

An American Utopia?
A preliminary roadmap to reconciliation politics in the US

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Gornick and Meyer's (G&M) approach to defining a realistic utopia for an American reconciliation between work and family demands is a familiar one: look to Europe and what has been achieved there and suggest that a blend of European approaches could be constructed and imported in some way into the American political system. What makes their amalgamation of policies from different European states seem “realistic” is that these policies do exist now to some degree in Sweden, France, Denmark and other European countries. Moreover, with the widening and deepening of the European Union, policies from one state are being used to leverage family and gender policy change in other EU member states. This is no accident.

The concerted efforts of women's policy networks that are linked around the parental leave issue -- and others, such as sexual harassment, sex trafficking, gender discrimination in the sciences and academia, gender-sensitive budgeting -- are increasingly visible in what the EU calls its “roadmap” to gender equality. Something is visibly taking shape in the EU that one could describe as a European gender equity regime. It is political outcome, still precarious, built by the mobilization of feminist and other women's civic organizations, academic women's expert groups, femocrats in government, and elected women representatives in the parliament of the EU and of the member states and supported by a consensus on the importance of women's full citizenship in a democratic system of representation. It is not, however much we might wish it to be, the American way.

My argument is that Americans who look to Europe for models of what to do in the US on gender equality issues may be utopian but they are not realistic. Though I have little doubt that the policies they propose are generally good for women and valuable for children and families, the vision they offer is of policy without politics, an image of consensus without a discussion of the interests that real people consider their own. This is a matter of framing rather than economics. I am not suggesting that the absolute costs of these policies would be great; indeed, I fully concur that they are modest and manageable. But how to imagine a real utopia implies putting aside fantasies of your own utopia as being those that everyone else's too. Real progress is made by recognizing the path dependency of policy development, acknowledging the strengths as well as the

weaknesses of American liberalism, and shaping proposals for change that recognize the varieties of interests that are likely to be engaged in support or opposition to them.

Pure utopia is when everyone wins and history ends; the messy democratic process of building enough agreement to make progressive change possible implies a continuing adjustment to the realities on the ground, including other people's strongly held beliefs. American social-political realities and belief systems are quite different from those of Europe. If our imaginings are to deserve the label "real utopia" much more attention should be paid to the problems, strengths, and strongly held beliefs of America and Americans. As feminists in Europe have acknowledged, just constructing their roadmap to utopia has been a major accomplishment and one that has been attuned to where and how gains are needed and what roadblocks are present and where. I propose that we do the same: survey the actual ground on which one plans to move forward, in this case the American system, and consider how these real contours of policy and belief can be changed in the utopian direction of a better reconciliation of work and family that does not re-inscribe gender inequalities. Such a policy orientation in the US needs not only to include greater gender balance and fairness for the middle class, but also acknowledge the class and race and religious issues in this country that distinguish Americans from Europeans, not only in their current needs but in their hopes and desires.

It is a well-worn exercise in policy envy to gloss over the differences between the political systems and cultures of Europe and the US, the political structures on which such parental leave policies rest, and the political mobilizations that have been needed to achieve what European feminists see as, at best, a very partial utopia. For over 25 years, American feminists have used Sweden as their image of utopia, much to the dismay of Swedish feminists. M&G are the most recent in a tradition that goes back at least to Adams and Winston's 1980 monograph *Mothers at Work* (comparing family and gender policy in the US, Sweden and China to show how backward the US is). Like Adams and Winston, M&G describe European family policy and gender relations in abstraction from all other political conditions in either the US or Europe. The expectation appears to be that American middle class women and families can be made to feel enough "policy envy" by looking to European (especially Scandinavian) leave policies to trump all of Americans' other concerns about either falling into the pit of horrors in which we allow our poor citizens to live or failing to provide their children the competitive advantages that will secure them a comfortable future.

The sources of these American anxieties are familiar: the absence of a strong social democratic political party, the fragility of unions and assault on union organizing, the wide and growing gap between rich and poor, the astonishing levels of illiteracy, infant mortality, concentrated child poverty, and homelessness to which we have become inured. And the difficulties of dealing with them are only slightly less well-known: the disproportionate weight given to low-population rural states in senatorial and presidential elections, the winner-take-all, two-party system that suppresses third party mobilization, the long history of suppressing voting as a means of winning elections, gerrymandered electoral districts, the hopelessly corrupt private financing of electoral campaigns and the paid advertisements that drive them. Yet these very non-European circumstances are all

bracketed as if they were not really all that relevant to making policy about women and men and families. Because politics and policy are really two sides of the same coin, this is a misconception that makes American policy utopias built on European political assumptions deeply problematic, just as a failure to acknowledge the things that American gender politics does well (gender neutrality in law, anti-discrimination policies that are court enforceable, relatively high rates of women in management and upper levels of academia) glorifies European political accomplishments in ways that make them virtually unrecognizable to European feminists.

This bracketing of family policy from economic and social politics in general is an outgrowth of the general myth of “separate spheres” that thinks of family and work as inhabiting different domains. Family policy is not seen as part of the same domain as all policy – just as dependent on existing state practices and capacities. Although seeming to talk about “real policy” this approach sets gender and family apart from “real politics.” Recognition of the interests and agendas of organized and organizable groups is replaced by discussion of the interests and agendas of abstract positions: mothers, fathers, children, working women, single parents. To consider outcomes in these aggregated categories erases the intersectional nature of real political alignments: not only consideration of how race and class intersect with gender policy and politics, but also the political intersections of party competition for “the center” with investments in existing policy. For example, the generational investments in social security and religious investments in private schools with those new investments in children and families being sought cannot help but shape how Americans “hear” any new policy proposal.

In this paper, I attempt to demonstrate that one can still be utopian if one is realistic about the ground that needs to be covered in the US to move toward a family policy that is good for women, children and families. But one does need a roadmap suited to the American terrain rather than covering the European policy landscape. If American politics can be pushed toward making more women-and-family friendly policy it will be as extensions of what Americans know, trust and value in their lives here, not as imports from a largely unknown and frequently unloved Other. When American practices or policies are admired elsewhere in the world, they are not imported as they are here but adapted and indigenized in various ways. If European models are to be helpful to the imagination of a utopia here, we also need to indigenize this policy vision.

In the following four sections, I outline something far less than a roadmap that one could hope to follow safely. It is a preliminary sketch that suggests how real politics and Americans as they are could be drawn into making family friendly policy that would also be good for women’s equality. It is intended to draw policy scholars into defining just how such proposals could be made even more realistic and achievable. It starts from the premise that American liberal individualism still offers opportunities as well as obstacles to those who want to see justice and freedom increase. I look at four real American policies that both have wide support and face serious attacks from the right, namely social security, public education, reproductive rights, and marriage. I choose these because I believe that progressive politics can indeed come closer to what most Americans really want in these domains than what the extreme right has been offering.

One way in which this “roadmap” differs from the other papers in this conference is that I do not try to specify the way that families should ideally care for children. I strongly believe that this positive-law European approach to an ideal type is not the American way of making policy decisions. American family policy does exist, and it does bias “choices” of Americans now, but it does not make institutionalization of such preferences its goal explicitly. Instead, it allows such biases to exist and inspires those who benefit from them to defend them, without mobilizing those who are harmed by them to recognize them for what they are. My goal in this sketch, therefore, is to highlight the features of existing systems that work now *against* American ideals of equal rights, equal opportunities and freedom of choice, and how they can be politically reframed to better allow both women and men to achieve the balance between work and family that G&M’s attitude data shows they desire.¹

Social Security²

My mother had seven children and worked for pay too – like most mothers, seasonally, discontinuously and in part-time jobs, most of her life. When my parents retired, they enjoyed several good years of travel and other luxuries they had missed through their working years. My mother’s social security record in her own right was more than the half of my father’s, so worth collecting at all, which immediately placed her in a better position in terms of “getting what she paid for” than most married women of her generation, whose social security taxes provide no additional benefits in retirement, being smaller than the 50% of their husband’s benefits to which they are entitled as a “dependent spouse.” When my father died, however, my mother was shocked to discover that while she continued to collect his union pension and her own tiny one, social security works very differently. She now had a choice between collecting social security on her own record or as a surviving spouse. Needless to say, she took the larger pension, my father’s, but continues to feel that she was deprived of her own benefits unfairly.

The gender logic behind the way social security was structured – and restructured – in the 1930s to 1970s was once unassailable. Since most wives did not work for pay, too many women would be left in penury if there were no survivor benefits, yet there also needed to be a means to ensure unmarried women and widows a route to a pension in their own right. These were imagined as two different groups. Since the modal exception -- married women with children who regularly worked for pay -- was African American mothers,

¹ I do not think that reshaping individual preferences by policy is either novel or illiberal. I have made efforts in this text to point out how the existing system itself is continuing to shape men’s and women’s choices and to reward those that are more congruent with the breadwinner/housewife ideal of middle-class policy makers. Although there have been efforts to un-make some of these assumptions, they are hotly contested. This is the politics we ignore at our peril.

² By “social security” I mean the retirement and disability portions of this Act, rather than the means-tested welfare provisions (ADC, later AFDC) that have been replaced by TANF. It is important to recognize however that these were once one system, and from the beginning aimed to include both children and the elderly in the legal conceptualization of income-entitled citizens. The difficulty lay primarily in conceptualizing unmarried mothers as income-entitled, a problem that only grew worse as more of them were employed, more non-white women became entitled to coverage, and social security language was converted into ostensibly neutral terms like “dependent” and “spouse.”

the racist exclusion of the domestic and agricultural employment where they were occupationally concentrated from the social security system as a whole pushed the issue of dual entitlement into a “black hole” from which it has yet to fully emerge. Even though urbanization (as well as legal reforms) brought more African American women and men into this system, semi-legal employment (under-the-table payment) still marginalizes them as well as Hispanic and Asian legal immigrants. Like school desegregation, much of the change in social security was from de jure to de facto exclusion. [data here on % of uncovered workers by race and gender]

Various reforms and amendments to the social security act were made in the 1960s and 1970s. The issue of dual entitlement surfaced in the 1970s, and several adjustments to the system were made. The Supreme Court held in 1976 that men needed to be covered on the same terms as women, and so young widowers could collect on their wives’ earning records without having to prove that they had been dependent on her. In 19xx divorced spouses were vested with some rights to their partners’ pensions as long as they had been married for ten years (reduced from twenty). Although helping “displaced homemakers,” one spouse (typically a man) could have several former spouses collecting dependent’s benefits on (his) higher earning record, but a dependent spouse had to choose which former partner’s earning record (if any) would be calculated to replace their own record, and these could not be combined. Years spent in uncovered employment were used to reduce the total pension earned based on the years of covered employment to prevent the military, teachers and other government employees with two sequential careers from “double-dipping.” Elderly retirees were allowed to marry under certain conditions without losing their pensions based on earlier marriages.

Sensible in some ways as these changes were, they have greatly increased the gender inequity in the system, while the relatively low cap on wage and salary income subject to social security income has necessitated a steady increase in the flat tax levied below this level. As a consequence, social security taxes fall hardest on lower middle class and working class families, feeding the anti-tax anger that the political right can mobilize to cut income taxes on the upper ends of the distribution. Yet social security remains the one most popular American redistributive policy because of its apparent link to one’s own efforts and its obvious effectiveness in reducing poverty and unwelcome dependence among the elderly. Even in the rightward-leaning political climate of 2000-2005, moves to “privatize” social security were blocked.

This is a social and economic policy groundwork on which an American family leave policy could be built. By highlighting the current unfairness of the system to women workers and the prohibitive costs to real families of drastic changes such as privatization, a gradual, modest and personalized “adjustment” could be made that would both secure the overall system fiscally and extend its coverage in ways that would build more political support for it. Like past adjustments to “fix problems” such as occupational exclusions, marital instability, and sequential careers, the present “fix” would address the problems posed by increased longevity in old age, the prevalence of sequential monogamy, long-term changes in the dependency ratio, and the inability to combine

types of retirement benefits to reflect how women have also combined work and family life. There are three pieces to this proposal.

First, without touching the earnings records already accumulated under the old rules, from this point on, each worker would truly have an individual earnings record that would cumulate for each year. Americans believe in individualism but also in partner marriages (two spouses who share the load of work and family life), even if they achieve neither. In this variant of an income-sharing proposal, marriage would continue to matter, but it would be taken into account in a continuous rather than all or nothing way at the time of retirement. In each quarter in which a person was married,³ each person's earnings record would be the sum of both partners' earnings added together and divided by two and credited to the account of each individual. A person who did not want to share a pension entitlement would have to not be married, but sharing (or not sharing) in any given quarter would not change either the past record accumulated or the record that would be calculated in future quarters. One high-earning person married to three different spouses for ten years each would thus not be entitled to have (his) contributions be the basis of three dependent's benefits plus his own; one low-earning person married to three different spouses for ten years each would not have to choose one pension from among the four potential ones based on her own earnings and the half-pensions of three ex-spouses. Mostly significantly, for childcare time taken out of the labor force, the zero quarters that are now put in the care-taker's earnings record would be replaced with a half-entitlement to the wage-earner's earnings records.

When I have discussed this hypothetical provision with my students, they invariably say that few men would be willing to see their earnings records cut in half for their own retirement if their wife is staying home. What if they divorce, the students ask? And then the debate breaks out in which the complete allocation of this risk to the one who "chooses" to stay home is generally seen as unfair, and the argument that this is a "partnership" carries the day. Without suggesting that my students are typical, the idea that when one is in a marriage the risks and benefits should be shared equally is one with considerable resonance in the US. Since this is proposed as a policy to be phased in, couples would be going into such a marital partnership with their eyes open.

Second, the combined earnings record in marital quarters and separate earnings record in non-marital quarters allows for sequential combinations and removes one major source of women's old-age poverty. Part-time, intermittent and low wage work – so typical of mothers -- should also increase a person's entitlement to retirement benefits, allowing a

³ Depending on the continuing virulence of the "gay marriage" debates and passage of such amendments, this policy could focus only on marriage (still, a major achievement in US policy terms) or be expanded to cover "registered tax partnerships" (not only civil unions for couples in sexual relationships, but all household partnerships that saw themselves as income sharing units – e.g. two unmarried sisters, mother and adult daughter raising children, etc). All marriages would automatically be registered partnerships, but not all tax partnerships can or should be marriages. These tax partnerships would be state registered and dissolved but would not be either marriages or civil unions. For convenience sake, I use "marital" and marriage to refer to both marriage and registered tax partnerships, though in terms of securing the policy change, I believe limiting it to marriage initially would be strategically sensible, waiting for generational change in attitudes to push for the next extension.

combination of parts rather than a choice between them, both for married and unmarried workers. This would on the one hand reduce the incentive that such workers have to work “off the books,” since under the present system knowing that these taxes will not in the end increase their own standard of living makes secondary earners (often mothers) willing to work under the table for cash and creates a supply of low wage workers for middle class mothers. Women who now are willing to hire other women as maids and nannies rather than demand their husbands’ participation at home would find the calculation of such costs shifting when her staying home would cost him retirement income and her hiring help would cost them both the employer’s share of social security.

The combine-and-split method of calculating earnings records would also make clear how unfair the present ceiling on taxable income is. At present, a high-earner who makes 150k per year has 60k of earnings exempted from FICA, and if the spouse were to work, the earnings from this source up to 90k are again taxable, leading upper income couples to decide that it “doesn’t pay for her to work” and to resist cutting his earnings back to 90k to contribute some of his time to childcare too. Under our current system, a couple with \$150k based on a single earner pays **less** in taxes than a couple with \$150k earned by two partners, even though the latter couple’s expenses for childcare are likely to be greater. But in a combine-and-split system, all couples whose earnings are \$150k would be treated the same (as being \$75k from each). The current policy that exempts high earnings from FICA taxes is a recognized incentive toward concentrating the earning power of the couple in a single worker (couples mention it when discussing their “rational calculation” of childcare and work plans). Changing the incentive structure would increase fairness within couples, among couples with different child care preferences as well as for women who are now bearing all of the costs.

The combine-and-split model would also help African American men. The continuing combination of racism and sexism makes Black boys and men especially likely to be targeted as “bad boys” and criminals, imposing discontinuities in their earnings records, increasing discrimination against them in the labor market, and reducing their returns for education. Insofar as Black women are

Third, since eliminating the ceiling on the income that would be taxable must be part of this reform, it should go along with an increase in benefits for families. In particular, any person who has accumulated at least 20 quarters of covered employment should be entitled to draw down their social security account by a quarter for family and medical leave⁴, for each quarter used for such leaves. The rate of benefits paid for such Family and Medical Leave would be fixed to be equal to that currently paid at retirement for the median worker, making this wage replacement more helpful for lower wage workers who are less able to call on private benefits. However, it would be permissible to combine this base rate of social security with private benefits (as is now the case with private pensions for the elderly) allowing sick leave, vacation time, disability benefits or and even a very low level of hours of paid employment as is now the case for retirees.

The reduction in pension entitlement could be taken as either as a reduction of income (for those who are employed for less than 160 quarters as a result) or as an extension of age to retirement (to reach the 160 quarters at which calculation of benefits would be capped). For married couples, the minimum unit that could be taken would be a half-year and it would be paid by a reduction of a quarter each in the calculation of benefits for each partner, making it more likely that the progressivity of the system as a whole is not used to disadvantage one lower-paid partner in a relationship. For everyone the maximum that could be taken would be 20 quarters or five years, whether these quarters were drawn out all at once or sequentially.

The use of quarters (as the current system does) accommodates the in-and-out quality of care-givers' employment, and the definition of the leave as available at any point in life to any person who has accumulated the time allows some to "bank" the time for later-life caregiving responsibilities (for an ill parent, child or sibling) and creates a community of interest among those with and without children (as the 20 quarter rule means that even 50 year olds could see a personal interest in having such a leave option accruing in their account). Pegging the benefit levels of leave-takers and average retirees to be equal creates a community of interest between generations rather than a conflict, and keeps both groups engaged in making sure that its value is not eroded by inflation.

There are several other implicit benefits in this plan. There is a positive incentive for low wage workers to be in the system and to accumulate the equivalent of five years of work experience (even if discontinuous) before having a child. Single parents and married parents are treated equally, and brought up to a standard of income that reflects the median considered decent for an elderly retiree, thus re-linking the welfare of the elderly and the children into a single system. The removal of the earnings cap is tied to a move to increase fairness among different types of couples and is not simply a "soak the rich" strategy, but would in fact assure the long term solvency of the system. The fact that young families could get benefits from the system immediately removes the argument that it would "not be there for you when you retire" and strengthens trust in the existing intergenerational compact. The nature of modern marriage as a "chosen partnership" is affirmed without penalizing those who are unmarried or marry more than once. Marriage and divorce after one has begun collecting benefits would be pension-neutral since the benefits each partner brings are and remain his or her own. The costs of time out of the labor force are born most visibly by both partners who have young children or other family or medical needs, but as most people would have few "zeros" in their earnings records and the system as a whole would be more progressive as a result of the lifting of the earnings caps, the system would in fact have a redistributive function in which more of the costs of caretaking – either for young children, the ill, or the frail elderly – are born collectively. Yet it does not conjure up the notion of a new tax and a new state bureaucracy that has made Americans so resistant to paying for such leaves. It would also give young families more of a stake in the social security system as a whole, not only protecting it from attacks by privatizers, but potentially raising the level of voting participation among such families.

It is important to note that this plan is not a “European-style” childcare leave. It does not single out women as especially likely to be the users of this leave nor restrict it to a certain age group, thus diminishing the discriminatory effects on women’s employment that are the bane of European systems. It does not prescribe how family labor should be allocated or at what ages children are going to be most in need of care, and it encourages “saving” one’s leave time for when it is needed most (or cashing it in for an earlier retirement age if one is able and willing to wait). It would allow American policy makers to get rid of the differential age of retirement by gender which is an anomaly in our usually gender-neutral system without penalizing women by making them fit “a male model” of continuous careers, which is an increasingly uncommon model for men as well. Yet as useful as this model is, it only addresses the need for more economic support for at home care-giving. To get to a real American utopia, additional systems would need to change.

The public school system

American public schools are fossilized innovations. They were once a model for much of the world in making literacy broadly available and offering an education that was not class-segregated. They continue to be familiar, reliable and valued state institutions, but they no longer meet either of these goals. In most middle-class neighborhoods, they are the primary providers of daytime childcare not only during school hours but in an increasing variety of after-school programs and activities. Teachers are still viewed with favor rather than scorn, and teachers’ unions are among the few credited with having any political power. This is not the case in poorer neighborhoods, nor among the religious right who fear that their values are being attacked by secularism in the schools. Neither of these are major problems in Europe, at least not yet.

There are several good reasons that American schools are under attack. They are failing to do a good job with the less affluent portions of our population and re-inscribing racism though tracking within schools, segregation between neighborhoods, and funding unequal to the demands placed on them. The perceived discrepancies among states, regions and races led to the misguided passage of the test-driven No Child Left Behind act. This “reform” promises to exacerbate the problems of rote-learning, disinterest and drop-out among the poor by a heavy-handed federalism without dealing with either the racism or the competitive pressure that has segregated schools, inflated house prices in areas perceived to have good schools, and increased the attractiveness of less-accountable religious and home-based education (the latter not only by taking children completely out of the system but also by paying for separate music lessons, test-preparation sessions, language classes, etc). Elderly voters see no commonality of interest with young families and vote down school funding measures, leaving children selling over-priced wrapping paper door-to-door to maintain the more “fun” learning experiences: real experimental materials in their science classes, museum trips, gym class or marching band.

“Charter school” movements are attempts to finesse the growing call for more state support for private (often but not always religious) schools where parents can pay for what their children need to get ahead without also helping their “competitors” from other

families, races or social classes, as well as the discontent of poor, ethnic minority, and urban families with the under-funded, segregated schools that their children attend. Charter schools, unlike voucher programs, are part of a public system, but they are likely to be less neighborhood-based, allow more organizational flexibility, and are expected to be of sufficient quality to compete in a “market” for students. I suggest that the charter school movement could be co-opted to serve as tool for distributing high quality childcare to Americans. Rather than fighting against charter schools as a category, which is often a position that alienates African-American, Hispanic and Asian families as well as those poor and working-class whites who are also trapped in bad neighborhoods and their bad schools, it would be a real utopia to direct that political energy toward building charter schools that have as their mandate more help for working parents. Since at this point, the charter school movement is identified with the political right and is being used to represent themselves to ethnic minority voters as understanding their plight, it would be pushing against an open door to for people on the left who wanted to offer more and better childcare centers to begin to demand more money for charter schools also. The charter schools that I would gladly support would have certain key features.

First, every such “new way” charter school would begin with pre-kindergarten for 3 year olds that was full-day and staffed (like the rest of the school) with fully-licensed, unionized teachers.⁵ Each school would also offer an extended day and extended year, but with more flexibility afforded to parents to take children out of school for up to one month per year (in addition to the six weeks when the school is closed) for “educational activities” such as travel, home-schooling, religious education, music camp etc. at any time of the year. The flexibility of this parentally controlled time (the extra month need not be taken) makes classes “unstable” but encourages project-oriented learning in smaller groups. Part of the “charter” is thus an agreement to give children more hours in supervised learning situations but with a programming structure that decreases the time children spend in regimented rows doing test preparation. Moreover, as they typically already are, charter schools would not be neighborhood-based but would have to rely on a lottery among all applicants for new admissions. Children who began at age 3 in a school would be entitled to remain in it as long as the parent(s) wished, regardless of where the parents might move (or whether they have a fixed address at all).

The condition for federal funding that would have to be imposed on such charter schools is that they would have to be in session from 9 to 5 for all but the six weeks plus 20 days of short holidays (1-3 days at thanksgiving and other legal or religious holidays of the school’s choice) and offer classes from pre-preschool for 3 year olds to 9th grade. (The 10-12th grades and voc-tech/community colleges would be combined and also be free but would be organized separately). Teachers would be paid on a pro-rated basis by month with current full-time salary scale for the current number of hours and months taken as a

⁵ I do not doubt that some modifications of union rules would need to be made, perhaps assuring some sort of re-accreditation and continuing education, more career ladders and promotion-based merit rather than seniority pay, an application and selection process for the school and the ability to be let go into the general pool of teachers, etc. but the charter school movement need not be an anti-union one as it has become in the hands of the right.

base-line, but with teachers encouraged to work part-time or part-year as well as year-round full-time (at the same rate of pay pro-rata).

Federal funding would be per capita and include an optional breakfast hour at 8 (open to all), lunch and a late-afternoon snack. The level of federal funding for a charter school should be sufficient to relieve the school of the necessity of relying on local property taxes (and should be pegged to be about equal to the average cost in that state of supporting one prisoner for one year), and this funding should come from a charter school fund at the federal level, paid for by an increase in the corporate tax rate (since they would be the beneficiaries of a better trained work force). These charter schools would be encouraged but not required to also offer on-site care for children who are 6 months to 3 years old, with certified teachers earning the same rates of pay and entitled to the same benefits as the other teachers.

Amplly funded, well-paid, openly available childcare for 3-5 year olds should therefore not be separated from making sure that the same quality of care is available for 6 to 14 year olds, and that quality is again to be designed high. A real utopia for American families could not start without taking into account how sadly many of our present schools fail to meet these criteria now. Unlike European plans for childcare, the lesser density of American settlement patterns would need to concentrate pre-school and school-age children together, and it should be possible to develop “baby-buses” fitted with appropriate infant-toddler seats to do pick-ups for the children. European children are expected to make their own way to school (on foot or in public transit), and in many cases, also to provide their own meals or return home in the middle of the day. This is a constant concern for European feminists, who see how often mothers are being channeled into gender-segregated, part-time occupations to meet the time demands of public schools. An American system would have to be different, both in how it addressed the needs of children of all ages but also in how it would alleviate the problems of short and irregular hours that plague mothers of school-aged children.

Part of the reason, European feminists point out, that American women are able to have children and also demanding jobs that allow them into higher level occupations in management and academia, is that the US school system is more accommodating and that the childcare crisis is thus considerably alleviated once children enter school. This should not be true only for middle and upper middle class women in America, but the “new way charter schools” should be able to demonstrate how well this can be done for lower-middle, working-class and poor families too. If such demonstration projects can be funded and shown to succeed, they will win adherents and have school systems as well as parents demanding the federal/state aid to have them in their communities as well. If the corporate tax rate has to be raised again to support the continued spread of this model, it would be again with a clear idea of just what the funds are paying for. Unlike Europeans, Americans are distrustful that their taxes will actually bring them benefits, and any model that is going to be adopted will need to be demonstrated to be effective (perhaps first at a state level) in order to gain political purchase.

But it is crucially important that such schools use locality-based funding at any level below that of the state or nation as a whole, since using urban or neighborhood borders for eligibility reintroduces all of the incentives for resegregation that plague American schools now. De jure segregation in the US has been replaced by de facto segregation that is, if anything, more extreme. Demonstrating that this need not be the case is as important to an American project for social justice for families as insuring that caregiving is made easier and less gendered. If such charter schools actually do benefit parents and children, they will “vote with their feet” as well as in the ballot box and thus make them a reality (as public libraries and public high schools once spread here as well, to a large extent replacing their private competition).

Reproductive rights

The US is also unlike Europe in that it is riven by a deep and angry conflict over the right to legal abortion and even access to contraception. The “social conservative” or “value voters” of the US have helped to elect governments that have worked against their economic interests even before this particular conflict emerged, but there is little doubt among those who study this issue that it has fractured much of the former coalition for social justice and energized those who define “protecting the family and the fetus” as their (often but not always religious) mission.⁶

Thus there are two interrelated challenges for American family policy advocates: to reclaim the “high ground” of sympathizing and supporting real women and their families without adopting the premises that good families are patriarchally organized, two-parent households; and to refocus the debate on women’s rights, fetal “right to life” and “pro-choice” politics to change policies that harm women, pregnant women, and mothers and do not protect fetuses. This part of the “roadmap” focuses on this second concern. Defusing the abortion debate, I believe, demands first recognizing the real hollowness of “pro-choice” language for many pregnant women, providing more than mere language about “reproductive rights.” Policies that actually give more women the access to such rights involve offering more help and less punishment, exposing the real agenda of those prudes who primarily are seeking to punish non-marital sex, the racists who want to control poor or non-white women’s decisions, and the population-controllers who pose as liberals but want to restrict all or some women’s childbearing.

The weakness of American support systems for single women who have children is not just a cause of the scandalous levels of child poverty in this country but a strong deterrent to giving birth for any pregnant woman who is not in a reliable union with a man with equally reliable wages. Focusing on the fact that women who face emiseration and stunted opportunities for life if they choose to bear a child makes clear that we are not in

⁶ It should be noted that some who are anti-abortion activists became religious as a result of their work with their religious allies rather than their religious beliefs driving them into politics (cite) and the world view that inspires activism is complex and various as well as deeply felt. Assuming that one’s opposition is brainwashed or simplistic is a convenient but dangerous way of avoiding examination of one’s own political premises.

fact a “pro-choice” nation, and that our supposedly liberal abortion laws are not in fact designed to ensure choice but to permit abortions. Defending these laws in the name of “choice” makes us into hypocrites, and the women who are forced, and feel themselves to be forced, to make a decision to abort a child that they would have preferred to carry to term are not surprisingly bitter and repulsed by a posture that does not take their situation seriously. Their own decision, even if they were allowed to make it themselves rather than having it forced on them by their parents or boyfriend, is not one that they experience as “free” but as socially and economically coerced, and this feeling feeds their ambivalence and possible later guilt, both of which the right has shown themselves well able to exploit. Unless we intend to continue to fill the ranks of anti-abortion activists with women whose reluctant decisions and subsequent guilt are being mobilized to demand laws that they imagine would have protected them, we need to develop a policy that actually offers them reproductive rights rather than the fiction of easy adoption or the necessity of reluctant abortion, which is as much a real problem as the birth of children who are genuinely unwanted and about whose termination of pregnancy their mothers feel genuine relief.

Both of the policies outlined above would be major steps toward ensuring real choices since individual women who have worked 20 quarters are guaranteed a median retiree wage for up to five years and would have access to quality childcare from the time their child was six months old, allowing them to return to work. But major problems remain: girls still in school may not be entitled to benefits yet, single women who become mothers are still frequently cut off from further education and even married mothers face discrimination on the job, including direct threats from employers to fire them as well as maneuvers designed to make them quit. Moreover, women who are delaying childbearing into their late 30s and early 40s to avoid the interruptions and discrimination that they anticipate as they establish their careers are facing lower fertility later, our medical system is being distorted to pay for the increasing demand for “assisted fertility” of a high-tech sort, C-sections are rising along with pre-term births and infant mortality. In other words, neither poor women nor affluent women are well served in their reproductive lives by the “choices” offered to them, but the social and economic costs of such skewed policy continue to rise.

I see two utopian proposals that could simultaneously address the actual dysfunctions of our system, increase real choices for women, and reduce abortions. First, one has to begin from the assumption that “only women can reduce abortion”: that individual choice and responsibility are the heart of the matter, that making abortions illegal increases maternal and infant mortality without reducing abortions, and that it is unjust to make women do what they feel is not morally right. Respecting religious belief, rather than seeming insensitive to it (bumper stickers that assert “if you don’t like abortion, don’t have one”), demands that the conditions be created for women to actually be able to choose without either legal penalty OR economic punishment. Thus, rather than funneling women who are ambivalent about abortion into pseudo “counseling centers” run by “pro-life” groups who offer short-term financial assistance along with deceitful information about medical risks, provide freedom to doctors (or other licensed clinical practitioners) to offer full and honest counseling about the options and medical risks as they see them (no gag rule about

abortion or contraception, but also no interference by the state in what doctors could say about developing life or their own moral as well as medical beliefs), and require all doctors, regardless of specialty, to be educated about the medical implications of pregnancy (for patients with cancers, heart conditions or diabetes etc. as well as for the healthy population that sees ob/gyns and general practitioners).

Moreover, replace the kind of hand-me-down donation charitable support that pseudo clinics can offer with real aid that the state offers anyone who registers for it and train and subsidize clinics (those that provide abortions and those that do not) to inform pregnant women of the real benefits that are available. These benefits should include: continued education both while pregnant and in the three years following (in the no-cost high school/community college system, which should offer AP courses and transferable college credits as well as vocational training); loans (up to the value of the median retired person's social security benefit, just like the earned credits) to all pregnant or lactating women/girls (designated "people" in our non-gender specific way of writing laws) which do not carry interest and are not due to be repaid for ten years from the time of borrowing. They can be combined with earned parental credits in any quarter, and would be of most use to single mothers, working women who breastfeed and need supplemental childcare aid, young women who fear that having a child will derail their education, and women who have no private benefits to supplement their social security (which is after all, not generous for retirees either, and they do not have the costs of the child to bear as well). The help is therefore not means-tested, but women have a choice as to whether or not they believe it to be useful and are willing to carry the debt later in life. Like student loans in general, it allows people to invest in their own futures and promotes choice and responsibility.

In addition, this loan program could carry another advantage in not coming due for ten years, since the repayments then would begin to help cushion the unevenness of demographic cohorts by putting money back into the system at or before the time when the next generation will need it for their own leaves. Mothers who took such loans and have a child who is medically certified as disabled at or before the repayment schedule begins would have their loans forgiven as a means of helping to make the intensive care for such a child slightly more affordable. Mothers with children disabled at birth for example, could "borrow" such money knowing that they would not need to repay it, making a decision to bear fetus to term knowing that there are serious odds of disability more feasible. None of these loan programs would be means-tested or labeled with the stigma of "welfare" but would be directly tied to a physical condition (pregnancy or lactation) that can be assessed without probing into the circumstances in which sex occurred (marital or non-marital, for rich or poor alike).

A second aspect of the "real choice" program for reproductive rights would demand serious penalties for other people (related or not) who threaten violence to a pregnant woman or her health provider(s) in an attempt to sway her decision in either direction. Thus this would imply not only seriously prosecuting the dangerous anti-abortion protestors who threaten and attack clinics, but also coming after any boyfriend or husband, family member or friend who threatens to harm a woman who bears a child out

of wedlock or in circumstances these others consider shameful or inappropriate (as a result of a rape or incest, in interracial affairs, etc). Protecting women's decision in either direction with the full force of the law would be necessary not only to ensure her real freedom, but also to make clear to religious opponents of abortion that their preferences are not the ones being singled out for suppression.

Related to the law enforcement dimension of ensuring real choice, existing anti-discrimination laws would need to be extended and enforced. Laws that prohibit discrimination "against pregnant people" should include prohibitions against discrimination against "lactating people." While program design should ensure that young women are not singled out as being "motherhood risks" to employers (as anyone of any age can take a social security leave and in small increments), those employers who are found to discriminate against parents should also be restrained by law from doing so. A few high profile class action suits would be helpful in institutionalizing a culture of "parental protection" in corporate America.⁷

Again, this approach to helping women decide more freely between having and not having a particular child at a particular time is particularly American rather than European. By developing a policy structure that addresses the actual obstacles American women face in realizing the ideal of free choice that they hold, rather than cynically exploiting it for electoral advantage on either side, women and their families benefit, and the "hot button issue" of abortion would not be allowed to fracture the left and make the right appeal to the values that religious Americans of all races hold dear. The US is not the largely secular landscape that Europe presents, and taking the moral values as well as the material needs of working-class and poor Americans seriously will be required to build a politics that could address their real needs. Self-reliance, choice, and freedom are not served by current reproductive rights policies, and advancing an agenda that would meet these needs would expose the racist, prudish, population-controlling authoritarians as the enemies rather than the advocates of women's own moral and responsible decision-making.

Defining marriage

While neither the social security entitlement for family and medical purposes nor the support given in the form of loans to pregnant and lactating women depend on marriage to be effective, the proposal to end the binary choice between marriage and not-marriage, dependents' benefits and individually accrued benefits would be vulnerable to the claim that it was either too inclusive (if it failed to treat legal marriage as the only route to combine-and-split record accumulations) or too exclusive (if it failed to recognize the

⁷ Such antidiscrimination measures should of course be written in American style gender neutral language, even if employer stereotypes make women the disproportionate target of such unfair treatment. While the law should address direct discrimination, such discrimination should not need to meet the threshold test of "maliciousness" (i.e. explicit admission of discriminatory motives). As the legitimacy of direct discrimination declines, indirect forms of discrimination (such as meeting held out side of school hours that have no demonstrable "business necessity" for this scheduling) would become more prosecutable.

couples who were prohibited legally from marrying or who chose not to marry)⁸. Obviously, if the anti-gay prejudices that inspire “defense of marriage” laws fade in a generation (as most polls predict to be extremely likely, given the generational differences in these attitudes) then civil unions or even marriage could be made more inclusive and the problem would go away. But working on the assumption that we want a roadmap to a real utopia now rather than in a generation or so, demands reframing the problem of American marriage in a very different way, highlighting how it is already very different from European marriage and poses distinctive risks to American children. In this section, I draw particularly on the work of Andrew Cherlin who has been systematically developing this international comparison.⁹

As Cherlin shows, using the Families and Fertility data set, Americans marry earlier, divorce more frequently, and both marriages and cohabiting unions are more fragile in the US than in Europe. As result, American children born to *married* parents are more likely to see their parents’ union break up and, if the union has ended, to see a new partner enter their household. Cherlin argues that it is not separation be se but instability that is bad for children, and that this extreme instability in American unions (both marriages and cohabitations) is not something that religious revival can hope to address, however worrying it may be. Changing our focus from divorce and singleness to instability can both help to build support for the programs already outlined, but helping children may also call for addressing the instability problem as such. Understanding that Americans (unlike Europeans) do turn to religion – not the state - to help deal with family concerns, and that the US has a large and lively population of diverse religious communities that are competing with each other for membership would be essential for making any roadmap to utopia more “real” in its premises.

Let me just review of a few of the figures that Cherlin presents to underscore the scope of the problem for Americans (compared to Sweden, France, the UK and Germany)¹⁰. First, Americans are religious, as we all know, but also are more likely to think that religion is generally helpful in managing family life. The less-religious Europeans are about twice as likely to think that religion is helpful than they are to go to church themselves, but Germans and Americans value their religious beliefs both concretely and abstractly. However, the level of religiosity is twice as high in the US as in Germany.

	Go to	religion gives	marriages	See marriage	children
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⁸ Actually, the binary that current laws falsely enshrine is that between “men” and “women.” Since ubiquitous TV talkshows have accustomed Americans to the idea that there are transsexuals who are “men trapped in women’s bodies” and vice versa, the “problems” they present to the law can easily be made visible as well: for example, some states insist that “current sex” governs marriage (so a FTM can only marry a woman legally) while other states insist that birth certificate sex holds (so a FTM can only marry a man legally). Texas and a few other states allow marriage licenses to be drawn up based on either a driver’s license or a birth certificate and so allow a FTM to marry either a man or a woman depending on what form of identification is presented to the clerk.

⁹ *American Merry-Go-Round*. New York: Alfred A. Knopf, forthcoming. Figures from Ingelhart et al. and from Justin Timberlake, cited by Cherlin.

¹⁰ I list these from most to least secular, and add Germany as a state whose family and gender policy remains strongly driven by “strong-breadwinner” policies and institutionalized religious lobbies.

	church once a month or more	adequate answers to family problems	ending within 15 years of formation	as an outdated institution	who live with 2+ maternal partners
Sweden	09%	18%	28%	20%	18%
France	12%	28%	20%	36%	08%
UK	19%	30%		26%	
Germany	30%	39%	27%	18%	15%
USA	60%	61%	41% (religious)	10%	30%
			56% (not) ¹¹		

As these figures show, Americans have a distinctively strong faith both in marriage and organized religion as institutions that matter for themselves and their families, but their faith is not seen in their works. Despite their commitment to religion and marriage, the actual instability in marriages in the US is two to three times as high as in Europe, even among those individuals who describe themselves as valuing religion. And American children, even in heterosexual parents, face a high level of household instability despite the fact that their parents' unions are more likely formal marriages than is the case in Sweden. In fact, over 8% of American children live with three or more maternal co-residential partners before the reach the age of 15, compared to at most 1-2% in European countries.

As a result, while the combine-and-split social security system would at least recognize these realities, the loans and social security available to single mothers would reduce the need for them to seek a male partner for a paycheck, and the ability of a child to stay in one school if the parents want this even if they separate or move are all features of an American system that acknowledge and respond to this reality, it remains the case that many are disturbed by the fragility of marriages that they see around them. Social scientists concur that such instability is bad for children, and social policy ought to respond to this felt need without encouraging mobilizations in "defense of marriage" and without breaching the separation of church and state. Given the powerful ideological force of individualism in American culture, one that Cherlin shows to be crucial in even evangelical Protestantism (e.g. *The Purpose-Driven Life*), a real increase in parental union stability will be difficult to achieve.

One possibility would be to offer marriage counseling as part of what we can only hope would be a more universal health care system, making it available at little or no cost or with a sliding scale of co-payments. Another option, and one that might be more attractive to the majority of Americans who attend their church/synagogue/mosque regularly and trust their religion for help with family problems would be to provide a tax-supported "voucher system" to parents which would enable them to get marriage counseling and/or child-rearing advice from any certified counselor, whether religious or secular, up to a certain number of visits per year. This number could be high in the first

¹¹ Those who do not describe religion as being very important or important to them.

year of a child's life and decline with each passing year or be stable for the entire period from 0 to 16. The "marriage counseling" vouchers would be given on a 50/50 basis to each parent, whether or not they were residing with the child in that year and would be issued on the basis of parental status, not marital status, while "child-rearing" vouchers would be issued on the basis on co-residence with a child, not parental status.

Rather than assuming that the poor are somehow more in need of advice about how to run their lives than those who are better off, and that such advice-giving is only valuable when a parent is willing to hear it, the voucher system is both universal and voluntary. Rich parents whose selfishness might be ruining their child's life could perhaps be drawn into counseling by their child, who could bring the voucher to any counselor (again, religious or secular). At the same time, the recognition that our rootless but religious society is not doing a very good job of helping parents do their job would allow both religious and secular parents to turn to (and indirectly subsidize) the advice givers they trust, as long as they have been certified (as going through a criminal background check, sexual harassment and child abuse training, and meeting a standard of a certain number of hours of education and clinical practice, whether in religious or secular institutions).

To the extent that social science and clinical practice provide a background of knowledge and experience that new parents or struggling partners do not have available to solve problems, the increase in counseling available will help to strengthen families. Addressing both the actual instability and the sense that families are threatened will help to defuse the "family values" anxieties that threaten our politics, and also provide families with a self-chosen source of advice and information about the expanded array of material benefits that the other changes in policy would make available. Rather than leaving individuals to make their own way through an array of choices and shifting opportunities, as the Medicare drug plan assumes, this policy would recognize that some parents need help in managing the challenges of raising children and attempt to provide such help before crises come to such a point that foster care, child abuse or family dissolution are the alternatives.

We have more families in unstable and crisis prone situations than is the case in Europe. While improving the material conditions for raising families and doing so in way that would increase gender and race equality, and diminish stigma and means testing for the poor would go a long way to reducing such crises, it is also a real utopia to imagine that people are not left alone in psychological and social ways to deal with the problems that maintaining committed relationships and raising healthy children poses. Acknowledging the stress that capitalism puts on families would not in itself cure it, but offering financial support and social legitimation to asking for help would at least be a step in that direction. Treating drug and alcohol problems in the context of such universalized entitlements to counseling would also help to mitigate the stress that such problems put on children and families. And supporting the religious institutions that individuals choose to help them on the same terms as the secular ones would be a step toward reducing the perception of anti-religious bias that social science schemes for families attract, as well as accepting the validity of diversity in American life.

Conclusion

The call to be utopian in our thinking should not be taken as a justification for ignoring what we already know about the political and social realities that our policies would address. One of the most fundamental of these different realities is that the US is not Europe; moreover, most Americans do not want to be Europeans. Pining for social policies that would be feasible and effective in the EU is not a realistic way to design a roadmap to utopia for US conditions. Getting control over our own policy envy is a first step, and paying attention to the potential lurking in American policies for extension and further development is a second. Bringing in the actual political mobilizations and conflicts that are part of American life, rather than dealing in the abstract categories of women and men, parents and children, takes the third step toward recognizing interests and experience, and rather than imposing authoritarian plans encourages policies that allow people to set their own life goals. The fourth step is a more intersectional analysis of race, class and gender as aspects of existing social inequality that a just society must address. The fifth and final step – coming at the end rather than the beginning of the process – is framing the policy proposals in language that resonates with the American public in general and so can be advocated in politically familiar but progressive ways.

Advancing real choice, responsible parenting, equal treatment, opportunities for education, stable families, and so on should not be either treated as remnants of “traditional values” that can be jettisoned in the new era nor as dangerous opening wedges to an unsustainable “male model” of competitive individualism. The care-work balance that policy could create in the US will be unlike that of Europe in that it will put more emphasis on flexibility over the life-course rather than institutionalizing a “normal biography,” give more weight to individual choice in how the optimum balance for work and family could be found in different family situations, allow for more recognition of individual responsibility in earning benefits and paying back loans, guarantee more protection from economic discrimination on any basis (age, gender, religion, race, ethnicity), and make more space for religious values and religious differences to be acknowledged without being institutionalized in the state. In all these ways it might not be a mere echo of the European social welfare state, weakened to fit, but a vigorous and original American liberal form of economic provision for children and social inclusion for caregivers.

The obstacles are of course not trivial; this is a utopia of which I speak, even if in real terms. Racism and existing income differentials continue to make any sort of common cause across race and class lines deeply problematic, and nativism is again rising. The absence of real health care benefits for so many American children is a further scandal that this policy scheme does not address. Existing levels of illiteracy and skill deficits among 15-30 year olds will not be seriously addressed by any of these proposals, nor will mental health care for single adults be made available. The list could go on. However utopian this set of proposals may seem, I am well aware that they hardly begin to usher in a real utopia for many Americans.

Nonetheless, I appreciate the opportunity to exercise my imagination in this way, and hope that the flight of fancy in which I have engaged also offers some starting points for imagining what your own American utopia would be like.