

Norvin Richards

The Ethics of Parenthood.

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The relationships we have with our parents and our children dramatically shape our lives. In this ambitious book Norvin Richards analyzes the ethics of parent-child relationships from conception to death—from questions about who has the right to parent a child to what sacrifices dying parents should let their children make on their behalves. The problems he considers are illustrated with a series of fascinating case studies from the law and media reports.

The first three chapters focus on how parental rights are acquired and what to do when parental claims are disputed. Richards argues that biological parents normally have the moral right to parent their children, since conceiving a child is a way to start parenting and people have a liberty right to continue projects they have begun. He writes: ‘There is a principle of broad appeal, usually traced to John Stuart Mill, according to which we have a right to act as we choose if our actions are suitably innocent with regard to others...I am going to suggest that we take the rights of parenthood as an instance of this more general right to continue with whatever we have underway’ (22). He goes on to apply this principle to various complex cases, including biological fathers who for various reasons have been absent from their child’s early life, commercial surrogates, and children who are switched at birth.

Though his casuistic treatment of the cases he considers is insightful, Richards’ theory of the acquisition of parental rights seems incomplete. Mill’s harm principle, to which Richards is presumably referring in the passage cited above, forbids people from interfering with someone’s actions if they pose no risk of harm to others (or, in Richards’ helpful formulation, if they are ‘innocent with regard to others’). However, the harm principle does not imply that no one may interfere with another’s *projects* when there are harmless ways of doing so. An example should clarify. Suppose I have started a project of taking daily photographs of the birds in a local park. According to the harm principle, other people may not interfere with my photography, provided that it does not pose a risk of harm to others. However, this is as far as my claim against other people goes. I do not have a further claim against rival photographers that they may not photograph the same birds, and if someone else gets up early and occupies the best vantage point before me I cannot complain that he is violating my right to continue with a project that I have underway. In the case of parenthood, the harm principle implies that I may not physically prevent someone from (for example) feeding her baby. However, it is silent on whether I am myself permitted to feed the baby when she turns her back. Some other principle is needed to explain why the people who first parent a child thereby acquire a (defeasible) right to continue to do so *and* to exclude others from parenting that child.

Chapters 4 through 7 consider how parents ought to behave towards their children, addressing abuse and neglect, the degree to which parents should respect their children's autonomy, and their moral education. Richards argues that parents should involve children in their own upbringing, so that the adult a child becomes is partly her own creation, not just the creation of her parents.

In Chapter 8, Richards tackles the difficult and important question of how we should respond to children who behave badly. He argues that young children do not yet have personalities of their own. The bad traits they evince through misbehavior therefore cannot yet be ascribed to them. If we should punish them, then, we should do so in order to shape their moral character, not, as it might be with an adult, for retributive reasons. Even with adolescents, who are to some degree responsible for the people they have become, there are reasons of charity to educate them rather than punish them for wrongdoing. However, Richards countenances the possibility of 'lost' children for whom moral education will be ineffective. When these children are responsible for their actions and are a danger to others, it is permissible for the state to prosecute them like adults.

Chapter 9 concerns parental love. Here, Richards draws the first of several contrasts between what is required of parents with young children and what is required of them when the children become adults. He argues that parents have an obligation to love their children while they are young, but this obligation may not remain when they grow up. The obligation to love young children stems from the role that parental love has to play in fulfilling parental obligations to raise happy children who become persons of their own. The same moral considerations do not apply to adult children, who are less dependent on their parents for happiness and are expected to author their own lives.

Perhaps the most original contributions of the book come in the final chapters where Richards provides his positive account of the moral relationship between parents and their adult children. First, according to Richards, although the parental relationship is not sufficient to entail a duty to love one's adult children, parents who love their children normally continue to do so when the children grow up. If this love is accepted, this gives the parents liberties to act in certain ways that are not open to other people. In particular, they may act in ways that express their love. Second, parents are commonly willing to continue to help their children throughout their lives. Richards believes that leading one's children to have the expectation that you will help them entails a duty to do so: 'A past pattern of general helpfulness obligates a person at least to continue to be generally helpful, just as faithfully providing one specific kind of help obligates one to continue to do that' (220). His arguments imply that the existence and the content of parents' liberties and duties with regard to their adult children depend on the details of each parent-child relationship. He does not extend this analysis to other family relationships, but it is not hard to see how it could be so extended. It might then also explain why we think that siblings have obligations to one another, despite never having agreed to be brothers or sisters.

Richards does not think that filial obligations depend in the same way on the current relationship between parent and adult child. Instead, he argues in Chapter 11,

filial obligations are implicitly taken on in childhood when someone accepts parental love. Children who accept their parents' affection thereby 'incur an obligation to give their parents a place of roughly the same order in their own affections, if they are able to do so' (236). This result allows Richards to explain why children's duties of care are not simply duties to repay what was given to them, nor duties of gratitude, while preserving the intuition that facts about someone's upbringing are relevant to how she ought to treat her aging parents.

However, Richards' argument in this chapter suggests two immediate objections. First, he seems overly optimistic that children who accept their parents' love are thereby taking on obligations to their parents in the distant future. In most cases, minors are not considered capable of signing binding contracts. Why would we think that they could take on obligations to care for their aged parents? Second, even if children could take on obligations in this way, the underlying principle seems flawed. To accept someone's love in the present does not entail an obligation to love him in the future. Consider romantic relationships. It might be wrong for me to encourage and accept another's love if I have no reciprocal feelings now. However, if I cared about him at the time, but no longer have these feelings a year later, I have done nothing wrong.

Finally, it is worth noting that the book does not engage with very much of the historical and recent philosophical literature on the ethics of parenthood. For example, Richards does not consider how his account of how parental rights are acquired compares with other non-biological accounts, and he critically examines Joel Feinberg's classic article on the child's right to an open future without citing any of the recent critical literature on Feinberg. A reader will therefore not come away with a grasp of the current state of discussion of the issues Richards considers and this book would not stand alone as a teaching text.

The Ethics of Parenthood addresses questions that are socially important, as well as philosophically intriguing. It is also a very human book—treating problems that many people face in their daily lives with an appreciation for the details that make them unique. It will be a useful resource for future scholarship on questions of familial ethics.

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