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WHY (AND HOW) STATES PROTECT CHILDREN

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When should the state intervene in the parent-child relationship? Surely it should do so in cases of severe abuse and neglect. However, many theorists have argued that children's rights go beyond the mere avoidance of abuse and neglect to include the right to a carefree childhood, quality education, and even love.[1] Whatever the full content of children's rights is, the state intervenes when only a small subset of those rights is violated. Is this justified?

Moreover, the strong set of rights that parents enjoy in the status quo prevents the state from adequately enforcing children's rights against abuse and neglect. In particular, the bar to becoming a legal parent in the United States is surprisingly low.[2] Regardless of the fitness and living conditions of biological parents, the state frequently places newborns into legal parent-child relationships with them. The state disregards the fact that the same biological parents may have already lost custody of their other children or may be suffering from severe drug addiction or mental illness at the time of birth. Instead of doing anything about these factors, the state compels newborns to be in a legal family relationship with the biological parents simply because they are the biological parents. While children are somewhat resilient, findings from adolescent developmental psychology show that the effects of parental abuse and neglect are significant and long-lasting.[3]

The state currently has a wait-and-see approach to intervention; once it has evidence of sufficiently extreme abuse and neglect, it has grounds to act. However, this evidence is notoriously hard to procure. While child protective services reports two million substantiated cases of abuse and neglect every year,

1 For a carefree childhood, see Ferracioli, *Parenting and the Goods of Childhood*, part 2. For education, see Brighouse and Swift, *Family Values*; and Clayton, *Justice and Legitimacy in Upbringing*. For love, see Liao, *The Right to be Loved*; and Ferracioli, "The State's Duty to Ensure Children Are Loved."

2 In support of what follows in this paragraph, see Dwyer, *Liberal Child Welfare Policy and Its Destruction of Black Lives*, 66; and Dwyer, "The Child Protection Pretense," part 1.

3 Dwyer, "The Child Protection Pretense," part 2.

the actual number is likely three times greater.[4] With just a little imagination, it is not hard to see that there is likely much more parental abuse and neglect than the state finds: parents are usually fully developed adults, while children are incredibly vulnerable to their parents for most of their childhood. Such abuse and neglect are especially likely to go undetected in contexts where children have no regular contact with anyone besides their parents.[5] The state is supposed to protect children from abuse and neglect, but it is incredibly difficult for it to do so. Is this justified?

To make any headway on these questions, we first need a theory of the state. As David Archard has argued, "what is regarded as the proper role for the state in the protection of children's interests will be crucially influenced by how the state itself is viewed."[6] That is, the answer to these questions about whether status quo family law is justified depends on what we think the state is supposed to do in our communities.[7] For example, if philosophical anarchism is true—i.e., the state lacks the right to be obeyed—then the state has little role in familial affairs beyond the general duties of rescue to make sure children do not suffer severe abuse and neglect. Conversely, if some variant of Rawlsian liberalism is true—i.e., the state is responsible for making sure the basic structure of society is just, *and* the family is part of that basic structure—then the state might have more leeway in regulating familial affairs.[8]

One goal of this article is to advance a broadly "Kantian-republican" theory of the state, one in which the state is a necessary precondition to any minimally just society.[9] If this theory is correct, there are significant theoretical upshots for what we should say about the family and the laws that should regulate it. In particular, this theory undermines the long-standing view of the family as

4 LaFollette, "Parental Licensing Revisited," 333.

5 For a good discussion about the vulnerability of children, see Archard, "Child Abuse." Regarding why this spells trouble for monopolies of care, see also Gheaus, "Children's Vulnerability and Legitimate Authority over Children."

6 Archard, *Children*, 153.

7 Luara Ferracioli makes a similar point when she observes that liberals often assume states are required "to act paternalistically toward children" without explaining the requirement ("Citizenship for Children," 2868).

8 For example, see Neufield, "Coercion, the Basic Structure, and the Family."

9 I get this term from Kolodny, "Being Under the Power of Others." While I am mainly focused on the Kantian part of the term, I use it here because I think Kant counts as a kind of republican given his central concern with domination. (See Ripstein, *Force and Freedom*, 42–43.) For examples of the Kantians I am drawing from, see Ripstein, *Force and Freedom*; Ebels-Duggan, "Moral Community"; and Varden, "Kant's Non-Voluntarist Conception of Political Obligations"; and Pallikkathayil, "Deriving Morality from Politics."

a *prepolitical* institution that can exist rightfully in the state of nature.[10] The practical outcome of the prepolitical view is generally that the state has a minimal role in familial affairs, intervening only in extreme cases.[11] In contrast, the view I defend sets a lower bar for state intervention. Additionally, the Kantian-republican view undermines any account of the family that says it is merely a convention of the state, rendering the family nonexistent before any positive state action.[12] If this conventional view of the family is true, then the state has a larger role in creating and sustaining families under its jurisdiction. Comparatively, my view of the state's role is not as expansive.

Between these views, I argue for a different theory of the state-family relationship: families can exist in the state of nature (*contra* the conventionalist position), but they cannot do so nondefectively (*contra* the prepolitical position). In particular, I build on recent developments of Kantian-republicanism, especially Helga Varden's early work, to argue that children in the state of nature necessarily suffer domination.[13] The reason is that children have a set of rights against their parents to be treated in certain ways, but nobody has the authority to enforce most of those rights on behalf of the child against their parents. Here, parents are akin to enslavers who have full rights over persons and may use their powers benevolently but are nonetheless dominating children who have no way to enforce their rights against the parents.[14] However, if there were a public state entrusted with the power to legislate, enforce, and adjudicate family law, then children would not necessarily be subject to slave-like relationships with their parents. Because everyone has a duty to respect everyone's rights, and the state is the only context in which we can do so for children, everyone must submit to a public state that enforces children's rights.

If the foregoing is correct, there are also significant practical implications for what the state can permissibly do to regulate the family. Philosophers, family lawyers, and social workers have extensively debated proposals such as parental

10 For example, see Moschella, *To Whom Do Children Belong?*; and Locke, *Two Treatises of Government*.

11 For example, see Moschella, *To Whom Do Children Belong?* 67–69.

12 For a discussion of this view, see Shelby, *Dark Ghettos*, 144–45.

13 I first came across the possibility that children are necessarily slaves under their parents in Helga Varden's analysis of status relationships in Varden, "Kant's Non-Voluntarist Conception of Political Obligations," 21–24. Here, I aim to flesh out this idea, connect it to the ethics of parenthood literature, and examine how the connection bears on child welfare policies like licensing and monitoring.

14 I follow Arthur Ripstein in using 'domination' interchangeably with 'wrongdoing', which is the term we use when one person violates another's right to independence. See Ripstein, *Force and Freedom*, ch. 2, sec. 3, where he writes that "wrongdoing takes the form of domination" (42).

licensing and parental monitoring to safeguard children's rights against parental misconduct. Proponents of licensing argue that the state should use evaluative tools to determine whether parents are competent enough to care for their children.[15] Whereas parental licensing regulates the initiation of parent-child relationships, monitoring is supposed to regulate already existing parent-child relationships through occasional contact between children and state representatives.[16] If my view is correct, then there are probably no good *in-principle* objections to either of these policies. If we have reason to forego either of them, it is because they do not adequately secure children's rights without domination in practice for a variety of contingent, empirical reasons. This means we have a conditional defense of both policies: *if* they can permissibly safeguard children's rights without domination, states may implement them. In-principle objections such as "it is not within the state's purview to regulate the family in these ways" do not work.[17]

Here is the plan for the rest of the article. In section 1, I begin my account of the state's relationship to the family by showing how families in the state of nature necessarily dominate children. In section 2, I discuss the solution to this predicament: the community establishes a public state capable of and responsible for addressing the defects of the state of nature. In section 3, I show how this solution might look in practice by considering the viability of schemes like licensing and monitoring. I conclude that whether a state should enforce either of these policies depends on prudential considerations about whether these policies have a good chance at protecting children's rights without domination.

Before beginning, I should answer an important question about the argumentative strategy I use. Why do we need to consider what happens to children in the state of nature, as we do in the next section, rather than simply looking at a given society and saying what the state must do to protect children from domination? The reason is that while the latter strategy might reveal that the state can play a privileged role under certain conditions, the former strategy can show something stronger: it explains why it is uniquely the state's job to prevent domination. It is one thing to say domination is something we should prevent and that, in one context, the state happens to be best suited to prevent it; it is another to say it is uniquely the state's job to prevent it in any conditions

15 Proponents of licensing include LaFollette, "Parental Licensing Revisited"; and Kianpour, "The Kids Aren't Alright."

16 Proponents of some sort of monitoring include Archard, "Child Abuse"; and De Wispelaere and Weinstock, "Licensing Parents to Protect Our Children?"

17 This view is therefore compatible with practical objections to licensing that say it is too costly to enforce. For examples of such objections, see Archard, "Child Abuse," 190–91; and Freiman, "Against Parental Licensing."

where that domination could occur. For many social contract theorists, the state of nature helps identify broad principles that delineate the limits of political authority and, consequently, how expansive the state's role should be in preventing domination.[18] As we see below, different descriptions of the state of nature yield different results concerning the size of this role: views that are more optimistic about the determinacy of natural rights generally afford the state a more restrictive role than views that are much more pessimistic about the determinacy of natural rights. As I show in section 2, this divergence matters for which sorts of child welfare policies the state has the authority to enact.

1. THE STATE-FAMILY RELATIONSHIP

To understand how the state should relate to the family, we can start by thinking about the network of rights and obligations that generally characterize the parent-child relationship in a healthy case. Once we understand this network, we can see why familial relationships would be normatively defective in the state of nature—i.e., because children are necessarily subject to a slave-like relationship before their parents—and why the state is the only remedy.

1.1. The Normative Network of the Parent-Child Relationship

When a couple procreates, they bring a child into the world who innately has a set of rights against them. Kant, for example, claims that procreative parents "incur an obligation to make the child content with [the child's] condition so far as they can."[19] Parents incur this obligation because they have decided to bring a child into existence without the child's consent, which means they must make that decision a sufficiently good choice for the child.[20]

For Kant, what explains this requirement on parents is that the child, like any other human being, has an innate right to external freedom to set and pursue the ends they set for themselves.[21] However, whereas adults have

18 Most Kantian accounts of the state use the same methodology. For example, see Ripstein, *Force and Freedom*, ch. 6; and Stilz, *Liberal Loyalty*, ch. 2.

19 Kant, *Metaphysics of Morals*, 6:281.

20 Porter, "Why and How to Prefer a Causal Account of Parenthood," 194. Here, I assume the causal theory of obligation. While many (e.g., Porter) read Kant as endorsing this view, others (e.g., Ripstein, *Force and Freedom*, 72) do not. My goal here is to defend a theory about the enforcement of obligations, not one of how those obligations come about. Others who reject the theory may be able to substitute their preferred account.

21 "Children, as persons, have by their procreation an original innate (not acquired) right to the care of their parents until they are able to look after themselves, and they have this right directly by law (*lege*), that is, without any special act being required to establish this right" (Kant, *Metaphysics of Morals*, 6:280).

developed the requisite capacities to exercise this right to external freedom on their own, children come into the world without those capacities; they are instead totally dependent on competent adults to raise them in certain ways so that they eventually develop the capacities they need to live independent lives. When a child comes into the world, then, their innate right requires their procreators to make sure someone plays the parental role and raises them to become an independent person who can exercise their innate right—that is the only way the biological parents' procreative decision would prove sufficiently good for the child.

Importantly, a child's innate right does not necessarily obligate or entitle the procreators to raise the child themselves on its own.[22] The innate right requires procreators to ensure that *someone* raises the child toward independence, whether that is the procreators themselves or someone else. We can understand this difference by borrowing a helpful distinction from Lindsey Porter. When procreators bring a child into the world, they incur what Porter calls a *maker obligation*, which is an "obligation incurred in virtue of having caused the child to exist … and is, roughly, the obligation to make the child's existence a good one to the extent that one can."[23]

Fulfilling the maker obligation does not necessarily require a procreator to raise their child. Procreators can fulfill their maker obligations by ensuring that someone else, whom they have good reason to believe will give their child a good enough life, raises their offspring. There are in fact some cases in which a procreator *should* give up their child to someone else because the child would be significantly worse-off if the procreator raised them. Think, for example, of a procreator who knows they are too mentally unstable or addicted to life-ruining substances to meet the child's needs in the parental role adequately. However, if no one else can adequately care for the child, then the maker's obligation requires the procreator to step into the parental role and to care for the child to the best of their ability.

This leads to the second part of Porter's distinction. Once someone steps into the parental role over a child, they then incur a *parental obligation*, which is "the obligation incurred in virtue of taking on the social role of parent … and includes all those everyday care obligations we would normally attribute

22 I get this insight from Archard, "The Obligations and Responsibilities of Parenthood," 114. Strictly speaking, this is not Kant's original view. He argued that procreators' duties beget all the rights one needs to raise the child to maturity (*Metaphysics of Morals*, 6:281). But loosely speaking, this is probably still consistent with the spirit of his view, especially once we depart from standard cases to ones in which the procreators in question clearly should not raise their offspring.

23 Porter, "Why and How to Prefer a Causal Account of Parenthood," 196.

to the social parent."[24] Parental obligations attach to whoever ends up raising a child; they explain why one adult, and not another, wrongs a child if they fail to feed and clothe the child regularly. Distinctly parental obligations are entailed by the child's right to adequate care, enabling the child to grow into an independent person.

For a parent to meet these obligations, they must also possess the necessary rights to do so. Locke, for example, described parental authority as "a sort of rule and jurisdiction" or "temporary government" that parents possess over their children so that they can raise them into independence.[25] The rights that constitute such parental authority are what A. John Simmons calls "mandatory claim rights," which are "rights to do what we have a prior duty to do."[26] If children have a right against their parents to be raised toward independence, parents must possess the requisite authority over their children to fulfill those rights. Parents must, for example, be able to discipline their children appropriately if such discipline is required for children's proper development.

Kant similarly endorsed the principle, claiming that "*from this duty* there must *necessarily also arise the right* of parents to *manage* and develop the child, as long as he has not yet mastered the use of his members or of his understanding."[27] That is, parental obligations create parental rights to the child. However, Kant thought parental rights were circumscribed in an important way by children's innate rights. The reason is that a parental right is a species of what Kant calls a *status right*, which is the right one person gets "in a relationship in which one party is not in a position to consent either to the existence of that relationship or to modification of its terms."[28]

Standard cases of status rights include the rights that fiduciaries have to act on behalf of their conservators, the rights that teachers have to manage their students' schedules while they are in class, and, paradigmatically, the rights that parents have to manage and develop their children. In all cases, a status right holder has the right to make a variety of decisions for the person over whose property and behavior they have status right: a fiduciary may use their client's money to pay for the client's electric bills; a teacher may have their students sit outside to do a math lesson; and a parent may take their child to the doctor to treat a sickness. In this sense, having a status right vis-à-vis someone is having

24 Porter, "Why and How to Prefer a Causal Account of Parenthood," 193.

25 Simmons, *The Lockean Theory of Rights*, 178. See also Locke, *Two Treatises of Government*, 67–68.

26 Simmons, *The Lockean Theory of Rights*, 182.

27 Kant, *Metaphysics of Morals*, 6:281 (emphasis added).

28 Ripstein, *Force and Freedom*, 72.

a right to a person *akin to a thing*: it is like having a right to a thing insofar as the possessor can use the person for certain purposes and demand the person back if someone else takes them.[29] However, a status right is unlike a right to a thing insofar as the purposes that the status right holder has for their subject—whether that be a fiduciary client, a student, or a child—must respect that subject's innate right.[30] This is why, for example, a conservator cannot use their client's money to buy themself expensive jewelry; a teacher cannot force their students to mow the teacher's lawn; and a parent cannot sell their child for profit. Without this restriction, the rights that parents possess vis-à-vis their children—ones they acquired without the children's consent—would give parents the space to own children essentially like they own other pieces of property, without any rights against them. But children are different from things; they have innate rights, whereas property does not. As a result, the domain of things that we can do with our status rights is more restricted than the domain of things we can do with our property rights to inanimate, external objects.

We have, then, a relationship of parental authority: a child has an innate right that requires whoever parents that child to assist the child in their development toward independence. This requirement explains the parent's obligations and gives the parent a set of rights over the child that includes only those rights needed to meet their parental obligations.

1.2. The Slave Problem for Stateless Families

Within the state of nature, this relationship would *necessarily* wrong children, even if parents are perfectly virtuous.[31] On the one hand, the prepolitical normative network from the previous section shows that children have a set of weighty rights against their parents to be cared for in certain ways. On the other hand, within the state of nature, *these rights are impossible to rightfully enforce*.[32]

29 Kant, *Metaphysics of Morals*, 6:358.

30 Kant, *Metaphysics of Morals*, 6:277. See also Varden, "Kant's Non-Voluntarist Conception of Political Obligations," 265–66; and Ripstein, *Force and Freedom*, 79. Once a parent acquires a status right over a child, the child's rights obligate them. Here, the parent-child relationship is structurally the same as other status relationships. For example, fiduciaries are responsible for managing their clients' estates. Whether third-party citizens have duties of aid to these relationships is a separate question, though some Kantians deny these. For example, see Allais, "What Properly Belongs to Me"; and Hadsell, "Kant on Punishment and Poverty."

31 See Varden, "Kant's Non-Voluntarist Conception of Political Obligations," 21–24.

32 Domination is not about the enforcement of *moral* rights (e.g., my right against my friend to keep her promise), which are not enforceable and do not result in domination when violated. Instead, domination concerns only *juridical* rights, or "normative claim[s] against others that it is permissible to enforce, or to coerce others to respect" (Ebels-Duggan,

Therefore, children within the state of nature are necessarily subject to dominating relationships because most of their rights are unenforceable, no matter what happens empirically. We can see this in the following case.

> *Emily's Education*: Alex is raising his nine-year-old daughter, Emily, in a state of nature. Given the normative network of the parent-child relationship, Emily has a set of rights against Alex that requires him to ensure she is raised to become a mature, independent adult. Among these rights is the right to a minimally good education that equips her with a set of intellectual virtues that she will need to discern how to live a good life. However, Alex decides homeschooling is too much work given all the hunting and farming he has to do, and he is too skeptical of the local co-ops in the state of nature to place Emily in them. So Alex neither homeschools nor enrolls Emily in a co-op. Emily tells John, an unrelated third party who happens to be a teacher, about Alex's decision. John thinks he should intervene by enrolling Emily in his local co-op to ensure she receives a minimally good education.[33]

What can any of the parties rightfully do in this case? Not much; the case is incoherent as a matter of right because it inherits the following defects intrinsic to the Kantian state of nature.[34]

1. *Unilateralism*: When Alex claims a status right over Emily, he places everyone else, through his unilateral choice, under an enforceable obligation not to interfere with Emily's education without his consent.[35] But in the state of nature, Alex lacks the authority to create an enforceable entitlement like this

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"Kant's Political Philosophy," 897). Of course, this invites an obvious question: If prepolitical juridical rights are unenforceable, how can children be dominated? In reply, I say that these prepolitical rights are juridical in that they are supposed to be enforceable, but they are defective because there is no prepolitical mechanism to rightfully enforce them. As Arthur Ripstein puts it, "They are all titles to coerce that nobody is entitled to enforce coercively" (*Force and Freedom*, 165). To make sense of this, we can compare the defective nature of prepolitical juridical rights to how Aristotelians analyze defects in creatures. Spiders with seven legs are still spiders, but some Aristotelians say that they are defective because it is in their nature to have eight legs. Similarly, juridical rights in the state of nature are defective because they are supposed to be enforceable, but they exist in an environment where there is no rightful enforcement mechanism. As a result, they are merely *provisional*. For more on provisional rights, see Ebels-Duggan, "Moral Community," 4–7; and Stone and Hasan, "What Is Provisional Right?" See also section 1.3 of this article.

33 I thank Alexander Pruss for this example.

34 The following is necessarily sketchy and relies heavily on Ebels-Duggan, "Kant's Political Philosophy," pt. 1.

35 Kant, *Metaphysics of Morals*, 6:255; and Ripstein, *Force and Freedom*, 153–54.

because doing so would violate everyone else's innate right.[36] Alex may claim he wants Emily to have a certain sort of education (or lack thereof), but he cannot unilaterally generate an enforceable obligation on others to avoid interference. This means that if John tries to intervene, Alex may resist, but John may also resist Alex's resistance. Neither party has a claim over the other.

2. *Indeterminacy*: Even though Emily formally has a right to education, there is no determinate answer within the state of nature that says how this right should be fulfilled materially.[37] The general right—i.e., a right to an education—is insufficient to apply itself to particular situations—i.e., Emily's right in her context. After all, there are various ways the right can go materially (e.g., John's co-op, an education oriented toward developing agricultural or industrial skills, a STEM-based education, etc.). To get from the general right to its particular application, there must be an authoritative determination over a certain set of these possible material manifestations of the right to an education. But given the problem of unilateralism, nobody within the state of nature has the authority to make such a determination. So when John and Alex disagree over the determination of Emily's right, neither has more fundamental standing to make the determination.[38] So the right is not enforceable because, trivially, it is indeterminate.

3. *Assurance*: Suppose, contrary to fact, that there is a determinate set of laws governing our rights in the state of nature that we can appeal to without unilaterally imposing our wills on others. Still, if I lack the assurance that my claims to things will be systematically enforced against others in the state of nature, then I cannot be obligated to respect others' similar claims.[39] This is not because respecting obligations without assurance is imprudent or detrimental to us in some way. Rather, Kant thinks everyone has rightful honor, which requires all to refrain from making themselves a means for others.[40] When

36 Kant, *Metaphysics of Morals*, 6:256.

37 Ripstein, *Force and Freedom*, 170.

38 Even if John and Alex end up agreeing on a material fulfillment of the right, the problem is still not solved. The reason is that neither of them individually has the authority to make a unilateral determination over Emily's education that binds others to not interfere with it. No matter if the unilateral choice maker is just John or John plus Alex, such unilateral choices are objectionable from the perspective of right. This is especially the case if Alex and John agree at one point, but then one of them changes their minds later. Emily's right to an education is contingent on the private choice of either party, which is bad because our rights are supposed to be based on universal, systematic laws, not on private choices. So only when the determination is *omnilateral*—i.e., it comes from an authoritative state that represents *all* its members—is when it becomes compatible with right. See Ripstein, *Force and Freedom*, 157.

39 Kant, *Metaphysics of Morals*, 6:255–56; Ebels-Duggan, "Moral Community," 5; and Pallikkathayil, "Persons and Bodies," 38.

40 Ripstein, *Force and Freedom*, 161; and Loriaux, "Kant on Social Justice."

we respect others' claims to things without assurance that others will respect our claims—an assurance we lack since there is no universal law in place that requires them to do so—we make ourselves a means.

The result of all these defects is that our case is, from a matter of rights, an incoherent mess. Nobody has the authority to enforce Emily's rights because nobody can, with a unilateral choice, place others under obligations that give themselves an entitlement to coerce (unilateralism). Nobody can make authoritative determinations of most of Emily's rights within the state of nature because there is nothing about them, naturally, that privileges their judgment over the judgment of others (indeterminacy). And nobody is under an obligation to respect others' rights to things they acquire—not only status rights but also property and contract rights—unless they have assurance that everyone will respect their rights to things (assurance). The result is that Emily's various rights are unenforceable because they are too indeterminate, nobody has the authority to determine them, and compliance with such a determination without assurance that others will comply is incompatible with our rightful honor.

Whether these defects arise does not depend on empirical facts about how people behave in the state of nature.[41] They arise, in Kant's view, "no matter how good and right-loving human beings might be."[42] For example, we do not need to wait around to see whether John and Alex disagree over Emily's education; indeterminacy over that right arises simply from the fact that it is *a priori disputable*, not that it is, in fact, disputed.[43] Or even if nobody disagrees with anything that Alex does for Emily because he is a perfectly virtuous parent, the defects of the state of nature still make the relationship incoherent from a matter of rights. As long as Alex claims a status right over Emily to clothe, feed, and educate her, he unilaterally asserts an entitlement to coerce others that he does not have the authority to enforce, even if no one challenges him.

1.3. Clarifications: Intervention, Provisional Right, and Children

Before moving on to the state's role in remedying this situation, let me make three clarifications. First, I do not mean to say John could *never* intervene in the parent-child relationship, for some of Emily's rights are determinate even in the state of nature. While Kantians are unique in insisting that most of our

41 For an opposing argument that says these defects are not necessary, see Christmas, "Against Kantian Statism."

42 Kant, *Metaphysics of Morals*, 6:312.

43 "Kant shows that rights are necessarily subject to dispute, not that they are always disputed. The application of concepts to particulars is always potentially indeterminate and so requires judgment, as a result of which the classification of particulars is always, at least in principle, indeterminate" (Ripstein, *Force and Freedom*, 170).

rights are too indeterminate within the state of nature, as opposed to Lockeans, who think nearly all our rights *are* determinate, albeit difficult to enforce, those relating to our bodies are not.[44] So suppose John sees Alex trying to murder Emily. While many of Emily's rights are indeterminate, her innate right determinately protects her body, so much so that there could be no possible reasonable disagreement over whether Alex is violating any of Emily's rights by trying to murder her. So if John intervenes to prevent Alex from murdering Emily, for instance, John is not standing on his authority as a unilateral enforcer of laws he has unilaterally determined; instead, he is simply standing on the natural authority of each person's innate right.[45] The salient difference between this case and the one above is that this case concerns the violation of a right that is already naturally determined. In contrast, the latter case concerns a right that is not naturally determined. So from the perspective of rights, the former intervention is permissible.

Moreover, there may be cases of intervention that are permissible as a matter of *virtue* but impermissible as a matter of *right*. For example, consider the following case.

> *John's Kidnapping*: John notices that Alex is a bad parent. For example, Alex gives his children just enough food to barely survive, does little for them when they become sick, socially isolates them so that they suffer severe psychological distress, and makes them do severe menial labor most of their waking moments. John decides to take Alex's children and care for them in the way that good parents are supposed to.[46]

What should we make of Alex's actions here? As a matter of virtue, maybe John did a good and praiseworthy thing (though even this seems disputable); however, as a matter of *rights*, John did the wrong thing. Perhaps John's kidnapping reveals that he is a benevolent and loving person who is properly concerned

44 However, for a compelling argument that even some of our bodily rights are indeterminate, see Pallikkathayil, "Persons and Bodies."

45 Pallikkathayil makes a similar point: "If the permissive law were itself justified by the requirements of freedom, the requirements of freedom would confer this authority on me. And . . . Kant does indeed regard equal freedom as requiring the possibility of ownership. So, I do not need to stand on my own authority [because] I can stand on the authority of the requirements of reason" ("Persons and Bodies," 45–46).

46 Some republicans may deny that John is dominating, which is why I should stress that I am defending only one kind of republicanism. Even with this qualification, though, I think other republicans will share my evaluation. For example, Henry Richardson says power is arbitrary when it fails to abide by a set of fair procedures "supported by independent, liberal ideals of respecting citizens as free and equal" (*Democratic Autonomy*, 38), which is close to my view. Thanks to Anne Jeffrey for pointing this out to me.

with the welfare of children. Still, from the perspective of *right*, John acted wrongly in multiple ways.

Even though many of Alex's children's rights are indeterminate in John's Kidnapping, John acts as if he has the natural authority to act like a legitimate state. By intervening, John unilaterally makes himself into a legislator by determining the rights of the children, the judge by deciding that Alex has violated his legislative determinations, and the enforcer by coercively taking Alex's children away from him. These are actions that only a public state can rightfully perform. Given the defects of the state of nature, no private individual can determine, enforce, and arbitrate previously undetermined rights without dominating. So heroic as John may be, he dominates by acting this way unilaterally, and Alex is entitled to resist John's attempt. The children may no longer be under a negligent parent, but they are so only because someone acted wrongly by kidnapping them. And worse, John's kidnapping simply restarts the problem of the children's domination. After all, John now claims a status right over the children that inherits all the *a priori* defects that Alex's original status right incurred. Such is the incoherence of the state of nature: one may act virtuously and wrongly at the same time.[47]

Second, when I denounce the parent-child relationship as slave-like in the state of nature, I do not mean to suggest that children should therefore run away from their parents. After all, children still need parental care if they are to develop into independent adults, and parents still have status rights over their children in the state of nature. However, in this condition, parental status rights are only *provisional* and inconclusive.[48] While Kant's doctrine of provisional rights is notoriously difficult, let me briefly sketch how provisional status rights work in general and then apply the view to the case of the family. If I have a provisional status right over my child, then I have "permission to coercively force anyone who does or might oppose [my] claim [over my child] into joining [me] in the civil society."[49] The provisional status of this right makes it importantly incomplete; it is not protected by a law "laying on each a duty of right not to make use of [my child] without your permission," and I lack the right to try and enforce such a law myself.[50]

The only way my status right becomes conclusive—i.e., one that is legitimately enforceable and one that everyone has an obligation to avoid interfering with on pain of my forcing you to refrain—is if we submit to a public state that can enforce, determine, and adjudicate this right. Because you are in

47 Ripstein, *Force and Freedom*, 160.

48 Ripstein, *Force and Freedom*, 165.

49 Ebels-Duggan, "Moral Community," 6. See also Kant, *Metaphysics of Morals*, 6:246.

50 Ebels-Duggan, "Moral Community," 4.

a community with me, and I have a provisional status right over my child, I can force you under a public state so that all our rights can finally become determined by a state that represents our wills. But until this happens, my provisional status right is insecure; I can assert it over my child, but I have to defend this right against those who would try to contravene it in the state of nature.[51] Once the public state is formed, my provisional status right over my child gives me a strong and presumptive claim against the state to conclude that right over my child.[52] All of this means, then, that parents can still claim status rights over their children in the state of nature, and even though these rights are merely provisional, they provide reason for children to stay with their parents nonetheless.

Third, some might wonder whether it makes sense to think of children as slaves who can be dominated because they do not yet have rational wills. Whereas a chattel slave owner who orders around another fully developed adult is clearly dominating the enslaved adult who should otherwise be able to direct their own life, a young child does not yet have the requisite agency needed to direct their own life. The idea that parents necessarily dominate newborns in the state of nature might be a category error; something has gone wrong, but surely it has nothing to do with the totally underdeveloped wills of the infants in question. In reply, I contend that babies can suffer domination in the state of nature, even if they have underdeveloped agency.[53] The reason is that babies, in virtue of being human, have an innate right to external freedom even if they do not yet have the capacity to exercise that right. In Joel Feinberg's terms, we can call this right an *innate right-in-trust*: it is a child's right against their parents to help the child develop into the sort of person who can eventually exercise the innate right that the child currently possesses only in a latent form.[54] From this right, we derive a formula: if a child needs *X* from their parents to develop into the sort of person who can eventually exercise their innate right, then the parents are required to provide *X* for the child. This sets up the fundamental problem of stateless families: if a child has no mechanism for the enforcement of these rights against their parents, the child suffers a dominating, slave-like relationship with their parents.

51 Kant, *Metaphysics of Morals*, 6:257.

52 Ebels-Duggan, "Moral Community," 7.

53 Some republicans may think that the right against domination is grounded in the possession of rational capacities, which babies lack. However, Kantian domination occurs when there is a violation of someone's innate right, a right we possess *in virtue of our humanity*, not in virtue of our possessing developed rational capacities. See Kant, *Metaphysics of Morals*, 6:281; and section 1.1 of this article. Other republicans also think babies have a right against domination that is not grounded in their rational capacities (e.g., Brooks, "Republican Children," 40–41, 52, 57).

54 See Feinberg, "The Child's Right to an Open Future."

2. THE SOLUTION TO THE SLAVE PROBLEM: THE STATE

I have contended that children are necessarily in a slave-like relationship with their parents in the state of nature. As long as children have a set of rights against their parents that no other third parties can enforce on their behalf, they are necessarily in dominating relationships that everyone else in the community has a duty to remedy. The only way the community can remedy this relationship is by submitting to a public state that can legislate, enforce, and adjudicate laws regulating the family.[55] It follows that the community must submit to such a state. Here, I briefly discuss how the state remedies this problem and why it is the only context in which the slave-like parent-child relationship can be remedied.

2.1. How the Three Branches Solve the Defects in the State of Nature

Recall the three problems in the state of nature: unilateralism, indeterminacy, and assurance. If a community establishes and submits to a public state that represents the community's will *omnilaterally* and not a particular individual's will *unilaterally*, all three problems are solved in one fell swoop through the ideal state's tripartite functions: (1) the executive branch solves assurance by providing a system of equal enforcement of the law, to which all citizens are held accountable; (2) the legislative branch solves unilateralism by making determinate laws that bind the community (as opposed to leaving individuals to stand on their authority to determine laws); and (3) the judicial branch solves indeterminacy by settling disputes over particular laws.[56] We can take these general state functions and apply them to the case of the parent-child relationship to get the following particular functions: (1) through its legislative function, the state codifies the normative network of the parent-child relationship in family law; (2) in its judicial function, the state arbitrates disputes about how family laws apply in specific cases; and (3) and in its executive function, the state enforces family law by prosecuting guilty parties and compensating victimized parties for their suffering. Once families exist under a state like this, the parental status rights involved are conclusive, and children are no longer subjected to slave-like relationships with their parents.[57]

Beyond these details, Kant does not give much more information on what the ideal state would look like. I think this is for good reason; after all, ideal constitutions manifest differently depending on the nature of the people they govern. For example, the conditions for representing a unilateral will in a

55 Varden, "A Kantian Critique of the Care Tradition," 340.

56 Ebels-Duggan, "Kant's Political Philosophy," 899.

57 Varden, "A Kantian Critique of the Care Tradition," 340–41.

government of merely ten people can plausibly be much more stringent than the conditions that represent three hundred million people. Nonetheless, in section 3, I explore two possible policies that reflect the state's role in safeguarding children's rights: parental licensing and monitoring. In short, I argue that there are no good in-principle objections against either of these proposals to the effect that legitimate states lack the authority to enact either policy. On the contrary, the only reason states should not enforce either of these policies is *prudential*—i.e., some empirical fact makes these policies inept at protecting children without domination. Of course, this does not mean that licensing and monitoring are often permissible. Contingent empirical facts might always make these policies inept at achieving their goals. Nonetheless, it is important to underscore that these empirical considerations, not *a priori* objections that these policies are not within the state's purview to enforce, are ultimately what make or break the permissibility of licensing and monitoring.

Before discussing these policies in section 3, though, we should consider the state's role in creating *legal* parent-child relationships. Once we understand this, we can evaluate why the state is required to ensure that children are placed in the custody of *competent* parents, given the civil liability that the state incurs when it creates any given legal parent-child relationship. After this discussion, we can consider how they bear on licensing and monitoring.

2.2. Civil Liability and the Creation of Legal Families

It is tempting to believe that the state intervenes in the parent-child relationship only in severe, dramatic cases of abuse and neglect. However, this is not the case. On the contrary, *the state is responsible for concluding every parent-child relationship under its domain*, which means every legal parent-child relationship exists in virtue of some positive state action. As James G. Dwyer argues,

> The state first creates legal parent-child relationships (who else could create a *legal* relationship?), and for that legal relationship to have practical significance, the state must also confer on the persons whom it has made legal parents some particular privileges and powers. . . . People occupy legally protected custodial and caretaking roles as to children because the state places them in that role. This is as true of biological parents as it is of foster parents and adoptive parents. . . . A child's first legal parent-child relationship generally arises by virtue of state statutes that operate without any court involvement . . . so the state action is unrecognized by most people, but it exists nonetheless.[58]

58 Dwyer, "Regulating Child Rearing in a Culturally Diverse Society," 359–60.

No matter the kind of parent-child relationship, the state always intervenes through the law to create a legal, custodial parent-child relationship. Even in the most standard cases where two procreators have a child and are ideally suited to meet all the child's interests, there is a background state law that affords them custodial rights when they sign the birth certificate at the hospital.

Of course, this does not mean that the parent-child relationship is purely a legal convention. In section 1.3, I argued that the role of the public state is to conclude the provisional status rights that parents have over their children before any positive state action is taken. The provisional status right exists independently of any state action. For example, if a couple conceives a child in the state of nature, their status right over their child is provisional and deeply insecure as long as there is no public state available that can conclude that right. But if a couple conceives a child under a public state, they have a provisional status right over their child that the state should conclude. Notably, this provisional status right is a strong *presumptive* claim against the state to conclude it in the form of a legally protected parent-child relationship, though the state can deny this claim in some cases—i.e., when concluding the claim would violate the prohibition against care uncertainty. So there is a sense in which the state has relatively wide discretion in which positive laws it can enact; however, that discretion is circumscribed by any strong provisional rights its citizenry possesses.

Now, if the state is responsible for the existence of every legal parent-child relationship, then it follows that the state is liable should it place a child with sufficiently incompetent parents.[59] This principle of civil liability explains other cases in which the state is responsible for things it creates. For example, suppose the state builds a bridge that collapses a few years later because it was poorly constructed. Any victims of the collapse have cause to sue the state because it is civilly liable for the collapse. It created the bridge for public transportation, and because its negligent construction caused damage to those using it, it owes the victims some form of compensation.[60]

Similarly, if the state places a child under the custody of sufficiently incompetent parents without making a reasonable effort to ensure the child's parents

59 Similarly, Dwyer claims the state is importantly responsible for violations of children's rights when it consigns them to unfit parents. See Dwyer, "Child Protection Pretense," pt. 1.

60 In the United States, the Federal Tort Claims Act describes such liability. Under this edict, "the federal government acts as a self-insurer and recognizes liability for the negligent or wrongful acts or omissions of its employees acting within the scope of their official duties. The United States is liable to the same extent an individual would be in like circumstances." See the House of Representatives webpage "Federal Tort Claims Act," https://www.house.gov/doing-business-with-the-house/leases/federal-tort-claims-act (accessed November 6, 2025).

are competent enough for the job, then it is liable to the child and owes the child compensation for its failure. After all, the only reason the state has the authority to create the custodial relationship in the first place is that it is playing the advocate role for the child that the child would otherwise lack in the state of nature. If the state puts together custodial parent-child relationships without trying to ensure the child's various rights will be taken care of, it fails its duty to advocate for the child's rights against the parents. Worse than this, in virtue of subjecting the child to a legal custodial relationship with an incompetent parent, it also becomes partially responsible for rights violations the child suffers through parental incompetence.[61]

This account of the state-family relationship is quite different from prepolitical accounts that suggest the family can exist nondefectively before any state action. For example, Melissa Moschella claims that "the family [is] a prepolitical authoritative community."[62] As a result, she likens the threshold for state intervention in the family to that of neighboring countries. Just as states—entities that exist independently of each other—should not intervene on one another unless they get sufficient evidence of significant human rights abuses, so too should states refrain from interfering with families—another entity that Moschella thinks can exist rightfully, independent of the state—unless the state receives evidence of the same kind of abuses (though not necessarily the same scale).[63] Or consider philosophical anarchists, who claim that states generally have no right to intervene in a citizen's life unless the citizen consents to such intervention or unless the state is fulfilling a sufficiently strong duty of rescue.[64] In light of the state's role in safeguarding the parent-child relationship and the liability it incurs in virtue of creating every legal parent-child relationship, neither of the aforementioned

61 Dwyer, "No Place for Children," 924–25.

62 Moschella, *To Whom Do Children Belong?* 45.

63 Moschella, *To Whom Do Children Belong?* 67–68. In fairness to Moschella, she clarifies that "the family's self-sufficiency with respect to the larger political community is much more limited than that of the state with respect to the larger international community," which means that "the abuse or threat to the public order [in the family] need not be as serious or immediate to justify state intervention into the family sphere as to justify international intervention" (68). Nonetheless, it is hard to avoid the worry that her view requires the extremely strong presumption against interference in the international case to govern the state-family case if the family really is its own authoritative body that can exist nondefectively, prepolitically. This worry seems especially strong since Moschella thinks that "the grounds justifying coercive intervention" in the international and state-family cases—namely, human rights and protection of public order—"remain essentially the same," even after our starting qualification (*To Whom Do Children Belong?* 68). For more on her account, see pp. 66–71.

64 For example, see Huemer, *The Problem of Political Authority*.

views is correct. Moschella's foreign policy analogy is too bare because it overlooks the state's role in concluding the parent-child relationship and in keeping children from slave-like relationships. Whereas neighboring countries do not necessarily incur any liability for another country's disorder, states are uniquely liable to children because they are the ones who consign children to particular familial arrangements. And if the state has a Kantian role in safeguarding children's rights against their parents, then protests from philosophical anarchists that parents have not consented to state intervention or that the state's intervention is not required to meet some strong duty of rescue are immaterial.

3. Evaluating Licensing and Monitoring

3.1. Licensing

Parental licensing is a policy whereby "the state [uses] evaluative tools to determine whether individuals are competent to be parents before raising children and excluding those who are judged to be incompetent from raising children."[65] Proponents of this policy have views about which evaluative tools the state should use, why the state should enforce them, and what should happen when an applicant fails a licensing test. (For example, extreme versions of parental licensing may entail forced separation as a result of failure, while mild versions may entail missing out on beneficial tax breaks.)[66] I do not arbitrate these debates here; I just want to show how *some* licensing schemes using *some* standards can help states safeguard children's rights under the appropriate circumstances. I start with a plausible licensing scheme in the United States and then speculate about other constitutions.

The content of a child's rights determines the state's licensing standards. If children have rights only against abuse and neglect, then the standards are minimal. Maybe all that parents need to do in such a case is fill out a form to let the state know they have not had prior terminations of parental rights. Even though this query is so minimal that it seems to stretch the meaning of a licensing evaluation, it is already several steps above the American status quo, whereby the state treats these facts as immaterial to whether it grants procreators custodial rights over their offspring.[67] In the United States, procreators face no legal barrier to acquiring custodial rights over their children so long as they are not currently in prison—a temporary obstacle that they can overcome once their sentences are over—or, in particular jurisdictions, so long as they are not guilty of sexual

65 Kianpour, "The Kids Aren't Alright," 432.

66 LaFollette, "Parental Licensing Revisited," 338–40.

67 Dwyer, *Liberal Child Welfare and the Destruction of Black Lives*, 66.

assault against the mother.[68] So one step the United States could take toward protecting children is simply taking into consideration the fact that a procreator has lost their parental rights in the past before reissuing custodial rights.[69]

However, children's rights seem to go beyond a mere right against abuse and neglect. On the normative network of the parent-child relationship described above, children have the right to whatever they need to become independent agents. While this means they have a right against abuse and neglect, they also need other protections to ensure their proper development. For example, children require a minimally adequate education that will equip them to determine which conception of the good life they wish to pursue when they get older.[70] They also appear to require parental love, which seems vital to their proper development.[71] Here, I do not give a full account of everything children have a right to; instead, I suggest a formal apparatus: if children generally have a right against their parents to become independent agents, then they have a right to those things they need to become independent agents. If the goal of parental licensing is to ensure that parents are competent to meet their children's various rights, then whatever licensing standards the state uses should be sensitive to these rights. For example, if children need parental love in order to become independent persons, then it is within the state's authority to use standards that effectively measure whether parents can in fact meet that goal (if such standards exist).

Some might object that this scheme would not work and that it is too implausible given how many parents and children there are. This may very well be true, which is why I defend parental licensing as, *in principle*, permissible for the state to enact. But if it turns out that in practice, such a scheme is impossible to permissibly enforce given facts on the ground, then it should not be enforced. However, notice that this is a *contingent* worry; there may be some states that are small enough to effectively license all parent-child relationships with all relevant

68 Dwyer, *Liberal Child Welfare and the Destruction of Black Lives*, 66.

69 Some worry that punishing someone for past terminations of parental rights is unjustly disproportionate. But we can quell this worry in three ways. First, some licensing schemes do not involve denying anyone custodial rights—e.g., see a recent proposal by LaFollette that licenses could simply get parents tax breaks ("Parental Licensing Revisited," 338–40). Second, licensing is not necessarily a punitive mechanism (Baron and Cowley, *Philosophy of the Family*, 21). For example, the state is not punishing someone who fails a driving test when it refuses them a driver's license. Third, even on licensing schemes that deny custodial rights—which I take no stand on here—it is possible that applicants could reapply.

70 Brighouse and Swift, *Family Values*.

71 Liao, *The Right to Be Loved*; and Ferracioli, "The State's Duty to Ensure Children Are Loved." In the latter paper, though, Ferracioli sidesteps the empirical debate about whether children need love for proper development.

standards. In other states, licensing schemes may be enforceable because the licensing state has more resources or fewer applicants. However, in larger states, the licensing state may have to either reduce the level of involvement in the standards or relinquish its aspirations to license altogether. So whether a particular state should enforce a licensing scheme is an empirical matter that cannot be settled here. The important point is that if empirical facts on the ground support a licensing scheme that would help the state ensure parental competence without domination, the state can permissibly enforce such a policy.

3.2. Monitoring

The same rationale that justifies parental licensing—i.e., that states are required to advocate for a child's rights within the family—also justifies parental monitoring.[72] In short, parental monitoring is a policy whereby representatives of the state visit households to assess the welfare of the children within them.[73] If the state's advocate role justifies licensing, it also justifies monitoring since parents can plausibly become unfit to raise a child even after passing the licensing test at the beginning of their custodial relationship. As with parental licensing, proponents of this policy do not share a single, unified vision for how it should be implemented. However, there is generally a sense that the frequency of monitoring should decrease as a child develops into someone who can advocate for themselves.

Still, this would be a marked departure from the status quo. At least in the United States, child protective services work on a wait-and-see basis, and intervention can occur only when sufficient evidence of sufficiently extreme parental abuse and neglect comes to the state's attention.[74] Organizations like child protective services "are safeguards only against the very worst forms of abuse and neglect, and they are highly fallible safeguards."[75] As Hugh LaFollette notes, American child protective services process millions of substantiated cases of abuse and neglect every year, and there is good reason to think the real number of abuse and neglect is several times higher than that.[76] The status quo wait-and-see approach hamstrings social workers' abilities to respond effectively to evidence, which also results in many unjust interventions among Black and working-class families.[77] Moreover, status quo American family law affords

72 Archard, *Children*, 190–91.

73 Kianpour, "The Kids Aren't Alright," 432.

74 Archard, *Children*, 173.

75 Gheaus, "Children's Vulnerability and Legitimate Authority over Children," 62.

76 LaFollette, "Parental Licensing Revisited," 336.

77 Roberts, *Torn Apart*.

parents such strong rights over their children that this problem is currently intractable. There is no legal requirement for parents to ensure that their children have any relational contact with third parties such as relatives, neighbors, or close family friends. This issue is especially acute for preschool-aged and homeschooled children, whose parents have the legal power to prevent third parties from associating with their children at all.[78]

One of the main reasons that parents have such strong rights over their children is presumably a strong liberal emphasis on the right to privacy.[79] But we know that too much privacy has the power to enable and hide parental violations of children's rights, as David Archard notes:

> The ill-treatment of children takes place in a "private" space, the family home, and to the very extent that it is a private space, it may continue undetected and unsuspected. . . . The abuse is literally unobserved, and whilst physical abuse may display itself . . . sexual abuse has no obvious public face. Abused children may have no sense of what is privately happening to them is radically and terribly different from what would be publicly acceptable. . . . Finally, the abused child within the private space of the family will probably be pressurized not to reveal the abuse, or retract previous accusations of abuse.[80]

None of this is to say that parents lack a right to privacy; they certainly have one, especially if privacy is necessary to procure some important goods that children need for their proper development. However, the type of intervention that monitoring involves—an occasional visit from a qualified state representative to a family every year or so—does not seem to infringe upon that right and therefore does not seem to jeopardize the welfare of the children in question.

So what would a monitoring policy look like? As mentioned, whether and how states enforce such a policy is a highly complex matter that I do not pretend to settle from the armchair. Nonetheless, we can make a few very tentative suggestions for what enforcement might look like.

1. A representative from the state could visit families annually for the first few years of a child's life and gradually reduce the frequency as the child gets older.
2. If there are too many families to monitor on an annual basis, families could face audits similar to those that the Internal Revenue Service carries out on taxes. For example, families could be visited by

78 Gheaus, "Children's Vulnerability and Legitimate Authority over Children," 63.

79 For example, see Fried, "Privacy."

80 Archard, "Child Abuse," 192.

representatives through randomized lotteries based on family census data. If a family is selected for an audit, they could be given short notice to return home and make time for a representative to visit them and evaluate the child(ren).

3. Parents who homeschool their children may be required to make sure a representative of the state has some semiregular contact with their children as they get older. For example, if there is a homeschooling co-op, perhaps a teacher who is suitably trained as a mandatory reporter could act in a public role and submit evaluations on the students they see.

Of course, these are just speculative ideas, and each state should make prudential decisions about which ones to enact or reform. But the point is that monitoring takes seriously the fact that children are extremely vulnerable to their parents for most of their childhoods, and the state advocates for children's rights not merely at birth but also throughout the entirety of the time that children are under their parents' custodial authority. If empirical facts allow for a monitoring scheme to protect children without domination, states may rightfully enforce it.

4. Conclusion

In sum, I have argued that children need states to avoid slave-like relationships with their families, and this need gives the state the normative basis for stepping in and advocating for children's rights through family law. I have also argued that from this foundation, there are no good in-principle objections to child welfare schemes like parental licensing and parental monitoring. Of course, this does not mean that all states should enforce these policies. Every state must account for empirical conditions that make the enforcement of either policy more or less prudent. But given the state's relationship to the family, we should oppose these policies only for prudential reasons, not by appealing to arguments that such policies are beyond the state's authority to enforce.[81]

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