

Luck Egalitarianism and Procreation

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1. Introduction

In most European countries, fertility rates dropped below the replacement level of 2.1 children per woman in the 1970s. In many countries, such as Germany, Italy and Spain, there has been a steady decline ever since (Grant et al. 2004). In the wake of this decline, policies dealing with financial support for families and the subsidisation and organisation of child care have gained in importance and are much debated. Philosophers, too, have thought hard about the question of whether the community at large should be responsible for bearing the costs of raising the next generation. There is an active field of research dealing with the following two questions:

1. What are children owed?
2. Who should pay for the children?

Much of this literature is very applied and policy-oriented, such as Alstott (2004), Brighouse (2005), Folbre (2008), Garofalo and Robeyns (2009) and Daly and Rake (2003). But surprisingly little has been written on what the dominant theories of justice might respond to these questions. I want to explore the implications of luck egalitarianism as one of the major frameworks in contemporary political philosophy with regard to these questions – both because it is one of the intuitively most plausible views on justice, and because questions of procreation pose some interesting problems for this framework.

Luck egalitarianism is the view that people should be equally well off as everybody else in a society, unless differences are due to choices they can be held responsible for. On first inspection, luck egalitarianism does

indeed seem to imply answers to both the questions posed above, namely that children are owed equal life prospects to everybody else, and that parents should pay. However, the combination of these answers would be overly demanding in the realm of non-ideal theory, that is, theorising which takes into account existing injustices: it is too harsh towards parents who are themselves disadvantaged in an unjust society. Luck egalitarianism is an ideal theory in the sense that we usually assume a just society of perfect equality as a starting point and then see whether differences are caused by conscious choice. It is this assumption that gives rise to the counterintuitive responses to the above questions. So the luck egalitarian will have to adapt her answers to a non-ideal world, or so I will argue.

This is no attack on the luck egalitarian framework: As most comprehensive theories of justice, luck egalitarianism remains mostly silent on what justice implies for a non-ideal world (see Swift 2008). In fact, this may be a reason why the literature dealing with questions of procreative justice is more policy-oriented, and relatively detached from debates about comprehensive theories of justice.

The purpose of this paper is to show that despite these problems, luck egalitarianism can still provide a valuable insight: many of the costs of children are costs which arise from the children's rights of egalitarian justice. Even when we hold parents responsible for their procreative decisions, there may be reasons in non-ideal theory to refrain from holding parents responsible for these particular costs in full. It seems unacceptable to make parents pay the full costs of egalitarian justice when they themselves have been disadvantaged in an unequal society. This provides a distinct argument for some form of joint responsibility for children.

2. Luck egalitarianism and responsibility

To motivate luck egalitarian answers to our guiding questions of what children are owed and who should pay for them, this section introduces the luck egalitarian framework and its central intuition. We will not have to go into much detail of the different accounts of luck egalitarianism to motivate these answers, so the discussion will remain fairly general.

Luck egalitarianism is still one of the dominant strands of egalitarianism amongst contemporary theorists of justice, counting R. Dworkin, R. Arneson and G. Cohen amongst its proponents. It also expresses some of the most widely held intuitions about egalitarian justice. With this wide base of support, it is inevitable that there is much diversity within luck egalitarianism. What I want to do here is just to give a general impression of the main tenets of luck egalitarianism. Along with Knight (2009a), and arguably also Anderson (1999), I take the main idea to be this: luck egalitarianism holds that people should be equal with respect to a metric of justice (such as resources or welfare) unless differences are due to choices people can be held responsible for. Let us see how this idea encompasses some of the main luck egalitarian distinctions and internal debates.

A common distinction within luck egalitarianism is that between option luck and brute luck, first established by Dworkin:

‘Option luck is a matter of how deliberate and calculated gambles turn out—whether someone gains or loses through accepting an isolated risk he or she should have anticipated and might have declined’.

Accordingly, brute luck is

‘a matter of how risks fall out that are not in that sense deliberate gambles’ (Dworkin, 2000: 73).

For instance, being born with a severe disability is a matter of brute luck. But a well-informed hobby parachutist ending up disabled after a parachuting accident is a matter of option luck. Using this terminology, luck egalitarianism holds that people should be compensated for differences due to brute luck alone.

Another way of characterising the luck egalitarian intuition, also from Dworkin, is that distributive principles should be ambition-sensitive, but endowment-insensitive. Endowments include the initial resources available to people, as well as their natural advantages or disadvantages, such as disabilities. When a distributive principle is endowment-insensitive, then the final distribution should not reflect initial differences in endowments. All differences should be due to differences in ambition.

Looking at Knight’s (2009a) characterisation and the two characterisations based on Dworkin’s distinctions, saying that (1) people should be compensated for disadvantages they are not responsible for, (2) people should be compensated for differences in brute luck, and (3) our distributive principles should be ambition-sensitive but endowment-insensitive may not be equivalent ways of spelling out the luck egalitarian intuition – depending on how the crucial terms in these characterisations are spelt out exactly. However, I want to argue that there is some ground for holding that (1) is basic to luck egalitarianism, and that (2) and (3) are different interpretations given to it by theorists like Dworkin. Like Knight, I want to focus on responsibility. There are two reasons for the claim that responsibility is basic: thinking about responsibility helps us make sense of internal debates within luck egalitarianism, and an appeal to responsibility is what makes luck egalitarianism normatively compelling.

To start with the first, the centrality of the notion of responsibility for theorists of luck egalitarianism becomes apparent, for instance, in the debate about expensive tastes. We speak of expensive tastes when people have tastes that make it more expensive to make them equal to everybody else with regard to the metric of justice. For instance, if I need champagne before my dinner in order not to be completely miserable, then it will be very expensive to keep me as happy as the rest of us. Luck egalitarians all agree that we should compensate for disadvantages caused by physical or mental handicaps. However it is not clear how expensive tastes are relevantly different from such handicaps – some of my tastes may be as entrenched as physical handicaps. There is an active debate about whether and how expensive tastes may be different from natural disadvantages (see Knight 2009b). What is important for my point is that this debate appears to revolve around the notion of responsibility: What luck egalitarians want

to say is that while we can never be held responsible for inherited handicaps, it may be that we can be held responsible for some of our expensive tastes. Cohen, for instance, holds that expensive tastes we would now choose not to have can be used as the basis for compensation, but not others (see Cohen 1989, 2004). Dworkin (2000) uses a stricter criterion, and puts all ‘ambitions’ on the side of tastes we can be held responsible for, and works out a number of specific criteria to distinguish ambitions from natural endowments.

One interpretation of Cohen and Dworkin is that they aim to establish what makes a person responsible for their choices. In Cohen’s case, we are responsible when our preferences are such that we would now choose to have them. And in Dworkin’s case, we are responsible for our ambitions. This interpretation is not only intuitively appealing; it is also rendered more plausible by the observation that both Dworkin and Cohen invoke the idea of personal identity. Dworkin does so directly by speaking of ambition as belonging to somebody’s personhood. He writes that

‘[i]t is true that this argument produces a certain view of the distinction between a person and his circumstances, and assigns his tastes and ambitions to his person, and his physical and mental powers to his circumstances.’ (2000: 81)

Cohen invokes an idea of second-order preferences – preferences over the preferences that guide our behaviour. The latter is very much reminiscent of Frankfurt’s (1971) account of moral responsibility, which also intimately links responsibility with personal identity, and conceives of personal identity as higher order preference. Roughly, he thinks that our intimate self is constituted by the wishes we have about what our preferences in everyday situations should be, our preferences over preferences. Moral responsibility, too, has to do with higher-order preferences, in that we are responsible for an action if that action is in accordance with our higher-order preferences, with those preferences that constitute our personal identity. Frankfurt represents a tradition that views responsibility and personal identity as closely interconnected. In the light of this tradition it makes sense to interpret the debate about expensive tastes to revolve around when something is considered one’s own responsibility. Obviously there is much disagree-

ment about what responsibility implies, but this disagreement aligns well with the disagreements within luck egalitarianism itself.

Turning to the second reason, responsibility is central to the normative appeal of luck egalitarianism. When one is told that people should be compensated for natural disadvantages alone, or for differences in brute luck alone, it is not unreasonable to ask why this should be the case. Further justification may be called for. An appeal to responsibility may provide such further justification. For instance, we could say that it would be unjust for people to be worse off *through no fault of their own*. This justification argues from an appeal to responsibility to egalitarianism. Alternatively, we may say that we presuppose a strong egalitarian intuition, but then appeal to responsibility to limit it. While we should generally compensate for differences, it would be unjust to make everybody pay to compensate somebody who is worse off *through their own fault*. In any case, if we were to accept that people are not responsible for their natural disadvantage, or that they are not responsible for their brute luck, appeal to responsibility can normatively justify why Dworkin’s two distinctions should matter for egalitarian justice. It is hence normatively more basic. Of course, again, it is very much an open question what people can be held responsible for. All I am saying is that Dworkin’s appeals to option luck and to ambition should be understood as specific answers to that question.

So for these reasons, luck egalitarianism is best characterised as follows: people should be equal with respect to the preferred metric of justice unless differences are due to choices people can be held responsible for. But we can say more than that. We have just seen that responsibility can be appealed to in two different ways to argue for this central luck egalitarian claim. Accordingly, luck egalitarianism can be characterised by its turning against two kinds of injustice. Most defences of luck egalitarianism take a case of inequality and argue that it is unjust when it is due to natural disadvantage. But we can also look at it from the other side. We could, for instance, start from the idea that equality of welfare is a good thing. The luck egalitarian position can then be motivated from a particular failing of this simple egalitarianism. If people know that equality of welfare will be restored following all their choices, they make these choices, and develop their ambitions without facing their true costs. The costs will be

spread amongst all. We could understand this as an externality problem. Consequently, the inherent structure of simple welfare egalitarianism can lead to situations that are both inefficient, in the welfare economic sense, and may seem unfair. There is a second kind of injustice that luck egalitarians turn against, namely the injustice of having to compensate somebody for choices they can be held responsible for. Dworkin is writing from this perspective in the sentence following the above quotation:

‘That is the view of a person [...] as someone who forms his ambitions with a sense of their cost to others against some presumed initial equality of economic power.’ (2000: 81-82)

As a rough characterisation, we can hence say that luck egalitarianism turns against two perceived classes of injustice: The injustice of being worse off than others through no fault of one’s own; and the injustice of having to compensate people for expensive choices they made willingly and knowingly, and with no input from those asked to compensate.

3. What are children owed?

What does luck egalitarianism have to say about procreation? Let us first focus on the children. What is unique about procreative decisions is that they result in the existence of persons who did not exist before, and who will be taken seriously as subjects in a theory of justice. Focusing on these newly created persons, luck egalitarians would presumably say that they cannot be held responsible for the circumstances they are born into. So, depending on one’s account of luck egalitarianism, one would either say that family background is a matter of brute luck, or part of one’s endowment. Considering the effect of a family’s socio-economic and educational background on the life prospects of a child (see Bradley and Corwyn 2002, Davis-Kean 2005, Mayer 2002), luck egalitarians would argue for compensation for differences in family background, and measures to keep the effects of background in check (see Segall 2011). This can provide an answer to the question of what children are owed: children are owed equal life prospects, an expectation to do as well as everybody else with regard to the metric of justice, independently of family background.

When it comes to correcting injustices, there are deontic and teleological interpretations of egalitarianism. Deontic egalitarians hold that those worse off through no fault of their own have a claim-right to compensation, while those better off have a duty to compensate. Teleological egalitarians think that equality is a value and that it is good for inequalities to be compensated when they are the result of brute luck. This avoids the language of claim-rights and duties, by putting the central egalitarian claims in terms of the value attached to certain pattern of distribution. Still, it can be said that this approach identifies the receivers as those with bad brute options luck and the donators as those who are better off. Temkin (1993) subsumes both approaches under one terminology by saying that the worse off have *complaints*. I will stick to the deontic account here, which is also the more common one – especially when equality is thought of as a matter of justice. This makes the following discussion more straightforward. It is possible, however, to think of everything I say in teleological terms as well. On this deontic interpretation, then, luck egalitarianism holds that every child has a claim-right to life prospects equal to those of the rest of the population. By having a child, parents create a person with such a right.

Next, we would like to answer the question of who should pay for the children. Before answering that question, it would be helpful to know what children cost. But the costs of children are at least partly dependent on what children are owed. In fact it is very hard to define the costs of children (see Folbre 2008). But at the very least, they include things that children have a moral right to, such as the care and means to cover their basic needs. According to luck egalitarianism, equal life prospects are amongst the things that children have a moral right to. So a luck egalitarian would have to say that the costs of children include whatever is needed to ensure these.

4. Who should pay for the children?

Focusing on the parents, a luck egalitarian would say that to the extent that procreation is a conscious choice, parents are responsible for their procreative decisions. At least in the developed world, procreation is often,

if not most of the time, a matter of choice, or the result of a risk taken willingly and knowingly, and would hence be counted as option luck. The luck egalitarian may conclude that in most cases, parents should not be compensated for the costs of children (see Casal and Williams 2004, Rakowski 1991).

While the luck egalitarian answer to the first question above, concerning what children are owed, is more consensual, there is much opposition to this luck egalitarian answer to the second question. That disadvantaged parents should be supported in raising their children is a very strongly held belief amongst many philosophers writing on these issues. Indeed, some have argued for this view from within the luck egalitarian framework, thereby denying that the luck egalitarian answer I just described is unavoidable. I address some of these arguments in the following, but will argue that they should fail to convince the luck egalitarian.

In her *No Exit*, Alstott (2004) argues that child-rearing should not be regarded as an 'expensive taste', and that appeals to the parents' responsibility are irrelevant in the case of child-rearing. The main theme of her book is that society has a mutual obligation to care for children, irrespective of parents' responsibility for their decisions. There is a 'no exit' command for parents to provide 'direct, intimate and continuous care' (2004: 38) for their children. According to Alstott, such care by at least one parent is essential for the child's well-being. She further argues that this restricts the parents' autonomy considerably, and uses this to justify state compensation for the parents' efforts, as well as enforcement of the caring commitment. While the parents should normally be the ones fulfilling the 'no exit' command, society has a mutual obligation that children are cared for, and should assist the parents. Alstott's argument does not appeal to the parents' responsibility for their procreative decisions, and she denies that responsibility can undermine her argument. This is where her argument that child-rearing is not an expensive taste comes in (2000: 61-63).

As we have seen, luck egalitarians usually appeal to expensive tastes to make an argument along the following lines: if somebody makes certain choices because she has tastes which are expensive to fulfil, she cannot expect the community to compensate her for the costs. Applied to children, this is an argument against state support for parents: parents make

the expensive decision to have children, and should not expect the community to compensate them. Against this conclusion, Alstott now claims that, firstly, often parenthood is not chosen, and, secondly, even in the cases where it is, child-rearing is expensive because it must be 'enforced'.

It is hard to interpret what she means by this second claim, or how this is an argument against holding parents responsible for the costs of children. I can see two possible interpretations of how enforcement makes child-rearing expensive. However, on neither does Alstott succeed to refute the expensive tastes challenge.

Firstly, we may interpret enforcement as something that only comes into play once parents have already failed to care for their children adequately. When parents have failed to care for their children by themselves, it is important that the state should act so that the children receive the care they need. In this case, Alstott has done nothing to refute the expensive tastes argument: the state support she argues for can in fact be interpreted as supplementary to the position that parents should be held responsible. We could view child-rearing as an expensive taste, the costs of which parents are responsible for. But of course people can always fail to live up to their responsibilities. The parents' failure to care for their children could be seen as a failure to live up to their responsibility, and the state would only come in to clear up the damages of the parents' moral failure. Enforcement matters when parents fail in their duties of responsibility. Alstott's argument would then simply be that parents frequently fail without enforcement.

On the second interpretation, enforcement is not merely associated with failure to fulfil duties. Rather, it is acknowledged by those to whom the enforcement is applied as a necessary incentive mechanism that helps them meet their commitments. This acknowledgement may spring from people's awareness of their own weakness of will or short-sightedness. Alstott clearly thinks that enforcement is necessary – so presumably it is possible for responsible and forward-looking parents to anticipate that they will need to be given incentives to meet their commitments on a day-to-day basis. But if this is the case, and parents still decide to have children, the expensive tastes argument would still apply. If we think it is valid, we would like to hold parents responsible even for the costs of enforcement.

As Brighouse (2005) notes, two conceptions of autonomy are at work in this debate. Alstott stresses the loss of autonomy for parents on a day-to-day basis. The caring commitment decreases their options. On her view, this is what makes child-rearing expensive and makes enforcement necessary. But Brighouse argues that this is not the kind of autonomy which matters, and that the caring commitment could in fact be seen as an expression of autonomy:

‘The person who is autonomous in the sense that matters, I think, is the person who is able to distance themselves from, and rationally revise, their emotional commitments and judgements.’ (2004: 279)

We can apply this to the expensive tastes argument by saying that this second kind of autonomy is also what matters when responsibility is at stake. When we make an autonomous decision in this sense, one that we can rationally reflect on, then we can be held responsible for it. So if the decision to procreate was an autonomous one in this sense, we can be held responsible for it – even if this decision in fact restricted our short-term autonomy as Alstott understands it. And then the decision to procreate would have to be seen as an expensive taste.

Some of Anderson’s (1999) critique of luck egalitarianism can be understood in a similar way to what Alstott is saying here. Take what Mason (2000) calls the ‘equal access view’, which implies that

‘a person’s decision to have a family may legitimately influence their employment and training opportunities. Equality of access may obtain even when individuals fail in competitions for jobs or promotions [...] as a direct or indirect result of their childcare commitments, so long as those commitments were incurred voluntarily.’ (2000: 231)

This claim sounds very much like the expensive tastes challenge to Alstott’s views. When childcare commitments were incurred voluntarily, then the resulting inequalities are not problematic from an egalitarian viewpoint. Mason claims that, in the spirit of Anderson (1999), Anderson would respond to this argument by claiming that it leads to the exploitation of those who see themselves under a moral obligation to care for dependents

– in practice mostly women – by not offering them support. Anderson and Alstott both appear to think that since parents are under a moral obligation to care for their children, caring is not like acting on an expensive taste for champagne and caviar – caring is not a lifestyle choice.

Alstott and Anderson are right in considering caring commitments special, but it cannot be because they are moral commitments that are hard for the parents to fulfil. It remains true that in the case of a deliberate decision to procreate, the parents need not have had children, and hence need not have taken up these obligations. There seems to be no relevant difference to the case of somebody willingly and knowingly signing a contract that commits them to regular payments. Here we would say the person has a moral obligation to pay, because she promised to. But at the same time she is responsible for having signed the contract, and other things being equal, seems to have no right to assistance from others. It may not be the case that caring for an existing child can be called an expensive taste. But what matters is the decision to procreate in the first place. When parents choose to have children, this is based on the parents’ preference for having children, and this ‘taste’ is expensive, because raising children, and fulfilling their rights is expensive.

The arguments I am ascribing to Alstott and Anderson here do not question the general validity of the expensive taste argument, although both are in fact critical of luck egalitarianism. Rather, they argue here that the expensive tastes argument does not apply, because child-rearing is not an expensive taste. I argued that both in a sense fail to see the importance of the distinction between child-rearing as the activity of fulfilling one’s moral obligations to existing children, and child-rearing as the original choice to have children, and to enter commitments. In the latter case, it is not so clear that child-rearing could not be regarded as an expensive taste.

If we accept the luck egalitarian distinctions, there only seem to be three ways for parents not to be held responsible, and to escape the conclusion that parents should pay for the costs of children. Firstly, the children may have been entirely unplanned, and not even the consequence of having taken a known risk. I have said this at least is not the norm in developed countries today. Secondly, the parents may have been unaware of the costs of children. This is also an unsatisfactory basis for compensat-

ing disadvantaged parents: it would be a sad state of affairs if a majority of parents could be regarded as stumbling into parenthood completely surprised by what it implies for their lives, especially since this would suggest many parents may regret their decision to have children, and fulfil their obligations reluctantly. Thirdly, we can regard the original desire to have children as something like a handicap, a desire the parents cannot be held responsible for. Again, this option does not seem very attractive. In Dworkin's vein, the desire to have children would not be an expression of our personhood, not part of our ambitions, but of our circumstances. Or in Cohen's version of the argument, parents would usually not choose to have the desire to have children if they could. This simply seems to be an inaccurate description of how parents usually feel about children, and the place children have in their life plans. It would also have troublesome implications for parent-child relationships.

There may be one other route for Alstott and Anderson to avoid, rather than confront the luck egalitarian challenge. I said above that luck egalitarianism would suggest that parents cannot be compensated for the costs of children when they can be held responsible for the choice to procreate. However any compensation must be based on some *prima facie* distribution of the relevant metric of justice. So we already have to have assigned the costs of children to one party or another. To be compensated, parents would already have to have decreased prospects, i.e. already have to have been assigned to pay the costs of children. It is consistent to hold that while parents cannot be compensated, some of the costs of children are not to be covered by the parents in the first place, but, for instance, by society. This seems to very much fit what Alstott is arguing—she thinks we are all mutually responsible for children in society from the start.

However, this solution seems counterintuitive for a luck egalitarian. It would mean that some people can make a unilateral decision which causes costs for others in society. The parents' decision would cause an externality. Hence the second kind of injustice we identified luck egalitarianism as turning against occurs. Parents cause a cost to others willingly and knowingly and expect them to contribute. To have mutual costs without a mutual decision must seem unfair to the luck egalitarian.

In conclusion, the most plausible luck egalitarian interpretation of the decision to procreate is that parents should be held responsible for all child-rearing costs if they made this decision willingly and knowingly, as most parents do. In ideal circumstances, child-rearing costs hence seem to offer no grounds for compensating the parents. There is nothing about child-rearing as such that forces the luck egalitarian to give up her position or to admit that her distinctions do not apply.

5. Putting together costs and cost-bearers

We have now established what the luck egalitarian answers would be to the questions of what children are owed, and who should pay for the children. Put together, are these answers acceptable?

Firstly, we said that parents cannot be compensated for the costs arising from their considered procreative decisions. One of these costs entails providing the child with equal life prospects to everybody else. This would force the parents to spend a certain amount of their resources on their children. This amount would be independent of how well off the parents are to begin with, and depends only on differences in the child's needs and differences in child-rearing skill. I can see three possible objections to this conclusion: the first is practical, the second has to do with undermining family integrity, and the third has to do with fairness.

The practical problem is that families are integrated units in that household spending as a whole has a big impact on all members of the family. It may be hard to distinguish what is spent on a child, when the socio-economic standing of the parents has a big impact on the child's prospects. If the parents are forced to spend a large proportion of their resources on the child, in the form of schooling etc., their own standard of life may slip, which negatively affects the child. However, if we regard money spent on keeping up a certain standard of living for the whole family as money spent indirectly on the child's well-being, the practical difficulty disappears. Of course guaranteeing this standard of living may be impossible for some, but this only highlights that having children and fulfilling one's obligation to them is very expensive, and may be unaffordable for some.

The second objection focuses on the integrity of a family. It is a widely held belief that within the family, parents have certain rights over their children, and that the state should not normally interfere with the internal workings of a family (see Brighouse and Swift 2006). It also seems to be a common belief that, within limits, parents have the right to raise their children within their own social context, so that they might live a life similar to their own. Both of these rights may seem to be undermined by what I identified as the luck egalitarian position, since it imposes such strong restrictions on parents: parents have a duty to provide their children with life prospects that are equal to everybody else's.

With regard to the right to non-interference, the luck egalitarian may respond in the following way: on most views of what it is that ought to be equalised, equal life prospects are realisable in many ways. Firstly, people differ from one another, partly because of their upbringing, with regard to what they value in life. This affects what distribution of goods would constitute equality. Secondly, there are different ways of life that could be judged equivalent by one and the same person. Thirdly, there are different routes to arrive at any way of life. Hence parents are still guaranteed some freedom to decide how to raise their children. The demand for equal life prospects does not require uniformity in children's upbringing, or regulation of family life in a set way. Furthermore, while it is true that the duty we identified is very demanding, the luck egalitarian may decide against enforcement if that would interfere too much with the working of a family, which may be harmful especially to the children.

The second point, about parents having a right to bring children up in a way of life similar to their own, is harder to counter for the luck egalitarian. The parental freedom just described may not include bringing up the children in the same way of life they lead. Consider the strong sense of working class consciousness that existed in England until recently. Parents would consider it important to pass this consciousness on to their children. At the same time, class consciousness may keep the children from rising in the social ladder in later life. If we make those who are worse off today responsible for ensuring equal life prospects for their children, they are hit much harder: raising their children to live a life different from their own is more difficult, and means they cannot pass on their values and way

of life to their children.

The third objection I mentioned has a similar conclusion. The luck egalitarian position makes it relatively more expensive for those with fewer resources to have children. In fact, it may be unaffordable to the poor. We have said that ensuring equal life prospects for one's children probably requires keeping up a certain life-style for the family as a whole. But how should the worse off achieve that while also spending enough resources on the child? The luck egalitarian position sketched here basically makes the parents pay the costs of egalitarianism. But these costs are much too high for the worst-off. This seems unjust, especially when we consider how important and deeply meaningful the decision to procreate is considered by many. For instance, Dyck (1973) considers the right to procreate as fundamental as a right to life. It would be deeply counterintuitive if luck egalitarianism made it impossible or unacceptably expensive for the poorer in society to have children. But no luck egalitarian thinks that luck egalitarianism can be applied straightforwardly under non-ideal conditions, that is, conditions in which inequalities exist. To what extent could a luck egalitarian spirit carry over to a non-ideal situation?

6. Ideal and non-ideal theory

So far, we have ignored the distinction between ideal and non-ideal theory. This distinction is common in political philosophy at least since Rawls (1971). In ideal theory, we typically assume perfect compliance to those principles that make a society perfectly just (Robeyns 2008). Considering the distinction here is very relevant, since it is a major criticism of luck egalitarianism, especially Dworkin's variant, that it is not clear how it translates from ideal to non-ideal theory (see Swift 2008).

Luck egalitarianism is 'ideal' since we usually assume perfect equality as a starting point. Here, the problems we just described do not arise: parents are all in an equal position to begin with, and are equally capable of paying for the costs of children. They have to provide their children with life prospects equal to their own – which would also preserve family integrity as we described it. Hence, in ideal theory, it seems plausible that parents should be held responsible for the costs of ensuring equality in the

next generation.

In the case of non-ideal theory, it is not even clear what ‘equal life prospects’ would be and hence how much exactly children are owed. Are they life prospects equal to the average of the entire population when they are born? Life prospects equal to those that children born at the same time can expect? Maybe the answer closest to the luck egalitarian spirit is that they refer to how well off the child would be in a hypothetical situation of equality. But this may be hard to know. Let us assume, however, that we have at least a rough idea.

Given the confusion over the interpretation of luck egalitarianism in non-ideal theory, I just want to consider how a luck egalitarian might deal with the problem of procreation in an unequal society. While it does not seem problematic to hold parents responsible for the costs of egalitarianism if they live in an equal society, this seems deeply unfair in an unequal society. A luck egalitarian can acknowledge this, while still upholding that parents are responsible for their reproductive decisions.

We can distinguish those costs of children which arise from our theory of justice – like the cost of ensuring equal life prospects – from those which arise from rights the child has qua human being, like the right to basic care. It seems plausible that parents should be responsible for the latter fully, but not for the former when they are disadvantaged themselves. Of course, these costs may overlap. But all that is required is that we can fix some minimum that a child needs quite apart from egalitarian considerations, and that parents are definitely held responsible for. We can deduct this from the total costs of children and treat the remainder as the egalitarian costs of children, which should be treated differently as we will explore in the following.

Then how should the egalitarian costs of children be distributed? It seems to me to be most consistent with luck egalitarianism that the costs should be distributed in rough proportion to the family’s endowments. Each family’s responsibility would be to provide for the child prospects roughly equal to their own. Poor parents would have everything that goes beyond that paid for by richer parents, who are required to subsidise poorer parents on top of providing equal life prospects for their own child.

The advantage of such a distribution is that relative to the parents’ resources, the costs of having children are roughly the same. This approximates Dworkin’s ideal of how persons should form their ambitions. To quote again:

‘That is the view of a person [...] as someone who forms his ambitions with a sense of their cost to others against some presumed initial equality of economic power.’ (2000: 81-82)

Note also that poor parents are only subsidised by rich parents, not by everybody in society. In this way, nobody is incentivised more or less than others to have children – in a relative way, each takes into account the costs they are causing for others. At the same time, the childless would not be affected: Rich parents would be supporting poor parents to cover the costs of children. If the childless also had to compensate for the costs of poor parents’ children, they would again be asked to pay for the voluntary decisions of others to incur costs, which the luck egalitarian must find unjust. But rich parents make the decision to have a child, so we can expect them to contribute to the costs of ensuring equality in the next generation.

This proposal hence seems to not depart too much from the luck egalitarian spirit. At the same time, what some have described as a fundamental right or at least as deeply meaningful and important, the ability to procreate and care for children, seems ensured: relative to one’s resources, having children is not overly costly.

There are a number of complications that I have bracketed. Firstly, this proposal is insensitive to sources of current inequality, whether people can or cannot be held responsible for their social standing. On a theoretical level, my rough proposal may have to be revised to deal with this. However in practice, these sources are usually intractable and do not have any bearing on policy.

Furthermore, the policy only works when the poor do not have more children than the rich on average – in that case child-rearing would become very expensive again for the poor. Such differential birth rates should not be encouraged by the policy, however, since all parents would face similar costs relative to how well off they are. Still, for other structural reasons, this

may be the case anyway, as it is in many developed countries today. For instance, in Germany, childlessness amongst women who graduated from university (and who are hence likely to be more advantaged economically) is about three times as high (35-39%) as the total average (Dorbritz 2008). This highlights the limitations of focusing on just one policy in the realm of non-ideal theory. Of course, in non-ideal theory, luck egalitarianism also strives to reduce existing inequalities, and to limit the effects these inequalities have – of which differences in birth rates may be one. In practice, these other goals will also have a bearing on actual policy regarding child care. And then, even the childless may be asked to support child care.

There are further complications that I have bracketed, such as what to do in the case where children were truly unplanned and unexpected. It is not clear how to even identify these cases. Furthermore, children do not only cause costs, but come with benefits for all: they also have positive externalities. This has been used as an argument to tax the childless to support children (see Folbre 2008). Finally, I have focused on providing children with the care and education to ensure *at least* equal life prospects for them, and the difficulties for disadvantaged parents to achieve this. There is also the problem of advantaged parents who want to give their children a better start in life. There is an existing debate about gift-giving in luck egalitarianism which I cannot explore here. But in a sense, what I have proposed limits the extent of this problem, because rich parents are asked to subsidise poor parents and hence already have increased costs to child-rearing.

7. Conclusion

So what can we say now with respect to our two motivating questions:

1. What are children owed?
2. Who should pay for the children?

Disregarding existing inequalities, the luck egalitarian would say that children are owed equal life prospects, and that when having the child was a conscious decision, parents should be held responsible for guaranteeing

these equal life prospects.

Now thinking of an actual society where inequalities exist, in many cases, we can indeed hold parents responsible for their procreative decisions. Procreative decisions and the deliberate taking on of caring commitments can in fact be seen as an expression of autonomy. This has been underestimated by those advocating mutual obligations towards children. But procreative decisions are now very expensive for some if we hold, also in the luck egalitarian vein, that children are owed equal life prospects. This may make child-rearing unaffordable to some.

The insight which can help us resolve this problem is that many of the costs of children are costs of egalitarian justice and go beyond what children are owed qua human being. And these egalitarian costs of children cannot reasonably be borne by the poor in a society that is unequal. There are many complications regarding the question of how to divide these costs in non-ideal theory. Luck egalitarianism should strive to hold parents responsible for as much of the cost as is reasonable given their initial endowments, to reflect in a relative way the costs their decisions have for society. However, in actual policy, other goals on the way to achieving greater equality will play a role.

I believe that the recognition that many of the costs of children are costs of egalitarian justice is a useful one. In non-ideal theory, it provides a ground for sharing costs even when parents are fully responsible for their decision to procreate. We do not have to rely on arguments that children are unwanted, or that parents are all taken by surprise by the costs children cause, or that they frequently fail in their duties, to arrive at a mutual obligation towards children. The argument instead is that it is unfair to make parents bear the full costs of doing justice to their children when they are themselves disadvantaged in an unequal society.

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“Luck egalitarianism and Procreation” was written as a term paper for the master course “Contemporary Theories of Justice”, taught by prof. dr. Ingrid Robeyns.

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