

# Procreative-Parenting, Love's Reasons and the Demands of Morality<sup>1</sup>

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What makes the combination of creating *and* parenting a child valuable for a person? On the one hand, the activity of creating *on its own* can be meaningless for the person who does it. Think of an anonymous sperm donor who never even meets the child he creates. On the other hand, the activity of parenting *on its own* seems quite meaningful. Think of a stepfather and the profound love he feels towards a child he helps to raise. It is therefore hard to see how there could be any value in the combination of creating *and* parenting a child over and above the value of parenting itself. This is a problem for those who believe that *procreative-parenting* uniquely contributes to the pursuit of a meaningful life.

But the difficulty in locating the value of *procreation* in procreative-parenting is not the only problem facing those who believe that there is something special about the bond parents enjoy with the children they have a genetic and/or gestational connection with. Another problem they face is to show that this value is significant enough to give them the theoretical resources to address two pressing moral challenges to the practice of procreative-parenting.

The first challenge relates to the moral decision of *whether or not* to procreate given the tremendous environmental and opportunity costs involved in bringing a new person to the world. Procreation puts a great deal of pressure on our already overburdened natural environment and it also takes away emotional and financial resources that could be otherwise spent in adopting a child in need. The moral insight driving this challenge is

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that the enterprise of procreative-parenting cannot be justified in light of the much better consequences that prospective parents can bring about by engaging in *adoptive*-parenting instead.

The second challenge to procreative-parenting takes place *after* procreation, and it refers to the state's role in deciding how to arrange custodial rights over children given that not all procreative-parents are the best available parents for the child they have created. Given the extreme vulnerability of children and the tremendous effect that the family has on how well their lives go as a whole, there is a moral case in favour of a state-run re-distributive scheme whereby children are taken away from their procreative-parents and raised by whichever adult(s) can do the best job of raising them.

In this essay, I provide an account of the value of procreative-parenting that can resist these two challenges. It explains why prospective parents are morally permitted to procreate despite the environmental harms and opportunity costs involved, and it explains why (competent) procreative-parents are morally permitted to parent their biological children despite the fact that the particular needs of their children might be better aligned with the parental skills of other prospective parents. More specifically, my account locates the value of parenting in the deepness and robustness of the loving bond between parents and children, while simultaneously holding that the *mere* fact of intentional procreation for the purposes of parenting provides a *weighty pro tanto* reason for love of this kind.

The discussion is structured as follows. In section 1, I lay out the two challenges that must be met by a successful theory of the value of procreative-parenting. In section 2, I defend my account of the value of procreative-parenting. In section 3, I explain how my account meets both these challenges. In section 4, I engage with the work of Christine Overall and Anca Gheaus, and in so doing, argue that my account does a better job than their accounts in explaining why procreation for competent parents is permissible and why re-distribution away from competent procreative-parents is not.

## **1. Two Challenges**

The practice of procreative-parenting can be defined in several ways, but here I understand a procreative-parent as an agent who conceives a child and/or carries a pregnancy to term, and intends *to enjoy a parent-child relationship with the resulting child*. Hence, a procreative-parent is someone who has gestated her child and/or shares a genetic

relation to her child. By contrast, an adoptive-parent or step-parent is someone who has neither gestated her child, nor shares a genetic connection to her.

This definition has a few implications. First, it leaves out procreators who have not engaged in procreation with the purpose of parenting the child, such as sperm, egg and mitochondria donors.<sup>2</sup> It also leaves out those who have played no genetic or gestational role in the creation of a child but can be said to have enabled her existence. This will be true of doctors in fertility clinics, matchmakers, and prospective parents who contract out all of the procreative work to gamete donors and surrogates.<sup>3</sup>

With this definition of procreative-parenting in mind, we are now in a better position to assess the first challenge to procreative-parenting, which I will refer to as the procreation challenge. The moral case against procreation in procreative-parenting is both simple and *prima facie* compelling. It states that procreative-parenting is morally wrong under current non-ideal socio-political conditions because prospective parents can do much more good in the world by adopting an existing child instead of creating a new person, thereby contributing to significantly less carbon emissions overall, as well as providing a loving home to a child who already exists.<sup>4</sup>

There are two distinct concerns driving this challenge. The first concern is that procreation, at least by citizens of affluent countries, has an environmental impact that is comparable to what environmentalists already consider unacceptable levels of consumption and resource degradation.<sup>5</sup> The second concern is driven by the claims that children in orphanages already have an interest in entering into a parent-relationship and

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<sup>2</sup> For the ethics of mitochondria donation, see Tina Rulli, "What Is the Value of Three-Parent IVF?" *Hastings Center Report* 46 (2016): 38-47.

<sup>3</sup> More controversially, my definition leaves out cases where the intention to parent arises after procreation has already occurred. This will be true of surrogate mothers who want to keep the child after birth, or persons who have their genetic material used by someone else without their consent. The reason why I leave such cases aside is because I am here interested in meeting the two challenges that arise for procreation carried out *for the purpose* of parenting. Cases where the intention to parent arises after procreation need not meet the first challenge, only the second. And it may well be that the gestational or genetic connection on their own will not suffice to give procreators a right to parent, although I remain agnostic on this point. The important point to emphasize is that I am not giving a complete account of rights to parent but explaining why a prospective parent is morally permitted to procreate (as opposed to adopt), as well as keep the child after birth.

<sup>4</sup> Thomas Young, "Overconsumption and Procreation: Are They Morally Equivalent?," *Journal of Applied Philosophy* 18 (2001): 183-192; Daniel Friedrich, "A Duty to Adopt?" *Journal of Applied Philosophy* 30 (2013): 25-39; Tina Rulli, "Preferring a Genetically-Related Child," *Journal of Moral Philosophy* 13 (2016): 669-698; Travis N. Rieder, "Procreation, Adoption and the Contours of Obligation," *Journal of Applied Philosophy* 32 (2015): 293-309.

<sup>5</sup> Young, "Overconsumption and Procreation," p. 183.

that there is no additional value in creating a person. As Tina Rulli puts it: “absent parents’ lives are not more valuable for having merely participated in the creation of another human being. We would not give the slightest praise to the father who bragged about having many offspring if he had never actually met or cared for any of them. *It is raising the child... that has value for a person.*”<sup>6</sup>

So what theoretical bar must be met in order for an account to succeed in doing its job of adequately justifying procreative-parenting? First, given that the procreation challenge questions the permissibility of procreation in light of pressing environmental and social concerns, the way of meeting this challenge is to show that prospective parents have a compelling interest in procreation due to some good-making feature of creating the child they intend to have a parent-child relationship with. Note, however, that such an interest *need not* be more important or pressing than all the other interests at stake, including the interest of future generations not to be negatively affected by climate change, and the interest of orphaned children in entering into a parent-child relationship. The reason for setting the bar at this level is that I assume that individuals qua pursuers of the good are in fact allowed to give *some* priority to their own projects and relationships when faced with the conflicting demands of morality, *so long as* such projects and relationships are an important ingredient of their conception of the good and have *non-trivial* value—that is, are of the kind that contribute to their leading a meaningful life without *violating* other people’s basic interests.<sup>7 8</sup>

We now turn to the second challenge to procreative-parenting, the redistribution challenge. The concern here is that even when parents ignore the compelling moral case against procreation and decide to engage in procreative-parenting, they still don’t seem to

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<sup>6</sup> Rulli, “Preferring a Genetically-Related Child,” p. 693. My emphasis.

<sup>7</sup> This view is meant to be a compromise between two extreme positions in ethics. The first has it that personal projects and relationships cannot be given any priority by the agent, and that one’s life can be rightly overruled by morality. This view questions the moral permissibility of (say) academic philosophy when other professions are more congenial with a life of service. The second position has it that personal projects and relationships can be given priority over the demands of morality, regardless of content. This view makes it permissible for a pot smoker to spend all of her resources smoking weed, when she could instead donate to charity. For a defense of one such compromise view, see Samuel Scheffler, *The Rejection of Consequentialism* (Oxford: Clarendon Press, 1982). For a similar framework, see Rulli, “Preferring a Genetically-Related Child,” pp. 677-678.

<sup>8</sup> If it is indeed true that procreation necessarily violates the vital interests of existing or future people, then the procreative challenge simply cannot be met. However, given that there are moderately feasible reforms that can decrease consumption and waste, it seems worth trying to meet it. To be sure, it may well be that only limited procreative-parenting (i.e., one biological child) can be justified because only limited procreative-parenting does not violate the vital interests of others. Everything I say here is compatible with this position.

acquire a moral right to parent that child simply due to the gestational or genetic connection they share. To see why, consider the implications of a world where rights-respecting states have the technology to scan the genes of new-borns in order to foresee what sort of health, educational, moral and psychological needs each person is likely to have in the course of her life. Imagine also that a related technology allows government officials to accurately describe the profile of every adult who has just given birth to a child by combining their genetic information with information about their social network, hobbies, professional aptitudes, financial circumstances, and core psychological traits. Finally, imagine that due to this information, government officials are able to accurately shift each new-born to parents who are in the best position to meet their individual needs, which rarely turns out to be the procreative-parent herself.<sup>9</sup>

I take it that this case supports what Liam Shields has called a “dual comparative” view of child re-distribution.<sup>10</sup> In his discussion of whether the state has reasons to take children away from decent procreative-parents, Shields argues that both the interests of the child and the interests of parents should count when deciding who should exercise custody rights over children, and that, at times, re-distribution should take place precisely so that the interests of children are promoted to a greater extent than they would have been otherwise, while still ensuring that the interests of decent parents are taken into account. This is precisely what takes place in the case above. By distributing children away from their procreative-parents at birth, the state secures the interest of children in being in a parent-child relationship where their interests are furthered to the greatest extent possible, while simultaneously securing the interest of decent parents in parenting.

To be sure, the putative interest in parenting one’s own *biological (that is gestational or genetic) child* will not be secured by an arrangement of child re-distribution. But this is precisely what is at the stake here. Until we can show that there is such an interest, it looks as if the state would be justified in re-distributing children if that would produce better consequences overall. As Shields explains: “[decent biological parents] may justifiably be denied custody where alternative arrangements promote the justice-salient interests of the child in ways that are more significant than the costs to the current

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<sup>9</sup> One might deny the possibility of such a world by insisting that competent biological parents are necessarily better suited to meet their child’s needs. See David Velleman, “Persons in Prospect,” *Philosophy & Public Affairs* 36 (2008): 245-266.

<sup>10</sup> Liam Shields, “How Bad Can A Good Enough Parent Be,” *Canadian Journal of Philosophy*, 163-182.

parents, taking into account the parents' interests and the costs of transition to the child."<sup>11</sup>

Note though that in order to block the desirability of child re-distribution by the state, a defender of procreative-parenting needs to do more than simply show that persons have an interest in procreation. After all, prospective parents can easily experience the value of procreation by begetting child A, and then experience the value of parenting by raising child B. If there is a compelling interest in procreative-parenting, then, it is the interest to parent the exact same child one has created, irrespective of how well one could parent other children, and irrespective of how well others could parent one's own biological child. Moreover, given that it is quite plausible to hold that both children and adults are persons who enjoy full and equal moral status, this challenge will be best met by showing that children also have a compelling interest in developing a relationship with their (competent) procreative-parents.

Both the procreation challenge and the redistribution challenge are hard to meet. The procreation challenge raises the question of why prospective parents should be allowed to first create a child when there are existing children who already have needs and who already count as burdens to the natural environment. The redistribution challenge raises the question of why the value of a biological tie between parent and child should be allowed to outweigh the instrumental interest that the child has in having her interests promoted and protected to the greatest extent possible. To succeed in justifying procreative-parenting, then, one must show that the biological connection between parent and child has *non-trivial* value and that it can contribute to the pursuit of a meaningful life by both parties to the relationship.<sup>12</sup>

Before concluding this section, let me briefly note that procreative-parenting also faces two *indirect* challenges. First, it faces the anti-natalist challenge that takes existence to be a net harm over non-existence.<sup>13</sup> Second, it faces the anti-parenting challenge of denying that one should ever parent in a world where one could better spend one's discretionary time and resources volunteering or contributing to charities aimed at meeting the basic needs of existing people (i.e., adequate nutrition, basic health care,

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<sup>11</sup> Ibid.

<sup>12</sup> I assume that a correct theory of well-being is a hybrid one, where subjective attraction and objective attractiveness come together to endow our lives with meaning, in Susan Wolf, *Meaning in Life and Why it Matters* (Princeton: Princeton University Press, 2010). Note that my discussion is compatible with any theory of well-being that is not merely subjective.

<sup>13</sup> David Benatar, *Better Never to Have Been: The Harm of Coming Into Existence* (New York; Oxford University Press, 2006).

etc.).<sup>14</sup> I do not attempt to meet these challenges here because they are not directly aimed at *procreative-parenting*, but at procreation and parenting when carried out *independently*. I therefore assume that a life worth living is a benefit to the recipient and that parenting is the sort of self-regarding project that morality must carve some space for.

## 2. On the Value of Procreative-Parenting

So where does the non-trivial value of procreative-parenting lie? In this section, I argue that the value of parenting consists in a deep, and robust, loving bond between the child and her parents. Later, I will argue that the fact of procreation in procreative-parenting provides a weighty *pro tanto* reason for love of this kind.

### 2.1 Parenting and Loving Sacrifice

Let me start by noting that parenting can bring with it all sorts of experiences that can be valuable for particular persons, depending on their own dispositions and on how parenting fits within their overall conception of the good. For instance, some enjoy the fiduciary role they play in the lives of their children, whereas others enjoy the special type of intimacy and affection they can experience in the context of family life.<sup>15</sup> Still, I take it that what is necessarily present in valuable tokens of parent-child relationships is what is often, but mistakenly, referred to as unconditional love (strictly speaking, unconditional love is neither typically accessible to people, nor desirable, since when love is reciprocated with egregious forms of violence and abuse, love becomes hard to sustain,

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<sup>14</sup> Stuart Rachels, “The Immorality of Having Children,” *Ethical Theory and Moral Practice* 17 (2014): 567-582. Note that Rachels sets up his discussion as a challenge to procreative-parenting, as opposed to parenting *simpliciter*. However, given that he focuses on the most basic needs of people in the developing world, his argument no doubt includes adoptive-parenting as well. After all, the very basic needs of poor people in the developing world will always be more pressing than the adoption needs of children who find themselves in adequate orphanages. And in cases where children are based in inadequate orphanages, their basic needs will be similar those of poor people, but still capable of being met merely with the transferal of resources.

<sup>15</sup> For a justification of the family based on the fiduciary role of parents, see Harry Brighouse and Adam Swift’s work in “Parents’ Rights and the Value of the Family,” *Ethics* 117 (2006): 80-108; *Family Values* (Princeton: Princeton University Press, 2014); For a justification based on intimacy and identity, see Colin Macleod, “Liberal Equality and the Affective Family,” in: D. Archard and C. Macleod (eds.) *The Moral and Political Status of Children* (Oxford: Oxford University Press, 2002): 212-230.

and rightly so).<sup>16</sup> This type of love, call it parental love, gives rise to a deep and robust form of caring on the part of parents, which in turn, plays a central role in creating the conditions for children to create and experience value in the course of their lives.<sup>17</sup>

Consider first the *deepness* of the concern tied to parental love. As is well known, parents are typically disposed to take on a great deal of cost and make significant sacrifices on behalf of their children. Such cost-taking and sacrificing might include the ordinary giving up of most of one's discretionary time on a daily basis so as to ensure that the child accesses good nutrition, can satisfy her curiosity and aesthetic sense through music, books, and stories, and can enjoy a sympathetic ear so as to voice her fears and concerns. But the sacrifices and cost-taking motivated by parental love can be much more extreme. It might involve a parent walking away from a fulfilling but demanding career so as to be more present in a child's life, or may involve a parent moving away from a country she loves so as to ensure the child has access to better socio-economic opportunities.

Consider next the *robustness* of the concern tied to parental love. Parents are typically disposed to continue loving the child, and so to invest in the parent-child relationship despite significant changes in their values, ambitions and life circumstances.<sup>18</sup> This explains why parents continue advancing the good of their child even when faced with life's greatest challenges, such as poverty, terminal illness, divorce and the death of a loved one. Parental love thereby sustains a loving relationship that is quite resilient despite significant changes in the parent's circumstances and despite the passage of time.

So far I have only noted that parents are typically disposed to care deeply about the good of their child, and to do so even when their personal circumstances make such deep caring less subjectively desirable. However, to show that parental love is special, and so show that parties have an interest in partaking in a parent-child relationship, it pays to compare parental love with other types of love. To begin with, compare the robustness of parental love and friendship love. First, friends are significantly less likely than parents to continue investing in the relationship when parties cease to have shared interests, when they fall out, or when they move town or country and can no longer enjoy

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<sup>16</sup> Luara Ferracioli, "Why the Family," *Law, Ethics & Philosophy* 3 (2015), pp. 206-219. Christine Overall is also sceptical that parental love is unconditional, in *Why Have Children?: The Ethical Debate*. (Cambridge: MIT Press, 2012), pp. 212-217.

<sup>17</sup> Luara Ferracioli, "The State's Duty to Ensure Children are Loved," *Journal of Ethics & Social Philosophy* 8 (2014), pp. 1-19.

<sup>18</sup> For the notion of a modally demanding value, see Philip Pettit, *The Robust Demands of the Good: Ethics with Attachment, Virtue, and Respect* (Oxford University Press, 2015).

territorially located activities. Second, friends are significantly less disposed to sacrifice core life projects for the sake of the other person in the relationship. Indeed, while some extraordinary individuals might (say) sacrifice their career in order to move town and care for a friend with a disability, parents typically find such sacrificing irresistible and unavoidable.

Similar results can be found when we compare parental love and romantic love. Unlike parental love, the depth and robustness of romantic love seems to be contingent on the endurance of some facts about the beloved (i.e., moral values, desirable personality traits, etc.), as well as on the subjective attribution of value to the historical-relational properties that arise within the context of the relationship (i.e., sentimental events, joint achievements, and other salient facts about the past).<sup>19</sup> The depth and presence of parental love, on the other hand, does not seem similarly contingent on the endurance of some facts about the child. This explains why we wouldn't be morally outraged if a married couple of ten years separated due to one party's (say) severe depression or newly acquired physical deformation, but would find it very hard to make sense of a parent who is no longer willing to enjoy a relationship with her severely depressed or disfigured child.

I hope the points above suffice to render intuitive the claim that persons have an interest in partaking in a parent-child relationship because they either have an interest in being at the giving end or at the receiving end of the deepest and most robust mode of human caring. However, to further motivate this claim, consider the likely consequences of a social arrangement whereby children were denied the opportunity to partake in a parent-child relationship and were instead cared for by well-motivated and well-trained orphanage workers. First, even in adequate orphanages, children would not typically enjoy a relationship with an adult that cares about their good in a deep and robust way. For instance, orphanage workers might end the relationship with the child at any time by changing career or site of employment. They might also fail to make significant sacrifices for the good of the child, which would be regrettable in cases where she would need more from the relationship than simply having her basic needs met. The thought here is that an orphanage worker would be justifiably unwilling to spend her discretionary time and personal savings so that a child under her care could attend a good out of state

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<sup>19</sup> Neil Delaney, "Romantic Love and Loving Commitment: Articulating a Modern Ideal," *American Philosophical Quarterly* 33 (1996): 339-356; Simon Keller, "How Do I Love Thee? Let Me Count the Properties," *American Philosophical Quarterly* 37 (2000): 163-173.

school or access high quality health treatment.<sup>20</sup> And even in rare cases where an orphanage worker would stay in the child's life for a significant period of time, and bear significant burdens for her benefit, things could easily change once the child ceases to be the orphanage's legal responsibility.

Consider now the consequences for adults of a world where they are not allowed to partake in a parent-child relationship. If I am right that parental love renders moral actions of sacrifice and cost-taking irresistible and unavoidable across a lifetime, then in a world without families, adults would miss out on the enriching moral experience of feeling significantly compelled to create the conditions for someone else to lead a good life.<sup>21</sup> That is, in a world without parent-child relationships, adults would miss out on the opportunity of taking a significant degree of costs over a life time in order to assist another human being to overcome the challenges and difficulties associated with both childhood (i.e., inability to identify and autonomously pursue the good) and adulthood (i.e., heartbreak, illness, financial stress). An important upshot of appealing to what both the parent and her child have to gain in the relationship is that my justification of the family will count as a 'dual interest' one.<sup>22</sup> This will become important later when we return to the challenges mentioned in the previous section.

Before I conclude this section, let me briefly dispel some potential worries about the value of parental love and other types of love.

First, I have not argued that all parents care deeply or robustly for their child, nor that parents are always right about what the good of their child consists in. Parent-child relationships where parents either do not care about their child, or have false beliefs about what her good consists in do not pose a problem for my account because they lack the value that justifies parties having a compelling interest in partaking in such relationships in the first place. A child who is in a relationship with a parent who does not care for her deeply and robustly, or who holds false beliefs about what she is entitled to, would be better off in an adequate orphanage.

Second, I have not suggested that *only* parental love gives rise to deep and robust modes of caring. What I have suggested is that other valuable loving relationships are typically less likely to reach the same of level of deepness and robustness. Indeed, for my purposes here, it suffices to highlight the fact that *valuable* tokens of other loving

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<sup>20</sup> Luara Ferracioli, "The State's Duty to Ensure Children are Loved," pp. 13-15.

<sup>21</sup> Luara Ferracioli, "Why the Family."

<sup>22</sup> See Brighouse & Swift, *Family Values*, p. 51.

relationships seem to be valuable even in the absence of resilience and significant personal sacrifices. For instance, we might think that a romantic relationship where parties teach each other important life lessons still gives rise to a valuable loving relationship even if the relationship is not very resilient, and both parties will eventually part ways.<sup>23</sup> We might also think that a friendship where parties play the role of primary confidante in each other's life is still valuable even if they are not disposed to make significant sacrifices for each other's sake. The point here is simply that parental love is valuable because of its role in motivating a deep form of caring across time and alternative circumstances, whereas other types of love seem to be valuable even when the caring they give rise to is not very resilient, and even when it fails to motivate parties to place the good of their beloved on an equal or even higher footing to their own.

## 2.2 Procreation and Reasons for Love

In the previous section I argued that parental love is valuable for the role it plays in sustaining a robust relationship of loving sacrifice between parent and child. But an important question here is: what renders this type of parental love *justified*? Note that whatever the answer to this question may be (and assuming that the answer is not “*nothing*”), it will have to appeal to facts that make sense from both a first and a third person perspective.<sup>24</sup> An appeal to subjectively valuable properties will only go as far as to *explain* parental love in some circumstances. For instance, we might be able to explain why a macho father of three only loves his equally masculine son without endorsing the position that masculinity gives parents normative reasons for love.

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<sup>23</sup> Not everyone agrees. Pettit, for instance, suggests in passing that parental love is on a par with romantic love when it comes to their degree of robustness (in *The Robust Demands of the Good*, p. 34). I think Pettit is wrong about this, and that parental love presents us with the deepest and most robust form of caring we find in human relationships. To see why, consider the difference in attitudes towards the end of romantic and parental love, be it due to abandonment or death. First, consider the case of an abandoned lover or child. With regards to the former, we find it regrettable, but we don't typically feel the same sort of incomprehension when we hear of a parent who has walked away from an already established morally benign parent-child relationship. Consider also our attitudes to love and mourning. Again, we respond with sheer relief to the news that a mourning lover has moved on after some time, but we come to expect parents to never quite recover from the death of a child, even though we hope they manage to lead as meaningful life as possible under such tragic circumstances.

<sup>24</sup> For a defense of the claim that love has reasons and so can be justified, see Niko Kolodny, “Love as Valuing a Relationship,” *The Philosophical Review*, 112 (2003): 135-189. For a critique, see Harry Frankfurt, *Reasons of Love* Princeton: Princeton University Press, 2006.

So what renders parental love appropriate? For those who believe that there are normative reasons for love, there are three main answers in the literature: either love is a result of loveable facts about the person (the property view), loving-conducive facts about the relationship (the relationship view), or a combination of these.<sup>25 26</sup> If we apply these accounts to the case of parent-child relationships, we get the following possibilities. The first is that parental love is justified by the intrinsic qualities of the child. A parent who loves her child does so for properties like playfulness and curiosity, according to this view. The second possibility is that parental love is justified by the fact that parent and child stand in an intimate relationship. Here what makes the love on the part of the parent justified is precisely the fact that parties interact with one another intimately and share a great deal of valuable projects and activities across a lifetime. A final possibility is that parental love is justified by the fact that the intrinsic qualities of the child are themselves *shaped* by the mutual interactions between parent and child in the course of the relationship—that is, love is justified by historical-relational properties. Such a hybrid account has the resources to explain why love is not easily transferable or lost. Indeed, were the parent to meet another child who is equally (or perhaps even more) playful and curious, he would not have a reason to adopt this other child instead, because his own child’s curiosity and playfulness have themselves been shaped by their intimate relationship (i.e., shaped by hours of playing and reading together), and have acquired even greater value as a result. If this view is correct, then the parent should not only love his child because she is playful and curious but partly because these qualities have developed in particular ways due to their numerous interactions.<sup>27</sup>

So which of these theories are correct? As far as I can see, property accounts that appeal to relationality and historicity (that is, accounts that combine the property and the

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<sup>25</sup> For a discussion of the quality view, see Bennett Helm, ‘Love.’ *The Stanford Encyclopedia of Philosophy* (Fall 2009 Edition). For a defense of the relationship view, see Kolodny, “Love as Valuing a Relationship”. For hybrid-accounts, see Delaney, “Romantic Love and Loving Commitment”; Keller, “How Do I Love Thee?”.

<sup>26</sup> There is also a common ideal that we should love a person in her particularity, not because of her qualities (see Gregory Vlastos, “The Individual as an Object of Love in Plato,” in *Platonic Studies*. Princeton University Press, 1972: 3–34; Pettit, *The Robust Demands of the Good*, pp. 31–32). Although celebrated in works of art, I worry that such view collapses into a no-reasons view. As Kolodny puts it: “The beloved’s bare identity, however, cannot serve as a reason for loving her. To say “She is Jane” is simply to identify a particular with itself. It is to say nothing about that particular that might explain why a specific response to it is called for,” in “Love as Valuing a Relationship,” p. 142. I thank a reviewer for calling my attention to this account of love.

<sup>27</sup> For an illuminating discussing of these accounts, see Sara Protasi, “Loving People for Who They Are (Even When They Don’t Love You Back),” *European Journal of Philosophy*, forthcoming.

relationship views) seem quite plausible when attempting to justify the love we find in romantic relationships and friendships. However, consider the following two cases:

1. Bia loves her 12 month-old child Charlie, even though Charlie is extremely demanding and difficult. Charlie is always irritable, unwilling to play, reluctant to eat, get nappies changed, have a bath. As a result, all of the caring and playing activities demand a high degree of effort and patience on the part of Bia. Despite Charlie not having properties that are loveable from an objective point of view, Bia loves him deeply and robustly.
2. Billy loves 12 month-old child Chad, even though Billy has never met Chad. Billy and Chad's mother have separated after conception, and she has denied Billy access to the child. In fact, Billy only knows Chad's most basic information and has seen some of his photos. Despite the absence of a relationship, Billy loves Chad deeply and robustly, and is involved in a legal battle with Chad's mother in order to co-parent him.

Are Bia and Billy making a mistake? Or is there something about procreation that renders their love for their children wholly justified? I take it that having intentionally brought a vulnerable child into the world for the purposes of parenting will give an agent a weighty *pro tanto* reason for loving the child deeply and robustly, and that such a reason for love will win out against a number of potential *pro tanto* reasons against love, such as the fact that a particular child lacks loveable intrinsic properties, or the absence of an intimate relationship between procreator and progeny.

Indeed, it seems to me that procreation when intentionally undertaken for the purposes of parenting gives rise to a weighty *pro tanto* reason for love even in cases like 1 and 2, where facts about the child does not justify love or when a parent-child relationship has not yet developed. And one reason this matters morally is that some children lack loveable intrinsic qualities, and at times, what children need the most is someone deeply motivated by love to *enter* into a relationship with them. The core idea here is that the procreative aspect of procreative-parenting justifies love in the most difficult of circumstances, and in so doing, it is the closest we get to unconditional love. It justifies love even when neither the intrinsic qualities of the beloved, nor facts about the relationship can do the trick.

Of course this is not to deny that there can be additional normative reasons for parental love. In the course of the parent-child relationship, children typically present a set of intrinsic qualities, and parents and children go through a number of events and interactions that can have a great deal of value. But what makes procreation special is that “being one’s progeny” is a relational fact that obtains prior to the establishment of a parent-child relationship and cannot be lost by the child nor possessed in greater degree by anyone else. Indeed, the fact that the parent has intentionally brought her child to the world is a fact that remains true for the rest of her life, and it is a fact that only obtains for the parent's other biological children (if there are any), and who are, as a result, loved for the same reason.

At this juncture, one might insist that a similar story applies to adoption and that I have not yet established that procreative-parenting enjoys non-trivial value. After all, adoptive-parents do say something intelligible when they say that they love their adopted child *because* it is their child.

I certainly believe that adoptive-parents are typically presented with several reasons for love once they are in an intimate relationship with their child. However, I still hold that such love will be justified by an appeal to facts about the child and/or facts about the relationship, and not by an appeal to the fact of adoption. Contrary to what takes place in procreation, the mere fact of adoption cannot be a weighty *pro tanto* reason for love. To see why, consider the following case.

3. Ada has been in the waiting list for adoption for 9 months and has finally been assigned a 12 month-old child, Chelsea, who she can take home after signing the adoption papers. However, after signing the final legal document, an orphanage workers rushes in and lets Ada know that a different child of a similar age, Cheryl, would be a much better fit for Ada (Ada’s native language is French and Cheryl was cared by a French-speaking mother before becoming an orphan). She therefore suggests to cancel Chelsea's adoption so that Ada can take Cheryl home instead.

As this case illustrates, adoption on its own does not justify love. It would be very strange if Ada responded to the worker's offer by saying that in signing the adoption documents, she was *justified* in loving *Chelsea* deeply and robustly. And the strangeness of such a response can be explained by the fact that in adoptive-parenting, love is justified

by an appeal to facts about the child, facts about the relationship, or (most plausibly) a combination of both. Love is not justified by one coming to sign a set of legal documents.

This non-trivial distinction between reasons for love in procreation and adoption explains why a procreative-parent would be justified in wanting to parent her biological child even when she could have a much better relationship with another child. It also explains why we typically find adequate the behaviour of parents who spend much of their lives trying to find a child who has been kidnapped or accidentally swapped by another child after birth. And here again, there is a relevant difference between procreation and adoption, which can be captured by a modified version of 3.

4. Ada has been on the waiting list for adoption for 9 months and has finally been assigned a 12 month-old child, Chelsea, who she can take home after signing the adoption papers. However, after signing the final legal document, an orphanage workers rushes in and lets Ada know that there has been a bureaucratic mistake and that a competent foreign couple has already taken Chelsea overseas. The worker therefore suggests that Ada adopt another child instead.

With regard to 4, I think it would be very strange if Ada responded to this bureaucratic mistake by refusing to adopt another child in need and by choosing instead to spend time and resources trying to track the couple who took Chelsea away from her. I believe we would find such behaviour inadequate because at that stage, Ada's love for Chelsea was not yet justified.<sup>28</sup>

### 3. Back to the Challenges

We are finally in a position to see why procreative-parenting has the sort of non-trivial value that explains why prospective parents are justified in having a biological child even

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<sup>28</sup> One might think that Ada's love in 4 is justified, but that society fails to give her the recognition she deserves. This is interesting, but I am not sure it works. Different from procreation, where there is already a *normative* reason for love due to the biological connection between parent and child, there is no *normative* reason for love prior to the establishment of a relationship between child and adoptive-parent. There are certainly expectations, which might *explain* love but not *justify* it. Society responds the way it does precisely because it finds Ada's behavior unjustified, even if it can sympathize with her. I thank a reviewer for this alternative explanation.

in light of the moral reasons that count against it. Procreative-parenting justifies love irrespective of facts about the child or facts about the relationship. The love of procreative-parenting is therefore the closest we can get to unconditional love: the mere fact that a parent has intentionally created her child gives the parent a weighty *pro tanto* reason for loving the child deeply and robustly. This, in turn, gives parents reasons to take on costs and make sacrifices for the good of their child across a lifetime. It is therefore not surprising that so many persons are subjectively attracted to procreative-parenting, and see it as an important ingredient of their conception of what it means for their lives to go well. They want to experience precisely this form of love, and in so doing, to care deeply and robustly about someone else's good irrespective of her intrinsic qualities and irrespective of facts about their mutual interactions over the course of an intimate relationship.

Note though, that the argument here does not imply that there is a duty to procreate rather than adopt. Adoption retains a number of important moral features that will be considered quite attractive to a number of people. For those who are subjectively attracted to entering into a relationship with a child who already exists and who is already in need of their love, adoption will be preferable to procreation. The same is true of those who want to become parents but want to minimize, as much as possible, their carbon footprint.

Still, one might think that although my account does not support a duty to procreate, it might still show that the relationship one enjoys with one's biological child is superior to the relationship one enjoys with one's adopted or step-child.<sup>29</sup>

I think this is a valid concern but it can be resisted. At no stage in the discussion have I argued that procreative-parenting is, all things considered, *superior* to other forms of parenting. There is no denying that in the case of adoption, there is a great deal of moral value in first assisting a child in need and then parenting her.<sup>30</sup> Indeed, all I have said is that procreative-parenting is distinctively valuable, but that is wholly compatible with adoption being distinctively valuable in its own right. Second, I have only argued that the procreative aspect of procreative-parenting has non-trivial value and have not in any way suggested that much of the value of procreative-parenting derives from procreation. Quite the contrary, much of the value of procreative-parenting comes from

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<sup>29</sup> Rulli, "Preferring a Genetically-Related Child," pp. 691-692.

<sup>30</sup> See Tina Rulli, "The Unique Value of Adoption," in *Family Making: Contemporary Ethical Challenges* (Oxford: Oxford University Press, 2014): 110-128.

parenting. Procreation simply gives parents a weighty *pro tanto* reason for love, and this is neither trivial nor earth shattering.

There is, however, a second concern in the vicinity. The worry here is that if parental love enjoys somewhat distinct justifications in cases of adoption and procreation, then parents in mixed families have a moral reason to treat their biological and adoptive children differently, which would be quite a problematic result.<sup>31</sup>

It is true that parents in mixed families will have a normative reason for loving the child they have created that is not there for the child they have adopted. But recall that there are other normative reasons for love that do not refer to procreation. Moreover, reasons for love, whatever they may be, will still be outweighed by the stringent duty of justice that parents have to fairly distribute the benefits and burdens of family life.

To better see how reasons for love do not block the demands of justice in a mixed family arrangement, think of a mother who loves both her biological and her adopted child deeply and robustly, but who is in deep awe of the latter's extraordinary moral character. In that case, we might say that the adopted child's unusual disposition for doing good gives the mother an additional reason for love, but that it would still be deeply problematic for her to provide additional benefits for that child. This is because the duties of justice that apply to the family make any form of favouritism unjustified, even when motivated by love.

I hope I have done enough to show that procreative-parenting can in fact withstand the procreative challenge. I now turn to showing that my account also has the resources to resist the redistribution challenge.

From the perspective of the parent, it is now (hopefully) easy to see how distribution fails to secure her interest in procreative-parenting. This is because the interest in procreative-parenting is not the interests in procreation and parenting, but the interest in parenting one's own biological child. An arrangement of child redistribution by the state will therefore completely disregard the compelling interest of a competent procreative-parent in raising a child she already has a normative reason for loving deeply and robustly.

To be sure, one could argue that what children have to gain from re-distribution justifies disregarding the interest of procreative-parents in parenting their biological child.

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<sup>31</sup> Rulli, "Preferring a Genetically-Related Child," pp. 691-692.

After all, children have an instrumental interest in having their interests protected and promoted to the greatest extent possible, and the parent-child relationship is a mere means of achieving that end. In cases where biological parents are not in a position to further the child's interests to the greatest extent possible, it is the interest of the procreative-parent that should give way, not the interest of the child. The case in favour of child re-distribution would thereby settle the issue of whether the justification of the family should appeal to the interests of both parents and children, or of children only.

I think that there are good normative reasons to stick with a 'dual interest' theory of the family since we should treat neither adults nor children as creatures whose interests count for less.<sup>32</sup> Still, one might insist that because a dual interest theory is unable to give the correct verdict with regard to the desirability of child re-distribution, we should conclude that, in the end, procreative-parenting is often impermissible, since it makes it hard for the interests of both parent and child to be jointly secured.

I resist this pessimistic result. First, I believe we must have a capacious understanding of parental competency, one that goes beyond avoidance of abuse and neglect and ensures the sufficient protection of all the core interests of the child. After all, children don't only have a core interest in bodily integrity. They have core interests in education, health, leisure, friendship, self-expression, and everything else we believe is a necessary ingredient of a good life. Incompetent procreative-parents are those who are unable to secure all those interests to a reasonable degree, and for that reason, lack a moral claim against re-distribution.

Second, because parental love creates the best conditions for children to have a good childhood, I contend that children also have an additional interest in being parented by someone who has reason to love them irrespective of their intrinsic qualities and facts about the relationship. The claim here is that children also have an interest in being at the receiving end of a type of love that is almost unconditional (that is, conditional only on the child not being a moral monster). Were the child, and by implication the relationship, to become extremely difficult, parents would still have a weighty *pro tanto* reason for loving her. This explains why a competent biological parent still has a stronger claim than the better parent to parent her child.

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<sup>32</sup> My dual-interest account has a deontic flavour to it and it requires that the interests of parent and child are jointly secured rather than traded-off for one another (unless the stakes are extremely high). For a dual-interest view that is consequentialist in nature, see Shields, "How Bad Can A Good Enough Parent Be."

But what about the brilliant non-biological parent? Don't outstanding parental skills count more for the child than being at the receiving end of a form of love that is almost unconditional? Perhaps. But we cannot conclusively settle this question until we are confident that there is such a thing as brilliance in parenting, and that such brilliance leads to a significant increase of value for the child. While the difference in value for the child between bad and competent parent is significant (especially after we set the bar for competency at a high level), the difference in value for the child between competent and brilliant parent could be marginal.

But suppose that there is a parental analogue of Shakespeare or Da Vinci, and that such brilliance would lead to a *significant* increase of value for the child. Like other high-stake scenarios, it seems that here children would in fact have a stronger interest in being in a parent-child relationship with the brilliant parent than being in one with a competent biological parent. This, however, does not entail redistribution from biological to the better parent (as is the case for accounts that fail to locate the non-trivial value of procreative-parenting). Rather, it would only entail re-distribution from the competent to the *brilliant* parent.

#### 4. Alternative Responses

I now discuss how other theorists have responded to the two challenges raised earlier and show why my account is more adequate or complete than theirs. In particular, I discuss how Christine Overall addresses the procreation challenge, and how Anca Gheaus addressed the redistribution challenge.<sup>33</sup> I take each in turn.

In response to the procreation challenge, Overall argues that the interest in procreation is an interest in creating a party to a relationship, where the parent loves the child “deeply and madly.” As she explains: “The difference in procreation is that the parents not only start to build a relationship with the child but actually *create* the person with whom they have the relationship. They choose to have *their child*.”<sup>34</sup> She also concedes that unconditional love is neither feasible nor desirable, and goes on to say that

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<sup>33</sup> S. Matthew Liao has defended the interest in procreative-parenting via an appeal to human rights. The challenge for such a view is that unlike goods such as access to adequate nutrition, many persons can and do lead quite flourishing lives without procreative-parenting. See his *The Right to be Loved* (New York: Oxford University Press, 2015).

<sup>34</sup> Overall, *Why Have Children?*, p. 215.

the conditional love we find present in the parent-child relationship is the kind that is conditional “on who the child is; [and] it values the child for what he chooses to be.”<sup>35</sup>

As becomes clear, my account is not so much in opposition to Overall’s, but it fills some of the gaps she leaves open. For instance, Overall does not tell us why creating the other party to a relationship is of value, nor does she explain how such deep and mad love for a child is distinct from the *love* of other relationships. However, my main concern with Overall’s account is that she appeals to the intrinsic qualities of the child when discussing the reason parents have for loving their biological child, and as we have just seen, this is a mistake. As I have shown in the previous section, procreative-parents are justified in loving their child *regardless* of who their child is, or will become. The mere fact of intentional procreation is a weighty *pro tanto* reason for parental love.

Let us now turn to Gheaus’s response to the redistribution challenge. Gheaus argues that (competent) biological parents have a right to parent their biological child because biological parents start the relationship with the child already in pregnancy.<sup>36</sup> As she explains, “[the relationship] starts even before the baby is born, partly *because* birth parents devote significant resources to pregnancy and support the many kinds of costs it entails. Thus, to shuffle babies between all people that are willing and able to parent would be unfair to birth parents and would destroy already formed parent-baby relationships.”<sup>37</sup>

There is much to say in favour of this response to the re-distribution problem and I do not deny that that couples typically take on a great deal of costs in pregnancy, and often feel that the relationship they have with their infant is one that started sometime in pregnancy. However, I believe that Gheaus’ response to the re-distribution problem faces two problems. First, it fails to locate the value of *procreation* in a way such that it remains neutral among the different and morally relevant causal roles one can intentionally play in procreative-parenting.<sup>38</sup> Second, it relies on an unduly expansive understanding of what a relationship is. Let me tackle each of these concerns in turn.

Consider first the implications of Gheaus’ account for Billy’s case above. Because Gheaus does not attribute any value to the genetic connection between procreative-

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<sup>35</sup> Ibid., p. 214.

<sup>36</sup> Anca Gheaus, “The Right to Parent One’s Biological Baby,” *Journal of Political Philosophy* 4 (2012): 432-455.

<sup>37</sup> Ibid., p. 436. In recent work, Gheaus focuses only on the putative relationship and leaves costs aside. See her “Biological Parenthood: Gestational, not Genetic,” Unpublished Manuscript.

<sup>38</sup> For additional criticisms, see Liao, *The Right to be Loved*, pp. 151-178. Swift and Brighouse, *Family Values*, pp. 108-109.

father and child, her account delivers the result that Billy has no claim to parent Chad simply because he was prevented from supporting the gestating mother during pregnancy. This is counter-intuitive. A competent and willing procreative-father, such as Billy, seems to have a strong claim to parent his genetic child even if prevented from supporting Chad's mother with the financial and emotional costs of pregnancy. What matters here is that he has engaged in procreation with the intention of entering into a parent-child relationship with the resulting child, and would have helped with the costs of pregnancy if given a chance. Once we remember that pregnancy is not costly for all persons, and that some women are not emotionally attached to the child until birth, it becomes hard to believe that Billy's lack of interaction with the gestating mother during pregnancy did in fact remove his claim to enjoy a parent-child relationship with Chad.

A second problem with Gheaus's account comes from her conception of what a relationship is. For Gheaus, the fact that a gestating parent (and supporting partner if there is one) anticipate (and fantasize about) the arrival of the child, combined with the fact that the gestating parent cannot help but bestow a number of benefits onto the fetus makes it the case that there is already a *relationship* between them in pregnancy. But the problem is that we don't typically think that loving actions and emotions as well as the bestowal of benefits are sufficient for the existence of a relationship.

To see the point, consider the case of unrequited love on the part of a singer in a bar towards a regular costumer she has never exchanged a word with. It is certainly true that there is a lot of anticipation and fantasy on the part of the singer towards her beloved. It is also true that her beloved feels a sense of security and warmth when listening to the singer's angelic voice. Still, it is a stretch to claim that these two enjoy a relationship.<sup>39</sup> Although we speak loosely of a relationship between people who share blood ties, a common ancestry, or an affiliation, the kind of relationship that could block the desirability of child-redistribution would have to entail more than a mere connection. This is not to deny that some biological parents (especially those doing the gestation) feel like there is a relationship already. The point here is that this is a subjective experience that cannot be generalized to everyone who engages in procreative-parenting. As Margaret Olivia Little notes "With gestation...there is little to the relationship, as a relationship, other than the biological substrate and the *woman's experience and conception of*

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<sup>39</sup> For a discussion of unrequited love, see Protasi "Loving People for Who They Are."

*ii.*”<sup>40</sup> My own account of the value of procreative-parenting explains why competent biological parents have a claim against re-distribution that is independent of whether procreator-to-fetus relations count as a relationship proper and independent of whether procreators indeed experience their connection to the fetus in pregnancy as a form of relationship.

## 5. Conclusion

Let me conclude the discussion by once again emphasizing that I have not denied that adoption is an extremely valuable social practice and that there are normative reasons for love that apply for parents irrespective of the existence of a biological connection between them and their child. What I have denied is that adoptive-parents have a *normative* reason for love merely due to the fact of adoption. Like married couples who might respond to the question ‘Why do you love X?’, by saying that they love X ‘because X is their spouse’, adoptive-parents do say something intelligible when they claim that they love their adopted child because it is their child. However, it is precisely here that we must tread carefully. If there are reasons for love, what these parties mean is that there are facts about X and/or facts about the relationship with X that justify their love for X. They cannot possibly justify their love by appealing to the legal status enjoyed by X.

Instead of denying that adoption has significant moral value, I have instead focused on showing that intentionally creating a person for the purposes of having a relationship with her gives parents a weighty *pro tanto* reason for love that remains salient for the entirety of the parent-child relationship. If this argument is sound, then the main contribution here was to locate the non-trivial value of procreative-parenting so that competent prospective parents are morally entitled to procreate and parent their biological child (save, perhaps, in some extremely rare cases involving brilliant parents). Of course, this does not mean that all adjacent questions have been settled, and much still remains to be said on the limits of the right to engage in procreative-parenting.<sup>41</sup>

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<sup>40</sup> Margaret Olivia Little, “Abortion, Intimacy and the Duty to Gestate,” *Ethical Theory and Moral Practice* 2 (1999), p. 311. For the claim that pregnancy can, at times, rise to the level of a meaningful *project*, see Amy Mullin, *Reconceiving Pregnancy and Childcare: Ethics, Experience, and Reproductive Labor* (New York: Cambridge University Press, 2005); Rulli, “Preferring a Genetically-Related Child.”

<sup>41</sup> Anca Gheaus argues that big biological families make it harder for existing children to experience procreative-parenting in adulthood. I think Gheaus is right about that, but this still

Although many questions remain, I believe that the story I have given here will go some way in tackling the gap between the philosophical jury on the triviality of procreative-parenting and the overwhelming support for it at the societal level. Although it is not typically the job of philosophy to vindicate the status quo, I hope my account has explained why many people are right in thinking that procreative-parenting is a special type of project which has the potential of adding a great deal of meaning and purpose to their lives.

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raises further questions about the permissibility of state intervention. See her “The Right to Parent and Duties Concerning Future Generations,” *Journal of Political Philosophy*, forthcoming.