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Procreation and moral reasons: balancing prerogatives and harm

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ABSTRACT

Is it permissible to bring into existence a person whose life is expected to be not worth living? Many philosophers say 'no', appealing to the harm suffered by the person who would be created. This paper argues that, in some cases, the answer may nevertheless be 'yes': creating such a person can be permissible, while refraining from creating her may be supererogatory rather than obligatory. Reasons arising from prospective parents – particularly the parental prerogative to have and raise children – can carry significant justifying force in procreative decisions. Whether such reasons can provide sufficient justification depends on the nature and seriousness of the harm involved. In the central cases this paper focuses on, prospective parents do not themselves impose harm by bringing a child whose life is not worth living into existence. Rather, their choice is a failure to benefit. This difference makes the moral reason against creating such a child less weighty.

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1. Introduction

Is it permissible to bring into existence a person who is expected[1] to lead a life not worth living – that is, a life worse than never existing? Let us call this person Misera.[2] Intuitively, the answer is no. A life not worth living

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[1]Whether a child's life will be not worth living is rarely certain in advance: circumstances can change, and a condition expected to be unrelievable may later become treatable. Throughout this paper I treat the examples as certainties for simplicity of illustration. The argument can generalise to cases of risk – for example, by letting the weight of the reason against creation track both the probability that the child's life will be not worth living and the expected severity of her condition. How the argument extends to cases of risk raises further questions I do not address here.

[2]Judgments that a life is not worth living are contested, particularly in connection with disability, where such assessments have been criticised for reflecting the assessor's assumptions rather than the quality

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seems so objectionable that we are obliged not to create Misera – or, at the very least, to try not to create her.

Whether it is permissible to create someone like Misera is a familiar issue in discussions of the non-identity problem and the procreation asymmetry.[3] Many philosophers agree that bringing Misera into existence is impermissible, although they may ground this judgment in different reasons.

These approaches differ, but they typically focus on reasons concerning the person who would be created. However, procreation is not merely an outcome; it is also a decision made by prospective parents, whose interests may generate reasons relevant to what they are permitted to do. Many philosophers have discussed parental reasons, but an important implication has received comparatively little attention: once parents' interests are taken into account, not creating Misera may be supererogatory – morally better, but not required.

This implication becomes more important when the only way to avoid creating Misera is to refrain from having any child at all. These parents cannot avoid creating Misera by waiting, or by making some smaller sacrifice instead. They have to give up parenthood entirely, even though they did not produce the bad condition and cannot control it.

Such a requirement underestimates an important reason in favour of procreation: the parental prerogative to have and raise children (Altman 2023, 271; Brighouse and Swift 2009; Thomsen 2018; Wasserman 2005, 135). To establish its justificatory force, I propose an Anti-Inertness Principle for prerogatives: where a prerogative applies to a choice, the range of options it permits must be strictly larger than the range permitted in its absence. Accordingly, the justifying force of the parental prerogative may, in some cases, be sufficient to make creating Misera permissible despite the moral reasons against creation.

Prerogatives, however, typically have a limit: we do not have a prerogative to harm others. I argue that in typical cases of this kind, creating Misera involves a failure to benefit rather than the active imposition of harm. For this reason, the prerogative to have children in such cases is not defeated by a ban on harm. All told, these considerations may make creating Misera permissible, even though refraining remains morally better – and so supererogatory rather than required.

The paper proceeds as follows. Section 2 situates Misera's case within the non-identity problem and argues that reasons arising from prospective

of the life assessed; some deny the notion is meaningful at all. Misera is therefore a stipulated case. I do not claim that any particular condition makes a child's expected life not worth living, or take a position on where the threshold lies. The argument is conditional: if such a case arises, the reasons set out here bear on it as described.

[3]Roughly, the procreation asymmetry holds that we have a moral reason to avoid bringing into existence someone whose life would not be worth living, but no corresponding moral reason to bring into existence someone whose life would be worth living (Narveson 1967).

parents should also bear on the permissibility of procreation. Section 3 distinguishes the justifying and requiring force of reasons and introduces the Moral-Overall Reasons Principle to explain how not creating Misera can be supererogatory rather than obligatory. Section 4 argues that the parental prerogative to have and raise children provides a significant justifying reason for procreation. Section 5 proposes the Anti-Inertness Principle for prerogatives and explains how a prerogative can change what an agent is permitted to do. Section 6 argues that the reason against creation is less weighty where the harm involves a failure to benefit. Section 7 addresses objections concerning the means of procreation and harm that the parents' own act produces, and sets out three constraints on the account's reach. Section 8 concludes.

2. The non-identity problem and the role of parental reasons

Existing approaches to the non-identity problem illuminate important moral considerations concerning the person who would be created. My concern is with a further question that becomes especially pressing when we consider concrete procreative decision-making: what normative role should reasons arising from prospective parents play?

The non-identity problem arises when a choice creates a disadvantaged person who would not otherwise have existed. Although her life is worth living and the choice does not make her worse off than she would otherwise have been – since the alternative for her is non-existence rather than a better life – the choice may nevertheless seem morally wrong. Misera's case differs from standard non-identity cases. In familiar cases, the created person has a flawed but nevertheless worthwhile life. Misera, by contrast, has a life worse than non-existence. Her case therefore seems more straightforward than standard non-identity cases: because her life is not worth living, there seems to be a clear reason not to create her.

Although they agree on the verdict, philosophers may account for it in different ways, appealing to person-affecting harm or rights, impersonal value, or some combination of these considerations.[4] They identify a range of moral considerations that count against creating Misera, which provide the background for assessing the deontic status of creating her. The most widely accepted reason against such creation is the harm or badness it may involve for the person created (see, e.g. Aaron 2024; Bykvist 2007; Harman 2004, 2009, 2016; Heyd 1992; Holtug 2001; Nebel 2019). Others

[4]Some person-affecting approaches hold that an action is wrong only if it makes someone worse off than she would otherwise have been (e.g., Heyd 1992, 2009; Boonin 2014). Others argue that an identity-affecting choice can wrong a person by violating her rights, even if it does not make her comparatively worse off (Woodward 1986; Elliot 1989, 1997; Smolkin 1999; Velleman 2008; Cohen 2009). Impersonal approaches assess the choice by its effect on overall well-being (e.g., Temkin 1993, 2012; Feldman 1995; Holtug 2009, 2010; Singer 2011), while pluralistic approaches combine person-affecting and impersonal considerations (e.g., Buchanan et al. 2000; McMahan 2006).

argue that it is impermissible to create Misera because the utility of a not-worth-living life will decrease the overall value of the world (e.g. Narveson 1976; Singer 1976; Temkin 1993).[5] Still others argue that it is impermissible because, once Misera exists, she will have a justified reason or moral status standing to complain about her existence if her life is not worth living (Cohen 2020; Frick 2020; Horton 2021; Podgorski 2023; Roberts 2011a, 2011b). My concern is not to adjudicate among these accounts, but to examine how the reasons they identify bear on the permissibility of procreation once the prospective parents' reasons are also taken into account.

Reasons arising from prospective parents have received substantial attention in the literature on procreation, and some philosophers have considered directly how such reasons weigh against moral reasons concerning the person who would be created. McMahan (1998), for example, argues that, under certain conditions, prospective parents' desire to have a child may be sufficient to outweigh the harm involved in creating a person whose life is objectively not worth living. Weinberg (2016) similarly takes prospective parents' interests seriously, but develops a different account that balances the parental interest in procreation against the risks imposed on the future child.[6] My argument develops this line of thought by focusing on the normative role of parental reasons. I argue that such reasons can, in some cases, make creating a person like Misera permissible without making her creation required. At the same time, not creating Misera may remain morally better without being obligatory, and may therefore be supererogatory.

I develop the point systematically, by carefully analysing the prerogative involved, and how it connects to the normative role of parental reasons. Rather than asking only whether parental interests can make creation permissible, I distinguish the justifying from the requiring force of reasons and argue that parental reasons have the first without the second. This explains how such reasons can, in some cases, outweigh the moral reasons against creating someone like Misera. It also lets me ask a further question: when

[5]Such an approach suggests that creating Misera would be permissible if it results in a net increase in overall value, which may lead to repugnant conclusions (see Broome 2015; Feldman 1997; McMahan 2006; Roberts 2011b).

[6]McMahan and Weinberg have both considered parental rights to have children. But their treatments are more restricted than mine. McMahan allows parents to have a child whose life is not worth living only when that life is subjectively tolerable, and holds that in such cases the parents owe the child special compensation. He also thinks such cases are hard to identify before creation, and ultimately sets the idea aside. Weinberg holds that we ought not to create a life not worth living. She notes that the costs of not creating complicate this verdict. However, she gives no verdict on whether creation is permissible in such cases. She says that the scale of weighing reasons hover in balance without tipping either way. Neither McMahan nor Weinberg systematically explores the parental prerogative and its justificatory role. By contrast, I defend a significantly wider parental prerogative. Part of the argument is that in the central cases the parents do not themselves impose harm on the child by creating her; instead, they fail to benefit her. I also defend this view against a range of objections, and explain how this parental prerogative relates to justifying and requiring reasons. I argue for a further claim that neither considers: in the central cases, not creating the child is supererogatory rather than required.

they do, does non-creation nonetheless remain morally better – and so supererogatory rather than required? I also explore various objections, especially the concern that prerogatives are defeated by the active imposition of harm.

To develop this argument, I treat procreation as a concrete decision problem for prospective parents and consider the reasons associated with the two available options: creating Misera and not creating her.[7] Importantly, the framework does not replace reasons concerning the prospective child with reasons arising from the parents. Rather, it treats both as normatively relevant while distinguishing the different roles they may play in determining the deontic status of procreation.[8] This allows us to examine how parental reasons may affect the permissibility of procreation, even when there are significant moral reasons against creating the person in question.

3. Supererogation and the weighing of reasons

I argue that, once parental reasons are taken into account, refraining from creating a person like Misera may in some cases be supererogatory rather than obligatory.

> **Parental Justification Thesis**: Reasons arising from prospective parents can have substantial justifying force in favour of procreation, even though they lack corresponding requiring force.

To explain this thesis, I first introduce the concept of supererogation and then draw on an existing reasons-weighing model to account for the distinction between supererogatory and obligatory actions. This model provides a framework for assessing the deontic status of the available procreative options.

Supererogatory actions are commonly understood as morally good actions that go beyond what morality requires: they are good to perform but permissible to omit, ranging from voluntary favours to acts of self-sacrifice (Chisholm 1982; Heyd 1982, 2026).[9] The concept of supererogation

[7] In this paper, I consider two available options: φ-ing and not φ-ing, representing the creation and non-creation of Misera, respectively. In this binary choice, a reason against φ-ing is also a reason favouring not φ-ing. I therefore use these formulations interchangeably.

[8] In this respect, my account differs from Heyd's (1992) generocentric approach. Heyd argues that genesis choices should be guided primarily by considerations concerning the actual persons making those choices, rather than by duties owed to merely potential persons. My account does not exclude reasons concerning the person who would be created. Instead, it allows such reasons to bear directly on the permissibility of procreation while also recognising reasons arising from prospective parents. See Heyd (1992), especially Part II.

[9] There is no generally accepted definition of supererogation. Some philosophers question whether supererogation is a genuine moral category, arguing that it gives rise to a serious paradox: if doing A is morally better than doing B, how can doing B remain permissible? (e.g., Kagan 1989). Others regard supererogation as an intuitive feature of ordinary morality and have developed various accounts to explain it (e.g., Dancy 1993; Portmore 2011, 2023; Harman 2016; Muñoz 2021b; Baron-Schmitt and Muñoz 2023).

suggests that an action's moral goodness is not sufficient to make it required: reasons against performing it may justify the alternative, making both options permissible.

Philosophers often account for supererogation by distinguishing different normative roles of reasons. Some accounts distinguish between the requiring and justifying roles of reasons (Archer 2016; Horgan and Timmons 2010; Little and Macnamara 2017, 2020; Tucker 2022), while others appeal to distinctions between agent-neutral and agent-relative reasons (Dancy 1993), impartial and partial reasons (Parfit 2011), or moral and non-moral reasons (Portmore 2011). Despite their differences, these accounts share the idea that deontic status depends not simply on how strong the relevant reasons are, but also on the normative roles they play.

For present purposes, I focus on the distinction between the requiring and justifying force of reasons. A reason may contribute to making an action permissible (its justifying force) or to making its alternative impermissible (its requiring force).[10] This distinction can help explain the normative role of parental reasons: they may have justifying force in favour of creating Misera, thereby contributing to making her creation permissible, even though they do not provide corresponding requiring force that would make not creating her impermissible.

The difference between these two roles can be seen in ordinary moral cases. Suppose a woman passing a burning building could easily save a stranger's life. If rescuing him involved no significant cost or risk, many would agree that the stranger's life would give her a moral reason strong enough to require her to save him. Now, suppose that rescuing the stranger would cost her an arm. Then, it seems that her personal interests can justify her choosing not to rescue. Those interests do not require her not to rescue: it is still permissible for her to bear the cost and save the stranger. This shows that a reason can justify a decision without making its alternative impermissible.

Indeed, the rescue case provides an example of supererogation. It shows that a strong moral reason in favour of an action need not be sufficient to make that action required. Even when there is a weighty moral reason to act – such as the reason to save another person's life – other considerations, such as the agent's own interests or agent-centred prerogatives,[11] may nevertheless justify the alternative.

The two kinds of reasons can therefore play different normative roles: some support requiring the morally favoured action, while others help make the alternative permissible. The morally favoured act of rescue may

[10] I assume here a binary choice between creating Misera and not creating her. In standard deontic logic, if one of these alternatives is impermissible, the other is required. Thus, a reason contributes to requiring an action insofar as it contributes to making the alternative impermissible.

[11] By a 'reason,' I mean a consideration that counts in favour of a particular action.

therefore be supererogatory rather than obligatory: although there are reasons in favour of rescue, reasons that justify the alternative can make refraining from rescue permissible, and thus make rescue not required (Baron-Schmitt and Muñoz 2023; Harman 2016; Muñoz 2021b; Portmore 2011; Slote 1989).

The same possibility is relevant to procreative decisions. Reasons arising from prospective parents may help make procreation permissible without making refraining from procreation impermissible. The question I pursue is whether such reasons can have sufficient justifying force to make creating Misera permissible given the moral reasons against doing so.

To answer this question, we need some account of how these different kinds of reasons bear on what is permissible and required. For present purposes, I use Tucker's Dual Scale model (2022) to illustrate this interaction.[12] Tucker represents the distinction between justifying and requiring force through two scales – a Permission Scale and a Commitment Scale (Tucker 2022, 379–381):

> **Permission Assignment**: φ-ing is permissible iff the justifying weight of all reasons for φ-ing is at least as weighty as the requiring weight of all reasons for ∼φ-ing.
>
> **Commitment Assignment**: φ-ing is a commitment iff the requiring weight of all reasons for φ-ing is weightier than the justifying weight of all reasons for ∼φ-ing.

Together, these two scales determine an action's deontic status. Here, an action is a commitment when its alternative is impermissible. An action is therefore obligatory when it is both permissible and a commitment. A morally good action is supererogatory when it is permissible but not a commitment: the action is permissible, but its alternative is permissible as well.

I combine this framework with the Parental Justification Thesis. In assessing the deontic status of creating Misera, I consider both moral reasons concerning the person who would be created and non-moral reasons arising from the prospective parents.[13] Following common accounts of

[12]The argument of this paper does not depend on accepting this particular framework. Some account of how reasons bear on permissibility is needed for present purposes to explain the normative role of parental reasons, and the principles developed here provide one such account. Those who reject these principles may adopt a different framework for explaining the justifying force of the parental prerogative and the possibility that not creating Misera is supererogatory. The broader point remains: any such account needs to explain how the parental prerogative operates as a distinct normative consideration alongside the other relevant reasons, and how its justificatory force bears on the permissibility of creating Misera.

[13]Non-moral reasons can range from reasons grounded in an agent's personal interests and relationships to prudential reasons. Some kinds of non-moral reasons, such as agent-centred prerogatives, can have justificatory strength sufficient to match or outweigh the requiring force of moral reasons (Scheffler 1982; Kamm 1996; Portmore 2011; Muñoz 2021b). This paper focuses on parental prerogative. When such a prerogative justifies not performing an otherwise morally favoured action, that action may become supererogatory rather than obligatory. However, not every non-moral reason has sufficient justifying strength to produce this result.

supererogation, I take moral reasons to provide requiring force, while moral and certain non-moral reasons can provide justifying force (Harman 2016, 371; Muñoz 2021b, 702; Portmore 2011, ch. 5; Schmidt 2024, 249; Tucker 2022, 381). Thus, even if moral reasons favour an action, non-moral reasons may justify its alternative and thereby make that alternative permissible.

To explain how these reasons contribute differently to requiring and justifying force, I propose the following principle:

> **The MoralOverall Reasons Principle**: For any action φ, its requiring weight is determined by the moral reasons for φ-ing, whereas its justifying weight is determined by the overall reasons for φ-ing, including both moral and relevant non-moral reasons.

This principle allows us to specify the conditions under which not creating Misera can be supererogatory. Given that not creating Misera is morally better, the present framework implies that not creating her is supererogatory if two conditions are satisfied: that not creating Misera is permissible, and that it is not required. The first condition is relatively straightforward, since there are strong reasons in favour of not creating a miserable child. The second condition is less straightforward and is the primary focus here. To show that not creating Misera is not required, I need to show that the overall reasons in favour of creating her are at least as weighty as the moral reasons against doing so. If this condition is satisfied, creating Misera remains permissible; consequently, not creating her, although morally better, is not required and may therefore be supererogatory.

I argue that this condition can be satisfied in Misera's case. In particular, reasons arising from prospective parents can contribute sufficient justificatory weight for creating her to be permissible, without exerting corresponding requiring force against not creating her.

My argument proceeds in two steps. First, I identify a justifying reason for creating Misera: prospective parents' prerogative to have children. Second, I argue that this reason can be sufficiently weighty to justify creation despite the moral reasons against it. This is because, first, the parental prerogative is not normatively inert: it has genuine justificatory force in determining what prospective parents are permitted to do; and second, the moral reason against creation – particularly the harm-based reason concerning Misera – can be weaker than it initially seems.

4. Prerogatives and the permissibility of procreation

A prerogative is a familiar concept in deontological ethics that permits agents, within certain limits, to give priority to their own interests even when doing so leads to a less favourable outcome (e.g. Muñoz 2021a, 608). It concerns the moral latitude an agent has to give additional weight to

her own interests when deciding what to do. Thus, when performing an otherwise morally favoured action would conflict with an agent's prerogative, that prerogative may still provide a justifying reason for refraining from the action (Anscombe 1967; Brighouse and Swift 2009; Lazar 2019; Mogensen 2021; Muñoz 2021a; Scheffler 1994).[14]

When it comes to procreation, the prerogative most relevant to the present discussion is the parental prerogative 'to have and raise children with limited regard for the impact of their lives on the overall state of the world' (Wasserman 2005, 135).[15] The idea that parents have special prerogatives concerning procreation and child-rearing has been widely recognised in discussions of parenthood and pregnancy (e.g. Altman 2023; Brighouse and Swift 2009; Pierik 2018; Thomsen 2018; Wasserman 2005). Recent work has also begun to recognise the justificatory role of such considerations in procreation. Pinkert and Sticker (2025), for example, argue that procreation may remain permissible despite significant moral reasons against it when having a child realises goods essential to an agent's life that cannot be obtained through suitable alternatives.[16]

However, existing accounts of the parental prerogative tend to treat its justificatory role as conditional, with its scope constrained by considerations such as the prospective child's expected well-being and the effects of procreation on others or the environment (Brighouse and Swift 2009; Wasserman 2005). It therefore remains unclear whether, and under what conditions, the parental prerogative can retain significant normative force in a case like Misera's.

I accept from these claims that prospective parents have a weighty interest in having and raising children, and that this interest bears on what they are permitted to do. However, I do not accept the conditionality. Rather than building such limitations into the prerogative itself, I treat the parental prerogative as a source of justifying reasons that remain significant even in difficult cases such as Misera's. Whether the prerogative provides sufficient justification for procreation therefore depends on the balance of reasons in the particular case.

[14]Accounts of prerogatives differ concerning their normative basis. Some ground prerogatives in rights against harm to oneself (Benn 2017; Muñoz 2021a), while others understand them in terms of the agent's prudential interests (Scheffler 1994; Slote and Pettit 1984; Hurka and Shubert 2012) or as permissions constrained by the rights of others (Anscombe 1967). I remain neutral among these accounts. My concern is with the justificatory role that a parental prerogative can play in determining the permissibility of procreation.

[15]Wasserman's account treats the prerogative as conditional, its scope restricted by the child's expected welfare. I adopt the definition for the interest it identifies, not for the constraint. As I argue later, that constraint is better understood as a matter of the prerogative's weight being outweighed in some cases than of its lapsing.

[16]Pinkert and Sticker do not extend this permission to cases in which the prospective child cannot be expected to have a worthwhile life. My argument therefore goes further: I ask whether a parental prerogative can retain sufficient justifying force even in such cases.

There are also independent reasons for recognising a parental prerogative and taking seriously its justificatory role in procreation. The desire to have and raise children can be a deep and important part of an individual's conception of a good life, reflecting both the fundamental human interest in having offspring and the distinctive relationship between parents and children, particularly the profound dependence of children on their parents in the early stages of life. Whether to have and raise children is among the most significant personal decisions individuals can make, shaping their intimate relationships, long-term life plans, and the kind of life they choose to lead (Brighouse and Swift 2014; Overall 2012). More generally, procreative liberty has been defended as protecting an important sphere of personal autonomy and self-determination (Dillard 2007; Robertson 1994).

The claim that the goods of parenting can justify procreation is not uncontroversial. Hannan and Leland (2018) argue not merely that the value of the parent–child relationship fails to ground a right to procreate, but that the features which make parenting valuable for adults – the intimacy, the authority, the child's dependence – are themselves costly for the child. If that is right, the parental interest cannot straightforwardly be weighed against the child's, since satisfying the one is partly constituted by imposing the other.

My claim is more limited: not that the interest in parenting grounds a right to procreate, but that it supplies a justifying reason bearing on whether procreation is permissible.[17] That a good for one party comes at a cost to another does not show the two cannot be weighed; it is the ordinary case in which weighing is required.

The potential justifying force of the parental prerogative becomes apparent when we consider what prospective parents would be required to do in order not to create Misera. If prospective parents are morally required not to create Misera, they are required to take some available means of preventing her existence. Where any child they could have would be in Misera's condition, this amounts to requiring them to avoid pregnancy altogether.[18] Given the fundamental importance of procreative liberty and deeply rooted human interests in parenthood, this requirement is a significant moral cost, rather than a minor restriction on personal choice. This

[17] I take no stand on what grounds prerogatives; Muñoz (2021a) argues they rest on waivable rights against oneself, and nothing here turns on whether that is correct. What matters is the functional claim we share: prerogatives have weights and serve only to justify acts that would otherwise be wrong.

[18] Once pregnancy occurs, abortion provides another possible means of preventing Misera's existence. However, this does not eliminate the relevant parental reasons. Requiring abortion may itself impose significant bodily, psychological, or moral costs, particularly for those who regard abortion as morally impermissible (e.g., Hare 1975; Gensler 1986; Hendricks 2024). The prerogative to avoid significant harm to oneself may therefore provide a justifying reason against abortion. An obligation to abort may also conflict with the parental prerogative to have and raise children. Thus, even if abortion provides an alternative means of preventing Misera's existence, these prerogatives may provide justifying reasons for continuing the pregnancy and thereby bringing Misera into existence.

demanding implication gives us further reason to recognise the parental prerogative as a substantial source of justifying reasons for procreation.

How much justifying force this prerogative has, however, depends on how much of the prospective parents' interest in parenthood is at stake in the particular case. Consider a community under a colonising power that has set out to end its separate existence: its language is banned, its institutions dissolved, and the status of its members passes to their children. Suppose that conditions deteriorate to the point where any child born into the community could be expected to have a life not worth living. On the view that moral reasons concerning the prospective child are always sufficient to require non-creation, people in this community would collectively be required to stop having children. Each prospective parent in the community would face the requirement, but its effect would not be individual: if it applied across the community, the community would not continue.

This worry affects the weight of the parental prerogative. For parents in such a community, not creating Misera costs more than parenthood. It also threatens the survival of their language and culture, since if they have no child, these cannot be inherited. Thus, in this case the parents have more at stake. Since the prerogative's justifying force depends on what is at stake for the agent, it carries more weight here.[19] The prerogative may therefore outweigh the reasons against creation.

This supports the Parental Justification Thesis. To fully establish the account, we also need to explain how the parental prerogative's justifying force can match or outweigh the moral reasons against creation.

One might object that even if the parental prerogative provides substantial justificatory force in favour of creation, this force is outweighed by the moral reason against creation arising from the harm to the child (see, e.g. Brighouse and Swift 2009; Dawson 2005; Opel and Diekema 2012; Pierik 2018). In the next two sections, I address this objection in two steps. First, I argue that the prerogative expands the permissible options available to prospective parents. Second, I argue that the reasons against creation may be less weighty than is typically assumed.

5. Anti-Inertness of prerogatives

First, I explain how the parental prerogative can provide sufficient justifying force to match or outweigh the moral reasons against creating Misera. The argument begins with the principle I call the Anti-Inertness of Prerogatives.

[19]The example may also reveal a distinct reason in favour of procreation: the preservation of a community and its culture. This reason need not be part of the parental prerogative itself. On the Moral-Overall Reasons Principle, the justification for creation depends on the overall reasons for it, and reasons of this kind can contribute to that justification.

> **Anti-Inertness of Prerogatives**: Where a prerogative applies to a choice, the range of options it permits must be strictly larger than the range permitted in its absence.

This principle expresses an intuitive idea about the normative role of a prerogative: if having it does not permit anything that would be impermissible without it, then it is doing nothing. The parental prerogative clearly makes a difference in some choices. It permits prospective parents to have a child rather than devote their resources to charity, and to have a child with a worthwhile life now rather than wait for a better-off one.

Whether it makes a difference in every choice to which it might apply is more controversial. Many accounts restrict the prerogative's force, conditioning it on the child's expected good – whether because parental authority is grounded in the child's interests (Brighouse and Swift 2009; Wasserman 2005), because parental discretion is held to stop at serious harm (Dawson 2005; Opel and Diekema 2012; Pierik 2018), or because the child has a claim against being created in a seriously bad condition (Harman 2004, 2009; Shiffrin 1999).

I take a different view. Anti-Inertness says that as more comes to be at stake for the child, the reasons against procreation become stronger, but the parental prerogative does not simply disappear.

Indeed, the restrictive view faces two difficulties. First, it mischaracterises how prerogatives normally work. Consider the rescue case. If the stranger faces losing a finger in the fire, the agent's prerogative may easily justify refusing to rescue. If the stranger's life is at stake, the prerogative does not simply disappear. It still counts as a reason, but it must be weighed against the much stronger moral reason for rescuing. What changes with the stranger's stakes, then, is whether the prerogative can match or outweigh the competing moral reasons, not whether the prerogative counts as a reason at all.

Second, the restrictive view creates a discontinuity that is difficult to explain. On this view, the parental prerogative applies when the child's expected welfare is just above the level of a life worth living, but disappears entirely when it falls just below. A very small difference in the child's welfare therefore determines whether the prerogative counts at all. But it is unclear why this should be so.

Someone might reply that procreation is different because the parents' choice creates the very person who bears the harm. I agree that this is an important difference, but it does not show that the parental prerogative should disappears when more is at stake for the child. If creating the person who bears the harm has additional moral significance, this should strengthen the reasons against creation, rather than make the parental prerogative irrelevant. The question is whether the prerogative is strong enough to justify creation. And when the harm is severe enough, the

prerogative is not strong enough to justify creation, and creation is therefore impermissible. This is compatible with what the restrictive view aims to achieve. We therefore do not need to deny the existence of the prerogative to reach this conclusion.

Anti-Inertness avoids these problems. It recognises the prerogative's role in protecting the agent's interests without exempting the agent from moral constraints, and it keeps the prerogative's normative force continuous as the child's expected welfare varies.

To see how Anti-Inertness applies to Misera's case, suppose that, setting the parental prerogative aside, the lowest welfare level at which creating a child is permissible is 0 – the level of non-existence.[20] Every level above 0 is then already permitted, such as $0 + \varepsilon$, where ε is an arbitrarily small positive amount.

Consider three actions. Action 1 is creating a child with welfare level $0-\varepsilon$ – that is, a child with a life not worth living. Action 2 is creating a child with welfare level $0+\varepsilon$. Action 3 is doing nothing. Now compare the choice {1,3} with the choice {2,3}. According to Anti-Inertness, the prerogative to have children is a justifying reason for Action 1 and is also a justifying reason for Action 2.

Next, compare what is actually permissible with what would have been permissible if the agent had lacked a prerogative. Suppose that if the agent had lacked the prerogative to have children, Action 2 would have been permissible in the choice {2,3}, but Action 1 would have been impermissible in the choice {1,3}. Then Anti-Inertness says that Action 1 is actually permissible in the choice {1,3}. In particular, compare the justifying force that Action 1 actually has, relative to Action 3, with the justifying force that Action 2 would have had, relative to Action 3, had the agent lacked the prerogative. Actions 1 and 2 are almost exactly the same, differing only by an arbitrarily small amount of welfare. If the prerogative to have children is to have a non-inert level of justifying force, there must be some welfare level below 0 at which the requiring force of the reason against creation is weaker than the justifying force of the prerogative.

Therefore, the parental prerogative must make some otherwise impermissible option permissible, so the option the prerogative adds must be the creation of a child whose welfare falls below 0, such as $0-\varepsilon$.

[20]The argument does not depend on the assumption that 0 is the relevant threshold. Some views in population ethics posit a critical level above neutrality (Blackorby, Bossert, and Donaldson 1995, 1997; Broome 2004). If procreation is permissible only above some higher critical level, c, the same reasoning applies around that threshold: if creation at $c + \varepsilon$ is permissible without appealing to the parental prerogative, Anti-Inertness implies that the parental prerogative must be capable of making creation permissible at some welfare level arbitrarily close to, but below, the threshold c. The point is therefore that the parental prerogative can shift the threshold of permissible procreation, whatever that threshold is.

This can be understood as a shift in the threshold of permissible procreation.[21] If the threshold would otherwise lie at 0, the justifying force of the parental prerogative may shift it slightly below 0, bringing $0-\varepsilon$ within the range of permissible procreation, as illustrated in Figure 1 below.

The Anti-Inertness argument therefore establishes an important point: the parental prerogative can, at least in cases sufficiently close to the relevant threshold, provide enough justifying force to make creation permissible.[22]

This supports my central claim. For Misera, this means that creating her is permissible where her expected well-being falls only slightly below the threshold for a life worth living. One might worry that Anti-Inertness establishes too little, since in many cases the moral reasons against creating Misera are considerably stronger than at the margin. Extending the argument to such cases does not require showing that the prerogative's justifying force grows to match increasing harm. It requires looking at the opposing reason instead – and in particular at harm, which provides the central moral reason against creating someone like Misera.

6. Harm, failure to benefit, and the parental prerogative

The most important challenge to the argument is that prerogatives do not generally license imposing harm on others. A prerogative may justify declining to benefit someone, but not harming her (Kagan 1984, 1989; Muñoz 2021a, 2021b). So, if creating Misera is straightforwardly a case of actively harming her, the parental prerogative seems unable to justify her creation, as many philosophers have argued (Harman 2004, 2009; Shiffrin 1999).

To assess this claim, we first need to ask whether creating Misera harms her. There are two main accounts of harm, and they give different answers to this question.

Discussions of the non-identity problem typically distinguish between comparative and non-comparative accounts of harm. On a counterfactual comparative account, an action harms a person only if it makes that person worse off than she would otherwise have been (Bayne 2010; Boonin 2008, 2014; Feit 2016; Feldman 1991; Hanna 2016; Heyd 1992, 2009; Klocksiem 2012, 2022; Norcross 2005; Parfit 1984). According to this account, creating Misera does not straightforwardly harm her, since there is no alternative state in which Misera exists and is better off. If she had not been created,

[21] The threshold of permissible procreation does not necessarily coincide with the threshold at which a life becomes worth living. The latter stays fixed; it is the former that the prerogative shifts. If permissible procreation would begin at 0, the justifying force of the parental prerogative may shift that boundary slightly below 0, bringing $0-\varepsilon$ within the range of permissible procreation, as illustrated in Figure 1.

[22] This argument is not confined to parental reasons. Any reason with positive justifying force that applies to the choice would shift the boundary in the same way. What the argument shows is what follows once such a reason is in play; the substantive claim that the parental prerogative is such a reason, and that it applies to procreative choices, is argued for in Section 4.

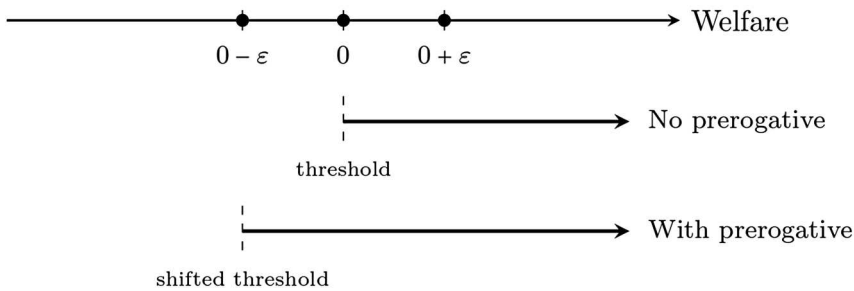

Figure 1. The justifying force of the parental prerogative shifts the threshold of permissible procreation, allowing creation at a welfare level slightly below zero.

she would not have existed at all. The reason against creation therefore cannot be grounded in harm in this comparative sense.

Non-comparative accounts allow a different conclusion. On these accounts, creating a person can harm her by causing her to exist in a seriously bad condition, even if she would not otherwise have existed (e.g. Harman 2004, 2009; Kavka 1982; Shiffrin 1999). If such an account is correct, creating Misera may indeed harm her by causing her to exist in a condition that makes her life not worth living.

However, even if creating Misera counts as harming her in this non-comparative sense, and this harm therefore weighs against the parental prerogative, the same degree of harm may not have the same moral significance in every case. Even when two lives are equally not worth living, creating them may involve different kinds of harm. In particular, we should distinguish between actively imposing harm and failing to provide a benefit (Shiffrin 2012). I argue that, in the central cases considered in this paper, prospective parents fail to benefit Misera rather than actively impose harm on her.[23]

The distinction between imposing harm and failing to prevent it is familiar from the literature on harm (Foot 1984; Hanser 2008; Kamm 1996; Purves 2019; Shiffrin 1999, 2012). These accounts differ in how they distinguish the two kinds of harm, but agree that the reason against imposing harm is stronger than the reason against failing to benefit. It is impermissible to kill a stranger to avoid losing an arm, but it may be permissible to decline to save him at the same price (Muñoz 2021a; Thomson 1976, 1990). This difference explains why a prerogative may justify creating Misera when creating her is a failure to benefit her, but not when it is an active imposition of harm.

[23] 'Failure to benefit' here requires some clarification. One might object that if Misera is not created, there is no person who receives the benefit of non-creation. In reply, I take that the failure to benefit here should also be understood in a non-comparative way. The point is not that Misera would have been better off had she not been created, but that non-creation would have prevented a bad condition from arising in any person. In this sense, the parents decline to prevent a bad outcome they could have prevented, rather than fail to make Misera herself better off.

More generally, an agent may be permitted not to provide a benefit when doing so would come at a substantial personal cost or conflict with her prerogatives. Providing the benefit may still be morally better, but not required, and therefore supererogatory.

The same point applies to procreation. When creating Misera involves a failure to benefit rather than actively imposing harm, the parental prerogative may justify creation. Consider a woman living under an occupying regime that has stripped her of legal standing, confined her to forced labour, and made that status heritable. Any child she has would be born into it, and neither she nor the child could leave. Suppose that the child's expected life would fall below the threshold of a life worth living. The parent brings the child into existence under these conditions, and, on a non-comparative account of harm, this may itself count as harming the child. But the parent does not create or impose the institution that makes the child's life harmful. She exercises her procreative choice under a condition she neither produced nor can alter. Here, it is natural to say that the occupying regime imposes the harm, while the parent allows it to occur.

By not creating the child, she could provide the benefit of avoiding a life not worth living. Providing that benefit would require forgoing parenthood altogether. The question is therefore whether the parental prerogative can justify this failure to benefit. If the choice is understood as a failure to benefit rather than as the active imposition of the condition that makes the child's life harmful, the Moral-Overall Reasons Principle allows the parental prerogative to contribute to the justifying weight of the reasons for creating the child, and that weight may be sufficient to outweigh the moral reason to confer the benefit.[24] Creating the child may therefore remain permissible, even though not creating her is morally better – and, being permissible but not required, not creating her may be supererogatory.

This does not imply that every case of creating a person whose life is not worth living involves a failure to benefit. To distinguish failure to benefit from imposing harm in cases like Misera's, I propose two conditions. First, an agent actively imposes harm when her own act produces the harm, whereas she fails to benefit when the harm is produced and sustained independently of her action.[25] This condition is related to Kamm's criterion: an agent imposes harm if the victim loses goods she would have had if the agent had not acted, whereas an agent fails to benefit if the victim loses only

[24]The parental prerogative need not be the only reason contributing justifying weight here. The Moral-Overall Reasons Principle allows reasons beyond it to do so as well, and where such reasons are present, they may make creation permissible in cases where the prerogative alone would not. I do not pursue this here.

[25]Whether the parents could instead have a child without the harm is not part of this condition. That question concerns what avoiding the harm would cost the parents and therefore bears on the justifying force of the parental prerogative. It should not also determine whether the parents impose the harm.

goods she could have had through the agent's action (Kamm 1996, 84). According to this condition, the regime case is a failure to benefit: the regime imposes the bad conditions on everyone under its rule, independently of whether the woman has a child.

The second condition is whether the agent moves the victim into the harm from a safe position into harm, or merely fails to prevent her being harmed. This is related to Foot's criterion: whether the agent initiates the chain of events leading to the harm, or declines to interrupt such a chain already running (Foot 1984).[26]

On both conditions, Misera's case is a failure to benefit. She does not exist before the parents act, so there is no position she is moved from. Procreation is something every person is entitled to, and although some choose not to have children, it is natural and reasonable to assume that anyone may have children. Creating Misera is therefore a failure to prevent what would otherwise naturally occur. According to the second condition, then, the parents do not impose the harm: there is no victim to bring to the threat. What they decline is the benefit of that condition never obtaining for anyone.[27]

With the two conditions in place, we can distinguish which cases of creation involve a failure to benefit and which do not, and so assess the weight of the moral reason against creation. In the central cases considered here, a third party produces the conditions that make Misera's life not worth living, which the parents can neither produce nor change. The next section examines cases where the parents play a more active role in bringing about the harm, and asks whether the prerogative can still suffice.

7. Other objections and the scope of procreative justification

There are several further challenges to this account. First, one might question whether the parental prerogative can justify every way in which Misera might be brought into existence.

This question becomes clearer if we compare pregnancy with other possible ways of creating Misera. Consider the following case:

[26]This condition also helps answer a possible objection. One might argue that procreation is different from ordinary failures to benefit because, by creating the child, the parents bring into existence the very person exposed to the harm. Compare pushing someone into a fire one did not start. According to this condition, pushing someone into the fire clearly counts as imposing harm: the victim was initially safe, and the agent brings her into harm. Misera's case is different. As the main test explains, the parents do not move Misera from a safe position into harm.

[27]One might worry that the child's inability to consent to being brought into a bad condition adds further weight to the harm-based objection. This does not undermine the account, however. Lack of consent makes active harm worse (Shiffrin 1999), but it carries less weight against a mere failure to benefit – especially here, since the alternative to creation is non-existence, not a worse-off existence, so there is no one who is denied something they could have consented to. The point still has some force, though, and I return to it below.

> **Simple Button**: Suppose that, instead of becoming pregnant, the parents could bring Misera into existence simply by pressing a button.

Pregnancy involves substantial physical, emotional, and practical burdens, which make procreation a serious and carefully considered decision. *Simple Button* removes these. The question becomes whether the parents' interest in having and raising a child, independently of the particular means of procreation, can still provide sufficient justification for creating Misera.

I argue that it can. Although *Simple Button* removes the burdens associated with pregnancy, it does not remove the parents' interest in having and raising a child. Changing the physical means of procreation, from pregnancy to pressing a button, should not by itself eliminate the normative force of the parental prerogative. This is because the prerogative protects the parent's interest in having and raising a child, and does not specify the means.[28] Thus, even in the button case, the parental prerogative may still provide justification for creating Misera.

One might push this objection further by modifying the button case:

> **Non-Parental Button**: Suppose that the person who creates Misera does not undergo pregnancy and, more importantly, does not intend to raise Misera or develop any parental relationship with her. Can the creation of Misera still be justified by a parental prerogative?

This case raises a further question about the prerogative's justifying force. The parental prerogative is grounded in the parent's interest, but what makes someone who creates Misera a parent in the relevant sense? If the creator has no parental relationship with Misera beyond bringing her into existence, it is unclear whether the parental prerogative applies at all and, therefore, whether it can provide any justification for creating her.

I do not think that merely causing a person to exist is sufficient to invoke the parental prerogative. The prerogative defended here is not a general permission to create people, but a prerogative to *have and raise* a child. As argued above, its justificatory force derives from the significant and enduring human interest in becoming parents, raising children, and forming parent–child relationships. Thus, what matters is not simply whether a person brings Misera into existence, or whether creation occurs through pregnancy, but whether she creates Misera with the intention of becoming and acting as her parent. For example, a person may create a child without undergoing pregnancy but nevertheless intend to raise and care for the child and take responsibility for her as a parent. In such a case, the parental interest

[28] One might object that some means of having children are themselves morally impermissible. I agree. But in such cases, the impermissibility of using those means need not imply that the parental prerogative is absent. Rather, it is because the moral reasons against using those means outweigh the justificatory force of the parental prerogative.

remains, and the parental prerogative can still provide justification for creating the child.[29]

However, a further worry arises even if parents do intend to fulfil their parental responsibilities: they may be able to have a child only by imposing harm on her. As noted, prerogatives do not ordinarily license the active imposition of harm. If so, the parental prerogative might appear capable of justifying procreation only in cases of failure to benefit.

Consider the following case:

> **Harmful Button**: Suppose that prospective parents can create a child only by pressing a button, but doing so unavoidably produces severe and incurable pain in the child that makes her life not worth living. If they do not press the button, they cannot have any child.

Here, the parents' own action produces the pain. Nothing else would produce or sustain it; it exists only because they press the button. The case therefore does not satisfy the first condition for a failure to benefit, and so involves imposing harm. Can the parental prerogative nevertheless justify creating the child?

Actively causing harm does not make the parental prerogative normatively inert: the parents' interest in having and raising a child may still provide a justifying reason for creation. However, because the parents themselves impose the harmful condition, the moral reason against creation may be stronger than in the earlier cases.

Consider a modified version of *Harmful Button* in which the pain is intolerably severe. The parents themselves produce the pain by pressing the button, and the pain is so severe that the moral reason against creation is particularly strong. Even though not pressing means forgoing parenthood altogether, that cost is still not enough to justify creation. In this case, creating is impermissible.

Parfit's Wretched Child is a famous example. The child would never develop, would live only a few years, and would suffer pain that could not be relieved (Parfit 1984, 391, §132). Parfit holds that conceiving such a child would be wrong, and my account agrees. The harm is at the extreme of severity, and no cost to the parents – not even forgoing parenthood altogether – supplies enough justifying weight to match it. What my account adds is an explanation of why: not that the parental prerogative lapses in such cases, but that its weight, though present, is insufficient.[30]

[29]The parental role may matter in a further way. Even if the child's life remains not worth living overall, parental care, education, and other goods may make her life less bad than it would otherwise be (Harman 2009, 144). These goods may therefore reduce the severity of the harm and weaken the moral reason against creation, leaving greater room for the parental prerogative to justify it.

[30]The child's inability to consent, set aside earlier, reinforces this verdict: the parents impose the harm rather than merely allow it, and consent matters more to imposing harm than to withholding a benefit.

These cases bring out three constraints on this account. First, the parental prerogative applies only where the agent intends to assume and fulfil parental responsibilities: merely causing someone to exist does not invoke it. Second, its justifying force is sensitive to severity – as the harm increases, so does the cost required to justify imposing it. Third, actively imposing the harmful condition generates a stronger moral reason against creation than failing to prevent an independently arising one. Where the harm is severe and actively imposed, these constraints can yield impermissibility even when not creating the child would cost the parents parenthood altogether.

8. Conclusion

In sum, I have argued that, in some cases, it can be permissible to bring into existence a person whose life is expected to be not worth living, while not doing so may be supererogatory rather than obligatory. Whether creation is permissible depends on whether the overall reasons for creation are sufficient given the moral reasons against it. In particular, reasons arising from prospective parents, especially the parental prerogative to have and raise children, can contribute to sufficient justification for creation, alongside other relevant reasons. Where these reasons are sufficient, creating Misera may be permissible even though not creating her remains morally better and may therefore be supererogatory.

More generally, the account developed here highlights the justificatory role of the parental prerogative in assessing procreative choices. The framework may also have implications for other procreative cases associated with the non-identity problem, particularly where reasons arising from prospective parents are relevant to the permissibility of procreation. For example, suppose that having a child now would result in a person whose life is worth living but substantially worse than that of a different child who could be conceived later.[31] Even if there is a moral reason to wait and have the better-off child, the prospective parents may still have significant justification for having a child now. The parental prerogative may give them some discretion over when and how to have and raise a child. Where the moral reason against having the child now is less weighty – for example, because the case involves a failure to benefit and the parents intend to provide the child with good parental care – the justificatory force of this prerogative may be sufficient to make having the child now permissible.

The same point can also operate in the opposite direction. Even if creating a child with a worthwhile life would be morally good, prospective parents need not thereby be morally required to have that child. Pregnancy, childbirth, and raising a child can impose substantial burdens and require

[31]For relevant discussions (see, e.g., Parfit 1984, 351–442, 2011, vol. 2, 2017; Harman 2009, 140–145).

significant changes to a person's life. A prerogative to give appropriate weight to these parental interests may also justify choosing not to have a child. On the account developed here, having the child whose life is worth living could therefore be morally good without being obligatory and, in appropriate cases, could be supererogatory.[32]

Taking the parental prerogative seriously therefore has broader significance for procreative ethics. It can help explain the permissibility of a wider range of procreative choices and avoid overly demanding moral requirements.

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OpenAI's ChatGPT (GPT-5.6) and Anthropic's Claude (Opus 5) were used during manuscript preparation solely to assist with copyediting, formatting, and identifying typographical and grammatical errors. It was not used to generate the research, arguments, or conclusions of the article. The author reviewed and verified all AI-assisted revisions, confirmed the originality and accuracy of the manuscript, and takes full responsibility for the integrity and accuracy of its content and references. The author has reviewed the terms of use of the AI tool and confirms its suitability for this purpose.

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[32]The relevant parental reasons need not be limited to the interest in having children. They may also arise from the physical, emotional, financial, and practical burdens associated with pregnancy, childbirth, and child-rearing. Which of these considerations has sufficient justifying force will depend on the circumstances of the particular case.

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