

## *Should kids pay their own way?*

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# Should Kids Pay Their Own Way?

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Children are expensive to raise. Ensuring that they are raised such that they are able to lead a minimally decent life costs time and money, and lots of both. Who is responsible for bearing the costs of the things that children are undoubtedly owed? This is a question that has received comparatively little scrutiny from political philosophers, despite children being such a drain on public and private finances alike. To the extent that there is a debate, two main views can be identified. The Parents Pay view says that parents, responsible for the existence of the costs, must foot the bill. The Society Pays view says that a next generation is a benefit to all, and so to allow parents to foot the bill alone is the worst kind of free-riding. In this paper, I introduce a third potentially liable party currently missing from the debate: children themselves. On my backward-looking view, we are entitled to ask people to contribute to the raising of children on the basis that they have benefited from being raised themselves.

## Introduction

Children have a unique moral status. They are not full moral agents and have never been full moral agents but, unlike other such beings (fish, for example), there are duties on at least some of us to turn them into full moral agents. This is, at least in part, what it is to raise a child. Raising children is an expensive business – they cost time and money, and lots of both. They need clothes, shelter, food, teachers, healthcare and a great deal of supervision, attention, and effort.<sup>1</sup> Who should ultimately bear the costs of these things that children are undoubtedly owed?

Despite being such a huge drain on (presently) both public and private finances, exactly who should be picking up the tab for these proto-agents has received relatively little attention from political philosophers. To the extent that there is a debate on this, two main views can be identified.<sup>2</sup> One view identifies the group ‘parents’ as liable for the costs of raising children.<sup>3</sup> I will call this view Parents Pay. The other view holds that (adult) non-parents are liable for at least some of the costs, usually based on the notion that a next generation is a benefit for all, and thus to allow parents to bear all

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<sup>1</sup> The *private financial costs* alone currently stand at, on average, £271,499 per child in the UK (‘Family’, *The Guardian*, 26 February 2011). For a more detailed breakdown of the costs of raising children, see Bou-Habib’s (2013, p. 199) summary of Folbre 2008.

<sup>2</sup> For an overview of the literature, see Casal and Williams 2008, pp. 166-170.

<sup>3</sup> See: Steiner 1994, pp. 275-279; Steiner 2009; Rakowski 1991, pp. 150-154; Valentyne 2002; Clayton 2006, pp. 67-70.

the costs of raising children would be the worst kind of free-riding. Parents are doing a job on behalf of us all, and the non-parents should help them out with that. I will call this view Society Pays.<sup>4</sup>

Good arguments have been offered on behalf of, and against, both views. The central aim of this essay, however, is to question whether these two lines of argument exhaust the option set. Are these the only bases on which we might be considered liable for the costs of raising children – as the initiators of a childrearing project or as the future beneficiaries of such projects? I suggest not. I do this by introducing a potentially liable party missing from the debate at present: children themselves. In this essay I put forward some arguments suggesting that children (upon reaching adulthood) should be considered liable for some of the costs of raising them, on the basis that they have benefited from being raised.

The article proceeds as follows. In the second section I clarify the topic and introduce some assumptions. The restrictions these place on the immediate policy-relevance of the argument are noted. The third section introduces the Parents Pay and Society Pays views in a little more detail. In the section entitled ‘Foisting Benefits on Children’ I begin to mount the case for my view (called Kids Pay), noting how it relies on a similar principle to Society Pays, namely the principle of fair play. I argue that the situation in which children receive the goods of raising is one in which the principle of fair play is applicable. In the two sections that follow that, I consider two putative restrictions on fair play obligations, arguing that on the best understandings of these restrictions (and on certain assumptions about what we do when we create children) Kids Pay survives. Finally I consider and refute an objection to Kids Pay, which is that the theory has inequalitarian consequences, because it seems to suggest that children who are expensive to raise must pay more.

### **Some Assumptions and Clarifications**

Before we proceed to the argument, some assumptions must be made explicit, and some clarifications made. I assume throughout a *just background distribution* – that is,

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<sup>4</sup> See: George 1987, 1994; Folbre 1994; Friedman 1962, ch. 6 (cit. Goodin 2005). For important arguments against this view, see: Casal and Williams 1995, 2004 and Casal 1999.

prior to the question of children, everyone has what they justly should.<sup>5</sup> I also assume that (in normal circumstances) children are *owed* or *must have* certain things which are essential for their development. I am not, here, going to try to specify exactly what state it is that we must try to get children to, nor exactly what goods are necessary for them to get there. I will simply say that they are owed *the goods necessary* for a *minimally decent* or *acceptable* life. Providing these things constitute the *costs of raising children*.<sup>6</sup>

In this essay I am concerned with which agents are *primarily* liable for these costs – that is, I am interested in whom the duty falls to first. Other agents (and in particular the state) may have secondary duties – duties to step in when the primary duty-bearer fails to discharge their duty.<sup>7</sup>

It should be made clear that two of the above assumptions – the just background distribution and the focus on primary duty bearers – heavily restrict this essay in terms of its immediate policy implications. There may be (and I believe there are) many good reasons for state support for parents in the absence of the ideal conditions of the just background distribution, and in the role of secondary duty-bearer. In particular, in contemporary societies there is an important gender dimension to all issues of childcare which I do not even touch upon here, but which it would be impossible to ignore from a policy point of view (Casal 1999, p. 374).

## Existing Views

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<sup>5</sup> The just background distribution includes the stipulation that previous generations have correctly distributed the costs of raising children (whatever the correct distribution turns out to be). If, however, previous generations have been raised under Parents Pay and we then decide that Kids Pay is (one of) the right principle(s), then today's children will be disadvantaged in comparison to today's adults (who were given a free raising). Through the just background assumption, I set aside complications of past partial compliance and transitional justice here. I am grateful to a *Political Studies* referee for encouraging me to make this explicit.

<sup>6</sup> It is important not to conflate the specific costs of raising children with the more general costs (or benefits) of having additional adult members of society ('the costs of added members'). On this important distinction, see Olsaretti 2009; Bou-Habib 2013. There are of course many non-essential benefits that we provide our children with. These are outside the scope of the present essay.

<sup>7</sup> Although the view that I present here (in which children are primary duty-bearers) has not thus far been explored in depth in the literature, Ronald Dworkin (2000, p. 339) briefly considers a hypothetical insurance model in which children insure against their parents being unable to provide for them. This implicitly considers *parents* as the primary duty-bearers (since if they *can* pay, they *should*), and children (as a whole) as secondary duty-bearers.

*Fred and Wilma:* Fred and Wilma live next door to Barney and Betty. Both couples are childless, and there is just distribution between them. Fred and Wilma decide to have a child, and the beautiful Pebbles is born nine months later. Fred and Wilma's lives change dramatically. Pebbles must be cared for around the clock, and must be clothed, kept warm, fed and so on, and these burdens fall on Fred and Wilma's shoulders. Fred and Wilma's free time and income both drop dramatically, while their expenses rocket.

The question that confronts us here is: do Fred and Wilma have any *right* to assistance (financial or otherwise) from anyone else, such as the childless Betty and Barney, or, against the just background distribution (and in the absence of voluntary assistance from others) must they bear all the costs for their choice to have a child? The literature identifies two possible positions. Either Fred and Wilma must bear all the costs (Parents Pay), or non-parents like Barney and Betty must help them out (Society Pays). But Pebbles seems to be ignored. She is, after all, just a child – she's not an agent, she can't be responsible for anything.

In terms of why Fred and Wilma should bear the costs, the argument is relatively simple. There are clearly duties that Pebbles be cared for, such that she will have an acceptable life, and they *created* those duties. Whilst they may need to involve others, such as professional teachers and doctors, in her upbringing, Fred and Wilma are ultimately liable for the costs.

To see the force of this position, consider an alternative case in which, instead of having a baby, Fred and Wilma decide to get a pet, Dino. (In order to keep the cases as similar as possible, imagine that Fred and Wilma arranged for Dino's parents to meet and mate, such that they are responsible for the very existence of Dino.) Could they demand that Betty and Barney help them out with the costs of pet food, chew toys and vets' bills? Or, would we not say that having Dino is Fred and Wilma's private project, one that they undertook without consulting Betty and Barney, and therefore one that they must bear the costs of from their antecedently fair share? Some people think of the project of child-rearing (whilst of course being importantly different in many

ways<sup>8</sup>) as the same as having a (particularly demanding and costly) pet when it comes to distributing the costs: those who voluntarily begin the project must bear the costs.

Many will think this is too demanding on parents. Is it really true that schools and children's hospitals should be ideally entirely parent-funded?<sup>9</sup> Or that state-funded paid parental leave is (against a just background distribution) an affront to justice?

Against this Parents Pay view, the argument usually put forward is that we will all benefit from the existence of future generations, and so, for reasons of fairness, must contribute toward raising them.<sup>10</sup> This argument is open to two distinct forms of attack. First, there is an empirical premise – that a next generation will be beneficial – which can be questioned (see Casal 1999, pp. 370-373). Second, even if the empirical premise is true (or granted *arguendo*), the moral argument is open to theoretical attack.

The argument that non-parents should contribute because they will benefit from there being a next generation relies on the principle of fair play, or something like it. As Rawls explains the intuitive idea of fair play, 'We are not to gain from the cooperative labors of others without doing our fair share' (1999, p. 96; cf. Hart 1955, p. 185). Yet the principle of fair play is notoriously hard to defend in its widest interpretations, since it allows that we can 'foist benefits' on non-consenting parties and then ask them to contribute toward the costs of those benefits, which in certain cases is highly counter-intuitive – Nozick (1974, pp. 90-95) famously subjected an unrestricted version of fair play to withering criticism (cf. Rakowski 1991, pp. 153-154). If foisting benefits on to

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<sup>8</sup> Even though nobody would want to deny that child-rearing and pet ownership are importantly different activities, neutralist liberals will struggle to point to anything *inherent* in the activity that renders the former more worthy of state support – both are parts of individuals' conceptions of the good.

<sup>9</sup> To say that parents should bear the costs is not necessarily to say that parents should bear the costs of their particular children. Matthew Clayton (2006, pp. 67-68) argues that the costs of childrearing should be distributed among parents on a hypothetical insurance model.

<sup>10</sup> Paul Bou-Habib (2013) has recently provided an alternative argument for Society Pays, based on hypothetical insurance that almost all members of society (including non-parents) would buy in order to secure the opportunity to parent adequately. Whilst Bou-Habib's argument differs from the standard 'fair play' arguments in seeing the benefit in question as 'the opportunity to parent adequately' rather than 'a next generation', it shares certain assumptions with the standard argument: that in distributing the costs of raising the next generation, the potentially liable parties are current parents and non-parents (p. 200); and that non-parents are liable because they (in Bou-Habib's case, *ex ante*) benefit from the child-rearing process *as adults*.

non-consenting third parties is to generate fair play obligations, it must be in a very select set of circumstances and/or for a very select type of benefits. The question for advocates of the Society Pays view, then, is whether Betty and Barney's situation is of the relevant type. Much of the literature has focussed on this question.<sup>11</sup>

### **Foisting Benefits on Children**

The principle of fair play is invoked to argue that Betty and Barney should contribute toward raising Pebbles. However, if we are looking for parties other than Fred and Wilma who may have to contribute, especially on the grounds that they benefit from Pebbles being raised, Betty and Barney are far from the most obvious candidates. Pebbles, I submit, looks a better bet. The person who most obviously benefits from Pebbles being raised is Pebbles herself. After all, if Pebbles were not raised, if she was left helpless and unfed, or was brought up without receiving the instruction and support necessary for her to develop the physical, intellectual, emotional and social capacities that are required for an acceptable life, then we would consider Pebbles as an adult to have been severely harmed, and to have not received essential benefits that she was entitled to. All Fred and Wilma's expense and hardship is undertaken *for Pebbles* – she's the primary and intended recipient of the costly benefits in question.

Thus, on the basis that we sometimes have to contribute when we have benefited, it may be the case that Pebbles can be asked to contribute to institutions or schemes that have benefited her by raising her. To some, this may sound a lot like the Society Pays view, introduced above. Since all members of society were children once, if we pay for children on this backward-looking basis, then it remains true that society pays. In some ways this is correct, and at the policy-level Kids Pay and Society Pays may look very similar. There will, however, be policy-level differences between the view I argue for here and a pure Society Pays view, where only the future benefits that current children will provide justify contributions from society. For example, on the Society Pays view, all current members of a society who stand to benefit in the future would pay. On the Kids Pay view, however (if the world can justly be organised into a series of independent states) then taxes should be lower for immigrants, since even though they stand to benefit from the current generation of children, they did not benefit from a childhood in our society. Relatedly, on my view, we should tax those who have

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<sup>11</sup> For arguments that it is not, see: Casal and Williams 1995, p. 106; and Casal 1999, pp. 367-368. For replies, see: Olsaretti 2013, 239-247; Boran 2006.

emigrated from our states, having benefited from being raised in our jurisdiction. Similarly, those who have not (fully) benefited from raising (i.e., those who were not given goods which they were owed when they were children), but will benefit in the future from current children, would be fully liable on the Society Pays view but would not be liable, or have a lesser liability, on the Kids Pay view.<sup>12</sup> In addition, the conditions under which obligations to contribute exist will differ – on Society Pays, I must contribute only if I will benefit from the next generation, whilst on Kids Pay I must contribute only if I benefited from being raised. The Kids Pay view, therefore, applies in a wider range of circumstances.

The most important difference between the two views, however, is not at the policy-level, but concerns the justification offered for societal contributions – one is forward-looking (we will benefit) whilst my suggestion is backward-looking (we did benefit). This backward-looking argument is not, so far as I know, a position explored in any depth in the existing literature<sup>13</sup>, where the focus is on seeing children either as an expensive choice or as a public good.

In presenting the Kids Pay view, I do not mean to suggest that there is nothing at all to be said for the alternative views. I want to argue that the receipt of goods necessary for an acceptable life in childhood is a basis of liability for the costs of raising children. This is compatible with the choices of parents and the future benefits of children also being bases of liability. This opens up the possibility of hybrid positions, in which the costs of raising children are divided between the groups identified taking into consideration a plurality of the differing grounds presented. (Indeed, if Kids Pay is justified, I think it will most likely be justified in a hybrid between Kids Pay and Parents Pay, since I think childhood can be conceived of as a mutually beneficial project between parents and children, the costs of which should be fairly shared between the primary beneficiaries.) I only oppose the other views, in the present paper, to the extent that they are presented as the *only* basis of liability and thus exclude all others (see also Bou-Habib 2013, p. 198).

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<sup>12</sup> I am grateful to José Luis Martí and Alex Gregory for encouraging me to advertise this attractive element of the theory presented here.

<sup>13</sup> One version of the Kids Pay model – where children receive goods from and pay back their own parents through caring for them when elderly – is briefly mentioned by Axel P. Gosseries (2006, p. 769) in his review of Anne L. Alstott's book *No Exit*. Below I argue against this particular version (see the section 'Sharing the Costs').



For my argument to go through, we must be able to justifiably foist the benefits of being raised on Pebbles, and demand payment later. As we know from debates about Society Pays, and the principle of fair play more generally, benefit-foisting is hard to justify, and can only be justified in certain circumstances. The question for my Kids Pay view, then, is whether Pebbles' situation is of the right type. As I will now try to show, I think that both the *type* of benefits that she receives, and the *situation* in which she receives them, make Pebbles' case one in which benefit-foisting can be justified.

Let's begin with the situation that Pebbles is in. My argument here is that the situation that Pebbles is in when she receives the goods essential for an acceptable life is special, and that it plays a similar role to that which 'public goods' usually play in legitimating benefit-foisting. A commonly-placed restriction on the principle of fair play is that receipt of benefits generates obligations to contribute only when the goods in question are public goods (Arneson 1982). An example of a public good is clean air. For our purposes here, clean air has two important features – it is both non-excludable and non-avoidable. It is non-excludable because the distributors cannot exclude non-contributors – I can't make sure that you get clean air but that your neighbour does not.<sup>14</sup> It is non-avoidable because recipients cannot decide whether or not to accept the good – if I am providing clean air to you, your neighbour cannot choose whether or not to accept the good. If you have it, so must she.

In general, it seems sensible that the principle of fair play is restricted to public goods. When goods are excludable we can simply target the goods to only those who are willing to contribute.<sup>15</sup> And when goods are avoidable, only those who are prepared to contribute should accept the goods, and acceptance might be taken to be consent. Yet

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<sup>14</sup> It is sometimes observed the benefits can be non-excludable in two distinct ways – physically or morally (e.g., White 2003, p. 61). This is not a fundamental distinction – all non-excludable benefits are ultimately morally non-excludable, since we can physically prevent anyone from enjoying any benefit (e.g., clean air) by killing them, but are not permitted to do so. The distinction is better thought of as one of degree – whether non-excludability is based more on moral or practical considerations. A more pertinent distinction here is between goods that we must ensure people receive ('unconditional goods' – see n. 18 below) and those we cannot exclude people from. The goods Pebbles receives are unconditional.

<sup>15</sup> Given this restriction, the advocate of Society Pays needs to show that the benefits of a next generation are non-excludable and/or non-avoidable. It is not obvious to me that they are, at least physically. See Olsaretti 2013, pp. 250-258.

the benefits of being raised are not public goods in this sense. The benefits provided to Pebbles are easily physically excludable – Fred and Wilma could easily exclude Pebbles from receiving benefits like food and shelter. And the goods are, in principle, avoidable. There is nothing inherent in the good of an education, for example, which means that it could not be refused, and the same applies to healthcare, housing and so on. However, what seems to *matter* about public goods is that we cannot seek the consent of potential beneficiaries, or restrict the goods to those who are prepared to contribute. It is not possible for people to opt in or to opt out. Consent should be preferred, but it just isn't possible with public goods.

Once we see that this is why it is appropriate to restrict the principle of fair play to public goods, we can see that in Pebbles' case, even though the *goods* in question are not public goods, her *situation* is importantly similar to cases where public goods are provided, since Pebbles is not, in the proper sense, available to seek consent from when the benefits are given to her. We could not ask a newborn Pebbles whether she wanted to be clothed and fed. And while we *could* ask a four year old Pebbles whether she wanted to go to school, or take her medicine and so on, it was *not* possible for her to give a responsibility-generating response, for four year olds are not full agents, they are proto-agents. The argument here is that we can justify foisting certain types of benefits on proto-agents, because they are not in a position to accept or refuse them, so the benefit cannot be provided only to willing contributors.

To see how the unavailability of an agent can render the foisting of an easily excludable and avoidable good permissible, consider the following example:

*Matrix:* As in the film *The Matrix*, people are involuntarily plugged into an experience machine, and thus deprived of their agency. A scheme is set up to release them from this machine-based tyranny, but it is costly. We cannot ask those people who will benefit from the scheme if they are prepared to contribute, because they do not currently have their agency and therefore are unable to give responsibility-generating responses. However, we are able to rescue some and not others – the benefit is easily (physically) excludable.

Even though this benefit is excludable, it does not seem unreasonable to say that once the enslaved people are released we can ask them to help pay the costs of the scheme

that they have been the beneficiaries of. We were not able to get consent from the enslaved persons, and then only benefit those who were willing to pay their fair share. Due to the situation they were in, the normal rules of requiring permission before foisting a private/excludable benefit are suspended. Children are in an analogous situation – they benefit from being raised, but we cannot ask them if they are prepared to benefit from, or to contribute toward the costs of, that scheme, because they are not yet agents who can give responsibility-generating responses. And we cannot wait for our children or our Matrix-imprisoned people to become able to give responsibility-generating responses, as they require the benefits we want to give them in order to become the kinds of agents who can give such responses.

It seems, then, that when people are in circumstances that preclude the possibility of us asking permission from them (or waiting to ask permission from them), then the chances of benefit-foisting being permissible are significantly increased. But this can't be true for *any* kind of benefit. For example, a passing hairdresser couldn't give our Matrix-imprisoned agents a tidying snip and demand to be paid once they woke up. That could have waited, and it isn't the kind of essential benefit that can break the normal presumption against the mere receipt of benefits being obligation-generating.

The principle of fair play, then, must be restricted to certain kinds of, morally distinctive, goods. George Klosko (1987, p. 247) argues that the principle of fair play is restricted to those goods that 'can be presumed to be necessary for an acceptable life'.<sup>16</sup> Benefit-foisting can only be legitimate when our most fundamental interests are at stake (as in *Matrix*). In the case of raising children, there are several aspects to the task, and these will require the provision of different kinds of goods. Some are non-essential, but there are also goods that we receive, and have a right to, on the basis that they are essential parts of the job of raising us such that they 'can be presumed necessary for an acceptable life', and the adult who goes on to have that acceptable life benefits from having received those. These are the kinds of goods, I suggest, that we can ask Pebbles to contribute toward. Some may think that this weakens the case for

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<sup>16</sup> Klosko calls these 'presumptive benefits'. This leaves the theory open to an epistemic interpretation whereby what matters is that we *know* that you benefited, which may make it seem that hypothetical consent is what is doing the work. I think that the Matrix hairdresser case shows this interpretation is flawed. Even if she knows she is benefiting the prisoners, and that they *would have* paid, the good is not of sufficient importance. Some of these questions about Klosko's theory are raised in McDermott 2004. I am grateful to a *Political Studies* referee for encouraging me to address this interpretation.

foisting – if Pebbles is owed the goods necessary for an acceptable life, how can we ask her to pay for them? The response is simple: she must have them, but it doesn't follow that she must have them for free (Casal 1999, pp. 369-370). National defence is a good example of where this is the case. The state *ought* to provide it for us, but it doesn't follow that we have no obligation to contribute.

If the above arguments are right, then excludable and avoidable benefits provided without consent can generate obligations if<sup>17</sup>:

- (1) They are essential goods necessary for an acceptable life;
- (2) The recipient was not available to give consent; and
- (3) It was not possible or reasonable to wait for the agent to become so available.

We can see that each of these conditions applies to Pebbles. First, many of the things we receive from our parents and institutions, especially in our early years, are geared toward, and are necessary for, our developing such that we are able to enjoy an acceptable life. Second, Pebbles is not yet an agent, and so cannot accept or refuse obligation-generating benefits. Finally, it is not possible to wait for Pebbles to become an agent before delivering these benefits, as they must be provided in childhood, before she becomes an agent.

In accordance with (3), two kinds of goods may be foisted upon Pebbles. Since her liability to contribute toward foisted benefits is due to a combination of her lack of agency and the essential nature of the goods, then she can justly be asked to contribute toward (a) goods essential for reaching full agency, and (b) goods not essential for reaching full agency, but which are essential for a minimally decent life and which can only be reasonably provided prior to full moral agency. All other essential goods which *could* be provided prior to full moral agency, but which could reasonably be provided later, are not foistable, as it would be reasonable to wait to seek consent.

### **Parents as Beneficiaries**

My argument relies on the principle of fair play. In response to fair play arguments pressed in the service of the Society Pays view Paula Casal and Andrew Williams have

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<sup>17</sup> Note that I do *not* say 'and only if'.

suggested several conditions which restrict the principle's applicability. One is especially relevant here.<sup>18</sup> It can be described as follows:

*The Costs Condition:* benefit-foisting can generate obligations only if the producer bears costs in producing the benefit.

As Casal and Williams point out, people don't generally consider having children to be an all-things-considered cost.<sup>19</sup> Therefore, in the same way that Betty and Barney, according to Casal and Williams, can legitimately reject Fred and Wilma's pleas for assistance on fair play considerations, perhaps Pebbles can too. If Fred and Wilma regard themselves as all-things-considered better off with Pebbles in their lives (even with all the expense), how can they seek assistance for the *burden*?

This objection from the costs condition is only valid if we interpret the condition in a certain way. The objection only succeeds when the relevant test is whether 'parenting', *viewed as a single transaction*, is *all-things-considered* beneficial. But neither of the following is obvious: (1) that parenting need be viewed as a single transaction; (2) that whether producers are all-things-considered benefited is the relevant test.

On (1), parenting involves thousands of discrete tasks and interactions, spread over many years, producing many different, and different kinds of, benefit – why must we lump them all together? Yes, *aspects* of raising a child are beneficial, but some are burdensome (such as paying for a doctor, or childcare), and while some of the burdensome aspects are necessary to access, and are closely related to, the goods of parenting, some are not – they are just burdensome tasks in the purest sense of the term. If we divide parenting up into a series of tasks, parents can claim compensation for the truly burdensome (but essential) bits, and not for the beneficial bits.

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<sup>18</sup> Casal (1999, pp. 367-370) and Casal and Williams (1995, pp. 106-107) suggest two other restrictions on fair play obligations – that the benefiter *intends* to benefit the recipient, and that the goods provided are *unconditional* (i.e., the goods' importance are not reducible to the producers' preferences – in other words, are morally required). Since the goods in question here are clearly provided with Pebbles in mind, and are morally required, neither of these posited conditions is violated by Kids Pay. For discussion of the intentions condition, see Boran 2006 and Olsaretti 2013, pp. 245-247.

<sup>19</sup> Interestingly, Casal and Williams (1995) proposed the Costs Condition in the course of an investigation of the issue of parental subsidies from within the perspective of Ronald Dworkin's 'equality of resources' theory (Dworkin 2000). Yet if *resources* are the correct metric of justice, then children may well be an all-things-considered cost.

On (2), even if ‘parenting’ *should* be subject to a singular cost-benefit analysis, just because an activity is an all-things-considered benefit to the producers of some benefits, this does not show that burdens are not undertaken in producing the good.<sup>20</sup> Even if parents overall benefit from raising children, it is still plainly the case that costs are borne. The ‘costs condition’ is only violated if we interpret it not as requiring that costs are borne, but that the activity is *all-things-considered* costly. I think we should reject this interpretation of the condition, since sometimes activities that are beneficial for the provider of goods *also* benefit others in ways that are unfair. In such cases, the costs could be shared more fairly between beneficiary and provider, making them all-things-considered *more* beneficial for the provider. The principle of fair play can apply even when the producer is overall better off for producing the good.

To explain, consider this example.

*Protection:* Ten people out of a town of one hundred undertake to protect the town from some external threat. This protection will benefit each person in the town by eleven units. The cost of providing this protection is ten units each for the ten members willing to protect the town.

Each of the protectors must view the protection as an all-things-considered benefit, as things stand, as they’re each one unit better off. But we shouldn’t think that that fact establishes that the rest of the town aren’t the kind of free-riders condemned by the principle of fair play, because they’re benefiting *more* (even though, and indeed precisely *because*, they don’t put anything in). They get eleven units for nothing, whilst those putting in all the effort get a net benefit of one. This seems like exactly the kind of situation the principle of fair play is supposed to condemn – some are providing essential goods (protection) and others are benefiting without contributing.

Given this, I don’t think that the costs condition should be read as being one which means that whenever providers of goods all-things-considered benefit, they are not entitled to contributions from other beneficiaries. And if that is the case, the condition is not violated in Pebbles’ case.

However, viewing things this way reminds us of something important – parents benefit from the childrearing project too. The idea here is to make the burdens of childrearing

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<sup>20</sup> For arguments along similar lines, see Olsaretti 2013, pp. 242-245.

more fairly shared by asking a primary beneficiary – the child – to contribute, not to shift the burdens *entirely* to the child. One way to see the parent-child relationship is as a mutually beneficial project<sup>21</sup>, the costs of which must be shared (fairly) between the primary beneficiaries.<sup>22</sup>

### Parental Responsibility for Existence

There is of course a key difference between cases (like *Matrix*) where someone requires essential goods and nobody is responsible for the person being in need, and cases where identifiable individuals are responsible for the person requiring the goods in the first place. For example, consider the following case:

*Bart harms Lisa*: Bart intentionally and wrongfully knocks out Lisa and she falls into a coma. As a result, she requires expensive medical care.

In this case, Bart is responsible for Lisa being in need, and so must pay the costs of meeting those needs – the fair play principle won't apply. Lisa is not (one of) the primary duty-bearer(s) for paying the costs, even though the following conditions hold: she is the primary beneficiary of the medical care; the goods she receives are essential; she isn't available to seek consent from; and we cannot wait for her to become available. Therefore, even though *Bart harms Lisa* has these structural similarities with *Matrix* we reach a different conclusion, because an identifiable individual (Bart) is responsible for creating the needs in the first place.

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<sup>21</sup> Some have objected to this picture of the parent-child relationship. They think that we should think of the essential things that we give to our children as gifts. I can see the appeal of this way of thinking, but such a view actually *presupposes* the Kids Pay view, rather than undermining it. Gifts require discretion – there must be something optional about a gift (for example, compensation cannot qualify as a gift). Gifts can be things that we may choose whether or not to give, but the unconditional goods that we are considering here cannot be gifts in that sense. Another way in which something may be considered a gift is when we *must* give someone the thing in question, but would be entitled to ask for some recompense and choose not to. The things we give our kids could be considered gifts in *this* sense – things that we must give, but could, and choose not to, charge for. However that relies on our having the right to charge for them, which in turn relies on the children being liable. Therefore, those who wish to think of the things we give to our children (either as parents or as a political collective) as gifts must accept the argument presented here, and then make a further argument, showing that we ought not to claim that which we are owed. I am grateful to Andrew Williams, Paul Bou-Habib, and a *Political Studies* referee for pressing this objection.

<sup>22</sup> And possibly others as well. As I made clear above, the idea here is to identify an ignored basis of liability, not replace those already argued for. I am grateful to Zofia Stemplowska for useful comments here.

This is important because while the goods that Pebbles receives are essential, she is not *responsible* for the creation of the *need* for someone to benefit her – Fred and Wilma are. Prior to Pebbles needing to be taken from childhood to adulthood (the costs of which are our primary focus here) she was taken from non-existence to childhood. And, as I reminded my own parents many times during my teenage years, we don't *ask* to be born. So, given that Fred and Wilma create the need for Pebbles to receive essential goods, are they rightly held liable for the costs, as Bart is when he knocks Lisa unconscious?

Whether this is the case is going to turn on how we answer some very difficult questions about what it is that parents *do* to children when they create them. This will raise difficult issues about the metaphysics of non-existence and existence, and harms and benefits, how we should think about compensation, and the nature of childhood.<sup>23</sup> I cannot, in this paper, hope to go into the kind of depth that all these issues require, but I can identify which positions seem to support and, more importantly, which undermine, the position investigated in this paper.

In order to see why what it is that we do when we bring someone into existence matters here, recall the above *Bart harms Lisa* example, and contrast it with this case:

*Bart saves Lisa:* Lisa is drowning, and no one is responsible for her being in this situation. Saving her is so dangerous that no one is obligated to do so. Bart dives in, nevertheless, to save her. Once on the bank of the river, Lisa requires essential and expensive medical treatment.

Here we have another example where Bart is responsible for Lisa being in a situation where others are required to provide her with expensive essential goods. Prior to Bart's intervention, nobody was required to assist Lisa, and now they are, and her needs are expensive. Therefore, Bart is responsible for the existence of these obligations, but, unlike in *Bart harms Lisa*, Bart is *not* the primary duty-bearer for meeting those costs. Bart benefited Lisa in a way that he was under no obligation to. The state that that

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<sup>23</sup> Much of the literature on the ethics of procreation focuses on trying to establish what, if anything, is harmful and/or wrongful in cases involving the 'non-identity problem', which are not my focus here. I am focused on the 'ordinary case' where the creators of the child have no good reason to believe she will suffer any problems beyond those of ordinary existence. On non-identity cases see: Parfit 1984, Part IV; McMahan 1998.



benefit took Lisa to created (costly) obligations of assistance, but it doesn't follow that Bart must bear the costs of those obligations being fulfilled.

We can see that responsibility for the existence of costly obligations to benefit people creates (primary) obligations to meet those costs in some circumstances (*Bart harms Lisa*) but not in others (*Bart saves Lisa*). Since parents are responsible for the existence of children, they are responsible for putting people in a situation in which they need costly assistance – costs that *someone* needs to bear. What we must decide is whether Fred and Wilma are more like Bart in *Bart harms Lisa* or *Bart saves Lisa* – does their responsibility for the existence of the costs of raising Pebbles render them liable for meeting those costs?

Of course, Fred and Wilma will not be *exactly* like Bart in either case – part of the reason that issues surrounding procreation are so morally difficult is that the act of bringing someone into existence is unlike any other. There are no fully analogous cases. However, we can point to the important differences between the *Bart harms Lisa* and *Bart saves Lisa* cases and further argument will then need to establish which of the relevant elements of each case are present in the procreation case. Here, I will simply point to the kinds of questions we need to ask of the procreation case in investigating whether the Kids Pay view is an attractive one, and I will conditionalise the argument presented in this essay to be dependent on us *not* believing certain things about procreation. However, the stipulations required are quite modest, and will be in tune with what most people believe about procreation (namely, that we ordinarily do not harm people in causing them to exist).

What, then, are the key differences between the cases? First, in *Bart harms Lisa*, Bart harms Lisa, whilst in *Bart saves Lisa*, Bart improves Lisa's condition. Furthermore, he does so even though he was not obligated to do so. Second, in *Bart harms Lisa*, Bart acts impermissibly, whilst in *Bart saves Lisa*, he acts permissibly. Not only that, he acts in a manner that is praiseworthy. Third, in *Bart harms Lisa*, Bart will owe Lisa compensation as a result of having harmed her, whilst in *Bart saves Lisa* he will not. We must decide which of these features procreation shares.

Given the important differences between the two cases, it seems to me that the argument presented here will go through provided one of the following does not hold: that parents (1) harm their offspring in creating them<sup>24</sup>, in such a way that (2) they owe them compensation. Even if both (1) and (2) hold, however, the argument may still have some relevance. This will be the case if both of the following are also true: (3) the compensation owed is less than the cost of raising children such that they will have an adequate life<sup>25</sup>, and (4) it would not be inappropriate to demand the child take on some of the remaining costs.<sup>26</sup> The most important point here is that the argument survives provided we do not harm children in creating them.

### Sharing the Costs

The arguments above outline a case for holding people liable for the costs of children on the basis of their status as ex-children. If the arguments go through, we will need to decide two things: first, how to distribute the costs of raising *between* children; and, second, since the benefits can be foisted and repayment reclaimed later, who is responsible for bearing the costs in the interim. I will now show that these two issues are importantly interlinked, and will show how some problematic answers to the first issue can be avoided by the Kids Pay view if we adopt certain answers to the second.

On the issue of how to distribute costs among children, it must be recalled that what I have argued for here is that the receipt of essential benefits in childhood is a basis for liability for the costs of supplying those essential benefits. There may be other bases of liability and we must know what those are and how to balance all the different bases

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<sup>24</sup> Some think that we benefit people by creating them (when they have a life worth living). (See, e.g., Parfit 1984, p. 358 and Appendix G; McMahan 1981, pp. 104-105). Some think that we harm people by creating them, either by giving them a life not worth living (see, e.g., Benatar 2006, cf. Harman 2009), or even when they have a life worth living (see, e.g., Shiffrin 1999). Some think that we can neither benefit nor harm people in creating them (see, e.g., Velleman 2008a, pp. 242-244, and 2008b, pp. 247-250; Narveson 1978, p. 48). Although the literature generally considers whether we harm or benefit people in creating them, it is possible to believe both – that we harm people in the short term by making them *children*, even if they go on to have lives worth living overall (and that is a benefit).

<sup>25</sup> This will be the case if, for example, in creating a baby, we harm that baby (by making her worse off than non-existence), and need to compensate her by getting her back to being as well off as non-existence (the ‘neutral level’). If the neutral level is below a minimally decent life, the costs of raising someone from the neutral level to a minimally decent life must still be distributed, and children may be asked to contribute to those costs.

<sup>26</sup> Whether this is the case is likely to turn on whether the harm at (1) is wrongful or merely compensation-worthy. I am grateful to a *Political Studies* referee for helpful comments here.

before we can work out what children owe. However, with that caveat on the table, we can nevertheless look at one particularly difficult issue.<sup>27</sup>

A major concern regarding the argument presented thus far, especially for egalitarians (broadly conceived), is that since the costs of raising a child are seemingly chargeable to *that* person, the argument thus far entails that people who are expensive to raise, will, through no fault of their own, reach adulthood with a larger chunk taken from their initial stake, or a larger bill waiting on their door mat. Let's call this the 'expensive child objection'.<sup>28</sup> There are, of course, some who will not be concerned by this putative entailment. They will recognise the apparently individualistic nature of this proposal, but they won't find this concerning. Such thinkers may choose to depart at this stop. But for those (like me) who are concerned by this apparent implication of the view, I will show why I do not think it is a necessary entailment of the Kids Pay view.

Imagine that, after seeing the joy that Pebbles has brought to Fred and Wilma, Betty and Barney also decide to have a child, and they have Bam Bam. Pebbles is more expensive to raise than Bam Bam, as she has a lot of physical ailments that require constant visits to highly-skilled and in-demand specialist doctors, and that all these trips are of exactly the kind that (I have argued) can be foisted on to children. Pebbles is *receiving more* than Bam Bam. Given this, it might seem that Pebbles will inevitably have to pay more than Bam Bam, on account of having cost more.

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<sup>27</sup> I do not mean to suggest that this is the only difficulty that Kids Pay faces. Others that have been raised are: (1) some parents/raising schemes are less efficient (and thus more costly) than others; (2) Kids Pay potentially suggests that we should pay 'back' to our parents' generation and 'forward' to our children at the same time, which is overly-demanding; (3) Kids Pay will corrupt family relationships, by 'monetarising' the parent-child relationship. I don't have the space to develop full responses to all these objections here, but I mostly view these as concerns about specific ways of instituting the scheme, and if one way of instituting the scheme has troubling implications, that is a good reason not to institute it in that way. On (1), my responses are along the same lines as those that meet the 'expensive child objection'. On (2), if everyone simply 'pays forward', or if we spread payments over a lifetime, then these objections can be met. On (3), if *society* fronts the resources in the short term (as I will go on to recommend) then this can be avoided. I am grateful to a *Political Studies* referee and Rob Jubb, Sarah Hannan, Joanna Firth, Seth Lazar and Simon Caney for pressing such concerns.

<sup>28</sup> Expensive children raise (prima facie) concerns for Society Pays and Parents Pay too. Society Pays, viewed simply, implies that we should only fund those children who represent value for money (i.e., lifetime net contributors). On Parents Pay, parents with expensive children might be stuck with greater liability. Those who wish to collectivise parental liability can avail themselves of similar arguments to those I make here (see Clayton 2006, pp. 67-68).

In order to deflect this objection, however, we can differentiate between some different questions that can be asked about a scheme that provides benefits. The first is: what is the total amount owed? The second is: who is liable and on what basis? The third is: how should we divide the costs between the liable parties?

With regard to the first, the total amount owed is the total costs of the scheme, or the total amount of benefit received, whichever is lower. When foisting benefits, the distributor cannot expect to turn a profit, and cannot claim for more than she has actually benefited people. Kids Pay provides an answer to the *second* question – it claims that we are liable to contribute to the raising of children on the basis of having benefited as children. But it does not follow that we must pay for what we have each individually received. It is a separate, third, question as to how we should divide the costs. Kids Pay, as a theory of the basis of liability, is compatible with many answers to the third question – it is compatible with many intra-children distributions, and so takes no official stance on the distribution of burdens between (expensive) Pebbles and (cheap) Bam Bam. And at this point, there is no reason why we shouldn't be concerned with comparative fairness. Indeed, Rawls (1999, p. 96) and Arneson (1982, p. 622) qualify the application of the principle of fair play with the condition that only internally just schemes can trigger liability. So, not only are the basis of liability and the correct distribution of costs separate issues, liability on this view *depends* on us getting the distribution of costs right. For those that think that asking Pebbles to pay for her own expensive medical care is objectionable, then, there is no reason to think that this would be the right way to distribute the costs among the beneficiaries of the child-rearing scheme.

A natural way to object to this line of thinking is to point out that while this kind of thinking may legitimate fair distributions between the beneficiaries of the *same scheme*, Pebbles and Bam Bam, being parts of different family units, are not recipients of benefits from the same scheme, and so it would be inappropriate to try to find a fair way of distributing burdens between them.

However, this objection to the idea of fairly distributing burdens between Pebbles and Bam Bam is only successful if we fund these benefits in the short term in a certain way. To explain: the argument thus far says that as the beneficiaries of raising, children

ought to contribute. But children do not have their own resources, and so *someone* must front them the goods in the short term and then await repayment – someone must be the foister. Now, if a child's own parents are the foisters, then the objection holds – Pebbles and Bam Bam are the beneficiaries of discrete schemes, and so there is no just distribution of the benefits and burdens *within* a single scheme which can correct for the fact that Pebbles is a more expensive child. But why should we think of the child's own parents as the relevant short-term provider? We could, *as a society*, front each individual child the resources necessary, and then *as a society* seek repayment later. Or, *parents as a whole* could be the lenders in the short term. Either of these solutions would make Pebbles and Bam Bam the beneficiaries of the *same scheme*, and thus make it appropriate to seek a just distribution of the burdens of that scheme.

How should we resolve this issue of which scheme size we should prefer? This is, so far as I know, an underexplored issue in the literature on the principle of fair play.

Discussions of the moral and political issues raised by non-consensual beneficial schemes and the principle of fair play tend to focus on the perspective and duties of the recipients of benefits. But when we look at things from the perspective of the benefit-givers, questions about which of several possible schemes they are permitted, should prefer, or are obligated to bring about, arise. If we can form any of the three schemes mentioned above, it is only if we are *obligated* to form the scheme in which parents lend to their *own* children that the variant of the Kids Pay scheme that fuels the expensive child objection will *necessarily* come about (although even in such a scheme, siblings will still be the beneficiaries of the same scheme, and as such we can ask siblings to take on a fair share of the burdens of expensive children.)

I cannot see any reason why we should think ourselves so obligated. I think that there are strong moral considerations in favour of other scheme sizes. Firstly, to see how moral considerations can dictate which scheme size we ought to choose, consider:

*Additive:* A deadly disease threatens a community. The only way to prevent this disease is to introduce a costly additive to the water supply. Additive A will protect the whole population against the disease, and therefore everyone will be obligated to contribute to this scheme. It costs ten units per person.

Additive B, due to small genetic differences, is only effective on a certain racial

group, who make up half the population. It costs five units per person. The other half of the population can be protected by Additive C, which costs fifteen units per person. Therefore, we must either create one scheme, which introduces Additive A, or two separate schemes, which introduce Additives B and C.

At the *very* least, there are strong moral reasons for the group to prefer the scheme which introduces Additive A, since it will distribute the costs among beneficiaries in a way that is fairer. More strongly, we might think that they are obligated to introduce Additive A.

Here we see how a concern for fairness can dictate which of several possible fair play schemes we ought to institute. And the same can surely be said of choosing between differing schemes which will lend children essential goods. If one scheme will lead to fairer outcomes, that is a reason for preferring that scheme. Thus, the concern for fairness which drives the expensive children objection also seems to provide the solution. There is no reason to think that the distribution of burdens *within* a scheme cannot pay attention to fairness, nor that considerations of fairness cannot speak in favour of one scheme over another (as in *Additive*). Given this, the receipt of benefits can generate liability to contribute, without the level of contribution required being calculated in isolation from considerations of fairness. Therefore, I think we can resist the expensive children objection.<sup>29</sup>

## Conclusions

Who should pay the costs of raising children is an important political issue, and one that deserves greater attention from political philosophers. The literature largely focuses on presenting children as an expensive taste, or as a public good. Therefore our attention is focused on the choices of parents and on non-parents' receipt of a future benefit as bases of liability. I have not tried to show that these are not appropriate bases of liability for the costs of raising children. Rather, I have tried to show that our discussion of how we should divide these costs should not be limited to these bases of liability, and to these parties. The arguments of this paper suggest that we may be able

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<sup>29</sup> For an argument with a similar structure in a different context, see Miriam Ronzoni's (2009) claim that even if we accept that justice is confined to the basic structure, we can nevertheless have duties to create a certain size or type of basic structure.

to foist some of the benefits of upbringing onto children, and then claim repayment later. I have tried to show that this is a plausible basis of liability by focusing on the situation that children are in: they require essential, expensive goods, but are unable to consent to receiving or paying for them. However, they are the primary beneficiaries of child-raising schemes, and a fair division of the costs should include them. I have considered several objections to this line of thinking, namely: that parents enjoy and benefit from parenting; that parents are responsible for the existence of the costs; and that the scheme has inequalitarian implications. Much more would need to be said about how to implement the view, and doubtless there are many more objections to consider, but I hope I have at least shown that it is a credible candidate.

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