A National Family Policy Proposal

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Two principles recognize and support the existence of key mediating or bridging structures in society, such as families and voluntary associations. First, public policy should protect and foster marriage and family; and, secondly, wherever possible, public policy should utilize the family and community organizations, rather than displacing them. These principles arise from a belief that public policy and social programs should support civil society, and that the institutions of civil society, primarily the family, have priority over the political.

This is opposed to the view that family policy is what government does to and for families. The institutions of civil society—including the family and charitable, religious, and service agencies—are important precisely because they are neither created nor controlled by the State.

A blending of the role of government and the civil sector risks the domination of the government sphere over all others, because when the State directs the activity of civil society, it enfeebles citizens’ ability to take responsibility for their own community and society. The practical outcome is all too familiar: a one-size-fits-all approach to social problems, ensnared by contractual obligations with service agencies, designed to fit governmental pigeon holes, which rob much of the individual initiative that should motivate charity. Worse, this approach endangers the vibrancy of institutions that help to form virtuous citizens. The act of
giving—whether finances, services or counsel—becomes a professional activity and function of the State, rather than an act of charity and love directed to fellow human beings.

To support the family, four policy goals are proposed:

1. Nations should have an explicit marriage and family policy.
2. They should seek to maintain at least a replacement birthrate.
3. National policy should proclaim the ideal of marital permanence and affirm marriage as the optimal environment for the raising of children.
4. The policy should value family stability and reinforce personal and intergenerational responsibility.

A Family Policy

Despite political rhetoric, few nations have a national family policy. Families are treated as welfare recipients, or the aged, or defence force personnel, or public housing occupants, or taxpayers—but not as families. Even where programs have an impact upon families, they are compartmentalized into stages: infancy, childhood, youth, and the aged.

The first step to treating families seriously is for governments and political parties to adopt specific family policies. The explicit adoption of family policies encourages governments to confront two cultural forces which have undermined families and communities, namely, the lessening of family autonomy, especially through state programs; and, secondly, the weakening of family through the growth of unrestrained individualism. A specific policy also has a normative influence within society.

Suggestions have been made from time to time that all legislative proposals should be accompanied by a Family Impact Statement. While desirable in theory, Family Impact Statements require a strong framework if they are to be effective. First, they must be public, and not confined to the policy makers. Second, the impact of any proposal should be assessed by a body independent from the primary policy maker. Third, a mechanism is necessary for the administration of the policy to accord with the pro-marriage and family intentions. Unless these things are present, a Family Impact Statement is likely to become a pro forma requirement to be “ticked off” and largely ignored.
The adoption of a Marriage and Family Policy Grid could be a useful mechanism for ensuring oversight and compliance with the headline policy. As many programs are administrative in nature, not requiring specific legislation except the annual Budget process, a Grid could assist both the administrators of programs and the legislators seeking to verify progress. There are at least four areas that a Marriage and Family Policy Grid could cover. These involve the enhancement of stable marriage; the ability of parents to have children; good parenting skills and parental involvement with children; and ongoing involvement by parents with their children when separation occurs.

A Replacement Birthrate
Population growth in many Western nations is declining—in some places, very significantly. Even in nations where slight increases in the birthrate had been recorded over the past decade, these numbers have tended to fall again in the shadow of the global financial crisis. The fact that the global population is continuing to expand should not be a source of complacency in those countries where it is in decline. Otherwise, the consequence of ageing societies will be a weakening of the essential family and community bonds, economic decline, and geopolitical insecurity. Demography is destiny.

Hence, nations should seek to replace their population over the long term. Where fertility rates have fallen to very low levels, this is extremely difficult. Many nations hope that immigration will ameliorate the consequences of low birthrates, but immigration does little to slow the ageing of the population. A natural fertility rate at, or near to, replacement levels, is the best policy to adopt.

One way to accomplish this is to focus more effort on the family-work balance. Effective policies need to achieve an optimal balance between the pressures to increase female participation in the paid workforce and the necessity to maintain the fertility rate. Confronted with an ageing population, governments have generally invoked three responses: increased productivity, higher levels of participation in the workforce, and raising fertility. Hence, a recent Australian study suggested that increasing female participation would make a major contribution to future growth.

If the tension between participation and fertility is not recognized,
there is a danger that one objective will be advanced at the expense of the other. Unless policy makers value the critical importance of having and raising healthy, well-adjusted children, other measures are likely to nullify the expected gains.

Economists can identify measures that are likely to increase female workforce participation. These usually include lower marginal tax rates on second family incomes, the need for parental leave following the birth of a child, adequate child care, and flexible work hours. The idea that the family-work balance is only driven by economic considerations is misplaced, however. Parents require flexibility and choice, not just about the hours worked at any one time, but about the arrangements they make over the course of their lives. The emphasis on short-term paid maternity leave for those in the workforce ignores the reality that parents balance their family and work responsibilities between them over decades, not just for a few weeks after the birth of a child. A life course approach is all the more important with the delay in partnering, the increase in longevity, and the ageing of the population.

Financial encouragement for having and raising children should not be work related exclusively. If children are critical to the future prosperity of nations, encouragement of parenthood and support for families is a national responsibility and should not rest on employers alone. Ideally, financial benefits should be available to families whether or not they have both parents in the paid workforce. These benefits can be provided in a variety of forms, ranging from general tax concessions for families with children to childcare and parenting payments. Not only is this equitable, but it recognizes the fact that parents want the flexibility to choose their family and work arrangements over the life course.

**Marital Permanence and the Welfare of Children**

Reflecting on the mounting social science data, the family scholar Paul Amato describes the two approaches to modern marital relationships as a conflict between the institutional and individual view of marriage. He concludes that policies should support marriage and family:
One widely replicated finding tilts the argument in favour of pro-marriage policies. That is, studies consistently indicate that children raised by two happily and continuously married parents have the best chance of developing into competent and successful adults. . . . Because we all have an interest in the wellbeing of children, it is reasonable for social institutions (such as the state) to attempt to increase the proportion of children raised by married parents with satisfying and stable marriages.¹

The proclamation of the ideal of marital permanence and affirmation of marriage as the optimal environment for the raising of children should be at the core of national policy. But rhetoric is insufficient.

In an era in which the old notion of “buyer beware” has been replaced, at least partially, by “informed consent,” it is remarkable that so few people outside scholarly circles and family practitioners know and understand the consequences for individuals and society of the retreat from marriage. A comprehensive education program is central to a policy to promote marital permanence and the care of children. Marital education programs have already been sponsored in a number of countries, but their coverage is inadequate, and their timing restricted. Providing information and skills to a couple a few weeks or months prior to their wedding is useful, but much more could be done.

The UK Centre for Social Justice proposed five streams: premarital education, antenatal classes, and parenting 0-5 years of age, 5-11, and 11-teens, as well as specific programs for single parents, prisoners, military personnel, and parents of children taken into out-of-home care.²

Better education about relationships should start in schools. With an increasing number of adolescents sexually active, most schools have some form of sex education. Often debates have raged about the type of education that is appropriate and efficacious, as if the only consequence


of ignorance is unwanted pregnancy. Yet sexually transmitted diseases are at epidemic levels and infertility rising. Equally problematic is the number of children whose lives are disrupted by fatherlessness, separation, or divorce, and who grow up in challenging circumstances. The social, mental, physical, and economic consequences are significant.

A comprehensive relationship education program could include five themes generally missing today: 1) the emotional and social dimension of sexuality; 2) relationship experiences and relationship building; 3) communication and conflict management skills for successful relationships; 4) new tacks in pregnancy prevention that address the disconnect between marriage and childbearing and raise awareness about the needs of the child; 5) marriage education that focuses on 30 years of social science evidence on why marriage matters to children, its benefits, findings on marital success and failure, and the skills that improve marriage success.

Parenting education is also essential. For an increasing number of people, the ways of parenting that have been traditionally modelled in the family have been lost. United Kingdom MP Frank Field noted that on visits to schools, ranging from those in poor, marginalized areas to better-off regions, young people repeatedly listed “how to be good parents” as an aspiration for their education. Consequently, he proposed raising knowledge about parenting skills within the school curriculum as a first critical component of a new approach to child poverty “if we are to prevent life’s wheel of fortune consistently spinning against the interests of poorer children as a class.”

The birth of a child can be a challenge to a couple’s marriage—financially, emotionally, physically, and sexually. Much time and effort is given to educating parents about the birthing of a child. Little effort is made to assist couples in enhancing their relationship at this important transition, whether they are married or not. A range of resources and programs have been developed to assist parents in the transition to parenthood. The U.S. Building Strong Families initiative is a program for unmarried parents. It arose from the Princeton Fragile Families and Child Wellbeing study, which suggested that at the time of the birth of

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their child, most unmarried parents were still romantically involved and optimistic about their relationships, but a year later, one-third had separated and only 12% married.\(^4\) An evaluation of one of the trial programs, “Family expectations” in Oklahoma, revealed positive outcomes. Comprising three components—relationship-skills education, family support coordinators, and supportive services—the program resulted in a consistent pattern of significantly positive effects on the quality and status of the couples’ relationships, improved co-parenting, and more couples living together.

Premarital education is another area that needs to be expanded. Despite the positive findings, and the common-sense acknowledgement that education about marital relationships can be useful, only a minority of couples undertake any formal program or course. Traditionally, marriage preparation programs have catered to engaged couples, usually—although not exclusively, and not intentionally—from middle class backgrounds. Recent research, however, shows that the specific aspiration to marry is often strongest among those who have the least access to it, particularly those who are in extreme economic disadvantage. Many of these people are unlikely to come in contact with existing programs. While many of the existing programs represent the “gold standard” in premarital education, new approaches are also necessary if more couples are to obtain the benefits of information and skills that may be of assistance to them.

Efforts to promote healthy, stable marriages have been embarked upon in a number of countries in recent years. In a British survey, 57% of respondents believed it was right for government to promote marriage.\(^5\) The U.S. National Fatherhood Initiative Marriage Survey found that 86% agreed that all couples considering marriage should get premarital counselling, 57% of the married respondents said they would attend a free marriage education class if one were available, and 73% of the unmarried persons searching for someone to marry said they would attend a free

\(^4\) See www.fragilefamilies.princeton.edu.

\(^5\) See www.parliament.uk, “Marriage and Cohabitation,” referencing a poll by the Centre for Social Justice.
premarital education class.\textsuperscript{6} The provision of free marriage education vouchers for couples who had notified of their intention to marry was successful in an Australian trial, but the policy was never implemented fully.

Noting the increase in premarital cohabitation, David Popenoe observes that “once established in the culture, cohabitation seems gradually to be corroding the desire of couples to move into marriage,” citing Canadian research demonstrating that cohabitation experiences delayed the timing of first marriages by 26\% for men and 19\% for women.\textsuperscript{7} A promotion campaign would also need to address this group of couples.

Given the overwhelming social science evidence on the advantages for children of being raised in stable, intact families, and the corresponding disadvantages of other situations, the State should not be value-neutral about the circumstances in which children are conceived, born, and raised. Acknowledging that cohabitation is not going to disappear, Popenoe proposes that efforts should be made “to get more cohabiting couples, when they have children, to shift into marriage and maintain that marriage over the long term.”

\textbf{Valuing Family Stability and Reinforcing Responsibility}

The weakening of marriage and the increase in divorce over the past four decades has coincided with a retreat from the idea that some couples can be helped to reconcile their differences and maintain their marital relationship before or during family law proceedings. For decades in the U.S., the conciliation services provided by the courts focused on the possible reconciliation of marital problems. As in the case of Australia’s Family Law Act, no-fault divorce laws were generally constructed on two pillars: First, the centrality or importance of family; and, secondly, the rights and obligations of spouses, both during marriage and upon its dissolution. Despite this, the divorce of the parties remains today the


operational basis of the legislation.

From the 1970s, family courts moved from reconciliation to the concept of divorce with dignity. Research has indicated, however, that a significant number of couples regret their decision to divorce and subsequently believe it could have been avoided. The majority of both divorced men and women continue to believe strongly in the institution of marriage.

Professor William Doherty and colleagues reported recently that they could find no studies that asked divorcing people if they would be interested in exploring reconciliation via professional services. Two previous studies had suggested that the reconciliation rate ranged from about 10-16%. The Doherty study came to a similar conclusion: about one in four individual parents indicated some belief that the marriage could still be saved, and in one out of every nine matched couples both partners indicated such a belief. Overall, in about 45% of couples, one or both partners reported holding hopes for the marriage and a possible interest in reconciliation services. This is a minority percentage, but even a small change in the divorce rate would be significant. Professor Paul Amato considers the impact in the U.S. of a reduction in divorce:

Increasing the share of adolescents living with two biological parents to the 1970 level . . . would mean that 643,264 fewer children would repeat a grade. Increasing the share of adolescents in two-parent families to the 1960 level suggests that nearly three-quarters of a million fewer children would repeat a grade. Similarly, increasing marital stability to its 1980 level would result in nearly half a million fewer children suspended from school, about 200,000 fewer children engaging in delinquency or violence, a quarter of a million fewer children receiving therapy, about a quarter of a million fewer smokers, about 80,000 fewer children thinking about suicide, and about 28,000 fewer children attempting suicide.

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There is a need to rebuild the reconciliation pillar of family law. In the U.S., Professor Doherty and the former Chief Justice of the Georgia Supreme Court, Leah Ward Sears, have proposed “Second Chances” legislation to reduce unnecessary divorce.\(^\text{10}\) Their proposal includes establishing a waiting period for divorce of at least a year, with a voluntary early notification letter individuals may use to inform their spouses of their intentions without necessarily filing for divorce. The proposal also requires pre-filing education for parents of minor children considering divorce, with a module on reconciliation and a module on a non-adversarial approach to divorce.

The taxation system should also reinforce and support stable families in their critical task of raising children. It is an important recognition that two economies exist within nations: the market economy, where exchanges take place through money and where competition and efficiency drive decisions; and the home economy, where exchanges take place through altruistic sharing of goods and services among family members. Allan Carlson and David Blankenhorn write:

> It is precisely the home economy—acts of unpaid production ranging from parental child care and nursing of the sick and the elderly, to gardening, home carpentry and food preparation—that is the organizing principle of family life and the basis of civil society. . . . These little economies are largely undetected in our measurement of the gross national product, just as they are usually beyond the reach of tax collectors. But they are vitally important. If they thrive, the wellbeing of children and society as a whole improves.\(^\text{11}\)

Society often downplays the importance of raising the next generation, or celebrates single life at the expense of intact families. It is impossible to

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offer a simple universal prescription for the appropriate recognition of the contribution that married couples make to the wellbeing of individuals and society. However, there are a series of principles that should inform discussions about the appropriate taxation and payments measures. First, fiscal approaches should recognize the unique contribution of healthy and resilient families to the wellbeing and welfare of individuals, especially children, and to society. At the very least, the taxation and payments systems should not penalize married parents; optimally, it should affirm and support them. Secondly, and more generally, government should not usurp the role of parents and the family, unless dysfunction threatens the life and welfare of individuals. Government should recognize that the covenanted relationships of love, loyalty, friendship, and trust exist outside the political sphere but are essential to the health of society.

In keeping with these principles, families should be able to keep as much of their income as possible while allowing for the provision of those functions that individuals, families, and communities cannot deliver. The alternative—to raise additional revenues by taxation and to return it via welfare payments—is inefficient. Government programs, once commenced, are rarely wound back or abolished. To the contrary, they grow in size and complexity, adding more costs to their administration.

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_This is an edited extract from his book, Maybe ‘I do’ – Modern Marriage and the Pursuit of Happiness (Ballan: Connor Court, 2012)._