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Book Review

One Child: Do We Have a Right to More?

Jeff Sebo

University of North Carolina at Chapel Hill

One Child: Do We Have a Right to More?

Sarah Conly, Oxford University Press, 2016, 264pp.

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Correspondence: jeffsebo@email.unc.edu



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Expressions of doubt from the President-elect notwithstanding, the climate is changing and human activity is changing it. We will likely see at least a 2-4 degree Celsius increase in global average temperatures above pre-industrial levels by 2100. We will also likely see melting ice caps, rising sea levels, flooding coastal cities, increase in the frequency and intensity of extreme weather events, and regional conflicts over land, water, energy, and more. In short, things are about to get bad.

What are we doing to cause this problem? Mostly, things that we really enjoy, including and especially having babies. At the turn of the 20th century, we had a global population of 1.5 billion. We now have a global population of more than 7 billion and, if we continue on this path, our global population will reach an estimated 10 or 11 billion by 2100.

That human activity is changing the climate is, as Al Gore observed, an inconvenient truth. That human activity *that we really enjoy* is changing the climate is, we might add, a *really* inconvenient truth. When we then consider that the climate crisis is also the ultimate collective action problem – i.e. a situation where we seem to be causing harm collectively but not individually – we might wonder what if anything we can even do with all this information.

Collective action problems call for collective action solutions. As tempting as it might be to focus on individual behavior as the problem and individual behavioral change as the solution, individual behavioral change will not be enough to solve a global, inter-generational problem like climate change. We also need structural social, political, and economic change, including public policy that motivates people to have fewer children.

Of course, public policy regarding procreation is a controversial subject. Many people think that if the state were to start regulating how many children we have, this regulation would not only violate our right to have children but also lead to a variety of other harms, ranging from forced abortion and sterilization (as means) to sex selection and cultural destruction (as consequences). If we want to pave the way for an adequate solution to climate change, then, we need to start by asking if this common critique of public policy regarding procreation is correct.

This is the important, and neglected, task that Sarah Conly takes on in her wonderful book *One Child: Do We Have a Right to More?* Conly argues that we do not have a right to more than one child, and therefore a one-child policy is morally permissible all else equal. Conly then argues that while some ways of implementing a one-child policy, such as forced abortion and sterilization, might be morally impermissible, other ways

of implementing a one-child policy, such as improved education and healthcare and financial incentives, are not. And while a one-child policy might carry many risks if we pursue it in the context of our current social, political, and economic system, it carries fewer risks if we pursue it together with other social, political, and economic changes.

Conly begins, in chapter 1, with a general introduction to this issue and a helpful summary of the main themes, arguments, and conclusions in her book. She then, in chapters 2 and 3, presents and evaluates two rights that many people think imply a right to have more than one child: a right to a family and a right to bodily control. With respect to a right to family, many people think that each person has a right to a decent life, that having children is essential to living a decent life (at least for many of us), and, therefore, that each person has a right to have children. And with respect to a right to bodily control, many people think that each person has a right to bodily control, that a right to bodily control implies a right to have children, and, therefore, that each person has a right to have children.

Conly grants that we plausibly do have a right to family and a right to bodily control. However, she argues that these rights do not, in fact, imply a right to have more than one child. With respect to our right to family, Conly argues that having more than one child is not essential to living a decent life, and therefore a one-child policy does not violate our right to a decent life. And with respect to our right to bodily control, Conly argues that this right does not extend to cases where our behavior foreseeably and avoidably harms others, and therefore a one-child policy does not violate our right to bodily control either (assuming, of course, that having more than one child foreseeably and avoidably harms others, about which more below). What about the right to have any children at all? Conly is open to the possibility that we do have this right, but she does not argue for or against that conclusion here. Instead, she mostly brackets that issue so that she can focus on arguing that we do not have a right to more than that. While I might have liked to hear more about this issue, I think that this is a smart, strategic choice for Conly to be making given her aims in this book.

Conly then, in chapters 4 and 6 (a note about chapter 5 below) considers how a one-child policy might work in practice, by considering the means that it might employ and the consequences that it might have. First, with respect to the means that it might employ, Conly grants that forced abortion, sterilization, and other such extreme measures are morally impermissible, and therefore any policy that requires them as means is morally impermissible as well. She then argues that, fortunately, we do not need to resort to such extreme measures in order to implement a one-child policy. Instead, we can use other, much more moderate measures, such as better public education, better

public healthcare, and financial incentives ranging from taxes (e.g. progressive tax rates that favor small families) to sanctions (e.g. progressive fines for having more than one child). Of course, most of these proposals would be morally permissible whether or not we had a right to have more than one child, and we could implement most of these proposals whether or not we framed them in terms of a one-child policy. Probably the only exception is financial sanctions, which might appear to violate a right to have more than one child and which we might need to frame in terms of a one-child policy if we were to implement them. This raises several questions. Will these measures really be enough? If not, what should we do then? And if so, do the benefits of including financial sanctions in our measures and framing them in terms of a one-child policy really outweigh the risks of doing so?

With respect to the consequences of a one-child policy, Conly considers a wide range of possible impacts, including: Would a one-child policy cause economic decline? Sex selection? Cultural destruction? Would it harm children by depriving them of siblings? In each case Conly provides compelling replies, many of which take the following form: Sure, we might face these risks if we pursue a one-child policy in the context of our current social, political, and economic system, but we can mitigate them if we pursue such a policy together with other social, political, and economic changes. For example we will face less risk of economic decline if we pursue a one-child policy together with social security reform; less risk of sex selection if we pursue it together with policies that benefit women; less risk of cultural destruction if we pursue it together with cultural migration; and less risk of harming children by depriving them of siblings as one-child families become the norm. And insofar as we can mitigate the risks of a one-child policy in these ways, we can expect that the benefits will outweigh the risks. I agree with all of these points. However, I also wonder how likely we are to make these other changes and what we should do about a one-child policy if, as I suspect, we are not fully able to make them. (I was also hoping to see more discussion of how a one-child policy might impact low-income people and other marginalized people in practice, though I can imagine how Conly would reply to that concern based on her replies here.)

In chapters 5 and 7, Conly addresses a variety of related issues, ranging from duties to future generations to the moral status of animals and the environment. These discussions are interesting, and, as Conly notes, the discussion about the moral status of animals and the environment does bear on when we should implement a one-child policy, if we should at all. (However, it does not bear on this question as much as Conly suggests, since, if we should implement a one-child policy at all, then presumably we should implement it as soon as possible in light of the impacts that climate change will

have on humans alone.) With that said, these discussions are not as original or persuasive as the material in chapters 2, 3, 4, and 6, and they are also not as essential for the main thesis in this book. For that reason, while I appreciate that Conly wants to discuss a wide range of issues in this book, I think that it might have been better for her to simply stipulate (and perhaps briefly motivate) the idea that we have duties to future generations of human and/or nonhuman animals in chapter 1, as she does with the idea that overpopulation and climate change will harm future generations of human and/or nonhuman animals, so that she could then devote the rest of the book to examining whether or not, *if* these claims are true, *then* we do not have a right to have more than one child. I think this point is especially important because there are a few issues that, in my view, could benefit from expanded coverage here.

For example (there are other examples too, but this is the one that I will focus on), I think that it would help for Conly to say more about climate change as a collective action problem. Do our individual procreative choices make a difference regarding climate change? And do they need to make a difference in order for (a) the state to be morally permitted to limit how many children we have and/or (b) us to be morally required to limit how many children we have? Conly seems to think that these conclusions hold whether or not our individual procreative choices make a difference, but she does not say much in support of that conclusion in this book. Here is what she does say: Suppose that each of 10 people gives grandma 1/9 of a lethal dose of poison so that they can kill her and split the inheritance. In this case each person can truly say that they did not make a difference, since grandma would have died whether or not they administered their dose. Yet “the law will say that [they] all committed murder” (p. 97). And if the law can treat us as responsible for a death whether or not we make a difference in that death, then the law can also treat us as responsible for climate change whether or not we make a difference in climate change (p. 98).

This argument does open the door to the idea that the state can be morally permitted to limit how many children we have, and that we can be morally required to do the same, whether or not our individual procreative choices make a difference. But if Conly wants to do more than open the door to these ideas, I think that she needs to say more than she does in this brief passage. Consider first the idea that the state can be morally permitted to limit how many children we have whether or not our individual procreative choices make a difference. This conclusion depends on an *aggregate harm principle* according to which the state can permissibly interfere with individual liberty in order to prevent aggregate harm (as opposed to, say, an *individual harm principle* according to which the state can permissibly interfere with individual liberty only in order to prevent individual harm). Yet while I agree that an aggregate harm principle is plausible,

I do not think that Conly fully establishes that kind of principle here. Not only are almost all the examples that she offers in support of a harm principle cases of individual harm (such as yelling “fire” in a crowded theater (p. 88, 98)), but the one exception to this rule (10 people killing grandma to split the inheritance) is clearly relevantly different from the kind of global, intergenerational collective action problem that characterizes climate change in a variety of ways. So, if the moral permissibility of a one-child policy does in fact depend on an aggregate harm principle expansive enough to cover harms such as climate change, I think it would help for Conly to center this issue more than she does here.

Similarly, consider the idea that we can be morally required to limit how many children we have whether or not our individual procreative choices make a difference. Conly indicates at several points that she takes herself to be establishing this conclusion as well (at one point she even goes so far as to say that “the point of this book is really to remind us of our personal responsibility” (p. 228)). Yet while I agree that we should limit how many children we have for many reasons (for example our procreative choices *might* be contributing to climate change, and they also take time, energy, and money away from other things that we might be doing), I do not think that Conly persuasively shows that we should limit how many children we have in light of climate change, whether or not our individual procreative choices make a difference regarding climate change, here. Granted, she does claim that “[w]e have to see ourselves as part of a global pattern” (p. 229) and that having multiple children is “selfish” (p. 228) and “unfair” (p. 56) in a world where not everyone can do so sustainably. But why should we accept these claims? Also, how are these claims related to our personal responsibility for procreation? Is Conly assuming a theory of right action such as Kantianism or rule consequentialism (according to which morality is a matter of asking “What if everyone did that?”) rather than a theory of right action such as act consequentialism (according to which morality is a matter of asking “What if I do that?”), and, if so, why should we agree with her about that? Either way, insofar as Conly wants to establish a conclusion about personal responsibility here (a task which, I should emphasize, is not essential to her thesis about the permissibility of a one-child policy), I think that it would help for her to say more about these issues.

With that said, my overall view is that this book is an important and powerful piece of moral and political philosophy. Conly develops and defends a compelling view about the limits of individual rights and the permissibility of state intervention; her discussion is filled with interesting and insightful observations; and her writing is clear, concise, and entertaining throughout. This last point is worth emphasizing: Part of what makes this book such a remarkable achievement is the careful balance that Conly

strikes between scholarly and popular writing. At one and the same time she manages to push the literature forward while keeping everyone, expert and layperson alike, following along. Especially for a topic that deserves much more public attention than it receives, this is a both a wonderful service and a model for other philosophers to follow. I am grateful to Conly for writing this book, and I hope that everyone interested in procreation ethics, population ethics, duties to future generations, and more will read it, engage in it, and work to extend the core arguments that Conly develops in it. (For example, I would personally love to see someone use these arguments to show that we do not have a right to eat animals given the animal welfare, public health, and environmental impacts of animal agriculture.) Especially since the most pressing moral issues that we will face moving forward are global and collective rather than local and individual, this kind of issue will only become more important, and this kind of reasoning will only become more powerful. I look forward to seeing how it develops.