



MONASH University

Personal Autonomy and The Child's Right to an Open Future

Mitchell Alexander

Bachelor of Arts (Honours)

A thesis submitted for the degree of Master at
Monash University in 2021
School of Philosophical, Historical, and International Studies

Copyright notice

© Mitchell Alexander 2021.

Abstract

This thesis applies John Christman's historical theory of personal autonomy to debates surrounding the obligations entailed from the child's right to an open future. The child's right to an open future is intrinsically linked to a child's developing and future autonomy, however, debates about the obligations entailed from the right regularly use underdeveloped or too general an account of autonomy to support their claims. This thesis is an attempt to apply a theoretically robust account of personal autonomy to these debates, in an effort to both move them forward, and demonstrate how theories of autonomy may be utilised in the future.

To do this, I start in Chapter 1 with a description of autonomy, and then outline the problems theories of autonomy need to surmount to be minimally viable. I then detail Christman's historical account of autonomy, and argue that it overcomes the problems and is thus fit for purpose in this project. In Chapter 2, I outline what is meant by the child's right to an open future, what it reasonably seems to entail and oblige, and explain why it is intrinsically related to discussions of autonomy. I specifically detail the ways in which Christman's criteria for autonomy map onto and deepen what is required from the child's right to an open future.

The next two chapters apply Christman's account of autonomy to two different case studies, to demonstrate how personal theories of autonomy can help move debates of this nature forward. Chapter 3 details Matthew Clayton's claim that parents can't 'comprehensively enrol' their children, on account of the fact that it undermines their autonomy, and by extension, their right to an open future. I apply Christman's historical theory of autonomy, and in particular his theories of alienation and sustained critical reflection, to demonstrate that while Clayton is incorrect in his conception of what is required of autonomy, he is ultimately right that comprehensive enrolment undermines it, so long as we use Christman's account.

In Chapter 4, I use Christman's theory of autonomy to reframe the debate surrounding parents selecting for deafness in their unborn children. After detailing arguments made for and against the notion by reference to a child's future opportunities, I argue that ultimately, they are focusing on the wrong aspect of a deaf child's future. Instead of their opportunities, Christman's theory of alienation gives us reason to believe that selecting for deafness may undermine a child's future autonomy; deaf people cannot fully share their experiences and opportunities with others, given societies current limitations in accommodation. However, by applying Christman's theory, we can also detail how potentially easy it would be for parents and their broader society to reasonably accommodate deaf people, so their autonomy isn't unnecessarily undermined.

By the end of this thesis, the usefulness of applying Christman's historical theory of autonomy to debates concerning the child's right to an open future will have been demonstrated. Moreover, it will have demonstrated the viability of attempting to apply any suitable theory of personal autonomy to future discussions.

Declaration

This thesis is an original work of my research and contains no material which has been accepted for the award of any other degree or diploma at any university or equivalent institution and that, to the best of my knowledge and belief, this thesis contains no material previously published or written by another person, except where due reference is made in the text of the thesis.

Signature:

Print Name: Mitchell Alexander

Date: 11/06/2021

Acknowledgements

I would like to thank my supervisor Dr. Linda Barclay, as well as Dr. Suzy Killmister and Dr. Robert Simpson for the support, both academic and personal, that they extended to me throughout, and the emotional support I wasn't owed but got anyway from Khrys.

Introduction

The aim of this thesis is to highlight the benefits of more rigorously incorporating theories of personal autonomy into arguments about the child's right to an open future.

Speaking broadly, most people believe one must be autonomous with respect to an action in order to be held responsible and blameworthy for it. Most people also believe that one of the reasons children shouldn't be held at least totally responsible for their actions is because they aren't fully autonomous agents. It would be hard to deny that children develop autonomy over time.

Many theories that focus on the rights of children as they relate to their later capacities for autonomy present a necessarily constrained or theoretically simplified account of autonomy: arguably, it is not within the scope of these papers (usually) to articulate a full theory of autonomy, as it is not usually possible to give a detailed defence of any one theory among all the competing options. Most arguments concerning the rights of the child are more focussed on what parents are obliged to do or not do in relation to the development of the child's emerging capacity for autonomy, rather than on any lengthy detail of how we should understand what autonomy is.

Meanwhile, within the voluminous philosophical literature on personal autonomy, very little is said about agents, like children, who don't possess full autonomy. Typically, examples in this literature are of adult agents who are capable of being fully autonomous, but whose autonomy is currently suppressed or frustrated for one reason or another. For instance, theorists regularly use the example of an agent rendered non-autonomous by a hypnotist, but who held

autonomy before that moment and who should hold it again at some point in the future. Indeed, theories of personal autonomy are usually just theories of how we can determine whether or not an agent is currently autonomous given the particular synchronous circumstances they find themselves in. There are not many examples of agents who are somewhat or mostly non-autonomous due to the fact that they are children.

In this thesis I will attempt to bridge the literature between the moral debates over the child's right to an open future and theories of personal autonomy. As explained later, I take the child's right to an open future to be intrinsically linked to the child's potential autonomy. I also take it as given that children's autonomy develops over time, and that the state of childhood is one in which an agent's autonomy is developing. Therefore, I believe that when talking about children's developing autonomy, it will be useful to have a clear idea of what exactly is meant by the term autonomy, so we know what the end of that development should look like. Referring to a precise theory of personal autonomy should help us determine what processes and capacities would be beneficial for a child to have as they move into adulthood, which types of activities would help children develop and reinforce these capacities, and which activities children should be helped to avoid. Further to this, if we believe that autonomy and its preservation entails certain rights, responsibilities, and obligations, detailing that conception of autonomy will help us make certain claims about what is acceptable and expected behaviour from both children and the people who raise them.

The first chapter presents a justification for using John Christman's historical theory of autonomy as developed in his book *The Politics of Persons* (2009). To do this, I detail what I take the term autonomy to mean, and describe briefly the contemporary philosophical understanding of the term. I then outline Frankfurt's initial hierarchical theory of autonomy, partly because it was instrumental in laying the groundwork for most debates about autonomy, but

also because it highlighted some challenging issues which every theory of personal autonomy needs to be able to address. After detailing these challenges I describe Christman's theory in detail, and then demonstrate how it overcomes the outlined problems in a satisfactory manner. It is important to emphasise that this thesis does not aim to offer a detailed defence of Christman's theory of autonomy, and certainly not a detailed defence of its superiority over the many other theories of personal autonomy. In this regard, this thesis is not a defence of a theory of personal autonomy at all. Rather, this thesis is an application of Christman's theory of personal autonomy to debates about the child's right to an open future, in which I aim to show that it can offer plausible solutions to those ongoing debates.

Having established that Christman's historical theory of autonomy is theoretically sound, Chapter 2 justifies my claim that it will be useful to apply this account to the debates about the child's right to an open future. This chapter starts with an outline of Joel Feinberg's initial conception of the child's right to an open future, and details how the right can be understood as a right for children to become autonomous adults. It then explores the debates that have subsequently ensued about its plausibility as a moral right, with close reference to papers written by Claudia Mills and Mianna Lotz. After staking a claim that the child's right to an open future is itself theoretically sound and worth defending, I demonstrate how well Christman's theory of autonomy maps onto and enriches Lotz's proposal for the positive and negative obligations entailed by the right to an open future. In particular, I draw attention to Lotz's tentative proposal that the right to an open future positively obliges parents to foster and develop what she calls agent-internal and agent-external conditions for autonomy. Christman's criteria for autonomy further fleshes out these conditions with more detail. In essence, I argue that the child's right to an open future positively and negatively obliges parents to ensure their children will meet Christman's criteria for the possession of personal autonomy when they become adults.

Chapters 3 and 4 apply Christman's theory of autonomy to specific debates regarding parental obligations imposed by the child's right to an open future, and examines them with reference to Lotz's agent-internal and agent-external framing, respectively.

Chapter 3 focuses on agent-internal conditions via critical discussion of Matthew Clayton's claim that parents undermine a child's right to an open future if they comprehensively enrol their child into a conception of the good. After describing what I take comprehensive enrolment to be, I detail Clayton's argument that comprehensive enrolment violates the right because it undermines a child's Achievement and Independence autonomy. I accept with revision Clayton's description of autonomy as Achievement but reject his conception of autonomy as Independence, and with reference to persuasive counter-arguments put forward by Andrée-Anne Cormier, I demonstrate why Christman's account of autonomy provides us with a satisfying reason to believe that some types of comprehensive enrolment do undermine autonomy, without having to go as far as Clayton does in developing a conception of Independence autonomy.

Chapter 4 then focuses on agent-external conditions, by way of examining the debate about whether or not parents can select for deafness in their unborn child. Before applying Christman's historical account, I outline Dena Davis' initial arguments on the matter, which claimed that the debate shouldn't rely on arguments about welfare, but should rather concern the child's right to an open future as it regards the quantity and quality of their future choices and entire option sets. I also detail Eric Schmidt's novel approach to conceiving of option sets, and outline S. Andrew Schroeder's compelling counter-arguments. After this, however, I argue - with specific reference to Christman's theory of alienation - that the current debate should be reconceived. It should not be cast as a debate about how many valuable choices a deaf person

may or may not be able to make. Rather, it should be about whether or not deaf people, in making those valuable choices, are not also unavoidably experiencing alienation on account of their deafness and how it shapes their experience of making such choices. I argue that as it stands, it's possible that deaf people will experience alienation even when they are capable of making choices they and others find valuable, because they may not be able to experience their choices in a fully satisfying way interpersonally. That said, however, I also argue that by applying Christman's theory of autonomy to the obligations entailed by the child's right to an open future, we have reason to believe that deafness won't always necessarily be a source of alienation. Further to this, I also argue that by applying Christman's criteria for autonomy, we have clarity on what individuals and their broader society need to avoid in order to ensure that deafness (and by extension, other similar disabilities) cease to be impermissible to select for; namely, we must ensure that deaf people either do not feel alienation in regards to their deafness, or that they can reject the fundamental element causing such alienation if they so choose to.

By the end of this thesis I hope to have demonstrated the theoretical usefulness of applying Christman's historical account of personal autonomy to debates about the child's right to an open future. In particular, I hope to have demonstrated that the application of a robust theory of personal autonomy helps push current debates forward, by either clarifying what should be considered important in the debates, or by providing strong new arguments in favour of securing the right in certain circumstances.

Chapter 1 - Deciding on a workable theory of autonomy

In this chapter I will briefly outline well-known approaches to understanding personal autonomy and the challenges such theories face. I will then describe John Christman's historical account of personal autonomy (Christman 2009) which is the theory I will use throughout the rest of this thesis to further develop debates about the child's right to an open future and its implications. In this chapter I will demonstrate how Christman's theory manages to overcome significant problems that face all theories of personal autonomy, making it at least a minimally appropriate theory of autonomy to apply to the debates surrounding the child's right to an open future.

The Meaning of Autonomy

At the broadest level of description, autonomy is understood as the ability to effectively self-govern. To self-govern is to be able to make one's own decisions, to decide what one wants and values. Under this conception, one is autonomous if one's desires and values are in some sense one's own, and those desires and values govern one's actions.

As Harry Frankfurt argues, personal autonomy is different to the broader concept of freedom (Frankfurt 1971, p.14-15). Frankfurt distinguished freedom of movement from freedom of the will, by showing that "to deprive someone of his freedom of action [ie, movement] is not necessarily to undermine the freedom of his will." (Frankfurt 1971, p.14) This means that an agent can still be considered autonomous while not being considered free, in the sense that they can be physically stopped from doing what it is that they autonomously desire to do: a man with every limb tied to a table does not necessarily have his will controlled as well. He could autonomously desire to do many different things, regardless of the fact that he is unable to

physically do them. And conversely, of course, a person can be free to do any number of things but not be autonomous with respect to the desires or values from which they spring. Autonomy is therefore concerned with an agent's will: when we ask if they are autonomous we are asking whether they are freely willing, or if their wants, desires and values are in some sense not really their own. We are asking; is the agent self-governing, or is someone or thing governing for them?

Frankfurt And Ahistorical Theories of Autonomy

Frankfurt laid much of the foundation for contemporary discussions of personal autonomy in his 1971 paper *Freedom of the Will and the Concept of a Person*, where he established what has become known, among other terms, as a structuralist theory of autonomy (Christman 1991, p.9). It's important to detail Frankfurt's initial theory as it helps us understand the challenges that face every theory of personal autonomy.

Integral to Frankfurt's discussions of autonomy are the different desires an agent can hold towards an action; their lower, first-order desires ("I want to X"), and their higher, second-order desires towards their lower order desires ("I want to want to X") (Frankfurt 1971, p.8).

A first order desire, that A wants to X, isn't necessarily indicative of what an agent will do, nor is it indicative of what an agent really or mostly wants to do. To say an agent holds a desire to X is just to say that "to X" is among the many things that A might like to do. It says nothing about whether they were maliciously tricked into wanting to X, whether they're aware that they want to X, or whether they have a competing desire to Y which would override their desire to X (Frankfurt 1971, pps. 7-10). For instance, one might desire to eat meat, but one might desire to live life as a vegan even more. Whichever desire actually causes an agent to act

is known as an effective desire (Frankfurt 1971, p.8). While an agent could hold myriad desires at any given moment, the one that spurs action towards fulfilling it is the effective one.

Effective desires are not necessarily autonomous ones. An agent may want to X because of a debilitating addiction that they would also rather not have. To say “A wants to X” in this instance is to say that A’s addiction causes him to want to X. If the desire to X is effective, then A would not be X-ing autonomously; the desire they sought to satisfy is not in some sense their own.

How do we differentiate when an agent is acting autonomously from when they are not? Frankfurt proposes that an agent is autonomous in regards to an effective desire if the agent “volitionally endorses” that first-order desire with a second-order desire (Frankfurt 1971, p.10). A second-order desire is a “desire about a desire;” if A desires to X, A can also desire to desire to X (Frankfurt 1971, pps.8-9). However, as Frankfurt points out, an agent may have a number of second-order desires towards first-order desires, (Frankfurt 1971, p.10). To establish whether an agent is autonomous we need to identify a specific type of second-order desire - a second-order volition. This is a specific type of second-order desire that a first-order desire be an effective one, that it be the desire that determines what the agent does (Frankfurt 1971, p.10).

An agent’s will is identified with a second-order volition towards a first-order desire; A wills for her desire to X to move her. If that is the case, then if her desire to X does move her, then she has been moved in a way that she willed, and as such, is autonomous (Frankfurt 1971, p.10).

This point can be made clearer when we consider the inverse situation, where B is not autonomous. B wants to X, and B volitionally endorses her desire to X. However, due to

addiction, B also wants to Y, but she doesn't volitionally endorse her desire to Y (we could even propose X is incompatible with Y). If her desire to Y is effective (ie, causes her to act) then she is acting on a desire she hasn't volitionally endorsed. This means she is acting on a desire she hasn't willed, and as such, isn't autonomous.

The above is, in essence, Frankfurt's view on autonomy - an agent is autonomous in regards to a specific action if they volitionally endorse the desire to perform that act. This approach has come to be known by a variety of terms, such as structural, or hierarchical, or most importantly for our purposes, ahistorical (Taylor 2005, p.5). These terms describe a theory which posits autonomy as being found in investigating the layers of an agent's desires at any given time-slice. They are called "structural" or "hierarchical" because "higher" elements of an agent's desire set bestow autonomy to desires "beneath" them; as shown above, second-order volitions are the higher element which determine whether lower order desires are autonomous. These theories can also be called "ahistorical" accounts of autonomy because they don't consider the history of the desires prior to the moment being investigated. For example, in Frankfurt's theory, the relevant question is not how or why an agent came to hold their first-order desires, nor their second-order volitions. All that's relevant to autonomy under this model is that there is a second-order volition in relation to an effective first-order desire. The ahistorical nature of such theories raises significant questions.

Two Problems Facing Theories of Autonomy

In this section I will discuss some well-known problems facing Frankfurt's view of autonomy, and by extension, most other theories of autonomy as well. Where possible, I will attempt to show how these problems generalise to other accounts of autonomy, but I will use Frankfurt's theory as the main example. The two main problems are the Infinite Regress Problem, and the Problem of Authority, also known as the Ab Initio problem (Taylor 2005, p.9).

The Infinite Regress Problem

The first problem facing theories of autonomy is the Infinite Regress Problem (Christman 1987, p.284). If an agent is autonomous in regards to an effective first-order desire because it was volitionally endorsed by a second-order desire, we can ask how it is that an agent is autonomous in regards to that second-order desire. After all, it's just another desire, and as we know, desires are considered autonomous just when they're volitionally endorsed by one at a higher level (Noggle 2005, pps.89-90). If second-order desires are autonomous because they are in turn endorsed by a higher, third-order volition, then we can ask the same question of that third-order desire; is the agent autonomous because that third-order desire is volitionally endorsed by a fourth-order desire? And so on. A question then needs to be asked; is there some plausible way of specifying when a specific level of the will no longer needs further hierarchical endorsement? Thus, any theory of autonomy which proposes a hierarchical or structural account of the will presumably must describe the "endpoint" of the theory, the point where we can say autonomy is secured or arises.

In Frankfurt's case, the endpoint is when the second-order volition is decisively committed to "without reservation" (Frankfurt 1988, pps.167-169). Such commitment, according to Frankfurt, occurs when an agent believes that "no further accurate inquiry would require him to change his mind," (Frankfurt 1988, p.169) and as such, having a higher-order desire would serve no purpose. The agent doesn't require any higher-order desires because they believe that any "higher" desires would all come to support the same second-order volition being the one that the agent endorses. Frankfurt describes this type of decisive commitment as "endlessly resounding;" the agent believes the commitment will stand regardless of how many further, higher-order, desires he reflects upon (Frankfurt 1988, p.167-168).

Frankfurt says this type of endless resounding of a decisive commitment is analogous to an agent checking his solution to an arithmetic problem with ever more calculations (Frankfurt 1988, pps.167-168). In order to check that his first calculation is correct, he may either perform the same calculation again, or perform a different one that he has reason to believe will produce the same result. However, the possibility remains that both of these calculations are incorrect, and so the agent may continue to perform calculations indefinitely (Frankfurt 1988, p.167). The potentially endless sequence of calculations can come to an end, however, when the agent “decides for some reason to adopt a certain result.” (Frankfurt 1988, p.168). Whether the agent believes whole-heartedly that they are correct or that no further inquiry will provide a useful result, deciding to end the sequence of calculations for what seems to be a good reason is a type of decisive commitment that precludes the need for further calculations. As with calculations and checking their accuracy, so it is with first-order desires and reflecting on them to produce second-order volitions, argues Frankfurt (1988, pps.168-169). When a second-order volition is decisively committed to, it endlessly resounds through higher-level desires and any reflection on them; the agent believes that the results of any further reflection on any higher-level desires will merely support his already held second-order volition.

However, it can be argued that Frankfurt’s proposal here still appeals to a rather arbitrary criterion for resolving the threat of infinite regress. To choose to “decisively commit” to a second-order volition is an autonomous act itself in need of explanation! The question is left open as to whether or not this commitment itself requires a second-order volition. Either that, or the commitment is a non-autonomous act that in some way undescribed nevertheless confers agential authority (explored in detail below). The more general point being made here, however, is that any structural or ahistorical account of autonomy which argues that autonomy consists of a certain structure of the will needs to explain why that particular structural arrangement of the agent’s will gives rise to autonomy. Ahistorical accounts can find this difficult to do, because it is

always possible to suppose that there are clearly autonomy-undermining factors that have affected any particular structural arrangement. For instance, in Frankfurt's case, what reason do we have to suppose that the agent's second-order desires are any more truly their own than their first-order desires? Perhaps a young woman desires to pursue an education, but also desires to be a subservient housewife. Upon further reflection, she resoundingly endorses her desire to be a housewife, which is just what we predicted given her upbringing in a closed, patriarchal, religious sect. Clearly in cases like these, one can ask questions about whether her reflection and higher volition endorsement really do indicate her will as her own, which raises the related problem of authority.

The Problem of Authority

The Problem of Authority, sometimes called the Ab Initio Problem (Taylor 2005, p.6) asks how autonomy can arise from a non-autonomous process or factor; how is an agent self-governing, if their will is determined by some process or factor that is clearly not autonomous. We need a satisfying account of why we should think that any factor should confer autonomy (Noggle 2005, p.92). On whose authority do those factors confer autonomy? (Taylor 2005, p.6)

Frankfurt argues that the process of resoundingly endorsing a first-order desire with a higher-order desire just is autonomy. But questions remain. If the higher level desires themselves seem clearly not the agent's own in some sense, then why should we suppose they confer autonomy (Watson 1975, pps.218-219)? Why should we be comfortable with a non-autonomous process conferring autonomy? Theories of autonomy require an explanation of both how and why non-autonomous processes can potentially give rise to autonomy in order to be theoretically satisfying. How is it that a clearly non-autonomous process can explain self-government of the will when it intuitively fails to impart, secure or describe agency?

A number of theorists claim that there is a third, separate problem facing theories of autonomy; The Problem of Manipulation. This problem is highlighted by Frankfurt's hierarchical account - nothing in his initial theory deals with the intuition that if someone manipulates an agent into holding some effective first-order desire and its attendant second-order volition, they would be clearly non-autonomous despite fulfilling Frankfurt's criteria for autonomy. Generally speaking, some argue that accounts need to overcome the Problem of Manipulation because any theoretically satisfactory account of autonomy "should not merely list the ways in which it is intuitively plausible that a person will suffer from a lack of autonomy...but must also provide an account of why a person's autonomy would be thus undermined." (Taylor 2005, p.6) This requirement can be put a different way; given the myriad influences other agents may have over our reasoning, a theory of autonomy should be able to explain why something like getting good advice from a friend that will change our mind doesn't seem to undermine our autonomy, while having that same friend manipulate us into changing our mind (through coercion, or everyone's favourite example, nefarious hypnotism) does seem to render us non-autonomous. The inverse also holds; a theory of autonomy should at least go some way in detailing why a sneaky hypnotist that nefariously inculcates first and second-order desires in an agent is undermining their autonomy, whereas a hypnotist fulfilling the seemingly rational and reasoned desires of an agent to be hypnotised into quitting smoking doesn't seem to undermine their autonomy (at least, potentially so. The literature on these types of examples is fraught).

I would argue, however, that the possibility of manipulation clearly underpins the Problem of Authority. If we are asking "on whose authority is this agent acting" then the answer for a manipulated agent could clearly be "the authority of the manipulator." Manipulation, coercion and acts of that nature - when they lead to desires or convictions - are seemingly non-autonomous processes giving rise to action from the point of view of the agent acting, in

much the same way as automatic or random internal cognitive processes may be. To be sure, there is value in being able to differentiate between things like advice and coercion in a way that produces a salient and in-depth theory of autonomy which isn't so strict that it would force us to describe something like an illuminating chat with a trusted confidant as necessarily autonomy undermining. However, for our purposes in this thesis, the problem of manipulation collapses into the problem of authority - my main concern is pinpointing when an agent is not acting on their own authority, however that may be the case. Therefore, the problem of manipulation can be seen as a specific issue, worthy of its own investigation elsewhere, that may arise when asking the question, "on whose authority is the agent acting."

The Problem of Authority is a significant one. If we are to hold that autonomy is freedom of the will, that it is effective self-government, then it's difficult to say that autonomy is conferred by a non-autonomous process, such as deliberate manipulation. Such a process is one that an agent has no control over. If this process results in an agent acting accordingly, then they are acting on the basis of a process that they cannot claim to have control over, nor exert self-government with respect to. A non-autonomous process or element, anywhere within the causal explanation, raises the obvious question about the agent's autonomy; how could one be described as choosing what to will or how to act?

John Christman's Historical Theory of Autonomy

Clearly there is an enormous literature on different conceptions of autonomy and how effectively they can overcome threats of an infinite regress and the standard problem of authority. It is beyond the scope of this thesis to offer a comprehensive discussion of this sizeable literature. Instead, I will outline John Christman's historical account of personal autonomy and argue that it effectively avoids these standard problems. I've chosen Christman's theory because this project requires a theory of autonomy that can overcome the two problems

outlined above in order to be fit for purpose in applying to other, separate debates. After detailing Christman's theory I will demonstrate how it manages to do so, thereby demonstrating its viability for use in this project. Rather than attempting to make and defend this claim by comparing Christman's theory to the myriad other theories of autonomy, the overall aim of this thesis is to show how the historical account of autonomy can be used to clarify and progress debates connected to the child's right to an open future. This is the topic of the following chapters. For the remainder of this chapter I will provide a detailed exposition of Christman's theory of autonomy and how it overcomes the problems facing theories of autonomy.

There are three concepts central to Christman's account of autonomy. I will detail them in turn, and then describe how they all work together to provide an account of personal autonomy. The concepts integral to Christman's theory of autonomy are alienation, sustained critical reflection (or SCR), and basic cognitive competences. Finally, I will show how this theory overcomes the two problems outlined in the previous section.

The first concept, alienation, refers to an affective response felt by agents who, upon reflecting on an element both judge that element to be undesirable or constraining, and who feel a corresponding negative affect, "to feel repudiation and resistance" (Christman 2009, p.144) towards that element, and a desire to eradicate it from one's self. 'Element' refers to things such as desires, convictions, normative beliefs, embodied factors, and any and all things that help constitute our "selves" and which influence and guide our decision making, motivations and deliberation. (Christman 2009, pps.9-11) It captures all the things that are constitutive of our identity and may sometimes not be graspable with explicit or propositional terms, and may be better pointed to with "poetic or metaphorical expressions" (Christman 2009, p.24). Alienation, then, is a combination of both considered judgement and affective (or emotional) reaction. On Christman's account, someone who feels alienation towards an element of their self and is

incapable of actually rejecting the element in the way they want to, is non-autonomous in relation to it (Christman 2009, p.144).

Christman's concept of alienation is useful for a number of reasons, the foremost being its ability to help us account for the multitude of cases in which an agent should intuitively be described as autonomous, but who nonetheless, according to other, overly cognitive, theories of autonomy, might be considered non-autonomous. In particular, according to Christman, we should avoid relying exclusively on "the ability to make rational, detached, and calculative judgments about the acceptability of a trait," (Christman 2009, p.144) without accounting for the fact that autonomy also "involves deeply emotional and affective components of judgment." (Christman 2009, p.144). For instance, one may reflect on an element of themselves and feel ambivalent or only weakly negative towards it; the element may not be whole-heartedly embraced by the agent, but it may also not conjure intense feelings of resistance. The agent may even embrace some of the motivations created by the element. In this instance, theories lacking an affective element like alienation don't have a satisfying way of judging whether or not the agent is autonomous in relation to the elements which aren't explicitly "endorsed" by the agent, but which also don't seem to cause the agent too much concern (Christman 2009, p.143-145), and importantly, don't seem to undermine their autonomy. Christman believes that by including the concept of alienation, we have a way of properly detailing the complexity of an agent's inner life in a way that renders them both conceptually and intuitively autonomous.

The second important aspect of Christman's theory is sustained critical reflection (SCR), referred to above. To make sense of SCR, it will be useful to first describe the role reflection plays generally, and then describe why that reflection needs to specifically be both "sustained" and "critical."

Reflection in this theory refers to an agent turning their conscious attention to certain elements of themselves. This therefore requires that an agent possess the capacities to “self-reflect” and to not be subjected to reflection-distorting factors (both of which will be detailed more fully below). These in turn require that the agent have full and unobscured access to the parts of themselves they need to reflect upon.

Importantly, such reflection can be both hypothetical and piecemeal. No actual reflection necessarily needs to take place to make determinations of autonomy; one can be considered non-autonomous if one were to feel alienation toward an element, were one to reflect on it (Christman 2009, p.145). This hypothetical condition explains the intuition that agents do not have to actually self-reflect on every single element of themselves all the time in order to be an autonomous agent. As Christman explains, “many central aspects of our lives, bodies, and social circumstances were never chosen by us nor were they consciously accepted as desirable...” however “they form an uncontroversial and authentic structure that defines us and relative to which we can be autonomous if we are not alienated from them over time.” (Christman 2009, p.145). Moreover, the reflection should be considered piecemeal on account of the fact that we don’t require an agent to consistently undertake “wholesale self-evaluation from a disembodied standpoint” in order to be considered autonomous (Christman 2009, p.145). Autonomy, as Christman argues, is relative to certain elements, and is sometimes constitutive of elements we had no hand in choosing or constructing. Autonomy, relative to these elements, is concerned with whether or not they may induce alienation, and if so, the agent is capable of rejecting the element causing that alienation (Christman 2009, p.145).

As is implicit in what has been said so far, reflection is what induces the alienation - the “reflection would have effects,” as Christman says (Christman 2009, p.146). That is to say, the alienation that an agent feels needs to be causally related to such self-reflection, and not “the

result of happenstance or accidental correlation.” (Christman 2009, p.146). The reflection in question would produce an effect in the agent, whether that be alienation, or acceptance of the element.

There are obvious limitations to this description of reflection just given, however. For instance, someone acting impulsively or “in the moment” might reflect on an element and find it alienating, but only because of the very particular and abnormal circumstances they find themselves in. Christman uses the example of a jilted lover and musician, who’s appreciation of music was fostered by their old romantic partner. In a fit of rage, jealousy or sadness, the musician may find their appreciation for music alienating - upon reflection - and decide to reject it. Christman would say that this person isn’t necessarily acting autonomously, despite the fact they have reflected on the element in question, it has caused alienation in that moment, and they have therefore decided to reject it (Christman 2009, p.149). Resolving the issue of autonomy in a case like this requires ensuring that the reflection that takes place is actually indicative of agential authority; we need to be sure that the reflection and its outcome gives us an accurate picture of the agent’s autonomy or lack thereof. Christman does this by requiring that self-reflection also be “sustained.” Sustained critical self-reflection is reflection that “remain(s) constant over a variety of conditions,” (Christman 2009, p.156) always producing similar results. Specifically, this means that were the agent to self-reflect on a particular element at different times in their life, they would reach similar results (Christman 2009, p.153). Further to this, the similar results that arise from that reflection would indicate that the agent has the type of settled and stable character we would expect of an autonomous agent, because reflection of this type “manifests personality and dispositions, patterns of judgement, emotional tendencies and bodily comportment” (Christman 2009, p.152-153). It manifests them because consistent results of reflection indicate consistent factors influencing reflection, and an autonomous agent is one who has consistent, settled and stable factors from which they can

reflect on themselves. Agential authority is therefore secured under SCR that produces similar results, because we would expect an autonomous agent to have the type of stable and consistent character that would indicate (Christman 2009, p.153). This explains the jilted lover not being autonomous in rejecting her devotion to music, despite the fact she has reflected and has reasons to reject it. If she were to reflect on her love of music at different times (when she has come to accept her circumstances) under a variety of conditions (when she is calmer, or more focused, or sad instead of angry, for instance) then she would very likely see different results from her reflection. Of course, she may undertake SCR on the music and find it alienating under a number of different circumstances. The point here is merely that one instance of critical self-reflection can't be indicative of an agent's autonomy.

In summary, reflection can only be indicative of autonomy if it is sustained, and the same results manifest themselves across time under a number of different conditions. SCR can either indicate that an agent is autonomous, either because they don't feel alienation towards an element over repeated reflections, or they do feel alienation but then reject the offending element. Conversely, SCR can indicate an agent isn't autonomous if it would continually invoke alienation and the offending element cannot be rejected.

The third component of Christman's theory of autonomy is basic cognitive competence. In this one area Christman admittedly leaves his theory incomplete, and weak enough for others to strengthen at a later time by providing a more well-researched and robust account of the cognitive capacities necessary for autonomy (Christman 2009, pps.154-155). What he does provide however, are some minimal required components of cognitive capacity: to be autonomous according to Christman, an agent must be minimally rational, display minimal self-control, and must be able to form effective intentions to act that, all things being equal, will lead to fully realised action (Christman 2009, p.155).

Enough has been said at this point to offer Christman's complete criteria for an historical theory of personal autonomy, although further clarification of some of the elements will follow.

Christman's account of autonomy is:

"Relative to some characteristic C, where C refers to basic organizing values and commitments, autonomy obtains if:

1. The person is competent to effectively form intentions to act on the basis of C. That is, she enjoys the array of competences that are required for her to negotiate socially, bodily, affectively, and cognitively in ways necessary to form effective intentions on the basis of C;

2. The person has the general capacity to critically reflect on C and other basic motivating elements of her psychic and bodily make-up; and

3. Were the person to engage in sustained critical reflection on C over a variety of conditions in light of the historical processes (adequately described) that gave rise to C; and

4. She would not be alienated from C in the sense of feeling and judging that C cannot be sustained as part of an acceptable autobiographical narrative organized by her diachronic practical identity; and

5. The reflection being imagined is not constrained by reflection-distorting factors." (Christman 2009, p.155)

How Christman's Theory Overcomes The Two Problems

I argue that Christman's theory of autonomy can effectively deal with both the Problem of Authority and the Infinite Regress Problem.

In order to overcome the Problem of Authority, we must have a way of answering the hypothetical question of "on whose/what authority does this process or structure impart self-government?" Recall the questions raised as to how Frankfurt's second-order volitions

confer autonomy. What authority do second-order volitions hold that position them as the locus of self-government, given that they are themselves just further desires?

This is a broader issue facing all theories of autonomy: in order to present a satisfactory theory of autonomy, we must ensure that whatever reflection, process, or actions we emphasise can adequately justify the conferral of autonomy. We need to explain why the criteria offered by the theory couldn't just be explained away by forces like manipulation or coercion, or automatic or arbitrary internal cognitive processes.

Christman overcomes the Problem of Authority by appealing to sustained critical reflection. Recall that under his theory, what's necessary for reflection to count as autonomy-conferring is that it produces the same outcome overtime, under a variety of conditions. In so doing, he argues, we can connect the agent's decisions to their stable and settled character, or personality, which is what we would expect of someone minimally autonomous.

In a little more detail, the argument is as follows. When we reflect on certain elements, we do so using some set of "frames and modes of thought" (Christman 2009, p.149). These frames are constitutive of what Christman calls the "I-Self." This I-Self refers to an agent's "perspective and moral orientation" (Christman 2009, p.126) that they use to parse their experience of the external world, as well as what they use to reflect on their internal elements. It can be likened to what is commonly known as someone's "personality," understood as the characteristically individual and unique way they "organise thought, orient judgement, and react to stimuli." (Christman 2009, p.150) It is an agent's "viewpoint," from which and through which they can view and analyse the Me-Self, which is made up of elements like our values,

commitments and obligations that an agent “sees herself as having, and which can be the object of conscious reflection” (Christman 2009, p.126).

While these basic I-Self frames and orientations can be reflected on themselves, that reflection is difficult to do, as they still form a part of how judgement on them is reached; they are, as mentioned, akin to a viewpoint. Christman calls this type of reflection “embedded self-reflection” (Christman 2009, p.131). For instance, the fact that I am six feet tall means I am unable to easily reflect on certain things (like my desire to be a jockey or play basketball) without my height being an integral part of the considerations. In the same way, if I reflect on my height, I am still doing so with the embodied knowledge that I am six feet tall. Likewise, argues Christman, the basic frames and moral orientations that define how I perceive the world around me and those in it can be reflected on, despite the fact that I am “in part defined by the very value commitments under review.” (Christman 2009, p.131). Moreover, these I-Self elements influence my critical self-reflection and the outcome of such reflection in a similar way when I reflect on individual elements not constitutive of my I-Self (elements such as desires to do certain things with my day, or more short term commitments I make for myself (Christman 2009, p.150).

Christman considers this I-Self a “diachronic practical identity.” That is because the factors that constitute these identities, beyond helping us reflect or make decisions, help us make moral evaluations about the world and our position in it. They also include both memories and plans and what Christman dubs “temporally extended reflections.” To summarise, the same fundamental aspects of our “selves” that guide our self-reflection are also constitutive of the “selves” we would like to claim are self-governing. That is not to say they are our “true” selves (whatever that may be): rather, the self we would expect to see in an agent who is

self-governing is an agent living in harmony with those basic frames (their I-Self) and their core values, commitments, ideals (the elements of their Me-self). (Christman 2009, p.151)

The Problem of Authority is therefore thwarted when we require that sustained critical reflection takes place. Recall that the reflection needed to determine autonomy is reflection that could take place across time and in a variety of situations, “always yielding neither alienation nor rejection.” (Christman 2009, p.153) According to Christman, these results reveal to us the “kind of settled character that autonomous agency manifests.” (Christman 2009, p.153) Because we would consider an autonomous agent to be one guided over time by their settled and stable frames and emotional tendencies, then sustained critical reflection that doesn’t induce alienation across a variety of circumstances is an indication that the person is autonomous. Likewise, a person for whom SCR provides arbitrary or random results isn’t one living in accordance with their diachronic practical identity (or they are perhaps living without one) and as such would very likely be considered non-autonomous.

It might seem as though the Problem of Manipulation still threatens Christman’s theory. What if the agent was manipulated long ago, perhaps as a child before their autonomy was fully developed? As indicated above in his third criteria, Christman argues that true critical self-reflection requires that one be able to reflect on an element “in light of the history of its development.” (Christman 2009, p.154). This isn’t to say that we would need a perfect account of how every causally relevant factor played into the relevant element’s development. Rather, self-reflection on an element requires that the agent’s knowledge of that element’s development be “consistent with accepted evidence and known causal sequences.” (Christman 2009, p.154). This means, for instance, that an agent reflecting on an element that developed via manipulation from a hypnotist would at least be aware that a hypnotist played a part in creating that element. This does not mean that knowledge of manipulation necessarily means an agent

is in some way non-autonomous. Take a case of the use of hypnotism to overcome smoking which induces in the agent a repulsion towards cigarettes. When engaging in sustained critical reflection on their repulsion to cigarettes, as long as the agent is doing so in light of the conditions under which that repulsion developed (ie, hypnotism), then they are autonomous with respect to their repulsion.

Another factor that helps Christman overcome the Problem of Authority is his final criterion, that self-reflection be free from factors that distort self-reflection (Christman 2009, p.155). One benefit of this criterion is that it heads off ever more fanciful hypotheticals, such as that of a hypnotist that inserts his own desired elements into an agent and stops them from recognising that he has done so. This type of thing is self-evidently a type of distortion of self-reflection, and so renders an agent non-autonomous. An agent must have clarity in their self-reflection. Of course, the demand that reflection be free of distorting factors is not exclusive to Christman's theory (cf Dworkin 1976, p.26), but as an element of a much larger theory, it is a necessary component.

Christman's theory is also insulated from the infinite regress problem. The result of the SCR – actual or hypothetical - either induces alienation, which gives us an indication of the agent's potential non-autonomy, or it does not, in which case it gives us an indication that the agent is autonomous, on account of what is required of SCR. SCR is a robust process and there is no appeal to another, additional process, nor is there anything in this process that requires authentication from the same process enacted another time, "higher up." The act of SCR, hypothetical though it may be, simply is what we intuitively expect an autonomous agent to do in the process of self-governing, and the result of that effective reflection in and of itself is indicative of autonomy.

With this outline of Christman's theory of autonomy in place, in the next three chapters I turn to the more applied normative issues that arise under the general banner of the child's right to an open future. In doing so, I aim to demonstrate how arguments about a child's right to an open future can be made more theoretically robust when we rely on Christman's historical account of personal autonomy. Given that arguments about a child's right to an open future can be said to be arguments about a child's developing autonomy, I believe there is room in the literature to include this detailed theory of personal autonomy. Debates about the obligations entailed by the right to an open future either use a bare-bones or "intuitive" account of autonomy. To be sure, developing or detailing an entire theory of autonomy is often outside the purview of many of these debates, but my hope with this thesis is that I can demonstrate how the arguments made in relation to the child's right to an open future can be more satisfying and theoretically sound when Christman's theory of autonomy is incorporated.

In addition, given that the child's right to an open future is ultimately about their developing, future, autonomy, Christman's theory of personal autonomy also provides us with a set of criteria to determine what needs to be fostered or avoided in a child's development, and what parents positive and negative obligations towards their children are. I will detail this argument more in the second chapter. By creating an historical account of autonomy - that is to say, a theory of autonomy that directly incorporates an agent's past - Christman has developed an account of autonomy that explicitly covers an agent's childhood, and therefore, accounts for periods of their life in which they were non-autonomous and yet their future capacity for autonomy is being determined. Christman explicitly accounts for how to deal with elements that were inculcated during periods of non-autonomy, and lays out clearly when we should be worried about external influences and the desires they inculcate, and when they don't pose a threat to someone's developing or fully-formed autonomy.

Chapter 2 - The Child's Right To An Open Future

In this chapter I will cautiously wade into the ongoing debate and discussion surrounding the child's right to an open future. Firstly, I will detail Joel Feinberg's initial conception of the right to an open future, and then I will flesh out the concept of an "open future" specifically. I do this to help with the second section, wherein I will detail the potential types of obligations that may be entailed by ensuring an open future, and who incurs these obligations, namely the parents of children. I will then argue that - despite some strong objections to the contrary - it is both possible and desirable for parents to seek an open future for their children, in line with it being a right held by the child. Lastly, I will show how Christman's historical theory of personal autonomy clarifies some of the ongoing debates about the child's right to an open future.

Feinberg's "Right to an Open Future"

This discussion needs to start with reference to Joel Feinberg's paper, *The Child's Right to an Open Future* (Feinberg 1992), which popularised the phrase and set the foundation for all subsequent discussions and arguments. In it, Feinberg delineates three types of rights, useful for discussing the rights and responsibilities of children, parents, and adults generally. A-C Rights are those held equally by both adults and children (for instance, a right to life). A-Rights are those held only by adults, which include the right to vote or practise one's religion without interference, and C-Rights, are those held by only children. C-Rights have two discrete types: dependency rights, which "derive from the child's dependence on others for the basic instrumental goods of life - food, shelter, protection" (Feinberg 1992, p.76) and rights-in-trust which are most relevant to this chapter. (Feinberg 1992; p.76)

Rights-in-trust bear a resemblance to “adult autonomy rights” from class A, however they are held by children unable to exercise the right currently, on account of their lack of autonomy. However, these are rights the child holds, because they can be violated “in advance” of the adult being able to exercise them (Feinberg 1992; p.77). Violating a child’s right-in-trust now can mean that “the future holder of these rights can be deprived of the ability to exercise them even before they have become able or entitled to exercise them.” (Lotz 2006; p.539). In effect, we are limiting the adult’s options while they are a child. This is, however, still a violation of the child’s C-Right, specifically, what Feinberg calls “the child’s right to an open future.” (Feinberg 1992; p.77-8). The child is the agent with the claim on the right, making them C-Rights.

What is an “open future”?

What is an ‘open future’? The general consensus in the literature is that at a bare minimum, an “open future” is a future full of options between which you can choose (Lotz 2006; p.539), or opportunities you can capitalise on (Millum 2014; p.3). The options usually discussed in the literature regard how to live one’s own life, and how to attain self-fulfillment. Self-fulfillment is important; it isn’t enough to simply choose how to navigate the material world, devoid of one’s own desires and expectations. One should be able to choose how to live their life, not simply a life (Feinberg 1992; pps.91-93). Examples commonly used for these particular options involve which religion to subscribe to, what career one may want to try and pursue, what instrument or sport one may want to dedicate considerable time to mastering, and so on. If a closed future is one in which these options are not available to choose between, then an open future is one that contains some number of such options.

Feinberg initially stated that having as many options available as possible would maximise the chances of an agent feeling self-fulfilled (Feinberg 1992; p.84). However, as some have pointed out (cf Lotz (2006), Mills (2003), and Raz (1986), what is likely to be more relevant

than simply having the maximal amount of options available is having a smaller but more “adequate variety” of valuable or meaningful choices (Lotz 2006; pps.546-7). As Raz (in Lotz) states, “a choice between hundreds of identical and identically situated houses is no choice, compared with a choice between a town flat and a suburban house.” (Lotz 2006; p.546).

In addition to having relevant options, one must also be capable of choosing from among them. For instance, Millum points out that in order for someone to have an open future they also need to have a set of preferences through which they can weigh the options available to them against each other, and the right capacities and skills to effectively authenticate and act on their preferred option (Millum 2014; p.3). An agent must possess “the skills and capacities for information seeking, critical reflection, deliberative independence, and the like” (Lotz 2006; p.547) if they are to meaningfully engage with the options before them. In a sense, they must be self-determined (Feinberg 1992; pps.90-1). This means that holding a truly “open” future is dependent just as much on the internal state of the agent as their external options (Lotz 2006; pps.546-8).

The conditions for an open future require an agent possess “capacities of rational thought and self-control, and freedom from pathologies such as self-deception,” as well as “...reflexive attitudes that enable one to identify with and endorse or repudiate one’s desires, values, and motives,” (Lotz 2006; p.546). These requirements mirror the conditions for autonomy outlined by most autonomy theorists as we saw in the last chapter. Similarly, most theorists of autonomy claim that an agent shouldn’t be considered autonomous unless and until they have a minimal amount of ways to exercise and express their autonomy (Lotz 2006; p.547), which aligns with the requirement that children’s futures can’t be considered open if they have a substandard amount of choices to choose between. So defined, what we mean when we say that an agent has an open future is that an agent is autonomous. Therefore, when we say

that a child has a right to an open future, we are saying that a child has a right to be autonomous and to exercise their autonomy when they have reached adulthood (Feinberg 1992; p.78).

What does it mean to say a child should have an open future?

What sort of obligations did Feinberg assume were entailed by the right to an open future? According to Mills, Feinberg may be suggesting what amounts to two conjoined clauses: that the right places upon parents “a duty not to isolate children intentionally from other ways of life and to make sure their children learn of the variety of . . . ways of life” (Mills 2003; p.502). Stifling exposure to these experiences means the later adult may not know that they are valid and possible choices they could have made regarding how to live. Given that Feinberg characterises the right to an open future as “an anticipatory autonomy right,” (Feinberg 1992; p.77) the argument suggests that it is exposure to these ways of life as a child that helps allow the adult to properly make use of their autonomy by being able to choose them. In fact, Feinberg originally believed that allowing all, or at least “the largest and most random possible assortment of influences” (Feinberg in Lotz 2006; p.78) to work on the child is the best way to ensure a child’s right to an open future isn’t violated.

The first clause - to not intentionally isolate children - obliges parents to not knowingly or willingly stop their children discovering different, or even opposing, moral systems, religious beliefs, political convictions, career choices, hobbies, pursuits and so on. Accordingly, exposure to these would keep a child’s future “open” because knowledge of such possibilities is presumably enough for the later adult to reflect on them as genuine options. However, according to Mills, the second clause - that parents are obliged to actively ensure their children learn of the variety of ways to live - needs to be included if we are to stop parents from acting against the spirit of the duty to ensure a child has a right to an open future (Mills 2003; p.506).

Mere exposure to ways of life may not be sufficient for an open future. Parents are also obliged to provide a child with the understanding that these other ways of life are viable and valuable, and can be potential objects of choice. What good is exposure to any other way of life if the one already being led is framed as the only viable or legitimate one, as all others are described as evil, useless, or otherwise undesirable? The child is certainly not actively isolated from those ways of life, but it seems clear that Feinberg requires that children be raised in such a way as to understand and appreciate ways of living different to their own (and their parents), to learn (at least broadly) that other people live differently and why they do, and so on.

Arguably, the first clause entails a negative obligation only; to not isolate children from exposure to diverse ways of life in the normal course of living. The second clause arguably imposes a positive obligation on parents to actively expose children to as many different ways of life as possible, while also actively inculcating the belief that these ways of life are at least potentially valuable (Lotz 2006; pps.543-4). This conception of the child's right to an open future can be seen to oblige a "smorgasbord" approach to parenting, where children are exposed to, and encouraged to pursue, "as many activities and experiences as possible," (Mills 2003; p.503). This might involve, for example, sampling every available religion for a weekend or two, playing three or more sports every season, or learning multiple different instruments at once. The parent is positively obliged to provide the experience of engaging in many valuable options, so that the child can make an informed decision about how to live their life later as an adult.

Objections to the child's right to an open future

Mills poses a number of significant objections that have been raised against the right to an open future so understood. Firstly, she argues that it's practically impossible for parents to refrain from acting in ways that would close some of the child's relevant future options, violating the negative obligations entailed by the right. Secondly, Mills argues that it would be undesirable

to raise a child while upholding the positive obligations entailed by the right; that everyone involved suffers if a child is actively encouraged to experience and pursue as many options as possible during their development.

Impossibility Objection

Mills' impossibility objection, to use Lotz's phrase (Lotz 2006; p.540), is that simply put, children are born to human adults who hold their own beliefs and desires, and those will inevitably close some relevant options a child could otherwise have in their future. It is impossible for parents to behave "perfectly neutrally," toward every available possible life choice, religious, political or moral belief, and so on. Over the course of raising their child, even when trying their best, parents will imperceptibly steer their children subtly towards some options and away from others, thus closing those options in the process (Mills 2003; p.501). Moreover, parents' material wealth, geographical location and genetics will extensively limit the possibilities their children are exposed to. For these reasons, the negative duty to permit influences to work on children is, therefore, impossible to meet.

Feinberg preempted this challenge, and put forward what can be considered an anti-perfectionist goal of neutrality in an imperfect world - "approximated neutrality." Feinberg believes that while perfect parental neutrality may be impossible, approximated neutrality is not. All one needs to do is, again, "let all influences, or the largest and most random possible assortment of influences, work equally on the child, to open up all possibilities to him, without... influencing him toward one or another of these." (Feinberg 1992; p.85). But as Mills points out, even if we can define such approximated neutrality and enact it, we will still be failing in our duties to the child's right to an open future: even approximated neutrality closes off some potentially valuable options, which Feinberg seems to suggest jeopardises the child's right to an open future. Human beings can only be in one place at one time, and there are only so many

hours in the day; even an approximately neutral parenting style will involve choices that close options. Parenting just is the type of thing that involves both implicit and explicit endorsement of certain ways of living, ethical considerations, value system, etc, especially given that adults themselves are not neutral (even if their parenting style is) and neither is the environment children are born into.

One way around Mills' impossibility objection is to interpret Feinberg's initial call for neutrality as a negative duty to not "perniciously steer" children away from possible life choices (Lotz 2006; p.542). Pernicious steering is here conceived of as deliberately not allowing a random assortment of influences to potentially influence the child, by intentionally directing their attention and focus away from them. This can be conceived of as "a failure to fulfil the duty of approximated neutrality," (Lotz 2006; p.542). If this is what violating approximating neutrality consists in, then it is reasonable to think that it should be possible to achieve approximated neutrality; all that is required would be that we don't perniciously steer our children away from various influences (Lotz 2006; p.542). All parents need to do is permit their children to be exposed to potential influences of the unavoidable type that we all come across every day. This doesn't seem to be an impossible task. If this is so, then Mills' impossibility objection is implausible.

Undesirable Objection

A second objection to the right to an open future rests on the claim that even if we could approximate neutrality in our parenting and avoid pernicious steering, it would be nonetheless undesirable for parents to have to "expose a child to as many activities and experiences as possible." (Mills in Lotz 2006; p.545). Mills is here making the claim that even if we can meet the negative obligations entailed by the right to an open future, we would still have the problem that the positive obligations obliged by the right are themselves so undesirable as to render the right

pointless. On a positive reading, according to Mills, the right to an open future demands that parents provide children with the experience of as many different ways of life as possible (Lotz 2006; p.545), which would entail parents actively encourage participation and pursuit of as many options as they can manage to deliver to their children. This is required so that the children may understand the ways of life well enough to choose them as their own later in life. (Lotz 2006; p.544)

This claim that the positive obligations entailed by the right to an open future are undesirable rests on two arguments. The first argument is that it is undesirable because the type of parenting obliged by the right to an open future “is frenetic and exhausting. In their drive to make sure their children experience everything... parents are producing children who have no free time and no genuine childhood.” (Mills 2003, p.506). A childhood wherein the maximum number of experiences are delivered to the child, and the child is encouraged to pursue them all, leaves no time for play, relaxation or anything else otherwise valuable; in fact, “the goal of pursuing all options leads to a life that is superficial and glib” (Lotz 2006; p.500), and results in the undesirable consequences of having overscheduled children labouring under hyper-parenting (Lotz 2006; p.545).

Secondly, Mills argues that “the drive to amass as many experiences as possible can never be complete: precisely what will be missing from the list is experiences that require time to assimilate and absorb, experiences that are slow and deep, rather than easily scheduled in an escalating spiral of extracurricular activities.” (Mills 2003; p.506) Take again the example of religion. Mills’ argument isn’t just that it is practically impossible to give every child some type of experience of every religion possible. It’s that, by spending copious amounts of time giving the child some small experience of every religion possible, the parent is closing off their ability to have the deep and sustained experience of being religious. Being religious involves the

experiences of belief, temptation and doubt, spiritual growth, and ingratiation into a specific community (Mills 2003; p.503), all of which takes a huge amount of time and effort to engender in one particular religion (usually across an entire childhood), and all of which is more or less locked off if that time is spent on multiple surface level investigations into myriad religions. To provide a child with the option to have a deep and sustained, and therefore viable and valuable, religious life choice is to necessarily close off that possibility for other religions. Even if parents do not perniciously steer their children away from religions, their choice to give their child the experience of multiple religions is as much an option-closing choice as is choosing to raise their child inside one specific religion.

Lotz disagrees with Mills' argument that the positive obligations entailed by the right to an open future are undesirable. She disagrees on two fronts. Firstly, she claims that Mills has not interpreted Feinberg charitably, and that there is an important "distinction between ensuring exposure to the variety of ways of life, and ensuring experience of the variety of ways of life." (Lotz 2006; p.544). The claim that Mills makes, that parents must ensure that their child has the right type of experiences is, according to Lotz, not how Feinberg needs to be read. All that is required under the original formulation of the child's right to an open future is that parents ensure their children are exposed to potential options for how to live their life in the future by not being perniciously steered away from them as children; the children do not need the full, embodied experience of living through every option available to them in order to have an open future.

Lotz does concede, however, that some life choices do require having a lived experience of them, instead of mere exposure, in order for them to be viable options later in life. In these more specific instances, Lotz proposes a few caveats that result in Mills' conclusion not having the force she believes it does. Lotz mentions that our social institutions should be more involved

in helping provide the child with experiences of options - schools and afterschool programs, friends and extended family, public events. In effect, other people and organizations apart from the parents can be considered positively obliged to help keep a child's future open. This is an interesting argument, and while I put it aside here to continue focusing on the relationship between parents and children, it will be explored further in Chapter 4.

Lotz's other proposal, however, is that experiences in one specific area should be thought of as "generalisable" to other, related, experiences (Lotz 2006; p.545). Do children really need to be taught flute, oboe, and clarinet to ensure their future is open regarding the playing of woodwind instruments? Do they need to be taught clarinet, trumpet, drums, guitar and piano to ensure they have the right type of experiences to have an open future with respect to the value of musical excellence? Lotz argues that this is not the case: a parent is not required, let alone obliged, to take the smorgasbord approach, to "schedule accordion in August, saxophone in September, and oboe in October." (Lotz 2006; p.545) According to Lotz, the experience of learning an instrument is sufficiently generalisable to the experience of learning any instrument: by the time the child is old enough to make their own "life decisions" they will very likely know if musical practise and mastery is something that interests them. Likewise with sports, other artistic endeavours, career options, and possibly even religion. The point Lotz makes isn't that we know for sure what type of, or how many, experiences become generalisable, it is just that we can agree that insofar as we recognise that most experiences should be generalisable to others we can provide them for children in a way that is desirable and meaningful and that keeps their future options open.

In sum, Lotz argues that Mills has incorrectly derived a positive obligation from Feinberg's initial conception of the right to an open future. Nevertheless, she claims, tentatively, that even if we reject Mills' conception of the positive obligations entailed by the right to an open

future, we can find another positive obligation entailed by the right, namely that parents must “seek, within their capacity, to provide adequate conditions for a child’s emerging autonomy.” (Lotz 2006; p.546). According to Lotz, this requires that parents have an active hand in seeking to develop, to the best of their ability and circumstances, their child’s “skills and capacities for information seeking, critical reflection, deliberative independence, and the like,” (Lotz 2006; p.547), which are all capacities that will influence the development of a child’s autonomy. Lotz characterises these capacities as agent-internal conditions for autonomy (Lotz 2006; p.546). The meaningful choices parents expose their children to and which thus provide the basis for their later options Lotz calls the agent-external conditions for autonomy. Securing agent-internal and agent-external conditions is sufficient to ensure the later adult can effectively choose between a sufficient amount and type of options. This is, arguably, what Feinberg originally conceived of as having an open future, which seems neither impossible nor undesirable.

Thus, in her plausible responses to Mills, Lotz provides some detail about what is required for the later adult to be autonomous. Nevertheless, it does not amount to a detailed conception of personal autonomy. This is not a criticism of course: the topic of concern is, after all, about the rights of children and parental obligations, and not about defending a particular and contentious account of personal autonomy. Nevertheless, adding more detail about the concept of personal autonomy can bolster arguments in favour of the child’s right to an open future. To demonstrate this claim, what follows is a comparison between Christman’s historical theory of personal autonomy, and the conception of autonomy put forward by Lotz when discussing the positive parental obligations entailed by the child’s right to an open future. By comparing the two, I hope to demonstrate that not only are they broadly compatible, but the specificity of Christman’s theory actually strengthens our reading of Feinberg’s initial argument, and Lotz’s defence of it.

Comparing Christman and Lotz

Regarding the agent-internal conditions for autonomy, Lotz separates her proposed conditions into two broad parts, which more or less mirror Christman's criteria for autonomy. Firstly, Lotz says that what is required are "competency conditions—capacities of rational thought and self-control, and freedom from pathologies such as self-deception..." (Lotz 2006; p.546). She gives examples of such capacities that should be fostered, such as capacities for "information seeking, critical reflection, deliberative independence, and the like." (Lotz 2006; p.547). Recall that according to Christman, for someone to be autonomous relative to some characteristic, they must be able to "effectively form intentions to act" in regards to that characteristic, and hold the basic and minimum capacities needed to critically self-reflect on that characteristic "and their other basic motivating elements" (Christman 2009; p.155). Another way to put that is that someone needs to be able to undertake critical reflection with deliberative independence, as Lotz argues.

Christman also explicitly states that autonomous agents need to be able to critically self-reflect, and moreover, that that reflection is free from, specifically, "reflection-distorting factors." (Christman 2009; p.156). In her criteria, Lotz specifies that an agent needs to be free from "pathologies such as self-deception," (Lotz 2006; p.546), though doesn't make clear why. Christman's theory tells us why: pathologies such as self-deception count as a type of self-reflection disruption, and an autonomous agent is one free from reflection distorting factors (Christman, p.155). Here again we have compatibility between Lotz's and Christman's theory, with Christman's theory providing more specificity, and in so doing, justifying why the criteria are important in securing autonomy.

Lotz also mentions the need for authenticity conditions. Her authenticity conditions involve "possession of the reflexive attitudes that enable one to identify with and endorse or

repudiate one's desires, values, and motives." (Lotz 2006; p.547). As we have seen, Christman's own authenticity conditions are much more detailed yet still broadly compatible with Lotz's brief comments. For instance, as Christman points out, mere "identification" as a condition of autonomy "is problematically ambiguous between acknowledgment and endorsement." (Christman 2009; p143) Failure to "identify" with a trait may result in one merely being "indifferent or undecided about it," (Christman 2009; p.143) which shouldn't disqualify one from being autonomous. On the other hand, identification can refer to merely accepting that an element is present and true of our current constitution, but that leaves open the possibility of identifying "with things that likely undermine autonomy, like compulsions or addictions." (Christman 2009; p.143). Identification, therefore, doesn't do as much as we need it to as a criterion for securing autonomy.

By ensuring that we incorporate Christman's criteria of sustained critical reflection, we can be sure that our demand for robust authenticity conditions are met: an agent whose sustained critical reflection produces the same lack of alienation over a variety of conditions and times is manifestly acting in accordance with their diachronic practical identity, and an autonomous agent is someone we would expect to be acting in accordance with that identity.

Furthermore, endorsing or repudiating certain traits on the basis of a single moment of identification is problematic for the reasons discussed in the last chapter, concerning "time slice" views of autonomy which do not sufficiently indicate agential authority. More relevant is Christman's criteria of alienation as the result of sustained critical reflection. Alienation is a combination of a critical judgment and an emotional affectation; an agent feels alienation towards some characteristic if - upon hypothetical or actual sustained critical reflection - they judge that the element "cannot be sustained as part of an acceptable autobiographical narrative" (Christman 2009; p.143) and it thus brings up feelings of "repudiation and resistance."

(Christman 2009; p.144). Accordingly, autonomy also means one can repudiate and reject the alienating characteristics. Conversely, an agent is not autonomous if they feel alienation towards a characteristic but are unable to reject it.

Christman's authenticity criteria are compatible with Lotz's, in that critical self-reflection combined with an ability to effectively notice and repudiate alienating characteristics is a plausible interpretation of the "reflexive attitudes" Lotz refers to, and furthermore, that the presence or not of alienation is the criteria by which we can judge which desires, values and motives an agent should be moved to "endorse or repudiate." (Lotz 2006; p.547)

Christman's theory is useful in its specificity for anyone working on the child's right to an open future, because it can also help establish more specifically the obligations parents have towards children when it comes to fostering their child's developing autonomy. For instance, when Lotz says that parents may have positive or negative obligations to help a child's developing autonomy, we can say more specifically that they have an obligation to foster a child's ability to engage in sustained critical reflection. We could also say that parents must refrain from encouraging the development of, or must actively discourage the development of, characteristics the child will later find themselves alienated from but unable to reject. We could also say that parents are obliged to try as best they can to ensure their children hold the capacity and fortitude to repudiate elements they may feel alienated from in the future. It wouldn't be enough, for instance, to say that a parent is meeting the obligations entailed by the child's right to an open future if they were inculcating some positive characteristic, for example, a love for one particular religious worldview, while also ensuring that the child either wouldn't be able to self-reflect upon it properly at a later time or wouldn't be able to reject it if they did such reflection but found it alienating.

Conclusion

Overall, Christman's criteria for autonomy capture the spirit of Lotz's intent, while providing a stronger and more robust critical framework to determine and assess specific parental obligations.

It is to that task that I turn in more detail in the next two chapters. In this chapter I have defended Feinberg's broad claim that children have a right to an open future, which entails that parents have certain obligations or duties. Specifically, I have suggested that Lotz provides compelling responses to Mills' arguments against Feinberg. I have also suggested that Lotz's brief comments about the agent-internal and agent-external conditions can be further fleshed out and subsequently endorsed by understanding them in light of Christman's theory of personal autonomy. Once we have a clearer and more developed conception of the capacities people need to effectively exercise personal autonomy, then we can say more about the specific duties that parents have to ensure their children acquire it. In this chapter I have discussed Lotz's two broad proposals that children must not be perniciously steered away from options, and that they must be able to acquire various agent-internal and agent-external capacities. But as far as they go, these plausible suggestions remain at a fairly broad level of generality. In the following two chapters we will look in much more detail about the various things parents supposedly must and must not do in order to inculcate and respect the child's emerging capacity for personal autonomy. In Chapter 3, I will explore how Christman's theory of autonomy helps us understand the agent-internal conditions required by the child's right to an open future, by way of examining the debate surrounding the comprehensive enrollment of children. In Chapter 4, I will examine the agent-external conditions in more detail, by using the debate regarding parents selecting for deafness in their children.

Chapter 3 - Comprehensive Enrolment

This chapter will be the first of two which address more specific applications of the child's right to an open future. In this chapter, I will focus on Matthew Clayton's arguments against the "comprehensive enrolment" of children, on the grounds that it violates the child's right to an open future. Clayton explicitly engages in more theoretical articulation of the concept of autonomy to justify his arguments: I aim to demonstrate that by replacing his theory with Christman's historical account, some of his arguments become stronger and less susceptible to counter-arguments, while others are shown to be ultimately unnecessary in arguing that comprehensive enrolment violates the child's right to an open future.

I will begin by briefly describing what Clayton means by "comprehensive enrolment", and how he believes it undermines the child's right to an open future. Because Clayton argues that there are two independent aspects of personal autonomy, I will discuss each in turn. Firstly, I will outline what Clayton describes as Achievement autonomy, and how he believes comprehensive enrolment undermines it. I will then detail Andrée-Anne Cormier's objections to Clayton's argument. Incorporating Christman's historical theory of autonomy, I will defend a modified version of Clayton's argument that comprehensive enrolment undermines autonomy because it runs a high risk of inducing alienation. After that, I will outline Clayton's theory of Independence autonomy, again detail Cormier's objection to it, and again incorporate Christman's historical theory of autonomy. In this section, however, I will argue that when we reference Christman's theory, we can see that Clayton's theory of autonomy-as-Independence goes too far in prescribing what ought to be considered in a minimal account of autonomy. Nonetheless, exploring the debate between Clayton and Cormier in regards to Independence autonomy, with reference to Christman's historical account, helps us clarify just how

comprehensive enrolment that induces alienation is also likely to be impossible to reject, resulting in the undermining of autonomy in the agent. Through that, I will argue that comprehensive enrolment is therefore impermissible according to the child's right to an open future, with reference to Lotz's agent-internal conditions of autonomy.

The notion of comprehensive enrolment

Comprehensive enrolment of a child refers to a child being brought up within a very specific conception of the good, incorporating clearly articulated values about aspects of life such as religion, career, sexuality, lifestyle, and so forth (Clayton 2012, p.353). These aspects are usually so integral to a person's perception of the world that they shape how people navigate it; they determine what they value and what they reject, along with things like what life goals and decisions are worth pursuing, and why they're worth pursuing. Comprehensive enrolment is considered comprehensive because it permeates all the most important aspects of one's life; it will colour not only how agents make decisions, but why they think they made those decisions, and why they think those decisions are valuable.

The most widely used example of comprehensive enrolment is that of a religious upbringing, one in which consideration of other religious doctrines is strongly discouraged, as is questioning the basic tenets of one's own religion. A child raised to believe such things, according to Clayton, has their ends decided for them (Clayton 2012, p.360); they will strive to do things that align with the value of the religion, and they will do so because they value the doctrine of that religion. They will likewise revile and reject options that get in the way of fulfilling those ends, because they will not value those options. Clayton argues that such outcomes violate a child's later autonomy, or as Feinberg would put it, their right to an open future.

To focus the discussion throughout this chapter I will refer to a hypothetical case study, that of Aaron. Aaron was comprehensively enrolled as a child into a strict religious sect. The sect holds offensive views towards minorities of all types, devalues and actively denigrates other religious worldviews and proudly positions itself as the only “real” worldview worth holding. It’s teachings cover every facet of life. To question the validity of the church is a sin, as is considering other religious worldviews as potentially viable and worthy of adoption. I use the hypothetical case of Aaron to provide a clear case in which the matters comprehensively enrolled in shape an agent’s conception of the good life. Comprehensive enrolment by its nature involves “comprehensive” matters, but this hypothetical erases any grey area that may be found in other types of comprehensive enrolment (such as being raised with strict musical appreciation and instruction) and allows us to focus on the principles underlying the arguments to follow.

Achievement autonomy

Clayton distinguishes between two aspects of autonomy, which he labels Achievement autonomy and Independence autonomy, and argues that comprehensive enrolment undermines both.

Achievement autonomy refers to an agent’s relevant capacities for decision making and exercising their volition, and the context in which they can use them. Autonomy as achievement is secured when an agent has “a sufficiently rich and varied menu of lifestyles to pursue,” and (Clayton 2012, p.359), can “rationally form, revise, and pursue some particular goals,” (Cormier 2018, p.334). In other words, similar to Mianna Lotz’s defence of Feinberg’s conception of the child’s right to an open future, that right is secured by an upbringing that provides the later adult with the ability to critically deliberate between various options, and has the capacities to act on the decision once it’s made (Lotz 2006, p.547). Conversely, an agent lacks Achievement

autonomy when they lack the capacities to reason and deliberate or when they live in an environment devoid of sufficient types and numbers of options.

Clayton argues that comprehensive enrolment may result in an adult who finds it emotionally difficult to critically reflect on or repudiate the conception of the good life into which they were comprehensively enrolled. His claim is that the emotional “cost of rejection” is so high that it undermines the capacities necessary for agents to be autonomous; their rationality or their deliberative capacities are disrupted by the emotional toll it takes to reject an element of themselves they were comprehensively enrolled in (Clayton 2006, pps.106-107). Achievement autonomy is undermined (or lacking) when an agent is stopped from properly accessing or using their capacities to rationally deliberate (Clayton 2006, pps.107-108).

The most obvious example would be of the autonomous adult wishing to now leave their family’s religion, which forms a central part of their relationships (Brighouse & Swift, p.172-3). Leaving in such situations could be emotionally disastrous, as some families break contact with apostates entirely (McAvoy in Brighouse & Swift, p.171). Clayton argues that the emotional toll that would be inflicted if one were to try and repudiate one’s religious upbringing would be so high that the agent in question wouldn’t be able to deliberate on the decision rationally, and would therefore “not pursue the conception of the good she reflectively endorses.” (Clayton 2006, p.107) Such repudiation is unjustly costly for an agent to undergo, and so according to Clayton, comprehensive enrolment is morally impermissible. In sum, Clayton’s argument is that parents cannot comprehensively enrol their children because the emotional cost of trying to reject that conception of the good later will undermine their capacities for autonomy and render them non-autonomous. Put differently, Clayton can be read as arguing that “comprehensive enrolment undermines one’s ability to exercise autonomy” (italics mine, Cormier 2018, p.336).

For instance, suppose as an adult that Aaron is exposed to conceptions of homosexuality which paint it in a new and acceptable light. It may be the case that Aaron develops desires to experiment with his sexuality, or perhaps engage in a more substantial, romantic homosexual relationship. To do so, Aaron would need to reflect on his parent's conception of sexuality that he has been comprehensively enrolled into, revise or reject it, and endorse an incompatible view. According to Clayton's argument, it is so emotionally difficult to do this that Aaron's ability to endorse and reflect on values or convictions would be strained and thus undermined, as would his ability to set and act on plans that would help him realise these new potential goals involving homosexuality. Despite holding a new goal, rationally and independently obtained, Aaron's comprehensive enrolment impairs his ability to effectively pursue it, because of the psychological cost involved. In a real sense, Clayton would argue that Aaron's autonomy is undermined by his comprehensive enrolment.

Cormier disagrees, and argues that if Clayton wishes to connect an agent's capacity for autonomy with the emotional cost of rejecting a conception of the good into which one was enrolled as a child, he is committed to taking what Cormier calls either the 'threshold view' or the 'degree view.' The threshold view states that there is a specific threshold for emotional cost, under which an agent retains the capacity for autonomy, and above which the agent loses it. It would need to be Clayton's argument that comprehensive enrolment meets that threshold. The degree view commits Clayton to the notion that "that the higher the emotional cost, the less is a person able to exercise autonomy and, as such, the less autonomous she is." (Cormier 2008, p.336)

According to Cormier, the threshold view doesn't work for Clayton's argument. This is because Clayton himself recognises that some forms of comprehensive enrolment leave open the possibility that an agent may still develop the capacities for autonomy and be able to

exercise them (Clayton 2006, p.106). According to Cormier, Clayton is stating both that rejecting the conception of the good into which one was comprehensively enrolled will always produce emotional costs so high that they undermine autonomy, and that there are some types of comprehensive enrolment that fail to meet the threshold where Achievement autonomy is undermined. According to Cormier, it may be the case that, under a threshold view, some comprehensive enrolments allow autonomy to develop fully while also producing high emotional costs when they are rejected. If this is the case, then Clayton's argument can't rely on the threshold view.

Cormier has a number of arguments as to why the degree view also fails Clayton. Firstly, she argues that there is no compelling reason to suppose that comprehensive enrolment makes it more emotionally costly for a person to reject aspects of their parent's conception of the good than when one rejects aspects of their parents values that they were not comprehensively enrolled into (Cormier 2018, p.338). If you are aware of your family's desires and commitments, even if you weren't comprehensively enrolled in them, then it still might be a hard struggle to reject them (Cormier 2018, p.338). Secondly, it seems absurd to imply that one is maximally autonomous if one doesn't incur any emotional cost in choosing to endorse and act on specific values or conceptions of the good (Cormier 2018, p.338). Why should we suppose a person is at their most autonomous when they have no emotional connection to their choices?

Achievement autonomy is a measure of the agent's capacities to reason, reflect, deliberate and act, and not a measure of the emotional weight such a process incurs. Given that comprehensive enrolment is often identity-defining, it might be the case that its rejection will always produce some sort of emotional cost, even in an otherwise fully autonomous agent (Cormier 2018, p.338). Moreover, the emotional toll the rejection takes may be proof of the agent's autonomy; that despite the fact of the emotional toll they exercised their autonomy and followed through with their choice.

Despite Cormier's objections, I believe that there is merit in Clayton's concerns about comprehensive enrolment but they can be better articulated by appeal to Christman's concept of alienation rather than by appeal to high emotional costs. I believe alienation is a more helpful concept than is the notion of high emotional costs. Although alienation is a type of emotional response, it goes part way to explaining why comprehensive enrolment runs an unacceptable risk of undermining autonomy, while at the same time allowing that Cormier is right in declaring that high emotional costs in general don't necessarily undermine autonomy.

Recall that alienation is part of Christman's criteria for a minimal account of autonomy. On this reading, an agent is only considered autonomous if they hold the capacities for "sustained critical reflection" and if upon that type of reflection they are able to reject any elements which induce alienation (Christman 2009, p.155). Alienation is described as being both a critical judgement and an affective reaction, one that causes negative feelings and a desire to rid oneself of the alienating element (Christman 2009, p.144). If an agent is unable to remove the element causing alienation, they lack autonomy with respect to it. Specifically, they are unable to enact autonomy as Achievement - an agent is unable to effectively use their capacity for autonomy.

I would argue that comprehensive enrolment, by its nature, runs a high risk of inducing alienation. Conceptions of the good are so varied that there is a high likelihood that the goals independently developed later in life will be incompatible with those one was comprehensively enrolled in as a child. The number of specific values and convictions acquired through comprehensive enrolment in childhood are far outnumbered by the many different values and convictions one is likely to be exposed to later in life. Given the sheer number of different

conceptions of the good one will encounter in one's life (Clayton 2012, p.356), it is more likely than not that self-reflection and revision of these matters will take place.

Further to this, comprehensive matters are of the type most likely to be alienating when their worth or viability is scrutinised and the potential for their rejection is considered. One's views on sexuality, interpersonal relationships, morality and so on are more likely than other, less consequential views, to induce feelings of alienation if they are found to be incompatible with one's self-conception precisely because of their relationship to one's identity. For example, if Aaron scrutinizes his negative attitudes toward homosexuality connected to his comprehensive enrolment, it is likely that he would later feel alienation towards those convictions if he lives in most parts of Western democratic nations in the 21st century. He would only need to entertain slightly more permissive views about sexuality for the possibility of alienation to arise. Given the number of worldviews that are likely to allow for different sexualities, there is a likelihood that he will, at some point, entertain those conflicting ideas, which is likely to induce alienation. My argument here is merely that comprehensive enrolment of the type experienced by someone like Aaron is likely to induce alienation because there are so many other quite contrary conceptions of the good one will be exposed to later in life. If I am correct it follows that on balance, comprehensive enrolment is at least very likely to be the cause of alienation over the course of someone's life.

However, the presence of alienation isn't enough by itself to render an agent non-autonomous. Critically, to be considered non-autonomous, an agent must be unable to reject the element causing the alienation. This means that comprehensive enrolment runs the risk of undermining autonomy if there is a high chance that it induces alienation and that those alienating elements are difficult to reject by the agent later in life. But what reasons do we have for supposing that someone like Aaron won't be able to reject an alienating element later in life?

The key here is to distinguish between various types of comprehensive enrolment, and in particular, to focus on specific cases like Aaron's. Recall that Aaron is not merely raised within a particular religion: he is also raised in a way that includes active denigration of other conceptions of the good and threats of eternal damnation if the religion is rejected. The nature of this kind of comprehensive enrolment – which I'll call strong comprehensive enrolment – is different from other cases where one is raised within a particular conception of the good. It is simply not part of most conceptions of the good, and indeed most religions, that they involve denigration of all other conceptions and threats of eternal damnation if other conceptions are considered or adopted. These are specific features only of strong forms of comprehensive enrolment. I agree with Brighouse and Swift here, in that any zealously religious parent, like Aaron's, that presumes that their duty of care is to "protect [their] child from any socialising influence that may reduce the chances of the child's coming to endorse the damnation-avoiding beliefs," (Brighouse and Swift 2014, p.153) has misunderstood what her child's true interests in development are, and how best to foster that development. This might be a point of fundamental difference between myself and theorists like Brighouse and Swift, and parents who believe whole-heartedly in saving their children from eternal damnation, but I argue that this type of parenting oversteps the bounds of what we will see can be called "value-shaping" (which is arguably acceptable), and into what I call strong comprehensive enrolment, which is a way of parenting that so forcefully inculcates into a child their parents desired values and commitments that the child's future autonomy is undermined, and thus their right to an open future is violated.

To defend my claim that strong comprehensive enrolment can undermine autonomy, we need to first discuss Clayton's conception of Independence autonomy. The aim in doing so is not to defend Independence autonomy, which I ultimately reject. Rather, the specific arguments between Clayton and his critics around Independence autonomy provide the further details we

need to demonstrate that strong forms of comprehensive enrolment can undermine Achievement autonomy.

Independence autonomy

Incorporating all the same criteria he proposes for Achievement autonomy, Clayton's Independence conception of autonomy goes further in stating that autonomy is realised both when Achievement autonomy is satisfied, and also when no one else has decided for the agent what goals or ends they will pursue (Clayton 2012, p.360). Independence autonomy is best understood, according to Clayton, as a "social ideal" (Raz in Clayton 2012, p.360), where agents stand in relation to one another as independent beings. Autonomy as Independence therefore aims for more than the possession of capacities to make rational choices from a sufficient array of options. It is also not having others decide for you which ends to pursue, while deciding on those ends yourself (Clayton 2012, p.360) An autonomous agent is one who chooses how to live their life independently from others, and has no one else choosing for them. To that end, Independence autonomy is violated when others decide for an agent which goals they should pursue.

As a vivid example, Clayton claims that Independence is violated when, say, someone is kidnapped and taken to the beach when she'd rather go trainspotting instead (Clayton 2012, p.360): her Independence autonomy is violated if she does not consent, precisely because others chose for her a goal she is now forced to pursue. Without her consent, the goal she is pursuing cannot be considered her own, and so her autonomy is violated. But according to Clayton, an agent's Independence "is violated when others determine the ends she pursues or serves, period." (Clayton 2012, p.361). This rather broad caveat entails that autonomy, as Independence, can be violated in a number of ways less forceful or obvious than being kidnapped for a beach trip. For instance, agents may have their autonomy undermined for

well-meaning reasons (“It’s for their own good that they pursue this goal,”) or even accidentally (such as when someone in a position of authority - like an employer - is ignorant to the power they wield in making what they consider “suggestions” but what are in reality taken to be demands).

Most importantly for this chapter, it also entails that agents can potentially have their autonomy undermined when they can’t act autonomously themselves. If someone determines an end for you to pursue while you are in a non-autonomous state, for instance when you are unconscious, then according to Clayton your Independence has been violated. As an example, Clayton uses the hypothetical case of a woman named Amy, who is unconscious while undergoing surgery to save her life. In the process of saving her life, the surgeon also discovers Amy is infertile and makes her fertile too. According to Clayton, this undermines Amy’s Independence because someone else has chosen for her some new goals related to fertility (Clayton 2012, p.357).

Clayton argues that comprehensive enrolment also likewise undermines Independence autonomy. Crucial to his argument is the notion of retrospective consent. We have a duty to respect agents’ Independence, and we can ensure we have done so if they consent to goals that we might set. However, if an agent is currently non-autonomous then we are only allowed to make decisions for them - in the sense of giving them new goals and options for them to pursue - if we can be reasonably sure that, when they next hold autonomy, they will retrospectively consent to those decisions.

Take another of Clayton’s examples: the case of Betty. Betty is unconscious on the operating table, and importantly, the doctor knows nothing about her goals, desires, personality, or anything else relevant; she is a completely unknown person, a stranger in all respects to the

surgeon. During the course of the skin graft, the surgeon also performs a cosmetic nose job on Betty because he thinks it will make her look better (Clayton 2012, p.357). Clayton argues that a moral harm has been done in performing the nose job, but not in performing the skin graft. This is because the surgeon can't be reasonably sure Betty will retrospectively consent to the nose job when she is next autonomous: because he knows nothing about Betty's motivating desires and values, and because values towards nose jobs are so varied and multitudinous, it's extremely difficult to be sure that any one particular agent will retrospectively consent to that type of procedure. On the other hand, he can hold a "reasonable expectation" that - regardless of what values and desires Betty holds - she will retrospectively consent to the surgeon performing a skin graft on her after an accident.

As Clayton argues, children seem to exist in a state of non-autonomy like Amy or Betty on the operating table. And like Betty, we have no knowledge about what values they will hold, and what goals they will set for themselves, once they leave their non-autonomous state (specifically, childhood) and acquire Achievement autonomy. As such, we can only set goals or values for the child if we are reasonably sure they will retrospectively consent to our setting those goals or values when they become autonomous in adulthood. According to Clayton, comprehensive enrolment is just the type of thing we can't be fairly sure someone will retrospectively consent to (Clayton 2012, pps.358-359). The reason we can't be reasonably sure that children will retrospectively consent to their comprehensive enrolment is because "there is no way of predicting which goals any particular individual will affirm as an adult." (Clayton 2012, p.355). Clayton says this is because of the "plurality of convictions" (Clayton 2012, p.356) that exist; there are so many ways to live regarding sexuality, religion, career, or lifestyle that parents cannot be sure that the one way they comprehensively enrol their child will match with their future goals.

Aaron is comprehensively enrolled into a strict religion, which in turn influences his conception of the good life, what he may desire, and what goals he may like to act towards. Clayton's argument is that there are so many differing religions, and therefore conceptions of the good, available to Aaron later in life, that his parents have "no way of predicting which goals [Aaron] will affirm as an adult." (Clayton 2012, p.355). As such, they don't know if he will give his retrospective consent to the goals and values chosen for him by his parents. Without Aaron's retrospective consent, his comprehensive enrolment undermines his Independence autonomy and so is morally impermissible.

Importantly, Clayton's argument about the violation of Independence autonomy is independent of whether or not Achievement autonomy is jeopardised. An agent can hold what Clayton considers to be the minimal capacities for decision making and can, under Achievement autonomy, "autonomously decide to continue with or reject the [element] into which she has been enrolled." (Clayton 2015, p.130) Clayton's argument is that Independence autonomy is a recognition of the fact that to be self-determining, no one can set your goals for you without your consent, and hence your autonomy is violated if that happens, even if you hold the capacities to reject the element at a later time. One is an independent agent if no one else is setting one's goals, and autonomy-as-Independence is violated if they do. An agent's independence is a distinct social status, different to their mere capacities to choose and act (Clayton 2012, p.360-361).

Cormier disagrees that comprehensive enrolment of children is morally problematic on the grounds of Independence autonomy. She offers three distinct arguments which I will detail in turn. In responding to each of Cormier's arguments, I will show that the issues raised support my contention that strong forms of comprehensive enrolment undermine Achievement autonomy. In other words, in what follows I do not aim to defend Clayton's notion of

Independence autonomy. To the contrary, I reject the ideal in what follows: that an agent has a past in which he was socialized into values is neither here nor there when it comes to the kind of autonomy we should care about. Rather, the aim in what follows is to provide further grist for my argument that Achievement autonomy can be undermined by strong forms of comprehensive enrolment.

Cormier's first objection to Clayton's argument that comprehensive enrolment of children undermines Independence autonomy is that an agent's interest in Independence autonomy is grounded in the fact that she has already developed Achievement autonomy. To be Independent is to have others respect "one's convictions and preferences about how to live and about what is valuable" (Cormier 2018, p.341), and the interest violated in the Betty analogy "is an interest that one possesses because one has particular goals to begin with, and is capable (to a minimum degree) of rationally pursuing and identifying with them" (Cormier 2018, p.341). Accordingly, given that children do not yet possess convictions or preferences, they hold no interest in Independence autonomy, and so others have nothing to respect. If this is the case, then there is nothing immoral about setting goals for them (Cormier 2018, p.341). In other words, Cormier believes that Clayton's analogy between the unknown and unconscious patient Betty and the child does not hold. Betty is the type of agent that could have her Independence violated because prior to being unable to consent she held Achievement autonomy, and so could value and choose goals, and formulate ways to move towards them. She therefore holds an interest in not having others choose her goals for her.

I agree with Cormier, and Christman's theory of autonomy tells us more about why she is right. Nowhere in Christman's account is there a need for agents to stand in a special, independent relation to others when it comes to their goal setting. An agent's autonomy is found in whether they can engage in sustained critical reflection and what they can do with the results

of that reflection. Recall also in Lotz's proposal, that agent's need their agent-internal (and external) conditions met; nowhere does Lotz envision children, and the adults they will later become, necessarily standing in special Independent relation to other agents, or of holding a special status of Independence relating to other agents. What's necessary for autonomy in regards to this argument is an agent's internal capacities being sufficiently developed. Indeed Christman takes it as an obvious fact about all of us that we have a past, and that that past includes the inevitable process of socialization with elements of goal setting. But autonomy is simply not about whether we have a past which includes socialization and goal-setting: it is essentially about how and what we can choose to do about these unavoidable influences with our internal capacities, which is where the attainment of Achievement autonomy is necessary. If we take Christman's criteria and apply it to the case of Aaron, his autonomy is not undermined because someone chose for him some religious goals when he was a child. Rather, his autonomy would be undermined if he now finds these elements alienating and is unable to reject them, or indeed, if he is unable to critically self-reflect at all.

Cormier's second objection to Clayton's argument that comprehensive enrolment violates Independence autonomy is that the more effective comprehensive enrolment is, the more likely someone will give their retrospective consent to it. This poses a problem for Clayton, as he wants to argue that we can't be reasonably sure that an agent will retrospectively consent to their comprehensive enrolment, given the plurality of convictions a child may come to endorse in adulthood (Clayton 2012, p.356). As Cormier's argues, to suggest it is immoral to set another's goals when you do not have a reasonable expectation that they will consent retrospectively, is to say that if comprehensive enrolment does have a reasonable prospect of being retrospectively consented to then it is permissible (Cormier 2018, p.341-342). However, it is the very strength of the comprehensive enrolment that might provide the basis for this reasonable expectation. Any comprehensive enrolment that is strong enough to influence a

child into whole-heartedly and unquestioningly embracing it as an adult is more likely to be retrospectively consented to. This is counter-intuitive, and leaves Clayton in a bind: either comprehensive enrolment passes the test for Independence because it is encompassing enough that we have a reasonable expectation that the agent will retrospectively consent to it, or the requirement of retrospective consent must be abandoned as a necessary condition for declaring comprehensive enrolment permissible (Cormier 2018, p.342).

I agree with Cormier's argument. More importantly, it supports my claim that strong forms of comprehensive enrolment undermine Achievement autonomy. As Cormier puts it, "if parents do a good job at comprehensively enrolling their children into their conception of the good, it is indeed highly likely that the latter will later consent to how they were educated." (Cormier 2018, p.342). This argument is persuasive precisely because it tells us that strong comprehensive enrolment can undermine achievement autonomy. Cormier's argument that strong comprehensive enrolment is just the kind of thing that an agent will retrospectively consent to is persuasive because we have reasons to suspect that an agent so enrolled will have reduced capacities to effectively engage in critical self-reflection and a reduced capacity to reject values and commitments that he deems alienating when they exist as a result of his comprehensive enrolment. The reason why an agent is more likely to retrospectively consent to comprehensive enrolment the stronger it is, is the same reason why an agent will be less likely to reject comprehensive enrolment if, upon sustained critical reflection of it, it induces alienation; strong comprehensive enrolment provides its own justification for its existence that undermines any other reasons or abilities an agent may hold in relation to rejecting it. The stronger the influence of comprehensive enrolment, the less likely an agent is going to be able to recognise when the enrolment itself is stopping them from rejecting it. In other words, the stronger the comprehensive enrolment, the less likely it is that an agent is going to possess effective achievement autonomy as an adult.

Nevertheless, Cormier ultimately seems to defend at least some forms of comprehensive enrolment in her third argument against Clayton's appeal to Independence autonomy. Her third argument is that at least some types of comprehensive enrolment will be retrospectively consented to. Before outlining Cormier's argument here, it is first necessary to say something about Clayton's notion of anti-perfectionist parenting. Clayton ties his argument against comprehensive enrolment to what he calls "anti-perfectionist parenting," a concept he draws out from what is known as "anti-perfectionist politics," an idea developed in part by first Rousseau, and then Rawls (Clayton 2015, p.125-127). The idea is that given how many different conceptions of the good may exist within a free society, it is the role of the government to govern only on principles which everyone can agree on. To do this, these principles can't be tied to a particular "comprehensive" view, like a particular religion, for instance. To do so would be to limit the independence of any agent who doesn't subscribe to that comprehensive view. The government should be guided by principles that everyone can accept irrespective of their differences in conceptions of the good (Clayton 2015, p.126-127). Clayton refines this concept into anti-perfectionist parenting, which results in the principle that children should only be raised and educated in ways that every reasonable person could accept, no matter their comprehensive worldview (Clayton 2015, p.127-128). Such parental behaviour would therefore have an anti-perfectionist justification. Parents' "expectations about their children's retrospective consent count as reasonable if, and only if, there exists an anti-perfectionist justification in support of their educational decision." (Cormier 2018, p.342). In essence, it is only reasonable to expect that someone will provide their retrospective consent to types of parental goal-setting that have an anti-perfectionist justification, because by necessity, an anti-perfectionist justification is one every reasonable person would find acceptable.

By drawing on the work of Brighouse & Swift in *Family Values: The Ethics of Parent-Child Relationships* (2014), Cormier suggests at least some forms of comprehensive enrolment can appeal to this anti-perfectionist justification. Brighouse & Swift believe that for a child to develop their capacity for Achievement autonomy (among other important capacities) and in turn, “develop into flourishing adults” (Brighouse & Swift 2014, pps.84-85) they must have a loving and intimate relationship with at least one parent (Brighouse & Swift 2014, pps.72-74). A loving and intimate relationship, however, necessarily involves some amount of authenticity and spontaneity from the parents. Children get the most from their relationship with their parents if their parents feel fulfilled and rewarded themselves in that relationship (Brighouse & Swift 2014, pps.153-154), and parents who artificially stifle their own authentic selves, and who “robotically” manage spontaneous expressions of their own desires and beliefs, won’t “[experience] the parent-child relationship as a source of joy and satisfaction in the way most helpful to the child’s development.” (Brighouse & Swift 2014, p.73) Parents need to be themselves, which requires spontaneity and authenticity.

Extrapolating from this, Cormier argues specifically that such authentic relationships are necessary to ensure a child is raised to hold their minimal capacities for autonomy, for two main reasons. The first is that children need to identify with role models to “meet their developmental needs”, and they are likely to not identify with parents who are acting inauthentically or in too calculated a manner (Cormier 2018, p.344). The second reason is that children benefit the most (in terms of their development of capacities such as autonomy) from being in relationships with parents that themselves find the relationship rewarding and fulfilling, something parents cannot feel if they are having an “inauthentic” and stifled relationship with their child (Cormier 2018, p.344). To fully develop their capacities for autonomy then, children need to be in loving and intimate relationships with their authentic and spontaneous parents.

What the conditions of authenticity and spontaneity entail, however, is a measure of value-sharing. Value-sharing simply occurs in the normal course of things; when parents are themselves, and express their own beliefs and desires, then children get a sense of what their parents value and who their parents are. Because this happens in a time when a child's values are not yet formed, and their conception of the good is malleable, "there can be no value sharing without some degree of value shaping..." (Brighthouse & Swift 2014, p.151). This then means that "some deliberate value-shaping is crucial to intimacy because the sustainability and depth of any intimate relationship demand that the parties share some common interests and values," (Cormier 2018, p.343-4). Given that such value-shaping can be considered 'comprehensive enrolment in a conception of the good' (Cormier 2018, p.344) it follows that certain types of comprehensive enrolment are crucial for the development of a child's capacity for Achievement autonomy.

If a child's most fundamental developmental interests - like an interest in developing Achievement autonomy - require some value-shaping then this presents us with an anti-perfectionist justification for comprehensive enrolment: "any reasonable person could recognize, no matter what particular conception of the good she endorses, that she, as a child, had a fundamental interest in fully developing her capacity to adopt, pursue and revise a conception of the good," (Cormier 2018, p.344) and this development is reliant on some forms of comprehensive enrolment. From this, we can say that agents will retrospectively consent to the value-shaping that took place during their childhood, regardless of what conception of the good they now hold, because without it they wouldn't have enjoyed a suitable childhood nor would they have developed their capacities for autonomy. (Cormier 2018, p.344). In this regard, comprehensive enrolment respects the requirement for retrospective consent. Further, with the anti-perfectionist justification spelled out, we have a criterion for when a parent may be reasonably sure their child will retrospectively consent to their comprehensive enrolment -

specifically, when it was in service of providing a loving and intimate relationship of a type that fosters the child's development.

I disagree with Cormier that there is a plausible anti-perfectionist argument for strong comprehensive enrolment. Specifically, I disagree that value-shaping is necessarily the equivalent of strong comprehensive enrolment, and so argue that the unavoidability of value-shaping doesn't provide an anti-perfectionist justification for strong comprehensive enrolment. The type of comprehensive enrolment that I argue can undermine achievement autonomy does not refer to values unavoidably introduced to a child in the course of their loving upbringing. Strong comprehensive enrolment refers to values and convictions that require the explicit rejection or denigration of other legitimate conceptions of the good (Clayton 2012, p.361). From a daily basis from birth we have other people share their values with us, and in ways that may be construed as value-shaping. This is not strong comprehensive enrolment in and of itself. Strong comprehensive enrolment involves more than mere value-shaping; it also includes the active denial and denigration of competing ideals and conceptions. If this is correct, strong comprehensive enrolment of the type that I claim has a high chance of undermining achievement autonomy is disanalogous to the deliberate value-shaping that happens in the course of a loving parental relationship.

If we again consider Aaron, I would argue that value-shaping from his parents would involve taking Aaron to church, and not stifling their enthusiasm or belief in the messages being espoused. They could also encourage Aaron to explore his faith, and justify their encouragement by reference to the scripture. However, strong comprehensive enrolment in that religion would involve the further steps of his parents actively denying the viability of subscribing to any other religion, and even instilling a belief in Aaron that questioning the truth and merit of their own religion is evil and will end in eternal damnation. My argument is that the extra steps of

actively denigrating other conceptions of the good are unnecessary for an authentic relationship to emerge between parent and child, and therefore that they are unnecessary for a child to develop their capacities for autonomy normally. If this is true, there is no anti-perfectionist justification for the additional steps involved in strong forms of comprehensive enrolment which go considerably beyond mere value shaping.

Another way strong comprehensive enrolment differs from value-shaping would be when children are specifically and repeatedly made aware of the potential causal connection between their parents own comprehensive worldview and the authentic moment of joy they are experiencing with their child. One can have an authentic and unaffected moment of religious joy with their child without needing to explicitly reinforce to the child that the joy is only possible when they whole-heartedly embrace the same religion and reject others. That would also seem to be an active additional step, not required by authenticity and therefore not supported by anti-perfectionist arguments. To declare that parents should refrain from such active enrolment is not to require of them that they have an inauthentic and stifled relationship with their child: it requires that they refrain from taking the additional steps of denigrating other conceptions of the good and explicitly tying their joy in parenting to the child's embrace of their values.

Conclusion

On Christman's account of autonomy, we have reasons to be concerned that strong forms of comprehensive enrolment might well undermine the development of Achievement autonomy (understood as analogous to Lotz's agent-internal conditions required by the child's right to an open future), by inducing feelings of alienation and insufficient capacities to reject them. To this extent, Clayton is correct to raise concerns about whether comprehensive enrolment is compatible with the development of Achievement autonomy, although his argument is strengthened by more carefully focusing specifically on strong forms of comprehensive

enrolment and on the notion of alienation rather than emotional costs. Like Cormier, I reject Clayton's notion of Independence autonomy. Any historical account of autonomy accepts that our values are often set and shaped by others. This is, in and of itself, neither here nor there. Nonetheless, I have used Cormier's helpful objections to Clayton's defence of Independence autonomy to offer further arguments for why we have good reason to suppose that strong forms of comprehensive enrolment are incompatible with Achievement autonomy. Achievement autonomy, and thus the child's right to an open future, can indeed be undermined by strong forms of comprehensive enrolment.

Chapter 4 - Selecting For Deafness

In this chapter I will address the question of whether or not parents deliberately selecting for certain disabilities in their children violates the child's right to an open future, and how using Christman's historical account of autonomy can help clarify the conclusions reached. I will be focusing specifically on the condition of deafness, and on the hypothetical ability for parents to choose or select for deafness in their children. "Choosing for deafness" therefore refers to such situations as parents either deliberately ensuring their child will be born physiologically deaf (through gene treatment technology, for instance), selecting embryos through IVF which will result in a deaf child, or refusing treatments and physiotherapy after birth which could conceivably give a deaf child the ability to hear.

Before addressing the specific arguments relevant to the right to an open future, I begin by first clarifying some of the assumptions that both sides of the debate take for granted. Firstly, both sides agree that deafness doesn't cause pain or lower one's life expectancy dramatically, nor does it seem to induce unhappiness beyond many other circumstances which are already morally acceptable for parents to choose (Davis 1997, p.9). For instance, a parent moving internationally for work may disrupt a child's life but it does not seem to ruin it, in much the same way deaf children, while not being able to hear, are able to have non-ruinous childhoods (Schroeder 2018, p.21).

Secondly, the debate here side steps the issue of abortion. We are not focusing on whether a fetus with deafness should be terminated. Rather, we are asking whether something like deafness - something usually considered only mildly to moderately harmful - can be selected for. Given that both sides allow for deaf people to be born and be afforded the dignity

everyone else is (on account of being a person and therefore worthy of respect on that fact alone), the argument asks whether anyone acts impermissibly by violating the right to an open future by selecting for deafness. Throughout this chapter, the assumption will be that it is currently impossible to provide a person with the capacity for hearing they would otherwise have if they weren't born deaf.

I am also going to ignore the perennial question of how one can wrong a child by selecting it at the embryonic stage unless it's subsequent life is not worth living. All debates about wrongs done to children before they are born potentially confront the non-identity problem, but like Davis and others I will side-step this issue in order to focus more specifically on the child's right to an open future.

The rest of this chapter proceeds as follows. Firstly I will describe Dena Davis' argument against selecting for deafness. She argues that there are two distinct ways in which deafness violates a child's right to an open future: either selecting for deafness is a moral harm because it is the type of physical disability that substantially closes off a child's potential future set of options, or selecting for deafness is a moral harm because it will force the child into a substantially narrow subculture that will limit the child's future options. After expanding both positions put forth by Davis, I will outline Andrew Schroeder's counter-arguments. Schroeder claims that arguments against selecting for deafness have misunderstood the condition, and fail for a number of reasons. Principally, they fail because they are unable to properly describe and evaluate "option sets" (try as they might), and furthermore, they are unable to demonstrate why deafness reduces them in ethically suspect ways. I will then detail the work done by Eric Schmidt, who proposes a novel way to conceive of option sets, and how we should assign acceptability to their increase or decrease. This is done in an attempt to argue against the "closing" of a child's future. Lastly, I will demonstrate how using Christman's historical account of

personal autonomy, and in particular his criteria regarding alienation, with reference to Lotz's agent-external conditions for autonomy, brings clarity to the debate on whether or not selecting for deafness undermines a child's potential autonomy by violating their right to an open future.

Davis on selecting for deafness

Intuitively, it seems wrong to many people for would-be parents to select for deafness. As Davis points out, this intuition is usually expressed as a conflict between a child's well-being and the parents autonomy (Davis 1997, p.7). Most people believe that while the parents should have some measure of autonomy in selecting who their child is and will become, ensuring that the child is deaf is wrong because it is a harmful or limiting condition, one that substantially reduces a child's welfare. I agree with Davis that this is not the best way to understand our concerns, mostly because deafness as a condition doesn't seem to actually cause all that much harm (comparative to other conditions that we don't intuitively feel concerned about). "Being deaf does not cause one physical pain or shorten one's life span," according to Davis (1997, p.9), nor do deaf people seem, on balance, to be necessarily and consistently any less happy than people who can hear. Davis argues that without such harms, the argument against selecting for deafness from beneficence is weak.

Instead, the argument against selecting for deafness should be conceived as a conflict between the parents' autonomy in choosing how to raise the child, and the child's future autonomy as secured under the child's right to an open future. On the one hand, parents seem to have the authority to raise their own child as they see fit, within reason (which is to say, without abuse or neglect, at the very least). She also echoes the points made by Cormier discussed in the previous chapter, that some forms of value-shaping are an inevitable part of being raised by one's parents in an authentic and spontaneous relationship. The specific

question is whether selecting for deafness falls within the scope of the morally acceptable range of parental autonomy given that the child also has a right to an open future.

Davis appeals to two distinct arguments for why selecting for deafness undermines a child's right to an open future. She firstly appeals to the Kantian maxim that people must always only be treated as ends of themselves, and never as means (Davis 1997, p.12). In the case of children, it must be admitted that adults choose to become parents for self-regarding reasons; because no child exists beforehand, the decision to become a parent can't be made in reference to any actual, existing child. However, parents must be cognizant of the fact that a child will necessarily exist if they are to become parents, and that child must be considered only as an end, not as a means. If parents force children irreversibly to live in accordance with their own conception of what constitutes the good life - for instance, by ensuring that they are born deaf - then the child has been used as a means "to fulfill parental hopes and dreams, not her own." (Davis 1997, p.12) A child is not regarded as an end because to select for deafness - for the sake of forcing the child "irreversibly into the parents' notion of "the good life"" (Davis 1997, p.9) - is to close off some options for the child that they may wish to pursue when they come of age. Parents must admit that their child may not want to live the life they envision for her, and so they can't close options to their child to ensure that she more likely lives the life they envision. If they do so, they are committing a moral harm by violating the child's right to an open future.

Davis's second argument first takes us via an understanding of what Deaf advocates call "Deaf culture", namely that being Deaf is not (merely) a disability, but being a member of a distinct minority culture. According to Deaf advocates, the fact that there are currently less options for deaf adults to choose from, and that they have much worse educational and economic outcomes than hearing people, highlights that there are issues with the society Deaf

people find themselves in. Deaf people face multiple hurdles, usually from birth. For instance, deaf people are usually born to hearing parents unknowingly, who discover this fact weeks or months later. During that time, the child has missed out on developing crucial functions and faculties (such as a language framework, and bonding). Discovering that a crucial aspect of an unborn baby's physiology is "missing" (or at least different to what is expected) is at least as much a societal and medical issue as it is a parental one. Furthermore, even after the parents discover that their child is deaf, they aren't usually properly equipped to raise a deaf child, nor is the necessary governmental support easily or quickly accessible by the parents (Davis 1997, p.13). Even then, a lot of the support is substandard or underfunded. If society had better and more responsive services to help parents raising a deaf child, these worse outcomes could be mitigated. And all of this is to say nothing of the hurdles autonomous deaf adults face navigating a society not built to accommodate them properly.

Another way many of these negative outcomes can be avoided is by active inclusion into Deaf culture. Deaf advocates argue further that Deafness shouldn't be considered as merely a physical condition. The condition of "being deaf" is simply one component of being a Deaf person, understood as a distinct cultural identity, albeit a minority one. Advocates point to the strong communities that emerge around Deafness, as well as their specific education centres and styles, their own emerging artistic expressions, and of course, their own specific languages, like American Sign Language and Auslan (Davis 1997, p.12). All of these are considered evidence that Deaf people deserve "equal respect as a cultural minority" (Davis 1997, p.12). Deaf advocates claim that societies, in trying to mitigate poor outcomes for deaf people, fail to take into account the validity of Deaf culture, and mistakenly put the cart before the horse; one doesn't mitigate the negative effects of deafness by "curing" or eradicating deafness, but by respecting the Deaf cultural experience, and working to accommodate Deaf people (Davis 1997, p.14). As Deaf advocates argue, poor economic outcomes in Indigenous communities are not

mitigated by eradicating Indigenous peoples or cultures. They are rectified in part by fixing the social and cultural barriers those people face. The same rationale should apply to Deaf people, they argue. Deaf people who are raised from birth as Deaf, who are able to develop their sign language from birth, who are able to attend accommodating Deaf schools, and who are raised by Deaf parents inside an accommodating and loving Deaf community, all appear to have much better educational outcomes and interpersonal prospects than deaf people who are raised outside of Deaf culture (Davis 1997, p.13). Deaf advocates point to this as proof that the problem isn't located in what some call the "disability".

Davis second argument that choosing for deafness violates a child's right to an open future turns on the claim that even if Deafness is a culture, it is "an exceedingly narrow one," (Davis 1997, p.13) one which you can only be included in if you are Deaf, and one which is most thoroughly experienced if you are deaf from birth. According to Davis, being Deaf limits the number of things one can choose to do, such as occupation, which is likely to depress an agent's standard of living later in life. Furthermore, being deaf from birth necessarily means a child will miss out on certain types of development and education, or will at least undergo substantially different development than most others. On top of this, it is currently exceedingly difficult to restore hearing in a deaf person in some instances, at least in terms of restoring it to what is considered a "normal" capacity. Because of all of these factors, Deaf child will have very limited options to move outside of Deaf culture, thus confining her to associate with a relatively narrow group of people. For these reasons, according to Davis, if someone has chosen for you to be deaf, and then raised you in Deaf culture, then they have violated your right to an open future on account of how your options are reduced to an insufficient level, including the option to leave that culture and join another once you become old enough to choose to do so (Davis 1997, pps.13-14).

Davis' argument against selecting for deafness then, centres around the narrowing of options. Recall that the right to an open future requires, as Lotz argues, both agent-internal and agent-external conditions (Lotz 2006, pps.546-547). The agent must have both the capacities to critically reflect (internal conditions) and a sufficient range of options to choose from (external conditions). In the discussion of comprehensive enrolment, the claim was that it violates these internal conditions. In contrast, Davis is claiming that choosing deafness violates the necessary external conditions for developing autonomy by unreasonably reducing the child's later options. Recall that Lotz's tentative proposal for agent-external conditions for autonomy called for the child to have a "sufficient" array of options. Sufficiency here, however, "will be a function of the quality of those options, and not primarily of their number." (Lotz 2006, p.546). Lotz suggests that, without having to maximise the number of options available to a child, parents should - in line with meeting the agent-external criteria - aim to provide options which are "varied, relevant, culturally meaningful, and in a broad sense representative of the diversity of ways of life." (Lotz 2006, p.547) For Davis' argument to succeed, we need to move beyond the level of intuition and scrutinize what counts as morally unacceptable when it comes to closing or changing of options, as it relates to the child's right to an open future. After all, not many people would seriously argue that a child's right to an open future is fundamentally violated if a parent moves cities and takes their child with them, or if they fail to teach them the basics of every musical instrument, even though such choices undoubtedly close some options to the child. What we saw in the debate between Mills and Lotz in Chapter 2 is that it is unreasonable to suppose that any parent has a duty to maximise the number of options a child might have later. It is an uncharitable interpretation of the right to an open future to suppose it requires that the child be introduced to an unmanageable smorgasbord of options during childhood.

Schroeder on selecting for deafness

As Andrew Schroeder argues however, what is plausible is to suggest that a sufficient level of options must be left open for a child's right to an open future to be respected (Schroeder 2018, p.13). Unfortunately, those like Davis who assert that selecting for deafness violates the right to an open future do not take up the challenge of explaining what options are closed and what options are open to the deaf, nor do they justify their claims that the options available to the deaf do not meet this sufficiency threshold. Schroeder claims that theorists usually generalise when they talk about how disabilities limit life choices (merely proclaiming that they self-evidently do), and when theorists do try to point out the ways in which deafness may limit life choices, they miss the mark. In one particularly egregious example, Schroeder notes that when a theorist proclaims that deaf people are unable to drive, will have limited participation in sports, won't be pilots, won't become members of the armed forces, and won't have the capacity to enjoy music, the theorist is wrong on every single count (Schroeder 2018, p.14). Many philosophers regularly underestimate the types of things deaf people can choose to do. As such, he argues that, until a more comprehensive understanding of what actually is and isn't available for Deaf people becomes more widely understood, theorists should refrain from basing their arguments on such assumptions. Making matters worse, philosophers are usually unaware of the fact that being deaf might well open up new possibilities, such as being able to work in a noisy environment and be part of a unique signing community. Even when acknowledging that this may be true, philosophers seem to just assume, without argument, that more options are closed off than opened (cf Schmidt 2007, p.93).

If we are not to rely just on dubious intuitions, how do we determine what counts as a sufficient option set that should be ensured for the right to an open future to be respected? Schroeder offers two ways to evaluate the option sets, both of which are implied within the

literature already. He argues that both evaluations fail to support the notion that selecting for deafness violates the right to an open future

The first way to evaluate and compare option-sets could be based on which ones the child prefers later in life: one option set should be considered better than another “if the child would, when she is an adult, prefer having the former set to the latter.” (Schroeder 2018, p.17)

Schroeder believes that this option faces some difficult issues, most obviously “that decisions made in childhood can have a decisive effect on adult preferences.” (Schroeder 2018, p.17). It’s eminently reasonable to assume that a child who is given a music-heavy upbringing may later come to prefer option-sets that emphasize music, but also to assume that that very same child, if given a sports-heavy upbringing, may come to prefer a sports-heavy option-set. A preference-based analysis would also suggest that in selecting for deafness to raise a deaf child, parents are raising a child more likely to prefer the option set available to deaf people (while at the same time, parents that select for hearing are likewise raising a child that will have a preference for the option set available to the hearing).

This argument bears similarities to Cormier’s argument from Chapter 3 that children are more likely to retrospectively consent to their comprehensive enrolment the stronger it is. The same principles could be applied here, given that we are making a weaker argument; Schroeder isn’t suggesting that children must retrospectively consent to their argument, but they must merely prefer it to other options they may potentially have held. This initially seems to hold some weight, given Christman’s claims about the agent’s I-Self, and how it impacts on the results of an agent’s sustained critical self-reflection. It seems plausible to suggest that someone who is deaf from birth will have the fact of their deafness be an integral part of their I-Self, and will from that have their deafness influence any self-reflection on desires or values they may hold,

including how they feel about the option set they currently have, which is itself a product of, and influenced by, their deafness.

Those who oppose selecting for deafness argue that this argument fails, as children will likely resent having the option set available to the hearing closed off (Schmidt 2007, p.195). Schroeder, however, points out that no such empirical evidence is forthcoming. Similarly to how theorists simply assume that deafness limits options, Schroeder points out that they seem to be simply assuming that deaf children, upon learning that they could have held the capacity for hearing and that that capacity was denied to them deliberately by their parents, will genuinely and profoundly resent that decision having being made in a way that makes the decision itself ethically questionable (and not, for instance, in the way that children “resent” their parents for not giving into their squalling protestations to buy them chocolate at the supermarket). Further, Schroeder argues that we should only be taking our empirical evidence on this resentment from those who had their deafness selected for by deaf parents, because that is a way to ensure that only those who had their deafness expected and accommodated for, and who were able to (hopefully) engage in authentic and spontaneous relationships with prepared and experienced parents are the ones reporting on how satisfied a Deaf person might find a life that is set up for them with their disability in mind (Schroeder 2018, pps.17-18). In the complete absence of such evidence, philosophers are simply assuming that the majority of children raised with deafness will grow up to prefer a hearing option set and resenting a deaf one, despite the pride usually reported by Deaf people raised by Deaf parents in a welcoming community. Even if some evidence of regret were reported it would need to account for the hostile environment and culture most Deaf people live in, and would need to somehow tell us whether Deaf people would prefer a different option set if hypothetically the social problems they faced were resolved.

On top of all this, even if we could establish that deaf option-sets are inferior to hearing option sets, we would still need to establish that those deaf-option sets are inadequate on their own account; though they may be inferior compared to others, we would still need to establish whether or not the option set available for deaf children is above or below “the minimum that parents owe their children.” (Schroeder 2018, p.18)

This point is made more obvious by Joseph Stramondo, who argues that too much emphasis is placed upon a supposed causal connection between normal species functioning and equality of opportunities. Stramondo argues that normal bodily functioning is neither “necessary or sufficient for accessing an acceptable range of opportunities” (Stramondo 2017, p.483), and that defining an agent’s opportunity range solely in relation to their biological functioning is too narrow. When Davis, Feinberg et al talk of the types of opportunities that agents may or may not have access to, they are mostly describing deeply social and environmentally situated opportunities, such as one’s career, religion, love life, and all manner of other things that rely on other people in order to be viable options. Even sports require adjudicators and coaches, facilities and outfits, and music usually requires at least tutors and instrument makers. However, Stramondo argues that there is nothing about these opportunities to suggest that normal species functioning (for example, hearing) is necessary or sufficient for one to have an acceptable array of them to choose from. Given that options are closed to people with hearing because of their society or environment, it stands to reason that perhaps options closed to deaf people are also so closed because of their society, even if it looks at first glance as if it is on account of their deafness. It is a complicated and multifaceted issue, and Stramondo argues that it is simply “too crude a narrative” (Stramondo 2017, p.484) to define one’s available options as inextricably bound to “the normal functioning of individuals.” (Stramondo 2017, p.483) Given the socially embedded nature of opportunities, one could argue

that deaf people may have options closed to them because of discrimination, as well as or instead of, their physiology.

Ron Amundson claims that to argue that people with disabilities will inevitably face barriers to opportunities as a fact of life “is no more justified in the case of disability than it would be in the case of racial or sex discrimination.” (Amundson 2005, p.108). That is to say, it might be fair to claim that people with disabilities will likely face discrimination that will reduce their opportunities (regrettable as it may be), but it does not follow that their disability is therefore the reason they have fewer opportunities; the attribute (like deafness) may not actually be the cause of the lack of opportunity at all. This is because which opportunities the agent lacks “depends on the social structures in which they are embedded.” (Amundson 2005, p.108) Some structures may be such that deafness reduces opportunities, and under other structures that may not be the case; also to blame is the role of feeling stigma and ignorance while navigating a world hostile (or at least not accommodating) to your specific needs. The argument that Amundson makes is that “people with atypical modes of functioning... can nevertheless function at a high level, at least if the environment poses no obstacles to them,” (Amundson 2005, p.107) and so we shouldn't be hasty in drawing a direct link between someone's disability and their opportunities.

As an apocryphal example, we have all heard tale of the old people in groups who are left to the elements when they become burdensome, and yet because most Western liberal democracies have adequate supplies and structures to support their aging members, we not only treat them better, we don't even consider them burdensome. As such, the opportunities open to older people in our society are better than those opportunities given to old people left to fend for themselves in the wilds. Arguably, however, the biological functioning of these older people would be indistinguishable across situations. Some options are closed because of their

biology, but their entire “opportunity range is not so simply defined by biological function.”
(Stramondo 2017, p.484)

To be sure, biological functioning plays some role in limiting opportunities (Stramondo 2017, p.484); the argument here though is that disabilities in and of themselves don't necessarily limit opportunities more than any other biological function that we may expect of an agent, such as height or their natural propensities. Even when disabilities do limit some number of opportunities, they may limit them on account of how the society one finds themselves in is structured, and how the people in that society choose to accommodate them or not. Analogously, we may regrettably expect women or minorities to face a lack of opportunities, but we do not ascribe a necessary causal link between their identity and that lack.

Therefore, if we could collect empirical data proving that certain disabilities lowered option-sets compared to people with regular species functioning, we would still need to collect data demonstrating that the particular disability itself was causally connected to the lack of opportunities, and is not instead merely hinting at opportunity-limiting discrimination. Schroeder claims that that research should at least be attempted before the preference-view is adopted whole-heartedly.

The other way Schroeder suggests one could evaluate option sets is by arguing that the available options must offer a sufficient number of choices inside broad yet distinct categories that are minimally required for human flourishing. For instance, one way of delineating the different categories, as suggested by Chen (2016, p.152-153) might be as such - “musical, bodily-kinesthetic, logical-mathematical, linguistic, spatial, interpersonal, intrapersonal, and naturalist.” An option-set for an adult is sufficient if it contains a sufficient number of options in all of those listed categories. Of course, there might be a better way to slice up the human

condition - the “categorical theory” merely states that there is some way to determine the different categories that make up a fulfilling human experience, and that an acceptable option-set must provide a sufficient number of options in each of them.

The obvious problem facing an account like this is arguing for the taxonomy chosen. For instance, as Schroeder points out, even assuming deaf people don't have access to music, why assume music is one of the broad categories necessary for human flourishing, rather than “art” (Schroder 2018, p.19)? Supposing that music really is one of the necessary categories for a flourishing life, is the music available to deaf people – perhaps forms of percussion - really not sufficient enough? How would we know? A way to answer such questions needs to be formulated before the categorical theory can be adopted. Determining how to categorise the main, separate components of the lived experience necessary for a good life seems like a challenging task; not impossible, but not one that has been adequately nor relevantly explored by the literature to date (Schroeder 2018, p.19).

So far as it goes then, Schroeder doesn't believe that either the preference evaluation or the categorical evaluation offers strong support for the claim that selecting for deafness violates the child's right to an open future. Schroeder rightly argues that most people simply assume that selecting for deafness reduces the option sets available to an agent to an insufficient level. His ultimate conclusion is that until further theoretical and, importantly, empirical work is done, theorists should refrain from making such assumptions.

For the rest of this chapter, I will again rely on Christman's notion of alienation to re-frame the debate, with reference to Lotz's agent-external conditions of autonomy. I will begin by first outlining Eric Schmidt's argument against parental selection of deafness, by way of his “road map” theory of option set delineation. After that, I will then argue that Schmidt's theory

provides some insights into the relevance of alienation in the debate, but ultimately fails to overcome Schroeder's initial objections. I will end by arguing that by applying Christman's theory of alienation, we have a way of reconceiving the debate on selecting for deafness, that helps us move beyond assumptions surrounding option sets and their value. I argue that selecting for deafness currently violates the child's right to an open future, but that it may be normatively acceptable if we work - interpersonally and socially - on upholding the obligations entailed by the child's right to an open future. This argument is bolstered by including Stramondo's work on including reasonable accommodation in discussions on what is expected of a society in providing opportunities to disabled people.

Schmidt on evaluating option-sets

Schmidt considers option-sets as akin to a road map. On this map there are landmarks, or destinations, which constitute potential "significant experiences." These significant experiences are the types of "experiences that have the potential to change the path of a person's future." (Schmidt 2007, p.193). These landmarks may include things like attending university for postgraduate philosophy, or attending a vocational training college: both hold the significant potential to influence what one can and might choose to do as a career (Schmidt 2007, p.193). Conversely, having an ice cream is unlikely to be listed (according to Schmidt. I take umbrage with his flippant dismissal that eating a chocolate ice cream "is not a significant aesthetic experience, because it does not have a significant potential for changing the person's future aesthetic activities." (Schmidt 2007, p.194.) How many chefs list one single culinary memory as the formation of their passion?)

These landmarks are sometimes unconnected but more often connected. Some landmarks can only be reached by arriving at other specific landmarks beforehand, while sometimes arriving at one landmark will make it impossible for you to reach another. According

to Schmidt, we should consider these landmarks as connected by a certain amount and type of roads (such as “one way”, “omnidirectional”, “No Turning Back”), and it is these roads which determine how open a person’s future is. Due to the genetic and social circumstances of one’s birth, some roads simply aren’t on a person’s map. As one grows older, and before one can even start to choose which roads to take, some are closed, altered, or even unexpectedly opened. For instance, someone born irreversibly blind has no roads leading to landmarks such as “seeing a life-affirming painting.” Further to this, once you’re able to start making your own choices, you will arrive at forks in the road which will sometimes lock off some roads to some landmarks forever, and others which will sometimes open new or previously closed roads. You might be faced with the choice between picking a trade like plumbing, or enrolling in a Bachelor of Arts at university, or enlisting in the armed services. All of these close off certain roads to other landmarks (at least temporarily). That’s the experience of living.

Schmidt’s claim is that we do not need to worry whether or not entire option sets - the full list of options available to an individual across their lives - are quantifiably “better or worse” than others. Rather, we can more easily make educated, quantifiable guesses about the individual roads available to people, which destinations they will lead to, and which destinations will be locked off to them due to these “travels.” A child has a more open future when they have more roads available to them. Simply put, a road map (ie, an “option set”) for one individual is “better” than another hypothetical road map for the same person if it has more roads on it.

How does this account of road maps interact with the child’s right to an open future, and selecting for a disability like deafness? According to Schmidt, to ensure a child’s right to an open future is upheld, parents are obliged to not reduce the number of roads a child has on their map, as each closed road is a future option that is no longer open. Even though myriad roads will be closed off in the natural course of things, parents act against the child’s right to an open future if

their actions decrease the number of open roads, without adding considerably more to the map - Schmidt argues that parents that (for example) select for deafness will add some small amount of roads to the child's map (such as "becoming fluent in sign language or participating fully in Deaf culture" (Schmidt 2007, p.195) but nevertheless undermine their child's right to an open future because selecting for deafness "would, on balance, remove roads from the child's map." (Schmidt p.195) The point here being that the destinations don't necessarily need to be interrelated; if parents remove more roads overall than they add to a child's map, then according to Schmidt they have acted in violation of their child's rights (Schmidt p.195). Parents are also obliged to not substantially reduce the number of roads on a child's map even if they believe they are doing so for good reasons, or innocuously. For example, if parents were to close off all the roads that lead to sporting achievements on the assumption that their child will probably never like sports anyway (possibly because they themselves don't, and they have no desire themselves to introduce their child to sports), then they have reduced the number of roads that are open without adding any more. On the other hand, Schmidt argues that it is permissible for parents to edit their child's map if what they are doing is, on balance, adding more roads (Schmidt 2007, p.195). Schmidt uses the example of selecting for a pitch perfect child, or one with 20/10 vision; no significant landmarks are closed off to the child (though admittedly, some minor ones like 'discovering you need glasses' are), while a variety of new roads are added to their map (Schmidt 2007, p.196).

Schmidt argues that selecting for disability is incompatible with the right to an open future because it closes off many more options than it opens. As Schroder argues, Schmidt provides no argument of evidence for this claim, so this particular aspect of Schmidt's argument will not be pursued here. He has, however, another argument that can be used to argue against selecting for disability. According to Schmidt it is also wrong for parents to alter the road maps available to children, even if the total number of options remains the same. It is wrong, he says,

because the child's futures are left more under the control of her parents, and "her parents' conception of her futures may not coincide with her own." (Schmidt 2007, p.197). In short, Schmidt argues that it is wrong for parents to change their child's roadmap so it conforms with their own conception of the future they desire for their child, and to thereby gamble on whether or not the child will want that particular future they provide her with. The child's parents can't be sure their child will independently come to choose that future; they can't be sure that she won't come to resent the options no longer available because of the altered road map, even though the total number of options is unchanged. To alter a child's roadmap is to unnecessarily gamble on what their future desires will be, and what landmarks they would like to try and reach when they're old enough to do so. Parents selecting for anything that alters, while not expanding, a child's future options is, according to Schmidt, "an excessive form of parental determination regarding their children's futures." (Schmidt 2007, p.197). To prohibit such deliberate alterations helps ensure a child's future is more "their own," and helps reduce the likelihood that their roadmap is full of landmarks their parents want them to arrive at.

Do Schroeder's criticisms apply to Schmidt's "road map" conception of a child's open future? After all, Schmidt's argument that we are considering here is not the claim that the agent is left with an insufficient number of options. Nor is his argument that some main categories of experience necessary for a flourishing life are rendered unavailable. Rather, his argument is that parents acting to shape a child's future options in accordance with the future they desire for their child is also a violation of the right to an open future. His argument here clearly resonates with Clayton's demand that parents engage in non-perfectionist child-rearing and that the failure to do so sets goals and values for the agent that she may not retrospectively consent to – or as Schmidt expresses it, that she may resent having been set for her.

Even here, I believe Schroeder may maintain that this particular argument doesn't address his objections. The argument could be made that Schmidt hasn't provided any satisfactory way of deciding when or how to judge that an individual option, a landmark or a road, is "closed" to a child, and furthermore, he doesn't actually demonstrate why selecting for deafness only changes roads on the map, rather than adding more roads in total. For instance, it might be the case that Deaf parents can offer so much more stability, security, education and overall authentic and spontaneous parenting to a Deaf child than they can a hearing one, so selecting for Deafness when parents are Deaf might substantially add roads while reducing far fewer (Schroeder 2007, pps.7-8).

Let us put these concerns aside however, and just assume for the sake of argument that selecting for deafness merely alters road maps rather than reducing the number of options available. Is Schmidt's argument plausible? Instead of talking rather loosely as Schmidt does about the child's later, possible resentment, I will ask the more specific question of whether or not parents selecting for deafness is likely to induce alienation.

Applying Christman's theory of alienation

One way to understand Schmidt's concerns is that Deaf people lead very different lives to the vast majority of people who are hearing. Our society is made by and for hearing people. To be deaf or Deaf is to necessarily interact with, and therefore experience this society differently than most people. Where these theorists go wrong is to conflate the difference of experience with a lack of experience. It is wrong, as Schroeder argues, to suggest that deaf people won't be able to drive, join the military, or play team sports. But it does not seem particularly controversial to suggest that Deaf people experience driving, military service, team sports and music differently to the vast majority of people. Is it possible that a Deaf person may still feel alienation towards their deafness because of how they experience these things? I want

to tentatively suggest that it is certainly possible, although I agree with Schroder that evidence is needed before any meaningful and uncontroversial conclusions can be reached.

Deaf people can possibly run the risk of experiencing alienation because they have fewer people to share similar experiences with, fewer opportunities to engage with others in activities in ways those others typically engage those activities, all the while regularly facing external reminders of the differences inherent to their experience. Alienation as I am envisioning it here need not only be induced when a person feels as if some motivation, value or conviction doesn't fit with their conception of themselves. It may also be the case that Deaf people can find themselves alienated by their deafness given it can prevent them from being able to choose to fully and effortlessly share their experiences with many others. Most people do not communicate with sign language, and communication through writing is necessarily slower than verbal communication. Most artistic and communal experiences are conceived of and executed with the majority of participants' ability to hear being assumed and central to the experience. Sign interpreters may be hired so that the deaf can understand the speaker or performance they're viewing, but translated performance is a kind of mediated performance, just as is translation of language between any two speakers who do not understand each other's language.

These comments are fully compatible with accepting that deaf people do not necessarily have fewer options than hearing people (cf Amundson 2010). Rather, the suggestion is that while engaging in valuable options, deaf people have fewer people to directly engage with, in an unmediated way, than do hearing people. This may induce feelings of alienation. So for instance, while the experience of team sport may still be open to a Deaf person, playing team sports with a mostly hearing team may induce alienation in a number of ways, such as not being able to hear calls being made and responding as quickly as others, feeling like you need to put in more effort to remain as aware of the situation as those with hearing you're playing with (and

against), and feeling like there is a possibility that those with hearing are somehow getting more from the experience due to the ways they communicate, commensurate and celebrate with each other verbally and aurally. Alternatively one can choose to play on a Deaf team, but the range of teams available will always be limited (if they are available at all), and again, the experience will feel as though it is a mediated one, specially conceived and executed with changes and limitations, for people who are “different”.

Valuable choices and experiences don't exist in a social vacuum, and an ability to engage with others in a way both people feel sufficient and satisfying is important for people. As Amundson points out, opportunities are socially embedded for everyone, disabled or otherwise (Amundson 2010, p.108). It could be argued therefore that as well as ensuring agents have a sufficient quality and quantity of options, they should have a sufficient quality and quantity of people to share their experiences of engaging with those options. To that end, it could be argued that a source of alienation may be found in being unable to express oneself to people in the wider community in a way that feels uninhibited. When theorists call for a child to have an acceptable array of options available to them, that acceptability is as reliant on external, social and interpersonal factors as it is internal ones. How one feels about the options they have, and how they feel after deciding on one, is at the very least influenced by external conditions related to their socially embedded situation. As Lotz suggests, the external conditions that impact on an agent “refer to aspects of an individual's context,” (Lotz 2006, p.546) and as such, we need to consider not only the types and variety of options an agent may have access to, but also how they feel in being able to choose them, and also how they feel once they have chosen them. The plausible observation that not every option will hold significance to everyone who has it open to them (Lotz 2006, p.546) invites us to ask why; sometimes it will be because the option itself holds no value because of the agent's set of values and convictions, but in other instances it may be because the agent doesn't feel that selecting the option will result in a valuable

outcome for them, despite recognising that generally speaking, the option and outcome is considered valuable by many that can choose it. Put differently, it may not hold value because choosing it will lead to alienation.

To repeat, I readily concede that we cannot know whether selecting for deafness runs such a risk of inducing alienation without further evidence. Nevertheless, it seems reasonable to ask whether such feelings of alienation are more likely in those cases where parents deliberately chose deafness on account of their own desires for what their child's future should be like. Deafness in these cases is avoidable (again, given we are putting the non-identity problem aside). The parents have chosen a very marginal linguistic community for their child on the basis of their own values. There appears to be no anti-perfectionist child-rearing arguments available to such parents to appeal to: such a choice was not necessarily made to ensure a loving and adequate rearing environment for the child. I did not defend the claim in the previous chapter that there must be an anti-perfectionist argument available for any parent wishing to comprehensively enrol their child. Rather, I argued that in contrast to arguments proposed by Cormier and Brighthouse and Swift, there is no anti-perfectionist argument available for strong comprehensive enrolment. Given that strong comprehensive enrolment will likely threaten Achievement autonomy, and given there is no anti-perfectionist argument in its favour, then strong comprehensive enrolment is morally suspect. Here too I argue that selecting for deafness might undermine Achievement autonomy (or simply put, 'autonomy,' as conceived by Christman in his historical account) by leaving the agent with feelings of alienation that she is unable to reject, and nor do there appear to be any clearly anti-perfectionist reasons for why parents choose deafness for their child. In fact, knowing that her parents chose deafness for her on the basis of their own values, and knowing that her deafness limits the number of people with whom she can share unmediated experiences, one should ask whether selecting for deafness runs an unacceptable risk of inducing alienation.

Of course, alienation itself is only a threat to autonomy if the alienating factor is unable to be rejected or removed by the agent. In these instances in which a Deaf person experiences alienation because of their inability to fully share their experiences with the majority of people, it seems as if their alienation could at best be suppressed or ignored. Actually ridding oneself of the alienating element does not seem feasible if it is intrinsically tied to their deafness. Given the way our society is currently structured, and the nature of biological deafness, there are reasons to suspect that the alienation induced through socially-limiting deafness cannot be rejected.

However, this may only be a claim about the current state of affairs. It should be conceded that my concerns only apply given current technology. Reconstructive technology only needs to get to the point where the approximation of hearing is close enough to “natural” hearing that the distinction is irrelevant. Normal species functioning (ie, hearing) is not necessarily the only way to experience a symphony in a way that we could reasonably assume agents can derive value; it is merely one way. As even simple technology like hearing aids, prescription glasses and corrective footwear seem to suggest, “many modes of functioning can still allow for a plenty broad compliment of life opportunities,” (Stramondo 2017, p.484) despite one not being considered physically normal (this point will be expanded below). Once technology allows previously deaf people to choose to hear, then they would be able to reject any element that causes them alienation when it’s tied to their deafness, by way of rejecting their deafness if they so choose. So long as the technology allows people to choose to reject an element that is causing them alienation then we have mitigated the risk to autonomy caused by parents selecting for deafness.

Moreover, such technological advances would provide an argument against Davis’ claim that Deaf culture is restrictively narrow. With an ability to choose to hear at a later date,

selecting for deafness and raising a child Deaf may be considered a cultural choice, but not one that is excessively restrictive. The choice would then be roughly equivalent to the choice to raise a child in a minority language and in minority cultural practices, but where nothing prevents the child later from choosing exclusive use of majority language and rejecting their minority cultural practices. If technology produces the option for deaf people to simply choose to hear, then being raised Deaf may come to be considered a type of value-shaping, rather than a type of comprehensive enrolment that is difficult to reject. As discussed in the last chapter, this type of value-shaping is not in and of itself morally impermissible.

The claims just made are also not incompatible with calls to try and reasonably accommodate deaf people, so that their deafness doesn't induce alienation at a frequency beyond the alienation we might expect hearing people to experience because of their own socially embedded opportunities and circumstances. We may not ever be able to safe-guard against deafness entirely, and we may not be able to safe-guard against all moments of alienation. But given that people with open futures will still likely feel alienation on matters, the goal should be to ensure that deaf people don't feel alienation on account of their deafness.

My argument here relies on the claim, made by Stramondo above, that because all people face limited opportunities, and because we cannot draw a necessary causal link between the disabilities discussed (mainly deafness) and an unacceptable lack of options, then we should allow for the possibility that people with disabilities such as deafness may still have an acceptable amount of options. I believe this argument can be expanded to account for alienation, and claim that even though it may be the case now that deafness can be a source of alienation, it may not necessarily be in the future if societies reasonably accommodate for deafness.

Recall that my argument relies on the notion that, for example, deaf people who play team sports may still find them valuable in ways others do, but that they may still experience alienation related to it. If we take this to be true, then all that is required is that these opportunities cease to produce alienation by way of the person's deafness. Importantly, this does not entail entirely changing, for instance, the way team sports are played. It only requires that sports reasonably accommodate deaf people to the degree that any alienation felt and any lack of opportunity inherent to the activity is no more expected than what other people may feel towards it. For instance, plenty of hearing people may still not have team sports properly available to them because their society doesn't allow for it, they were socialised to not engage in them, they are too physically weak to engage fully, etc. Likewise, deaf people so inclined to play team sports may be reasonably accommodated by ensuring more visual cues are used for announcements and celebrations, or that drills and strategies are conceived of without relying on hearing, etc. Calling for reasonable accommodation "does not call for an absolute remediation of all the effects of stigmatization in our society," (Stramondo 2017, p.485, (emphasis in the original) just merely those remediations that can be "reasonably" achieved.

The problem with arguments of the type Davis and Schmidt put forward, is that they assume a necessary causation between a physical disability and corresponding lack of opportunity, in predetermined areas. Following from this, their argument could merely shift to say that alienation is necessarily causally linked to physical disability, even if their option sets aren't relevantly reduced. As Stramondo points out, however, it "may be that there are many biological variations of function that lead to a normal, or at least an acceptable, opportunity range within various social contexts." (Stramondo 2017, p.484) Two very different people may have acceptable and similar opportunities, but actualise and experience them in very different ways. There may be many different ways of functioning that all produce the same valuable experience, and further, that may not necessarily induce alienation. And if they do induce

alienation, we further need to ask if that alienation could be mitigated through reasonable accommodation. It seems likely that “if we appropriately accommodate people with modifications of the physical and social environment, there are multiple modes of functioning that offer access to similar, important opportunities” (Stramondo 2017, p.484) To put it another way, there are many roads that lead to the same, or relevantly similar landmarks, and while some are closed to deaf people, some are only open to deaf people, while others can be used by the hearing and deaf alike. The point is that we don’t know for sure which roads remain on a deaf person’s map on account of their deafness, and not on account of social stigma and assumptions. When they arrive, we also don’t know if the landmark experience will induce alienation, and if it does, don’t know if that could be fully mitigated with reasonable accommodation.

How do we decide on what is reasonable in terms of accommodation? This is a tricky question that Stramondo leaves open, but the first place to look would be in “making a judgment about whether the potential parents and surrounding community will be able to provide the accommodations the child will need,” in order that they don’t feel alienation upon undergoing certain experiences. While this will of course require considering the future child’s physiology, it also needs to consider “the material, epistemic, and emotional resources of [the child’s] parents and community.” (Stramondo 2017, p.486)

Christman’s theory of autonomy and his focus on alienation seems to offer us two solutions to the question of whether or not it is morally permissible to select for disability. Firstly, it gives us a reason why at the moment it may be impermissible for parents to select for deafness in their unborn child; because it reasonably runs a risk of inducing alienation that cannot be rejected. At the same time, we should acknowledge that there is an achievable future wherein selecting for deafness is not a threat to the child’s right to an open future because avoiding alienation can be something achieved through reasonable accommodations.

Conclusion

By applying Christman's theory of alienation to the question of whether or not it is morally permissible for parents to select for disabilities like deafness, we can see that in some ways, the debate up to this point has failed to consider ways in which choosing and experiencing options, instead of merely having options, is important. While theorists like Davis and Schmidt argue deafness lowers the amount of relevant or valuable options a deaf person may have, and Schroeder counter-argues that the empirical evidence to make such claims is lacking, by applying a theory of alienation to the discourse we can more clearly articulate why these options are valuable, and why deafness may be a barrier to agent's experiencing the value of choosing such an option, even when they can still choose it. The issue in selecting for deafness is found in the fact that deaf people, in choosing from among the same options as those with hearing, will not be able to experience that choice in the same way as those they share their life and society with, and this in turn may produce unrejectable alienation. This is autonomy undermining, and thus is impermissible for parents to knowingly bring about.

That said, however, Christman's theory of alienation, when bolstered by claims made by Amundson and Stromondo, also provides us with a clear reason for claiming that selecting for deafness isn't necessarily impermissible; so long as, and as soon as, deafness or selecting for deafness no longer induces alienation that can't properly be rejected, then we have no reason to think that selecting for deafness undermines a child's future autonomy, and as such, no longer violates their right to an open future. We can also make a further, more fine-grained argument and claim that the child's right to an open future obliges parents and the wider society to ensure that deaf children run no more of a risk of alienation than hearing people do, which is to say; some risk, but no risks necessarily tied to their biological functioning. So understood, the argument could then be made that, if the reasonable accommodation of deafness in society

seems plausible and achievable (which I believe it does), then we have a duty under the child's right to an open future to strive to ensure that selecting for deafness, and deafness itself, no longer undermines the child's right to an open future.

Conclusion

The aim of this thesis was to demonstrate the usefulness of applying a fully-developed theory of personal autonomy to debates surrounding the child's right to an open future. Specifically, I wanted to demonstrate that Christman's historical theory of autonomy was particularly well suited to shedding light on some of the key issues around that right. Christman's theory struck me as one of the most promising theories in this respect because, being a historical account, it deals specifically with an agent's past, as does the child's right to an open future. Agents have pasts, not least their childhoods, and those pasts have shaped what agents value and are committed to. Christman's theory gives us a framework for deciding if that shaping has undermined an agent's autonomy, instead of simply assuming that it has.

The first two chapters justified my use of Christman's theory of autonomy. The first chapter demonstrated that it is fit for purpose as a theory of autonomy in its own right, overcoming the potential problems that face all such theories. The second chapter demonstrated that Christman's theory offers considerable detail to the rather sketchy accounts of autonomy people use when arguing about the child's right to an open future. Specifically, Chapter 2 concluded with an examination of how well Christman's five criteria for ensuring an agent is autonomous in relation to some element of themselves maps very well onto Lotz's proposed conditions that parents are positively and negatively obliged to foster in children so as to not violate their right to an open future.

Chapters 3 and 4 were, in a sense, proofs of concept. After describing two distinct debates that roughly track with Lotz's internal and external conditions for autonomy, I applied

Christman's theory of autonomy and demonstrated how doing so helps push the debates forward, or clarifies where the debates should be focused.

In chapter 3, I hope to have shown that strong forms of comprehensive enrolment can be considered impermissible, on account of the fact that they undermine autonomy, when we consider autonomy as per Christman's theory. We can do this, however, without having to conceive of autonomy as not just capacities but also as a special status that agents hold interpersonally.

Chapter 4 likewise was an attempt to clarify a long running debate. On the question of whether parents can select for disability, those opposed to the notion argue that it's morally impermissible because it reduces the number of options a child can choose from when they're older, and as such it violates their right to an open future. I hope to have shown that, by applying Christman's historical theory of autonomy, we can reframe the debate as one not about less or more valuable option sets, but one about whether choosing options as a deaf person is likely to induce alienation that cannot be rejected. It was my tentative conclusion that it seems plausible that that might be the case.

It's my hope that this thesis prompts two actions. Specifically, I hope more philosophers investigate Christman's historical account of personal autonomy for use in their debates about the child's right to an open future. But more broadly, I hope this encourages theorists working in this field to look more closely at detailed theories of autonomy, and investigate whether or not they can be used whole cloth to help undo deadlocks or add clarity to debates about the child's right to an open future.

Bibliography

Amundson, Ronald (2005) "Disability, Ideology, and Quality of Life: A Bias in Biomedical Ethics" in *Quality of Life and Human Difference: Genetic Testing, Health Care, and Disability*, pps.101–124. New York: Cambridge University Press

Amundson, Ronald (2010) "Quality of Life, Disability, and Hedonic Psychology" in *Journal of the Theory of Social Behavior* 40, pps.374–392. Oxford: Blackwell Publishing

Brighouse, H. & Swift, A. (2014) *Family Values: The Ethics of Parent-Child Relationships*. New Jersey: Princeton University Press

Chen, Jason (2016) "The Right to Self-Development: An Addition to the Child's Right to an Open Future" in *Journal of Social Philosophy* Vol. 47, No. 4, pps.439-456. New Jersey: John Wiley & Sons

Christman, John (1987) "Autonomy: A Defense Of The Split-Level Self" in *The Southern Journal of Philosophy* Vol 25, No. 3, pps.281-293. Memphis: Wiley-Blackwell

Christman, John (1991) "Autonomy and Personal History" in *Canadian Journal of Philosophy* Vol. 21, No. 1, pps.1-24. Alberta: Cambridge University Press (Canada)

Christman, John (2009), *The Politics of Persons*, Cambridge: Cambridge University Press

Clayton, Matthew (2012) "Debate: The Case against the Comprehensive Enrolment of Children" in *The Journal of Political Philosophy* Vol. 20, No.3 pps.353-364. Oxford: Wiley-Blackwell Publishing

Clayton, Matthew (2015) "Anti-perfectionist Childrearing" in *The Nature of Children's Well-Being: Theory and Practise*, pps.123-140. Dordrecht: Springer Netherlands

Cormier, Andrée-Anne (2018) "On the permissibility of shaping children's values" in *Critical Review of International Social and Political Philosophy* Vol. 21, Issue 3, pps.333-350. Oxfordshire: Routledge

Davis, Dena. S (1997) "Genetic Dilemmas and the Child's Right to an Open Future" in *Hasting Centre Report* Vol. 27, No. 2, pps.7-15. New York: The Hastings Center

Dworkin, Gerald (1976) "Autonomy and Behavior Control" in *The Hastings Center Report* Vol. 6, No. 1, pps.23-28. New York: The Hastings Center

Feinberg, Joel (1992) *Freedom & Fulfillment: Philosophical Essays*. New Jersey : Princeton University Press.

Frankfurt, Harry G. (1971) "Freedom of the Will and the Concept of a Person" in *The Journal of Philosophy* Vol.68, No.1, pps.5-20. New York: Journal of Philosophy, Inc.

Frankfurt, Harry G. (1988) *The Importance of What We Care About*, Cambridge: Cambridge University Press

Lotz, Mianna (2006) "Feinberg, Mills and the Child's Right to an Open Future" in *Journal of Social Philosophy* Vol. 37, No 4, pps.537-551. New Jersey: Blackwell Publishing

Mills, Claudia (2003) "The Child's Right to an Open Future?" in *Journal of Social Philosophy* Vol. 34 No. 4, pps.499-509. New Jersey: Blackwell Publishing

Millum, Joseph (2015) "The foundation of the child's right to an open future" in *Journal of Social Philosophy* Vol. 45 No. 4, author manuscript pps.1-15. New Jersey: John Wiley & Sons

Noggle, Robert (2005) "Autonomy and the Paradox of Self-Creation: Infinite Regress, Finite Selves, and the Limits of Authenticity" in *Personal Autonomy: New Essays on Personal Autonomy and its Role in Contemporary Philosophy*, pps.87-108 Cambridge: Cambridge University Press.

Raz, Joseph. (1989) 'Facing Up: A Reply' in *Southern California Law Review*, Vol. 62, pps.1153-1236. California: USC Gould School of Law

Schmidt, Eric B. (2007) "The Parental Obligation to Expand a Child's Range of Open Futures When Making Genetic Trait Selection for their Child" in *Bioethics* Vol 21, No.4, pps.191-197. Oxford: Blackwell Publishing

Schroeder, Andrew (2018) "Well-Being, Opportunity, and Selecting for Disability" in *Journal of Ethics and Social Philosophy* Vol 14, No. 1, pps.1-27. California: USC Gould School of Law

Stramondo, Joseph (2017) "Disabled by Design: Justifying and Limiting Parental Authority to Choose Future Children with Pre-Implantation Genetic Diagnosis" in *Kennedy Institute of Ethics Journal* Vol. 27, No. 4, pps.475–500. Baltimore: Johns Hopkins University Press

Taylor, James Stacey (2005), "Introduction" in *Personal Autonomy: New Essays on Personal Autonomy and its Role in Contemporary Philosophy*, pps.1-30 Cambridge: Cambridge University Press.

Watson, Gary (1975), "Free Agency" in *The Journal of Philosophy*, Vol. 72, No. 8, pps.205-220. New York: Journal of Philosophy, Inc.