

Hinge Epistemology and The False Promise of an Open Future

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1 Introduction

A perennial puzzle of education for political philosophy is how to handle conflicts between the state's educational interests and a family's educational interests. A new solution from J. Adam Carter conceives of the puzzle as consisting of two pieces; an appropriate education, says Carter, should (i) preserve a child's "right to an open future," and (ii) not beg the question against the supervisory objectives of a student's parents. Criterion (i) takes its phrasing from Joel Feinberg (1992) and has often been interpreted to mean that a child has a right to be protected from "having important life choices determined by others before she has the ability to make them for herself" (Millum, 2014, p. 522). Feinberg and others, however, have acknowledged the importance of criterion (ii): that the state should not unduly privilege its conception of the good life over a parent's (or child's) in its education program. The puzzle is how to make the pieces fit together, which becomes difficult when they conflict.

For instance, the ongoing public controversy over critical race theory education in America captures the conflict. A parent might believe that critical race theory conflicts with their objectives in parenting, but can it be said that an education in critical race theory is necessary to provide to a child a sufficiently open future? If it is necessary, then should the parent's objectives be overruled? If it is not necessary, then can we presume that a parent has a right to keep their child from exposure to critical race theory?

In his paper, Carter demonstrates the inadequacy of three established solutions to the puzzle and then proposes his own solution, which draws on the work of Ludwig Wittgenstein's *On Certainty* to argue that children have a right to certain propositions that enable them to think rationally. While I am compelled by Carter's solution, I argue that it is insufficient to answer the hard question at play and is ultimately no better or worse than the first three approaches. In essence, Carter's strategy seems to leave us where we started.

Here is how the remainder of the paper will proceed. First, I will give more flesh to Feinberg's open future theory and contextualize the theory using *Wisconsin v. Yoder*, an infamous U.S. Supreme Court case dealing with the right of parents to homeschool their children for religious reasons. Second, I will examine the three solutions to our dilemma that Carter dismisses as unsatisfactory. Third, I will reconstruct Carter's own proposal. Fourth, I will demonstrate how Carter's solution leaves us no better off than the initial

approaches he criticizes. Finally, in section five, I will scrutinize the proposed “right to an open future,” and demonstrate how it is a flawed educational aim in the first place. In sum, this paper offers a negative argument against Carter’s proposed solution and a negative argument against Joel Feinberg’s open future proposal. A positive argument for some alternative to Feinberg’s open future theory would be valuable, but I do not take up that project in this paper.

2 Jonas Yoder, Joel Feinberg, and a Child’s Right to an Open Future

In what would become a landmark instance of American jurisprudence, Jonas Yoder, Wallace Miller, and Adin Yutzy were criminally indicted in 1968 by the Green County District Attorney for violating Wisconsin’s compulsory education laws. Yoder, Miller, and Yutzy were the fathers of a total of seven children who had been withdrawn from their public schools to be educated in their Amish community’s new, unofficial school. In the eyes of Yoder, Miller, and Yutzy, the Amish school would enable their children to lead a life the fathers viewed as comporting with the good life, namely a life in the Old Order Amish tradition. The case was finally settled by the U.S. Supreme Court in a decision that sided with Jonas Yoder and established a lasting precedent for the parental right of educating one’s children how one wishes.

In his commentary on the *Yoder* decision and the ideas it raised, Joel Feinberg established what has become an equally enduring bastion within the literature on children’s rights: namely, the right to an open future. What Feinberg means by the right to an open future, which he uses to comprise a group of rights he terms “rights-in-trust,” is the right of a child to not have their yet-to-be-exercised adult rights foreclosed to them. Straightforwardly, a child grows into an adult and the autonomy rights conferred to adults should not be damaged for an adult by treatment in their childhood. The connection to education is apparent; an education ought not deteriorate a child’s exercise of their rights when they are an adult.

At the same time, parents have at least some rights with respect to the way they raise their children. The trouble, as is often the case, is finding the point at which the exercise of parental rights begins to infringe on the “rights-in-trust” children possess. Feinberg contends that an education for “only one way of life” (as he alleges the Amish education is) necessarily violates a child’s rights-in-trust. In Feinberg’s words, it is not sufficient that a child “become a pious Amish farmer” if becoming such makes it “difficult to the point of practical impossibility for [a child] to [instead] become an engineer, a physician, a research scientist, a lawyer, or a business executive” (1992, p. 82).

And yet it is not the role of the state to beg the question against the views of any parent, lest we end up with cases like six-year-old Mark Painter's from 1966. Mr. Painter was denied custody of his own son, Mark, in favor of his parents-in-law on the grounds that Mr. Painter's home would be "unstable, unconventional, arty, Bohemian, and probably intellectually stimulating" in contrast to the traditional stability of Mark's devoutly Christian grandparents' home on an Iowan farm. The Painter case is illustrative for Feinberg of the principle that "no court has the right to impose its own conception of the good life on a child over its natural parents' objections," provided of course that the child's parents' conception of the good life does not violate a child's own rights (like a right to proper care) or rights-in-trust (i.e., the capacity to exercise an autonomy right as an adult) (1992, p. 88). There are cases where it is very easy to see that a state ought to intervene, for instance, in cases where children are physically abused or neglected by their parents or their parents' beliefs. A harder case is one like Jonas Yoder's. Does an Amish education violate a child's rights or rights-in-trust? Does it constitute a violation of a child's rights that they cannot easily become, to name one of Feinberg's open futures, a research scientist?

3 Three Approaches to a Future-Opening Education

In his paper, Carter examines and dismisses three to approaches to solving the puzzle (of satisfying criterion (i), the open future criterion, without violating criterion (ii), the parental rights criterion) and then proposes his own solution that he contends avoids the pitfalls of the first three approaches.

Carter terms the three approaches "propositionalism," "dispositionalism," "and objectualism." Propositionalism maintains that children have a right to certain propositions the sort of which will enable a child to have a sufficiently open future. The hitch of propositionalism is that while certain educable propositions may uphold (i) and (ii), other propositions may uphold only one or the other. For instance, propositions related to sex education may feasibly be necessary to keep sufficiently open a child's future, but these propositions may also run aground of certain parent's "supervisory objectives." Conversely, propositions related to a certain type of Christian education (e.g., the proposition that women should not pursue careers) may be in line with a parent's supervisory objectives, but—if a child is educated to take them as factive and therefore obligation-defining—might constrain a child's future to an undesirable degree. Propositionalism then, per Carter, will be bound to violate either (i) or (ii).

An alternative approach to propositionalism is what Carter calls dispositionalism. This approach says that what students have a right to are not particular propositions but rather

just “dispositional-goods.” We can think of “dispositional-goods” as simply cognitive abilities, which could include, for instance, the ability to critically think, the ability to maintain an open mind, etc. Carter contends that dispositionalism fails to satisfy either (i) or (ii) on the grounds that (a) even certain dispositions or abilities may violate (ii) (e.g., a parent may contend that cultivating skepticism is counterposed to teaching faith in God), (b) that certain dispositions will require taking as true certain propositions (thereby running aground of the problems of propositionalism), and (c) keeping a child’s future open surely requires that they know certain facts (again running aground of the problems of propositionalism).

The final approach that Carter surveys is what he calls objectualism. This approach, which Carter identifies as having been developed by Catherine Z. Elgin, suggests that children do not have a right to certain propositions qua truth or even certain cognitive dispositions, but rather just understanding of how “various pieces of information ‘hang together’” (2020, 454). Elgin’s example is of a mechanic teaching a car owner though otherwise mechanically lay about the innerworkings of an engine. Even if the car owner acquires no truths about how their car’s engine works, they may still develop “some idea of what is going on under the hood” (Elgin, 1999, p. 137).

It seems impossible to think that understanding “some idea” of how a car’s engine works would not entail *some* truth about the matter even if the understanding also incorporates misinterpretations, false assumptions, and plain wrong propositions simply because understanding is itself factive (Sliwa, 2015). Carter dismisses objectualism on a few grounds. First, understanding requires more than what can be given by a teacher alone; a teacher can certainly aim for understanding, but there is no guarantee that a student will gain understanding because of a teacher’s teaching, which casts doubt on the notion that a child has a *right* to understanding. Second, if objectualism could principally allow for an education that had no factive element whatsoever, then it seems that (i) could not be satisfied, because it seems that to have an open future a child must know some basic fact. Third, if objectualism does entail some factive elements then we again run into potential problems satisfying (ii).

As such, Carter contends that each of these approaches—teaching for propositional knowledge, teaching for cognitive dispositions, and teaching for non-factive understanding—all fail to satisfy our two criteria. On the whole, I agree with Carter that it seems unlikely that either criterion will be perfectly satisfied by these approaches, if not purely by virtue of the fact that parents may object to their children learning certain facts,

gaining certain dispositions and/or abilities, or gaining a non-factive understanding of certain material.

4 Carter's Wittgensteinian Solution

We are now in a position to reconstruct Carter's solution and examine its merits. After having dismissed the above three approaches, Carter says that the answer to the puzzle can be found in Wittgenstein's *On Certainty*. The central idea from *On Certainty* on which Carter hangs his hat is Wittgenstein's notion that certain propositions are "exempt from doubt" (OC §§ 88, 341, 653, 666). Wittgenstein's idea here is that some propositions can only be "proven" by appealing to other propositions that are equally in need of proof.

Wittgenstein's ideas in OC have given rise to a burgeoning niche field of epistemology called "hinge epistemology" (Carter, 2020; Coliva, 2015; Pritchard, 2021). The field borrows its unintuitive name from a metaphor in OC in which Wittgenstein describes certain propositions as like the hinges of a door, which allows the door—and metaphorically, our reasoning—to swing. Expressed differently, Wittgenstein contends that there must be some propositions that we take as certain on the basis that without their certainty we would be unable to reason at all. Certain propositions are beyond proof and skepticism because to attempt to prove or doubt them would be to use propositions that follow from them. All our reasoning has a starting point and the starting point *qua* starting point is beyond support or doubt: "We just can't investigate everything, and for that reason we are forced to rest content with assumption. If I want the door to turn, the hinges must stay put" (OC § 343). To work, all our reasoning needs some unshakably certain foundational propositions just as a swinging door needs screwed-in hinges to work. In this paper, I will refer to "hinge propositions" as "foundational propositions," because the former seems unnecessarily metaphorical and thus lacks clarity when compared with the straightforward expression of the latter.

Carter's argument rests on two views about foundational propositions. First, he adopts Martin Kusch's (2016) interpretation of foundational propositions that there are "at least five different 'categories' of [foundational propositions] in Wittgenstein's epistemology." Second, Carter points out that what counts as a foundational proposition is not naturally determined in every case. To the first point, Kusch's categories are: (1) propositions for which we have overwhelming evidence and are therefore "dialectically mute," (2) mathematical propositions that are incontestable, (3) "fundamental empirical-scientific" propositions, (4) propositions "that constitute what we might call 'domains of knowledge,'" and lastly (5) fundamental religious propositions (Kusch, 2016, pp. 29-31).

To the second point, consider that for physicists in 2021 it is a foundational proposition that there are particles smaller than the atom. This proposition was not a foundational proposition for physics until the development of the Standard Model of particle physics in the mid-20th century. Indeed, even the proposition that there is such a thing as an atom was not a foundational proposition for physics prior to the 19th century. These are examples of how foundational propositions are shiftable—some propositions have not always been foundational propositions and not every foundational proposition has remained a foundational proposition after being one. However, some foundational propositions are far more stable than others. For instance, the proposition that $12 \times 12 = 144$ seems to be essentially inviolate as a foundational proposition for many domains of human life.

Carter’s argument regarding foundational propositions is that if foundational propositions are necessary for reasoning, as Wittgenstein contends, then surely children have an educational right to them if their education is to enable reasoning. This position, Carter acknowledges, necessarily gives rise to the question: Which foundational proposition do children have a right to? Carter answers that children have a “right to a sufficient supply of what Kusch terms ‘Category 4’ [foundational propositions], those that are at the foundation of various domains of knowledge” (Carter, 2020, p. 460). Naturally, this answer raises another question: Which knowledge domains’ foundational propositions should be provided to children? Returning to criterion (i), Carter answers: only those domains of knowledge necessary for a sufficiently open future. Putting it all together, Carter’s position is: “Children will have a right to...any given particular set of axioms [(propositions)] only in so far as possessing it is indispensable [*sic*] to a certain kind of reasoning that characterises a domain of knowledge pertinent to the child’s open future” (2020, p. 460).

The Insufficiency of Carter’s Wittgensteinian Approach

Does Carter’s approach save us from the pitfalls of the three alternative approaches that Carter dismisses at the outset of his paper? I contend that it does not.

After outlining his proposal, Carter revisits propositionalism, dispositionalism, and objectualism to show how his proposal is substantively different from these three approaches.

As to propositionalism, Carter contends that while propositionalism insists on particular propositional knowledge, the Wittgenstein approach insists only on a *type* of proposition (namely the ones that are foundational for reasoning with certain domains of knowledge). Carter says that the right to certain foundational propositions “is not a right *de dicto* to any

particular propositional contents. . . The right itself may be satisfied even if the content itself shifts—viz., even if a proposition that at one time was necessary in order to reason in a particular domain-relevant way became no longer necessary” (2020, p. 461). Propositionalism, per Carter, argues that children have a right to “specific propositional contents,” which then threatens criterion (ii).

There are four reasons why Carter’s proposal is not substantively different from propositionalism. First, propositionalism—as the affirmation that children have a right to specific propositional knowledge—need not be understood as insisting on children knowing things that do not carry the epistemic status of certainty. To think that propositionalism is fundamentally wed to specific propositions no matter their epistemic status is a caricature of the approach. When proponents of propositionalism defend its utility, they are suggesting that children have a right to specific knowledge that carries a useful epistemic status. It seems a charitable reading of that formulation would be to say that children have a right to specific knowledge taken as certain within some chosen domain(s). The most liberal reading of propositionalism would be that it holds that children have a right to propositions that are useful but not foundational. At best, then, Carter can contend that the Wittgensteinian proposal is marginally better in that it at least eliminates the useful but nonfoundational propositions from a rights-based approach to education. Would every propositionalist object to such an approach? Would they think that such an approach does not constitute propositionalism? I think that the answer to both questions is no, so I fail to see how Carter’s proposal fares better than propositionalism on certain readings of propositionalism.

Second, Carter’s insistence that the Wittgensteinian proposal is not a right *de dicto* to specific propositions and therefore does not violate (ii) is an unhelpful semantic distinction. While it is true that what was foundational for the ancient Greeks is not necessarily foundational for the contemporary Western adult, such a point is moot in the context of our puzzle. A right *de re* to a particular proposition is just as much potentially violating of (ii) as a right *de dicto*. The problem at stake with regards to neutrality is not that certain propositions are foundational for all educations regardless of circumstance, but that teaching any proposition as certain, even those whose certainty may fade, can violate (ii). Neutrality is not preserved by acknowledging that what propositions a child has a right to now may not be the same propositions a child has a right to in 10, 100, or 1,000 years.

Third, Carter presumes that there is never a right *de dicto* to specific propositions. He asserts this on the grounds that what is foundational to certain domains can shift. However, in the knowledge domain of European history, for instance, the foundational propositions seem

to be fixed by nature of the domain. It cannot be said that everything axiomatic for European history now may not be axiomatic later. It simply is the case that the Maastricht Treaty was signed by twelve nations on 7 February 1992 A.D. Either this proposition is axiomatic for the domain of European history, or it is not, but if it is not, it is hard to imagine how any historical fact could ever be axiomatic for European history. The same can be said for foundational propositions of math, which seem, for all intents and purposes, to be axiomatic in perpetuity (to wit, both Wittgenstein and Carter acknowledge this). So, while children may not have a right *de dicto* to all foundational propositions, they seem to have a right *de dicto* to some foundational propositions, which means that Carter's proposal at least partially faces the same theoretical pitfalls that propositionalism does.

Fourth, neutrality may be violated purely by teaching for certain domains regardless of the propositional knowledge that is foundational to those domains. Jonas Yoder may have no objection to the propositional knowledge that is foundational to U.S. history but might have qualms with his children being taught U.S. history in the general sense. As such, the assurance that the children do not have a right *de dicto* to certain propositions of history does nothing to assuage Jonas Yoder that the state is not begging the question against him when it comes to what his children should learn.

In turning to dispositionalism, Carter contends that his proposal fares better because where dispositionalism cannot satisfy (i) due to its failure to teach certain basic facts, Carter's proposal does teach certain basic facts. If we take Carter's allegation that dispositionalism cannot countenance basic facts without becoming something other than dispositionalism, then I can grant Carter's point here. However, I think it is again uncharitable to dispositionalism to presume that it can principally be satisfied without teaching a child some facts. Any person who defends dispositionalism will grant that teaching for certain dispositions or abilities will entail teaching certain facts as Carter essentially acknowledges in his explication of dispositionalism. Of course, the issue is that as soon as dispositionalism is acknowledged to include teaching certain facts, it encounters the same hurdles as propositionalism.

The same principal by which Carter dismisses "weak" dispositionalism early on in his paper must also mean we dismiss the Wittgensteinian proposal: teaching certain content may violate the neutrality constraint. Carter dismisses dispositionalism using a catch-22. Either dispositionalism does not teach certain facts and therefore violates (i), or it does teach certain facts and therefore violates (ii). The exact same catch-22 can be applied to Carter's proposal. Carter gets around it by saying that his proposal does not issue to children a right to certain facts but rather a right to just a certain sort of fact (the facts that are foundational

for domains of thought), but this defense could be just as easily used by a dispositionalist. The dispositionalist might say, “Children do not have a right to certain facts, but rather only a right to a certain sort of fact, namely the facts that are foundational to the dispositions we aim to inculcate.” Carter cannot have it both ways; either both dispositionalism and Carter’s proposal are feasible solutions to the puzzle, or neither of them are.

To flesh out if Carter’s solution fares better than objectualism, let us return to Elgin’s car example. Recall that in Elgin’s example, a person need not acquire truths about how an engine works from her mechanic to gain “at least some idea of what is going on under the hood” (Elgin, 1999, p. 137). Elgin calls this understanding. In the example, let us understand the mechanic as the teacher and the driver as the student. We must ask ourselves what is different about the teacher’s role in Elgin’s proposal compared with Carter’s proposal. In either case, the teacher simply provides what *would* lead a student to understand something should they understand it. In other words, we can say that Elgin’s proposal says students have a right to be provided just the information that would enable useful understanding if not justified true belief. Of course, on this reading we face yet again the issue with satisfying both criterion (i) and criterion (ii).

Ultimately, what I have hoped to show is that while Carter’s proposal is couched in different terms than the three proposals that he dismisses, it does not provide a satisfactory solution to our puzzle. Even if we only say that children have a right to foundational propositions underlying certain necessary domains of knowledge, we will face the issue of providing an education that parents will see as non-neutral for the reasons outlined above. The conclusion I think is evident is that our puzzle is intractable if we insist that the primary pieces of the puzzle are a child’s right to an open future and the restraint of neutrality. One (or both) piece(s) must be thrown out: either parents will cry foul that the state education is non-neutral, or a child’s future will not be as open as Carter and Feinberg think it has a right to be.

5 The False Promise of an Open Future

There are multiple reasons to be skeptical of how an open future could be preserved in a K-12 education or why it should be prioritized above all other educational aims. I offer five such reasons.

First, there is a presumption in both Feinberg and Carter that what constitutes a sufficiently open future is straightforward. As mentioned, Feinberg’s list of the ways that an Amish

education would violate the right to an open future are simply particular professions being closed off to the recipient of such an education. Now, there are a host of professions that would not in the least be closed off to a recipient of an Amish education: farmer, carpenter, author, store clerk, farrier, seamstress, line cook, and the list goes on. Why should it be said that a sufficiently open future is only such if it includes the feasibility of becoming an engineer? The hitch is evident.

While what constitutes a sufficiently open future may seem intuitive to some, that vision is expressly not intuitive to others. The *Yoder* case that Feinberg uses to illustrate his conception of an open future is a case in point of the ambiguities surrounding openness. While Feinberg is convinced that a receiving a typical public education is more future opening than an Amish education, Jonas Yoder would be entirely unconvinced. For Yoder, perhaps, the lives that Feinberg identifies as constitutive of openness are all one in the same: ways of embracing modernity and distracting oneself from one's duty to God and others. Even if we grant that openness as opposed to closedness is simply a matter of more or fewer possible vocations, or more or fewer varieties of possible vocations, there remains the issue of why or where the line ought to be drawn.

Second, as Claudia Mills (2003) asks, what exactly constitutes a future remaining open versus closed? There is no prohibition for someone raised Amish becoming a physician, let alone a business executive. Undoubtedly, it would be harder for someone whose education in the natural sciences terminated in 8th-grade to become a doctor than for someone who completed a standard high school training in biology, chemistry, and physics, but it is far from impossible. The step toward becoming a business executive is even more possible compared to becoming a doctor for the Amish child who decides to leave the Amish community upon adulthood. None of Feinberg's professions are fundamentally closed to the recipient of an Amish education, so at best, Feinberg can say that they are too closed—but again, what might constitute a future being too closed?

The prior two points are questions of ambiguity that the open future criterion needs to demonstrably answer. However, there are reasons to think that even if defenders of the open future criterion could answer the questions raised above, the criterion is still misguided. Notably, the open future criterion when viewed either as a positive or negative right can be construed in such a way to make preservation of the right by one's parent or school unmanageable. Second, Feinberg's insistence on an open future wrongly underestimates the capacity of a narrow future to allow a person to flourish. Third, in a traditional Western education, futures naturally and intentionally narrow for the benefit of a child. I'll address each of these criticisms in turn.

It is unclear from Feinberg's essay how he conceives of the right to an open future: whether he takes it to be a positive or negative right (or both), how strongly or weakly he thinks the right ought to be protected, and so on. Consider, first, the educational implications of the right to an open future being a positive right, maximally ensured. Feinberg writes, "...religious liberty must retreat before the claims of children that they be permitted to reach maturity with as many open options, opportunities, and advantages as possible" (1992, p. 80). From this stance, it seems that a school would have an obligation to prepare a child for as many possible careers, religious affiliations, hobbies, and communities as it possibly could. Under this reading of a child's right to an open future, might it be a violation of its duties for a school to not provide instruction in gardening, automobile repair, 3-dimensional digital design software, and masonry, to name a handful of vocations? These vocations are open to most people upon "reaching maturity," but do all children reach maturity with the same advantages as every other regarding these careers? How might a child who has never been exposed to the possibilities of digital product design or the wonders of floristry know, upon exiting their public education, that they could, or should, pursue these vocations with further education? These examples may seem silly, but that they are silly is only indicative of the fact that a positive right to an open future—particularly when defined maximally as Feinberg seems to do in the above excerpt—is neither feasible nor desirable.

On the other hand, a negative right to an open future also places inordinate constraints on parents and other overseers (like schools) of children. Consider two excellent cases from Joseph Millum (2014):

Baptism. A popular religious sect in Graeme's home county only admits adherents who have been baptized as infants. The church leader offers to baptize Graeme's six-month old daughter at home and free of charge. Though she will not have to attend any church meetings, when she is an adult the option of belonging to this sect will be open to her. Graeme refuses.

Moving schools. Shamina has been offered an enticing job in a different city, but taking it would require moving her son to a new school. Both the new and the current school are state-funded and provide a perfectly adequate education. However, the new school does not offer music lessons and teaches its pupils one less foreign language. Although she is aware that her son's musical latent musical talents will not be nurtured and he will find picking up that language later on much harder, Shamina takes the job. (p. 530)

Per Feinberg, it seems that a child ought to reach maturity with the option to enter a community of language speakers of their choice or play an instrument (professionally or otherwise) of their choice. In Shamina's case, her exercise of her autonomy rights will effectively remove musical cultivation and multilingualism from her son's life provided Shamina does not seek out private music or language lessons (which, if the right to an open future is only a negative right, she would not have a duty to provide to her son). Should we understand Shamina as having a duty to not move and change jobs?

Perhaps Shamina's case is unhelpful due to it being a matter of pitting Shamina's interests against her son's interests, not to mention the boundless grey area of whether Shamina's new job will ultimately open her son's future directly (through better socioeconomic conditions) or indirectly (such as supporting Shamina's mental health). Consider another case that centrally locates the child:

Maron is a transgender girl in her second year of high school. Her private school, which offers an excellent educational experience from world-class teaching to a world-class cafeteria to the most desirable extra-curricular opportunities, has taken what Maron and her father, Patrick, consider to be anti-trans positions, such as not allowing Maron to dress in ways that reflect her gender or to use the women's bathrooms on campus. The policies cause Maron some emotional distress. Even so, the students at Maron's school are supportive of her, and she has maintained better than average academic and social development. The only other school in town happens to be the local public school which coincidentally, though it will be affirming of Maron's identity in ways she desires, has fewer resources (e.g., no college counselors, poor facilities, few electives, limited clubs, etc.) and lower educational standards. Although they believe that Maron's secondary education and college preparation will diminish in quality, Maron and Patrick agree that she will enroll in the public school.

In this case, it seems that Maron and Patrick are prioritizing their ethical principles and Maron's psychological health over Maron's education in the long and short term. Of course, it might be argued that an ethical compromise and psychological harm would ultimately damage Maron's future life in more severe ways, but that notion only emphasizes the difficulty of ascertaining exactly how a child's rights-in-trust might be best preserved or most harmed. In this case though, it seems that Maron is not experiencing excessive anguish at her school's policies; perhaps she finds ways to cope with the mistreatment, circumvent the policies, or rely on the emotional support of her friends and faculty allies. Further, there's no guarantee that at the public school Maron will face equally affirming peers or teachers, even if she'll be supported in expressing her gender in valuable ways. In

terms of buttressing children's future autonomy rights, is it more important that an educational setting be ideally gender affirming or ideally cognition affirming?

Feinberg's ideal does not provide prescriptive content for affirming a child's interests in childhood or any limited right to self-determine before adulthood. Feinberg acknowledges, at least that an education "should equip the child with the knowledge and skills that will help him choose whichever sort of life best fits his native endowment and matured disposition," but he conceives of the actualization of that endowment and disposition as being fundamentally operational in "the adult world with as many open opportunities as possible, thus maximizing [a child's] chances for self-fulfillment" (1992, p. 84). Here we can start to see the jumping off point for the second criticism of the proposed right to an open future. What underlies Feinberg's insistence that Jonas Yoder violated his children's rights is Feinberg's belief that Yoder's case was one of pitting his interests against his children's interests. It does not occur to Feinberg that an Amish education of the sort Yoder prescribed for his children would be in their interest, because, as Feinberg's refrain urges, the Amish education would prepare a child "for a 'life aloof from the world'" and thereby harmfully close a child's future (1992, p. 84).

Of course, what is at question is whether an Amish education does, in fact, prepare a child for a life removed from their communities or the world. Jonas Yoder may say that an Amish education prepares a child to be responsive to relevant metaphysical realities, instructs children on how to appropriately engage with government, equips children with important agricultural knowledge, teaches children fluency in Pennsylvania Dutch, and so on. Undoubtedly, many Amish people who have received an Amish education live complete and meaningful lives in their own communities and within the greater national context of the U.S. Can it be presumed that an Amish education, then, necessarily contradicts a child's interests? Can it be presumed that Shamina's son's interests are legitimately unmet by her move? Can it be presumed that Maron's interests are not in fact respected by her move to a lesser educational context? Would our answers change if, for instance, *Maron* insisted on staying in her private school while her *father* insisted that her interests would be best served by leaving a non-affirming space at a pivotal stage in her adolescent development?

What is missing from Feinberg's account (and Carter's account) or any account that emphasizes a child's futurity is that the transition to adulthood is not instant, nor is every child possessive of the same capacities or incapacities. Children have (partially) self-determined identities and decision-making capacities at many ages and are not necessarily omitted from the kingdom of ends purely because of their being 15.

My final criticism of open future frameworks is that the goodness and possibility of openness is begged by folks like Feinberg. A particular assumption backing his argument is that a public education of the sort possible for Jonas Yoder's children would keep their future sufficiently open. However, a typical public education narrows students' lives in necessary and beneficial ways.

Consider almost any adult life for which early education is either vital or immensely helpful. We can use as an example an adult life for which music education is critical. Professional musicians, of the sort who can provide for themselves with their musical ability alone, have often begun their musical training early in life. For many professional musicians, their musical training took the form of devoted and thoroughgoing practice from even elementary school. Undoubtedly, for these individuals practicing their piano or violin after school came at the cost of participating in other extra-curriculars or perhaps even as devoted homework to subjects other than music. As such, their music education could be fairly seen as narrowing their future—their education both in school and out prepared them for their adult life as professional musician. This is a special case, but the life described here is one that some young people pursue and those that do are often lauded for their choice.

Tradeoffs between what electives to take, how much time is spent on a given subject's homework, what extra-curriculars are invested in, and what specialized training is pursued are the case for every young person. If we interpret Feinberg's open future theory in the way that he does, then it seems that a child's rights-in-trust are being violated when they experience educational tradeoffs. Are we really willing to say though that an education committed to musical excellence or the natural sciences (above and beyond the humanities) is violatory of a child's rights?

6 Conclusion

In this paper, I have set out to demonstrate that a recent attempt to reconcile neutrality in education with preserving a child's right to an open future is insufficient. Simply put, keeping a child's future "open" will involve teaching knowledge that may run afoul of parents' supervisory objectives. However, upon further examination, maintaining the openness of a child's future seems essentially misguided. Not only is a sufficiently open future hard to define and possibly unfeasible to secure, but it may also turn out to be obscuring goods that education can and should provide to students. More work is needed to develop an alternative to the open future criterion, but this paper has at least shown that the pieces of this puzzle simply cannot satisfactorily fit together.

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