What Is a Child?*

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Treating someone like a child is prima facie wrong, unless, of course, the person in question really is a child. By ‘treating someone like a child’ I mean interacting with her on the basis of more paternalistic standards than those which apply to adult-adult relations. To treat someone like a child is, roughly, to treat her as if her life is not quite her own to lead and as if her choices are not quite her own to make. I want to know what features of a person’s condition can in principle justify us in treating a person this way. What is a child, such that it could be appropriate to treat a person like one?

We have conventional norms for applying the concepts “adult” and “child,” but they do not always match our intuitions about how to treat people. Positive laws may stipulate, for example, that anyone under the age of seventeen counts as a child from the point of view of the state. But we can ask in any particular case whether this stipulation is reasonable from a moral point of view. Questions about when to treat children as adults, and when to treat adults as children, bring out the fact that there can be a gap between our conventional applications of these terms and their proper application for moral purposes. Indeed I think one of the most difficult decisions parents and child rearers have to face on a daily basis is the decision whether or not to treat a child like a child in a given situation. When is a parent justified in preventing a child from acting according to her will? When is a child entitled to make her own choices and face the consequences?

Such questions force us to think more deeply than usual about what the adult-child distinction is supposed to pick out. And yet the two dominant moral theories appear, at least at first glance, to deny any basis for this distinction. Kantianism tells us that each person is a sovereign authority whose consent is not to be bypassed, so the kingdom of ends

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tends to look like a realm of adults. Utilitarianism puts no constraints on paternalistic action in principle, so the utilitarian world tends to look like a realm of children. But if the adult-child distinction lacks an obvious place in modern ethics, this is perhaps not surprising. Since that distinction is one of status, it necessarily chafes against the modern principle that all human beings have the same moral standing.

The purpose of this article is to show the virtues of one way of fitting the adult-child distinction into an otherwise egalitarian ethical theory. I argue that despite appearances to the contrary, there is a justification within Kantian ethics for counting some people as children and for treating them differently from adults. This is so provided we construe Kantian ethics as allowing for a two-level, ideal/nonideal structure, a structure in which John Rawls has introduced in the context of his theory of justice. The condition of childhood, on this approach, is essentially a predicament. I explain in some detail the nature of this predicament and show how it can provide a starting point for developing an ethic of adult-child relations.

I. THE NATURE OF THE ADULT-CHILD DISTINCTION

The idea that children have a special status, one which is different from that of adults, is evident in our everyday attitudes. Our basic concept of a child is that of a person who in some fundamental way is not yet developed, but who is in the process of developing. It is in virtue of children's undeveloped condition that we feel we have special obligations to them, obligations which are of a more paternalistic nature than are our obligations to other adults. These special obligations to children include duties to protect, nurture, discipline, and educate them. They are paternalistic in nature because we feel bound to fulfill them regardless of whether the children in question consent to be protected, nurtured, disciplined, and educated. Indeed, we think of children as people who have to be raised, whether they like it or not.

A related intuition is that the words and deeds of children have a different status or significance than the words and deeds of adults. This intuition manifests itself in two ways. First, we tend to think that, in general, children are not to have the same say in matters which affect them as adults do. The consent or dissent of a child does not have the same authority and moral significance as the consent or dissent of an adult. I am not suggesting here that we are completely indifferent to children's opinions about what ought and ought not to be done to and for them.

The point is merely that, in general, we do not feel bound by children's' expressions of their wills in the same way that we feel bound by adults' expression of theirs. Second, we tend not to hold children responsible for what they do in the same way that we hold adults responsible for their actions. This is not to say that we don't hold children responsible for their actions in any sense. But the knowledge that an agent is a child rather than an adult often prompts us to modify our “reactive attitudes” toward her.2 An adult who laughs at your bald spot is to be resented; a child who does the same is to be disciplined—at least insofar as you decide to treat her as a child. In this sense, we do not take child action as seriously as adult action, or, rather, we do not take it seriously in the same way.

I assume these observations are uncontroversial. The philosophical task is to give a deeper account of them, one which explains more clearly the sense in which children are undeveloped and the reason why their lack of development is significant from a moral point of view. There are two ways of approaching this task. The first approach starts out from the assumption that terms like ‘adult’ and ‘child’ figure into moral deliberation as nonnormative, biological concepts. The assumption here is that to call a person a child is to make a statement of fact, an assertion of a belief that the being in question has or lacks certain biological features which are constitutive of childhood. On this view, “what is a child?” is essentially an empirical question.

It is certainly possible to construe the question in this way. But notice that we also use these terms ‘adult’ and ‘child’ as quasi-legal designations of status, on par with terms like ‘citizen’ and ‘alien’. The second approach, which has its roots in Kant, takes this latter function as primary.3 On this approach, “what is a child?” is construed in the first instance as a question about the content of a status concept. The question is: what, exactly, are we attributing to a person when we accord her the status of a “child”? To call someone a “citizen,” for example, is to make a normative claim, a claim that the person in some sense “belongs to” or “is a member of” a certain polity. This notion of “belonging” helps to guide us in deciding which facts to count as qualifications for citizenship.


3. See Christine Korsgaard, “Two Arguments against Lying,” in her Creating the Kingdom of Ends (New York: Cambridge University Press, 1996), pp. 335–62, esp. 340–42. My argument in this article is informed by Korsgaard’s conclusions in that article. These are: (1) that on a Kantian view, moral concepts function in the same way that concepts of legal status do, and (2) that this means moral concepts admit of “pragmatic” rather than “metaphysically precise” application to the world. A concept admits of metaphysically precise application if its application to a given object is determined wholly by the features of that object. Application of status concepts, by contrast, involves some degree of arbitrary “line drawing.” Status concepts impose an “artificial” structure on the world, a structure which does not simply track the world’s empirical contours.
(e.g., birthplace, ownership of property, etc.). Similarly, it may be possible to shed light on the meaning of “adult” and “child” as status concepts by clarifying the guiding notions of “developed” and “undeveloped” agency. The hope is that by doing so we may gain a better sense of which facts to count as qualifications for adult or childhood status.4

In this article, I take the latter approach, and my strategy is to use concepts from the Doctrine of Right as guides in developing a Kantian account of the concept of a child. There is, I claim, a rather deep and illuminating analogy between the liminal status of a child and that of a prepolitical society. Perhaps surprisingly, parallels between the condition of childhood and the state of nature help to account for our more settled intuitions about what childhood is and how we ought to treat those in the condition of childhood.

II. PASSIVE CITIZENS

Our paternalistic attitudes toward children are often thought not to require any special justification. The intuition is that these are the most natural of attitudes, giving rise to the most natural of duties. And where some sort of justification is demanded, it can be tempting simply to appeal to the consequences. One might argue, for example, that the general welfare is best promoted if older people take control of the lives of younger people since older people generally have greater knowledge and skill than younger people. Being more experienced, they are likely to make beneficial choices, whereas young people are likely to make costly ones.5

However, Kantian ethics does not allow for this justification because all obligations are to be accounted for in terms of the will’s conformity with the Categorical Imperative. The Categorical Imperative is the procedural expression of an ideal of human relations which, as I mentioned earlier, seems to put everyone in the role of an adult. To act on the Cate-

4. For further discussion of the two approaches, see Christine Korsgaard, “Creating the Kingdom of Ends: Reciprocity and Responsibility in Personal Relations,” in her Creating the Kingdom of Ends, pp. 197–200.

5. It is true that we sometimes excuse children’s wrongful conduct simply because of their relative ignorance and incapacity. Children are newcomers to our world, people who have yet to learn the rules of our culture. In this respect their status is like that of foreigners or recent immigrants, young or old. We tend to excuse recent immigrants for social transgressions which we take to be the result of (nonnegligent) ignorance or lack of skill. Similarly, we often do not hold children responsible for wrongdoing simply because they cannot be expected to know the cultural rules, given their lack of experience in our world. But on the view I will be proposing, what it is to be a child is not fully explained by this analogy. Notice, for example, that we think it appropriate to instruct adult immigrants who say or do the wrong thing, but not to discipline them. And while adult immigrants may lack the information necessary to make good choices, we do not doubt that such choices are theirs to make. That said, it is no doubt the case that much of the time we do treat young people like adults who simply lack relevant knowledge or skill, and this may be entirely appropriate. My question is about what makes it appropriate to treat a young person like a child.
gorical Imperative is to act as if the world were a kingdom of ends, a collective order in which each person counts as an autonomous agent with the authority to make up her own mind and cast her own vote on practical matters.\textsuperscript{6} This means that in every action, we are to respect others as choosers even if we disapprove of the choices they make.\textsuperscript{7} As such, there is no general permission to make other people's choices for them simply because they are not likely to choose well on their own. Moreover, to the extent that we are obligated to promote the happiness of others, we are to do this in accordance with their own judgments about what counts as their happiness.\textsuperscript{8}

Thus it may look as though Kantian ethics is particularly ill equipped to do justice to our intuition that children are the proper objects of paternalism. However, Kant does carve out an intermediate space for children in his political writings. In the \textit{Doctrine of Right} he claims that from the standpoint of the state, minors are to count as “passive citizens” in contrast to adults, who are “active citizens.” Passive citizens are members of the political commonwealth who are not entitled to the full range of liberties normally associated with citizenship. In particular, passive citizens are not entitled to vote. The justification for this is that those who count as passive citizens lack the independence necessary for voting.

\textsuperscript{6} While I am fairly confident that Kant tended to have men in mind as exemplars of moral agency, I use feminine pronouns to suggest that his theory has the potential to extend beyond his particular applications of it. Unlike some feminist theorists, I do not believe Kant’s moral theory is fundamentally shaped by illicit gender-based assumptions.

\textsuperscript{7} This comes out most clearly in the formula of humanity, which states: “So act that you use humanity, whether in your own person or in the person of any other, always at the same time as an end, never merely as a means” (\textit{G} 4: 429). The “humanity” we are always to treat as an end is “the capacity to set oneself an end” (\textit{DV} 6: 392). Unless otherwise indicated, Kant citations refer to \textit{The Cambridge Edition of the Works of Immanuel Kant}, ed. Paul Guyer and Allen W. Wood (Cambridge: Cambridge University Press, 1996). Page references are given by the volume and page numbers of the standard edition of Kant’s works, \textit{Kant's Gesammelte Schriften}, ed. The Royal Prussian (later German) Academy of Sciences (Berlin: Georg Reimer, later Walter de Gruyter & Co., 1900– ). Abbreviations are as follows: \textit{G}, \textit{Groundwork of the Metaphysics of Morals} (1785); \textit{CPPr}, \textit{Critique of Practical Reason} (1788); \textit{RWR}, \textit{Religion within the Boundaries of Mere Reason} (1793); \textit{TP}, \textit{On the Common Saying: That May Be Correct in Theory, but It Is of No Use in Practice} (1793); \textit{PP}, \textit{Toward Perpetual Peace} (1793); \textit{DR}, \textit{The Doctrine of Right}, first division of \textit{The Metaphysics of Morals} (1797); \textit{DV}, \textit{The Doctrine of Virtue}, second division of \textit{The Metaphysics of Morals} (1797). All are to be found in the Cambridge volume entitled \textit{Practical Philosophy}, trans. Mary J. Gregor, with the exception of \textit{RWR}, which appears in the volume entitled \textit{Religion and Rational Theology}, trans. Allen W. Wood and George Di Giovanni.


\textsuperscript{8} \textit{DV} 6: 388.
Kant writes: “The only qualification for being a citizen is being fit to vote. But being fit to vote presupposes the independence of someone who, as one of the people, wants to be not just a part of the commonwealth but also a member of it, that is, a part of the commonwealth acting from his own choice in community with others. This quality of being independent, however, requires a distinction between active and passive citizens.”9 Taken abstractly, the claim that in order to have a say in social life a person must have attained a certain kind of independence is not obviously misguided. The problem is to define the criterion of independence properly. Kant’s list of passive citizens includes, in addition to minors, apprentices, domestic servants, domestic laborers, private tutors, tenant farmers, and all women. The dependence of women and children upon others is, according to Kant, “natural,” while that of the others on the list is economic.10 But both forms of dependence, on Kant’s view, disqualify a person for active citizenship.

This type of prerequisite for voting was universally accepted in Kant’s day, and its persistence was no doubt due to the fact that it served the interests of dominant groups. But it is worth asking whether a more adequate criterion of independence can be employed to justify the secondary status of children in particular, in moral as well as in political life. Before pursuing this question, though, it is important to point out that Kant is not entirely comfortable with the notion of passive citizenship. He notes that “the concept of a passive citizen seems to contradict the concept of a citizen as such,” because the latter concept includes the attributes of civil freedom and equality.11 Kant goes on, however, to offer a twofold reply to this worry. He claims, first of all, that the dependence of passive citizens and their resulting inequality is “in no way opposed to their freedom and equality as human beings, who together make up a people.”12 Passive citizens are not to be regarded as something other than citizens, or even as lesser sorts of citizens. They are simply citizens who are not fit to vote and who therefore are denied this privilege. Second, Kant claims it “follows” from this limitation on their freedom that “whatever sort of positive laws the [active] citizens might vote for, these laws must still not be contrary to the natural laws of freedom and of the equality of everyone in the people corresponding to this freedom, namely that anyone can work his way up from this passive condition to

10. See TP, where Kant writes: “The quality requisite to [voting status], apart from the natural one (of not being a child or a woman), is only that of being one’s own master (sui iuris), hence having some property (and any art, craft, fine art, or science can be counted as property) that supports him” (8: 295). I thank Stephen Darwall for drawing my attention to this passage.
11. DR 6: 314.
12. Ibid.
an active one.” 13 (One wonders how Kant envisions this last principle applying to women, but I will put that puzzle aside.) Kant’s problem here is to harmonize the status of passive citizenship with the notions of freedom and equality, which are part and parcel of citizenship itself. His solution is to place a substantive constraint on active citizens in their treatment of the disenfranchised. Active citizens are prohibited from treating passive citizenship as a distinct and permanent status. They are not entitled to treat passive citizens as mere things, or as outsiders, or as members of a permanent underclass.

This is a point in Kant’s political philosophy where I take him to be working out what Rawls calls ‘nonideal theory’. 14 The role of nonideal theory, according to Rawls, is to provide principles for determining “the least unjust way” of coping with obstacles to justice. In more general terms, it is the task of nonideal theory to tell us how to remain true to a given ideal under adverse circumstances, circumstances which threaten to make the ideal unrealizable. Now if there are indeed citizens who are in a deep sense dependent, citizens who are not in a position to speak in their own voices, this threatens to make the very ideal of citizenship and its corresponding ideal of a constitutional republic unrealizable. For that ideal can only be realized if all are in a position to voice their agreement or disagreement with one another on matters of justice. So dependence counts as a problem from the point of view of Kant’s political theory. Kant responds to this problem by proposing the establishment of the status of passive citizenship as the least unjust way of fitting dependent citizens into a state containing independent ones. His claim is that we can cope with the existence of such dependence only if all regard it as a temporary deviation from the norm of independence. Dependence is tolerable only as a nonideal condition, a condition which, for the sake of justice itself, is to be regarded by each as the enemy of all.

III. DEGREES OF IMPERFECTION

Kant’s account of children’s political status can serve as a guide in developing an account of their moral status. If children count as passive members of the political commonwealth, perhaps they likewise count as passive members of the ethical commonwealth, the kingdom of ends. But what would this mean? In order to answer this, we need to have a clear idea of the nature of children’s dependence and of why this form of de-

13. Ibid.
14. See n. 1 above. Rawls divides nonideal theory into two parts: partial compliance theory, which deals with problems arising from the existence of prior injustice, and a second part which deals with problems arising from “natural limitations.” As an example of this latter sort of problem he specifically cites the condition of children, in virtue of which their liberty must be restricted (Rawls, A Theory of Justice, p. 244). But Rawls does not go on to discuss the justification for this in any detail.
pendence is relevant from a moral point of view. Kant comes closest to
addressing this question directly in his short book, Education, and I take
his remarks there as my starting point. But as we will see, those remarks
are sketchy at best.

In the Education, Kant distinguishes between adults and children in
terms of the practical predicaments they face as reflective agents. As
human beings, he claims, adults and children face a common problem;
they need to act on reasons of their own. But children differ from adults
in that they are not yet in a position to resolve this problem. Kant writes:
“Animals are by their instinct all they ever can be; some other reason has
provided everything for them at the outset. But man needs a reason of
his own. Having no instinct, he has to work out a plan of conduct for
himself. Since, however, he is not able to do this all at once, but comes
into the world undeveloped, others have to do it for him.”¹⁵ This passage
is suggestive, but it requires a good deal of interpretation. First, we need
to know how Kant understands the distinction between animals and hu-
man beings. Then we need to figure out where children, as undeveloped
human beings, are located relative to these concepts. Passages in other
texts give us a fairly clear answer to the first question. According to Kant,
nature has provided nonhuman animals with the resources to meet their
relatively simple practical needs. Their instincts constitute a “physical or
merely mechanical self-love, a love for which reason is not required”—a
form of self-love which leads them to preserve themselves, to propagate
the species and care for offspring, and to seek out community with oth-
ers of their kind.¹⁶ Man is different in that he possesses a capacity to re-
fect on his instinctive desires and to act in opposition to them, both by
developing desires for objects which are not objects for him by instinct
and by restraining his impulse to gratify his desires in general. By divor-
cing man from his instincts, this capacity for reflection gives rise to a dis-
 tinctively human problem. The problem is to “work out a plan of con-
duct” which will substitute for nature’s plan. In order to do this, man
needs to decide how to use his capacity for reflection. He must decide
both how to choose among the now potentially infinite set of desirable
objects and how to regulate his will with respect to them.¹⁷

¹⁵. Immanuel Kant, Education, trans. Annette Churton (Ann Arbor: University of
¹⁷. Immanuel Kant, “Conjectural Beginning of Human History,” trans. Emil Fack-
pp. 55–56. Kant describes this moment of awakening in decidedly existentialist terms: “He
discovered in himself a power of choosing for himself a way of life, of not being bound
without alternative to a single way, like the animals. Perhaps the discovery of this advantage
created a moment of delight. But of necessity, anxiety and alarm as to how he was to deal
with this newly discovered power quickly followed. . . . He stood, as it were, at the brink of
an abyss” (p. 56).
One of the primary aims of Kant’s practical philosophy as a whole is to show that the problem to which reflection gives rise is indeed resolvable in principle. Stated more precisely, the problem is that man, now aware of his capacity for freedom, has to find a way of governing himself as a free will. He has to regulate his motivational impulses on the basis of a principle which does not undermine his free status, a principle which he can regard as his own. Kant’s claim, of course, is that the Categorical Imperative satisfies this demand. Action governed by the Categorical Imperative is autonomous, an exercise of the distinctively human capacity for self-determination independent of nature. The question at hand, then, is how to conceive of childhood, given that it is a condition which prevents human beings from achieving autonomy “all at once.”

Now there is a sense in which no one, regardless of age or maturity, is able to achieve autonomy on Kant’s view. This is because the notion of autonomy in Kant’s theory is an ideal concept which outstrips all possible realizations in experience. Strictly speaking, every instance of human willing is necessarily an imperfect realization of transcendental freedom, and every virtuous character necessarily falls short of perfect virtue. And yet the applicability of the moral law depends upon our mapping these ideal concepts onto ourselves and one another for the purposes of guiding action. So we are to regard the social world as a community of autonomous agents despite the fact that perfect realizations of autonomy are nowhere to be found. Therefore if childhood is a condition which prevents a person from achieving autonomy “all at once,” this cannot be for the general reason that no one is really capable of achieving autonomy in the first place.

There is another sense in which no one is capable of achieving autonomy all at once. Although we are all imperfect, Kant holds that we have the capacity to cultivate our natural powers and moral dispositions so as to realize the ideal of humanity in ourselves more fully. But self-cultivation involves a gradual process which over time constitutes progress toward the ideal. Because human beings must approach perfection by way of small steps, it looks as though adults are no more capable of achieving autonomy “all at once” than children are. So either Kant is referring to a different sort of incapacity in the Education passage, or he is committed to the view that the distinction between adults and children is essentially one of degree. If the latter, then children and adults alike are imperfect beings who must cultivate themselves gradually over time, and the distinguishing feature of children is that they are even farther from perfection and require even more cultivation than do adults.

18. I am indebted here and elsewhere to Christine Korsgaard’s essays on Kant’s moral philosophy, many of which are included in her collection Creating the Kingdom of Ends. On this point, see esp. “Morality as Freedom,” pp. 159–87 in that volume.

But this reading generates a problem. Kant explicitly maintains not only that we can cultivate our natural and moral capacities but also that we have a duty to do so. However, he denies that we have a corresponding duty to cultivate perfection in others. Although we are obligated to promote the happiness of others in accordance with their own judgments about what constitutes their happiness, we do not have a duty to make others into better human beings. Now if children are simply adults in a less cultivated form, it would seem to follow that while children are indeed obligated to cultivate their own perfection, adults are not obligated to cultivate perfection in them. But this runs counter to the intuition that adults have a special obligation to raise children, whether the children like it or not. Kant’s language in the Education passage suggests that he sees children’s inability to achieve autonomy “all at once” as providing a reason why others must work out a plan of conduct for them. But if the inability is simply the generic inability to perfect oneself all at once, a further story needs to be told to explain why children are proper objects of paternalistic treatment.

This brings out a more general point. It is tempting to conceive of the adult-child distinction purely as a matter of degree because this picture supports the intuition that there is a continuous path from childhood to adulthood. And there is an obvious sense in which such a path

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20. Kant’s argument here is not exactly that attempting to perfect others is paternalistic, but that it is, strictly speaking, impossible. He writes, “So too, it is a contradiction for me to make another’s perfection my end and consider myself under obligation to promote this. For the perfection of another human being, as a person, consists just in this: that he himself is able to set his end in accordance with his own concepts of duty; and it is self-contradictory to require that I do (make it my duty to do) something that only the other himself can do” (DV 6: 386). Kant’s point may simply be that the best we can do is to help others to cultivate themselves, but then the question is whether we are subject to an obligation to do that. Kant suggests some such obligation when he counts under the duty of beneficence a duty to promote the moral welfare of others, which he claims counts as part of their happiness regardless of their particular ends. But he states explicitly that this duty is merely negative: “To see to it that another does not undeservedly suffer [the pangs of conscience] is not my duty but his affair; but it is my duty to refrain from doing anything that, considering the nature of a human being, could tempt him to do something for which his conscience could afterwards pain him, to refrain from what is called giving scandal” (DV 6: 394). The point for my purposes is that this duty is rather different in content from what we normally think of as our obligation to see to it that children are raised well.

21. I think Onora O’Neill tacitly attributes to Kant something like this gradualist picture in her article “Children’s Rights and Children’s Lives,” in her Constructions of Reason, pp. 187–205. But there she does not address the question of how the duty of self-cultivation is supposed to be extended to others in the case of children. Indeed she tends to gloss over the self-other distinction in referring to the duties of beneficence and self-cultivation. See, e.g., p. 199 where she writes, “The construction of imperfect obligations commits rational and needy beings only to avoiding principled refusal to help and principled neglect to develop human capabilities.” This makes it look as though the Kantian duty of self-cultivation is a special case of a more general duty to develop human capabilities as such, or to see to it that they get developed. But Kant does not formulate the duty in this way.
exists. As an empirical concept, “child” picks out biological beings who will naturally develop into biological adults. And even as a status concept, the minimal notion of “child” is that of a person who in the normal course of things will qualify as an “adult.” But if the task is to illuminate the content of these concepts as status concepts, the idea of greater and lesser degrees of cultivation cannot be the whole story. Masters in general are more skilled than apprentices, but being a master does not simply consist in being a skilled apprentice. To attribute a status concept is to draw something like a distinction in kind, and our question is about the meaning of concepts as they figure into that sort of attribution. In the next section, I pursue this question by taking seriously Kant’s suggestion that childhood is a predicament. If childhood is a predicament, then there may be a sense in which the path to adulthood is not continuous at all.

IV. NORMATIVE IMMATURITY: THE STATE OF NATURE

It is in Kant’s political writings that he focuses more directly on the transition from animal to human existence, and it is here, I claim, that we find a model of normative immaturity which can shed light on the adult-child distinction. That model is the state of nature. The state of nature is the predicament of prepolitical society. By looking at it in detail, I suggest, we can learn something about the predicament of childhood.

Following Hobbes, Locke, and Rousseau, Kant appeals to the idea of a state of nature to characterize the prepolitical condition, a condition in which a collection of people are forced to live together in the absence of a mutually acknowledged source of political authority. But Kant’s account of the state of nature and of the transition to civil society differs fundamentally from those of Hobbes and Locke. Both Hobbes and Locke offer arguments to show that civil society is preferable to the state of nature. They seek to establish that it is permissible and reasonable for those in the state of nature to set up a common authority because doing so will remedy the “inconveniences” of the lawless condition. Kant, on the other hand, maintains that those in the state of nature are under an obligation to make the transition to the civil condition. In contrast to Hobbes, this obligation is not based on an interest in securing material advantages for ourselves as individuals. But neither is it based on an interest in exercising our natural rights more effectively, in contrast to Locke. Indeed, Kant denies that we can have natural rights in the state of nature, and this is precisely what he takes to be the problem with that condition.22

Locke holds that in the state of nature, every person has a natural

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right to be the executor of the Fundamental Law of Nature. Each person has the authority to punish and to exact reparations (on his own or another’s behalf) from those he judges to have violated that Law. Kant’s claim is that in the absence of a common political authority, such a right is impossible on conceptual grounds. To make a claim of right is to make an appeal from an impartial and authoritative perspective. In the state of nature, such a perspective has yet to be constituted; there is as yet no person and no procedure which might legitimately claim the requisite authority. Since there is no source of law, nothing can count as “mine” or “thine” as a matter of law, and no distribution of social goods can count as just or unjust. Nor, for that matter, can there be such a thing as just enforcement of the law by any particular person. In a state of nature, Kant claims, “each has his own right to do what seems just and good to him and not to be dependent upon another’s opinion about this.” Kant’s point is that this so-called right is not adequate to the Idea of Right at all, for genuine rights must have their source in a person or procedure which represents the public will—the united will of all members of society.

Having said this much, it may look as though Kant thinks of the state of nature as a place completely devoid of relations of “right,” a place where only “might” reigns. If this were so, he would need a further argument to show why people in a state where only might reigns have an obligation to change the nature of their relations. But Kant’s conception of the state of nature is more complex. On Kant’s view, concepts of justice and rightful ownership do indeed play an important role in the state of nature. Even though concepts like “mine” and “thine” are without determinate content, Kant posits that individuals in the state of nature feel the normative force of these concepts and invoke them in justifying their actions. As such, Kant holds that the claims individuals make about what is just and good have a kind of “provisional” force, despite the fact that these claims do not yet have the genuine authority they purport to have.

Thus according to Kant, the state of nature is one in which individuals acknowledge a need for certain normative concepts which they nevertheless lack. This makes the state of nature a normatively unstable condition, and it is precisely this normative instability which Kant thinks we have an obligation to reject. For as Kant presents it, the state of nature is in constant danger of becoming a perversion of the lawful condition, a place where mere might purports to make right. This is why Kant states

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24. DR 6: 312.

25. Ibid.

26. In Kant’s political essays, he routinely characterizes the state of war which exists between nations as a perversion of the juridical condition. See esp. “Toward Perpetual Peace,” where Kant describes war as “only the regrettable expedient for asserting one’s
that the duty to leave the state of nature is in principle conditional. He writes, “If external objects were not even provisionally mine or yours in the state of nature, there would also be no duties of right with regard to them and therefore no command to leave the state of nature.” 27 Without the notion of a provisional right, the state of nature could not betray any internal standard, and the argument to leave it would have to appeal to the preferability or intrinsic goodness of having relations based on right. It is only provided that individuals do not wish to “renounce any concepts of right” that they must accept “the principle that one must leave the state of nature.” 28

But even though the duty to leave the state of nature is in principle conditional, Kant implies that it is not a live option for anyone to reject its condition. He does not say explicitly why this is not a live option, but his idea seems to be that human action necessarily expresses a commitment to some normative principle or other. Because we are reflective, we are forced to ask the question, “What ought I to do?” Once this question arises for us, we are in the position of choosers. Choosing our actions involves giving them normative significance; every chosen action reflects a commitment to some principle of choice or other. 29 As such, human action is necessarily expressive of principles. This means we cannot avoid committing ourselves to principles by choosing not to choose. For even the choice to let brute force determine what we do expresses a commitment to a principle, the principle that might makes right. 30 Translated to the social level, Kant’s point is that we cannot interact with others without tacitly answering the question, “What ought we to do?” As members of society, our principles of action necessarily express some ideal or other of how we ought to relate to our fellow members. So the choice to let brute force resolve interpersonal conflicts expresses the principle that justice consists in the power to push others around. 31

28. Ibid., 6: 312.
29. This idea is deeply embedded in Kant’s theory, and it informs his distinctive claim that actions are to be evaluated as embodiments of maxims.
30. Kant states in “Conjectural Beginning” that once man “discovered in himself a power of choosing for himself a way of life . . . it was impossible for him to return to the state of servitude (i.e., subjection to instinct) from the state of freedom” (p. 56).
31. In “Toward Perpetual Peace,” Kant notes the tenacity with which human beings hold onto juridical concepts even as they make a mockery of them. He writes, “In view of the malevolence of human nature, which can be seen unconcealed in the free relations of nations (whereas in a condition under civil laws it is greatly veiled by the government’s
Kant’s position, then, is that individuals in the state of nature both need and lack the capacity to make claims of right and justice. The claims they are in a position to make are normatively unstable because such claims cannot have the authority they purport to have. Since it is not an option for people in the state of nature to do without such claims, they must remove the instability. But this means they have to bring about a new form of social integration. They have to “pull themselves together” in such a way as to constitute themselves as a state, a unified political agent which speaks in the voice of a general will.

V. NORMATIVE IMMATURENESS: THE PREDICAMENT OF CHILDHOOD

I want to suggest that individuals need to pull themselves together for precisely the same reason that societies do and that undeveloped human beings are those who have yet to achieve the requisite form of integration. As in the social case, the push toward unity stems from the normative instability of the claims undeveloped beings make on themselves, combined with the inescapability of reflection. In order to explain this, it helps to start by describing the predicament of human agency in a little more detail.

Kant’s view is that in order to act, an agent must resolve conflicts among her various motivational impulses. Moreover, if the resolution is to count as action rather than mere reaction, it must be the outcome of her own deliberative activity. It must express her will, her capacity for reflective choice. Now in order for a motivational conflict even to appear to an agent as something resolvable through deliberation, the agent has to take it to have a certain significance. It cannot appear to her as a mere clash of unintelligible pushes and pulls. If that were the case, the appropriate response would be simply to wait and see which impulse wins out. Motivational conflict, if it is to be an occasion for deliberation, must appear to the agent as a conflict between rival (though perhaps not fully articulated) claims. This means that the agent must take herself to be addressed by her impulses, conceived as claims. She must, in other words, regard her impulses as bidding her to do this or that—inviting

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constraint), it is surprising that the word right could still not be altogether banished as pedantic from the politics of war and that no state has yet been bold enough to declare itself publicly in favor of this view. . . . This homage that every state pays the concept of right (at least verbally) nevertheless proves that there is to be found in the human being a still greater, though at present dormant, moral predisposition to eventually become master of the evil principle within him (which he cannot deny) and also to hope for this from others; for otherwise the word right would never be spoken by states wanting to attack one another, unless merely to make fun of it, as a certain Gallic prince defined right: ‘It is the prerogative nature has given the stronger over the weaker, that the latter should obey him’” (PP 8: 355). See also PP 8: 375–76.
her to do this or that on the implicit ground that it would be good for her to do so.

These claims purport to have a certain authority, the authority to make the agent herself—the one addressed by the claims—act accordingly. But Kant holds that since the agent is reflective, that authority can come only from her own reason; autonomy is the source of obligation. If this is so, then the authority the conflicting claims purport to have is the authority of the agent herself; each presents itself as conforming to the law of her will. This sets up her task as an agent. Her task is to determine which claims really do conform to the law of her will and to render a verdict which actually gives those claims the normative force they purport to have.

Notice, though, that she can fulfill this task only if the law of her will is already in effect. Judges cannot act as judges without an authoritative set of laws to refer to. It is this practical fact which provides the basis for a distinction between developed and undeveloped agents. In line with Kant’s claim that only developed human beings are in a position to give themselves reasons of their own, we might say that the developed human being is one whose volitional laws are already in force. The adult, qua adult, is already governed by a constitution, so to speak—a unified, regulative perspective which counts as the expression of her will—and this makes it possible for her to live up to the demands of the judicial role which the practical point of view imposes upon her. An adult, in other words, is one who is in a position to speak in her own voice, the voice of one who stands in a determinate, authoritative relation to the various motivational forces within her.

This helps us to see the sense in which childhood is a predicament. The immediate problem is that, like the prepolitical society, the immature agent has to adjudicate her conflicting motivational claims on the basis of something like principle; because she is reflective, being a wanton is not an option. But she cannot adjudicate those conflicts in a truly authoritative way for lack of an established constitution, that is, a principled perspective which would count as the law of her will. Thus the condition of childhood is one in which the agent is not yet in a position to speak in her own voice because there is no voice which counts as hers.

This, I take it, is the sense in which the undeveloped agent, unlike the developed agent, is unable to work out a plan of life “all at once.”

Let me be clear about what I am not saying here. I am not saying that in order to be a developed agent one has to have worked out principles for dealing with every possible practical matter which might come up. Following Rawls again, it seems reasonable to claim that there is a limited domain of essential questions, the answers to which determine the agent’s “basic structure.” In Rawls, the subject matter of justice is the basic structure of society, where this notion refers to the way in which the major political, legal, economic, and social institutions are organized with respect to one another. The idea is that it is the arrangement of these institutions which most fundamentally determines “where we stand with one another” as citizens, what the character of our political order is. The analogous idea in the intrapersonal case would be that the requisite critical perspective must organize the fundamental constituents of the agent’s motivational world. It must give her a “basic structure” as a person. This basic structure would have to determine, for example, where the impulse to pursue desired objects stands relative to the impulse to relate to others on mutually acceptable terms. According to Kant, it is the ordering of these impulses in particular which determines the fundamental value of a person’s character, whether it is good or evil. And presumably having some determinate ordering of these impulses is a necessary condition of having a character at all. There may well be further constitutional essentials at the intrapersonal level, further questions which must be settled authoritatively for the agent to count as having a character at all (as opposed to merely a temperament, or a set of characteristic dispositions), but I will not try to pursue this question here.

The suggestion, then, is that from a Kantian point of view childhood is to be regarded as a normative predicament. And if this is the nature of the inability, it goes some way toward explaining why paternalism toward children might be excusable. Paternalism is prima facie wrong because it involves bypassing the will of another person. In Kantian terms, paternalism prevents another from casting her vote as a legislating member for a possible kingdom of ends. But if the being whose will is bypassed does not really “have” a will yet, if she is still internally dependent upon


34. Thus I find support for this extension of Rawls’s idea of the basic structure in Kant’s *Religion within the Boundaries of Mere Reason*. There he states that a person’s character is determined by the way he organizes his incentives, the fundamental alternatives being the incentive of self-love and that of respect for the moral law. See *RWR* 6: 36. There is more to be said, however, about Kant’s notion of an evil character, for in the *Anthropology* he denies that an evil character is a character in the strict sense. Kant writes, “for evil is really without character (since it involves conflict with itself and does not permit any permanent principle within itself)” (Immanuel Kant, *Anthropology from a Pragmatic Point of View* [1797], trans. Mary Gregor [The Hague: Martinus Nijhoff, 1974], p. 189). For a discussion of this complication, see Korsgaard’s “Self-Constitution in the Ethics of Plato and Kant.”
alien forces to determine what she does and says, then the objection to paternalism loses its force. Because the nature of the inability is normative, because it consists in the agent’s lack of effective authority over herself, the excuse for paternalism follows without a further story.

Nevertheless, this excuse seems to come at a price. For if the distinction between adults and children was too shallow on the gradualist approach, it now may appear to be too deep. On the view I am attributing to Kant, adults and children look like distinct “natural kinds”; adults are beings who have characters and children are beings who lack them. This makes it hard to see how children ever attain the status of adults and how their condition at intermediate stages of development might warrant intermediate standards of treatment.

To see the problem, consider how it arises at the political level. Prepolitical society has to pull itself together, but there is no one—no unified social body—there to do the pulling. Thus it is hard to see how the transition from the state of nature to the civil condition is even conceivable. It is not conceivable as an act because there is no agent to undertake it. But neither is it conceivable as a blind process because its result is a new normative order.\(^{35}\) It is probably appropriate, then, that in the political case, Kant oscillates between describing the transition from the state of nature as an act (of joint agreement to a social contract) and as a process (the effect of unilateral coercion, by individuals and by a providential nature).\(^{36}\)

\(^{35}\) In Aristotelian terms this is a problem about substantial generation, the type of change which brings a new entity into existence. Substantial generation is puzzling—and was puzzling to Aristotle—because it seems to depend on the possibility of something coming from nothing.

\(^{36}\) For the purposes of attributing full moral status to a state or a person, Kant believes it is necessary to conceive of the unifying transition as an original act outside of time. He writes, “The act by which a people forms itself into a state is the original contract. Properly speaking, the original contract is only the idea of this act, in terms of which alone we can think of the legitimacy of a state” (DR 6: 315). Similarly Kant holds that our attributions of responsibility to individuals seem to presuppose that individuals freely adopt their characters in an act of original choice: “To look for the temporal origin of free actions as free (as though they were natural effects) is therefore a contradiction; and hence also a contradiction to look for the temporal origin of the moral constitution of the human being, so far as this constitution is considered as contingent, for constitution here means the ground of the exercise of freedom which (just like the determining ground of the free power of choice in general) must be sought in the representations of reason alone” (RWR 6: 39–40; see also CPR 5: 99–100, where Kant discusses “born villains”). And yet when Kant tries to describe the transition prospectively and without regard to our practices of attributing responsibility, he suggests that the social contract is an agreement which individuals can be forced to enter. For he asserts that in the state of nature, every subject must “be permitted to constrain everyone else with whom he comes into conflict about whether an external object is his or another’s to enter along with him into a civil constitution” (DR 6: 256). And in the political writings, Kant speaks of nature or providence as an invisible force which “guarantees” the establishment of the civil condition by compelling us to enter into it, “whether we will it or not” (PP 8: 365). See also Kant, “Conjectural Beginning of Human History,” pp. 66–67.
The transition from child to adult status seems likewise to entail some sort of bootstrapping; because she cannot avoid being a chooser, the undeveloped agent has to become herself. And because this becoming cannot be either an act or a process, it is hard to imagine in any detail how it is supposed to proceed. I believe the tension here is fundamental, but this is not necessarily a problem with the view. For we do intuitively think of growing up as something which is neither wholly a process nor wholly an activity. If it were wholly a process, we would not even try to help children learn how to see and conduct themselves in more mature ways. If it were wholly an activity, we would not recognize age as a relevant factor in limiting our expectations of children.

There is, however, a concept which I think captures the tension between act and process in such a way as to shed some light upon the liminal status of children. This is the concept of “play.” It may make sense to see play as a strategy—perhaps the strategy—for working through the predicament of childhood. By engaging in play, children more or less deliberately “try on” selves to be and worlds to be in. This is because the only way a child can “have” a self is by trying one on. It is only by adopting one or another persona that children are able to act the part of full agents, to feel what it must be like to speak in their own voices and to inhabit their own worlds. I do not mean to suggest that this is the only thing children are doing when they play. Children also play purely for the sake of stimulation and diversion, as do animals and adults. But play serves an essential function in children’s lives which it does not serve in the lives of either animals or adults. Play is children’s form of work, for their job is to become themselves.

However, the notion of play has an even deeper significance, one which is key to understanding the basic intuitions about children which I mentioned at the beginning of the article. If action proper is conduct

37. I do not intend the notion of “play” to eliminate the paradox; when forced to come up with a clear conception of what “play” involves, we have to think of it either as an activity which the player undertakes deliberately or as a spontaneous process occurring without her active participation. In his On the Aesthetic Education of Man (Schiller, On the Aesthetic Education of Man, ed. Elizabeth Wilkinson and L. A. Willoughby [Oxford: Clarendon Press, 1967]), Friedrich Schiller also uses the concept of “play” as a bridge between the notions of activity and passivity, but my use of “play” is not intended to be an extension of his. Moreover I am agnostic on the question whether my use of “play” here connects with Kant’s use of this notion in his writings on aesthetics.

38. For adults, play is re-creation. I am suggesting that for children it is creation. Some readers have suggested to me that the characterization of play as children’s form of work seems to miss the carefree spontaneity of childhood. And it is true that the Kantian view is decidedly unromantic. But this view may also explain at least part of the attraction of the romantic conception of childhood. That conception may express a nostalgia for the condition children must leave behind, i.e., the condition of animality. The idea of being governed purely by instinct seems to promise a kind of peace and contentment, at least if we imagine ourselves as having very rudimentary cognitive capacities.
which issues from an established deliberative perspective, and if children have yet to develop such a perspective, then children are (at least across some essential domains) not in a position to act. But neither can they give up on action. As such, their only option is to play—to act the part, so to speak, of one who can act. Play is thus children’s characteristic form of action; it is the form of action which is appropriate to them qua children.

To say that the action of a child qua child is “play-action” is to say that it has a provisional status, the status of a rehearsal or an experiment (even if it is not undertaken “for fun”). In this sense play-action is not exactly what it purports to be, namely, a straightforward expression of the agent’s will. And if our notion of what it is to be a child is connected with the notion of action as play-action, this would explain why the mere fact that a given action was performed by a child gives us a prima facie reason to modify our “reactive attitudes.” For it is inappropriate to take play-action seriously in the same way we take action proper seriously. This does not mean we are to regard it as something wholly different from action, something for which an agent could not in principle be held accountable, but it does mean that we are to regard it as having an essentially provisional, experimental nature which adult action lacks. This, I take it, is what the reminder “he’s only a child” is supposed to get us to do.

If this characterization seems to fit only young children, it helps to keep in mind that we think of adolescents as people who are characteristically “in search of themselves.” Moreover, we think of adolescents as trying to carry out this search by identifying themselves in a rather intense but provisional way with peer groups, celebrities, political movements, athletic activities, lovers, and the like. While we would probably not try to excuse a sixteen-year-old by claiming “he’s only a child,” we might well say “he got in with the wrong crowd,” suggesting that his actions were rooted in a merely provisional self.

And yet there must also be a difference between older and younger children, for as children grow we think it less and less appropriate to treat them paternalistically. On the view I am laying out, one way to think of this progression is in terms of what I call “domains of discretion.” Again, Kant’s political philosophy provides a helpful model. In “Per-

39. Kant’s remarks about play in the Education may appear to be in conflict with what I say here. He writes, “It is very bad for a child to look upon everything as play. He must, it is true, have his time for recreation, but he must also have his time for work” (p. 70). Here Kant is invoking our commonsense distinction between “work” and “play,” where “play” refers to any pleasant activity undertaken simply for fun, in contrast to “work,” which is not pleasant, but which is undertaken for the sake of some further end. Given this commonsense definition of the terms, it is of course true that children must both work and play. It should be clear, however, that the notion of play I am using here is not essentially connected with the idea of pleasure.
petual Peace,” Kant tries to envision the process by which the state of war among nations might gradually be replaced by a condition of world peace. He writes, “For if good fortune should ordain that a powerful and enlightened people can form itself into a republic (which by its nature must be inclined to perpetual peace), this would provide a focal point of federative union for other states, to attach themselves to it and so to secure a condition of freedom of states conformably with the idea of the right of nations; and by further alliances of this kind, it would gradually extend further and further.” The idea is that any commitment to establish the rule of law on a local scale entails a commitment to bring about a lawful condition globally. Local laws may differ from global ones in scope and content, but the act of establishing laws on any level expresses a fundamental commitment to govern oneself with reference to right rather than might.

Similarly, decisions about matters in one domain of life tend to commit us to principles which have implications in another. In this sense, reason tends to be expansionist. In achieving hegemony over a limited jurisdiction, it claims at least provisional authority beyond that domain. If development proceeds in this way, we can imagine agents at an intermediate stage—agents who have established their authority over some of the constitutionally essential domains but not over others. I think many of the people we conventionally call children (i.e., people under the age of eighteen) can be thought of as falling into this intermediate category; they have adult status with respect to some domains of discretion, but not others. Thus on this view children at different stages of development differ from one another in the extent of their hegemony over themselves.

VI. THE ROLE OF ADULTS

So far I have argued that there is a Kantian interpretation of the adult-child distinction which helps to explain some of our basic intuitions about its moral significance. The account explains, for example, why it makes sense to deny that children’s words and deeds have the same significance as the words and deeds of adults. But what about the special obligations we feel adults owe to children? So far the account suggests merely that (1) children have a duty to pull themselves together, although it is unclear who the subject of that duty really is; and (2) paternalism with respect to children might be excusable on the grounds that children do not really have wills of their own. But there is as yet no reason for thinking that adults have any special obligations toward children, for example, an obligation to raise them.

Recall Kant’s principle that passive citizenship is to be regarded as a nonideal status, a temporary deviation from the norm of active citizen-

40. PP 8: 356.
ship; active citizens are not to treat passive citizens as a distinct and permanent underclass. An analogous principle would seem to apply to the ethics of adult-child relations. Such a principle would require adults to think of childhood as a temporary deviation from the norm of adulthood. At first glance, this principle may not seem to have much revisionary force. Our commonsense view of childhood is arguably that of a temporary deviation from adulthood. But we often fail to take this idea seriously enough or to appreciate its implications. If childhood really is a nonideal status, then we ought to regard the undeveloped nature of children’s agency as an obstacle to morality, a condition which in principle ought to be eliminated. The idea here is not that children are an obstacle to morality, but that their predicament is an obstacle to morality. Being a practical agent is hard enough; being an undeveloped one is even harder. Our conduct toward children should express this attitude; it should reflect an appreciation of the additional challenge children face in deciding what to do and what to say.

Accordingly, we should make it our end to do what is in our power as adults to help children work their way out of childhood. In order to see what this requires, we need to keep in mind what children have to do. Their task is to carve out a space between themselves and the forces within them. They are to do this by trying on principles in the hope of developing a perspective they can endorse as their own. Our negative obligation as adults must be to refrain from hindering them in this effort. We do this by not treating children as if they belonged to a distinct and permanent underclass. To say that we are not to treat children as if they belonged to a distinct class means that we are not to treat them as anything other than practical agents, creatures who share with us the human problem of finding reasons for action. We are not to treat them as if they were mere objects to be possessed, manipulated, and exploited; nor may we treat them as if they were wild animals, creatures of instinct who have no potential for reason.41

The second part of the principle, which prohibits us from treating children as a permanent underclass, determines both positive and negative duties. Negatively, it implies that we must refrain from acting in ways which hinder children’s development as deliberators. We should not, for example, force children to rely on adult authority on matters they

41. There might be special questions here about the status of newborns and infants generally. My account of undeveloped agency presupposes a capacity to take up the practical point of view in a minimal way. The agent, I said, must be capable of being addressed by her motivational impulses. Developmental psychology would of course be relevant to deciding when to regard children as having this capacity. And it is a further question how we ought to treat human beings who have not yet developed this capacity. In short, there may turn out to be important distinctions in status even within the category of undeveloped agents. These distinctions might roughly correspond to our distinctions between infants and children and between children and mentally retarded adults.
are capable of deciding for themselves. Where they have achieved sovereignty over some domain of discretion, we are not to subject them to our control. Positively, the principle demands that we make it our end to help children overcome their dependent condition. In nurturing, disciplining, and educating children, we must strive as far as possible to make them aware of their natural authority and power over themselves and of its proper exercise.\textsuperscript{42}

We do this by modeling autonomy ourselves, by making sure that the family and wider culture provide children with good models of autonomy to “choose” from, and by helping children to “choose” among such models. Discipline is one way of guiding such “choices,” but in using disciplinary force, the idea should always be to act as a surrogate conscience. The pain of discipline, like that of conscience, must serve to awaken children to a sense of their own freedom and responsibility rather than to remind them of their subjection to an external authority. This means that as far as possible, we are to explain to children the principles behind the limits we impose on them. Moreover, to the extent they are capable of raising principled objections to those limits, we are to evaluate those objections with an open mind. Our end as adults cannot be to control children; it must be to make them free to control themselves. By listening impartially to what children have to say about matters which affect them, we contribute to this end.

By the same token, we should be willing to allow children to make rules for themselves where they are capable of doing so. Since autonomy starts out as sovereignty over limited domains of discretion, children should have the opportunity to make decisions in limited ways wherever possible. The aim here is not simply to give them practice at decision making, as if decision making were a skill. Instead, it is to put them in a position where they are forced to come up with provisional principles of deliberation, principles whose applicability is likely to extend beyond the limits of the questions at hand. By entering into the business of acting on principle, children begin to construct provisional starting points for deliberation across ever widening domains of discretion.

\textsuperscript{42} Kant writes, “One of the greatest problems of education is how to unite submission to the necessary restraint with the child’s capability of exercising freewill—for restraint is necessary. How am I to develop the sense of freedom in spite of restraint? I am to accustom my pupil to endure a restraint of his freedom, and at the same time I am to guide him to use his freedom aright.” In order to do so, Kant claims, we must take into account how our acts of restraint are to be perceived by the child. In particular, he states, “we must prove to [the child] that restraint is only laid upon him that he may learn in time to use his liberty aright, and that his mind is being cultivated so that one day he may be free; that is, independent of the help of others” (\textit{Education}, pp. 27–28). Here Kant touches on what I take to be a general point about action under nonideal conditions—because such action involves a moral risk, because it threatens to transgress the very ideal it purports to uphold, we must strive to make it as articulate as possible.
These obligations, both positive and negative, all stem from the idea that in order not to abuse our privilege as adults, we must make children’s dependence our enemy. Call this a principle of Kantian nonideal theory. In the spirit of Rawls’s nonideal theory, this principle helps us to find the least immoral way of coping with an obstacle to morality. The condition of childhood poses an obstacle to morality insofar as it prevents people from being agents in the full sense. The kingdom of ends must be a place in which every person’s voice counts, but childhood prevents some from having voices of their own. Nonideal theory shows us how to acknowledge this fact without fully accepting it. It tells us to accord children a special status while striving to make them unworthy of it.

VII. CONCLUSION

I have argued that the adult-child distinction has a place in the egalitarian world of modern moral theory, although it is appropriately an unstable one. Kantian ideal theory does indeed presuppose that the social world is made up exclusively of developed agents. But in doing so, the theory provides a standard relative to which certain agents can count as undeveloped. It is by defining this deviant status more precisely and by working out its implications that we come to see what an ethic of adult-child relations would entail. The general lesson implicit in this method is this: although it is possible to apply any ideal to the world rigoristically, in abstraction from morally relevant facts, such rigorism is not inevitable. Ideals can provide a clear standard with reference to which important types of deviations can be defined. Once they are defined, ideals can tell us what is involved in treating deviant conditions as the deviations they are. They can tell us, in other words, what virtue demands when conditions happen to be inhospitable to virtue itself.

More work needs to be done to show whether or not other distinctions in status might be legitimate as part of Kantian nonideal theory. Questions about the nature of childhood are related to further questions about, for example, adults suffering from mental illness. And there are additional, although somewhat different, nonideal problems about how to act in the face of evil. The enlightenment did away with arbitrary

43. This does not amount to the same thing as wishing dependence away, acting as if it does not exist. Some readers have worried that the view I am putting forth implies that we ought to force children to take on adult responsibilities as early as possible, to “throw them in the deep end,” as it were. But when a child (or any person, for that matter) is forced to perform tasks which are overly demanding given her abilities, this tends merely to reinforce her sense of her own dependence and powerlessness. Children should be given tasks which are challenging yet tractable, tasks which allow them to feel pleasure in their own achievement of mastery.

44. These examples reflect Rawls’s bipartite division of nonideal theory, as mentioned in n. 12 above. On the issue of coping with evil, see Korsgaard, “The Right to Lie: Kant on Dealing with Evil,” in her Creating the Kingdom of Ends, pp. 133–58.
distinctions in status, distinctions based upon lineage and wealth. The danger is in concluding that all distinctions in status are therefore arbitrary. Some differences ought to count, such as the difference between adults and children. It is only by turning our philosophical attention to these differences that we can learn how to act responsibly in spite of them.