
Review

One child: Do we have a right to more?

Sarah Conly

Oxford University Press, Oxford, 2015, 243 pp., ISBN: 978-0-19-020343-6

Contemporary Political Theory (2016) **15**, e16–e19. doi:10.1057/s41296-016-0007-9; published online 28 June 2016

According to the oft-cited IPAT formula ($I = P \times A \times T$), environmental impact (I) is the product of complex interactions between three basic factors: population (P), affluence (A), and technology (T). Contemporary debates about climate justice have largely focused on the latter two factors, stressing the need to curb wasteful consumption and encouraging investment in green technologies that may enable us to maintain a high standard of living while leaving a smaller environmental footprint. However, while much attention has been paid to the A and T parts of the equation, relatively little attention has been paid to P. This omission, of course, is hardly surprising, for as a brief survey of twentieth-century history reminds us, state-sanctioned attempts to control population size – whether for environmental *or* nonenvironmental purposes – have often proved disastrous from a human rights perspective. However, as Sarah Conly argues in her new book, given the environmental calamity that sits at our doorstep, we no longer have the luxury of ignoring what has ostensibly become the elephant in the room in contemporary debates about climate justice. In addition to curbing consumption and boosting investment in green technology, we also need to start thinking seriously about curbing population growth, at least for the foreseeable future.

The response from the human rights crowd is likely to be automatic: “But what about the right to procreative autonomy?” Conly’s rejoinder is also her book’s innovative (and I think mostly correct) thesis: while all adults have a strong *pro tanto* right to procreative autonomy, this right does not entitle its bearer to create as many children as their heart desires. Rather, it entitles them to create the number of children that is consistent with respecting the morally relevant interests of others, including existing and future human beings who may suffer the adverse environmental consequences of unconstrained population growth. For Conly, this is no more than one child per couple, an upper limit that is morally required, and that in some cases may be legally enforced. In what follows, I outline Conly’s arguments for this provocative thesis before offering some brief critical remarks.

After setting out the problem in Chapter One, Conly provides the theoretical core of her book in Chapters Two and Three by asking what existing theories of



rights have to say about the apparent right to have as many children as one chooses. Chapter Two begins with (a particular version of) the interest theory of rights, according to which “all things being equal, we have a right to what we need for a decent life” (p. 35). Here Conly identifies three core interests that might collectively serve to ground a right to procreate – the interests in genetic reproduction, the interest in establishing familial relationships, and the interest in being treated as a moral equal – though she insists that each of these interests may be satisfied by the creation of only *one* child, provided that such a restriction is applied uniformly to all persons. In this sense, while basic welfare interests *may* be appealed to in order to justify a right to procreate, they do not necessarily justify anything beyond a right to create a single child. Chapter Three builds on this analysis by addressing the alternative will theory of rights, according to which rights serve to protect morally salient spheres of choice, such as the choices that individuals make about the uses of their bodies. Conly’s approach here is different. Rather than calling attention to features of the will theory that internally limit the kinds of choices it can support a right to make, she simply points out that choices about the use of our bodies are subject to a number of external moral constraints, such as those deriving from the harm principle. Thus, if using our bodies to create more than one child is likely to contribute to potentially disastrous overpopulation, then this is not a choice that we have a right to make.

Of course, even if we do not have the right to create more than one child, it does not necessarily follow that the state can prevent us from doing so. On the contrary, it is possible that individuals lack a right to more than one child, but that it is nevertheless impermissible for the state to enforce a one-child limit due to the high moral costs that such enforcement would likely involve. In Chapter Four, Conly responds to this objection by attempting to show how enforceable limits on procreation can be morally acceptable. While Conly is not entirely averse to the use of coercion, her discussion is guided by the maxim that “voluntary compliance is more effective and less costly all around” (p. 105); thus, much of the chapter focuses on soft forms of enforcement, such as education, the provision of contraception, and financial incentives, which have been shown to be effective in jurisdictions where they have been pursued. However, where soft forms of enforcement are insufficient, Conly argues that punitive sanctions must pick up the slack – not so much for their effectiveness as deterrents, but rather for their significant expressive power and the attendant influence it exerts over our conception of our civic obligations. Unlike the sanctions that are sometimes associated with another well-known (and recently relaxed) One Child Policy, Conly does not endorse coercive interference in citizens’ bodies, but prefers instead income-proportionate fines levied against prolific procreators.

The supposed impossibility of morally acceptable enforcement is not the only available objection to Conly’s proposal. One may also object to a one-child limit on the grounds that its principal beneficiaries – future people – do not yet exist, and



that we cannot have obligations to not-yet-existent persons. In Chapter Five, Conly addresses a number of familiar puzzles that arise when theorizing about our obligations to future persons. After establishing the near-certainty of future hardship that will arise if we continue to increase our numbers, Conly takes up the objection that we cannot have obligations to persons who do not currently exist. Her main response is that it is not necessary for future people to exist to think about them as having claims against us: since we know that they *will* exist in the future, and that they will have an interest in a decent environment that is capable of servicing their needs, we still have an obligation to act in ways now that will not jeopardize that interest when they come to exist. Next, Conly takes up the nonidentity-based objection that future persons would lack a legitimate complaint about our failure to reduce our numbers due to the fact that they would not have existed had we acted otherwise. After canvassing a number of possible responses to this objection, she ultimately defers to the familiar claim that we can have nonperson-affecting duties to bring about good states of affairs, in addition to person-affecting duties to respect others' rights and interests. In this sense, even if future persons are not made worse by our failure to limit procreation, that failure may still be wrong by contributing to a worse state of affairs than we otherwise could have brought about, e.g., an overpopulated world in which individuals struggle to meet their basic needs instead of a moderately (though nonidentically) populated world in which those needs can be reliably met.

Finally, having made her philosophical case, Conly spends Chapter Six discussing some of the practical problems that might emerge were we to implement her one-child limit, including economic stagnation, the extinction of culture, and the loss of siblings. Ultimately, she argues that while each of these represents legitimate concerns that merit serious consideration, "none of them constitute an argument against instituting a one-child policy." (p. 213)

Overall, Conly's book reflects an admirable kind of philosophical bravery: she is not afraid to follow her arguments where they might lead her, and the result is a provocative thesis on an important and undoubtedly timely topic. However, there are a few places in which her arguments seem to have led her astray, and where a more nuanced and ultimately more qualified conclusion would have been warranted. First, despite its centrality to her book, Conly's upper limit of one child per couple receives almost no sustained defense. It is one thing to argue that our environmental obligations require us to limit our procreative activity, and another thing to argue that these obligations weigh in favor of a very specific limit of one child per couple. All things considered, this limit seems *ad hoc*. If we have an environmentally based obligation to limit our numbers, then this is because of the impact that each additional human being has on the environment; yet, as the IPAT formula tells us, this impact cannot be divorced from that human being's level of consumption. The impact of creating one child in the developing world, where the average per-person consumption is a fraction of what it is in the West, is



not morally equivalent to creating a child in an affluent society where their individual environmental impact will be exponentially higher. While one-child per couple in the developing world may be unnecessarily restrictive, one-child per couple in the developed world may well be too permissive (assuming a fixed level of consumption).

Second, and following on the previous point, Conly is not entirely persuasive in her claim that decreasing our environmental impact requires limits on population, or at least that population limits are the obvious next step. Her preference for controlling population is based on the view that it is naïve to think that people will voluntarily limit their consumption (pp. 14–18), though surely it is equally naïve to think that people will voluntarily limit their procreative activity, particularly given widespread religious, cultural, and economic preferences for larger family sizes. Moreover, if coercion is necessary to decrease our environmental impact, it would seem more expedient to first consider enforceable limits on frivolous forms of consumption before considering enforceable limits on a significant and deeply valued human activity. As theorists like Gardiner (2015) have argued, it might make sense to consider a One Burger or One Flight Per Year Policy before we consider a One Child Policy, given the high moral cost associated with the latter.

However, while Conly may not have the last word on the population question, her book does the considerable service of bringing it back into the philosophical discussion. It is a valuable contribution to the contemporary literature on climate justice, and one that should not be ignored – particularly by those who have shied away from population limits on the grounds that procreation is a fundamental human right.

Reference

Gardiner, S.M. (2015) Population as Global, Intergenerational, and Developmental Problem. Paper presented at *Sustainability and Demographic Change Workshop*, University of Oxford, 4 November.

Erik Magnusson
University of Oxford, Oxford OX1 3UQ, UK
erik.magnusson@politics.ox.ac.uk