Voluntariness as the Moral Basis of Parental Obligations: A View on Brake's Voluntarism from the Perspective of Care

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1. Introduction

On what grounds does one assume parental obligation or responsibility for a child? In the past, genetic connections or childbirth itself might have been viewed as the basis for such obligations.[1] However, modern developments in reproductive technologies, such as lab-based in vitro fertilization facilitated by gamete donation or contract pregnancy, parenting by couples divorcing and remarrying, and LGBTQ+ relations, pose certain questions regarding the established conventions around child-rearing and parenthood. The understanding of the parent-child relationship has been reassessed in recent years and is the subject of scholarly discussions not only in the fields of law and sociology, but also in ethics. Parenthood comprises parental obligations and responsibilities, which are topics of moral issues.[2]

According to philosopher Elizabeth Brake, people acquire moral parental obligations through voluntary undertakings, the manner and content of which are socially constructed because parental obligations are institutional role obligations (Brake 2010). This argument is a prominent account of parental obligation. The significant feature of this interpretation is that it is open to the inclusion of various alternative forms of parenthood, other than the normative case of a heterosexual married couple bearing and rearing their children.

While I agree with Brake in principle, I wish to further examine Brake's voluntarism from the perspective of care practices.[3] The moral basis for parenthood must consider both the normative and descriptive aspects. It should be based on justice without prejudice or unfair institutions, and accurately capture the interactions of parents with their children. Brake's argument fulfills the former; however, I wish to add an additional perspective regarding the latter, inspired by a feminist dilemma regarding voluntariness and care; that is, parental obligations are reflectively acceptable. I argue in this study that Brake does not sufficiently capture the essence of daily care practice and that voluntarism should widen the concept of voluntariness.

The first section of this study explains moral parenthood before discussing Brake's voluntarism. The second section introduces this argument and its objections, including the feminist dilemma. The third section identifies problems with voluntariness with regard to care practice, and offers considerations on what kind of obligation a parental obligation is, with reference to care ethicist Eva Feder Kittay and philosopher Michel Hardimon. The fourth section discusses the idea that parental obligation is reflectively acceptable and demonstrates how it can work in solving problems relating to voluntarism.

Certain topics have been excluded from this study owing to its limitations. First, some consider parenthood to include not only parental obligations and responsibilities but also rights; however, this is controversial because it is unclear if custody is a *right*.[4] I focus only on parental obligations in this study because no one can obtain parental rights without corresponding parental obligations and responsibilities. Second, the difference between obligation and responsibility is not discussed here owing to a lack of space; additionally, it is not necessary to do so for the sake of the argument put forward. These terms are used interchangeably and follow each author's usage. Third, the definition of parent itself is contentious. This study begins by leaving this definition open to interpretation because the discovery of the grounds of moral parenthood presents a possible rethinking of the term. Brake argues that the definition and content cannot be defined fundamentally but rather, depend on the conventions of

each society, a point with which I do not have an objection (Brake 2010). Although the definition of a child is outlined in this study, for convenience, a *child* is defined as one that is cared for and nurtured by its *parents* in a certain way.

2-1. What is Moral Parenthood?

Before the main discussion, I address the concept of what constitutes moral parenthood. I first present it using the definition proposed by Brake. It is important to acknowledge that other types of parenthood are more familiar than that of moral parenthood, for example: biological, legal, and social. Biological parenthood refers to the state in which people hold genetic ties to a child or are pregnant and deliver a child. Legal parenthood refers to custody or parental rights and responsibilities under the law. Social parenthood is when the social parent actually cares for and rears the child, and is often contrasted with biological parenthood. In the paradigmatic case, one or two adults (married in many cases, especially in Japan) occupy all of these spaces simultaneously. However, sometimes, different individuals occupy different dimensions for a particular child. For example, gamete donors and surrogate mothers, as biological parents, do not rear the resulting children. In certain circumstances, legal parents who cannot care for a child will temporarily leave the child in someone else's care, such as the child's grandparents. In such a scenario, the grandparents are the social parents. It is clear that there are practical differences between biological, legal, and social parenthood, with each of these dimensions being integrated or dispersed in a complicated manner in daily life.

Moral parenthood is, therefore, conceptually distinct. It includes interrelated ideas regarding moral issues and ethics, such as moral duty, obligation, responsibility, and justice[5]. We consider that parents and people who relate to a child incur not only legal but also normative moral duties, obligations, and responsibilities. Irrespective of whether an act is criminal, people sometimes blame those who do not carry out these obligations appropriately, or judge them as having acted in a manner that is morally wrong. Brake states, in terms of ethics, "what moral principles imply regarding the

grounds of parental obligation," asserting that "I assume that parental obligations are integral to moral parenthood; one could not occupy the role of moral parent without owing such obligations to the child" (Brake 2010, 155). Thus, parenthood issues also include moral duties, obligation, and responsibility.

Moral parenthood is also related to the concept of justice. Children who are vulnerable and dependent by nature must not be allowed to suffer or experience death as a result. This fundamental idea on which the discussion of moral parenthood is grounded, originates from a sense of justice, and concerns potential parents as well as those who relate to a child in other ways. Parenting and caring for children impose a physical, financial, and psychological cost such that bearing responsibility for children drastically changes one's life; in worst-case scenarios, even causing poverty and death. Brake noted a feminist perspective on the gendered distribution of costs, with LGBTQ+ and disabled people demanding equality in terms of procreation and parenthood. Thus, an account of moral parenthood must explain how fair parental moral obligations are incurred.

However, what are the differences between legal and moral parenthood? According to Brake, the sequence, temporality, and scale distinguish these concepts. Brake suggests that:

> "...legal parenthood can be wrongly assigned to someone with no antecedent moral parental rights or obligations. Indeed, law may have different grounds for assigning parenthood than strictly moral. The urgent need for legal assignment of child-care responsibility can draw legal and moral parenthood apart: moral grounds of parenthood might resist discovery (for example, if they involve psychological states) or involve a balance of considerations too fine for law to measure." (Brake 2010, 152-3)

In short, moral parenthood is a broader and more basic concept than legal parenthood. In principle, it precedes the law, favors a wider temporality, and recognizes parental

obligations and responsibilities that balance and adopt various delicate factors, including mental states. Brake states nothing further; however, this point is essential to my argument and shall be revisited later.

2-2. Voluntarist Account of Parental Obligations

In this section, I introduce Brake's voluntarism of parenthood, which comprises three interrelated claims. First, parental obligations are more conventional rather than natural. How parenthood is practiced depends on the conventions of each society, with definitions of parents and parenthood varying according to the period and region. This is a premise rather than a claim in Brake's argument[6].

Second, parental obligation is a special obligation that people acquire through voluntary undertakings. Brake took inspiration from Onora O'Neill, a philosopher who previously presented a core argument for the voluntarism of parental obligations. However, there are notable differences in the arguments presented by O'Neill and Brake. For instance, O'Neill addresses the decision to procreate as "a standard way of undertaking parental obligations" only, leaving open the question of what forms a necessary condition of parenthood (O'Neill 1979). In contrast, Brake submits necessary and sufficient conditions of parenthood, referring to voluntary undertakings. Sufficient conditions comprise the ability and eligibility to carry out the respective obligations (Brake 2010, 152). Brake focuses on defending the necessary condition of parenthood.

Unlike O'Neill, Brake does not regard voluntary undertakings as a decision to procreate because people can acquire parental obligation without procreating, such as through adoption. In addition, deciding to procreate does not always mean that one wants the role of parenting a child, as, for example, may be the case with gamete donation, contract pregnancy. Thus, the superiority of intentions in O'Neill's arguments is currently discussed as a part of voluntarism. However, Brake did not elect to adopt them in the formulated argument.

Brake understands special obligations as being voluntary or compensatory in nature, meaning that parental obligation is owed as a form of compensation for some harm to

the child, or a voluntary assumption. For example, Sidgwick argues, "for the parent, being the cause of the child's existing in a helpless condition, would be indirectly the cause of the suffering and death that would result to it if neglected" (Sidgwick 2012, 220). In response to this form of argument, called a causal account of parental obligation, Brake suggests that the duty of parenting involves more than merely ensuring the minimum degree of life support required, and that its contents depend on each society's conventions and institutions (Brake 2010, 160). Those who advocate causal accounts of parental obligation must clarify what the required compensation is for fundamentally causing the existence of human life. However, no one can do so because the form of procreative compensation itself cannot determine what is owed. Therefore, parental obligations are not compensatory obligations.[7]

Third, Brake claims that parental obligation is an institutional role obligation, and that social and legal institutions and conventions of parenthood determine what the contents of this obligation are. Two essential features of this role are observed. One, in role obligation, the role-holder understands themselves to be the occupant of a role, as role identification and belief in a role yields in an individual a sense of reason for doing a certain thing. Brake explains:

> "As a parent, one may engage in specific activities not because one has expressly agreed to do so but just because that is what a parent does. While role identification is not a necessary condition for occupying a role (one can become jaded or dissociate from the role), it is a paradigmatic feature of doing so, and its psychology fits better with an origin in voluntary assumption than in the discharge of involuntary incurred compensatory obligations." (Brake 2010, 168).

According to this point, voluntarism can explain and underline the psychological state of parenthood.

Two, role obligations are socially constructed, and conventions and laws determine their content, as well as the methods of voluntary undertaking. This is because

parenting is not entirely a personal practice; rather, society cares for children by supporting parenting costs, and providing such benefits as education and healthcare. Parents and society share the burdens of rearing children according to the customs of each society. By considering parental obligation as an institutional role obligation, we can precisely explain the features of parenthood.

Brake believes that parenthood is not an involuntary compensatory obligation to the child, but rather arises from one's voluntary assumption of the institutional and social role of a parent. Thus, Brake's theory of voluntarism states that parental obligation is both a special obligation and a role obligation arising from voluntary undertakings.

2-3. Objections and the Feminist dilemma

Brake demonstrates two objections to defense voluntarism: "whether such role obligations can arise non-voluntarily, and whether the voluntarist account can account for commonly accepted cases of parenthood" (Brake 2010, 151). Brake must, of course, answer these questions, with feminists in particular holding a special interest. Brake is keenly aware of this fact:

> "To some, voluntarism seems to ignore a dimension of moral life associated with women's experience, the moral importance of unchosen caring relationship. To other feminists, mindful of how attributions of special obligations within the family sphere have served ideologically to underpin women's oppression, there is reason to be skeptical of attacks on voluntarism premised primarily on intuition about such obligations." (Brake 2010, 157-8).

For feminists, the problems relating to the actual care experience and voluntariness are complicated, especially regarding reproduction and mothering. Therefore, Brake's argument must be examined from this perspective to determine the correct answer to the two objections cited at the beginning of this section, because they correspond directly with the concerns of feminists. The first refers to voluntariness definitely, and

the second to the commonly accepted idea of parenthood and how it precisely describes daily parenting.

This study addresses the central question: is parenthood not a non-voluntary obligation? The discussion of daily care experiences, predominantly by feminists, helps investigate this concept. I agree with the principle theory provided by Brake. Thus, I do not wish to state that parenthood is a non-voluntary or compensatory obligation. Nevertheless, I wish to contribute to Brake's discussion of voluntarism from the perspective of daily care.

3-1. Voluntary obligations

Many theorists suspect the existence of non-voluntary obligations. Historically, much of the literature in this area has emphasized voluntariness in the theory of special obligations, not just parental obligations.[8] Indeed, Brake embraces the existence of non-voluntary role obligations those we are born into, such as the obligations borne out of being a family member and citizen, of which parental obligation is not one. Brake distinguishes between these inherited obligations and parental obligations within the territory of virtue and justice. According to this perspective, the former set of obligations relates only to virtue because they hold no moral rights (Brake 2010, 156). Thus, Brake considers non-voluntary role obligations as supererogatory obligations.

I do not wish to consider parental obligations as representing supererogatory obligations; however, whether parental obligations arise voluntarily or non-voluntarily is more complicated than Brake's interpretation implies when discussing care. The ethics of care assume that everyone is a relational being, born vulnerable and dependent. The practice of care experienced mainly by women in the role of caretaker makes the applicability of the term *voluntariness* uncertain. Feminists have shown that parenthood, especially motherhood, is fraught with conflicting and ambivalent feelings (Rich 1986). In this respect, the mismatch between these experiences and the word *voluntariness* becomes apparent.

The mutual relationship with the vulnerable child and the physical experience of

child-rearing complicates the concept of voluntariness. Therefore, I provide accounts of two examples: pregnancy and childbirth, and the subject of care practice. First, pregnancy and childbirth are definite physical practices. The bodily changes that accompany the growth of the fetus can force changes in the pregnant individual. Referring to Levinas' theory of *the other*, Mao Naka argues that giving birth involves a sudden encounter with something different from oneself and a radical overturning of one's previous way of being (Naka 2022, 19). The pregnant individual has already changed, an experience that is, in a sense, non-voluntary and which means they are already not the person they once were. The experience begins the moment the pregnant person recognizes the fetus. In such a situation, can we say that the pregnant person who makes the *decision* of whether to have an abortion does so entirely voluntarily? The pregnant individual may have convoluted feelings because abortion may be legally prohibited, restricted, or regarded as being morally, socially, or religiously wrong. Brake's view of voluntarism misses this issue; Susan Kennedy, who defends voluntarism, has criticized Brake's failure to consider it (Kennedy, 2020).

This is also true of care practices. According to Eva Feder Kittay, because care as a form of dependency work favors the need for a self to accommodate the needs of others, it appears that the carer defers their own needs, which Kittay refers to as the *transparent self* (Kittay 2020, 58-9). That kind of self, Kittay argues, is not the self of the contracting party, but of awareness and reaction to the fact that someone else's needs are not obstructed or distorted by our own desires (Kittay 2020, 60). That is, we are sometimes in a state of self when caring, which is a form of subjectivity.

As I have presented, voluntariness does not undoubtedly apply to all situations, especially in the cases of pregnancy, childbirth, and care practice. The subject can be forced to change unexpectedly, and not just by compulsion. Thus, the concept of voluntariness should be widened to include subtle and nuanced experiences as well. What does this mean for the account of obligations? To deeply consider this point, I refer to Kittay's argument on responsibility.

3-2. Care and responsibility: Noncoerced yet Not Voluntary Chosen Obligations

Kittay's discussion of the obligation of dependency work and responsibility calls into question the theory of obligation, which is based solely on voluntariness. To develop this argument, Kittay cites political philosopher Robert E. Goodin's account of responsibility. Goodin asserts that the assumption of responsibilities is independent of voluntary undertakings. This view is called the vulnerability model, which adopts the vulnerability of others as the basis of obligation when one's actions or choices cause that vulnerability (Goodin 1985, 34). Goodin does not take the position of a voluntariness-based theory but rather asserts that some special responsibilities (special obligations) are not voluntarily undertaken or promised. Goodin's account of responsibility broadly applies to various types of responsibility in general and is not limited to parenthood (Goodin 1985, 34). However, Goodin also notably proposed the absolute parental responsibility at the beginning of his description of the model.

Kittay both appreciates and criticizes Goodin's argument. On the one hand, Goodin's model, which assumes a special relationship based on vulnerability, shares a moral basis with the ethics of care. On the other, Kittay critically examines Goodin's argument, focusing on how others become vulnerable and enter a state of dependence based on their actions. Goodin argues that the responsibilities already assigned must be treated as *social facts*, whatever their original basis, and that the vulnerability therein imposes responsibility, regardless of whether it has a moral grounding of its own (Goodin 1985, 125). Kittay, however, questions this claim, stating:

> "If Goodin insists on the pragmatic ought, so that an unjust allocation of responsibilities nonetheless obliges us, then he must agree that it can do so even in the face of coercive conditions. This is both counterintuitive and an undesirable feature in a moral theory. It seems more reasonable to insist that injustice trumps any moral obligation induced by the vulnerability of the one in need to the actions of the coerced person." (Kittay 2020, 66).

Thus, unlike Goodin, Kittay argues that relationships and responsibilities based on vulnerability should be brought about on the grounds of justice. In other words, the relationships and obligations imposed under an unjust assignment of responsibility, even for the sake of vulnerability, should not be tolerated.[9] Making undertakings independent of voluntariness does not solve this problem if it is based on unequal vulnerability. However, we must adopt a different approach to that of standard voluntary acceptance. Kittay states:

> "Most common and interesting situations, however, are those which are neither coerced (either at all or in an obvious sense), nor voluntarily chosen. There is a sufficiently large class of such responsibilities and obligations. These non-coerced yet non-voluntary chosen associations fill our lives. They range from the most intimate familial relations to those of citizens and fellow travelers." (Kittay 2020, 68).

That is, many of our obligations are neither forced nor voluntarily undertaken; care works for the vulnerable, and, of course, parenting, includes such obligations. Thus, there are aspects of parental obligation too that are "neither forced nor voluntarily undertaken." Kittay, therefore, argues for the existence of obligations other than those simply undertaken in the standard voluntarist's manner.

As demonstrated above, Goodin and Kittay think differently from both the standard voluntarists and Brake. Here, we should think seriously about non-coerced yet non-voluntarily chosen obligations because they capture the essential features of parenting and the associated requirements for care.

4-1. Reflectively Acceptable Parental Obligations

Michel Hardimon also wrestles with the problem of voluntariness when acquiring obligations. Hardimon specifically draws on the presence of a conflict in our moral beliefs, stating:

> "Even if (as I think) the fact that the content of our noncontractual role obligations is often unclear does not entail that they do not exist, there is still something odd about the discrepancy between the strength of our conviction that we have noncontractual obligations and the degree of difficulty we have specifying their content." (Hardimon 1994, 343).

Hardimon doubts the moral principle of obligations and the premise that the alternatives of choice and compulsion are exhaustive. Hardimon pierces the dilemma of voluntary obligations that does not refer to parenthood, but rather to filial and citizen obligations. However, when it partly involves parenting, Hardimon's statement corresponds with Kittay's argument. Accordingly, I suggest adopting a feature of noncontractual role obligations that Hardimon draws on: specifically, that they are reflectively acceptable.

Hardimon argues that noncontractual obligations are born into; however, I have placed this sentiment aside for the sake of this discussion and selected the feature of the obligations as being reflectively acceptable. Hardimon argues:

> "To say that a social role is reflectively acceptable is to say that one would accept it upon reflection. Determining whether a given social role is reflectively acceptable involves stepping back from that role in thought and asking whether it is a role people ought to occupy and play. Determining that a given social role is reflectively acceptable involves judging that it is (in some sense) meaningful, rational, or good." (Hardimon 1994, 348).

Thus, the concept of reflective acceptability refers not only to the principle of completely voluntary acceptance, but also to the fact that people who hypothetically hold the obligation can always reconsider it and worry about whether they should continue to hold it or share it with or transfer it to someone else.

People do not always experience the moment in the manner of: "From now on, I will

become the child's parent." Gradually accepting the role while wondering whether to undertake it and acting as a parent before a conscious identification has been reached are also ways of acquiring parenthood. Undertaking includes a temporal range that reflects concerns, conflicts, and interactions with the child. Over the course of this timeline, we can find the position when a person is neither forced nor has already voluntarily accepted the obligation but is considered to have assumed the obligation for the time being. I emphasize the possibility of reflection, rather than judging whether one has already voluntarily accepted the obligation. This thought may always continue when carrying out this obligation, or a conclusion may be reached at some point causing the thought to stop. It may not be evident to others whether a parent is only hypothetically assuming these obligations for the present and is still pondering them, or has already made a solid decision to undertake them. Either way, as long as the obligation has been carried out, it does not matter. Of course, if one decides to share an obligation with someone or transfer it completely, one must go through the appropriate formalities and steps to ensure the child's welfare. However, discussing the contents of these formalities is beyond the scope of this study.

Certainly, not all of Brake's voluntary undertaking is considered instantaneous; indeed, it is, in fact, gradual. However, the problem is how to accept an obligation that has already been carried out or assumed without a complete choice. This study aims to add an examination of voluntariness to Brake's voluntarism to make it more inclusive; therefore, I do not intend to deny the types of undertakings Brake suggests. In some cases, acceptance is like that, and it involves the being confident about voluntary acceptance. However, I argue that voluntarism should imply that voluntary undertakings may be seen as a form of de facto acceptance with continuous reflection, and not only as the tacit acceptance as put forward by Brake.

4-2. Solving the Problems

Enriched pictures of moral parenthood can be drawn by employing the reflective acceptability of Brake's voluntarism of parental obligations. Brake's voluntarism,

as discussed above, fails to capture an essential aspect of care, which is the mutual engagement with the vulnerable child in parenting and is also experienced in the body. If parental obligations are reflectively acceptable, the experience can allow for reflection on whether to continue accepting the obligation. Thus, reflective contemplation broadens the scope of voluntariness. Interactive experiences with the child, including through the body, can be a critical factor for consideration. How much weight is given to it and how it manifests itself in one's reflection depends on the individual case. However, it is difficult to imagine it being entirely ignored. As noted above, parents interact with children in front of them and both parties can affect each other in various ways. The concept of reflective acceptability adds the view of daily care practices to voluntarism.

My argument offers a remedy to the issue regarding the boundary between social and moral parenthood. While these realms overlap — recalling social parenthood as those who actually care for and rear the child but do not necessarily have parental obligations — observing when and how social parents acquire moral parental obligations was problematic. The acquisition of moral parental obligations can be unclear, especially when non-biological or non-legal children are involved. Parenting does not always start on the day of receiving and beginning to care for the child, and the journey of becoming a parent is incomplete until the child no longer needs nurturing. The concept of reflectively acceptable parental obligations helps us consider the smooth and real transition from social parenthood to moral parenthood.

Some are concerned that parents will easily relinquish more of their obligations if they consider only their convenience. This is because a decision to discontinue parental obligations that have already been undertaken can be made at any time. However, such estimates assume the impact of the experience of care on a person to be low. Even if the decision is ultimately made to transfer all parental obligations to others, criticizing this decision by assuming that it is the result of only considering one's own convenience, would be wrong.[10] Parents make comprehensive decisions, and the prejudice that someone, especially a woman, can easily abandon their children without experiencing

conflict or agony, should be entirely disregarded.

Widened voluntariness can also include the approach from the perspective of the child when constructing a parent-child relationship. Voluntariness under Brake's view means that an adult has no room for the preferences, requests, and actions of a child. Voluntarism concentrates excessively on the actions of parents and overlooks the active involvement of children. However, children sometimes chose who they want to be their parents (Naka 2022, 205-7). The voices, gazes, and behaviors of children affect parents mainly in an affectional sense, whether they want it to or not. Parents do not live every day with unemotional or unresponsive beings. When considering parental obligation as reflectively acceptable, voluntariness describes this aspect of parenting, since reflection can capture the effect from perspective of the child. This would partially respond to the objection that if voluntarism were correct, parents' obligations would be determined at their sole discretion.

In addition, the concept of reflective acceptability weakens unjust conventions. Under Brake's voluntarism, even if institutions and conventions seem unfair, when a person performs an act considered voluntary, they unjustly assume a parental obligation. That is, if a person is aware of an unjust law or practice but is compelled to do so because of unavoidable circumstances, they assume the obligation *voluntarily*. It is hardly a voluntary act that would serve as a justifiable basis for assigning an obligation that is instead enforced. In this regard, according to Brake, distributing the burden of child-rearing among voluntary individuals in a way that differs from the current social convention of child-rearing allows people to criticize the established unjust conventions (Brake 2010, 168). Indeed, a private contract between individuals may allow them to practice a approach different from the customary one, as long as it is socially acceptable. However, legal and conventional restrictions will persist. In this case, one undertakes some parts voluntarily and others reluctantly. In addition, not all people can determine their share of child-rearing in a way that differs from customary practice.

In contrast, if we consider parental obligation to be reflectively acceptable, we

can examine, once we accept the obligation hypothetically, whether we will always assume it hereafter. If one determines that it is unacceptable, they will share it with or transfer it to others in an appropriate manner that does not harm the child. Thus, rather than merely *voluntarily* assuming parental obligations in a society with unjust laws and conventions, one holds to these obligations with room for constant critical consideration. Particularly, it is crucial for everyone to reflect on whether one's own de facto obligations are not unduly disrespectful of one's own needs, and whether these obligations arise because one takes on a burden that has been unfairly imposed upon them. Such reflection may also stimulate new parenting attempts to resist unjust institutions and customs.

In the last section of this paper, I state the remaining issue when we consider parental obligations as reflectively acceptable, that is, the conditions of these obligations as social institutions. Though it is beyond the scope of this paper, I make a few notes on this topic. As mentioned earlier, to realize reflectively acceptable parental obligations, people have the option to share them with others or transfer them completely and choose the options freely after consideration. There must be concrete and feasible options to do so, and not just for couples or relatives. Without such options, it would make no sense to consider whether to continue to assume parental obligations. In a non-supportive society where prejudice and stigma are prevalent against sharing or transitioning parental obligations to someone else, making that choice, while not impossible, does not freely function as a *choice*. The choice of these individuals is likely to be less voluntary in this context because they pay a disproportionately higher cost than when making an alternative choice. Thus, to say that parental obligations are reflectively acceptable, society must meet the conditions that make this possible. This concept can only be briefly mentioned in this short study, and would require further deliberation in another study.

5. Conclusion

This study examined Brake's voluntarism by focusing on the concept of

voluntariness and the feminist dilemma. The difficulty of voluntariness and care were seriously considered and the concept of reflective acceptability into voluntarism was introduced to widen the perception and discussion around voluntariness. The view of parental obligations as being reflectively acceptable does not mean explicit and momentary voluntary acceptance. Rather, people who already hold hypothetical obligations can always consider whether to continue to do so and choose to share them with or transfer them to someone else. This study argues that parental obligation should also be undertaken in this way, and that voluntarism should expand to include this allowance or interpretation.

As previously mentioned, the discussion of the grounds of parenthood does not address an individual's obligations. Social institutions and the ways of society create individuals' alternatives. My argument examines parenting from both the perspective of an individual's action and the ways of society, posing a question to society in the process. Both perspectives should be considered because various issues regarding parenthood and parenting are directly linked to urgent problems in children's lives.

■ Note

1 A theory based on genetic ties is called a genetic tie account, and a theory based on delivery is called a gestational account.

2 See e.g., Matsuda, 2021 and Kubohara, 2021.

3 In this paper, the word *care* is used in the narrow sense of caring for a vulnerable and dependent being.

4 See Yonekura, 1992.

5 Some researchers also view moral parenthood as including moral rights and virtue, but as Brake mentions almost nothing about them, I do not address these aspects in this paper.

6 Some theorists do make this assumption: see Blustain, 1979, Van Zyl, 2002.

7 On the subject of a procreator's responsibility toward a child, Brake leaves room for debate.

8 See e.g., Hart, 1958 and Thomson, 1971.

9 Although there is some debate as to whether it is possible to morally enforce obligations in

the first place, I examine the issue here in the context of Kittay's argument.

10 Whether or not it is morally wrong to leave a hypothetical parental obligation for one's own convenience is a matter for another discussion; therefore, I do not address this issue here.

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