# Fair Play, Coercion, and the Costs of Children: A Reply to Olsaretti

*ABSTRACT: Are nonparents, as a matter of justice, under a duty to contribute to the costs of raising children? A prominent argument in favor of such a duty is that a contribution by nonparents is required by the so-called principle of fair play. However, both the persuasiveness of this principle and its applicability to the case of parents and nonparents have been disputed. Recently, Serena Olsaretti has proposed a new version of the fair play argument, the 'children as socialized goods' argument, according to which nonparents are required to contribute towards the costs of raising children because the state deliberately redistributes benefits created by parents to nonparents through the 'unified welfare system'. I argue that this argument fails: First, parents do not provide net benefits to the unified welfare system because the children they raise are future beneficiaries of as well as contributors to the welfare system. Second, the argument employs an implausible version of the principle of fair play.*

**Key words:** Parents, Children, Parental Justice, Fairness, Fair Play, Socialized Goods

Raising children is expensive. It is common to think that parents should not bear these costs entirely, but that everyone – including nonparents – should contribute to them. In fact, many if not most Western states implement some schemes intended to support parents. A popular justification for this is that parents create societal benefits through their work in bearing and rearing children. Nonparents receive benefits from parents' efforts and therefore should give something in return to parents, by contributing to the costs the latter incur in rearing their children. This 'fair play' argument is not only quite prominent in public discourse; it has also been defended by several authors in political philosophy and political science.[1] However, a

[*] I am grateful to Andreas Cassee and Andreas Müller, as well as two associate editors of this journal, for their helpful comments on earlier versions of this paper. I also thank the audiences at the Universities of Bern and Bayreuth, where I presented this paper, for their questions and comments.



source: https://doi.org/10.48350/154266 | downloaded: 12.10.2024

number of authors have raised serious doubts regarding its philosophical persuasiveness. [2] A key objection in this debate has been that obligations of fair play arise only in contexts of 'cooperative ventures', and that there is no such cooperative venture between parents and nonparents.[3] Recently, Serena Olsaretti has developed a new version of the fair play argument that responds to this problem, the 'socialized goods argument', which focuses on benefits that are distributed by state institutions through coercive mechanisms.[4] Benefits created by parents that are distributed through state institutions, such as the pension system, have always been in the focus of the academic and societal debate on sharing the costs of childrearing. But what is innovative about Olsaretti's socialized goods argument is that it identifies the feature of state coercion that is present in the distribution of such benefits as key to making the fair play argument work. The idea is that when the state intentionally and coercively directs benefits created by some of its citizens to everyone, this gives rise to a claim for compensation on the part of the benefactors – in this case, parents.

The aim of this article is to assess the socialized goods argument in favor of sharing the costs of children as a new variant of the fair play argument. After a discussion of the familiar fair play argument and the challenges it has been confronted with, I turn to the socialized goods argument. I then argue against it in two steps: First, because children are not only contributors towards but also future beneficiaries of the welfare system, parents need not provide a net benefit to the welfare system that is then partially redistributed to nonparents, as the argument

[1] Nancy Folbre,"Children as Public Goods", *American Economic Review* 84 (1994), pp. 86-90. Paula England and Nancy Folbre, "Who Should Pay for the Kids?", *The Annals of the American Society of Political and Social Science* 563 (1999), pp. 194-207. Rolf George, "Who Should Bear the Cost of Children?", *Public Affairs Quarterly* 1 (1987), pp. 1-42.
[2] Paula Casal and Andrew Williams, "Rights, Equality, and Procreation", *Analyse und Kritik* 17 (1995), pp. 93-116. Paula Casal and Andrew Williams, "Equality of Resources and Procreative Justice", in *Dworkin and His Critics*, ed. Justice Burley (Malden 2004), pp. 150-169. Patrick Tomlin, "Should Kids Pay Their Own Way?", *Political Studies* 63 (2015), pp. 663-678.
[3] Casal and Williams, "Rights, Equality, and Procreation", at p. 106. Serena Olsaretti, "Children as Public Goods?", *Philosophy and Public Affairs* 41 (2013), pp. 226-258, at p. 248.
[4] Olsaretti, "Children as Public Goods?".

assumes. Second, the socialized goods argument is based on an implausible version of the principle of fair play.

## I. Preliminaries

Before turning to the arguments, let me clarify some of the basic assumptions of the following analysis.

*First,* this contribution is located within the expanding debate on parental justice, which is concerned with what parents and nonparents owe to each other as a matter of distributive justice, based on their parental status.[5] Not at stake are claims of distributive justice that parents may make of nonparents on some *other* basis, for example on account of their basic needs, or as a matter of gender justice. In terms of practical political considerations, these issues are of course of enormous importance: For example, single mothers and their children are disproportionately likely to suffer from poverty. In that sense, parenthood status is statistically correlated to what is plausibly an unjust disadvantage. The parental justice debate, however, is about the more abstract question of what parents are owed *qua* being parents.

*Second,* as have others before me[6], I distinguish between two basic positions in the parental justice debate: One that identifies sharing the costs of raising children between parents and nonparents as required by considerations of justice ('pro-sharing'), and one that claims that there is no such requirement ('anti-sharing'). Within the anti-sharing camp, a number of positions can be distinguished. Some anti-sharing theorists argue that these costs *must not* be shared if justice is to be done. This position is defended by some luck egalitarian theorists who have argued that rearing children is a matter of personal choice, and that parents should

[5] We could also ask whether it is desirable (rather than required by justice) to provide support for parents under certain circumstances, but this – while in no way being excluded by my arguments against Olsaretti – lies beyond the scope of the parental justice debate. Thanks to an anonymous reviewer for bringing up this possibility.
[6] Casal and Williams, "Rights, Equality, and Procreation". Olsaretti, "Children as Public Goods?".

therefore bear its costs.[7] Others, like Casal and Williams[8], defend a more subtle position that under certain conditions countenances, but does not require, sharing the costs of raising children between parents and nonparents. 'Pro-sharing' positions, in turn, differ in their rationales for sharing the costs of children, which also has implications for the kind of cost-sharing schemes they endorse.[9] Nonetheless, the basic distinction between 'pro-sharing' and 'anti-sharing' positions serves well to structure the debate.

*Third*, there is the issue of what costs are relevant to the question of parental justice. The relevant costs of raising children must include at least the morally required costs that accrue until a child has become an adult.[10] Identifying what is morally required and what is not is a complex matter that I cannot resolve here. But I assume that at least the following are required: The costs of providing adequate care to infants and children, either by financing parental leave for parents or by providing such care at an appropriate facility while the parents are at work; the costs of adequate nourishment, clothing and housing for the child; the costs of an education sufficient to enable the child to fulfill his or her role as an equal citizen and to become economically self-sufficient; and the costs of providing a social and cultural environment that allows the child to engage with his or her community in a meaningful way. This list is not exhaustive. What is important is that the costs in question are costs that *must*

[7] Eric Rakowski, *Equal Justice* (Oxford 1993). Peter Vallentyne, "Equality and the Duties of Procreators", in *The Moral and Political Status of Children*, eds. David Archard and Colin Macleod (Oxford 2006), pp. 195-211.
[8] Casal and Williams, "Rights, Equality and Procreation", "Equality of Resources and Procreative Justice".
[9] For example, Anne Alstott proposes a caregiver allowance as a way of lessening the burden (in terms of loss of autonomy) on children's primary caretakers in Anne Alstott, *No Exit. What Parents Owe Their Children and What Society Owes Parents* (New York 2004). Because her argument is based on protecting parents' autonomy, it recommends a measure that addresses that particular issue. The fair play argument instead recommends measures that divide the costs of rearing children in accordance with the distribution of the benefits of children.
[10] Most contributors to the debate, including Olsaretti ("Children as Public Goods?", at p. 231), assume that the 'costs of added adults' – the costs that arise from claims that children can justifiably make as adults – should be covered by society as a whole rather than by parents only. I take this as my starting assumption as well. I do think, however, that the costs of added adults are relevant to assessing the claim that parents create benefits for the welfare system (see section IV below).

be incurred by *someone* – either by parents or by society as whole – in order to give to children what they are owed as a matter of justice.

*Fourth*, I distinguish between children's and parents' claims towards society, and focus on the latter here. There may be arguments for sharing the costs of children between parents and nonparents that are based on the moral claims of children themselves. For example, one might argue that the cost of an adequate education should be borne by the political community for reasons having to do with children's justified claims as future citizens. In this article, I remain agnostic regarding children's claims.[11]

*Finally*, even if we limit ourselves to arguments about the claims of parents, the socialized goods argument is just one possible argument for sharing the costs of children among many. Even though I believe that this argument fails, others may well succeed. Rather than taking an 'anti-sharing' position then, I only criticize a particular 'pro-sharing' argument in this contribution.

## II. The fair play argument

Let me start out with an introduction of the principle of fair play, its application to the case of the costs of children, its relationship to public goods, and the objections that have been raised against it. The principle that became known as the 'principle of fairness' or the 'principle of fair play' was originally put forward by H.L.A. Hart as a way of justifying the obligation to obey the law. Hart writes: "(…) when a number of persons conduct any joint enterprise according to rules and thus restrict their liberty, those who have submitted to these restrictions when required have a right to a similar submission from those who have benefited by their

[11] Of course, the extent of children's direct claims towards the state significantly influences the costliness of childrearing for parents. Thanks to an anonymous reviewer for bringing up this point.

submission".[12] In the work of John Rawls we find a similar formulation of the principle of fair play. He states:

> "The main idea is that when a number of persons engage in a mutually advantageous cooperative venture according to rules, and thus restrict their liberty in ways necessary to yield advantages to all, those who have submitted to these restrictions have a right to similar acquiescence on the part of those who have benefited from their submission. We are not to gain from the cooperative labors of others without doing our fair share."[13]

The principle of fair play, as described by Hart and Rawls, is about following rules that a cooperative venture has adopted, because one benefits from others' adherence to them. Robert Nozick rejected this principle forcefully because it allows obligations on the part of beneficiaries to arise without their prior consent.[14] The principle of fair play, in other words, allows benefactors to 'foist' benefits on people, thereby burdening them with new obligations. For example, Nozick discusses the case of a community of neighbors that decides that they will take turns in producing a radio program. The radio program creates benefits for everyone. But does this mean that the lone neighbor who would prefer not to participate is violating an enforceable duty in not doing his share of radio emissions?[15]

This points to two problems for defenders of the principle of fair play: First, the issue of the importance benefits need to have in order to trigger a duty to contribute to their provision[16] and second, the question of what other conditions must be met for someone to be obligated to do their share in the provision of the benefits in question. Mere receipt of a benefit appears to

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[12] H.L.A. Hart, "Are There Any Natural Rights?", *Philosophical Review* 64 (1955), pp. 175-191, at p. 185.
[13] John Rawls, *A Theory of Justice* (Harvard 1971), at p. 112.
[14] Robert Nozick, *Anarchy, State, and Utopia* (New York 1974), pp. 90-95.
[15] Nozick, *Anarchy, State, and Utopia,* at p. 93.
[16] This point is mentioned by George Klosko, "Presumptive Benefit, Fairness, and Political Obligation", *Philosophy and Public Affairs* 16 (1987), pp. 241-259, at p. 246.

not be enough; we may need something more, such as an active acceptance of benefits by the recipients.[17] It could also matter whether or not the benefactors intend to benefit any third parties with their activities.[18] In any case, there isn't an undisputed or broadly accepted principle of fair play that the parental justice debate can simply draw on. Rather, the difficult questions regarding the correct interpretation and persuasiveness of the principle reappear in this debate.

The fair play principle loomed large in the debate about parental justice from the beginning, though in an implicit way at first. When Rolf George wrote his influential article with the title "Who should bear the cost of children?" in 1987 – which could be viewed as the start of the parental justice debate – he did not refer explicitly to the principle of fair play. Instead, George simply identifies an imbalance in the distribution of burdens and benefits between parents and nonparents: If parents bear the entire costs of raising children, but do not receive an accordingly greater share of public expenditure than nonparents, then this is unjust, he suggests. He considers various ways of explaining why: At one point, for example, he appeals to the categorical imperative, stating that nonparents who are not willing to contribute to the costs of raising children are running afoul of it.[19] But perhaps most crucially, he writes at the end of his article:

> "(…) Children grow up and become, among other things, providers of pensions, maintainers of society. They are, or should be, free agents, but they are also production goods, capital investments. They cost a substantial sum to produce. Now since they are free agents, escaping thus the control of their

[17] A. John Simmons, "The Principle of Fair Play", *Philosophy and Public Affairs* 8 (1979), pp. 307-337, at p. 312. Simmons ultimately rejects the fair play principle as an adequate basis for political obligation.
[18] Casal and Williams, "Rights, Equality, and Procreation", at pp. 106-107.
[19] George, "Who Should Bear the Cost of Children?", at p. 30.

investors, they become *res omnia*, benefit everyone. Who should reap the benefits they have to dispense?" [20]

The suggestion is, of course, that parents, who have invested in children, should be compensated for the costs they incurred. This sounds somewhat similar to the principle of fair play, and indeed Casal and Williams, for example, interpret George's words as a statement of said principle.[21]

George's description of children as *res omnia* may also have inspired the connection between public goods and the principle of fair play that is present in the more recent debate on parental justice. In any case, some authors have identified children as public goods that parents produce for society and argued in favor of sharing the costs of children on this basis.[22] Public goods are non-excludable, and often also non-avoidable and non-rivalrous. Consider the example of clean air: It is not possible to keep people from breathing clean air (non-excludability), breathing clean air cannot be avoided (non-avoidability) and the overall amount of clean air is not reduced by more people breathing it in, at least in an open space (non-rivalry of consumption). In the case of benefits created through childrearing, the criterion of non-excludability is most important, and it would be more apt to speak of a common pool resource rather than of a public good as the latter are usually understood to be non-rivalrous in consumption.[23] Non-excludability often gives rise to a problem of

[20] George, "Who Should Bear the Cost of Children?", at p. 31.
[21] Casal and Williams, "Equality of Resources and Procreative Justice", at p. 158. As we have seen, the principle of fair play originally was about following rules adopted by a cooperative venture rather than about how the burdens and benefits of cooperation are to be distributed, which is Rolf George's concern. There is a shift in the interpretation of the principle of fair play as it is adopted in the parental justice literature, from a principle regarding an obligation to follow a rule to a substantive principle of distributive justice. As I argue below (V.) this has been a source of confusion in the debate.
[22] Folbre, "Children as Public Goods". England and Folbre, "Who Should Pay for the Kids?".
[23] For this distinction, see José Apesteguia and Frank Maier-Rigaud, "The Role of Rivalry. Public Goods Versus Common Pool Resources", *Journal of Conflict Resolution* 50 (2006), pp. 646-663. A typical public good which is non-rivalrous in consumption is Robert Nozick's example of a radio program. Typical examples of common pool resources, in contrast, include fishing grounds, forests or pastures which do deplete as more people

undersupply: Because people cannot be kept from enjoying the good in question, there is no economic incentive to be among those creating or maintaining it, and people are therefore tempted to free-ride on the efforts of others. A threat of undersupply is not what is at issue here, however. We are not considering the question of whether we need to incentivize people to have more children in order to secure the ongoing existence of society, and the provision of certain goods into the future, such as pensions.[24] The question rather is whether parents are not receiving their due rewards for the costs they incur in raising children – in other words, whether nonparents are unfairly freeriding on parents' efforts if they do not contribute to the costs of childrearing.

With this overview of the debate in hand, I propose that the fair play argument in favor of sharing the costs of children should be understood as follows. The argument is based on two premises: An empirical premise which says that parents create societal benefits through bearing and rearing children, and a normative premise that states that it would be unfair for nonparents to receive or accept these benefits without contributing in some way to the costs that parents have incurred in creating them. This second premise is the principle of fair play. It says that those who receive or accept (significant) benefits from the efforts of others in producing a societal good should contribute to the costs of its production for reasons of fairness. Therefore, nonparents should contribute towards the cost of raising children.

This fair play argument in favor of sharing the costs of children in particular has been subject to significant criticism in the recent parental justice literature. Some contributors to the debate have claimed that raising children may not actually be beneficial under our current circumstances because the environmental harm created by adding more members to the

consume them. This also fits better with the benefits produced by children, such as the tax contributions Rolf George had in mind.

[24] Paula Casal, "Environmentalism, Procreation, and the Principle of Fairness", *Public Affairs Quarterly* 13 (1999), pp. 353-376, at p. 366. Olsaretti, "Children as Public Goods?", at p. 238.

world's population exceeds its benefits.[25] I will set this environmentally motivated objection aside for the purposes of this contribution without denying its relevance. Moreover, several authors have questioned whether an appropriately restricted principle of fair play will be applicable to the case of parents and nonparents.[26] As mentioned above, some contributors to the debate claim that benefactors must intend to benefit third parties for the fair play argument to hold. Arguably, this is often not the case for parents, who are first and foremost trying to benefit themselves and their children and not any third parties.[27]

The most significant challenge, however, is the following: Are parents and nonparents really engaged in a cooperative venture with each other?[28] This seems doubtful at first sight. Rather, it looks like parents decide on their own to produce goods that happen to benefit nonparents as well. However, maybe this picture is inaccurate. In an influential contribution, Serena Olsaretti has argued that it is possible to formulate a more convincing version of the fair play argument that clearly establishes that there is indeed a cooperative venture between parents and nonparents: the socialized goods argument.

## III. The socialized goods argument

Serena Olsarettis's new argument in favor of sharing the costs of children is motivated and supported by her insight that the societal benefits parents create are – to a significant extent at

[25] Cory MacIver, "Procreation or Appropriation?", in *Permissibly Progeny? The Morality of Procreation and Parenting*, eds. Samantha Brennan, Sarah Hannan, and Richard Vernon (New York 2015,), pp. 107-128. Thomas Young, "Overconsumption and Procreation: Are They Morally Equivalent?", *Journal of Applied Philosophy* 18 (2001), pp. 183-192. For a recent take on situations in which children create negative rather than positive externalities: Serena Olsaretti, "Children as Negative Externalities?", *Politics, Philosophy, and Economics* 16 (2017), pp. 152-173.
[26] Casal and Williams, "Rights, Equality, and Procreation". Olsaretti, "Children as Public Goods?". Tomlin, "Should Kids Pay Their Own Way?".
[27] Casal and Williams, "Rights, Equality, and Procreation", at pp. 106-107. But see Olsaretti, "Children as Public Goods?", at p. 241, who argues that the intentionality requirement should be interpreted less stringently than is assumed by Casal and Williams.
[28] Cf. Richard Arneson, "What Do We Owe to Poor Families?", *Law, Ethics, and Philosophy* 2 (2014), pp. 7-31, at p. 21. Casal and Williams, "Rights, Equality, and Procreation", at p. 106. Olsaretti, "Children as Public Goods?", at p. 253.

least – deliberately socialized rather than public goods.[29] The benefits children create for the social security system, Olsaretti points out, are actually excludable rather than non-excludable because it would be possible to fully or partially reserve them for parents by setting up a "split welfare system" that would differentiate people's entitlements in accordance with their parenthood status.[30] For example, parents could be given higher pensions than nonparents.

The fact that the benefits parents create are excludable, rather than working against the fair play argument, according to Olsaretti can serve to formulate a more convincing version of it. To see this, we must focus on benefits that are distributed through state institutions – which in any case have been among the most commonly mentioned societal benefits parents help produce. However, the fact that these benefits are coercively distributed by the state has not been highlighted so far. According to Olsaretti, this aspect of state coercion is crucial: She argues that benefits created by parents are deliberately and coercively distributed to everyone when there is a 'unified welfare system'– a welfare system that does not differentiate between parents' and nonparents' claims.[31] She writes: "(…) children are socialized goods: our social and economic institutions are intentionally so structured as to ensure that the product of parents' labors is socially beneficial for everyone, including nonparents".[32] According to Olsaretti, a unified welfare system is unfair *unless* there is also a scheme for sharing the costs of children between parents and nonparents in place.

The formal argument for this claim that Olsaretti develops, runs as follows:

[29] Olsaretti, "Children as Public Goods?", at p. 249. She also points out that the benefits in question are rivalrous rather than non-rivalrous in consumption because any payment from the social security system to a certain beneficiary reduces the amount available for others (p. 251). As mentioned above, this makes the benefits in question a common pool resource rather than a public good (fn. 23).
[30] Olsaretti, "Children as Public Goods?", at p. 250.
[31] Olsaretti "Children as Public Goods?", at p. 248
[32] Olsaretti, "Children as Public Goods?", at p. 252.

> "(i*) in a society with a unified welfare system, parents' having and rearing children creates benefits, some of which are distributed to nonparents, at some cost to parents;
>
> (ii*) on a plausible version of the fair play principle, those who are required to bear some costs in order to benefit others have enforceable claims against those others who receive the benefits;
>
> (iii) in a society with a unified welfare system, the conditions under which the principle of fairness specified in (ii*) applies obtain in the case of parents' producing benefits and nonparents' receiving them."[33]

Although the conclusion of the argument is not explicitly stated along with the premises, we can assume that it would read as follows:

*C: Therefore, in a society with a unified welfare system, parents have enforceable claims against nonparents.*

Premise (i*) contains the revised empirical basis for the socialized goods argument: Parents' having and rearing children creates benefits, and at least some of these benefits are coercively distributed to everyone by the state. Because these are goods that are rivalrous in consumption, this comes at a cost to parents: If they were able to keep a greater share of these

[33] Olsaretti, "Children as Public Goods?", at pp. 253-254.

benefits for themselves, they would be better off. In (ii*), Olsaretti states the fair play principle that the socialized goods argument rests upon. The fair play principle that she invokes differs from the original one in that it refers to benefactors' being *required* to bear some costs *in order* to benefit others. The original version of the fair play principle, in contrast, only refers to benefits that some are *de facto* producing for others, not to benefits that they are required to produce. The addition of the benefactors' being required to produce benefits for others, at a cost for themselves, comes from the presence of a unified welfare system which coercively distributes the benefits in question. Also important is the element in (ii*) that benefactors produce benefits in the context of a system that deliberately intends to benefit everyone. The benefits produced for nonparents are not merely an unintended side effect, regardless of any individual intentions parents may have. The unified welfare system, Olsaretti argues, deliberately sets up a scheme in which the societal benefits parents create go to everyone, parents and nonparents.

Is this argument persuasive? In what follows, I argue that it is not. First, I question whether it is accurate that a unified social security system redistributes benefits that parents create to nonparents. This concerns the first premise of the socialized goods argument. I will argue that because children are both future contributors to and future recipients of social security payments such as pensions, bearing and rearing a child need not create a net gain for the unified welfare system. But the argument in favor of a compensation for parents arguably depends on this being the case. Second, I argue that the principle of fair play stated in (ii*) is not actually plausible. A requirement to benefit others does not generally give rise to a claim to compensation.

**IV. Do parents create benefits for the unified welfare system?**

A crucial part of the socialized goods argument is the empirical assumption that parents create benefits for nonparents which are delivered through the unified welfare system. The benefits in question are welfare payments financed through tax contributions, such as unemployment benefits or pensions. Because the state makes these benefits that stem from tax contributions of (now adult) children available to everyone through the unified welfare system, Olsaretti argues, it redistributes benefits from parents to nonparents. For purposes of illustration, she asks us to imagine a society in which all 'adults' (some parents, some nonparents) are 65 and all 'children' are 36 years old. The adults, who are at retirement age, each receive a pension, which is financed through the (adult) children's tax payments.[34] Because no split welfare system is instituted in which the benefits created by children are kept for parents only, this is a case of redistribution of benefits from parents to nonparents. All of the contributors to the tax base, who now help finance everyone's pensions, are after all *someone's* children, who were raised at a significant cost to their parents.

This picture of the pension system is significantly incomplete, however. What is missing is the fact that the younger generation is also going to *receive* pensions at some later point in time: The recipients of the welfare system, just like its contributors, are all someone's children as well. Unlike parents, nonparents have not created an additional person in need of a pension or other welfare benefits – a cost that will be borne by society. [35] Let us assume, for the sake of argument, that generation size, taxes and pensions remain constant over time, that

[34] Olsaretti, "Children as Public Goods?", at p. 251.
[35] One might perhaps object that these costs are not to be ascribed to parents. After all, as I have noted above (fn. 10), the 'costs of added adults', among them claims to retirement benefits and other welfare benefits, are typically thought to be owed to adult children by society as a whole rather than by parents only. However, Olsaretti would need an argument for why benefits but not costs should be considered in calculating parents' contribution to the welfare system. We can maintain both that the costs of added adults should be borne by society, and that they must be considered when answering the question of whether parents produce a benefit for the welfare system.

there are no changes in productivity or longevity, and no immigration or emigration. Under these assumptions, the addition of a person has an effect of zero when it comes to pensions or other welfare benefits. An individual simply contributes and receives benefits at different stages of his or her life. The unified welfare system, upon closer inspection, need not redistribute benefits from parents to nonparents: Nonparents receive pensions that are financed by parents' children, but they must also contribute to the costs of the pensions of other people's children. [36]

Let me now consider a possible response. The claim that adding a person is not a net benefit for the welfare system, it might be argued, itself ignores an important feature of that system, namely the fact that it needs to continue operating over time. We are constantly in need of some new young people to contribute to the pensions of the current older generation. Having and raising a child serves to replace an existing person who is retiring. One might therefore suggest that the benefits that parents provide to nonparents through the welfare system should be characterized in this way, as a necessary contribution towards the ongoing functioning of the welfare system. Premise (i*) in Olsaretti's argument reads "in a society with a unified welfare system, parents' having and rearing children creates benefits, some of which are distributed to nonparents, at some cost to parents".[37] We could try to interpret this premise so that it refers to the benefit of keeping the system going over time rather than to the production of a net benefit during a child's (and later adult's) lifetime. Even if parents create both the contributors to and the beneficiaries of the unified welfare system, this system is still

[36] By changing the assumptions regarding generation size, longevity etc., one could certainly create a scenario in which children produce a net benefit. However, Olsaretti's argument is not that the production of a net benefit by parents is possible under certain specific circumstances, but that this is the case in general. Note as well that the current situation in many Western countries, in which each new generation has to support an increasing number of pensioners, is not plausibly a scenario in which a net benefit is produced by parents. Any additional member of the next generation will first help support a large generation of pensioners, but then also become part of a generation of pensioners that will be larger than the subsequent generation. Thanks to an anonymous reviewer for bringing up this point.

[37] Olsaretti, "Children as Public Goods?", at p. 253.

dependent on there being an ongoing reproduction of society, so that in that sense, nonparents still benefit from parents' contribution at some point in their lives.[38]

I think that this 'necessary condition for continuation of society' interpretation of parents' contribution is indeed widespread. But the socialized goods argument cannot avail itself of this interpretation of the benefit parents provide. First, although the unified welfare system relies on the presence of a next generation, so does a split welfare system, and so do privately financed pension systems.[39] It is not the unified welfare system in particular that makes it the case that nonparents receive a benefit from parents, on the new interpretation of that benefit we are now considering. But the socialized goods argument's claim is of course that parents' claim to compensation is based specifically on the existence of a unified welfare state. Second, note that premise (i*) of the socialized goods argument refers to a redistribution of benefits from parents to nonparents through the unified welfare system. But on the necessary condition interpretation of the benefits parents create, there is not necessarily any such redistribution of benefits on which a claim to compensation on the part of parents could be based. The new interpretation only refers to the provision of a next generation, not to the production of a net benefit for the welfare system. Keeping our previous assumptions in place, there will simply be nothing to redistribute from parents to nonparents – any benefit that children add to the welfare system, they will also consume. Therefore, if there is a plausible claim to compensation on the part of parents on the basis of the 'necessary condition for

[38] Formulating the claim in this way also has another advantage: It avoids the double counting that seems to occur if we attribute the benefits adult children create to both them and their parents. The contribution that parents make is ultimately delivered through their children. Attributing it to both parents and children would amount to double counting.

[39] Thanks to an anonymous reviewer who has pointed out that a next generation is needed even if there is no welfare state and pensions are entirely privately funded. This is true since all pension systems require an ongoing economy. However, if there is no unified welfare state, then there is no intentional and coercive redistribution of benefits from parents to nonparents, so the socialized goods argument does not apply to this scenario.

continuation of society' interpretation – which would have to be investigated separately – it is not available to the socialized goods argument.

**V. Is the unified welfare system unfair to parents?**

I now turn to the second and third premises of the socialized goods argument. Is the unified welfare system unfair to parents in the absence of a scheme for sharing the costs of raising children, assuming for the sake of the argument, and contrary to my analysis above (IV.), that the unified welfare system does indeed redistribute some benefits from parents to nonparents? As a brief reminder: What is crucial here and what distinguishes Olsaretti's socialized goods argument from the familiar fair play argument is that because the state directly controls the welfare system, the existence of a cooperative venture between parents and nonparents should not be in any doubt. Olsaretti stresses that parents do not just produce benefits that happen to be in nonparents' favor, but that they are required to do so within the context of an enforceable scheme, and that they incur significant costs in doing so, partly *because* the system is set up the way it is: If there were a split welfare system instead, parents could presumably recoup a large part of the costs they incurred in rearing their children.

First, a preliminary point: One might question whether parents are really *required* by the state to produce benefits for nonparents under a unified welfare system. There is an important difference between outright requiring that someone produce a benefit for others and making a benefit subject to redistribution once it has been produced voluntarily. The state does not order people to have and raise a child. The requirement that parents stand under is best understood as a requirement to share with others benefits one has decided to produce, and not as one to produce certain benefits for others *tout court*. I set this issue aside for the time being and take it up again in section VI.

The socialized goods argument's second premise reads: "on a plausible version of the fair play principle, those who are required to bear some costs in order to benefit others have enforceable claims against those others who receive the benefits".[40] This new version of the fair play principle cannot in fact be right because it would imply that anyone who pays taxes that benefit others thereby acquires an enforceable claim towards those others to share the costs of producing said tax payment. (Some) tax payments are instances of being required to bear costs in order to benefit others. But by paying taxes, I do not generally acquire a claim for the cost of producing the tax contribution to be shared with everyone who benefits from my tax payment. Think, for example, of tax payments that go towards social security benefits for the poor: These are required of taxpayers, and they can be costly, but they do not give rise to any claim for compensation. In short, not all instances in which someone is required by the state to benefit someone else, and incurs some costs in doing so, give rise to a claim to compensation on the part of the benefactor. In fact, any redistributive system of taxation that taxes income from labor would arguably run afoul of the fair play principle as invoked in the socialized goods argument. The fair play principle, as stated, is akin to the so-called 'principle of fiscal equivalence' which requires proportionality between individuals' tax payments and what they receive from the state in return, a principle that does not allow for any redistributive taxation.[41]

This might seem surprising at first sight. We are, of course, led to think that there is something unfair about requiring parents to share the benefits they produce with nonparents without any compensation. But if it is unfair, it cannot be so simply on the basis of the fact that they are so required, and that they do not receive any compensation for it – as I have just

[40] Olsaretti, "Children as Public Goods?", at p. 254.
[41] Cf. Mancur Olson, "The Principle of 'Fiscal Equivalence': The Division of Responsibilities Among Different Levels of Government," *American Economic Review*, 59 (1969), pp. 479–87.

argued, this is not a plausible version of the principle of fair play. To prevent any possible misunderstandings: Premise (ii*) of the socialized goods argument does not say, as one might think, that a forcible redistribution of benefits by the state from parents to nonparents *which we have already previously identified as unfair* generates enforceable claims to compensation on the part of parents. Rather, it states that whenever the state redirects benefits from their producers to others, and this comes at a cost to the producers, the latter then have a claim to compensation from the beneficiaries.[42] This principle is implausibly broad. So if the unified welfare system is indeed unfair to parents, this is not by dint of the fair play principle stated in premise (ii*), which would also condemn a whole range of redistributive policies we usually take for granted.

A natural question to ask at this point is why distributing benefits created by one group of people to everyone should ever be considered unfair. As I have just argued, it certainly is not always unfair – sometimes there is good reason to adopt a policy of redistributing benefits. Still, there might be additional arguments to draw on in the case of parents and nonparents. The case of benefits created by parents might have some more specific features that explain why it is unfair in this particular case to redistribute without compensation. Once identified, these arguments could then be used to supplement or further specify the fair play principle employed in the socialized goods argument. I suspect, however, that doing this is only possible at the cost of introducing some fairly controversial assumptions into the argument.

Let me consider the available options: One possible justification for why parents might have a right to receive compensation for the benefits they create would be a theory of producer

[42] Premise (ii*) does not explicitly mention producers of benefits, only "those who are required to bear costs in order to benefit others" (Olsaretti, "Children as Public Goods?", at p. 254), but, read in context, clearly is intended to apply to them.

entitlements. Such a theory states that producers have moral claims to whatever goods they make. For example, if someone discovers a new drug that would save the lives of thousands of people, they maintain the right to choose whether they want to make it available to others, and at what cost. One could apply this theory to the benefits that parents make available through their children. If parents were entitled to the benefits their children produce, then it would be unjust to redirect some of these benefits to others and presumably there should be compensation if this is still done. Olsaretti rejects this theory, particularly its more extreme variants.[43] Indeed, producer entitlement is a highly controversial notion. Moreover, even if a plausible theory of producer entitlements could be formulated, it is by no means a given that parents would then count as entitled to what their children produce. To start with, this runs into the obvious issue that children, once adults, would arguably themselves be entitled to any benefits they produce.[44]

Alternatively, the argument could be that parents deserve compensation on the basis of the labor they expend in providing a benefit for everyone. This seems to be the intuition that Olsaretti refers to when she rejects the idea that the benefits produced by children are like 'manna from heaven'. She writes: "The claim that these benefits are on a par with manna from heaven overlooks half of the truth of the matter, namely, that parents have borne burdens that were necessary for the production of this 'manna'. Overlooking this fact would lead us to penalize parents relative to nonparents."[45] This statement is also quite similar to Rolf George's detection of an imbalance between those who have invested in children and those who have not, but still reap some of the benefits.[46] One might think that anyone performing labor which benefits third parties deserves some compensation for their efforts and costs

[43] Olsaretti, "Children as Public Goods?", at pp. 256-257.
[44] Children would then be allowed to direct these benefits to their parents only, however, so that parents might still benefit.
[45] Olsaretti, "Children as Public Goods?", at p. 257.
[46] George, "Who Should Bear the Cost of Children?".

incurred. This certainly has some initial plausibility. But I believe the issue is this: In using this as a justification for why we should not partially direct the benefits parents produce to nonparents via a unified welfare system, we would essentially plug the original fair play principle back into what was supposed to be a new argument for sharing the costs of children. If the reason why redistributing benefits is unfair in the case of benefits produced by parents is that it is unfair not to compensate those who have borne burdens in providing benefits for others, then we are back to the original principle of fair play.

Let us take a step back and take stock. One might wonder at this point why – if I am right – it does not help the socialized goods argument that parents and nonparents do seem to be engaged in a cooperative venture with each other via the unified welfare system. The presence or absence of a cooperative venture has generally been thought of as the key factor that determines whether the fair play argument can be vindicated in a particular context, such as the case of parents and nonparents. Yet, I have argued that the presence of a state-enforced welfare system that distributes benefits produced by some to everyone does not as such establish that the producers of the benefits in question are therefore owed compensation. Does the presence of a cooperative venture not always obligate the recipients of benefits to reciprocate?

I think that it has so far been overlooked that there can exist a cooperative venture without it necessarily being true that benefits produced within the venture must be distributed in line with the principle of fair play, understood as a substantive principle of distributive justice. There could be a cooperative venture, for example, that does not implement the principle of fair play, but some other principle of distributive justice, such as a principle demanding the protection of everyone's basic needs or the difference principle. Because of this possibility,

the adoption of a unified welfare system, while plausibly creating a cooperative venture, does not settle the question of what parents owe to nonparents and vice versa.

If this is so, then why have cooperative ventures thought to be so crucial? I suspect that it is because the presence of a cooperative venture, if that means living under an enforced common system of distribution of benefits, may well be a *necessary* condition for principles of distributive justice to be applicable: If there is no cooperative venture in the first place, then even a person who is in agreement with the principle of fair play as a principle of distributive justice could maintain that the principle is not applicable in their case and refuse to share the costs of producing a benefit on that basis. But the reverse does not hold: If there is indeed a cooperative venture in place, that by itself does not imply that it must therefore be governed by the principle of fair play, understood as a substantive principle of distributive justice. Two elements are needed: The presence of a cooperative venture, and a defense of the particular principle of distributive justice that should be implemented within it. The shift in meaning with regard to the principle of fair play, from a principle requiring compliance with the rules adopted by a cooperative venture to a principle requiring a particular distribution of burdens and benefits within a cooperative venture, may have obscured this.

**VI. Two possible objections answered**

Let me now address two matters that might otherwise create confusion. First, there are some instances in which the state requires a group of citizens to perform a specific task, and in those cases, we usually think that they should be compensated for their efforts. A key example in countries with compulsory military service is the army: Soldiers are required to perform a specific duty, and they plausibly ought to receive compensation for their service. Does rejecting the socialized goods argument amount to denying that soldiers have a justice-based claim to be paid? I don't think it does. Sometimes (as in the case of conscription) the state

orders citizens to perform a specific task, thereby restricting their ability to generate income from other sources. In this case, the state clearly has a duty to compensate them. In other instances, there is a contractual obligation to compensate individual citizens for their services. Both of these cases are different from the case of parents. Parents are not state employees or agents of the state in any meaningful sense. The fact that their 'products' are subject to taxation does not change this. It is precisely because parents are self-appointed 'volunteers' that the issue of whether they have a justified claim to compensation arises in the first place. If the state ordered people to reproduce and rear children, then – aside from the fact that this would be a violation of their individual liberty – demands for financial compensation would be in order. Similarly, if the state started offering a contract to people that would compensate them for having and rearing children, it would be illegitimate to breach the terms of that contract.

Second, rejecting the socialized goods argument does not lead to the conclusion that no parents should receive state support. One could of course appeal to various other principles of distributive justice – for example, egalitarian, prioritarian or sufficientarian principles – to justify welfare and social security schemes that would in practice provide significant state support for many parents. If nonparents are better off on average than parents, then prioritarian and egalitarian principles of justice will recommend a scheme that will amount to some level of redistribution from nonparents to parents, and a principle of sufficiency will require that everyone at least be able to meet their basic needs. As I have indicated at the outset, there may well be good reasons to implement a scheme that will support many parents on the basis of these or other principles of distributive justice, and considerations of general justice can account for the intuition that at least some parents deserve financial support. Finally, it could also still be desirable to implement a support scheme for parents on incentive-based grounds if there is a threat of 'undersupply' of children.

## VII. Conclusion

The socialized goods argument in favor of sharing the costs of raising children between parents and nonparents has received significant attention in recent years. It states that because the state deliberately redistributes benefits from parents to nonparents through the unified welfare system, there is a claim of justice on the part of parents that nonparents contribute to the costs of raising children. I have argued that this argument fails: First, bearing and rearing a child need not create net benefits for the welfare system because, once adults, children are both contributors to and recipients of, the relevant benefits. Second, the socialized goods argument is based on an implausible version of the principle of fair play.

As I have shown, solving the issue of the presence of a cooperative venture is not the key to success for vindicating the fair play argument that it was expected to be, and we still lack a persuasive argument for sharing the costs of children that is based on parents' producing benefits for society. Where does this leave the parental justice debate? A possible way forward may be to move away from benefit production as the basis for arguments in favor of state support for parents. Producer claims to compensation are not otherwise very strongly adhered to in recent debates regarding distributive justice. Abandoning them when it comes to parents may simply bring the parental justice debate more in line with the larger, on-going debate on the requirements of distributive justice.