

**Prusak, Bernard G. *Parental Obligations and Bioethics: The Duties of a Creator*. New York: Routledge, 2013). 162pp. \$125.00 (cloth). ISBN: 978–0–415–70333–8.**

Many bioethical issues directly implicate the relationship between parent and child. These issues range from terminating a pregnancy that will, depending on how one views the matter, prevent a child from coming into existence or ending an already extant child's life to the prospect of altering a child's genetic constitution such that they come to have certain desirable traits or not have certain undesirable traits. Of course, parental obligations do not end upon birth, but continue throughout the child's growth and development, and perhaps throughout their lifetime. Bernard Prusak's careful and detailed analysis of the "duties of a creator" begins with the foundational question of what grounds parental obligations to one's offspring (Chs. 1 and 2). He then addresses some specific bioethical issues, such as abortion (Ch. 3), gamete donation and surrogacy (Ch. 4), and genetic enhancement (Ch. 5). The book concludes with a brief discussion of societal obligations towards children and the intrinsic value of familial relationships (Ch. 6). Prusak's project is fundamentally philosophical in nature and will thereby enjoy wide-ranging applicability to a host of ethical issues concerning the parent-child relationship. Furthermore, in debating the particular bioethical issues Prusak discusses, scholars often presume certain parental obligations without the benefit of a cohesive theoretical framework that grounds various putative obligations. This volume thus offers a valuable contribution to bioethical debate on these and other issues that will invalidate certain argumentative strategies while affirming others.

Prusak starts off by critically engaging two distinct accounts of what grounds any obligation of a progenitor towards their offspring. The *causal* account, which Prusak affirms, "holds that one acquires parental obligations by having voluntarily acted in such a way that had the reasonably foreseeable consequence of bringing a child into being in the normal course of events" (3). The contrasting *voluntarist* account "holds that one acquires parental obligations only by voluntarily assuming such obligations, whether explicitly or by so-called tacit acceptance" (4). In this context, Prusak must first take on the "non-identity problem," which states that it is not possible for parents to harm a child through procreation if the only other option would be for that particular child not to exist at all, unless the condition of the child's life would be so tremendously bad that their life would not be worth living (Ch. 1). Prusak counters that, although it is true that one cannot directly have obligations towards a non-existent child, there could still be an obligation not to procreate if one does not reasonably believe that they will be capable of, or is not committed to, carrying out their obligations to the child once created (9). To illustrate this point, Prusak considers a case in which prospective parents decide to procreate with the intention of giving the child up for adoption. He argues that giving one's child up for adoption can be a justifiable response when one has procreated and then realized that they would

not be capable of fulfilling their parental obligations; nevertheless, this does not render the transfer of one's parental responsibility to an adoptive couple good *simpliciter*, as harms may accrue to children whose foundational relationship of unconditional love with their birth parents has been disrupted. While the transfer of parental responsibility in cases of adoption may be the best response a situation in which conceived or born children may be harmed by their parents not being capable of fulfilling their obligations, conceiving a child with the intent to transfer such responsibility runs the risk that the adoptive couple may not in fact fulfill their parental obligations, as well as negating the inherent value of the given biological relationship (19–21).

Having grounded the existence of parental obligations solely by virtue of having caused a child to come into existence, Prusak is now in a position to directly rebut the voluntarist account (Ch. 2). Against Elizabeth Brake's view that parents are only minimally obligated to satisfy basic survival needs, such as providing nutrition and healthcare, as "procreative costs," Prusak argues that parents bear some degree of responsibility for the burdens and risks that life itself will inevitably bring to which the child was not able to consent: having consented on the child's behalf that they will experience such burdens and risks, "procreators have, at the least, responsibilities to avert the risks, where possible, and to help the child bear the inevitable burdens" (33). Fulfilling such responsibilities requires procreators to go beyond the mere prevention of harm by satisfying basic necessities, "but to provide, *in person*, support, warmth, and affection during the child's minority and beyond" (37).

With a theoretical foundation and defense of robust parental obligations being entailed by consensual procreative activity, Prusak turns his attention to the vexed issue of abortion (Ch. 3). Prusak's rebuts an argument—also from Brake—in support of the conclusion that, if a woman does not acquire parental obligations by virtue of having voluntarily engaged in potentially procreative activity, then neither does a man acquire such obligations by having voluntarily engaged in such activity. In other words, if abortion is morally and legally permissible for pregnant women who have procreated via consensual sexual activity, then men who have procreated through such activity should be free to disavow their putative responsibilities to their offspring as well. If this thesis holds, then it would undercut the causal account of parental obligations. Prusak's strategy is not to deny Brake's conditional, but to show that the antecedent is false by pointing out the fallacy of Judith Jarvis Thomson's "famous violinist analogy" to abortion upon which Brake relies. Prusak contends that there is a categorical difference between unplugging oneself, and thereby allowing the violinist to die, and performing an abortive procedure that involves dismembering the fetus in order to kill and extract it from the uterus (49). There are, though, ways of aborting a conceived embryo or fetus—such as the drug RU-486—that are more similar to the violinist case in that the embryo or fetus is merely *extracted* from the uterus without being directly killed. Nevertheless, as Prusak notes, while extractive abortions appear to be more like a case of merely "letting die," some such cases can be morally

tantamount to “killing” (53). In the violinist case, what ultimately kills the violinist is his underlying kidney disease; in the case of extractive abortion, what will kill the embryo or fetus is the lack of nutrition and a supportive environment, which are basic necessities of life that even Brake admits fall under the category of “procreative costs.” So, unless there is some other reason to justify men disavowing their procreative responsibilities while denying that pregnant women may do so—and such justification does not appear to be forthcoming—the causal account stands.

Chapter 4 responds to a challenge to the causal account based on the practices of gamete donation and surrogacy, neither of which arguably entails parental obligations despite the essential causal role played by donors or surrogates. Prusak counters that, in such cases, “intended or sponsoring parents, gamete providers, surrogates, and clinicians, technicians, and the like *all incur procreative costs* by doing what they do” (66). This assertion is premised upon life being a mixed benefit that inherently includes risks and unavoidable burdens. Hence, the laudable motive of helping would-be parents, who cannot have their own genetically-related progeny, through gamete donation or surrogacy does not disavow the donor or surrogate from their own procreative responsibilities that follow from having causally participated in bringing a child into existence. It seems that it would be preferable, instead of bringing a new life into being, that infertile couples should look towards adoption of an already conceived or born child whose parents cannot fulfill—or have abandoned—their procreative responsibilities. Prusak notes, however, the ardent desire of some infertile couples to have “a genetic tie with the child they are to raise” (74). Prusak prudently avoids engaging in any normative evaluation of this desire, which evidently drives the assisted-reproduction industry even when there are a significant number of children lacking a supportive and loving familial environment. Nevertheless, there is lost opportunity here to investigate the source of this desire and engage in at least a preliminary assessment of whether the satisfaction of this desire, however valid, is proportionate to any related costs. Prusak does assess the case of children born through donation or surrogacy and notes that, while there are documented burdens associated with the lack of social ties to their biological progenitors, the lives of such children are not so disproportionately burdensome to conclude that the practices of gamete donation or surrogacy are inherently bad; however, he still finds the practice problematic for other reasons (76–7). What is lacking in Prusak’s analysis is whether the burdens borne by children awaiting adoption disproportionately outweigh the benefits of prospective parents to have genetically-related offspring. Of course, this would implicate *natural* procreation as well as that assisted by *in vitro* fertilization, gamete donation, and surrogacy; although the burdens Prusak cites for the latter two practices, combined with those experienced by children awaiting adoption, may together render those practices disproportionately burdensome compared to the benefits experienced by prospective parents desiring genetically-related offspring.

Prusak raises significant concerns with respect to the prospect of genetically enhancing one's child, concluding that "choice of a child's genetic characteristics could render a parent's love all too conditional: namely, on the child's satisfying parental expectations" (5). Following John Locke, and having argued throughout the previous chapters for various forms of parental obligations incurred through consensual procreative activity, Prusak contends that whatever *rights* parents have with respect to how they raise their offspring, free from interference by the state, are grounded in their *responsibilities* (86). In other words, parental rights do not exist for the sake of the parents, but are valid insofar as respecting such rights is generally in the best interest of children. A significant question remains, however, whether the aim of parental rights is limited to protecting a child's putative "right to an open future," by ensuring that the child will enter adulthood capable of pursuing the greatest range of reasonable lifestyle choices – the so-called "liberal" view championed by theorists such as Amy Gutmann building on John Rawls's concept of intergenerational justice—or whether parents have the freedom/responsibility to shape a child to develop a specific *character* imbued with certain cultural and moral values that may have the effect of limiting his range of lifestyle choices, but nevertheless result in a happy and fulfilling life (87–9).

Framed appropriately, then, the issue of genetically enhancing one's children is premised upon whether certain enhancements may be one way of fulfilling parental obligations. The primary concern, Prusak notes, is that some "hyperparents" may utilize enhancement technology to mold their children according to their own ambitions. Prusak is careful to distinguish the different motivations prospective parents may have in electing to utilize enhancement technology for their children and to issue a blanket disapproval of genetic enhancement itself (97–9). Nevertheless, a more detailed analysis is warranted insofar as specific forms of enhancement must each be evaluated from the perspective of which are likely to serve as a vehicle for esoteric hyperparental desires, aimed at specific lifestyle options to which the child has not consented, and which would result in an increase of fundamentally basic human goods—such as increased cognitive function, immune responsiveness, and overall emotional and physical health—that would allow children to avail themselves of the widest possible range of objectively fulfilling lifestyle options. The next question would center on whether any approved use of genetic enhancements would fall under the scope of "permissible" or "obligatory" parental choice. If the former, there would be the risk that social pressure may create an implicit mandate to enhance one's children so that they would not be disadvantaged compared to their enhanced peers. If the latter, the shadow of the historical *eugenics* movement would darken whatever progress has been made over the past half-century in securing rights to reproductive autonomy, as well as ignoring intercultural awareness of how various qualities may be valued differently in distinct human societies. Despite the last concern, there remains a valid argument for a set of basic, objective human goods that may, or ought to, be not only protected and any obstacles to their fulfillment

removed, but also enhanced beyond the current natural given. Prusak's analysis appears to be open to such a conclusion in principle, but he rightly cautions that the pursuit of even legitimate enhancements must not disrupt the fundamental good of the unconditionally loving relationship between parent and child.

Prusak's analysis centers upon the obligations that individual parents have towards the children they procreate. In the final chapter (Ch. 6), he discusses what obligations *society* may have to support parents in their creation and raising of their children. It is clear from the preceding chapters that the primary obligation to fulfill the needs of children is had by the parents who procreated them; however, in circumstances in which procreators are unable to fulfill their parental responsibilities, they may justifiably transfer such responsibilities to adoptive parents. This is not an ideal situation, though, and so it is incumbent upon society to assist procreators to fulfill their parental responsibilities. Natural familial bonds, grounding a child's initial relationships of unconditional love, are *intrinsically* good, as well as *instrumentally* valuable for the sake of a child's ability to form healthy relationships in the future. Hence, social intervention to assist parents in fulfilling their obligations is limited by the inherently valuable familial bond, which cannot be supplanted by any form of *communal* responsibility for raising children—as envisioned for children born into the “guardian” class in Plato's hypothetical *Republic* (103). The result is that children, born into different families of different socioeconomic status, will not have *equal* opportunities as a result of their upbringing; but the cost of equalizing the next generation's future opportunities—that is, by eliminating the familial bonds in which children first experience unconditional love—would deny children a fundamental good that grounds many other goods comprising a happy and fulfilling life.

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