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Philosophy and Theology: Contemporary Discussions of Parenthood

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PHILOSOPHY AND THEOLOGY

Philosophers and theologians have devoted increasing attention to parenthood. One topic of interest is the relationship between parental rights and parental duties. In her article, “Adoption Is Not Abortion-Lite,” Lindsey Porter writes, “A proprietary theory of parenthood might succeed in explaining parental rights. After all, to own a thing is just to have a unique and robust right to it. But it’s clear that such an account will do little to explain parental obligation: if I own my car, it’s clearer that I have a right to cut it in half than that I have an obligation to care for it” (*Journal of Applied Philosophy*, February 2012). This account gets things backwards. It is not that parental rights explain parental duties but rather that parental duties explain parental rights. The primary and fundamental obligation of parents to care for their dependent vulnerable children grounds the particular prerogatives (rights) that parents have over their children. Parents cannot properly care for their children unless they can control the lives of their children in appropriate ways. The parental duty to care gives rise to parental rights. Porter continues, “Michael Austin gives a thorough discussion of these sorts of accounts in his *Conceptions of Parenthood*, and points out, additionally, that children are probably not the sorts of entities that can be owned. I don’t find his argument for the moral status of babies particularly compelling; but it seems quite obvious that *persons* can’t be owned, and usually, babies turn into persons—and persons with parents, at that. So, even if babies can be owned, children probably can’t be.” Children *probably* can’t be owned? It is startling to find the sentence so qualified. Porter opens the door to what amounts to slavery: ownership of human beings. In the quixotic quest to rationally justify abortion, a background belief animating Porter’s discussion, even slavery of a certain class of human beings becomes a debatable issue.

Another issue concerning parenthood is explored by Bernard Prusak in “What Are Parents For?” Prusak offers reasons why conceiving a child precisely in order to place the child for adoption is morally problematic (*Hastings Center Report*, March–April 2010). Although he does not explicitly cite *Donum vitae*’s argument that a child has the right to integrative parenthood, Prusak echoes this argument in other, persuasive, terms:

While making an adoption plan is justifiable when, during a pregnancy, parents realize that they cannot provide for the child as they are obliged to do, to seek to conceive a child with the idea of giving him or her up is wrong since it flouts the special imperfect obligation that a parent has toward his or her child to seek to make his or her life good in ways that only a parent can. More simply, to seek to conceive a child with the idea of giving him or her up is to fail to take seriously the obligation that a parent has to love his or her child in ways that only a parent can be expected to do. And so it should not be done.

This sounds right. However, elsewhere in the article, Prusak objects to the idea of the child's right to be loved, an idea defended by S. Matthew Liao in a 2006 article titled, "The Right of Children to Be Loved."¹ Prusak writes, "It cannot plausibly be claimed that a child has a *right* to be loved by his or her parents; this way of talking just does not make sense. (Imagine a child seeking a lawyer to bring his or her parents to court on the charge that they just do not love her.) The obligation in question is then an imperfect obligation, using this term in contrast to a perfect obligation to mark the distinction between obligations with counterpart rights (namely, perfect obligations) and obligations without counterpart rights (namely, imperfect obligations)." This passage is rather confused in part because "love" is not defined. If we understand "love" as the choice to will what is good for another, then parents do indeed have legal obligations to love their children, to provide various goods for them such as food, clothing, and shelter. With the help of an attorney, a child could indeed force his or her negligent parents to do their duty and love him or her in the sense of providing necessities.

Prusak provides another argument against children having a right to be loved,

I disagree, then, with Liao's argument in "The Right of Children to Be Loved" seeking to vindicate this right, found in some international declarations, from the charge that it is merely a so-called manifesto right. Liao claims 1) that "human beings have rights to those conditions that are primary essential for a good life"; 2) that "being loved is primary essential for children to have a good life" as human beings (for which he provides much important documentation); and so 3) that, "therefore, children have a right to be loved" (422). To which it might be countered: the first premise is false. To begin with, would Liao want to claim that there is a right to health? For health, too, can be described as a condition "essential for a good life." Also, to proclaim a universal right to a good, without regard to whether there is a specifiable obligation-holder, is to cheapen the language of rights. In such circumstances, nothing can be claimed against anybody. For example, does an orphan have a right to be loved? If so, against whom does the orphan hold this right?

This critique of Liao does not stand up to scrutiny. Is there a right to health? Prusak asserts, without argument, that there is no such thing without even defining what the right to health might be. It could be that there is a "right to health," which is similar to the right to life. Just as people have a duty to not intentionally take the life of an innocent person (and this is what is meant by the "right to life") so, too, people have a duty to not intentionally harm the health of innocent people. Although we do not often speak in this way, the duty to not intentionally harm the health of others may

¹ See S. Matthew Liao, "The Right of Children to Be Loved," *Journal of Political Philosophy* 14.4 (2006): 420–440.

be called the “right to health.” Nature may impede someone’s life or health, but the rights to life and health provide a kind of moral immunity, protecting each of us from intentional harm by others.

The case of the orphan does not pose a problem for the child’s right to be loved if we understand the right to be loved as the duty of the parents to love. The right to be loved may be something like the right to inherit property from one’s parents. If one’s parents have no property, then one will not get property even though one retains a right to inherit property. Similarly, children retain the right to be loved, even if their parents are dead and so cannot provide love.²

In their article, “Better Not to Have Children,” Gerald Harrison and Julia Tanner defend a view that is becoming increasingly prominent: that “it is both wrong and unwise to procreate” (*Think*, 2011). The first argument that they give in their defense of sterility is that procreation is bad for others in virtue of the environmental destruction that human beings cause around the planet.

This argument is certainly too broad. Some human beings do indeed trash the planet, but some human beings do not harm the planet, while other human beings positively help the environment. Among those who do not harm the environment are indigenous tribal peoples who live low-consumption lifestyles. Among those who positively enhance the environment are the scientists working on ways to reduce pollution and the technological innovators working on ways to develop clean energy sources. Human beings can even help fix environmental damage caused by non-human beings, as when a forest fire started by lightning threatens to destroy a natural habitat but is put out by fire fighters. The implicit generalization on which Harrison and Tanner’s argument rests, that procreation is always bad for others in virtue of the environmental destruction, is false.

Next, Harrison and Tanner argue that “it is questionable whether existence is, in general, a benefit to the exister: it may be more of a burden than a boon. Granted, if you ask them, most people will say their lives are worth living (in fact, most people will say their lives are going better than most people’s!). But there are powerful psychological factors at play here. Our self assessments of well-being are known to be heavily biased towards the positive.” Thus, according to Harrison and Tanner, since living is a burden, and procreators cause people to live, procreators burden other people.

Since the vast majority of people prefer living over dying, Harrison and Tanner reject preference satisfaction as a basis for determining benefits and burdens. There is another reason that they need to reject preference satisfaction in order to make their case for it being better to be barren. As W. Bradford Wilcox and Elizabeth Marquardt point out, the vast majority of people prefer having children over being sterile: “In fact, in the 2010 General Social Survey, only 2 percent of young adults reported that they thought that having no children was ideal for a family (and only 18 percent of middle-aged women today are childless).”³ So, Harrison and Tanner’s

² For a further article of interest on this topic, see S. Matthew Liao, “Parental Love Pills: Some Ethical Considerations,” *Bioethics* 25.9 (November 2011): 489–494.

³ W. Bradford Wilcox and Elizabeth Marquardt, *When Baby Makes Three: How Parenthood Makes Life Meaningful and How Marriage Makes Parenthood Bearable* (New York: Institute for American Values, 2012), 12.

ethical judgment that it is wrong to have children must rest on some other foundation than preference satisfaction, but it is not clear what that foundation is.

They speak about “benefits outweighing burdens” but fail to provide any objective basis for what counts as a benefit or what counts as a burden or what an acceptable ratio of benefits and burdens would be. Harrison and Tanner write, “Even if benefits outweigh burdens within a life, there’s no escaping the fact we die. Most agree that our own deaths harm us greatly (not the Epicureans). They end our lives—lives that we have become invested in, that we’d very much like to continue. These sorts of considerations make it uncomfortably plausible that it may be better never to have lived at all, than to have lived and died.” It is inconsistent for Harrison and Tanner to first reject preference satisfaction when it comes to why having children is good or why existing is desirable and then invoke preference satisfaction to establish the harm of death as part of the burden of living. Further, unless life itself is a benefit, either as an intrinsic good or at least as a necessary condition for enjoying some things (perhaps pleasant mental experiences) that are considered intrinsically good, then it is hard to see why death would be a negative. But if death is not a burden, then it should not count negatively in our assessment of whether it would have been better never to have lived at all, than to have lived and died. Harrison and Tanner’s assessment is also confused since it is impossible to compare the state of “never having lived” to the state of living and then dying, since “never having lived” is not a state at all but a lack of having had a condition. Prior to his or her existence, a person is in no condition at all, so comparisons of a person prior to existence with an existing person do not make sense.

In mounting their case against procreation, Harrison and Tanner point out that children do not consent to existing: “But even if life is beneficial overall, it doesn’t follow that it was permissible to subject someone to it. Children often, resentfully, point out to their parents that ‘they didn’t choose to be born’. They have a point. Ordinarily it is wrong to subject someone to something; ordinarily we must gain someone’s consent before doing something that will significantly affect them. To subject someone to a life is to significantly affect them without their prior consent.” Put in syllogistic form, Harrison and Tanner argue that it is wrong to subject someone to something without his or her consent; to bring a child into existence is to subject someone to something without his or her consent, so it is wrong to bring a child into existence.

Both premises of their argument are false. True, children did not consent to existing, but in procreating a child, parents do not violate the principle that “it is wrong to subject someone to something,” since the person allegedly violated was not in existence prior to his or her conception and so could not be subjected to anything. Prior to coming into existence, no subject can be violated. Furthermore, the minor premise is undermined by various counterexamples. Parents regularly subject their own children to many things, not only without the children’s informed consent (such as the feeding of babies) but sometimes also *against* the children’s consent (such as vaccinations and compulsory schooling). Not only do the parents do no wrong in such matters but they have a positive duty to act without the consent of their children and sometimes against the wishes of their children.

Last, Harrison and Tanner argue that having children make parents unhappy: “The evidence is, the more children you have the more unhappy you are likely to be. . . . Happiness levels only start going back up after the last child leaves home.” This argument fails, both conceptually and empirically. Conceptually, without defining

happiness we cannot offer a reasonable answer to the question of whether happiness typically increases, decreases, or remains static with children. Let us consider only three options, excluding, for reasons mentioned, preference satisfaction as a possibility. If one defines happiness in terms of bodily pleasure, it is indeed hard to see how having children would contribute. If one defines happiness as meaningful achievement, then it is important to note that “husbands and wives who have children are significantly more likely to report that their ‘life has an important purpose,’ compared to their childless peers.”⁴ If one defines happiness as activity in accordance with virtue, then children will bring happiness only for people of good character. If Aristotle is right, only the virtuous will enjoy difficult but virtuous activity, such as raising children. People lacking virtue will derive neither pleasure nor satisfaction from such difficult activity.

Empirically, Harrison and Tanner’s argument is weak because it relies on dated data. They cite Daniel Gilbert’s *Stumbling on Happiness*, which relies on a 1977 study that suggests that children and happiness are inversely related.⁵ More recent data, provided in 2012 by the National Marriage Project, portrays a different picture: “According to the Survey of Marital Generosity, the happiest husbands and wives among today’s young couples are those with no children *and* those with four or more children. . . . This means that the parents of large families are at least 40 percent more likely to be happily married than the parents of smaller families.”⁶ It is not true that the more children you have the more unhappy you are likely to be.

Finally, Harrison and Tanner’s thesis that it is wrong and unwise to procreate overlooks what children give to parents. Children enable parents to realize the drive of erotic love toward unity. In having children, parents are united physically in the very DNA of their children. Normally, parents are also united in affection through loving their children and united emotionally by sharing in the joys and sufferings of their children.⁷ Children strengthen a marital friendship of virtue by providing ample opportunities for virtuous acts that strengthen the character of the parents. From a Christian perspective, children also provide built-in opportunities for the parents to perform countless corporal and spiritual works of mercy.⁸ For reasons such as these, the Second Vatican Council taught that “children are really the supreme gift of marriage and contribute very substantially to the welfare of their parents.”⁹

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⁴ Ibid., 4.

⁵ Daniel Gilbert, *Stumbling on Happiness* (London: Harper Press, 2006).

⁶ Wilcox and Marquardt, *When Baby Makes Three*, 50, original emphasis.

⁷ For more on the relationship of procreation and eros, see Christopher Kaczor, “Being in Love and Begetting a Child: A Greek Myth of Eros and the Christian Mystery of Marriage” in *Sexuality and the U.S. Catholic Church: Crisis and Renewal*, ed. Lisa Sowle Cahill, John Garvey, and T. Frank Kennedy (New York: Rowman and Littlefield, 2006), 52–67.

⁸ See Christopher Kaczor, *The Seven Big Myths about the Church: Distinguishing Fact from Fiction about Catholicism* (San Francisco: Ignatius Press, 2012), chapter four, “Indifferent to Love, the Church Banned Contraception: The Myth of Opposition Between Love and Procreation.”

⁹ Vatican Council II, *Gaudium et spes* (December 7, 1965), n. 50.