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What Do Fathers Owe Their Children?

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This paper grows out of a story. A friend of mine got his girlfriend pregnant, in the usual way. He did not want to be a father, though he was willing to help pay for her abortion and to support her emotionally through the experience of abortion (his first choice); or (his second choice), he was willing to help pay her medical expenses for the birth and support her through the experience of giving birth and then relinquishing the child for adoption. What he got, however, was his non-choice, what he did not choose at all: she had the baby, kept the baby, and he became a father, with financial and emotional responsibilities to meet for the rest of his life. Throughout the decision-making ordeal, he became increasingly frustrated that his fate, his future, depended almost entirely on her choice. He had to wait to see what she would decide to find out whether or not he would have a lifelong identity that he wished to reject. If she chose abortion, he would have no obligations to this child, for there would be no child; if she chose adoption, he would have no obligations to this child, for such

obligations would be willingly (joyfully) borne by others. But if she chose parenthood, he would have the full (though perhaps partly attenuated) obligations of a father, to provide both financial support and emotional support for the indefinite future. And so he waited: what would she choose? And now he is struggling to live with the results of her choice.

The philosophical problem this generates points to a seeming asymmetry in our intuitions about choice. Many of us want to hold the following, seemingly inconsistent views. When it comes to the area of reproduction, women have a right to choose whether or not to become mothers -- whether or not to abort, to give up their babies for adoption, or to keep their babies. The reason often given is that obligations to particular other persons follow (only) from one's voluntary choices. And while the woman may have made a voluntary choice to engage in sexual activity, she didn't make a voluntary choice to become pregnant; she didn't choose to enter into the relation of mother with a child she was creating. But in the same area of reproduction, we want to hold that men do not have a right to choose whether or not to become fathers -- whether or not to opt out of paying child support or to otherwise refuse paternal duties. While far too many do so, this is something we not only criticize morally, sometimes in the harshest possible terms, but also seek to thwart through the power of law. The reason often given here is that actions have consequences, and that we are

often faced with obligations we did not explicitly assume. He should have thought of THAT, we say to ourselves, before he unzipped his pants! But, as Keith Pavlischek writes, "It certainly would seem strange to suggest that the mother could be relieved of potential parental burdens and responsibilities in all situations but the father could not under any circumstances. To some this may even appear sexist" (182).

Why the asymmetry? Perhaps this kind of admittedly gender-sensitive response is just a legacy of past sexism in the other direction, where men forced themselves on women, pressured women to have sex with them, and then blithely walked away, leaving 100 percent of the consequences of their mutual act to be borne by the woman alone. Hers was the stigma of unwed motherhood, hers were the shattered dreams, hers was the life of poverty -- with her child forever labeled as bastard. He waltzed off scot-free, merely enhancing his delightfully wicked reputation as a rake and scoundrel. We may feel that it's only fair that this far more egregious asymmetry of the past be redressed by current practices that privilege women's choice. But it takes only a moment's reflection to feel uncomfortable with this. If our aim is chiefly retributive, surely it is the wrong men who are being punished by it -- as, for example, my friend who deeply regretted his role in an unplanned conception and was sincerely willing to bear whatever part of the burden he could bear.

In this paper, I want to explore this asymmetry further and in the process partially (but only partially) to reject it. Along the way we will need to answer questions about what we all -- fathers and mothers -- owe to our children, willingly or unwillingly conceived, and the role that choice plays in determining our deepest and most abiding obligations.

The Choice to Abort

I think it is helpful to look in turn at a series of choices to be made by the partners to an act of unplanned conception. The first is the choice, once the child is conceived, to abort or not to abort. Here it seems obvious to me that the choice to abort or to carry a child to term has to belong to the mother, and to the mother alone.

I do not wish in this paper to attempt to put forward an unassailable argument for pro-choice abortion policy more generally, though what I have to say below about the role of choice in child-bearing and child-rearing may well have implications for abortion policy. I want to say only that if we permit choice, it is the choice of the mother, not of the father, that is central.

Three points here:

First, unlike the choices we will consider below, the choice to abort or not to abort an early-term fetus is, in my

view, the choice of whether or not to bring a person into existence. It is not the choice of whether or not to provide support to an existing person. It is certainly helpful, for the sake of argument, to see what follows if we assume that the fetus is indeed a person at this stage of development, as Judith Jarvis Thomson so famously has done. But it is important never to forget that the fetus is not a person. What is at issue is precisely whether or not there is to be a person, a child to whom the parents will have obligations.

Second, just about all the burden of either carrying a child to term or of having an abortion falls upon the mother. The father may (help?) pay for the costs of the abortion or the costs of the birth, but whatever financial contribution he makes is dwarfed into near-insignificance by the physical contribution she makes. There is no comparison whatsoever between going through pregnancy or having an operation and merely paying (some portion of) the bill for the same.

Third, focusing now on pregnancy, the contribution the mother makes is unique, so that it is difficult to compare any other burden to it, even the burden of providing financial and emotional support for a child from birth to adulthood. Pavlischek claims "one would hardly be thought irrational to think that forced appropriation of the father's time and labor over almost two decades counts for less than the physical burdens of pregnancy for a mere nine months" (190). Francis

Beckwith, pressing a similar point, describes the burdens of pregnancy as involving "some bouts with morning sickness, water retention, and other minor ailments" (144). To this David Boonin has replied convincingly that the burden borne by the pregnant woman is "fundamentally different" from that borne by the man: "The woman is required to suffer a distinctly intimate and physical burden while the man is required only to hand over some money." (Boonin-Vail 1998, p. 170). Boonin asks whether we would ever accept an obligation on the part of the father to have artificially induced in him "a pseudo-zygote which would develop into a pseudo-embryo and then a pseudo-fetus" and then to give "birth" to it "in a manner that parallels the nature of childbirth as closely as is anatomically possible. He concludes, "It goes without saying that no court would order him to undergo such a procedure" (Boonin 1999, p. 451).

I want to add that it is not so much that the burden of unwanted pregnancy is quantitatively greater, which it is, but that it is qualitatively different. Compare the case of rape. Suppose that a rape is relatively brief -- over in a "mere" ten minutes or so. Suppose also that it is relatively non-brutal, leaving no significant physical damage, and causing no pregnancy or sexually transmitted disease. Are we to dismiss the seriousness of the crime committed against the woman because of its brief duration and negligible physical consequences? What makes rape so terrible, among other terrible things, is that an

act that should be the most intimate, based in love, consented to joyfully by both partners, is turned into a savage violation.

I want to say something similar about unwanted pregnancy. Although here there is no analogy to the crime, brutality, and violence of rape, we have the same result that an event in a human life that should be the occasion of joyful, loving anticipation is instead the occasion of misery and dread. A central human experience is turned in upon itself. This is not comparable merely to paying child support for the rest of one's life. There is no single scale on which the two "inconveniences" can be measured. Just as we do not judge the harm suffered by a rape victim by comparing the experience of involuntary sex to the "inconveniences" (few as they are) of voluntary sex, so we should not judge the harm suffered by an unwillingly pregnant woman by assessing the relatively minor "inconveniences" of ordinary pregnancy. That voluntary sex and voluntary pregnancy can both be joyful experiences, with few if any unpleasant side-effects, does not mean that involuntary sex and involuntary pregnancy can be judged in those terms. The lack of voluntariness changes -- indeed, inverts -- everything.

Thus, if the woman chooses abortion, whereas the father would have chosen to have a child; if the woman chooses childbirth, whereas the father would have chosen abortion; this has to be her choice. There is no workable way that it can be his. Yes, it is unfortunate, even tragic, if he desperately

longed to have and raise the child to be aborted; yes, it is unfortunate, even tragic, if he finds himself trapped forever in the role of father (and we shall examine below the extent to which he should be thus trapped); but if the only alternative to these tragedies is for a woman to be forced to submit to an unwanted abortion or to an unwanted pregnancy, that alternative is simply unacceptable.

Should the man at least be "involved" in the woman's choice? Should he at least have some voice? And have his voice heard? Ideally, yes, certainly, though there is no way that this ideal can be made legally operational. I can't imagine any "notification" requirement being workable, or helpful. If the couple is sufficiently estranged from each other that they have severed all communication about the pregnancy, I can't imagine that their court-ordered conversations mandated by a legal notification requirement would be at all fruitful. But yes, I would hope that two people who conceive a child together would be able to talk together about its, and their, future. If the man desperately wants a child, and the woman has at most a weak desire not to have it, I would hope that she would at least consider making the choice to give birth. In fact, following Thomson, we might say that it would be indecent of her not to. But the choice here has to be hers.

The Choice to Give Up One's Child for Adoption

Suppose now that the mother decides against abortion and carries the child to term; she now faces the choice of whether to give up her child for adoption or to raise it herself. Suppose she wants to keep it, but he (like my friend, wanting to avoid paternal responsibilities) wants to give it up. Now, switching genders in the example, suppose he wants to keep it, but she wants to give it up. To whom should this choice belong?

I think the answer here is also an easy one and this time involves rejecting any explicitly gendered asymmetries. Here I answer: it is more terrible to have to surrender a child one wants to keep than to have to assume responsibilities to a child from which one would want to distance oneself. So I privilege the choice to keep the child, whether made by the mother, or made by the father.

I don't know if I can give an argument for this. Am I simply measuring costs in some crude utilitarian way -- calculating the pain of unwillingly relinquishing one's child, added to the costs of subsequently mourning its loss, compared against the costs of keeping the child with all the attendant stresses and strains of parenthood? I don't think so. Indeed, I think that if one were simply to add up utilities here, the costs of keeping the child would be greater. It is rather that one has a right to keep one's child, if one wants to keep it, and one is not demonstrably unfit. This seems to square

sufficiently, I think, with most people's intuitions here that I don't think the view requires further defense.

This view is bolstered by our also thinking it is generally in a child's best interest to be raised by a biological parent, at least where the biological parent loves it and wants it. The hunger that many adopted children express for their biological roots and for some knowledge of and contact with their biological parents suggest that this kind of biological connection is an important good, at least in a culture in which children are standardly raised by their biological parents.

This means that if the mother wants to keep the child and the father doesn't, she gets to keep it. If the father wants to keep the child and the mother doesn't, he gets to keep it. Neither mother nor father can surrender the child to a third party if the other biological parent is willing to keep it and raise it.

This, then, leads us to the difficult questions that will occupy me for the remainder of the paper. If the mother decides to keep the child, over the objections of the father, who would have chosen adoption or abortion, or if the father decides to keep the child, over the objections of the mother, who would have chosen adoption (remember, if she chooses abortion, her choice here is final), does the other parent, the objecting parent, now owe child support? Is he or she required to assume, however unwillingly, the responsibilities of parenthood?

The Choice to Become a Parent

My first claim is that whatever our answer here will be, it should (with one possible exception to be discussed below) be the same for fathers or mothers. If the mother chooses to keep the child, or if the father chooses to keep it, the obligations of the other parent should be comparable, regardless of the gender of the parent. Only in the case of abortion can I see any justification for treating these differently. Only there is a unique burden biologically imposed upon the mother. However, I will argue that the nature of our final response will be rightly shaped by the fact that at present it is overwhelmingly mothers who choose to keep the child, and not fathers. Should this fact change, our response should perhaps change as well.

So our question now becomes: what do we owe children we do not choose to have, simply because they exist, and because our partners in their conception have chosen them as theirs?

Here is an argument that the "other parent" should have no parental obligations. After all, the argument goes, just because you choose to be a parent -- when you could have given the child up for adoption (or, said by the father, when you could have had an abortion) -- why do I have to be parent, when I would have chosen to give up the child for adoption (or paid for an abortion)? I respect your right to make these choices for your life; why can't you respect my right to make them for mine? If

you can choose to be a parent, why can't I choose not to be a parent? Indeed, how can you make not only the choice that you be a parent, but that I be a parent? What gives one person license to make such a deep, abiding, life-affecting choice for another?

I think this response, for which I confess considerable initial sympathy, is most plausible in the following kind of circumstance. Suppose either parent -- let's say, for simplicity, the mother -- simply has a strong desire to be a parent. So far, I've been focusing on unplanned pregnancy, but let's change the case: suppose one parent has a strong antecedent desire to be a parent and actually plans the pregnancy. On one scenario (Scenario 1), she plans it with the explicit permission and cooperation of the other partner (on the understanding that she alone will bear parental responsibilities); on another scenario (Scenario 2), she plans it without enlisting the explicit permission of the other partner (she simply has unprotected sex with him, on purpose, deceiving him about her non-use of contraception, and hopes for conception to follow). Why, then, should the other partner bear any subsequent responsibility for the child created?

On scenario 1, presumably both partners made some kind of (perhaps written, perhaps merely oral) agreement in which the mother waived any claim for further contributions from the other partner -- else why would he have agreed to proceed, given that he doesn't want to enter into the role of parent and assume any

parental responsibilities? On scenario 2, if there has been (at worst) actual deception of the other party, or (at best) deliberate using of him as a means to her end, why should he now bear the costs of being deceived and used, given that clearly the deception and arguably the using was a wrong to him in the first place?

My answer is that we need to proceed carefully here in sorting out the obligations of the reluctant father. We need, first, to distinguish between his obligations, if any, to the mother, to assist her in bearing the financial and emotional burden of child-rearing, and his obligations, if any, to the child he has created.

I think we can agree that in both Scenario 1 and Scenario 2, the reluctant (and wronged) parent has no obligation to the other parent, to assist her in her task of child-rearing. She has explicitly excused him from any obligation in Scenario 1; in Scenario 2, her wrongdoing in deceiving and using him causes her forfeit any claim she would have otherwise had against him. When we turn to potential obligations to the child, however, we must remember that the child has been no party to any agreement between the parents, nor has the child committed any wrongful act. So the possibility remains open that the father has obligations to the child, although he has none to the mother. My conclusion here will be that although we do have prima facie obligations to the children we create, simply from our

committing voluntary acts that predictably lead to their birth, under some circumstances these obligations can be assigned to others. I believe that the obligation of the father to the child is transferred to the mother in Scenarios 1 and 2.

Let me explain. I think it is implausible to suggest that we have no obligations at all to the children we produce as a predictable outcome of our voluntary acts unless we at some point voluntarily assume these. Where two persons voluntarily have sexual intercourse, knowing that there is always at least some chance of producing children in that way, they have obligations to those children. These obligations do not proceed from mere genetic connection to our children: thus, the rape victim has no obligation to the child she bears, nor would a man whose sperm had somehow been removed from him without his knowledge or authorization, perhaps through some illicit surgical procedure. But when people take actions -- such as engaging in voluntary sexual intercourse or, I would add, contributing genetic material to an egg or sperm bank -- they act voluntarily in a way that one can expect will lead to the creation of a child. Thus, one bears some obligation toward this child, unless this obligation is transferred to another party.

Now, many philosophers, including most notably Thomson, have claimed that to consent to sexual intercourse is not yet to consent to the creation of a child; to open one's window for fresh air is not yet to consent to the entrance of person-seeds

and their subsequent rooting in one's carpets and upholstery. But while I accept Thomson's answer regarding person-seeds, I cannot accept it regarding persons. With person-seeds, and with fetuses, there is as yet no person there to whom somebody must owe something; but once there is a person, a helpless child who exists only because of my voluntary actions, I can't accept that this child has no rights against me regarding its support and nurture. Children have a right that their parents care for them, even if the violinist doesn't have a right that I remain plugged to him and I have no right that Henry Fonda place his cooling hand upon my head. I have not created by violinist's need for my kidneys; nor has Henry Fonda created my need for his cooling touch. But in creating a child through my own voluntary actions, I create its helplessness and generate its right against me to relieve that helplessness. (Again, this does not mean that the mother is obligated to bring a fetus to term; an early-stage fetus is not a person and does not have such moral rights.)

Now, the obligations we bear toward our children can be transferred to another. One way that this is standardly done is through adoption. David Boonin has claimed that the existence of adoption as an accepted practice shows that we do not believe that parents have a duty to provide for their children's needs; Boonin claims that a father has no obligation to provide for his son's needs because "If he no longer wishes to be a parent, it is permissible for him to put his son up for adoption" (Boonin-

Vail 1998, p. 174). But the example of adoption shows only that we do not insist on parents meeting their children's needs where others are willing and indeed eager to do so. If no prospective adoptive parents appear, however, the biological parent is simply stuck with my child. Nor are we free to put our older children up for adoption, once we begin to find parenthood more burdensome and wearying than previously expected.

Another case in which parental obligations are transferred to another party is in the practice of sperm/egg donation. The donating party makes an explicit agreement with the fertility clinic and with the receiving party that his/her parental responsibilities will be met by another. We are now approaching the situation of Scenario 1, where the man is little more than a sperm donor, although the method of donation is less clinical and detached than in the typical sperm bank case; here we can say that his obligations to the child are voluntarily assumed by the mother. It is worth noting, however, that it is *prima facie* sub-optimal to have one person assuming obligations of both father and mother, for this is bound to produce some subsequent strain as one individual (the mother) attempts to carry out the obligations of two. In Scenario 2, I would say that the mother can be assigned the father's parental obligations by virtue of her deceitful manipulation of him.

This means, if you will, that the "default setting" is one of parental obligation, but these obligations, again, can be

transferred to another. What if, however, the party to whom the obligations have been transferred reneges on those obligations or proves otherwise unable to carry them out? I think we need to conclude that the obligation does not revert to the original parent. Otherwise, biological parents could find themselves years later faced with obligations to children whom they had given up for adoption at birth. No one could live stable lives if obligations kept appearing and reappearing in this unpredictable way.

Now, most conceptions do not occur as in Scenario 1 and 2. So let us look at a few more typical scenarios to determine what obligations the father in these cases bears to the mother of the child conceived and what obligations he bears to the child itself. In Scenario 3, while there is no antecedent plan to create a child through the sexual act, when conception indeed takes place, one partner, but not the other, is thrilled -- welcoming whole-heartedly the opportunity to become a parent. The other party is distinctly not thrilled. What do we say here about the obligations of the less-than-thrilled parent?

Once again, the father has obligations to his child, unless we can understand him to have transferred these to another party. But there is no reason to think he has transferred them to the mother; there has been no explicit agreement to transfer these rights, nor has there been any wrongdoing on her part. Given that she welcomes parenthood while he does not, perhaps it

might be a kindness on her part to him to relieve him of parental obligations by assuming them herself, along the lines of Scenario 1. It is less clear that this would be a kindness to the child, however, who would be now be raised with fewer resources of parental income and attention.

While the father has clear obligations to the child in Scenario 3, however, I do feel some pull to say that he has at best limited obligations to the mother. After all, she is embracing a choice that he is not embracing: why should he be bound by her enthusiasm? She is clearly making a choice to bear this child: she wants to be a parent to this child. If he makes a different choice, why should he be bound by what she chooses? I'm not sure in practice how much difference it makes to the father's actual level of contributions if he owes obligations to both mother and child or to child alone. But it might make sense to see the situation of double-obligation, where it exists, as justifying a somewhat greater burden of contribution, as well as making his obligations of support even more securely grounded.

Let us vary the case a bit more. In Scenario 4, neither partner is enthusiastic about becoming a parent, but while one is willing either to accept an abortion or to give the child up for adoption, the other is not. We can imagine a range of reasons one would give for this reluctance to give up one's child, either via abortion or via adoption. A woman might think that abortion and adoption are morally wrong, thus "non-

options." Or a woman might think that while abortion is morally permissible and should remain legally available, she is unable to abort her child. Many people hold the view that while abortion is not wrong generally, it is "wrong for me," that is, it violates my own personal standards. A woman might also think that even if abortion isn't wrong even "for her," nonetheless she would be haunted by -- perhaps irrational but nonetheless real -- regret afterward. Likewise, in the adoption case, one might think that, however much one doesn't want to be a parent, one just can't make oneself give up one's child, that, again, one would forever be haunted by regret should one do so.

While there is no necessary gendered asymmetry here -- either parent could voice this view -- I do think it more likely empirically that it would be women who would think in this way, given the bonds that tend to grow up between mother and fetus through a pregnancy and the expectations our society places upon women to accept and welcome, indeed to define themselves in terms of, the role of mother. I think it is more likely that a woman would say, "I cannot abort this child now growing within my body," or "After spending nine months with this child growing inside my body, I can't give it away."

As we move along the spectrum from Scenario 3 to some version of Scenario 4, my claim is that the other partner increasingly incurs responsibilities not only toward the child (which are present in all scenarios, though transferred in

some), but toward the mother as well. Why should this be? Why should he be held hostage to her (perhaps unfounded) moral scruples? Why should he be bound by her (perhaps irrational) sense of moral guilt?

One first answer would be that we hold that he is to the extent that we see her moral scruples and moral guilt as justified. If we think it is in fact wrong to have an abortion or to give up a child for adoption, and we see her as simply meeting what we would agree are her clear moral responsibilities, of course we want to see him meeting his moral responsibilities, and being forced to do so if necessary. That she has a legal choice does not mean that she, properly speaking, has a moral choice. But in my own view, (early term) abortion is permissible, and giving up one's child for adoption is often not only permissible but admirable, a painful and loving act done for the child's best interests. So I think it is important to be able to give an account of how her convictions can generate his responsibilities even if hold that her moral scruples about abortion and adoption are unjustified, or at the least if we accept that there is room for legitimate disagreement about where the moral truth actually lies.

A second answer, then, is that where the mother (or father) chooses to be a parent only because she (or he) feels in some way morally or personally obligated to do so, there is a different sort of burden involved, or the burden that is

involved is chosen under more difficult circumstances. Now, it is still chosen. I have argued elsewhere that we are always making our choices against the background of circumstances not of our choosing: few if any choices are made with complete and unmitigated delight in every detail (Mills 1998). Even where the single mother plans her pregnancy (Scenario 1), she may very well have wished things could be otherwise, that she could have found a man with whom she could have joyfully shared a life as partners and parents. Just because you aren't thrilled with the context within which you choose doesn't mean you didn't make a choice.

And yet -- I do think our views shift according to whether we see the partner who chooses parenthood as merely exercising a "lifestyle option" or doing what she does because she doesn't see -- feel? -- any real, viable alternative. In many cases where mothers (in particular) decide not to abort and not to give up their children for adoption, they do not see themselves, at least, as making a choice between two open options, between two genuine alternatives. They can't not do it. They see themselves, rightly or wrongly, as having no choice.

Why? One reason is surely based in biology, some kind of deep bond between parent and child that is hard-wired into parents of most species by nature. The same reason that led me, above, to say that no one should have to relinquish a child involuntarily also makes it hard, perhaps approaching in some

cases impossibility, for parents -- especially mothers? -- to relinquish a child voluntarily. It is just too hard to do. This is one argument sometimes given for abortion rights -- that despite all the talk about adoption as an option, it doesn't really feel like an option; that while one can make oneself submit to a surgical procedure to remove a tiny embryo, one cannot make oneself hand over from one's arms a real live baby, one's own real live baby.

Yet, as having myself experienced the heartbreak of infertility, dreaming of finding a little baby in a basket left on my doorstep, I wish more people could see adoption as an option. I think we are collectively in real danger of fetishizing biological ties, in a way that has detrimental effects on women who feel forced to keep their children, on infertile couples yearning for an adoptable infant, and on children themselves, who live unwanted in one family when another family, perhaps down the street, would have wanted them so desperately. A significant part of why mothers in particular feel they have no option but to keep their children is because of an elaborate complex of societal pressures and expectations that we would do better to revise.

All this said: why should the fact that I see myself as having no option but to become a parent to this child mean that you owe me any kind of support as I carry out my decision? After all, sometimes -- often? always? -- we think people are just

wrong in seeing themselves as having no options. I have a friend who sees herself as having no option but to provide round-the-clock care for her senile and emotionally ill mother; this friend has no life at all any more except in caring for a woman who doesn't recognize her and who actively expresses hostility to her at every opportunity, as shown by, for example, frequent biting and scratching, smearing of excrement on the walls, and other all-but-unbearable behaviors. This friend sees herself as only doing what is right; here she stands, she can do no other. I see her as a serious disturbed martyr in need of professional help. Her husband refuses to help with the care of his mother-in-law; some other mutual friends criticize him for this, but I do not -- why should he "enable" his wife to continue to bear a burden that she should never have taken up in the first place? In fact, I am one who thinks that almost every time we see ourselves as having no option, no choice, we are wrong. The claim "I had no choice" is almost always false, and worse than false: it purports to provide an excuse for our fleeing from taking real responsibility for the choices we are indeed making even as we persist in denying them.

And yet -- given that it is not unreasonable that women in particular, having spent nine months in pregnancy, feel a bond with their child; given that we do live in a society that has strong expectations that women keep and raise their children ... I think it may be too much to expect women to give up their

children, and, given that this is so, likewise too much to expect them to raise these children entirely alone. It's hard enough that they bear the burden of raising unplanned and in some sense unwanted children; it would simply be too hard to ask that they do this entirely alone.

I think it does make a difference here that the parent who feels unable to walk away from a pregnancy or a birth is so often the mother. To permit him to walk away, when she -- for reasons biological, for reasons societal, but somehow clearly connected to her gender -- feels unable to, seems wrong, seems to perpetuate an ages-old system of sexist oppression. Now, in cases (if such there be) where gender roles are reversed, and it is the father rather than the mother who feels the need to keep his child, I still would view the reluctant mother as having obligations not only to her child, but to the father as well. I would not be willing to accept a formal, explicit male-female asymmetry here. If, however, gender roles should sufficiently erode so that we saw roughly the same number of men as women making the choice to keep their children, and if we also saw a more equal number of parents making the choice to keep their children and making the choice to give them to others, then I would feel less insistent that the reluctant parent has an obligation to the other parent, independent of his/her inescapable obligation to his/her child. I would feel more comfortable saying to the "keeping" parent: hey, it's your

choice, you could have given up your child, but you chose not to, so you're on your own with this one. I don't feel comfortable saying that now, in our world, in the world in which the context of choice for mothers continues to be so deeply different from that for fathers.

Obligations to Our Children

I have been talking so far about obligations to one's children in fairly general terms, focusing on the question whether we have such obligations, or not, and why. Now we need, in closing, to turn to the substance of these obligations. When we have parental obligations to a child, what exactly is it that we are obligated to do? What do we owe our children?

We don't owe them whatever is needed for an optimal upbringing. That would be to weigh their interests too heavily, ours not at all. We don't owe them lots of money, or piano lessons on a Steinway baby grand, or an Ivy League education; thus we have no obligation to surrender them for adoption to families that are able to provide these "advantages". I don't think we owe them a conventional family structure, with two parents of opposite genders in traditional gendered roles; thus, the unmarried partners to our hypothetical unplanned conception have no obligation to marry. What we do owe them is a good faith effort to meet their needs -- physical, emotional, and educational. And if we fail at meeting these needs, it is

appropriate for the state to intervene to see that the needs are met by others. I also would include love among these needs. We owe our children love -- not just loving behavior, but love itself.

The parent who decides to keep the child should decide to keep it only if she thinks she can provide these things -- some reasonable meeting of the child's basic needs, and love. If you don't think you can be an adequate or loving parent, you have an obligation to transfer your parental responsibilities to somebody who can. The non-custodial parent, however, in the cases we have been considering, may well not think he can be an adequate or loving parent, and yet he, though not she, is still stuck in this role. Does he really have obligations to try to love a child he has no desire even to have in the first place? I think he does. While he can't have obligations actually to love the child, for that may be out of his control, he has an obligation to try. After all, no one ever promised us that meeting all our obligations would be easy.

Conclusions

I began with a puzzle: if women must be allowed to choose whether or not to become mothers, why shouldn't fathers be allowed to choose whether or not to become fathers? If mothers can choose to abort their fetuses, or to give their children, once born, up for adoption, why shouldn't fathers be permitted

to choose whether or not to pay child support to children who are not aborted and not given up for adoption? Surely it seems as if we should have a consistent view here: either obligations to our children are freely chosen or they are not. It can't be that they are freely chosen by mothers but forced by circumstance upon fathers.

My solution to the puzzle involves several elements.

First, I treat the case of the choice to abort as special: only here do we have the choice of whether or not a person will exist, as opposed to the choice of assuming or refusing obligations to a person who does exist. And only here do we have a necessary male-female asymmetry, for only women can either have abortions or give birth. Thus here there is no obligation to a child on the part of either parent, for no person yet exists to whom obligations can be owed. And the choice of whether or not this child will come to exist belongs to the mother alone.

Second, as for the choice to keep one's child or to give it up for adoption, I argue that the choice here should be the same for both mothers and fathers, but that the choice to keep a child is privileged over the choice to give it up. This is in part because one has an obligation to a child one creates, and the choice to decide to fulfill that obligation oneself reasonably takes precedence over the choice to transfer that obligation to another.

Third, in most but not all cases, when one parent chooses to keep the child, the other parent can be required to provide some level of child support. Parents do have obligations to individuals created as a predictable result of their voluntary actions, unless these obligations can be understood as having been transferred to others, by a clear agreement between the parties or through the wrongdoing of one of the parties. Whether or not the non-custodial parent has obligations not only to the child but to the other parent will turn on the degree to which the custodial parent has made a genuine choice to keep and raise her child, in the face of genuine options to do otherwise. My argument here rests in part on the fact that it is overwhelmingly women who choose to keep their children, under the weight of significant biological and societal pressures. If their partners were not required to help them bear the burdens of unwanted parenthood, the resultant male-female disparity in life burdens would be too great, and too oppressive, for us to accept. However, should the choice to keep a child become more of an actual choice, and exhibit fewer gendered patterns, the obligation of the reluctant parent to provide support to the custodial parent would be less stringent.

So to my friend whose story triggered this discussion, I would say: it is not that she has a choice whether or not to be a mother, while you have no choice whether or not to be a father. Although she is the only one who can make the choice to

abort, once the child is born, both of you have obligations to your child, unless you can transfer these obligations to another willing party. She did not choose to transfer her obligations, perhaps because she did not view this transfer truly as a choice. Thus, unless you can find someone who wishes to assume your parental obligations (perhaps, in later years, her new partner, for example), the obligations continue to be yours. And insofar as she makes her choice in a context of gender-asymmetrical constraint, you may owe at least some level of support to her as well as to the child you so carelessly created together.

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References

- Beckwith, Francis. 1998. "Arguments from Bodily Rights: A Critical Analysis." In The Abortion Controversy, edited by Louis P. Pojman and Francis Beckwith (Belmont, Calif.: Wadsworth), pp. 132-150.
- Boonin, David. 1999. A Defense of Abortion. Unpublished manuscript.
- Boonin-Vail, David. 1998. "A Defense of 'A Defense of Abortion.'" In The Abortion Controversy, pp. 151-75.
- Mills, Claudia. 1998. "Choice and Circumstance," Ethics, vol. 109, no. 1 (October): 154-65.
- Pavlicsek, Keith. 1998. "Abortion Logic and Paternal Responsibilities." In The Abortion Controversy, pp. 176-98.
- Thomson, Judith Jarvis. 1986. "A Defense of Abortion." In Rights, Risk, and Restitution: Essays in Moral Theory (Cambridge, Mass.: Harvard University Press, 1986), pp. 1-19.