

No Exit and Parental Autonomy

It is time to confront the hardest questions. Why is the cost of continuity for parents a social problem rather than a matter for individual responsibility? Isn't it unfair to expect the childless to help out parents who have simply made different life choices?

After all, we usually think of parenthood as a mix of blessings and burdens. Parents have less freedom than nonparents in some important ways, but most parents love their children and accept their duty to them. And in the United States today, almost everyone can decide whether or not to be a parent. Parents do have special responsibilities, but it is easy enough to avoid the duties of parenthood: just don't have kids.

When we portray parenthood this way, it is difficult to see why society owes parents any extra help. Some people choose to have children, others choose not to. There is less and less social pressure to have children, and the ranks of happy, childless people are large and growing. We can infer that parents must feel that the economic costs of child rearing are worth it. Perhaps parents end up with less financial security but greater emotional satisfaction.

But the picture changes if we step back and consider the parental role in a larger context. Society strongly regulates the content of parenthood,

and it demands more of parents than ever before. Individuals can choose whether or not to be parents, but society fixes the terms of that choice. In effect, society tells parents “Do Not Exit”: it expects parents to persist with their children for the long term, to give priority to their children’s needs, and to sacrifice their own plans, wishes, and opportunities, if need be.

From this analytic distance, we can frame some larger questions. Has society structured the parental role fairly? When society expects parents not to exit their children’s lives, should society, in return, give any special consideration to the consequences for parents’ lives?

Has Parenthood Become a One-Way Obligation?

Over the generations, the nature of American parenthood has changed radically. In the not-so-distant past, children were a pretty good economic bargain. Society did expect parents to feed, clothe, and manage their children, but not much more, and in exchange, parents received the value of child labor. Even young children were expected to be productive, and by 10 or 12 most worked hard on the farm or in a factory. Children also represented the only available means to “retirement planning.” Most people had little wealth, and those who did held their assets in land, not in money. Modern financial intermediaries simply did not exist in anything like their current form. Families had plenty of children, not only because birth control was unavailable, but also because children represented one of the biggest financial assets a family might have.

In contrast, today’s children cost their parents plenty and give back relatively little, in purely economic terms.¹ Parents make big and little sacrifices to spend time with their children and to give them the education they need to make their way in the world. While we hope that children will love their parents, we no longer expect them to be the main source of financial support in disability or old age.

Put another way, we now see children as an emotional asset but a financial liability. Our society’s standards of care for children have increased substantially. We expect parents to keep their children in school until age 18 and to provide them with extensive, and expensive, medical care and social and emotional support. We recognize an increasing array of

children's medical conditions and special needs, which entail therapies that require even more parental attention. At the same time, child labor (for the majority of Americans) has faded into the past; our laws forbid parents from sending children under 14 to work. At the same time, society's sense of what children owe their parents has weakened as well. We expect adults to save for their own retirement. Through Social Security, Medicare, employer pensions, and a variety of tax breaks, we send the clear message that retirement provision has become an individual and a public responsibility—not a matter of filial obligation.

The direction of change is clear. Over time, parenthood seems to have shifted from a two-way bargain between parents and children to a one-way obligation from parents to children. But our social and legal institutions have not kept pace with these big changes. We continue to think of parenthood as its own reward, and we continue to suppose that each family ought to be economically self-sufficient.

This chapter questions whether we ought to endorse this notion of parenthood as a one-way obligation. Should children have some obligation to give something back—to ensure that child rearing does not too heavily compromise parents' lifetime opportunities? I am not proposing a return to the days of strict filial obligation. It would be impossible and unwise, at this late date, to repeal Social Security and require every child to care for her own parents. Parents *and* children have come to value their own independence too highly for that, and families have become too loose-knit to enforce affective ties across generations. But, in a looser sense, we can imagine a social compact in which we accept an obligation to help all parents provide continuity of care without unduly sacrificing their own lives. We cannot travel back in time and help our own parents.² But each person could fulfill his obligation by sharing in the cost of providing the conditions of autonomy for the next generation.³ Every one of us was once a child, and for the sake of what we received, we might share an obligation to ensure that today's children receive the care they need.

So far, this is just speculation. We *could* imagine a social understanding of this type. But why *should* we? Why should society ask all its members, including childless adults, to assist parents? And what, exactly, should society assist parents in doing? The key, I argue, is to recognize the No Exit obligation that is the defining feature of modern parenthood.

The No Exit Obligation

No Exit is the flip side of continuity of care. We have seen that society expects parents to provide continuity, and it depends on them to do so. But when parents commit to continuity of care for their children, they limit their own capacity to exit, in two senses. Most obviously, parents undertake to stay with their children for the long term and not to leave them. But in addition, continuity of care requires parents to reshuffle their priorities: parents must strive to meet their children's material and emotional needs, and they must, if need be, limit their own aspirations and forgo opportunities to do so.

Thus, the No Exit obligation for parents represents not merely the duty not to abandon one's children by the roadside, but also the much harder, more intensive, and crucially important duty to create the intimacy, stability, and loyalty that Goldstein, Freud, and Solnit describe. Continuity in its fullest sense requires parents deeply committed to the enterprise of child rearing—so committed that they consult their children's interests as much as their own in setting their life's priorities.⁴

In a sense, the No Exit obligation is thoroughly familiar; it is deeply embedded in the social and legal institutions that define parenthood. Chapter 3 explored those institutions and demonstrated that a parent who acts as the state wishes her to do should generally persist as the child's caretaker until the child reaches adulthood and no longer relies on continuing care for the development of his capabilities. That is not a terribly controversial proposition; indeed, it expresses at least part of what most people would say good parenting is. But if we look beyond parenthood to the wider social world, we can gain some perspective on how extraordinary the No Exit obligation really is.

Exit occupies a central place in most conceptions of individual autonomy. Although theories differ, most liberal egalitarian accounts imagine that an autonomous individual should be capable of choosing a life plan that seems good to her, and of modifying that life plan as her values change over time. To be the "author of one's own life," one should be permitted to choose among a variety of meaningful options.⁵ Central to the notion of choice is the ability to alter one's decisions—to define and redefine one's projects and relationships over time.⁶ A person who cannot exit her cho-

sen life plan is less able to govern her life than a person who can exit, even if everyone knows about the constraint ahead of time.

We have already seen how this abstract proposition becomes concrete in parents' lives. Parents commonly find their economic options limited by their child-rearing responsibilities. And parents' noneconomic options may also contract. Parents may marry, decline to marry, or exit a marriage for their children's sake. They may reject other relationships that they might have pursued were they childless. They may stay in a community or leave it based on their children's needs rather than their own. Most parents continually make smaller sacrifices as well, adjusting expectations and ambitions downward, a little or a lot, for the sake of the children.

What is less obvious is that the No Exit obligation represents an extraordinary command from society to parents. The state ordinarily seeks to permit every citizen to choose a vision of the good life and to shape a life according to that vision. But the No Exit obligation erases some life-planning options on the menu presented to parents. Child rearing requires parents to give reasonable priority to the child's care, sacrificing, if need be, their own projects and plans. No matter what new and exciting opportunities come along, no matter how appealing or socially productive a new project, the parent's duty to the child should come first. If the new opportunity or relationship cannot be reconciled with the child's need for continuity, it should be declined.

Does this account overstate society's role in defining the obligations of parenthood? After all, many parents would surely endorse the No Exit obligation as part of their own values. Most parents probably feel that their sense of obligation to their children comes from within.

It is certainly true that society relies on parents' natural affection for their children and their strong sense of duty. Indeed, society tries to foster the conditions that permit love and responsibility to flourish: think of the doctrine of parental authority introduced in Chapter 3, which preserves privacy and personal space for child rearing. And the law counts on parental love when it threatens to punish harmful or irresponsible parents by withdrawing their parental rights.

Still, parental obligation is a social creation as well as a natural phenomenon. The historical record reveals that it is a mistake to suppose that parents naturally act responsibly toward their children even in a different

social climate. A vivid study by John Boswell notes that child abandonment has a long history in Europe, ending surprisingly recently. Romans frequently “exposed” unwanted children, leaving them literally by the roadside to die or to be enslaved by anyone who picked them up. In the Middle Ages, parents continued to expose children and to sell them. In the eighteenth century, in urban France and Italy, from 10 to 40 percent of children were abandoned, including children born in prosperous neighborhoods. It was not only the hard-pressed poor who gave up their children, but also better-off people who found them inconvenient. A significant percentage of children even in wealthy districts were sent to foundling homes, where many died from disease and neglect.⁷

It is not particularly surprising that parents perceive the No Exit obligation as a matter of personal values rather than a social command. The No Exit duty is so intertwined with parental emotion and social custom that parents may not be aware of the social and legal institutions that support and reward their persistence. But parents’ felt experience should not be the gauge of whether the No Exit obligation constrains their lives. It is impossible to disentangle parents’ presocial values from their values as shaped by society. Indeed, it is one measure of our society’s success in securing continuity of care for children that (most) parents have come to internalize the No Exit obligation, to incorporate it into their own morality.

But how does the No Exit duty create any collective obligation to parents? Doesn’t society regulate people’s conduct all the time? Why should we consider No Exit such an extraordinary burden that it merits special remedial action?

No Exit as an Extraordinary Regulation

The No Exit obligation curtails the exercise of two capabilities that citizens of a free society ordinarily take for granted: the capacity to set one’s own priorities among competing projects or values, and the capacity to revise one’s priorities and projects over time. The No Exit obligation requires parents to give reasonable precedence to children’s needs, and it mandates parental persistence for the long term, even if parents’ values

and aspirations change during that time. Without the No Exit obligation, parents might more easily take and change jobs and begin and end relationships. They could more thoroughly exercise their freedom, because they could live only (or primarily) for themselves, concentrating more fully on the task of self-authorship.

A free society ordinarily views No Exit rules with suspicion. It cuts against the liberal egalitarian grain to use the power of the state to require individuals to persist in a particular way of life. The law professor Jed Rubenfeld frames an argument for abortion rights in just this way. Denying women the opportunity to have abortions, he argues, would amount to requiring them to live a life of the state's choosing.⁸ Put another way, banning abortions would be like imposing a No Exit obligation on pregnant women. As long as we do not understand the fetus to be a child entitled to continuity of care, such a No Exit obligation would be an intolerable and unnecessary burden on women's capability to determine for themselves the way of life they wish to pursue.

Similarly, the modern trend in marriage law disfavors No Exit obligations. At one time in Western societies, marriages were No Exit relationships, at least in theory, because divorce was illegal. (In practice, some married individuals did abandon their relationships, but they could not abandon, at least without fraud, their legal status as married persons.) Today, U.S. divorce laws are relatively liberal, permitting either spouse to exit. Most legal theorists approve this trend, precisely because no-fault divorce permits autonomous adults to revise their lives. Although some critics worry that modern divorce rules fail to protect the interests of women and children, for the most part these reformers advocate greater financial awards and the revision of child custody standards rather than prohibitions on divorce.

One might object that parents freely choose to bear (or adopt) children. No one coerces them into doing so. But voluntary entry into parenthood cannot justify unlimited regulation of parents' lives. Society should not be able to harshly regulate fundamental life activities and then excuse its action on the ground that individuals can avoid that way of life. An abortion ban, for example, could not be dismissed as a trivial restriction simply because women could avoid the ban by not having sex. When society commands parents to persist, it is denying to some people a course of life they

might otherwise wish to pursue: the option to capture the satisfactions of rearing children while also preserving the opportunity to exit, or to reshuffle one's priorities if it becomes attractive or meaningful to do so.

It is a mistake to dismiss the problem by imagining that only immature parents would want an exit option, or that anyone whose values change over time must be lacking in personal discipline. The disapproval that informs these stereotypes illustrates just how strong the social prohibition against parental exit is. Suppose that a person committed to social justice came to believe it to be his calling to leave his children in order to work in an impoverished country to improve conditions there. We might disapprove his choice, but we could not easily label it shallow or self-indulgent.

Parents limit their plans in more ordinary ways all the time. A father may decline a better job that would require mandatory overtime. A mother may reject a job that requires night-shift work or unpredictable hours. Parents with a sick child may put their own education and career aspirations on hold—for a time or forever. Parents are constantly living on less, curtailing their ambitions, and making hard choices for the sake of their children.

Parents may not resent these choices. They may make them without a second thought, or even with a sense of pride that their priorities are in the right place. My point is not that parents *feel* burdened, but that they *are* burdened—relative to the baseline of what childless people may do. A childless person might take the new job, work the night shift, or stay in college. The parent may not.

A Libertarian Mistake?

It may seem that this line of argument incorporates a libertarian mistake: I seem to be treating individual parents as if they have some “natural” right to exit their children’s care when they wish, a right that society has foreclosed through the No Exit obligation. If I were making this argument, it would indeed be an error. To see the subtle, but crucial, difference, it is worth taking a few paragraphs to define the problem more precisely.

Liberal egalitarians normally reject the idea that there is some meaningful state of nature, or prelegal state of affairs, that defines a baseline for

measuring individuals' autonomy (and state infringements of it). Egalitarians theorize that the institutions of a fair society set the autonomy baseline by defining what individuals should and should not be permitted to do. Accordingly, liberal egalitarians ordinarily do not suppose that (legitimate) state regulations infringe individual autonomy. Take two commonplace examples. If I want to buy a dog, I assume a legal obligation to keep it on a leash. If I want to operate a gas station, I must abide by environmental regulations and the labor laws. These regulations enjoin me to refrain from taking actions that I might wish to take: I may not let my dog run loose in the park, I may not discharge gasoline fumes into the air, and I may not require workers to work long hours without overtime pay. True, some or all of these rules constrain the freedom I would enjoy in the state of nature. But egalitarians reject the idea that I have a natural right to endanger my fellow citizens' safety, or to pollute their air or require them to work under inhumane conditions. Put more abstractly, we treat such regulations as defining the scope of individual autonomy rather than limiting it.

So why isn't the No Exit obligation just another regulation of this thoroughly familiar type? It seems to serve one of the most widely accepted rationales for state regulation: the prevention of harm to others. My own argument emphasizes that parents who exit do lasting harm to their children. Accordingly, it would seem entirely fair for the state to enjoin parents not to exit. No Exit prevents parents from harming or exploiting their children, just as the leash laws and environmental laws prevent harm to neighbors and the labor laws prevent exploitation of workers.

But I am not arguing that the No Exit rule is inappropriate, that a fair society should reject it. (Indeed, in Chapter 3, I went to some lengths to defend the No Exit duty.) The subtler insight that I am advancing is this: *not every regulation with a legitimate purpose imposes a fair burden on those individuals who pursue the regulated activity.* The No Exit rule implements the state's legitimate interest in continuity of care for children but simultaneously imposes an extraordinary restriction on parental autonomy.

Thus, the paradox is that society's No Exit command both expresses the state's legitimate interest in continuity of care for children and restricts the exercise of parents' autonomy. We can recognize that "Do Not Exit" is

an appropriate command without pretending that its consequences for parents are trivial or morally untroubling.⁹

Society's Obligation to Parents

Still, the central question remains: Why should the *childless* help pay to protect parents' autonomy? After all, the childless have lives of their own to live. If they must pay taxes to create programs for parents, they will suffer some diminution in the opportunities they might have pursued. Why is that fair?

To set the stage, recall the normative argument for continuity of care that I introduced in Chapter 3. There, I began with the ideal of a fair society that sought to recognize and foster the autonomy of every person. In such a society, I argued, every child would be entitled to the conditions of autonomy, including continuity of care and a parent subject to the No Exit rule.

This chapter adds a second insight: such a society should act with due regard for the impact of its child-rearing practices on *parents'* autonomy, too. The underlying value is that each citizen should have some ongoing capacity to participate in the enterprise of defining and pursuing a life of his or her own choosing. But if that is true, then the state should not be indifferent to how it secures the conditions of autonomy for children. If the ideal is that everyone should enjoy the lifelong capacity to form, refine, and pursue a vision of the good, then it is insufficient to focus on children alone: we owe some consideration as well to the conditions of autonomy for adults.

There are many different accounts of society's obligation to safeguard adults' autonomy. Consider two that seem especially apt for my purposes. First, an egalitarian society commonly takes measures to preserve individual autonomy against its citizens' predictable failure to do so. Put another way, society often expects some adults to help preserve other adults from choices that may ultimately damage their life chances. The conceptual problem is that life planning is a difficult enterprise because it requires one's younger self to empathize with an older self in different circumstances. In theory, we could hold each individual strictly responsible for

planning for old age, unemployment, and bad health, but because it is so pervasively difficult for people to imagine themselves in difficult circumstances, we rely on mandatory, public social insurance to protect people who suffer predictable, but serious, injuries to their life chances, for instance, the elderly, the unemployed, and the sick.¹⁰

Public old-age insurance can be understood in exactly this way: we provide Social Security and Medicare for the elderly because we know that many people will underestimate the financial and medical needs of old age. We could dismiss the plight of the elderly by insisting they *chose* not to save (or chose to lead financially imprudent or unhealthy lives). Instead, we understand that there is a very human difficulty in planning so far ahead. How many 21-year-olds can really empathize with the frailties of the 80-year-olds they may become?

It might seem that it is far easier for people to anticipate parenthood. Most parents are relatively young, in their twenties or thirties, and most of them know plenty of other parents. But many new parents find, to their horror, that they really didn't understand what they were getting into. Anticipating a new baby to love is one thing; facing the day-to-day and year-to-year dilemmas of parenthood is quite different. The analogy to old age isn't perfect, but it has some resonance. After all, we all know plenty of old people, but many of us don't begin to empathize until the first pains and small disabilities of middle age, or a first spell of unemployment, give us a hint of what it will be like to feel ill and financially vulnerable beyond our working years.

Parents' economic situation also resembles the plight of what policy wonks call "displaced" workers, that is, workers who chose one occupation, only to find that globalization or technological changes have made their skills obsolete. Skilled factory workers, telephone operators, and others have found themselves in middle age with skills no longer needed in a high-tech, information-based economy. Society might dismiss their situation; after all, they *chose* their jobs. But, instead, we have made some public provision for unemployment insurance and retraining assistance to help them retool for the new economy. Parents' situation is a bit different. On one hand, it isn't technological change that has unexpectedly shrunk their opportunities, but the predictable demands of child rearing in a society that demands No Exit. On the other hand, workers have greater flexibility

than parents to adjust: technological change isn't instantaneous, and telephone operators and factory workers could have exited sooner for different jobs, whereas parents cannot.

The philosopher Seana Shiffrin offers a second, and more general, account of when a society might act to buffer some adults from the autonomy consequences of their life choices.¹¹ She points out that our society does not call its citizens strictly to account for the full costs of their actions. We do not require smokers, drinkers, or motorcycle enthusiasts to pay the full cost of their health care, even though their choices contribute to their higher rates of illness and injury. Nonreligious employers may be required by law to permit religious people not to work on their Sabbath. Workers who care for children or elderly parents have a right to take job leave without penalty. And so on.

All these practices, Shiffrin points out, involve a collective effort to make some choices less costly than they would otherwise be, *even though* smokers choose to smoke, Sabbatarians choose to be religious, and parents choose to have children. Why do we do this? There are many possible explanations, but Shiffrin suggests that too strict cost accounting would chill people's capacity to deliberate about the lives they wish to lead.

For some readers, these accounts of collective obligation will be sufficient to justify the obligations of the childless to help lighten parents' load. Parenthood is one among many "costly choices" that people make—and that society protects their ability to make.

But other readers may object. In theory, at least, the state need not tax the childless to protect parents; the law might require parents themselves to set aside resources to counter the burden of the No Exit obligation. Perhaps every person should be required to contribute to a special savings account to draw on if he or she ever became a parent. (Those who remained childless would receive refunds.) That kind of regime would ensure that parents paid the full cost of child rearing, not only the direct costs of feeding and clothing the children but also the cost of "rehabilitating" their own opportunities.

Call this the *private project objection*. This view insists that every adult should bear the costs of his or her own actions. According to this way of thinking, parents bring children into the world and should take full responsibility for the costs of rearing them. After all, if it weren't for the

(biological) parents, there wouldn't be any children who could lay claim to society's resources for their upbringing.¹²

But this account of causation is far too simple. True, parents choose to have children, and children require costly care. In addition, parents have latitude in deciding how expensively and intensively to rear their children. At the same time, however, society regulates child rearing with a heavy hand. Children are people, not projects, and parents cannot entirely rear their children as they choose. The No Exit story attempts to draw out this second strand, to highlight society's role in shaping care, that most intimate and basic of parental functions.

In principle, causation cannot resolve the question. The private project objection emphasizes parents' role in creating children. But we could just as easily emphasize society's role in subjecting parents to the No Exit duty. We could even highlight children's role in the matter. Why should parents have to pay for the conditions of autonomy for other people (their children)? Why shouldn't children themselves (once grown to adulthood) be obliged to repay the cost of their own upbringing?

None of these three "theories" of causation reaches the bedrock issues here. In fact, the causal claim ("Parents cause children to exist") isn't really about causation at all. Instead, it is a shorthand for a deeper judgment about the appropriate baseline distribution of society's resources. Implicitly, the claim is that every adult deserves an equal share of resources, *ex ante*, and thereafter no one may claim more (or be required to take less) based on his or her choices about how to live. That thesis has a respectable lineage in liberal egalitarian theories. But a closer look suggests that the classical account of resource equality does not fully come to terms with society's role in making parenthood a No Exit obligation.

Is Child Rearing an Expensive Taste?

Begin with a little theoretical background. Liberal egalitarian theorists typically endorse the principle of resource equality, the idea that every person should enjoy an equal share of society's wealth. Individuals may dispose of their share as they see fit, but they should accept the consequences of their choices and they generally should not expect others to

give them extra resources if they choose an expensive way of life.¹³ The classic example is that it would be unfair to redistribute from the beer drinker to the champagne connoisseur. By hypothesis, both the beer drinker and the champagne drinker had an equal endowment of resources and an equal capacity to make choices about how to live. If the champagne drinker chooses the more expensive beverage, she should not be able to complain that she can buy fewer bottles than her beer-drinking peer.

By analogy, the parent and the nonparent both begin with equal opportunities and (at least in theory) equal resources *ex ante*. If the parent, like the champagne drinker, chooses to indulge a taste that is expensive—in terms of time or money—he will simply have fewer resources left for other pursuits. His choice cannot authorize him to claim greater resources than his childless peer because the parent could just as well have chosen a “cheaper” way of life, just as the champagne drinker might select a cheaper libation.

A familiar (and important) reply is that, in the real world, one’s parental role is not entirely freely chosen. In particular, gender unfairly allocates a disproportionate share of child-rearing work to *women*. I incorporate gender into the policies I consider in later chapters; as we move from ideal theory to real-world implementation, it will be crucial to recognize the linkage between gender inequality and child rearing. But at this point, I want to bracket the gender question. Even today, there is some element of choice involved in child rearing. Some women choose not to rear children, and some men choose to do so. It is one thing to believe (as I do) that the conditions for choice are not presently fair; it is another to suppose that caretaking is so involuntary a choice that women should bear no responsibility for it.

Instead of going down that road, I want to address the problem at a higher level of abstraction: *even if* all parents freely choose their project, they *still* should not bear alone the autonomy burden of the No Exit obligation. Even in a gender-free society, the No Exit obligation would render caretaking quite unlike the usual beer-and-champagne examples. Child rearing is expensive not because of the operation of market competition among equally endowed individuals but because society must subject parents to the No Exit obligation in order to promote continuity of care for children.

The usual context for the expensive tastes debate is this: in liberal theory, markets that operate against a background of fair distribution are themselves fair. If we all enter the marketplace with strictly equal resources, then none of us should complain about the prices that result from bidding. If champagne is expensive and beer cheap, the pricing reflects the opportunity cost of the resources involved to our fellow citizens. I should not be able to buy champagne at \$1 per bottle if the growers value the alternative uses of the land and labor higher than that. My wish for cheap champagne would be, in effect, a claim to conscript others' resources and opportunities.

But the No Exit obligation does not "price" parenthood based on a fair auction process in which individuals compete for resources. Instead, it represents a deliberate and necessary social regulation of parents' lives—in effect, a conscription of their time. The fact of regulation is not, of course, unusual. Many life projects are legitimately the subject of state regulation that renders them more expensive than otherwise. But the No Exit obligation represents an extraordinary limitation of parents' capacity to revise their conception of the good. Although the restriction is justified by the collective aim of promoting children's development, society as a whole should take part in ameliorating the consequences for parental autonomy.

Put another way, parenthood is a private project and an expensive taste only if you accept the premise that strict equality of resources, *ex ante*, is appropriate. The No Exit argument challenges that premise. My claim is that when society so heavily regulates just one social role, and in a way that fundamentally compromises the autonomy of individuals who choose that role, society may owe such people something *more* than their initial, *ex ante*, equal share of resources. The No Exit theory challenges the implicit assumption that underlies the objection that childless people are unfairly being taxed to "subsidize" parents.

Still, the expensive taste objection has greater force when we consider costs of parenthood beyond the No Exit obligation itself. Parents have considerable latitude in meeting the demands of the No Exit obligation, and parents differ in their tastes and ambitions. Parenthood will be relatively cheap (in autonomy terms) for those whose plans are extremely flexible, whose child-rearing style is casual, and whose life projects can flourish despite interruption. It will be far more expensive for those whose child-

rearing style is intensive and whose projects can be easily derailed by interruption. Nothing in the No Exit argument seeks to justify greater compensation to the latter group.

It may be best to think of child rearing as an endeavor with both public and private costs. Parents should be responsible for costs that reflect their “private” taste for resource consumption (in lifestyle and style of child rearing), but the childless should bear some responsibility for ensuring that each child has access to the (publicly defined) conditions of autonomy, especially when the public mandate imposes heavy costs on parents.

The No Exit obligation is one example of a public directive of this type. Education is probably another. It would be prohibitively costly for most ordinary families to pay the full cost of adequate schooling for their children. We do not expect parents to do so; instead, we provide public schools. Although the childless (and those whose children are grown) sometimes protest that they are overtaxed to pay for the schools, we generally understand that schools represent a *collective* obligation to the next generation of children. Interestingly, even some theorists who take the position that parents should bear the costs of child rearing acknowledge that the public should fund children’s education.¹⁴

I recognize that this is only a beginning, and not a full-fledged theory of how society and parents should share the costs of child rearing. When should we consider public mandates for child rearing to be extraordinarily burdensome for parents’ lives? How would the theory apply to children’s health care? To college education? My present aim is to start by showing that even continuity of care, that very private and intimate aspect of parenthood, has a public aspect as well, and that there is a plausible rationale for collective measures to assist parents who provide continuity to their children.

Does Society Owe Parents Compensation?

Out of all this, a picture begins to emerge of what society might aspire to help parents do. One model for assistance is compensatory. Initially, it is tempting to say that the state has “taken” parents’ private oppor-

tunities for public use and so (on familiar constitutional principles) owes them restitution.¹⁵ But the norm of compensation is not quite apt here; it implies that we could know what parents would have done had they not been subject to the No Exit obligation, and that we could measure the incremental loss of opportunity that the No Exit obligation imposes. This is, of course, impossible. The burden of the No Exit obligation will vary depending on each parent's values. A parent with a casual philosophy of child rearing or one whose life projects are easily integrated with parental duties will experience fewer conflicts than one who prefers a more intense style of parenting or whose career conflicts strongly with the parental role. Variations in parents' values render compensation both indeterminate as an empirical matter and undesirable as a normative matter; parents should bear some responsibility for their style of child rearing and for their alternative projects.

We should not conceive of the problem as if parents owned a stock of 100 autonomy units, 20 of which have been "misappropriated" by the state. Society has burdened parents' autonomy, but it has done so to promote a legitimate objective: continuity of care for children. The line to be drawn between fair and unfair burdens is not a precise one, and the task should not be to make parents whole but to define the parental role in a fair way. In seeking to protect children's care, a fair society should not leave parents to bear a No Exit obligation so burdensome that they become a caste of second-class citizens.

Equality requires that every citizen have a meaningful opportunity to form and to revise a vision of the good, and to act on it. When we adopt a No Exit obligation that strongly restricts such opportunities for parents, we risk excluding them from the community of autonomous individuals. Today, the law slights the No Exit obligation and treats parents as if they enjoy the same range of opportunities as any other citizen. Instead, the law should attempt to preserve for parents a fair range of life options while also securing continuity of care for children.

It will take some time to develop these abstract ideals into a practical program for action; beginning this process is the task for the remainder of this book. But even at this early stage, we should bear in mind that assistance for parents can help children as well. Although most parents already provide continuity of care, additional support could help them persist

when children's care is especially difficult or when parents are so severely stressed that continuity has been put at risk. (We shall see a concrete example in Chapter 7, which considers care for children with severe disabilities or illnesses.) It is difficult to predict the extent to which parents might do better by their children if their own future were more secure. Still, we can anticipate that supportive measures could help lessen the tension parents now feel (however guiltily) between caring for their children and protecting their own prospects.

What about people who have large numbers of children? Does society have an unlimited obligation to protect the autonomy of people who burden society, as well as their own life, with large families? This is a serious issue, but one that is only tangential to the question of redistribution to parents. The prospect of introducing children into society raises two distinct questions: Should each individual be entitled to bring (an unlimited number of) children into the world, and What does society owe individuals who care for children once they arrive? Procreation raises fundamental questions of intergenerational justice: because each child should be entitled to a fair share of society's resources, a society should have only as many children as it can provide for in a just fashion. Overpopulation may strain a society's resources in other ways as well; pollution, poverty, crime, and other potential side effects may be taken into account as part of population policy. It is thus possible that a fair society might in some way restrict one's ability to bring children into the world.¹⁶

But the opportunity to procreate is quite separate from the obligations we owe children (and their parents) once they exist. In principle, there is no necessary relationship between parenthood and procreation. It is easy to elide the two, because most parents are biological parents. But a state might limit procreation (through coercion or incentives) yet still recognize our obligations to children and to their parents once they come into being.

Public Goods and Public Obligations

It may seem that the preceding sections labor too hard to craft a distinctive justification for redistribution to parents when there is an easier one at hand. Many theorists and policymakers have argued that children bene-

fit society as a whole and that, therefore, every member of society has an obligation to help defray the costs of child rearing.¹⁷ The logic is that children improve the society: they generate new cultural and economic opportunities that in some sense enrich us all. Thus, the argument concludes, the childless benefit from children's care, too, and so they should help fund it.

But the public goods theory has characteristic weak points. The classic critique is that the childless should not be obliged to help pay the costs of child rearing even if children do benefit them, because the childless have not asked for (or consented to) the benefits they receive. The logic is that children are not strictly necessary to society. We could imagine a fair society in which everyone decided to remain childless. That society would crumble, which might be unfortunate, but it would not be unfair. Anyone who objected should have children of his own; he should not demand that others do so.¹⁸ According to this line of argument, it is beside the point that present institutions—the economy or the Social Security system—presume that younger workers will step up to support older ones. The current generation has no right to the higher living standard that an ongoing economy will produce. Because the benefits of children to third parties are unasked for, the argument concludes, parents should not expect state compensation for the costs of child rearing. Although the childless may benefit from parents' work, those parents undertook their work voluntarily and without promise of any extra reward.¹⁹

In contrast, the No Exit theory centers on mutual *obligation* instead of (as public goods theories do) mutual *benefit*. The claim is that every child has a right to claim developmental resources from society and that every adult has an obligation to help secure such resources for the next generation of children. The duty follows from the social compact that guarantees each person the conditions of autonomy and not from the benefit that children provide to their elders.

The argument from obligation is not vulnerable to the involuntary benefits critique, at least not in quite the same form. Society's obligation to parents does not arise because children benefit the rest of us (perhaps they do, perhaps they do not) but because an egalitarian society must accord dignified treatment to every human being: we owe each new generation continuity of care even if we will not benefit from their presence.

Some theorists justify a social obligation to parents by proposing that children are necessary for society.²⁰ My argument is agnostic on that score. Instead, my point is that when children do come into being, parents and the larger society must undertake to secure them the conditions of autonomy. It is children's (and parents') value as human beings, and not their economic or social contribution to collective life, that justifies society's obligation.

The public goods argument can evade the involuntary benefit objection only by making a move that brings an empirical objection to the fore. An advocate of the public goods theory might posit that even if children are not strictly necessary to society, many childless people would likely pay *something* to keep the economy going and the culture flourishing in their old age. Like any public good, children (and children's care) may be underprovided unless the state provides extra compensation to align parents' incentives with the collective interest.²¹ Collective action problems probably would prevent those people from organizing to pay would-be parents, and so the state should step in and act on their behalf. Those citizens who would willingly retire in a cave to chew acorns and read moldy books by the light of the last few candles will feel themselves overtaxed. The rest of us (let us suppose) would endorse some level of taxation for the benefit of children and their parents in order to keep the lights on and Social Security solvent.

But it is not obvious, as an empirical matter, that the childless would be willing to pay much for the *net* benefits that children generate. Although it would be impossible to calculate a definite sum, it is not even clear that the net payment would be positive. Children create negative as well as positive externalities. Overpopulation, urban crowding, clogged highways, and overburdened public utilities and parks come to mind on the negative side. Younger people in general are more likely to engage in crime, violence, and risky behavior that harms others (driving too fast, for example). Advocates of child-free living also note the intrusion of children into adult social life, in restaurants, housing, and so on.²²

The public goods theory also has troubling implications for the distribution of resources among parents. On a strict interpretation, the goal should be to produce children who are well-socialized, law-abiding, economically productive, or culturally interesting. But not all parents are

equally good at rearing such children, and there is no reason to suppose that financial redistribution would improve their capabilities. Parents might be taught to perform better—by attending child-rearing classes, for example—but that kind of redistribution would not do much for parents' own life-planning opportunities. Alternatively, the public goods rationale may support institutions that improve children's well-being while circumventing parents. The state could deploy resources for day care, preschools, and health clinics to enhance children's development without making judgments about the merits of different parents.

The No Exit theory is subtly, but importantly, different. It aims to capture more directly the state's obligation to each individual parent, an obligation that cannot be satisfied either by selective redistribution to "good" parents or by the creation of schools and other resources that benefit only children. The No Exit obligation both defines parents' duties and binds society to take measures to alleviate its impact on parents' lives.

"No Exit" and Care for Adults

Thus far, I have not addressed the situation of individuals who care for adults with physical or mental illness or disabilities. Care for adults may burden caretakers' autonomy; some may persist in their care work for the long term, and many take on a burden of physical and emotional work that is comparable to or even heavier than the work of rearing a typical child to maturity. Think of the mother caring for an adult child with a development disability, or the husband caring for a wife with Alzheimer's, or the father caring for an adult child rendered paraplegic in a car accident. Does it follow, then, that adults' caretakers should be understood to be subject to a No Exit obligation—and eligible for redistributive measures to lighten the burden they bear?

Continuity of care is a less certain guide here than in the case of children. Adults with serious illnesses or disabilities do need care, and it may be in society's interest to create institutions that respond both to their needs and to their caretakers' situation. Yet, there are significant differences between children's and adults' needs for care. Children's development is a relatively transparent process. We have some idea of what it

means to bring an infant from its helpless, newborn state to competent adulthood, and we know that it takes about 18 years to do it. We know the kind of capabilities most children can develop, and we know that continuity of care is crucial to healthy development. We also know that children are unable to participate in their own care. They cannot meaningfully indicate preferences about who should care for them or how, nor can they express views about how to allocate resources over the course of their life.

Adults' need for care is more variable and less transparent. Some adults will be childlike in the relevant ways: they will be unable to make meaningful choices about their own care, and they will need persistent, long-term care by the same person or persons to protect and facilitate their capabilities. But other adults will not be remotely childlike. Most people with physical disabilities, and many with mental disabilities, will be able to participate in making choices about how to live and who should care for them. Others will have been able to make such choices in the past, even if they cannot now make them (think of the Alzheimer's patient).

Thus, the continuity of care standard should probably apply only to certain adults who need care. The standard should be whether the psychological, emotional, and intellectual development of the person needing care depend on continuity of care by a particular caretaker (or caretakers). Every *child's* caretaker meets this standard; if a child's parent exits, there is no ready substitute. The same cannot be said of the caretaker for a person who became disabled or ill as an adult, with faculties and identity already in place. Imagine someone whose only disability is that she cannot walk. She will need some assistance in the tasks of daily living, and she may prefer to be cared for by a parent, child, or spouse rather than by paid surrogates. But she is already a fully developed person, and her caretaker's exit will not (by hypothesis) do fundamental damage to her psychological development.

For adults who are not childlike in this sense, there are harder questions about whether caretakers should be subject to a No Exit obligation. Today, caring relationships between adults are generally conceived as being relationships of equality, with each party able to exit at will. Should we expect more, or are there good reasons to decline to extend the No Exit obligation? I worry that we overlook too many important considerations

when we equate care for adults with care for children. Although I understand (and applaud) the impulse to guarantee care to vulnerable people, it is not readily obvious that the state should respond in the same way to all needs for care that individuals assert.

These questions do not imply that a fair society should treat with indifference adults' need for care. Both fairness and practicality may command the state to ensure that people who suffer illness and disability are treated with respect and offered a decent menu of life options. Indeed, there is a flourishing literature in the liberal egalitarian tradition that seeks to define just what kinds of social insurance a fair society ought to provide, and what, and when, adults ought to contribute to the funding of such insurance.²³ My point here is more limited: we should be cautious in extending the continuity of care model beyond child rearing because it may be inappropriate to extend the No Exit obligation to adults' caretakers. It is one thing if an adult chooses to care for an ill spouse or a disabled adult child; it is quite another to propose that society should bind that person to do so and to persist for the long term.

The topic of care for adults goes well beyond the agenda for this book, and so I do not attempt to offer more detailed analysis or prescriptions for social welfare policy toward adults' caretakers. Still, one lesson of this book is that an appropriate program of health and disability insurance for adults should at least consider the autonomy burden that their care may impose on a caretaker. We should be attuned to the possibility that one person's disability or illness may also have serious implications for his caretaker's life.

In this chapter, I have sought to highlight an aspect of parenthood that we sometimes do not see or talk about: the No Exit obligation. Most parents do not feel especially burdened; we feel that we get (at least) as much as we give. But that is the way continuity of care ought to work: we are supposed to integrate our love for our children with our sense of duty toward them. We can, at the same time, recognize that the parental role imposes extraordinary restrictions on individual autonomy. Because of the No Exit obligation, parents who do their duty will almost always make some significant sacrifice of their own long-range prospects.

The next task is a practical one. How might we adjust the demands and rewards of the parental role, making it (more) possible for parents to provide continuity of care to their children while preserving good long-run options for themselves? The next chapters turn from theory to practice.