

AMERICAN FAMILY IN CRISIS

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The American Family in Crisis

Rewriting history, Remaking marriage

Background

In dealing with the current crisis in American families, this paper presupposes that the traditional model family is that of one man and one woman, married, and raising their biological children. The question addressed by this research is: How can public advocates and political representatives better approach America's family crisis and help preserve the traditional family in the twenty-first century? The subject is no longer merely a matter of statistics, but religious leaders, educators, and public officials have entered into the discussion. On National Marriage Day 2004, Louisiana Governor Mike Foster, Jr. said that marriage is not merely a lifestyle choice, but the foundation of healthy America. Foster commented that both the church and the government should do all it can to encourage traditional marriage and to discourage other alternatives. His statement followed the guidelines of his 1999 Marriage Proclamation (Foster, 2005).

Ethicist David Novak points out that the moral and political questions facing America are two sides of the same coin. Because morality involves life with other persons it is political, and because politics involves how to act with these other persons it is moral (Novak 2005, 185). The well being of children, parents, couples, and society is seriously threatened by the push to "de-normalize" the core features of marriage and parenthood and to strip their historic meanings from law and public discourse (Harvard Journal of Law and Public Policy, 2002).

The problem is more than a battle for family, claims Novak. The immoral centerpiece of the paganization of America is aimed at destruction of Western society.

To deny the morality of Western thought is to deny American history and Judeo-Christian identity (Novak 2005, 193). However, America has moved from a society based on moral absolutes, to a system defined by ethical relativism. Opponents of the traditional family demand liberation from such religious intrusion into twenty-first century American lifestyles.

Family Models in American History

American historical family characteristics reflected the economics of each period in the building of the nation. For example, in Colonial America, life was difficult and economic roles were not necessarily separated along male and female lines (Cancian 1987, 16). Husbands and wives were materially and economically dependent upon each other, with both jointly involved in the care and nurturing of children (Bly 1990).

Separate spheres of home and workplace emerged during the middle of the nineteenth century and separate gender roles became more evident. Women were defined as nurturers with specifically feminine characteristics. Man's role was that of protector, the brave breadwinner, with specifically masculine characteristics (Caron 2001, 190).

The 'feminization of love' also took place in the nineteenth century when human sexuality was epitomized by the independent, virile, self-made man and contrasted to the dependent, loving wife. Love became a private feeling between husband and wife, shared only in the bedroom and disassociated from public life and economic production. This led to a lack of intimacy, companionship, and affection in marriage and created intense emotional ties between mothers and children (Cancian 2001, 23-24).

When mainline churches in America voted away centuries-old church doctrines concerning marriage and family, they rejected biblically authority over marriage and

family life. Thus, for many, religion became a spirituality based in psychology that made no moral demands (Bellah 1985, 108). The idea of psychological man rejects both sin and the need for redemption. He aspires to nothing higher than feeling good about himself, a theory rapidly replacing the idea of Christian man as the dominant character type in society (Schlesinger 2000).

The Facts of the Matter

As the campaign for acceptance of alternative lifestyles flourished and opposition to anti-biblical lifestyles became unacceptable, statistics revealed the rising crisis in the American family. In 2004, only 68 percent of America's children ages 0-17 lived with two married parents, down from 77 per cent in 1980. Although two-parent households increased 6 percent from 1990 to 2000, single mother households grew by 25 percent to 7 percent of all households.

In 1990, 39 percent of all households were married. Single father households doubled from 1990-2000, from 1 percent to 2 percent. Marriages ending in divorce within the first 15 years rose to 43%. The 2000 census birth rate for teenage girls dropped to 48.7 per 1000 for females age 15-19, but the birthrate for unmarried women of all ages increased by 2 percent from 1990-2000 (www.childstats.gov 2005).

Failed Marriages and the Effect on Families

Researchers agree that the best family structure is one with two biological parents in a low-conflict marriage.¹ Children in single-parent families, children born to unmarried mothers, and children in stepfamilies or cohabiting relationships face higher

¹ : For more evidence of the importance of intact families for children see Sandra L. Hoffreth and Kermyt G. Anderson, "Are all dads equal? Biology versus marriage as a basis for paternal investment," *Journal of Marriage and Family* 65, no. 1, (2003): 213-32; and Wendy D. Manning and Kathleen A. Lamb, "Adolescent Well-Being in Cohabiting, Married, and Single-Parent Families," *Journal of Marriage and Family* 65, no. 4, (2003): 876-93.

risks of poor outcomes in every area of their lives (Moore, Jekielek, Emig 2002). In addition to the problem of single parent households, millions of those whose marriages have failed, return to marriage within a short time. In stepfamilies, relationships are often a real challenge. A 20-year research project shows that about 66% feel close to stepfathers, but only 47% have a close relationship with their stepmothers. Because more mothers than fathers still get custody, the children get to know the stepfather and generally have minimal contact with their new stepmother. Also, Dad may marry a much younger woman, whose age can be a problem for his children (Peterson 2001).

Changing Family Models

Perhaps the most astounding 2000 survey figures showed that families headed by unmarried partners, male and female, grew by 71 percent from 1990-2000. The highest percentage increase was in California and Arkansas that had 38 percent and 125 percent respectively. The relationships of cohabiting couples suffer more conflicts, more violence, and lower levels of satisfaction and commitment than married couples. Biological parents who cohabit also have poorer quality relationships and are more likely to part than parents who marry. Three-quarters of the children born to cohabiting couples can expect their parents to split up during their childhood. While homosexual couples are increasingly including children in their relationships, children of all cohabiting parents show outcomes similar to those of children living with single parents (Doherty 2002, 7-8).

Immigration is another factor changing the nature of families in America. In 1997 ten percent, 25.8 million, of the nation's population had been born outside the United States, an increase of 30 percent since 1990. Interestingly, the two-parent family model

in America is increasingly more prevalent in immigrant families than American-born citizens (www.childstats.com. 2005).

Why the American Family Crisis?

Despite all the negative evidence concerning disrupted two-income, single parent and alternative parent households, many women still yearn to engage in productive work. Mothers often experience guilt, stress, and marital conflict in juggling work and family life and even though a wife's employment may determine the children's educational options, there are psychological and social costs for both working mothers and their children (Coontz 2005). Many families depend on daycare for their young children; however, researchers at Stanford University and the University of California found that children who spend more than six hours a day in center-based care outside the home showed diminished levels of cooperation, sharing, and motivated engagement in classroom tasks. They also exhibited greater aggression. A study by the National Institute of Child Health and Human Development found that children who spent long hours in daycare and preschool exhibited poor work habits and social skills through third grade. These children had more trouble concentrating and completing their schoolwork more than students not involved in preschool daycare centers (Brown 2005).

Another emerging problem in American families is mothers who consider their highly scheduled lifestyles something to brag about. Women seem addicted to their busy lives and claim it makes them feel good about themselves when they were so busy they did not have time to stop for lunch or take a short break during the day. Psychologists worry that their overscheduled lifestyles may lead to other destructive behaviors, such as excessive spending, impatience with family and hypertension

(Doman 2004). Another important trend for families is that men seem to want more active parenting roles (Coontz 1997). A 1991 survey by the Families and Work Institute found that one-third of men under age 40 said they would consider giving up raises and promotions for more time at home and two federal agencies in Washington, D.C., found that half the fathers they employed changed their work hours to spend more time with wives and children when management introduced flextime (Coontz 2005).

The Way of the Courts and Families

Local and federal courts have done little to support the traditional American family. The American Law Institute Principles of the Law of Family Dissolution 2002 says that the central purpose of family law should be to protect and promote family diversity (Harvard Journal of Law and Public Policy 2004, 918-20). The report sidelines traditional marriage as merely one of many possible and equally valid forms of family. The report also denies biological parenthood as central to family law and focuses on the idea of functional parenthood, which includes any individual involved in the daily care of the child. The central role of marriage as a social institution in protecting the well being of children is ignored in this document. The state's vision of marriage as a public and legal status has unusual social power because the state commands other institutions of civil society, such a corporations, faith communities, medical communities, and even private individuals on how to treat couples that are married (American Law Institute 2002, chap. 1, I-III).

The authors of the ALI document claimed that traditional standards for familial life run counter to the commitment American society avows towards family diversity (American Law Institute 2002, chap. 1, I.B.). The idea of the document was to de-

privilege marriage by treating cohabiting and other kinds of relationships in the same way as traditional marriage models (Bartlett 1998, 817). The report presses for full legal marriage of same-sex couples, cohabiters, and married people. The social ecology of male/female bonding does not appear as one of the thirteen indications of a marriage-like relationship (American Law Institute 2002, sec. 6.03.).

In an approach to the next step against traditional families, Gillian Douglas writes: “The abhorrence of bigamy appears to stem again from the traditional view of marriage as the exclusive locus for a sexual relationship and from a reluctance to contemplate such a relationship involving multiple partners” (Gillian Douglas 2001, P. 30-31). The Unitarian Universalists for Polyamorous Awareness are pushing for liberal religious tradition to recognize multiple-partner marriage. Professor Elizabeth Emens of the University of Chicago Law School has followed up with a major legal defense of polyamory (Emens 2005).

Previous standards of family law considered what was in the best interests of children. These precepts are now questioned on the grounds that they introduce moral norms into family law (American Law Institute 2002, 2.08 cmt.b). The resolution of conflicts over children ultimately has become a matter of what kind of children and families the society wants to support (American Law Institute 2002, 173:n.6). One scholar writes that the traditional privileging of biological parenting represents a heterosexual constraint on the wide range of family forms and practices now found in America (Rhoades 2002, 107-108). Parenthood by pure intention represents the full cultural shift from an emphasis on biogenic unity to an emphasis on the family of choice (Storror 2002, 628).

Social Science studies continue to show that the risk of physical or sexual abuse rises dramatically when children are cared for in the home by adults unrelated to them. Children left alone with their mother's boyfriends are especially at risk. The data suggests that legal theorists are standing on very thin ice when they dismiss or debunk the significance of biological parenthood (Carbone 2000, 227).

Courts are responding to these ideas about family law. When parents in California objected to a survey administered to young students in the first, third, and fifth grades that asked sexually explicit questions without the parents' knowledge or consent, the court ruled against the parents. Judge Steven Reinhardt, writing for the Ninth Circuit panel, stated; "We hold there is no free-standing fundamental right of parents 'to control the upbringing of the children by introducing them to matters of and relating to sex in accordance with either personal and religious values and belief.'" (Martin 2005).

A growing number of traditional family advocates feel that marriage is essentially a religious institution, something in which a secularized liberal state should have no role (Havelock 2004)². Because some religious groups endorse same-sex marriage, polygamy, monogamy, and even polyamory, religious leaders suggest disestablishment might be preferable to a legal redefinition of marriage. They point out that the political regulation of marriage was a relatively late development in the history of Western culture and that the state has not positively influenced the marriage culture ("On Christian Marriage" by Leo XIII, 1880). When divorce is involved, however, the state

² Similar articles were found in various publications: "Religious bodies should bless holy matrimony; government should protect civil unions," San Antonio (TX) Express-News, Nov. 15, 2004; Michael Kinsley, "Abolish Marriage; Let's really get the government out of our bedrooms," Washington Post, July 3, 2003; Deroy Murdock, "Stop Licensing Marriage," Scripps Howard News Service, July 10, 2004.

regulates time with children, financial support, intervenes in disagreements, determines education, relocation, and in what religion the child will be raised.

Response

To avoid abdicating a religious voice concerning morality and politics, citizens must not leave spiritual matters only in the private realm. Because society does not generally accept the revelation of Scripture, the enemies of religion would like to portray religiously inspired public philosophy as antithetical to democracy (Novak 2005, 195). The battle for America's culture is a conflict of moral internal and political differences, requiring a different approach to address the crisis in American families. There is human law in the secular realm, and Judeo-Christian thought can acknowledge that all space is not sacred. However, the secularist realm would like to privatize religions completely, or see no place at all for religions in a democratic society (Novak 220, 193). Judaism and Christianity, as covenantal religions, which are essentially political entities, are mortally threatened by such secularism that would deny them their worldly place (Novak 2005, 193). He also believes that in the secularized West, morally concerned Jews and Christians can work together with mutually agreed philosophical arguments concerning morality directed toward the secularized system. Novak suggests that the best approach is a common effort to construct a persuasive public philosophy (Novak 2005, 187). Certainly prolific opponents of biblical marriage and family traditions have conquered public agreement for their agendas through coalitions of persuasion.

This approach would formulate and promote a Judeo-Christian morality, because the moral laws of both emphasize divine law as revealed in the Hebrew Scriptures. This morality differs from the 'morality' presented by modern secularisms in that Jewish-

Christian morality is anthropology, the idea of human nature underlying the Judeo-Christian vision (Novak 2005, 195). Novak suggests a humanly philosophical approach, proposing humane options that when in doubt, public policy considers human dignity first and foremost. Even those who may not believe and who would be distanced by religious discussion, can accept the Judeo-Christian theory of humanness and humankind as more inclusive than secularist alternatives. Addressing the crisis in American families seems paramount to the future of our society, and certainly to the future of America's children. Moral persuasion, although not accepted as transcendent truth in advance, or a means of conversion, can be morally effective (Novak, 2005, 200).

Works Cited

American Law Institute. 2002. *Principles of the Law of Family Dissolution: Analysis and Recommendations*. Philadelphia: American Law Institute

Bartlett, Katharine T. 1998. "Saving the Family from the Reformers". Brigitte M. Bodenheimer Memorial Lecture on the Family. University of California, Davis Law Review.

Bellah, Robert, et al. 1985. *Habits of the Heart*. NY. Harper and Row.

Bly Robert, Iron John. 1990. *A Book About Men*. NY. Vintage books.

Brown, Jim. 2005. Online Article: www.afa.org.

Cancian, Francesca. 1987. *Love in America*. Cambridge Univ Press NY.

Carbone, June. 2000. *From Partners to Parents: The Second Revolution in Family Law*. New York: Columbia University Press.

Caron, Judith. 2001. *Christian Ethics*. Wipf and Stock Publishers. Eugene, OR.

Coontz, Stephanie. 1997. "The Good News: Benefits of Co-Provider Families". www.ccf.org.

Coontz, Stephanie. 2005. *The Way We Really Are*. Basic Books. NY.

Doherty, William J., et al., 2002. *Why Marriage Matters: 21 Conclusions from the Social Sciences*. New York City: Institute for American Values.

Doman, Alice, Ph.D. 2004. "Unprincipled Family Dissolution: The American Law Institute's Recommendations for Spousal Support and Division of Property". Online Article: www.psychologytoday.com

Douglas, Gullian. 2001. *An Introduction to Family Law*. Clarendon Law Series. Oxford: Oxford University Press.

Emens, Elizabeth F. 2005. "Monogamy's Law: Compulsory Monogamy and Polyamorous Existence". New York University Review of Law and Social Change.

Federal Interagency Forum on Child and Family Statistics. 2005. Online www.childstats.gov

Foster, Governor Mike. 1999. State of Louisiana, Governor Mike Foster, Proclamation. Online: www.smartmarriage.com/proclamation.

Havelock, John. July 31, 2004. "State should limit role to civil unions," Anchorage (AK) Daily News: Editorial, "Avoid divisiveness over who marries".

Harvard Journal of Law and Public Policy. 2005. Review of the American Law Institute 2002. *Principles of the Law of Family Dissolution: Analysis and Recommendations* Philadelphia: American Law Institute. Harvard Federalist Society Online Publication. Vol. 28 #3. www.law.harvard.edu.

Martin, Allie. November 14, 2005. Online Article: "Parents Petition for Re-Hearing of Ninth's 'Parental Rights' Case". AgapePress. www.afa.org.

Moore, Kristin Anderson, Jekielek, Susan M., and Emig, Carol. June, 2002. *Marriage from a Child's Perspective: How Does Family Structure Affect Children and What Can We Do About It?* Child Trends Research Brief, Washington, DC.

Novak, David, PhD. 2005. *Talking with Christians*. Eerdmans. Grand Rapids, MI.

Peterson, Karen S. February, 2001. www.usatoday.com/news/health/2001-02-27-stepkids.htm.

Rhoades, Helen. 2002. "The Rise and Rise of Shared Parenting Laws: A Critical Perspective". Canadian Journal of Family Law.

Schlesinger, Laura. August, 2000. Online Article. www.newsmax.com/articles/

Storrow, Richard F. 2002. "Parenthood by Pure Intention: Assisted Reproduction and the Functional Approach to Parentage". Hastings Law Journal.