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State Intervention and the Family: Problems of Policy†

*William J. Goode**

From time immemorial, and perhaps before that, too, political philosophers have cherished the dream that they could improve mankind if only they could change the family system. Whenever thinkers have envisioned the ideal society, they have placed their ideal of family behavior as its center. In Plato's *Republic*, the family as we know it would be abolished, for it interferes with the equal opportunity (for both men and women) he so much desired. Confucius, by contrast, thought that the relation of the citizen to the emperor should be that of a dutiful child to his or her parent, but he also believed that family patterns were the foundations of a harmonious civil order. Revolutions have often proclaimed a new family order because it is believed that only thereby can a radically new society be constructed.

In this most troublous of times, it is not surprising that so many now propose that we strengthen the family, this key element in the social structure, in order to restore, or at least to shore up, a failing social system; for clearly the system is failing. We observe that people no longer give much respect to authority, but we must also grant that people in power do not seem to have earned that respect either, for they have permitted, or even caused, violations of law and civic rights, corruption in high and low places, and a general fall from civic virtue. Thus, it is a time of moral reevaluation.

We must ask whether a great society, arrogant in its world power and astonishing in its affluence, can, unlike all great empires of the past, simply stop, look at itself, decide that it has proceeded down the wrong turn, and thus alter its goals. Is it possible to make national decisions that would aim at improving the quality of our life, and not simply at enlarging the gross national product or accelerating our "progress" still more? Must we continue to expand our ability to wage war, to control other

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countries, and to spy on our own private citizens?

Although I believe that only a minority suppose the problems of our time were *caused* by the breakdown in the family, certainly many more do suppose that (1) such a breakdown has paralleled the unfortunate directions our nation has chosen in the recent past, and (2) an improvement in family life would have at least some broad salutary social effects on the fabric of national life generally. The connections between the quality of family life and the rest of the social structure of the larger society have seemed clear enough to many observers in the past, and I think we should look very briefly at some of those connections.

We note that in every decade since the Civil War, the divorce rate has risen. Last year, it rose to more than a million in sheer numbers, and with it, of course, the number of children involved in divorces. The number of households headed by the mother alone continues to increase. The illegitimacy ratio has risen over the past three decades among both blacks and whites. Parent-youth conflict, although certainly down somewhat from its peak in the late 1960's, remains high. The rate of juvenile crime continues upward, a fact that most would link with the failure of parents to control their children at younger ages. Indeed, it is difficult to point to any developments in family relationships that have contributed much to increased social stability, individual virtue, or, for that matter, even pleasure—that widely sought goal of this generation.

Indeed, when we survey the supposed "progress" of our epoch, we must concede that the only kinds of activities that have become easier or have improved over the past century are technological and mechanical ones, while almost every task or goal that has to do with community spirit, virtue, cooperation, neighborliness, social stability, harmony, or caring for others has become more difficult to accomplish than in the past. Such goals cannot be achieved if people have not been reared or trained in the family to value them and to work toward them effectively.

We must, however, consider further the peculiar historical epoch we live in. Until the Industrial Revolution, few, if any, governments had made any serious attempts to change the family system. Before that, of course, religious prophets made such attempts from time to time. In most great civilizations of the past, family problems were dealt with by family leaders, as in China, India, and Japan, or by family leaders with the aid of religious leaders, as among the Arab and Jewish people. In all of these cases, the various moral authorities did not attempt to fashion a new and better family system, as so many of our moral gurus do

in our time, but simply called everyone to return to the traditional ways. In any event, they were not the state.¹

In the pre-industrial West, there was some government intervention through the courts, focused on very particular problems of primary concern to the wealthy, such as the property of spouses, dowers and dowries, or the inheritance of land. Thus, both family law and changes in it were of importance primarily to the upper classes. Here, too, the aim was not to improve family behavior, but to interpret what was thought to be tradition.²

In the modern period, we note three great changes. First, new nations, either undergoing or aiming at industrialization, do not merely codify traditional family norms. Instead, they develop new marriage and family laws, usually far in advance of public opinion.³ They can be found not only in the Communist countries, where you might take such radical transformations for granted, but also in Turkey, Japan, India, and the Arab countries. They have stated new sets of family obligations and rights, such as equal inheritance, freer mate choice, later age of marriage, new rights for women, freer divorce, and the like. These innovations occur long before anyone can claim that the transforming influence of industrialization could have had much effect.

In the more fully industrialized countries, a second large change is observable. Here one finds a greater concern for the lower-class family, and attempts to stabilize it, patch it up, or pick up the pieces. This concern first appeared in early 19th century England with the recognition that the factory system was undermining lower-class family life. However, it is safe to say that, on the whole, this concern did not lead to any substantial government action that aimed at stabilizing lower-class family life until very recently, because instability, squalor, poor child-rearing practices, desertion, and child or wife abuse were viewed as normal, if deplorable, proletarian behavior. Proper, respectable folk thought "that's the way those people live," and decent people should have little or no concern with them. Today, by contrast, we have come to feel—or at least to assert publicly if we do not feel it sincerely—that all these poor people are our brothers

1. By "state" or "government" I mean state in general, government in general; I do not intend any distinction between federal and state governments.

2. When Henry VIII broke from the mother church in order to divorce and marry anew, that was a break with tradition, but note how odd and shocking it seemed to his contemporaries.

3. For elaborate data on this point see W. GOODE, *WORLD REVOLUTION AND FAMILY PATTERNS* (1963).

and sisters, and that we should help them, with or without their consent.

A third change in the modern epoch should also be noted. Although moral leaders in every period of the past have deplored the state of family behavior, always charging that it has fallen away from the virtue of two generations earlier, this is surely the first period in which people suggest that the government should improve the family life of *respectable* classes. That is, we have come to believe that not only the lower classes but also the middle and upper classes exhibit failures in their family behavior and that, as a government, we should do something about it.

Thus, many government programs have been inaugurated, and many others have been proposed, aimed at improving family patterns. They include such things as day care centers, free abortion, new child custody rules, income tax provisions that define alimony as tax deductible and therefore primarily affect the middle and upper-middle classes, funds for applied research in the area of family behavior, college classes (partially supported by state or federal funds) for marriage education, and so on.

Having noted all this, I wish to express both profound skepticism about several aspects of these efforts and moderate approval of a few of them. First the skepticism: I do not believe that in fact any of the levels of government, federal, state, or local, have developed any family *program* at all. The heads of some agencies have made speeches, and some people have expressed alarm or optimism, but no general program for improving family life has been offered or accepted. Most of the specific programs that have been discussed at this conference, such as Aid to Families with Dependent Children (AFDC), Social Security, day care, or income maintenance, have been aimed only in part at reforming or improving family life. Their provisions have been primarily focused on trying to pick up the pieces and helping the poor, especially the Black poor. This includes foster care, abortion clinics, and the like. They may have had some effect on the mainstream of family life, but only incidentally to their main goal of simply trying to clean up the wreckage created by our peculiar class and economic systems.

Next, and contrary to many opinions expressed in these sessions, I do not believe that most of these government efforts have had much effect on family life. I do not think they have done much harm, but I do not think they have done much good, either. True enough, the AFDC rule that forbids welfare if there is a "man in the house" reduces family stability somewhat, but not by much. In fact, the rates of family dissolution were always very

high among such families. It is a common illusion, I think, that mothers in families qualifying for AFDC are mostly welfare cheats who are seduced by welfare into immoral lives and a rejection of marital stability. The evidence runs all to the contrary. That is, most AFDC families do need the money; in fact, no male is available who could support them, and marital stability is simply not a real choice for such people. The continuing relaxation of divorce laws certainly contributes to increased family dissolution, but such laws have not aimed at restoring family stability or harmony; rather, they are reflective of deep social forces throughout our society that still press toward easier divorce.

By contrast, my moderate approval is aroused by a few special programs where the government intervenes and the results are likely to be salutary. I would include here such steps as (1) the increasing efforts to locate and reduce child or wife abuse and neglect,⁴ (2) the laws to facilitate the tracking down of ex-husbands and requiring them to pay child support, *i.e.*, to assume their family obligations, (3) the IRS provisions that permit a divorced working mother to deduct some costs of child care, (4) the police teams that have been organized in some cities for intervening in and stopping family fights without further violence (these have been relatively successful), (5) the government efforts to bring Blacks into the mainstream of American life—especially economic life—which will certainly reduce the Black illegitimacy rate,⁵ (6) the greater freedom of abortion, which cuts down the number of children who would otherwise be unwanted and somewhat neglected, and (7) even the pamphlets, published by the millions, on child health and child-rearing. I think that at a minimum they have educated a few parents to do somewhat less harm to their children.

Although these are not small achievements, they cannot stem the general trend toward weakening family ties. Is there in

4. For a summary discussion of this problem see Goode, *Force and Violence, in the Family*, 33 *J. MARRIAGE AND THE FAMILY* 624 (1971).

5. In 1967, I predicted that as a result of efforts to bring Blacks into the mainstream of American life, the illegitimacy rate would drop in the ensuing decade. That has happened already with respect to the illegitimacy rate, *i.e.*, the number of illegitimate births per 1000 married women; however, the illegitimacy ratio continues high. The latter figure is a ratio between the births in and out of wedlock, and if the birth rate drops (as it is doing) among married women while the number of births outside of marriage does not drop by the same amount, the ratio rises. This is a technical matter, but important; I think this ratio, too, will eventually drop. For analysis of this point see Goode, *A Policy Paper for Illegitimacy*, in *ORGANIZING FOR COMMUNITY WELFARE* 262 (M. Zald ed. 1967); Goode, *Family Disorganization*, in *CONTEMPORARY SOCIAL PROBLEMS* 390 (R. Merton & R. Nisbet eds. 1961).

fact anything that government *could* do? Here I am in accord with the position of my former colleague, Professor Caplow,⁶ but I would express it more broadly. The principle is that we can do many things to weaken or undermine the family, but we have little knowledge about the factors that strengthen it. This is an exemplification of the Second Law of Thermodynamics, of entropy. It is also a formulation of the famous McMurphy Law that if anything can go wrong, it will; or the statistical law, another version of the Second Law of Thermodynamics, that there are millions of ways to do things wrong, but very few of doing them right.

Consider this principle as applied to the problem of child-rearing, that central responsibility of the family. In the social sciences, we now know much more than we did 50 years ago about which experiences hurt or destroy a child psychologically. But we really have only a gross, crude knowledge of how to transform a child into a mature, admirable, effective citizen.⁷ We have made little progress toward defining those goals and still less toward agreeing among ourselves that we should actually seek them. But whatever they are, we still do not know *how* to achieve them.

This is so, I think, for two large reasons. First, as a citizenry, we are unwilling to pay the price for what we say we really want. For example, people pay lip service to family stability. But for themselves, they want something else, a bit more. They want more personal freedom, more self-seeking, more room for developing their own interests and personalities, and less responsibility toward others. Most of us are not willing to accept the deep, real restrictions on choices that a strengthened family life would require.

Second, we have not invented, even in imagination, a new family pattern that does not simply aim impossibly at restoring the old traditional ways but instead creates an effective, stable family pattern that might work in our disorganized, industrialized, urbanized, hedonistic society. Our thinking is hampered because a vital part of family history is irretrievably lost to us. Specifically, we have historical knowledge only of how families and social systems *lose* their ability to command group alle-

6. See Caplow, *The Loco Parent: Federal Policy and Family Life*, 1976 B.Y.U.L. REV. 709.

7. For data on socialization itself see Gecas, *The Influence of Social Class on Socialization*, in THEORIES ABOUT THE FAMILY (W. Burr, R. Hill, I. Reiss & F. Nye eds. forthcoming); D. BAUMRIND, EARLY SOCIALIZATION AND THE DISCIPLINE CONTROVERSY (1975); THE INTEGRATION OF A CHILD INTO A SOCIAL WORLD (M. Richards ed. 1974); U. BRONFENBRENNER, TWO WORLDS OF CHILDHOOD (1970). These are excellent works, but they illustrate the difficulty of finding out how to improve parents' behavior.

giance, their ability to inspire sacrifice for others and for children, and their willingness to give up material, personal indulgences in favor of giving energies to the family. We have historical data on these processes of breakdown, but not on how those strong social patterns were ever built up.⁸ This trend of dissolution is what we have observed for at least the three centuries since the Protestant Reformation (or four, if you date from Martin Luther's nailing of his theses on the Wittenberg church door). But we have been unable to learn how any society builds up or creates those traditional social patterns.

I believe sociologists and social philosophers would agree that a society governed well is likely to have a family system that functions well, but I assert that modern social science has little knowledge of how to effect a move in that direction. I doubt, therefore, that we shall change the course of this or any other great industrial society very soon, and possibly not at all. I am convinced, however, that if our society does achieve a moral regeneration, utterly unprecedented in history, we shall concomitantly begin to make more pro-family decisions.

Finally, although no society and no family system ever promises continuing delight, or a rose garden, or happiness—and seeking happiness is surely one of the great illusions of our age—if we move toward a moral regeneration, if we change the major directions in which our society moves, we shall do so only by accepting the greater restrictions on personal choices and heavier demands for personal sacrifice that stable family life requires. If we do that, I predict that as a people we shall enjoy far more quiet contentment and pleasure than at present, when personal happiness is much more immediate goal of most American families.

8. For an analysis of why many important historical data are missing in our family inquiries, especially the periods in which large, tightly knit kinship systems were built up see Goode, *The Theory and Measurement of Family Change*, in *INDICATORS OF SOCIAL CHANGE* 295 (W. Morre & E. Sheldon eds. 1968).