**FAMILY, THE STATE, AND AMERICAN POLITICAL DEVELOPMENT**

**Julie Novkov and Carol Nackenoff**

  The role of the family, and family policies, in state-building is quite important, but this topic has been too long neglected in Political Science and associated disciplines. Yet scholars have paid a great deal of attention to race and how race shaped American institutions, law, and policy implementation. We contend that the absence of the family as an institution, and as an object of investigation in Political Science, is related to an unexamined but all-too-common assumption that the family exists only in the private sphere and therefore, is not political, is not a means through which the state acts and achieves policy goals, is not a target of state action, and is not shaped by the state.

However, over the last five years, a handful of scholars have developed projects that speak to the relationship among the family, the state, and American political development, seeking to understand how this relationship has shaped families, governmental policies, and the American state. We propose a volume tentatively entitled *Family, the State, and American Political Development* to challenge the dominant paradigm and to present perspectives on important questions about family’s role as both a target and a means of development, and as a site where state-building and state transformations take place. The chapters consider the rhetorical, ideological, and institutional uses of family in policymaking and the significance of particular familial roles in political action by policymakers, advocates for change, and family members themselves. We hope to spur good scholars who have heretofore neglected the role of the family and family policies in shaping the American state to bring the family in to theoretical and empirical scholarship in Political Science.

Contributors range from political/legal theorists (Joan Tronto, June Carbone and Naomi Cahn, Martha Fineman, and Tamara Metz) to American political development scholars engaging in case studies; some of the chapters are historical and some are quite contemporary (ranging from Alison Gash and Priscilla Yamin’s work on the role of the family in immigration policies to Libby Sharrow’s investigation of the development of fathers as a constituency for Title IX policies).  Richard Bensel joins Gwen Alphonso on a piece about family recognition in the antebellum south.  Eileen McDonagh is exploring the successful frames that brought the woman suffrage movement victory, since this bears on the problem of women’s political inclusion in a liberal tradition that relegates the family to the private sphere. We will also contribute a chapter linking the legal struggles of late nineteenth and early twentieth century Chinese women and children to enter or remain in the United States to struggles between courts and administrative agencies and to processes of state building.

While the individual contributions are both empirically original and theoretically rich, we plan for them to deepen a conversation across common themes that is already underway. A panel we put together at WPSA in 2015 on this theme has now appeared as a symposium issue of *Polity* (the most recent issue), and we organized a follow up conference-within-a-conference on the same subject at the WPSA meetings this past spring. This event provided us the opportunity chance to vet and select papers, and we have been working with potential contributors to shape their work, and proposals, in a way that would best fit an edited volume.  We think we have assembled a great group of scholars with original projects that fit together well.

Here we will lay out some themes that cut across some or all of the chapters we anticipate having in the volume. We have asked our authors to attend to these themes as they prepare their chapter drafts, most of which have already been presented at conferences.

First is how the family is interwoven with neoliberalism – how family structures and responsibilities are changing in response to neoliberal policies and how the development of neoliberalism keys off of the family as an institution and the support structure that contemporary public and private family functions provide for neoliberalism. These chapters – a set up chapter by Tamara Metz, a chapter by Joan Tronto, and a chapter by Martha Fineman – help to establish the book’s concern with family’s connection to and support for the neoliberal state

Next is the significance of family as an institution that structures private life but also has a dynamic relationship with the state. Various state institutions and actions change what family is and how it works, but the family as both an institution and an idea influences and shapes the state. Several chapters explore cases that develop one or both sides of this process and family’s contradictory status as the quintessentially private institution that nonetheless performs many public functions, or at least functions that serve a state’s citizenry’s collective interests.

Another theme is how gendered (and racialized) roles within the family shape political and policy change over time. Several of the chapters address the flip side of the dynamic produced when the state reinforces or defines status through gender and race and explicitly or implicitly work through how these defined identities and roles contribute to development and change. State actors’ efforts to define family roles simultaneously define gender and race, and beliefs about how gender and race play out in individuals’ family statuses influence policymaking with regard to marriage, inheritance, and immigration. However, when individuals’ family roles are activated by policies, unanticipated political results can occur.

**CHAPTER ABSTRACTS**

The following chapter abstracts describe the specific content that each chapter will address.

Introduction: Carol Nackenoff and Julie Novkov

The introduction will lay out the main themes for the book, highlighting the lines of agreement and debate that cross through multiple chapters. It will explain how centering family in the analysis contributes to thinking about the family as an idea and institution, but also to developing new perspectives on political development, the significance of public and private, and how gendered and racialized familial roles play into policymaking.

SECTION ONE: CARE, NEOLIBERALISM IN THE MODERN FAMILY AND STATE

This section features four chapters addressing modern family structures and the family’s institutional role in the maintenance of the neoliberal state. It touches on the complexity of family’s role as a private institution with public functions and purposes that help to maintain state orders. It also addresses the difficulties faced in neoliberal state arrangements as they grapple with the responsibilities of care.

“New Perspectives on Demography and Family Stability,” June Carbone and Naomi Cahn

This chapter sets up the volume by situating family institutionally in modern American politics and in the modern American state. It explores the impact of growing inequality on the family as an institution. It begins by setting out trends in the shape of the family going forward, with data on race and fertility trends in conjunction with educational attainment. It then provides an analysis of the source of these trends and how state institutions (re)inscribe old, or create new, inequalities. Because the family is both a public and a private institution, the state’s role in regulation plays an integral part in shaping family structure. Rather than move towards more family-friendly policies, the state is neither interested in addressing the inequality that is driving families apart nor in providing support to families on the different terms on which they are currently organized.

“The Well-Financed Family,” Joan C. Tronto

This chapter turns from Carbone’s and Cahn’s situation of family to a direct critique of the connection of family to the neoliberal state. Political scientists have begun to wring their hands about the long-term effects of unequal wealth on democratic politics. Yet, as Larry Bartels indicated, “The sad truth is that we—political scientists—have not been sufficiently conscientious and clever to make the careful, repeated measurements that would be necessary to prove the point” (Bartels 2006, 39).

The chapter proposes that by looking at the changes in the economic grounding of families it is possible to discern a key mechanism by which wealth makes the prospects for long-term democratic life less possible. Drawing upon the claim by Carbone and Cahn that marriage “has emerged as a marker of the new class lines remaking American society” and that “Stable unions have become a hallmark of privilege” (Carbone and Cahn 2014, 19), what does it mean that successful families are now “well-financed,” while less successful families are now “casualized” in their relationships to each other, to jobs, and to economic stability?

Both materially and discursively, “well-financed” families encourage and support the transformation of their children into successful bundles of human capital, which are then able to use the material wealth they inherit to increase the gap between themselves and those from less well-financed families. The message to “invest” wisely in children makes less financially successful families less likely to remain intact.

The long-term prospects for democracy are dire. Democracy is not so robust as we have thought; and it tends to devolve in two directions: towards tyrannical populism or towards oligarchic rule. First, through a weakening of any commitment to thinking of children as a public good, as opposed to private investment, support for social support for children, in the form of family allowances, universally good public schools, etc. decline. Then with a decline in such commitments, “equality of opportunity” becomes still more unattainable. Without some plausible way to think about equality, citizens will detach themselves further from a political system that is largely controlled by elites. Either popular uprisings or oligarchic narrowings of the political system are likely outcomes.

[Title], Martha Fineman

“Marriage and the Neoliberal Politics of Care,” Tamara Metz

This chapter follows logically from Fineman’s critique to ask two critical questions: What work does marriage do for the neoliberal political project? And how is it mobilized in service of the neoliberal politics of care that have emerged over the last half-century in the US?

One might expect marriage and family -- characterized by sentiment, affect, and non-contractual ties of identity and obligation -- to disappear from the imaginary of neoliberal life, to be dismissed as imprudent, even irrational institutions. In fact, the opposite is true. Neoliberals -- from Margaret Thatcher to Bill Clinton and George W. Bush – recur often to both. Indeed, Wendy Brown has argued that “familialism” is the only group project neoliberalism condones. This chapter expands on this insight, tracing the place of the family in neoliberal political rationality and focusing on how marriage – in rhetoric and policies -- serves to bolster the ruse at the core of this logic.

The chapter proceeds by employing an interpretive design to illustrate how the rhetoric – and the logic implicit in it – impacts policies, court decisions, and their implementation. It illustrates, for example, that the logic implicit in the language that marriage as the best solution to poverty shows up in marriage promotion and paternafare policies. Further, it argues that both the rhetoric and the policy rely on a/the romantic, sentimental, non-contractual, extra-governmental character of marriage to get people to engage in social reproductive labor/practices – voluntarily, in “private,” off the public ledger or clock – on which neoliberal politics depends but for which it can’t, on its own terms, account. It concludes with critical thoughts on the gender and class implications of how marriage is mobilized by neoliberal politics.

SECTION TWO: FAMILY VALUES, FAMILY POLITICS, AND THE ROLE OF IDEAS

The chapters in this section address how family roles and institutional arrangements link to ideological frames about family and family values. It touches on motherhood, partnership, and fatherhood as they take on political meaning and authority, and illustrate the power and boundaries of these ideas in the political arena.

“The Key to Locke: Adding the Family (Back)-in to the American State,” Eileen McDonagh

Over the course of American women’s decades-long struggle for suffrage, advocates used four different frames to try to persuade those with formal political power to allow women to vote. Neither the Republican Motherhood Frame, making the argument that women contributed to the state as wives and mothers in the home, nor the Subverted Republican Motherhood Frame arguing that women needed the right to vote in order to be good mothers, worked to secure women’s right to vote. The other two were the Lockean Liberal Frame, arguing that the family and the state are separate, but that women should have the right to vote “in spite of” their familial identities because they are individuals just like men; and the Subverted Liberal Frame, arguing that the family and the state are analogous institutions because both are responsible for the welfare of those in need. Using the historical records of woman suffrage leaders and the Congressional Record, this chapter documents that in the early decades of the twentieth century, woman suffrage advocates in social movements in and Congress converged on the last two frames, and that it was this combination that most promoted women’s right to vote.

I argue that women drawing upon the last two frameworks found the “key to Locke”. Analyzing this “key to Locke” recasts our understanding not only of the foundations of American women’s political citizenship but also of American political development as resting upon not only a Lockean liberal republic, but also upon its subversion, a familial parental republic.

The political heritage of the American state rests upon a Lockean revolution that disconnects the family from the state by locating them in private and public spheres respectively. This perspective postulates the basic unit of political society to be autonomous individuals. As the polity developed, this perspective promoted the principle that all individuals were equal “in spite of” their ascriptive group differences, such as their race, class, or sex, which in turn advanced the social, economic, and political rights of American men marginalized “because of” their class and race differences. It took centuries to put that principle into practice and the process continues to this day. When it came to women’s political inclusion however, the Lockean revolution backfired. Women’s biological and social reproductive labor socially constructed them as associated with the institution of the family, the site of reproductive labor. With the family and the state constructed as opposites, the political meaning of women’s reproductive maternalism locates them solely in the private sphere of the home, not the public sphere of the state. The legacy of this construction thwarted the suffrage movement for generations and had an impact on womens’ office holding.

For women’s political citizenship even now, the key to Locke is about how to add the family back-in to the state so that the political meaning of women’s maternalism locates them both in the private and the public spheres.

"The State of Marriage? How Sociolegal Context Affects Why Same-Sex Couples Marry," Ellen Andersen

"A ‘Bridge to our Daughters’: The Unlikely Emergence and Gendered Development of Fathers as Title IX Policy Constituency," Elizabeth Sharrow

This chapter examines the development of an indirect and improbable political constituency of advocates for Title IX of the Education Amendments of 1972: fathers of female athletes given access to sport through policy implementation. The archival data demonstrates that the enactment of sex non-discrimination policy has provided fathers new venues through which to find common cause on gendered issues which affect their daughters, even as it has also facilitated the resurgence of androcentric authority over girl’s and women’s sports. I analyze the unfolding “feedback effects” at play within and because of family structures since the first policy debates over Title IX in athletic programs, raising new questions about how the family operates as an institution in still unfolding political histories.

SECTION THREE: FAMILIES, BELONGING, AND DISSONANT ROLES

This section’s chapters address families that challenge or subvert state imperatives or otherwise do not conform with the expected norms of familial role relations and behavior. In each chapter, state actors’ wrestling with the meaning of family ties has something to say both about how state institutions (slavery, courts, and the immigration system) function and how even strong evidence of lived family relationships may be difficult to acknowledge within a system where legal family ties are doing important state work.

“Social Fathers and Biological Mothers: Family, Slavery, and the Color Line in Louisiana, 1803-1860,” Gwendoline Alphonso and Richard Bensel

Like other southern states, the state of Louisiana was committed to the institution of slavery before the Civil War but that commitment was only one of several that thus had to be reconciled in government policy. Another was to the white family and, more generally, to the reproduction of a white-dominated social order. How the state reconciled its dual commitments, to slavery and family, provides important clues as to the intractable nature of black subordination and the use of family by the state to achieve it. Slavery was undoubtedly a powerful proxy for black subordination however it contained its own empirical contradictions, many of which occurred due to the complex character, and “messiness,” of lived family relations.

Families are both legal constructions and bundles of emotional ties. As legal constructions, they orient mothers, fathers, and their children toward each other as groups of people with shared and interdependent interests. As bundles of emotional ties, these shared and interdependent interests take on real meaning and importance for members of the family. In theory, the legal construction of the family and the emotional ties between mothers, fathers, and their children exactly and exclusively coincide. If this had been the case in the antebellum South, racial identity would have rested on a much more secure and durable foundation. However, white fathers often became emotionally entwined with black women, most of whom were slaves, and the children who resulted from these relationships. The courts did not want to deny the existence of emotional ties between a white father and the children he had with a black mother because such ties were also posited as the “natural” feelings that underlay the legal construction of the white family. However, the courts could not legitimate those ties with the sanctity of law without undermining the racial distinctions and ideology of white supremacy that underlay the institution of slavery. When the antebellum courts attempted to reconcile these two imperatives, they linked racial identity and the legal construction of the family in ways that continue to shape both law and social practice.

In this essay we examine two kinds of appellate cases arising in Louisiana in the half century prior to the Civil war, involving race determination and regulation of the color line: (1) when white patriarchs formed familial relations with black women and their progeny, and (2) when an individual’s racial status was ambiguous and thus impugned the very racial status of his/her family, or more accurately, that of his/her mother. These instances called into question the very ideological assumptions underpinning both the patriarchal family (e.g., that white fathers would restrict their affections and sexual relations to their white wives), and slavery (e.g., that race (whiteness) was a biological fact that naturally determined superiority of whites) and were not reconciled in statutory law. Instead, as we demonstrate, the courts invoked two family frames to construct and maintain the color line, and align family and race imperatives: *social fatherhood* and *biological motherhood*. Through these frames the courts actively constructed, shaped, and maintained racial subordination in the antebellum era, and attempted to operationalize formal racial hierarchy through the practicality of family.

Excluding and Deporting Chinese Women: Family Status, the Shaping of Immigration Policy, and State Building 1870s-1920s, Julie Novkov and Carol Nackenoff

Controversies about which Chinese persons were entitled to enter or remain in the United States during the late nineteenth and early twentieth centuries, when exclusionist sentiments ran strong, contributed to the building of the American administrative state and highlighted the courts’ critical role of maintenance and oversight. But Chinese attempts to enter and remain in the country also provided a thorny puzzle for immigration officials and judges: how to integrate family status with race, dependency, and the economic motivations that drove the development of immigration rules. The courts’ consideration of challenges to orders of deportation and exclusion of Chinese women and children shows how contested meanings and disputes over family status and civic membership contributed to statebuilding during this period.

Our review of cases from the Supreme Court and Ninth Circuit between the late 1800s and the early 1920s outlines the confusion created by competing (and changing) national motivations. While much of the American public and the officials who represented them opposed Chinese immigration and wanted to close the floodgates, maintaining the capacity for Chinese merchants and their families to travel to and from and reside in the United States, as well as maintaining friendly trade relations with China, were important. Furthermore, the new fourteenth amendment constitutionalized the longstanding principle that individuals born within the geographic borders of the United States were entitled to citizenship, regardless of their parentage.

In this investigation, we focus particularly upon the struggle of ethnic Chinese women to enter, or remain, in the United States. As women and children found it difficult to articulate independent claims to a right of entry or residence unless they were claiming birthright citizenship, inquiries often rested upon their familial status. These statuses were subject to change: a woman once admitted as a legitimate spouse could be threatened with deportation if she was widowed, if her husband left her, or if he acquired another wife. Women on their own were often presumed to be prostitutes, or became classified as laborers if no longer associated with their husband’s protected status (e.g., as a merchant’s wife). These inquiries then incorporated racialized and gendered frames concerning Chinese families, Chinese dependency, and Chinese vice. As the courts worked through these questions, they built their new understandings into legal narratives about immigration and family status.

“Fracturing Families: Immigration and the Politics of State Stability,” Priscilla Yamin and Alison Gash

Our chapter examines the American state's motives in disrupting intact families in the service of larger state goals.  Amidst a state ideology that purports to stabilize and cohere families, some state policies also call for the dismantling of certain families.  Using the example of family unity in immigration reform, we identify the narratives and arguments advanced by state actors to assess the value of family stability and reunification to a variety of state needs. We argue that dismantling of family reunification is actually a form of state building. Analyzing and building upon a growing scholarship on family unity in immigration, we argue that family unity offers an example of the power and authority of the state to grant the status of family to households. In past work we have argued that the state has the power to license households as family—to grant them the privileges and benefits that accompany the moniker of family. In so doing, we show how family operates as a status and the state its licensing authority. Developing that argument, we analyze the literature on family unity using our family status frame in order to both shed new light on the problems, tensions and contradictions in family unity debates and to understand policy debates around immigrant familial stability against a broader backdrop of the state's family-status granting power. We then apply this frame to recent Congressional debates on family unity in immigration reform. This framework locates family unification as one among many examples of state-family ties. It is also highlights the state’s conflicting views of family which serve to canonize traditional nuclear families in the abstract while dismantling them in the context of immigration.

**THE BOOK’S CONTRIBUTIONS AND COMPANIONS**

As far as we know, no other volume in political science or sociology draws together a series of insights on family in this way. While individual authors and editors have addressed identity, marriage, and gender, and a few solo-authored books have considered the political and institutional significance of family, this volume is unique in its presentation of several authors’ voices engaging a sustained conversation about family as a factor in political development. It follows in an emerging strand of literature that asks critical questions about the political significance institutions that are not considered primarily as political or public.

Political theorists since John Locke have grappled with the relationship of family and state, and feminist theorists’ interventions since Susan Moller Okin’s critique of liberal theories of justice as ignoring the role of family (1989) have revealed the previously silent state-supporting work of family. This body of work is our starting place, as it encourages rendering the family visible in political analysis. Our authors work out the empirical implications of family’s relationship with the state and state actors, bringing further nuance and insight to the theoretical literature that has developed.

Likewise the volume will build on a handful of books that have grappled with family’s political significance. Robert Self’s work considers the conservative political leverage generated through the development and employment of family values as a political trope (2013); several of our authors expand his analysis of the connections between family values and neoliberal economic policies by working out how the institution of the family is intertwined with neoliberalism and economic inequality. Patricia Strach’s identification of family as an important part of the policymaking process (2007) is also a launching point for several authors. Her work illustrates how family structures policy and policy delivery in a variety of areas not ordinarily associated with it, like immigration, tax, and agriculture. Our authors also find family in unexpected places and reveal its under-recognized function as an institution that shapes political outcomes and allegiances.

Marriage and partnership have received more attention from political scientists and students of political development, but while this volume touches on marriage and incorporates recent insights about that institution, its central focus is on family and on marriage more incidentally, which enables it to have a broader scope and to consider parenting more directly. Still, our authors incorporate an understanding of marriage as an evolving and politicized institution (Cott 2002; Yamin 2012), and as an institution that has structured and reflected racial subordination (Pascoe 2009; Novkov 2008).

The book thus resonates with a growing body of scholarship, but provides a unique and valuable contribution that will be of interest to scholars in a variety of areas. In addition to the importance of the volume for the political development corner of Political Science, it will interest gender and sexuality scholars, sociologists and historians who study the family, legal academics, and a broader community of critical feminist scholars.

**OUR PLANS FOR COMPLETING THE VOLUME**

As noted, the volume is more than a collection of loosely related papers. We have encouraged authors to plan their chapters consciously to address the larger themes identified, and have reviewed preliminary drafts of most of the chapters. The authors are continuing to work on their chapters in the context of conferences, which further benefits the volume’s development by making the chapters available to the other authors. We are confident that this process will produce a high quality and coherent book, both because we are excited about the authors we have selected and their plans and because we have used this model successfully in the past to produce a previous volume (*Statebuilding from the Margins*).

Based on the deadlines we’ve provided to the authors, we anticipate having a full manuscript by XXX.