

CHILDREN, PARTIALITY, AND EQUALITY

David O'Brien

IT IS an unexceptional thought that parents must have latitude to be partial toward their own children—i.e., to act in a variety of ways that favor the interests of only their own children. The judgment that a just society accommodates some such parental partiality is apparently a fixed point of commonsense morality. But it is not obvious how this judgment is to be reconciled with a commitment to more general principles of justice, which seem to require impartial concern for others. I focus on this reconciliation problem as it arises for a liberal egalitarian theory of justice. Given its robust commitment to an ideal of equality, this theory faces special difficulties in accommodating the deliverances of commonsense morality concerning parental partiality. Nevertheless, the literature contains proposals that purport to effect such a reconciliation by *putting partiality first*—i.e., by subordinating a concern for equality to a concern for parental partiality. I criticize these proposals and suggest a different direction for reconciliation by *putting equality first*—i.e., by subordinating a concern for parental partiality to a concern for equality. This alternative reconciliation strategy, I argue, deserves to be taken seriously by liberal egalitarians. Whether it is the most plausible way to reconcile equality and parental partiality depends both on the relative moral weight of people's interests in parenting and in equal opportunity, and on how to measure the disvalue of unequal opportunity.

The paper is organized as follows. In section 1, I sketch the contours of the tension between equality and parental partiality. In section 2, I explain and criticize a prominent reconciliation proposal that puts partiality first. In section 3, I explain and criticize a reconciliation proposal from the recent literature that puts equality first in a weak sense, and I then motivate and defend a proposal that puts equality first in a stronger sense. In section 4, I respond to two objections concerning the practical implications of the equality-first reconciliation proposal defended in section 3. Section 5 concludes.

1. THE PARENTAL PARTIALITY PUZZLE FOR LIBERAL EGALITARIANS

Liberal egalitarianism, as I shall understand it, is distinguished by its commitment to a demanding equal-opportunity principle of justice, which condemns certain inequalities that do not appropriately reflect people's responsible choices—for example, inequalities that reflect only people's social background.¹ A puzzle arises when we try to apply this principle to societies that include both parents and children. The judgment that justice requires a demanding equal-opportunity principle of this kind to be satisfied is the first component of the puzzle.

The second component of the puzzle arises from the fact that well-off parents can benefit their own children in many ways that badly off parents cannot. Most obviously, they can give their children large quantities of income and wealth. Somewhat less obviously, they have the time and resources to benefit their children in a variety of ways—everything from expensive extracurricular lessons to reading bedtime stories—that play a significant role in improving their children's chances of having a good life. If well-off parents act in these ways, they seem thereby to cause the ideal of equal opportunity to be worse realized.²

The final component of the puzzle arises from the judgment that commonsense morality accords some latitude to parents to be partial. In a just society, it may seem that parents must have latitude to parent without constantly being required to look over their shoulder, so to speak, to check that their parenting is not violating a principle of justice. I deliberately use the neutral descriptor "latitude" here because, as discussed in sections 2 and 3, it is a substantive question how this commonsense judgment is most plausibly interpreted. But interpreting "latitude" straightforwardly, this judgment seems to imply permissions for parents—including well-off parents—to benefit their children in a wide variety of ways. Of course, it would not be plausible to believe that parents may do just anything for their children. Liberal egalitarianism is made *liberal* by according significant importance to people's rights—and so in a just society parents certainly may not, for example, inflict physical harm on others in order to benefit their own children. But commonsense morality seems to suggest that parents must be permitted to engage in at least some "protected" range of activities vis-à-vis their children. To take a favorite example from the recent literature, they must at least be permitted to read their children bedtime

1 See Temkin, *Inequality*, 12; Cohen, *Rescuing Justice and Equality*, 7, and *Why Not Socialism?* 17–22.

2 See Macleod, "Liberal Equality and the Affective Family," 223; Brighouse and Swift, "Legitimate Parental Partiality," 50; and Gheaus, "Personal Relationship Goods," sec. 2.3.

stories.³ And, importantly, part of the commonsense thought is that parents' permission to do so is not contingent on bedtime-story reading having only an insignificant distributive upshot. Indeed, the evidence suggests that such seemingly small-scale parental activities—activities that well-off parents have both more time and resources to engage in successfully—confer significant advantages on children.⁴

Putting these three components together yields the puzzle. To make the puzzle vivid, let us continue to take bedtime-story reading to stand in for the protected range of parental activities. If we are liberal egalitarians who wish to accommodate the deliverances of commonsense morality, we seem to believe both that (P₁) a society is just only if an equal-opportunity principle is realized, and (P₂) a society is just only if parents have latitude to read bedtime stories to their children. But then, as just noted, there is evidence that (P₃) if parents have latitude to read bedtime stories to their children, then the relevant equal-opportunity principle will not be realized. Put informally, the puzzle is that a robust commitment to equality, when taken seriously, looks like it threatens to reach into activities that seem beyond moral reproach—like parents reading bedtime stories to children—and give us reason to, say, tax, discourage, or (in the limit) prohibit such seemingly morally innocuous activities. The task of resolving this inconsistent triad P₁–P₃ is what I shall call the parental partiality puzzle for liberal egalitarianism.

I am going to set aside some ways of responding to the puzzle. One way out is to reject P₁ by rejecting substantive equality of opportunity entirely—e.g., by taking P₂ and P₃ to constitute a powerful argument against P₁.⁵ Another way out is to reject P₂ by rejecting parental partiality entirely—e.g., by taking P₁ and P₃ to constitute a powerful argument against P₂.⁶ Liberal egalitarians who wish to retain a commitment to the family in something like its familiar form, however, will want to investigate whether it is possible to *reconcile* equality and partiality.

3 Cf. Brighthouse, "Legitimate Parental Partiality," 57; and Segall, "If You're a Luck Egalitarian, How Come You Read Bedtime Stories to Your Children?" 24.

4 For an overview of the empirical evidence suggesting that parental activities like bedtime-story reading have a surprisingly large influence on children's lifetime welfare prospects, see Brighthouse and Swift, "Legitimate Parental Partiality," 58n23. Of particular note is Lareau's *Unequal Childhoods*, a study of how different, class-correlated parenting styles translate into differential advantages for children. (In section 4, I reconsider the important work of Lareau and others in connection with an objection to the reconciliation strategy that I propose.)

5 Compare an argument suggested by Nozick, *Anarchy, State, and Utopia*, 167–68.

6 Compare an argument discussed by Munoz-Dardé to the effect that taking a commitment to equal opportunity seriously might require the institution of the family to "change so significantly that we may not recognize it" ("Is the Family to be Abolished Then?" 55).

(To save words, in what follows I will sometimes say “partiality” instead of “parental partiality” and “equality” instead of “the relevant equal-opportunity principle or the state of affairs in which it is realized.”) I will be concerned with responses to the puzzle that propose such a reconciliation of equality and partiality.

Within this topic, I am also going to further restrict my focus. Some liberal egalitarians endorse a robust division of moral labor.⁷ On this kind of view, the scope of application of the equal-opportunity principle is restricted to how the major institutions of a society are arranged (i.e., to the so-called basic structure of a society); justice imposes no further requirements on individuals, including parents, other than to conform to and in various ways support the ways that principles of justice structure the institutions that are within the purview of the principles. If the scope of justice can plausibly be restricted in this way, this offers a straightforward basis on which to reconcile equality and partiality. On such a view, p_3 will turn out to be false simply because patterns of individual choice—including well-off parents choosing to benefit their children through activities like reading them bedtime stories—are not, in themselves, the sorts of things that fall within the scope of the relevant equal-opportunity principle. I am going to set aside this kind of response to the puzzle. I do so for two reasons. First, it is controversial whether such a robust division of moral labor can plausibly be sustained.⁸ Second, one might be motivated to accept a version of liberal egalitarianism that recognizes such a division of moral labor in part *because* one thinks that, otherwise, the demands of equality and partiality would unacceptably conflict.⁹ It is worth asking, first, whether the latter thought is correct.

7 Cf. Rawls, *A Theory of Justice*.

8 For the classic criticism, see Cohen, *Rescuing Justice and Equality*. Of those who dissent from Cohen's critique, some believe that the moral division of labor can be sustained, but in a way that accommodates some of the force of Cohen's critique by allowing that the demands of principles of justice are responsive, in some way, to patterns of individual choices in their economic and domestic lives (e.g., Neufeld, “Coercion, the Basic Structure, and the Family”; and Schouten, “Restricting Justice”). Others believe that the division of moral labor can be sustained in its strong form, where principles of justice are not responsive to patterns of individual choices in people's economic and domestic lives, given that individuals abide by their duties of justice to promote and sustain just institutions (e.g., Pogge, “On the Site of Distributive Justice”; Scheffler, *Equality and Tradition*; and Freeman, “The Basic Structure of Society as the Primary Subject of Justice”). It is only if the latter kind of response to Cohen succeeds that the puzzle could be straightforwardly dissolved by appeal to a division of moral labor.

9 Pogge, for example, writes: “Such a theory [that does not recognize a division of moral labor] has unwelcome implications. . . . The mandatory direct pursuit of [ends like equal

Before considering proposals for reconciliation, I should note another way that I have narrowed my focus. In framing the puzzle as I have done, I have in effect set aside some closely related puzzles. For example, Macleod discusses a similar tension between liberal equality and the family.¹⁰ But Macleod's puzzle is in two respects different from the puzzle that is my focus. First, Macleod's puzzle concerns not only how the family threatens to upset equal opportunity but how it threatens to upset children's claims as children—i.e., their claims with respect to their childhood.¹¹ Second, Macleod's puzzle concerns the conflict between the family and a particular version of resourcist egalitarianism—i.e., a version of egalitarianism that takes people to have claims to that which can be converted into welfare. In part because of these differences between our puzzles, Macleod can plausibly claim that a “reasonable but imperfect harmony” between resource equality and partiality can be achieved by designing institutions such that there is equality of basic resources among children.¹² I am focusing on a different puzzle both because I am interested in the prospects for reconciliation if resourcism about the currency of egalitarian justice is not assumed and because I want to ask whether “reasonable but imperfect harmony” marks the limit of how far reconciliation might go.¹³

2. PUTTING PARTIALITY FIRST

Suppose, then, that one wanted to reconcile equal opportunity and parental partiality. How might one do so? A natural thought is to propose that each of these values matters but that there is some principled basis for ordering them in cases in which they come into conflict. To derive such a basis, one might begin from the observation that, while it seems to be a fixed point in our judgments that parents must have latitude to read bedtime stories to their children, not just any parental partial activity seems to enjoy the same moral significance as this one. This observation suggests that if one could give an account of why parental

opportunity] may require citizens to violate any and all agent-relative goals (e.g., the goal that one's children flourish)” (“On the Site of Distributive Justice,” 161).

10 In Macleod, “Liberal Equality and the Affective Family.”

11 Cf. Macleod, “Liberal Equality and the Affective Family,” 222–23.

12 Macleod, “Liberal Equality and the Affective Family,” 230.

13 Other related puzzles include the special case of the tension between equal opportunity and parental school choice discussed in Swift, *How Not to Be a Hypocrite*; and Brighthouse and Swift, *Family Values*, ch. 5; for further discussion of this puzzle, see Macleod, “The Puzzle of Parental Partiality.” The tension between equality and parental partiality is also arguably a special case of a wider tension between justice and care and/or love; for discussion, see Gheaus, “How Much of What Matters Can We Redistribute?” and “Love and Justice”; and Cordelli, “Distributive Justice and the Problem of Friendship.”

partiality matters in the first place then this might yield a principled basis for distinguishing among parental activities, such that parents are permitted only to engage in those partial activities (saliently including bedtime-story reading) that are appropriately connected to the reasons why parental partiality matters. The thought is that one would thereby give partiality its due (since there would be a principled basis on which it *sometimes* takes precedence over equality) while still preserving a robust commitment to equality (since parental partiality would take precedence over equality *only* in that limited range of cases). Because the idea is to give parental partiality a certain precedence over equality, call this the reconciliation strategy that *puts partiality first*.

There are a variety of ways in which one might develop the strategy of putting partiality first. Each one corresponds to a different view about why parental partiality matters. For my purposes, it will be enough for now to focus on a paradigm instance of the strategy, the version developed by Brighouse and Swift.¹⁴ Focusing on that version of the partiality-first strategy will help to illustrate both the strategy's attractions and its limitations. At the end of this section, I return to the question of how my discussion generalizes to other versions of the strategy.

Brighouse and Swift's core idea is to delineate a special class of partial activities that have significant moral value and to claim that, while parents have latitude to engage in partial activities within this class, partial activities outside this special class may be taxed, discouraged, or (in the limit) prohibited. To make this cut among partial activities, Brighouse and Swift appeal to what they call family relationship goods (FRGs). FRGs are a subset of the ways that being in family relationships benefit parents and children—e.g., by satisfying children's interests in being loved and being able to develop as adults who can flourish, and by satisfying parents' interests in playing the special social role of being responsible for a child developing into an adult who can flourish.¹⁵ These are weighty goods—intrinsically and instrumentally valuable both for those who receive them and for third parties. And some things that parents do are, in ordinary circumstances, necessary to produce FRGs; indeed, when this is so, the parental activity will typically partly *constitute* an FRG.¹⁶ Reading

14 Brighouse and Swift, "Legitimate Parental Partiality" and *Family Values*. For a related proposal, see Macleod, "Liberal Equality and the Affective Family."

15 See Brighouse and Swift, "Legitimate Parental Partiality," 53–54.

16 In general, activities necessary to produce a good need not also partly constitute the good. So there is an interesting sub-question about whether the morally significant line is between activities that are *necessary* for producing a good and those that are not, or between activities that partly *constitute* a good and those that do not. Brighouse and Swift, as I explain in the text following this note, endorse the former view. But since the case of

bedtime stories to children is, again, a representative example. Were parents not to engage in this kind of activity, children could not develop as loved, well-rounded adults, and parents could not play the special role of an adult responsible for the child so developing; moreover, engaging in this activity is not just necessary for realizing an FRG but partly constitutes one. But not all parental activities are, in ordinary circumstances, necessary to produce FRGs. Leaving the entirety of one's extensive estate to one's children is, ordinarily, not necessary to produce FRGs if indeed it produces any. Brighouse and Swift thus propose that whether a parent's partial activity falls in the protected class depends on whether it is, in ordinary circumstances, necessary to produce FRGs. If and only if it is, then parents have latitude to engage in this kind of activity. The core of the Brighouse and Swift proposal, in other words, is the claim that there is a limit to the degree to which partiality, properly understood, licenses parental activities that disrupt equality. The hope is that one can thereby recover a robust commitment to equality (since many partial activities that would disrupt it are ones that parents will not be licensed to engage in) while retaining a robust commitment to partiality (since latitude is allowed for a variety of partial activities on the part of parents—in particular those, like bedtime-story reading, that commonsense morality recognizes as nonnegotiable).

The attraction of the strategy, then, is its promise of finding a well-motivated basis for blocking the way in which demands of equality apparently overreach, threatening apparently morally innocuous activities. That overreach is blocked by finding an important value that those activities serve. We can next ask how to classify the partiality-first strategy: Which of the inconsistent triad P_1 – P_3 does it reject? As Brighouse and Swift note, it would be unduly optimistic to think that taxing parental gifts and bequests (and other such parental activities outside the protected class) could entirely offset the effects of bedtime-story reading (and other such activities within the protected class).¹⁷ So the partiality-first strategy cannot be a rejection of P_3 on the grounds that there is no conflict between equality and what Brighouse and Swift call legitimate parental partiality. Even if one accepts Brighouse and Swift's cut among partial activities, some of those that are within the protected class, like bedtime-story reading, will have a substantial dis-equalizing effect on the distribution of opportunity.

bedtime-story reading (which constitutes, and is not merely a necessary condition for, an FRG) motivates their view, one might question whether their cut among partial parental activities is faithful to the motivating case. However, I set this line of objection to the view aside here.

17 Thus Brighouse and Swift summarize their view as the claim that “the family and equality do not conflict *nearly as much as* is commonly thought” (“Legitimate Parental Partiality,” 80, emphasis added).

In fact, there are at least three distinct versions of the partiality-first strategy to be distinguished. We can distinguish among them by asking the adherent of the strategy what attitude they would take were equal opportunity to be promoted in a way that encroaches on the protected class of parental activities. One possible response would be that there is *nothing* good about this—no reason of justice, or any other normative reason, that favors it. Another possible response would be that while there is *something* good about this, it would not be favored by a reason of justice. A third possible response is that while there is *a* reason of justice favoring this, it is outweighed by other reasons of justice. These are all versions of the partiality-first strategy, but they correspond to different views about how equal opportunity matters. The first response suggests a view on which the relevant kind of equal opportunity is a justice-related consideration but only a conditional one. The second response suggests a view on which the relevant kind of equal opportunity, although it is an unconditional consideration, is not (or not always) a justice-related one. The third response suggests a view on which the relevant kind of equal opportunity is a justice-related consideration that matters unconditionally but that can be outweighed by other justice-related considerations.¹⁸ Thus we have three distinct versions of the partiality-first strategy. The first version corresponds to rejecting P3. The claim would be that the relevant kind of equal opportunity can be fully realized even when parents have latitude—in the sense of full-blooded permission—to read bedtime stories to their children. The second and third versions correspond to rejecting P1. The claim would be that, while there is a genuine conflict between parents having these permissions and the relevant kind of equal opportunity, justice does not require that kind of equal opportunity. According to the second version, that is because the relevant kind of equal opportunity is not a justice-related consideration. According to the third version, that is because the relevant kind of equal opportunity, although a justice-related consideration, is not the only such consideration.

Each of these versions of the partiality-first strategy in some way curtails the importance of equal opportunity; that, of course, is the guiding idea behind the partiality-first strategy. But none of them is a wholesale rejection of equal opportunity. So each can still plausibly be claimed to count as a reconciliation strategy. They differ in how deep, as it were, they take the conflict between equality and partiality to go. Rejecting P3 is the mark of taking the view that the two values, properly understood, do not conflict at all. Rejecting P1 is the

18 There are in turn two sub-varieties of this third response: on one, the relevant kind of equal opportunity is lexically outweighed when it conflicts with partiality in this way; on the other, the relevant kind of equal opportunity is outweighed but non-lexically. This difference will not be important in what follows.

mark of taking the view that the two values, while they conflict, can be ordered with respect to justice in some way.

Granted that these are ways of reconciling equality with partiality, we can next ask whether the partiality-first strategy is a plausible way of solving the parental partiality puzzle for liberal egalitarianism. The discussion above, I believe, suggests grounds for thinking that liberal egalitarians have some reason to try to find a different reconciliation strategy. The second version of the partiality-first strategy requires liberal egalitarians to take (at least some) equalizing of opportunity to be a non-justice-related value. But this sits ill with the motivations for liberal egalitarianism.¹⁹ The first and third versions of the strategy entail that FRGs (and the parental partiality that these goods in turn license) are weighty enough either to vacate entirely the value of equalizing opportunity, to lexically outweigh it, or to significantly but non-lexically outweigh it. Although not self-contradictory or inconsistent, these are strong claims. And some liberal egalitarians may therefore wish to ask whether the price of reconciling equality and partiality must be the downgrading of equality's significance in one of these ways.²⁰ So putting partiality first is not obviously the best-motivated way for the liberal egalitarian to solve the parental partiality puzzle. There is some motivation, then, for the liberal egalitarian to ask whether there is an alternative reconciliation strategy that is both plausible and does not require equality to be downgraded in significance in this way.²¹ It is worth asking, in

19 For a helpful discussion of egalitarianism's animating thesis that there is a conceptual connection between justice and equality, see Arneson, "Justice Is Not Equality," 73–74; for similar claims, see Temkin, "Justice, Equality, Fairness, Desert, Rights, Free Will, Responsibility, and Luck."

20 Accepting the third version of the strategy, Brighouse and Swift write:

We have now offered . . . reasons not to pursue fair equality of opportunity all the way. . . . We must be prepared for children of similar talent and ability raised by different parents to enjoy somewhat *unfairly* unequal prospects of achieving the rewards attached to different jobs, *since the alternative would cost too much in terms of [FRGs]*. (*Family Values*, 44, emphasis added)

I leave aside here the large task of *directly* assessing whether Brighouse and Swift's complex case for their strategy would justify these strong claims about FRGs' moral significance. The alternative reconciliation strategy that I discuss in section 3.2 is, in effect, an *indirect* challenge to Brighouse and Swift's case for their strategy. Brighouse and Swift also note, but dissociate themselves from, the first version of the strategy, which in effect "allow[s] conflicts to shape the very way that we understand the conflicting [values] themselves" (*Family Values*, 44).

21 It is worth noting that Brighouse and Swift also take FRGs to be themselves *among* the *distribuenda* of egalitarian justice. So their strategy might be claimed to still give equality a kind of priority in a different sense. But granted that their strategy allows a top-ranked

other words, whether it is possible to reconcile equality and partiality in a way that puts equality first.

Before continuing on, it is worth asking to what degree the considerations above motivate looking for an alternative to the partiality-first strategy in general, as opposed to Brighouse and Swift's particular version of it. The distinguishing feature of the Brighouse and Swift version of the strategy is the appeal to FRGs as the grounds of parental partiality. In particular, as noted above, theirs is a view on which FRGs, in turn, matter because they are significant constituents of both children's and parents' welfare. The literature contains a variety of alternatives to this view.²² The value of parental partiality might be grounded in something other than the relationship goods such partiality produces.²³ And the value of the relationship goods that partiality produces might be grounded in something other than their contribution to people's welfare.²⁴ In general, then, these views will differ from Brighouse and Swift's version of the partiality-first strategy both in where they locate the cut between the protected class of partial activities and in the grounds they proffer for locating the cut where they do. Consider, for example, a view on which the value of FRGs is exhausted by their contribution to giving people the capacities required to be autonomous.²⁵ If one adds a view on which the capacities required to be autonomous are modest, then such a view might license a much smaller protected class of parental activities than Brighouse and Swift's. Conversely, other views about the value of partiality—e.g., views on which children have moral rights to be cared for and on which the demands of care are extensive—might license a much larger protected class of parental activities.

For each of these views about why partiality matters, then, it would take significant further work to evaluate whether the corresponding version of the partiality-first strategy offers a plausible and principled basis for the liberal egalitarian to solve the parental-partiality puzzle. So, officially, the case for exploring an alternative to the partiality-first strategy that I have offered is a

outcome in which both equality and partiality are fully realized, in cases of conflict between these values, partiality is put first.

22 For a helpful overview of the landscape, see Gheaus, "Personal Relationship Goods."

23 For example, it might be grounded in the reasons given by associative duties (cf. Gheaus, "Personal Relationship Goods," section 2.3 and the references therein).

24 As Gheaus notes, the significance of relationship goods has been grounded in considerations as diverse as needs, autonomy, rights, the imperatives of care, and political citizenship ("Personal Relationship Goods," secs. 2.1, 3.2–3.6; see also Macleod, "How Not to Be a Hypocrite," 314).

25 On the connection between relationship goods and autonomy, see, e.g., Brownlee, "A Human Right against Social Deprivation."

merely presumptive one. However, there is, I believe, some reason to think that the considerations advanced above will apply to at least many of these alternative views.²⁶ Albeit on different bases, each of them purports to curtail the importance of equal opportunity. And so, as noted above, given the centrality of equal opportunity in the liberal egalitarian view of justice, there will be some cost to the view if equality and partiality can only be reconciled by putting partiality first.²⁷

3. PUTTING EQUALITY FIRST

I have suggested that liberal egalitarianism faces a puzzle in reconciling equality and partiality. And I have explored one attractive strategy for doing so, which effects reconciliation by putting partiality first. Its core claim is that, from the point of view of justice, certain kinds of partiality matter more than equality. But downgrading equality's importance in this way, I suggested, is in some tension with liberal egalitarianism in a way that motivates exploring whether the parental partiality puzzle might be solved by instead finding some basis for putting equality first. Now, just as the *prima facie* trouble about putting partiality first was the threat of coming unmoored from a robust commitment to equality, the *prima facie* trouble about putting equality first is the threat of coming unmoored from the latitude that commonsense morality affords to parents. I begin in section 3.1 by critically evaluating a strategy that seeks to avoid

26 An interesting class of exceptions are views on which the moral value of relationship goods consists, either wholly or partly, in their role in allowing people to enjoy equal opportunity. See, for example, Brownlee, "A Human Right against Social Deprivation"; Cordelli, "Distributive Justice and the Problem of Friendship"; Brake, "Fair Care"; and, for discussion, see Gheaus, "Personal Relationship Goods," sec. 3.7. For a related "moralized" view of parental partiality on which partiality is moral reason giving only if it does not violate background principles of justice, see Bou-Habib, "The Moralized View of Parental Partiality." If this is why relationship goods (and so, derivatively, partiality) matter, this suggests that partiality could not take precedence over equal opportunity when they conflict. But it is unclear what such views would imply about well-off parents engaging in (equal-opportunity-disrupting) bedtime-story reading. Since on such views partiality would matter only insofar as it bears on equal opportunity, the answer would seem to turn on how to aggregate the gains and losses of different increases and diminutions in the opportunity sets of children of different social backgrounds. If such gains and losses are to be aggregated in a straightforward additive way, such views threaten to fail to count as reconciliation proposals since they seem to be flat rejections of P2. The equality-first strategy that I defend in sec. 3.2 offers, I believe, a more plausible basis for putting equality first.

27 I thank an anonymous referee for the journal for suggesting that I consider how my arguments would extend to other views about the value of partiality and the grounds of the value of relationship goods.

that threat by putting equality first in a weaker sense, and then—motivated by the discussion of this weaker equality-first strategy and the partiality-first strategy in section 2—I proceed in section 3.2 to propose a strategy that puts equality first in a stronger sense.

3.1. Putting Equality First in a Weaker Sense

Shlomi Segall has proposed an ingenious alternative strategy to Brighthouse and Swift's strategy for reconciling equality and partiality, which promises to accommodate the moral significance of FRGs without compromising equality's importance.²⁸ The core idea of Segall's proposal is to note that accepting the moral significance of FRGs does not commit one to counting partial activities like bedtime-story reading as permitted at the bar of justice. (When not otherwise indicated, "permitted" and "not permitted" in this subsection are to be understood as indexed to the subset of moral reasons that concern justice; to save words, I sometimes omit this qualifier.) To explain how it could then be that parents could nevertheless have *latitude* to do what is not *permitted*, Segall appeals to a distinction between justification and excuse. Actions that are permitted are *justified*, in the sense of not being opposed by the balance of (justice-related) reasons. But some other actions, while not permitted (because not in this sense justified), are nevertheless *excusable*. The mark of an action having the status of being excused is that, while the action is not permissible, performing it does not make one liable to blame or culpability of the kind that ordinarily attaches to performing impermissible actions.²⁹ This, Segall claims, is what can be true of well-off parents who read bedtime stories to their children. This strategy thus reconciles equality and partiality by rejecting P3. But it does so on a different basis than the partiality-first strategy. On Segall's view, no activity that compromises equality is permitted (at the bar of justice). Bedtime story reading does so. So it is not permitted (at the bar of justice). But it does not follow that parents do not have *latitude* to engage in it. They do: although not permissible, it is nonetheless the kind of activity that can be excusable. That, Segall adds, is enough to vindicate the judgment of commonsense morality that parents must have *latitude* to engage in such activities. To vindicate this judgment, he suggests, it would be enough to claim that, although these parents do what is impermissible (at the bar of justice), they are not culpable or blameworthy for doing so. So far as the permissibility of parents' actions go,

28 In Segall, "If You're a Luck Egalitarian, How Come You Read Bedtime Stories to Your Children?"

29 I take this helpful gloss on the distinction from Enoch, "The Masses and the Elites," 5–6. As Enoch notes, although the distinction is more familiar within the legal domain, it seems plausible that a similar distinction is also available within the moral and political domains.

then, this strategy puts equality first. But since the impermissibility of what they do does not come along with its usual consequences of blameworthiness and culpability, this strategy puts equality first in only a weaker sense. Call it the strategy that *puts equality weakly first*.³⁰

Segall's case for this strategy is straightforward. Segall assumes that, relative to the ideal of justice, equal opportunity matters more than partiality does. In reading bedtime stories to their children, well-off parents are compromising equal opportunity. So what these parents are doing could not be supported by the balance of justice-related reasons. Indeed, as Segall adds, given these assumptions, a view on which well-off parents were permitted *simpliciter*, at the bar of justice, to read bedtime stories to their children would appear to give parents guidance that is both morally and psychologically incoherent. That would be so not only because the balance of justice-related reasons does not favor engaging in bedtime-story reading, but because well-off parents would apparently then be required—when not under the special protection of the permission of partiality—to spend time and resources offsetting the effects of their bedtime-story reading, even though that activity is, by hypothesis, permitted.

We thus seem to have two plausible strategies for resolving the puzzle: one corresponding to the view that equality matters more than partiality, the other to the view that partiality matters more than equality. But putting equality weakly first is not, I shall next suggest, a successful reconciliation strategy. I have two objections to this strategy. First, I do not think that an adequate explanation is available for the claim that well-off parents could be excused, at the bar of justice, for their bedtime-story reading. In standard cases, an act is excused when it does not, in some morally significant sense, reflect the agent's stance or what she took herself to be doing. But well-off parents who are also well-informed parents know the effects of their bedtime-story reading. So they cannot be claimed not to know what they are doing—as, e.g., someone who fires what she mistakenly believes to be only a toy pistol does not know what she is doing. Segall suggests that, by appealing instead to these parents' intentions, we can explain how their acts can be excused.³¹ But, given that these parents know the effects of what they do, it is questionable whether this is sufficient to explain their having an excuse. Compare: an oil merchant who sells poisoned cooking

30 Segall writes that "the fact that [bedtime-story reading] is pursued for its own sake ... does *not* make it a just [activity and] does not even suffice to make bedtime reading an all-things-considered justified undertaking. My claim, rather, is that having the right motivation may sometimes *excuse* an otherwise unjust activity" ("If You're a Luck Egalitarian, How Come You Read Bedtime Stories to Your Children?" 34).

31 Segall, "If You're a Luck Egalitarian, How Come You Read Bedtime Stories to Your Children?" 34.

oil, intending to turn a profit, is no less culpable than a coffin merchant who sells poisoned cooking oil with the same intention, even though only the latter intends harm as a means to their end.³² The fact that one intends to produce a good does not, in other words, generate an excuse if the good that one aims at is significantly lesser in importance than a non-intended, but foreseen, harm. According to the equality-weakly-first strategy, partiality is much less important than equality relative to the ideal of justice. So the good that well-off parents aim at is significantly less important, at the bar of justice, than the bad that their acts cause. So what they do could not be excused at the bar of justice.

Segall might respond that it would be enough, to generate an excuse at the bar of justice, that someone aims at a non-justice-related good that is sufficiently important, relative to the standards of that wider or different domain. And it may be true that, *all things considered*—i.e., taking into account justice-related and moral-but-non-justice-related reasons—this kind of partiality is more important than equality.³³ But the claim that considerations from one domain can affect the evaluative status of an action, relative to a different domain, seems dubious. No matter the magnitude, relative to the aesthetic domain, of the *aesthetic* good at which one aims, one could not have a *moral* excuse for failing to save a drowning child in virtue of the fact that one was aiming at this aesthetic good when one failed to save the child's life.³⁴

32 For this illuminatingly vivid case, see Foot, "The Problem of Abortion and the Doctrine of Double Effect," 3.

33 That would be enough to make what parents do all-things-considered *permissible*. And this appears to be Segall's considered verdict about what well-off parents do: the claim is that when well-off parents do what is necessary to produce FRGs, that they do what is *morally* permitted—i.e., permitted relative to the domain that includes both justice-related and moral but non-justice-related reasons. Segall's full view, in other words, is that although partiality is not valuable enough to make reading bedtime stories *just*, it is valuable enough to make reading bedtime stories (unjust but) *permitted*, all things considered. (And, moreover, when parents are aiming *at* that valuable thing—and not at, what they are also doing, unjustly advantaging their children—then their activities are excused, *at* the bar of justice.) This would resemble one version of the partiality-first strategy discussed above. So Segall's view differs from this version of the partiality-first strategy only insofar as the latter strategy allows that partiality is valuable enough to make reading bedtime stories *just*. Rather than subordinating equality to partiality *within* the ideal of justice, in other words, Segall shifts the point of subordination elsewhere, subordinating *justice* (understood to include, centrally, equality) to *partiality*.

34 A quite different explanation for why parents are not liable to blame when they act partially would appeal, not to the moral purity of their intentions, but to the fact that they are engaged in what Derek Parfit calls "blameless wrongdoing" (*Reasons and Persons*, 32). The idea would be to claim that, in acting on loving dispositions toward their children, parents are acting on a set of dispositions that it was not wrong for them to acquire, even if on particular occasions (as when their bedtime-story reading leads them to make things

My first objection to the equality-weakly-first strategy raised doubts about the basis for the claim that well-off parents are excused, at the bar of justice, for bedtime-story reading. My second objection concerns the implications of claiming that they are so excused. Suppose, then, that they are. Parental bedtime-story reading, like parenting more generally, is an ongoing, repeated activity. Given this fact, it is questionable whether this view is consistent with parents maintaining, or reasonably being expected to maintain, the attitudes required to produce FRGs for and with their children. On Segall's view, such parents could only engage in bedtime-story reading knowing that what they are doing is an excusable violation of what justice requires of them. A well-off parent, sitting down to another night of bedtime-story reading, would apparently have to think: "I know that I am about to do something unjust. But never mind—I shall have an excuse."³⁵ Even if repeatedly engaging in preemptively excused activity of this kind is morally coherent, it is dubious whether it is psychologically coherent. And even if it is psychologically coherent, it is dubious whether it is consistent with maintaining—or reasonably being expected to maintain—the kinds of attitudes toward one's children and their interests that adequate parenting requires.³⁶ Whether it is in fact consistent with their maintaining such beliefs is an empirical question about which, I believe, we have little data, since I take it most well-off parents do not represent to themselves actions of the kind in question as unjust. It is not entirely an empirical question whether it would be reasonable to expect parents to maintain the requisite attitudes even if they knew that what they did was unjust, but it is enough for my purposes to note that the knowledge that what one is doing is unjust is no small thing. It might be that some parents could, in its face, maintain the attitudes

in a morally significant sense worse) their acting on these dispositions is impermissible. I cannot fully evaluate this intriguing possibility here. It will be enough for my purposes here to note that Parfit's arguments that these motivations are not wrong to acquire rest on a comparison between a world in which *no one* has partial motivations and a world in which most or all do; it is not clear that similar arguments would vindicate well-off people, in particular, acquiring such motivations.

- 35 One might reply that it would be better, then, that people did not generally *know* the basis on which they were not subject to coercive or other interference when they engage in bedtime-story reading. One might countenance, in other words, the relevant principle of equality being at least partly esoteric (cf. Glover and Scott-Taggart, "It Makes No Difference Whether or Not I Do It," 188–89). However, arguably it is a condition of adequacy on a principle of social justice that it not be in this way nonpublic (cf. Rawls, *A Theory of Justice*).
- 36 This second criticism arises with particular poignancy for Segall, who thinks it important that moral theory not issue guidance to agents that is morally and psychologically incoherent ("If You're a Luck Egalitarian, How Come You Read Bedtime Stories to Your Children?" 37).

necessary to produce FRGs; whether it would be reasonable to expect them to do so, in the face of the psychological cost and difficulty of so doing, however, is questionable. So I conclude that it is dubious whether, if parents have latitude to engage in bedtime-story reading only in the weak sense countenanced by this version of the equality-first strategy, we could recover our commonsense judgments about the kind of latitude that parents must have.

I have suggested that putting equality only weakly first does not successfully resolve liberal egalitarians' parental partiality puzzle. If we wish to reconcile equality and partiality, we so far seem to be left with only the option of putting partiality first. But, as noted at the end of the previous section, this strategy may seem unsatisfactory relative to the commitments of liberal egalitarianism. We can next ask, then, whether there is a well-motivated basis for putting equality first in a stronger sense.

3.2. *Putting Equality First in a Stronger Sense*

The trouble with trying to put equality first in a strong sense is that it is hard to see how this could be consistent with parents having latitude to engage in activities like bedtime-story reading. To illustrate the difficulty, consider the following case. Suppose you can give some significant gift to, or prevent some significant harm from befalling, your friend. And suppose that doing this will, as you know, unavoidably inflict significant suffering on some unrelated third party, although steps have been taken to minimize the degree of suffering that giving the benefit to your friend will impose on this third party. Translated into the terms of this simple case, the dispute between the partiality-first and equality-weakly-first strategies is about the correct weighing of these benefits and harms. The partiality-first strategy corresponds to the view that it matters more to give the benefit to one's friend, and hence that doing so is fully morally justified and so permitted *simpliciter*. The equality-weakly-first strategy corresponds to the view that the harm is significant enough that giving the gift to one's friend can be at most excused. And the simple case makes vivid how it may seem that there is no plausible way of reconciling equality and partiality by putting equality first in any stronger sense than this. That would be analogous to claiming that avoiding the harm to the third party matters much more than giving the gift to one's friend. It would seem to entail that, faced with the unavoidable conflict between benefiting one's friend or avoiding the harm to the third party, it is impermissible *simpliciter* to benefit one's friend. Translated back from the terms of the simple case, this would amount to a flat rejection of the latitude that commonsense morality affords to parental partiality. Putting equality first in any stronger sense, then, seems to amount to giving up the reconciliation project entirely.

The foregoing case against a strategy that puts equality first in a stronger sense, however, depended crucially on the assumption that well-off parents faced an *unavoidable* conflict—between, on the one hand, fulfilling their parental duties and, on the other, promoting equality. If this were so, then the partiality-first strategy would not, I believe, lack plausibility. Given only those two options, it would not be implausible to think it permissible (because morally justified) to fulfill one's parental duties even at the expense of not promoting equality. In the face of such an unavoidable conflict, it does not seem implausible to believe that equality ought to be subordinated to partiality. But the assumption that this conflict is unavoidable is questionable. It is an artifact of considering people's choices at a particular slice of time. When the assumption is dropped, so I shall next suggest, we arrive at a different way of reconciling equality and partiality that deserves to be taken seriously by liberal egalitarians.

Well-off people do not face an unavoidable choice between conflicting duties to respect partiality and promote equality. They have another option, one that would avoid their facing a choice in which they would inflict harms on some child or other—their own (in not producing FRGs) or someone else's (in undermining equal opportunity)—no matter what they do. They could simply refrain from having children. This opens the door to a different way of resolving the puzzle. The core idea behind this strategy is that well-off people are not permitted to parent. The partiality-first strategy reconciles equality and partiality in a way that grants permissions for *every person* to engage in a *more restricted* class of partial parental activities. The strategy now under consideration, by contrast, reconciles equality and partiality in a way that grants permissions for *only some persons* to engage in a *less restricted* class of partial parental activities. All and only those people of whom it is true that their acting partially toward their own children (consistent with background requirements of justice) would *not* disrupt equality would be licensed to act partially toward their children. In this sense, the strategy makes equality set the limits for when partiality is permissible. I shall therefore call this the strategy that puts equality first in a stronger sense.

The equality-strongly-first strategy solves the puzzle by rejecting p2. But it does not do so on a basis that flatly rejects the deliverances of commonsense morality; it is therefore still a reconciliation proposal. It retains a commitment to the idea that there must be permissions of partiality *for all those who can permissibly engage in parenting*. What it denies is that sufficiently well-off persons can permissibly do so. So it does not put anyone in the situation of having to choose between fulfilling their parental duties and promoting (or not disrupting) equal opportunity. Anyone can avoid putting themselves in such a position by ensuring they choose at most two from among the following three options:

(i) value equality, (ii) have children, or (iii) be comparatively well-off. You can either retain a commitment to equal opportunity and have children, so long as you forgo being comparatively well-off, or you can retain a commitment to equal opportunity and being well-off, so long as you forgo having children. Or you can give up a commitment to equal opportunity and indulge both a desire to be well-off and have children. But not all three. In short, if justice requires that people have a commitment to equal opportunity, then, other things fixed, the sufficiently well-off would not have children.³⁷

The equality-strongly-first strategy may initially seem incredible. It may seem to have the air of a (Jonathan) Swift-like modest proposal: liberal egalitarianism is to be made compatible with parental partiality by prohibiting the well-off from parenting—and so, other things fixed, prohibiting them from procreating at all. What could explain how this is a morally acceptable solution? I offer three reasons why the view deserves to be taken seriously. First, it is consistent with the motivations for liberal egalitarianism. Liberal egalitarianism's commitment to equal opportunity is motivated by the ideal of being taste-sensitive but circumstance-insensitive.³⁸ In other words, justice requires that how people fare be independent of their (unchosen) circumstances, but justice permits how they fare to be sensitive to tastes for which they are appropriately held responsible. In particular, how people fare can be sensitive to expensive tastes for which they can appropriately be held responsible. If someone forms or retains a preference for rare plover eggs in a way for which it is appropriate to hold them responsible, then justice does not require imposing costs on others, or redirecting resources from others, to subsidize the satisfaction of that taste.³⁹ But parenting by the well-to-do is a kind of expensive taste. Allowing a well-off person's taste for parenting to be satisfied, like subsidizing the satisfaction of someone's desire for rare plover eggs, imposes costs on others. Every person has an important interest in having access, on a basis they could reasonably accept, to the fruits of social cooperation; having this interest satisfied is a necessary condition of maintaining morally significant kinds of self-respect and a sense of one's self-worth.⁴⁰ Allowing a well-off person's taste for parenting to be satisfied therefore carries, for others, the significant cost of frustrating this interest. If it can be reasonable to hold well-off people responsible for forming or retaining a taste for parenting, and if justice is taste-sensitive, then there is a

37 See the next section for an explanation of this qualification.

38 For discussion and defense, see Cohen, "On the Currency of Egalitarian Justice," 916.

39 Cf. Cohen, "On the Currency of Egalitarian Justice," 913.

40 For discussion and defense of this claim, see, for example, Rawls, *Justice as Fairness*, 200.

principled basis within liberal egalitarianism for the view that justice disfavors subsidizing this taste and permitting well-off people to parent.⁴¹

Second, the degree of intuitive support that parenting by well-off people can claim from the precepts of commonsense morality is questionable. Suppose that some person had a share of the social product that was inconsistent with others having equal opportunity. Other things fixed, it would not be permissible for this person to keep this share; justice would require that it be taxed away so as not to upset the ideal of equal opportunity. But if this person is permitted to add a new person to the population and use his or her share of the social product to put that child in a position that is inconsistent with others having equal opportunity, then he or she could avoid what would otherwise have been required with respect to this share. Viewed in this light, parenting by the well-off seems to be an objectionable kind of self-dealing.⁴² And it is questionable how much intuitive support a social arrangement that permits such self-dealing can call on from the precepts of commonsense morality.⁴³

Third, although the strategy under consideration subordinates partiality to equality, it need not thereby fail to *respect* the demands of partiality. That is because partiality has the following peculiar feature: it is not obviously the kind of value that is to be *promoted*. What matters, one might claim, is to respect the ties of partiality that there are, not to create as many such ties as possible. (Compare: you have no partiality-given reason to make a booking now for a restaurant date in a year's time, even on the assumption you will meet a friend in the meantime whom you will have reason to take there. Doing so seems to betray a misunderstanding of the kind of value that partiality is.) But, as discussed above, the strategy presently under consideration subordinates partiality to equality, not by demanding that people fail to fulfill their partiality-given duties,

41 I return to this crucial question at the end of this section.

42 This is, in a sense, the inverse of a point made by Nozick; see *Anarchy, State, and Utopia*, 167–68. Nozick asks rhetorically how it could be that a patterned distributive principle could permit people to keep their shares for themselves but prohibit them from transferring their shares in certain ways to others. I am asking—also rhetorically but contrariwise—how it could be that a patterned distributive principle could be such that it does *not* permit someone to keep a certain share for herself but *does* permit her to transfer that share to someone else (of her choosing). But whereas Nozick's question is intended to elicit the judgment that a distributive principle must permit people to do as they please with the share the principle permits them to have, my question is intended to elicit the judgment that a distributive principle must not permit people to do as they please with a share that the principle would otherwise *not* permit them to have.

43 Of course, this person's child could, in turn, avoid the requirement to have their advantaged position taxed away only by having children. So perhaps the more apt comparison is with a Ponzi scheme, rather than a self-dealing scheme.

but rather by demanding only that certain people not form certain relationships with persons with whom they would then *have* certain partiality-given duties. So the strategy in question does not obviously result in any morally significant compromise of what partiality requires.

That concludes my *prima facie* case that the equality-strongly-first strategy deserves to be taken seriously by liberal egalitarians. Could this strategy succeed in solving the puzzle? In answering this question, the crucial question for the liberal egalitarian is whether or not people's interest in parenting is so weighty as to justifying subsidizing this taste when it is—as it is in the case of wealthy people—an expensive taste, one that imposes serious costs on others. That is the crux of the dispute between the partiality-first and equality-strongly-first strategies. Against the equality-strongly-first strategy, it might be claimed that the interest that any person (including the wealthy) has in parenting is weighty enough to make it *not* reasonable to hold people responsible for forming or retaining this taste. And this claim would not be obviously mistaken. For some people, playing the fiduciary role of parent is a central, ineliminable element of their living a life in which they flourish.⁴⁴ The difficult question, then, is how to weigh this interest against the interest—grounded in self-respect—in living in a society in which one's access to positions of advantage is independent of the unchosen circumstances of one's birth.⁴⁵ It is not, I believe, at all clear how to weigh these quite different interests. I do not attempt to do so here. We thus, I conclude, have on the table two views that are well-positioned to resolve the parental partiality puzzle for liberal egalitarianism: the partiality-first strategy and the equality-strongly-first strategy. Which of these two views liberal egalitarians have most reason to adopt, I have suggested, depends on the difficult question just mentioned about weighing the relative moral importance of two quite different interests that people have.

4. OBJECTIONS

I have given a *prima facie* case that liberal egalitarians should take seriously the strategy of putting equality first in a stronger sense. But it might be thought that this *prima facie* case does not stack up on reflection. In this section, I consider two objections that might be thought to defeat the *prima facie* case that I have offered for putting equality strongly first. Each objection suggests that the strategy has repugnant or counterintuitive implications in practice.

44 See, for discussion and defense, Brighouse and Swift, "Legitimate Parental Partiality," 54.

45 For arguments that suggest that this interest is grounded in self-respect, see, for example, Rawls, *Justice as Fairness*, 200.

First, one might think that the equality-strongly-first strategy implies that those who are now rich and now have children should have them forcibly taken away. But, in reply, it does not have this or any other implausibly draconian implication for public policy. The question on the table is about the basic attitude that it is appropriate to take toward the prospect of our social arrangements permitting well-off people to engage in a certain class of partial activities. The answer to this question about a fundamental principle of justice is distantly removed from the question of what social rules of regulation we are to have when we take into account not only considerations of justice but a host of other noninstrumental and instrumental reasons that bear on this issue. There might, for example, be noninstrumental reasons of solidarity to permit everyone to engage in every activity that is legally permitted. There might, for example, be instrumental reasons of stability to permit everyone to engage in an activity in which they have a very strong, identity-involving desire to engage. All this is downstream of the question presently on the table: Supposing that well-off people engage in parenting, is there an injustice? It is only that question to which the equality-strongly-first strategy gives an (affirmative) answer.⁴⁶ For similar reasons, the strategy does not entail that well-off persons as a group are blameworthy for engaging in parenting, nor that some individual well-off person is blameworthy for doing so given that many other well-off persons are already doing so in our present social circumstances.

Nor would the equality-strongly-first strategy *entirely* foreclose on well-off persons parenting without injustice. Recall that its claim is only that, other things fixed, in a just society the well-off would not parent. But other things might not be fixed. To see how this is possible, consider the following comparison. Effective altruists need not spend their whole lives working directly for the badly off. They can instead earn a lot of money, for example, on Wall Street, and “export” their duties to benefit the badly off by using their earnings to subsidize others who can do more, more effectively, than they can for worse-off people. Likewise, prospective parents could indulge their desires to be comparatively well-off and raise children, consistent with a commitment to equality, by “exporting” to others their duties to promote equal opportunity. They might, for example, raise children who are themselves strict and effective equality promoters. If those children could do more to promote equality than those parents could have done by refraining from having children (or if parents

46 Indeed, the equality-strongly-first strategy is consistent with accepting the *content* of Brighouse and Swift’s partiality-first strategy or Segall’s equality-weakly-first strategy, reinterpreted as views about the “contrary-to-duty” or “nonideal” case in which the well-off choose to parent, ignoring what (by the lights of the equality-strongly-first strategy) they have most reason of justice to do.

could at least reasonably believe this to be so), then they could, consistent with the equality-strongly-first strategy, permissibly engage in parenting. In so doing they would not, on balance, be making the idea of equal opportunity less well-realized.⁴⁷

Consider next a different objection. I have characterized the equality-strongly-first strategy as (other things fixed) prohibiting the *well-off* from parenting. But there is significant empirical evidence that, in our social circumstances, (a) parenting styles are a strong predictor of children's socioeconomic status and (b) a "concerted cultivation" parenting style (including, e.g., the reading of bedtime stories) is common not only to the *well-off* but to every social class *except* for those who are quite badly off.⁴⁸ But if parenting style is the mechanism by which parental advantage is reproduced in children, and if the relevant advantage-conferring parenting style is common to all but those who are badly off, then the equality-strongly-first strategy would seem to entail that it is unjust, not only for the *well-off* to parent, but for *anyone* above the average level of opportunity to parent. Such a radical revision of commonsense beliefs threatens the plausibility of solving the parental partiality puzzle by putting equality strongly first.⁴⁹

This objection raises a serious challenge to the equality-strongly-first strategy. The underlying fact to which it draws attention is this: how far-reaching the practical upshot of the strategy will be depends in part on the relative

47 It might be, however, that such parenting, which would "enroll" children in a view about what matters in life, runs afoul of independent constraints on raising children in ways to which they could reasonably consent (cf. Clayton, "Debate"). Arguably, however, "enrolling" children in a commitment to *reasonable* values does not run afoul of this constraint (cf. Cormier, "On the Permissibility of Shaping Children's Values"). I leave aside here the interesting question of whether or not raising children to be equal-opportunity promoters is an objectionable kind of "enrollment" in this sense.

48 For discussion and defense, see further Lareau, *Unequal Childhoods*, 1–33, 233–39. More particularly, Lareau characterizes a "concerted cultivation" parenting style as follows:

Parents actively fostered and assessed their children's talents, opinions, and skills. They scheduled their children for activities. They reasoned with them. They hovered over them and outside the home. They did not hesitate to intervene on the children's behalf. They made a deliberate and sustained effort to stimulate children's development and to cultivate their cognitive and social skills. (*Unequal Childhoods*, 238)

The contrast is with a parenting style that emphasizes spontaneity and "natural growth" (Lareau, *Unequal Childhoods*, 238) that is associated with working-class families who lack the time and/or monetary resources for concerted cultivation. For discussion of how Lareau's work bears on the tension between equality and partiality, see Brighouse and Swift, *Family Values*, 127.

49 I thank an anonymous reviewer for the journal for suggesting this objection.

proportions of people in different social classes. In highly stratified societies (i.e., a society in which a small number are far above the average level of opportunity and most are significantly below it), putting equality strongly first will imply that only a comparatively small number of people cannot permissibly parent. In societies in which a larger number of people are only moderately above the average level of opportunity (and in which conditions a and b above hold), putting equality strongly first will cast a wider net. To the extent that it is a moral datum that, in *any* society (no matter the relative numbers in different social classes), considerations of justice could not oppose *most* people's parenting, this is an undeniable cost of putting equality strongly first.

Even if the above is a moral datum, however, the objection may not be a decisive strike against putting equality strongly first. The force of the objections depends, at least in part, on how the badness of inequality of opportunity is determined. To see this, consider the following illustrative case. Suppose there are three groups—*R*, *M*, and *P*—such that *R* and *P* are respectively far above and far below the average level of opportunity and *M* is slightly above it. Now suppose that many people in *M* choose to parent and that they reliably transmit their level of advantage to their children via a concerted-cultivation-like style of parenting. Grant that, on the equality-strongly-first strategy, there would be a reason of justice disfavoring these people's choice. We can then ask: How seriously would these people thereby have disrupted equal opportunity? The answer depends on how to measure the badness of unequal opportunity. Using the useful framework developed by Larry Temkin, we can consider how bad a situation is with respect to unequal opportunity as a function of the *complaints* held by each person with respect to unequal opportunity.⁵⁰ The overall badness of the situation then depends on who has a complaint, how serious is the complaint, and how are complaints aggregated. Consider, for example, the following pair of answers:

1. (a) Everyone worse off than the highest level of opportunity has a complaint, (b) each complainant has a complaint relative to all those better off in opportunities than her, and (c) complaints are aggregated by weighting more heavily those with lower levels of opportunity.
2. (a) Everyone with a level of opportunity below the average level has a complaint, (b) each complainant has a complaint relative to all those at the highest levels of opportunity, and (c) complaints are aggregated by simple addition.

50 Temkin, *Inequality*, ch. 2.

These yield very different answers to the question about our simple case. Suppose a large number of people in *M* choose to parent. If 1 is correct, then (because of 1a and 1b) each child in *P* would have a large number of new complaints, each one of significant size; and (because of 1c) each new complaint would contribute significantly to the overall outcome's overall unequal-opportunity "score." On this view, parenting by those in *M* would significantly worsen unequal opportunity. But if instead 2 is correct, then assuming that more *M*-children does not substantially affect the average level of opportunity enjoyed, then (because of 2b) children in *P* would not have significant new complaints, nor (because of 2a) would the extra children in *M*, and (because of 2c) even if complaints among *P*-children have increased in size to some degree, they would not disproportionately affect the outcome's overall unequal-opportunity "score." So, on this view, parenting by those in *M* need not significantly worsen unequal opportunity. Thus even if there is a reason of justice that disfavors people in *M* choosing to parent, on this view it would be significantly less weighty than the reason of justice that disfavors people in *R* parenting. And this could be true even if there are many more people in *M* than in *R*. The upshot is that the equality-strongly-first strategy need not entail that, whenever some people's equal-opportunity interests come into unavoidable conflict with other people's interest in parenting, the former must be weightier. Given an appropriate measure of the badness of unequal opportunity, the strategy is consistent with only parenting by the quite well-off being disfavored by a *weighty* reason of justice. Since it is unsettled how to measure the badness of unequal opportunity, I therefore conclude that the objection may not be a decisive strike against the equality-strongly-first strategy.⁵¹

5. CONCLUSION

Let me briefly summarize the discussion. I have been considering a puzzle for liberal egalitarians that arises from the fact there appears to be a conflict between their commitment to a robust ideal of equality and the latitude that commonsense morality gives to parental partiality (section 1). In resolving the puzzle, it is natural to begin from the attractive idea of trying to find a basis for reducing the apparent conflict by licensing only parental partial activities (like bedtime-story reading) that are necessary to produce a morally significant kind of good and then putting partiality first in these cases of putatively

51 In responding to this objection, the proponent of putting equality strongly first could also appeal to the point made in response to the earlier objection. It may be easier for those whose parenting would not result in further significant dis-equalization of opportunity to "offset" the effect of indulging in their (only somewhat) expensive taste for parenting.

unavoidable conflict. But, so I suggested, it is questionable whether this strategy accords well with the importance liberal egalitarians wish to give to equality (section 2). And we could not, I then suggested, plausibly resolve the tension between equality and partiality in cases of putatively unavoidable conflict by putting equality only weakly first, claiming that parents are merely excused when they engage in partial activities (section 3.1). We could, however, plausibly put equality first in a stronger sense, by denying that the well-off really face an unavoidable conflict between discharging parental duties and promoting equality (section 3.2).

We are thus left, I concluded, with two ways of resolving the parental partiality puzzle for liberal egalitarians: the partiality-first strategy, corresponding to the claim that equality matters less than partiality, or an equality-first strategy, corresponding to the claim that partiality matters less than equality. The former strategy recovers a narrower range of permissions for a wider class of persons to engage in parenting; the latter recovers a wider range of permissions for a narrower class of persons to engage in parenting. Both strategies, I have suggested, are consistent with the motivations for liberal egalitarianism. Which one is more plausible depends on settling the question of whether people's interest in parenting is more or less weighty than people's interest in there being equality of opportunity—and may depend on how to measure the badness of unequal opportunity (section 4).⁵²

Tulane University
dobrien10@tulane.edu

REFERENCES

- Arneson, Richard. "Justice Is Not Equality." *Ratio* 21, no. 4 (December 2008): 371–91.
- Bou-Habib, Paul. "The Moralized View of Parental Partiality." *Journal of Political Philosophy* 22, no. 1 (March 2014): 66–83.
- Brake, Elizabeth. "Fair Care: Elder Care and Distributive Justice." *Politics, Philosophy, and Economics* 16, no. 2 (May 2017): 132–51.

52 I am deeply grateful to Anca Gheaus, Gina Schouten, and Harry Brighouse for written comments on and discussion of earlier drafts of this paper. Special thanks are also due to the remarkable students in my fall 2019 Social and Political Ethics class at Tulane University—especially Talia Boninger, Alex Calloway, Madeline Cargill, Fiona Hellerman, Max Jaffe, Ann Kapustiak, and Alec Wild—for the lively discussion that originally prompted the paper.

- Brighouse, Harry, and Adam Swift. *Family Values: The Ethics of Parent-Child Relationships*. Princeton, NJ: Princeton University Press, 2014.
- . "Legitimate Parental Partiality." *Philosophy and Public Affairs* 37, no. 1 (Winter 2009): 43–80.
- Brownlee, Kimberley. "A Human Right against Social Deprivation." *Philosophical Quarterly* 63, no. 251 (April 2013): 199–222.
- Clayton, Matthew. "Debate: The Case against the Comprehensive Enrolment of Children." *Journal of Political Philosophy* 20, no. 3 (September 2012): 353–64.
- Cohen, Gerald Allan. "On the Currency of Egalitarian Justice." *Ethics* 99, no. 4 (July 1989): 906–44.
- . *Rescuing Justice and Equality*. Cambridge, MA: Harvard University Press, 2008.
- . *Why Not Socialism?* Princeton, NJ: Princeton University Press, 2009.
- Cordelli, Chiara. "Distributive Justice and the Problem of Friendship." *Political Studies* 63, no. 3 (August 2015): 679–95.
- Cormier, Andree-Anne. "On the Permissibility of Shaping Children's Values." *Critical Review of International Social and Political Philosophy* 21, no. 3 (2018): 333–50.
- Enoch, David. "The Masses and the Elites: Political Philosophy for the Age of Brexit, Trump, and Netanyahu." *Jurisprudence* 8, no. 1 (March 2017): 1–22.
- Foot, Philippa. "The Problem of Abortion and the Doctrine of Double Effect." *Oxford Review* 5 (1967): 1–7.
- Freeman, Samuel. "The Basic Structure of Society as the Primary Subject of Justice." In *A Companion to Rawls*, edited by Jon Mandle and David A. Reidy, 88–111. Oxford: Wiley-Blackwell, 2013.
- Gheaus, Anca. "How Much of What Matters Can We Redistribute? Love, Justice, and Luck." *Hypatia* 24, no. 4 (Fall 2009): 68–90.
- . "Love and Justice: A Paradox?" *Canadian Journal of Philosophy* 47, no. 6 (April 2017): 739–59.
- . "Personal Relationship Goods." *Stanford Encyclopedia of Philosophy* (Fall 2018). <https://plato.stanford.edu/archives/fall2018/entries/personal-relationship-goods>.
- Glover, Jonathan, and M. J. Scott-Taggart. "It Makes No Difference Whether or Not I Do It." *Proceedings of the Aristotelian Society* 49 (1975): 171–209.
- Lareau, Annette. *Unequal Childhoods: Class, Race, and Family Life*. Berkeley: University of California Press, 2003.
- Macleod, Colin. "Liberal Equality and the Affective Family." In *The Moral and Political Status of Children*, edited by David Archard and Colin Macleod, 212–30. Oxford: Oxford University Press, 2002.

- . “The Puzzle of Parental Partiality: Reflections on *How Not to Be a Hypocrite: School Choice for the Morally Perplexed Parent*.” *Theory and Research in Education* 2, no. 3 (November 2004): 309–21.
- Munoz-Dardé, Veronique. “Is the Family to Be Abolished Then?” *Proceedings of the Aristotelian Society* 99 (1999): 37–56.
- Neufeld, Blain. “Coercion, the Basic Structure, and the Family.” *Journal of Social Philosophy* 40, no. 1 (Spring 2009): 37–54.
- Nozick, Robert. *Anarchy, State, and Utopia*. New York: Basic Books, 1974.
- Parfit, Derek. *Reasons and Persons*. Oxford: Oxford University Press, 1984.
- Pogge, Thomas. “On the Site of Distributive Justice: Reflections on Cohen and Murphy.” *Philosophy and Public Affairs* 29, no. 2 (April 2000): 137–69.
- Rawls, John. *Justice as Fairness: A Restatement*. Cambridge, MA: Harvard University Press, 2001.
- . *A Theory of Justice*. Rev. ed. Cambridge, MA: Harvard University Press, 1999.
- Scheffler, Samuel. *Equality and Tradition*. New York: Oxford University Press, 2012.
- Schouten, Gina. “Restricting Justice: Political Interventions in the Home and the Market.” *Philosophy and Public Affairs* 41, no. 4 (Fall 2013): 357–88.
- Segall, Shlomi. “If You’re a Luck Egalitarian, How Come You Read Bedtime Stories to Your Children?” *Critical Review of International Social and Political Philosophy* 14, no. 1 (2011): 23–40.
- Swift, Adam. *How Not to Be a Hypocrite: School Choice for the Morally Perplexed Parent*. London: Routledge, 2003.
- Temkin, Larry. *Inequality*. Oxford: Oxford University Press, 1993.
- . “Justice, Equality, Fairness, Desert, Rights, Free Will, Responsibility, and Luck.” In *Responsibility and Distributive Justice*, edited by Matthew Clayton and Zofia Stemplowska, 51–76. Oxford: Oxford University Press, 2011.