child rearing to preparation for work and citizenship. Or think of conscientious believers who merely met a child's physical and emotional needs and saw no need to help the child develop a moral compass or avoid a life of greed and deceit. Could either of those parents sincerely believe they had produced children "contented with their condition"? Since formation of tastes and moral sensibility begins in childhood, for these parents at least, giving children "a good start in life" implies preparing them to lead a good life — that is to say, passing on their values, which can be interpreted to include religious and moral beliefs as well as beliefs about what is important in life and what makes life worthwhile.

Value transmission is controversial. Whether or not parents have a right to impart their own values to children has engendered considerable debate.¹⁶ Discussions of this subject tend to assume that such a right would have to be based on parents' interests, desires, and preferences.

As we have already noted, however, interests and preferences provide only very weak support for rights. But if the Kantian account of parental duties includes preparing children to lead good lives, then parents' right to promote values would rest on a far stronger foundation. Is this interpretation plausible? Is introducing children to the good life part of the basic moral duty of parenthood? Could the baseball aficionado argue that baseball is part of a good life, and thus parents are obligated to ensure that children are not only exposed to the sport but become sufficiently immersed in and proficient at it that they come to enjoy it?

In a pluralistic society, in which a wide variety of good lives are represented, this may sound like a conspicuously parochial claim. But the baseball enthusiast need not deny the virtues and satisfactions of music, mathematics, or fishing. Instead, she could point out that she is ill equipped to promote these pursuits. Can the tone-deaf parent help a child learn an instrument well enough to play in an orchestra? Parents'

preferential encouragement of their own way of life need not imply ignorance of or hostility toward other good lives. On the contrary, it may reflect a realistic appraisal of the limits of their own knowledge.

Limited knowledge explains why baseball enthusiasts do *not* promote music or badminton, but it does not explain why they *do* promote baseball. One can easily understand why conscientious parents feel a responsibility to *expose* children to their own favored pursuits, but would they feel a responsibility to urge, promote, and differentially encourage the child's participation?

To fill this gap, we need to introduce an additional premise: namely, that in the society under examination, bad as well as good lives are available. These bad lives are seductive: they entice participants with short-term pleasures that mask catastrophic consequences and long-term irreversible harm. Cultivation of the enjoyments of good lives reduces these temptations.

Children's naivete, parents' limited knowledge, and the tragic temptations of bad lives provide sufficient reason for parents to inculcate religious beliefs, cultivate the child's commitment to sports or artistic pursuits, or otherwise try to shape the child's commitments rather than simply letting them unfold without intervention. Bad lives are available. There is no way to shield children from them. Unlike good lives, which develop over time and require patience, effort, and perseverance, bad lives offer quick and effortless gratification. Cultivating good lives does not immunize youth against these temptations, but it does help to offset the appeal of quick gratification. Preferences can be shaped in such a way that young people are able to resist such allures, and the Kant–Sidgwick argument justifies parental influence toward this end.

Several caveats are in order. First, it makes a difference how parents go about shaping preferences. If children perceive parents as authoritarian, manipulative, or too demanding, then attempts to influence them will be counterproductive, and hence are not justified.¹⁷

Second, the account makes specific assumptions about the structure of good and bad lives:

- (a) Good lives require effort to produce satisfaction.
- (b) Children require guidance and sustained engagement before they experience satisfaction from good lives.
- (c) Bad lives generate quick gratification.
- (d) The pleasure of bad lives masks long-term harm.

To illustrate, religious commitment, musicianship, and mathematical knowledge all require intense and sometimes tedious effort. Especially in childhood and adolescence, the satisfaction they generate may be fleeting and tenuous, but in adulthood there are huge payoffs in terms of stability, prosperity, and fullness of life. By contrast, video games and methamphetamine addiction require little effort, produce intense short-term gratification, and either provide minimal payoff or lead to catastrophic consequences.

Parents' beliefs about these options explain decisions to cultivate the former in order to discourage the latter. The truth or falsity of these beliefs, however, is a further question, one that is greatly complicated by the limited knowledge both of parents themselves and by any external observer attempting to evaluate their decisions. Open societies offer myriad possibilities for good and bad lives. No one person can know all of them, and even if they did, the consequences of people's commitments are not always predictable. One person's commitment to theater may lead to a good living and deep satisfaction, another's to frustration and penury. Societal implications of limited knowledge are explored in the next section.

VALUE TRANSMISSION AS PARENTAL DUTY: SOME IMPLICATIONS

Parental influence is controversial because it profoundly affects children's well-being and future opportunities. Challenges to that influence typically assume that the interests, preferences, and desires of parents motivate it. If, however, the exercise of that influence reflects parents' duty, it is less susceptible to such challenges. If parents have the duties claimed by Kant and Sidgwick, how could the liberal state legitimately seek to curtail efforts to fulfill them? From a Rawlsian viewpoint, rational contractors, even from behind the veil of ignorance, could not consent to a social arrangement that prevented the discharge of their moral duty.

What if parents err in discharging their duty? What if they mistakenly promote values and commitments that are *not* conducive to good lives — or discourage those that are?

The liberal state is supposed to maintain neutrality toward competing conceptions of the good. Hence it is not ordinarily in a position to pass judgment on the commitments and values that parents promote. There are, however, two types of situations in which they may intervene. First, they may prohibit the inculcation of values and commitments that conflict with the rights of others outside the family, such as theft, assault, or workplace harassment. Second, they may prohibit commitments and values that lead to demonstrable harm to children — for example, not meeting their basic physical needs of food, shelter, and medical care. Hence, the courts justifiably intervene when parents deny a child life-saving medical care because it conflicts with their religious beliefs.¹⁸

The Kantian argument, in short, severely restricts the possibility of state intervention. Limiting state interference, however, does not imply that parental inculcation of values is always justified. Parents may not try to transmit values in an authoritarian manner: to do so will merely provoke resistance, and would therefore be unlikely to “make the child content with his condition.” Nor does the Kantian argument justify attempts to inculcate values that conflict with basic psychological needs — for example, the constellation of values Tim Kasser has referred to as “materialistic values orientation”¹⁹ — since these too fail to lead to contentment.²⁰ On the other hand, parents who, because of the limitations of their knowledge, promote second-best values and commitments, ignoring better ones, do not run afoul of the Kantian standard. The moral requirement is to make children content, not to guarantee optimal outcomes. Both the baseball enthusiast and the music aficionado meet that standard.

CONCLUSION: GOOD LIVES AND INEQUALITY

Would parental inculcation of values lead to the kind of outcomes liberal theorists worry about — for example, benefits to some children that are denied to others?

Assume for the sake of argument that all parents do the best they can for their children, and all hold accurate beliefs about the dangers of bad lives, the benefits of their own commitments and values, and the limitations of their knowledge of other good lives. They know their own lives are good lives, and they skillfully promote their values and activities to their children. They don't claim to know enough about others' lives to assert their own are as good or better; they merely maintain that their lives are good lives, and passing on their values is the surest way to shield their children from the bad examples around them.

This set of conditions will inevitably produce different results for different families, and often even within a single family. Some activities and pursuits are inherently more satisfying than others; no single pursuit produces the same degree of satisfaction for all who engage in it; parents are not equally skilled in cultivation; and children are not equally receptive.

So a diverse society, in which all parents do the best they can for their children, leads inevitably to unequal outcomes and unequal life chances. That is not to say that cultivation leads to bad lives or empty lives; on the contrary, successful cultivation produces good lives and contentment. In a society of many good lives, life chances are unequal. A liberal state could equalize them only by preventing parents from discharging what many see as the most important moral duty they ever know in their lives. No rational contractor could ever agree to such a restriction, and consequently no state could impose it and retain its legitimacy.

-
1. Jonathan Kozol, *Savage Inequalities* (New York: Harper Collins, 1991).
 2. James Fishkin, *Justice, Equal Opportunity, and the Family* (New Haven, Conn.: Yale University Press, 1981); and Peter Vallentyne, "Equal Opportunity and the Family," *Philosophy and Public Affairs* 18 (1989): 27–45.
 3. Annette Laureau, *Home Advantage: Social Class and Parental Intervention in Elementary Education* (Lanham, Md.: Rowman & Littlefield, 2000); and Annette Laureau, *Unequal Childhoods: Class, Race, and Family Life* (Berkeley: University of California Press, 2003).
 4. James G. Dwyer, "Parents' Religion and Children's Welfare: Debunking the Doctrine of Parents' Rights," *California Law Review* 82, no. 4 (1994): 1371–447.
 5. See, for example, Peter Vallentyne, "Rights and Duties of Child-Rearing," *William & Mary Bill of Rights Journal* 11, no. 3 (2003): 991–1009; and Rob Reich, "Testing the Boundaries of Parental Authority over Education: The Case of Homeschooling," in *NOMOS XLIII: Moral and Political Education*, eds. Stephen Macedo and Yael Tamir (New York: New York University Press, 2002), 275–313.
 6. *Pierce v. Society of Sisters*, 268 U.S. 510 (1925); and *Yoder v. Wisconsin*, 406 U.S. 205 (1972).
 7. Dwyer, "Parents' Religion and Children's Welfare," 1424–426.
 8. John Locke, *Second Treatise of Government* (1689), ed. Peter Laslett (Cambridge, U.K.: Cambridge University Press, 1970); Joseph Goldstein, Anna Freud, and Albert J. Solnit, *Before the Best Interests of the Child* (New York: Free Press, 1979); and Michael S. Wald, "Thinking About Public Policy

- Toward Abuse and Neglect of Children: A Review of *Before the Best Interests of the Child*,” *Michigan Law Review* 78 (1980): 645–90.
9. Eamonn Callan, “The Great Sphere: Education Against Servility,” *Journal of Philosophy of Education* 31, no. 2 (1997): 221–32; Francis Schrag, “Justice and the Family,” *Inquiry* 19 (1976): 193–208; and Ferdinand Schoeman, “Rights of Children, Rights of Parents, and the Moral Basis of the Family,” *Ethics* 91 (1980): 6–19.
 10. Jeffrey Blustein, *Parents and Children: The Ethics of the Family* (New York: Oxford University Press, 1982).
 11. Immanuel Kant, *The Metaphysics of Morals* (1797), trans. Mary Gregor (New York: Cambridge University Press, 1991), 98–99.
 12. Henry Sidgwick, *Methods of Ethics* (1907) (Chicago: University of Chicago Press, 1962), 249.
 13. I am indebted to Chris Higgins of the University of Illinois at Urbana-Champaign for this point.
 14. Charles Howell, “Procreationalism and Its Critics,” *Journal for the Philosophical Study of Education* (forthcoming).
 15. Amy Gutmann, *Democratic Education* (Princeton, N.J.: Princeton University Press, 1987).
 16. See, for example, Gutmann, *Democratic Education*; Meira Levinson, *The Demands of Liberal Education* (New York: Oxford University Press, 1999); Stephen Gilles, “On Educating Children: A Parentalist Manifesto,” *University of Chicago Law Review* 63, no. 3 (1996): 937–1033; and Eamonn Callan, *Creating Citizens* (Oxford: Clarendon Press, 1997).
 17. Mireille Joussemet, René Landry, and Richard Koestner, “A Self-Determination Theory Perspective on Parenting,” *Canadian Psychologist* 49, no. 3 (2008): 194–200.
 18. Caroline Fraser, “Suffering Children and the Christian Science Church,” *Atlantic Monthly* 275, no. 4 (1995): 105–20.
 19. Tim Kasser, *The High Price of Materialism* (Cambridge, Mass.: MIT Press, 2002).
 20. Kennon M. Sheldon, “The Self-Concordance Model of Healthy Goal Striving: When Personal Goals Correctly Represent the Person,” in *Handbook of Self-Determination Research*, eds. Edward L. Deci and Richard M. Ryan (Rochester, N.Y.: University of Rochester Press, 2003), 65–86.