

THE RECOVERY OF FAMILY LIFE

THE RECOVERY OF FAMILY LIFE

Exposing the Limits of Modern Ideologies

SCOTT YENOR

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To Amy

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PREFACE AND ACKNOWLEDGMENTS

Near the onset of his *Democracy in America*, Tocqueville recognizes the rise of democracy as a “providential fact,” in that it is nearly universal (especially in the Western, modern world), enduring, and seems to escape human control. Tocqueville praises the Americans for containing that democratic revolution within bounds so that the equality that democracy brings is consistent with genuine human flourishing. He especially praises the American family, supported through a relatively moralistic public opinion and a healthy respect for the differences between men and women, as promoting satisfying, communal lives in an otherwise quite individualistic world.

The Sexual Revolution, afoot since the 1950s, at least, shows that Tocqueville may have been too optimistic about the good sense of the Americans. Public opinion is no longer as family and marriage friendly. A healthy respect for sex difference can hardly be mentioned in polite company among the nation’s elite. The mores surrounding sound marital practices have been upset in a concerted effort to promote greater individualism and liberty, among other things. In fact, this Sexual Revolution appears to be the culmination of the democratic revolution that filled Tocqueville with a sort of religious dread. The Sexual Revolution seems, like the democratic revolution, to be universal and almost providential as its revolution rolls on and on. We are still only in the infancy of this Sexual Revolution. We proceed without a frame of reference or adequate knowledge of what Sexual Revolution is, and we often lament or praise what the revolution has accomplished without turning our eyes to what remains to be done in its name.

This book is an attempt to show where the Sexual Revolution is heading—which is onward toward an abolition of marriage and the family. This is an extreme statement, and few today express such a goal. I hope to show that the incremental reforms of the revolutionaries point toward the abolition of marriage and the family and, further, that the revolutionaries entertain no principle that could restrain that abolition. Their principles and premises point to a never-ending revolution in marriage and family life—I call it a rolling revolution. This seemingly irresistible revolution continues to advance amidst the ruins of what it has destroyed.

This book also attempts to show where this revolution falls short of understanding the human condition and hence to identify the limits to its rolling revolution. In any event, some account of this revolution from outside its dogmas is indispensable for understanding our times. Perhaps ours is a time when the interests of philosophy and politics meet—when the attempt to step outside our cave and pursue the truth about the human condition is also politically necessary. I seek to appeal to all who would understand the human situation instead of those who would simply apply the “modern” or pursue the revolution. I also hope that revolutionaries who have forgotten or never knew their principles or reject the destination of the radical revolution may find reason for pause in what follows. Today’s lukewarm reformers may not recognize the revolution as their own: my analysis encourages them to ask about the grounds of their seeming moderation.

I cannot guarantee that I have sympathetically understood all aspects of the Sexual Revolution. There are genuine questions of evidence on this. The testimony of later thinkers is rarely as deep or penetrating as the founders of these movements. It may appear that I have smeared today’s moderate advocates for the Sexual Revolution with the principles and arguments of yesterday’s unseemly, radical thinkers. That is far from my intention. Several insights inform my approach. Seemingly moderate advocates have real interests in hiding all the implications of their policies and thoughts, for fear that today’s somewhat popular aspirations will betray the larger, less popular project. Sexual revolutionaries have every interest in misunderstanding and misrepresenting thoughts and ways inconsistent with their goals. I take every care to present the thinkers of what I call the rolling revolution as they would understand themselves and to identify the kernels and more than kernels of truth in their modes of thinking. It has been a painful undertaking to get underneath the Old Wisdom that the rolling revolution would displace. I have sought to understand this Old Wisdom just as sympathetically as I approach the new.

Nothing will be easier to criticize than this book. It treats a great diversity of objects. Future readers may be able to cite isolated facts that contradict specific arguments. They will be able to point to omissions and a lack of learning or social science in various parts. They will be able to accuse me of a

lack of charity in my attempt to articulate a particular point of view. Vantage points may differ. I try to maintain a “civilizational” perspective while others are more concerned with recent obstacles and advances. I hope readers will judge the general thrust of this work and its general thesis and be willing to forgive what might appear to be sins of omission or commission in the particular parts.

No work of this scope can be completed without many conversations and arguments, mostly among sympathetic friends but also with those who disagree. Several institutions helped. Boise State University and my then-Chairman, Brian Wampler, provided a sabbatical during the 2015–2016 academic year. I spent that year at the Heritage Foundation, where David Azerrad and Arthur Milikh, my bosses in the Simon Center for Principles and Politics, pushed me to sharpen my thinking and clarify my writing on the family. Some chapters in this book began as First Principles essays I wrote for Heritage. More importantly, the time at Heritage allowed me to think this book’s framework into being. Since my time there these friends have pushed me to see more and further. Baylor University Press, first under the directorship of Carey Newman and now under the leadership of David Aycock and my handler, Cade Jarrell, has provided thorough reader reports and allowed me the space I needed to pursue this argument. Speaking engagements at several universities and other places have also helped me to sharpen my ways of thinking.

Many others have prodded me to think through my argument and its application to our present condition or have helped me bring this manuscript to completion. I hesitate to mention any by name, in part for fear of omitting anyone and in part to protect the names of the innocent. I alone am responsible for the analysis that follows. To my friends, teachers, students, and interlocutors—continue to enjoy the gift of life, to use our precious freedoms, and please know that I am grateful.

I am most grateful to my family. As I completed my first book, my young daughter Sarah had just survived cancer; she is now nearing twenty as I publish this book. Four of my children—Jackson, Travis, Sarah, and Paul—have grown up to honorable adulthood, and Jackson has married a wonderful young woman, Leah. One more child—Mark—sits on the cusp of being a teenager. Having and raising these five children with Amy, my wife of over twenty-five years, has been a singularly enriching experience and a great adventure. Sarah’s illness was the trial of our lives (so far!). We have both come to realize that human beings are never really freed from trial and that there is no garden of perfect peace and contentment in this life. The trip together is beautiful, but the destination lies beyond. Take this book, Amy, as an emblem of my love for you and ours and my vow to honor and cherish you until death does us part.

OUR NEW FAMILY REGIME?

A sexual revolution is taking place among us; all see it, but all do not judge it in the same way. Some celebrate this revolution as the fulfillment of the democratic and modern promise, and seek more ways to deepen and extend it. For these advocates the revolution represents being on the “right side of history.” They judge all proposals for change by whether they keep the revolution rolling. Others think or affect to think that the great revolution is a product of happy accidents (“the ’60s” or “the pill”), but sinister forces could rally to reverse it in a backlash so it is crucial to be forward in defense of yesterday’s gains. Others see the sexual revolution as an element of an irreversible democratic revolution, and they despair of all efforts to limit the revolution; they retreat or plan a retreat from this new world. Others see the *seemingly* irresistible march of the sexual revolution as part of the democratic revolution, but see how that revolution ignores many human goods and undermines human thriving and political prosperity.

This last perspective animates this book. To arrive at this perspective is difficult, since few pursue philosophic knowledge about the nature of marriage and family life. People are mostly concerned with *today’s* controversies, finding little time and energy to invest in deeper understanding about what political communities should seek to accomplish with marriage and family life and what marriage and family life are. Those claiming philosophic knowledge spend their energy working out the principles of our *public* philosophy, where human things are susceptible to remaking according to our arbitrary

human wills. These pretended philosophers of family life conjure ways to establish greater human liberation or autonomy—and leave behind the old marriage and family life.

A better philosophy recognizes that the human world is not infinitely plastic. Human nature, marriage, and family life cannot be made, unmade, and remade according to any reformer's fancy, to achieve the goods that reformer would like. All ways of organizing marriage and family life involve costs and compromises. We may not always be able to see those costs and compromises and we may not always look, but the logic of nature is there, in what we do and what we leave undone. The beginning of wisdom about marriage and the family involves knowing what challenges of nature they respond to. The irreducible core of marriage and family life centers on sex, procreation, education of children, and an adult dyad (at least) who bear common responsibilities. There is also a predictable structure to how the goods of marriage and family relate, though there is not perfect support in nature for how goods are structured. The logic of nature limits how marriage and family life are lived in a particular time and place.

The way marriage and family life are lived reflects a way of understanding and ranking goods such as love, independence, equality, justice, and community. Consider a few examples. Emphasis on extended family and intergenerational responsibility, characteristic of aristocratic families, comes at the price of individual freedom, emotional attachment, public justice, and choice. Emphasis on independence within marriage, more characteristic of modern democracy, comes at the expense of community within marriage and responsibility to one's grandchildren or one's grandparents. Emphasis on romantic love within marriage comes with some cost to stability and endurance and to concern for "external goods" such as children or property.

Different political communities tend to have different family structures and different rankings of goods, or different *family regimes*. By *family regime* I mean a manner of distinguishing the valuable from the non-valuable concerns of family life, of attaching shame or honor, of connecting pride and unconcern to actions within marriage and family life, and of imagining how the various concerns of marriage and family life relate one to another in a particular time and place. Just as, per Aristotle, there seem to be a limited number of political regimes, there are a limited number of family regimes. The great changes in marriage and family life, underway throughout the Western world and beyond since the 1950s or 1960s, mark, in the final analysis, a displacement of an older, dependency-making marriage and family regime with one centered on autonomy (more on this in a moment). Marriage and family life are complex interplays of nature and political regime, or culture and law (as we say today). Marriage and family regimes follow the logic of nature—revealing the power and durability of nature. There are different family regimes—revealing

the power and durability of political regimes—but there are not an infinite number of marriage and family forms, which would undermine our ability to study and talk about these human things.

Family Regimes within the “Fatal Circle” of a Political Regime

Marriage and family life are embedded in political communities, which transform them to an extent. To use Aristotle’s frame, forms of human association like the household and village, concerned with meeting daily and non-daily needs, do not force inhabitants to ask what it means to live well, but citizens in political communities are free to think about what it means to live well. As a result political communities organize themselves around commonly held ideas, arrived at through speech, about “the advantageous and the harmful, and hence also the just and unjust.”¹ While families and villages are temporally prior to the emergence of the city, the political community is “prior to the household and to each of us,” for Aristotle, since citizens and households take their character from the political community in which they dwell. Placing the household within a particular political community gives the household a particular hue consistent with the principles of advantage and justice embodied in a political community’s *regime*—its way of life or its common understanding of the advantageous, good, and just. Democratic regimes manifest more egalitarian relations between parents and children or husbands and wives, while oligarchies have more oligarchic or hierarchical relations between parents and children or husbands and wives.² All political communities are partial in their understanding of living well, emphasizing some idea of justice and some particular understanding of the good and advantageous at the expense of others. All aim at part of the truth, but none grasps the whole truth when it comes to governing a city. All regimes “fasten on a certain sort of justice, but proceed only to a certain point, and do not speak of the whole of justice in the authoritative sense.”³

Recognizing the partial character of each political community is no more than saying that political communities are founded on contested and contestable opinions about the good, true, and beautiful. It is to say, with St. Augustine, that a political community or a people “is an assemblage of reasonable beings bound together by a common agreement as to the objects of their love,”⁴ though none of their loves encompasses all lovable things. It is to imagine, with Plato’s Socrates, that the education of citizens is like living as prisoners in a cave, where poets cast shadows on the wall that harden into citizens’ opinions about the advantageous, good, beautiful, and just,⁵ though none of those opinions is complete as an *idea* of good and beautiful things. It is to say, with Alexis de Tocqueville, that “there is a society only when men consider a great number of objects under the same aspect; when on a great number of

subjects they have the same opinions; when, finally, the same facts give rise in them to the same impressions and the same thoughts,” and to follow him in recognizing that “the social and political constitution of a people disposes it to certain beliefs and tastes which then become abundant without difficulty; whereas these same causes turn it away from certain opinions and penchants without working at it and so to speak without suspecting it.”⁶

Study of political things reveals that regimes tend to become purer, more one-sided, and hence more exclusive and extreme as time goes on; they become more and more *like themselves*.⁷ A predominant good, virtue, or characteristic, perhaps important at the onset of a regime, becomes of ever-greater and eventually of overweening importance as the regime’s life proceeds. Tocqueville, for instance, shows equality of condition is the “generative fact” in modern democracy, which, as his *Democracy in America* shows, “modifies everything that it does not produce.”⁸ For Aristotle democracy (justice as equality or the rule of the poor) and oligarchy (justice as inequality or the rule of the rich) were the most prevalent regimes. Democracies decline when the parts of the city that used to restrain the love of equality or the poor’s thirst to rule erode.⁹ Oligarchies at first are broadly based and have low property requirements, but the oligarchs “tighten” the requirements and concentrate more power in fewer, wealthier hands.¹⁰ Aristotle never writes that regimes *necessarily* have a gravitational pull to become purer, though his treatment of democracy in book 6 of *The Politics*, among other places, makes this seem the likely scenario for political life.¹¹ As regimes *tighten*, they ignore elements of the human good that a partisan political community no longer sees.

For Aristotle a regime can resist its own gravitational pull toward extremism, blindness, and purity through *mixing* its predominant goods with other less dominant human goods. Thus his famed mixed regime. Elements of democracy and oligarchy may be blended—all can vote but juries have property qualifications or vice versa, for instance—or the mean between democracy and oligarchy can be established.¹² The great difficulty of establishing a mixed regime lies in the fact that the “voice” of one side is easier to hear in a particular regime than the voices outside of it. The gravitational pull of a democracy, for instance, makes it difficult to recognize virtues that result from natural inequality, difference, inequalities in property or wealth, and human excellence. No constituency for nondemocratic goods exists in a democracy, and a big constituency arises for exposing nondemocratic goods as elitist, sinister, and tyrannical, and democratic politicians win power by attacking such inequalities mercilessly.

Education “relative to the regimes” preserves regimes, for Aristotle. Such education counters the manifest tendency of a regime, through appreciating the other side.¹³ This educational variant of political mixing is much easier said than done. Tocqueville suspects that such political mixtures do not work,

just as Aristotle sees how difficult securing mixtures can be. “The government called mixed,” Tocqueville writes, “has always seemed to me to be a chimera . . . because in each society one discovers in the end one principle of action that dominates all the others.”¹⁴ Time reveals a gravitational pull in politics, though conflicts and events can obscure its direction for a time. Tocqueville recommends using a species of the political mixing chimera to combat the gravitational pull. The “whole art of the legislator” consists, he writes, “in discerning well and in advance these natural inclinations of human societies in order to know when one must aid their efforts and when it would rather be necessary to slow them down.” In Tocqueville’s immediate examples, aristocratic times focused on the next world may require a legislator inducing citizens to focus on the goods of this world and even to encourage “new desires” of the body and physical studies bordering on materialism. Democracies, inclined to focus on material well-being, demand statesmen “relentlessly raising up souls and keeping them turned toward Heaven,” spreading a “sentiment of greatness, and a love of immaterial pleasures,” and turning their minds to the long term.¹⁵ Democratic statesmen would find ways to “sell” nondemocratic virtues on more or less democratic grounds. Tocqueville is skeptical that democratic people will have ears to hear and hearts to love what does not strictly reflect equality of condition, but human beings will best thrive in a democracy only with an appreciation for such nondemocratic ways.

Marriage and family life can be leading edges for the purification of a political regime as it becomes more extreme. As a regime becomes purer, marriage and family life are very likely to mirror the new extremism. Oligarchic families become *more* oligarchic as political oligarchy tightens. Oligarchic families may emphasize the transmission of property above all else in family life, or emphasize the rule of the man within the family to the detriment of familial love and companionship. Marriage and family life can also be vehicles for mixing a regime or obstacles to the purification of a regime. There may come a point when married couples or families themselves in an extreme oligarchy buck the regime within which they live and from which they receive some of their ideas. Think, perhaps, of a Christian family in a narrow oligarchy—one that refuses to reduce the marriage bond to an economic relationship or one where a father willingly lays down his life for his children or wife, even though he has the power to rule the family with an iron fist. Such experiences cannot be understood in terms of oligarchy.

Much the same is true of families in democratic regimes. Families tend to become more democratic as democracies become purer or more extreme. The Roman or aristocratic family (where the father had absolute, arbitrary power over children and a wife), Tocqueville writes, in the strict sense did “not exist” in nineteenth-century America. One found only “vestiges of it in the first years” after the birth of a child.¹⁶ Americans of Tocqueville’s day had

a special way of understanding sexual equality as well, one that dignified the sexual division of labor or the idea of public man, private woman. Vestiges of inequality and difference remain even in our late republic: some parental authority over children exists, many people still marry and live together, and men and women still think of themselves as somewhat different. Yet our late modern regime eliminates many inequalities and seeks, in a manner of speaking, to promote the independence of all. Our democratic family regime has become ever purer as the political order has become ever purer; changes in marriage and family life also abet the making of a more democratic political order. As the family regime purifies, democracy comes up against its own limits. Are elements of marriage and family life so rooted in nature, necessity, and morality that an extreme or purified democratic family would cease to be a family in any recognizable sense?

An image from Tocqueville, the very last words of *Democracy in America*, illustrates the fate of marriage and the family within our modern regime. Some people, Tocqueville writes, entertain “false, and cowardly doctrines” that unmanageable forces control human affairs—like many of our advocates today, they trace social change to fate or the “right side of history.” It is not history, however, that moves, but the drama of a political regime. We live in a “fatal circle,” which we cannot leave but within which we are “powerful and free.” Modernity is the “fatal circle” of today’s politics and today’s family regime. All actions concerning the family take place in a regime committed to equality of conditions (among other things), but it depends on us whether this equality leads us “to servitude or freedom, to enlightenment or barbarism, to prosperity or misery.”¹⁷

Statesmen must understand the nature of marriage and family life *and* the fatal circle within which they can operate. There have been tremendous changes in marriage and family life since the advent of modernity. As politics separated from the Church, so also did marriage move from covenant to contract. As political communities opened the vote to more citizens and accepted women to full citizenship, women’s independence loosened marital and familial bonds. The welfare state became more interested in household issues such as education, health, and income support. As families became less concerned with economic production to meet their daily needs, they had fewer children. Generally, as modern principles shape peoples, marriage and family life have sunk in importance compared to goods such as individual freedom and career achievement; marriage and family life have become more temporary; old marital forms have been undercut with greater acceptance of divorce, living together outside of marriage, having children outside of marriage, and same-sex marriage; sex outside of marriage is more prevalent; the culture that seems necessary to cultivate character conducive to marriage dissipates.

The difficulties of educating relative to the family regime are manifest in marriage and family life—there may not be ears sufficiently willing to hear or strong enough countervailing opinions with which to mix. Countervailing opinions and experiences exist in marriage and family life, however. Marriage and family life can correct political regimes, since an irreducible core related to the permanent issues of love, procreation, sex, and education makes marriage and family life more necessary than institutions of political justice. A family can be a “haven in a heartless world” (in Christopher Lasch’s phrase),¹⁸ supplying individuals with attention and demanding the loyalty of individuals as few other institutions do. It is private to an extent and hence escapes the shaping effects of the political regime somewhat.

The Modern Family Regime of Autonomy, Properly Understood

Our modern world has a family regime, a way of imagining marriage and family life and love. I explored the rise of this purer, more extreme family regime in *Family Politics: The Idea of Marriage in Modern Political Thought* (2011). Two ideas especially transformed marriage and family life in modernity. First, the idea of marriage as a contract slowly displaced the idea of marriage either as a sacrament or as a moment creating a community transcending the individualistic standpoint of contract. Individuals now mostly think of themselves as free to determine the terms of the marriage contract—its duration, its form, its purposes, its depth and breadth. In early modernity, individuals conformed to an idea of marriage that society made; society inhibited divorce, for instance. In late modernity, individuals seem to decide for themselves the nature and duration of marriage; society’s role has receded. Once society upheld marriage as important to the perpetuation of society through its role in the procreation and education of children, but today marriage is seen to be, in the words of *Obergefell v. Hodges* (the Supreme Court decision mandating same-sex marriage), about an adult’s “expression, intimacy, spirituality” centered on choice.¹⁹ With the triumph of contract, marriage and family life are more made for the individual and less able to take on public purposes or reflect publicly approved forms.

The second powerful modern idea is that human beings should seek to bring nature under rational human control. Many of the things that appear as “givens” of the human condition—for instance, the birth process, procreation, the differences between the sexes, the fact that children are taken care of mostly by their birth parents, our dependence on others—might be remediable parts of the human condition if we but created new institutions to deal with them. The greater our control over the “givens” of life, the greater our freedom and power. Perhaps single parents can replace the two-parent family. Perhaps other ways of engineering children will replace the genetic lottery

of sexual reproduction. Perhaps state institutions could replace the family as primary vehicles for education. Perhaps society can overcome sex differences. As modernity proceeds, human beings, in a sense, exercise their will more over their condition and create a new moral and physical continent for future generations.

The ideas of contract and of conquering nature merge in the contemporary concept of autonomy. Autonomy demands more than consent. Truly autonomous choices must, on an ever more radical understanding, be made without the influence of imposed habits, human reason, education, social pressure, legal pressure, cultural expectations, previous decisions, our sex or bodies, or any other external demand. Autonomous choices spring from an individual's will alone, lest they be traceable to something alien to the individual. This affords individuals a chance to make themselves what they, for whatever reason, want themselves to be. Autonomous people may still forge bonds with others, but autonomous bonds must be continually re-willed and renewed. If bonds were "natural," "corporeal," "habitual," or "divine," our liberty would not proceed from our will alone and individuals would be less than autonomous. People must be free to form relationships and to exit relationships when they stop serving their life plans. This means close, intimate relations must be open as to the form and number of partners and the extent of their commitment.

With the rise of autonomy, contemporary liberalism, which makes autonomy its chief concern, appears as the goal of modern political thought as such. Before the twentieth century, the concept of autonomy hardly appeared in political discourse. Each thinker and most laws had good reasons to embrace ideas of contract or movements toward conquering nature, but also to mix the embrace of such modern principles with other principles that restrained, limited, and regulated them. When early modern thinkers embraced ideas of contract or recommended the conquest of nature, they may have been offering, in the spirit of Aristotelian mixing, principles that balanced the patriarchal and otherworldly nature of the previous feudal or aristocratic regime. Marriage was a contract (acknowledging individual freedom), but for necessary purposes involving the procreation and education of children (acknowledging the limit on the contractual mode of thinking), for instance. Parents had rights and power to oversee the education of their children toward independence, without thinking that children were either consigned forever to live within the extended family or that they were already independent.

The situation appears different now and the mixing history has given way to a view that all thinkers sought autonomy, but had only just begun to work out its meaning.²⁰ Changes in family practice and "family law are fully in accord with the rise of a modern, secular, individualistic state."²¹ All aspects of marriage and family life are being reconceived in terms of liberal autonomy

as contemporary liberals march across marital and familial institutions. This march is what I call the *rolling revolution* in marriage and family life. By *rolling revolution* I mean the seemingly unfinishable series of changes in marriage and family life toward the realization of individual autonomy. Virtually all changes in law, practice, and opinion in this area have had the effect of stripping away the Christian or traditional aspects of marriage. Cohabitation, fornication, and adultery are not only no longer crimes, but are more and more accepted as matters of course and perhaps even as highly recommended practices. Contraception and abortion are legal, widely available, used, and honored. People have fewer children. Marriage is no longer limited to heterosexual couples, and hence less related to the needs of the body or the state's interest in the procreation and education of a future generation. Gender identity is, in decisive respects and ever more, seen as the product of choice or assertion. The gravitational pull of regime-level politics makes these developments appear as "living up to our ideals" or applying modern principles to all facets of life. What from the perspective of political philosophy appears as purity and tightness, and hence as destructive of the regime, appears as progress and the realization of justice to our rolling revolutionaries inside the regime.

A new balancing effort is required in a world that itself seems new. Political and familial health require education against autonomy that points to and appreciates human limits. These human limits are grounded in the body. They also implicate crucial moral goods that attract human beings—including most prominently the goods of love and human happiness. This new balancing ethic, integrated into a public philosophy, emphasizes responsibility and duty, not rights; the long term over the short term; the body and its necessities, not autonomy; the goods associated with human dependence such as love, not the glorification of autonomy and independence; and the virtues associated with sexual difference, not gender neutrality.

Perhaps the most striking feature of today's marriage and family landscape—where one finds little public support for marital roles or for marital stability, and where people can live together and drift apart at will—is that marriage is as strong as it is today. Call me an optimist, but things could be much worse! Still a majority of children in America are raised in intact marriages by their biological parents. Still more than half of marriages last until death. Still most women have children and manifest no little desire to care for them. Still men and women, by and large, act differently within marriage, though they may be embarrassed about that. Luckily the goods to which family life appeals are still grounded in practice, though our regime of autonomy makes it difficult to see these sources of marital and familial health and the public benefits that accrue from that health. Those who would defend marriage

and family life lack the vocabulary to do it and have a hard time showing that the rise of autonomy is hardly an unmixed blessing.

The fact that things could be worse does not make a defense of a mixed family regime any easier. One must divine, as Tocqueville suggests, when to aid the efforts of reformers and balancers, when to slow them down, and, I would add, when to resist further rolls in the revolution. One must seek resources and arguments suited for the hearing of today's ears, though there may not be enough ears to hear and the ears have been trained not to hear. Any defense of marriage and family life in our situation must expose the hidden assumptions and blind spots of those who advocate for the rolling revolution. This often means defending Old Wisdom, on topics that touch on people's identity, pride, and passions. In any event the demands of statesmanship coincide with a philosophic respect for truth, and it is almost impossible to be a statesman at our late date without possessing philosophic or at least genuine wisdom.

Plan of the Book

Today's rolling revolution structures our vision of marriage, family life, love, sex, and gender. It does so through deconstructing Old Wisdom about marriage, family life, love, sex, and gender and offering new autonomy-centered ideas.

Part 1 of this book lays bare how our rolling revolution reflects the aspiration of the modern regime to achieve autonomy. It brings the conclusions of my *Family Politics* into our time, and shows how autonomy advocates seek to restructure and reimagine crucial aspects of human experience, marriage, and family life. The desire to achieve autonomy sets forth a rolling revolution in several areas of family life. Efforts of feminists (treated in chapter 2), contemporary liberals (chapter 3), and sexual liberationists (chapter 4), in their own ways, follow from the modern aspiration for autonomy in its most radical form. Each presents a great challenge to marriage and family life. All three interacting in the world roil marriage and family life.

Feminism, we shall see, points to the abolition of gender; as gender has some relationship to sex, it requires the forgetting of the body and the minimizing of a sexual difference that has its roots in the human body and closely related psychological traits; as those bodily roots can point to marriage and family life, a successful feminism aims to abolish marriage and family life. Contemporary liberalism seeks to reengineer the family as a state-created unit for the giving of care so that the public takes no notice of and does not favor any particular brand of human relationship. Sexual liberationists seek a sexuality freed from procreation, from relationships such as marriage, and from morality as such: for them sexual desire is a building block that everyone should be able to integrate into their chosen life plan as they see fit, so long as

it is, for some reason, consistent with the equal ability of others to choose their life plans. They seek a world beyond repression.

Part 2 provides a critique of each movement within the rolling revolution. Chapter 5 presents an account of what feminism ignores—and hence of the limits of feminism. The world that feminism would like to see runs up against some tough nuts to crack, including most prominently the persistence of sex differences traceable to the body and the goods these differences serve. Its approach to these differences—namely, that they are really gender differences—is hardly a half-truth. Sex provides persistent grooves within which gender is always imagined and understood, and these grooves support the ways people pursue happiness and meaning in life. Chapter 6 presents the limits of contemporary liberalism. All laws peddle some kind of morality, and the contemporary liberal approach emphasizes what is known as the “pure relationship,” one where all aspects of the relationship are chosen or determined by the autonomous will of the individuals. Furthermore, that liberal aspiration cannot account for inescapable parts of the human situation that it must acknowledge. Liberal theories assume that those who give birth to children should, in some fashion, be parents of those children, but liberal theory cannot on its own terms justify that assumption.

Chapter 7 presents what is problematical about sexuality in sexual liberation theories. The sexual desire that liberationists affect to favor is always more civilized than natural sexual desire is prone to be. Sexual desire and expression are not simply “repressed”; human beings govern and subordinate sexual desire. Those having sex are not often concerned solely with gratification and release: personal considerations—questions about whether one has done right for oneself or for the others—are part of sexual relations, as are the shame and modesty that accompany and protect sexual relations. Sex is different from other animal desires in human beings—and the efforts among the sexual liberationists to make it consistent with animal desire leaves out the relational element and the special significance of sex to personal identity. The liberationist’s effort to make sex about pleasure and gratification also runs up against male and female differences in sexual relations on these and other matters.

Together parts 1 and 2 of the book show the partisan character of our late modern family regime. Part 1 is an act of prognosis about what the fully built-out feminist, liberal, and liberationist projects require, as their own advocates say; part 2 is an act of recovery of the Old Wisdom that must be ignored or suppressed for the rolling revolution to continue apace. The rudiments of part 2 ground the project for those who would reestablish or continue defending a mixed family regime amidst the rolling revolution.

Part 3 applies the Old Wisdom in part 2 to our contemporary situation. This is the statesmanlike portion of the book, where I seek to identify the

vulnerabilities in the rolling revolution and to recommend ways where those who would maintain the mixed character of our family regime can accomplish something. Sometimes this means returning to the Old Wisdom on particular policies and seeking ways to vindicate it in new circumstances. Sometimes it involves anticipating and defending against the rolling revolution's upcoming advances. Sometimes it means violating widely held new norms deriving from the rolling revolution. Sometimes it means asking questions that are uncomfortable or indecent. I have tried to adopt few temporizing expedients, but to probe the defects in the rolling revolution to the bottom and sometimes to suggest radical cures. This conduct, I hope, will stamp wisdom and dignity on what I have written, and, I hope, what I have written will be looked to as a luminary, which sooner or later will spread its influence.²²

This task happens on many fronts. I lay out the principles family advocates should adopt and how to apply those principles, knowing that no book can cover all of the circumstances where the rolling revolution challenges the Old Wisdom.²³ Chapter 8 lays out the general framework for how a modern society must understand marriage and family policy. There are natural passions out of which a sound marital culture can be built, but none or few of these passions point unambiguously to marriage and family life. Governments can take actions indirectly, through favoring a particular form of marriage so as to shape and civilize those passions, and through shaping the environment within which human beings make dutiful decisions about their lives.

Chapter 9 on the new sexual regime begins to treat how societies can come to privilege procreative, marital sex within this general framework. Nature provides more than a few incentives in this direction, but the family regime and broader culture can either aid or deflect nature. Sometimes elements of our contemporary culture must be challenged directly. What I will call our reigning civil rights ideology, which imagines that every disparity or inequality is traceable to an act of unjust oppression, condemns the broad culture as both homophobic and misogynist. This mode of thinking cannot endure if we are to discover and defend a healthy marriage or family culture. There will be disparities traceable to sex differences—and disparities reveal much about the ways of men, the ways of women, and the ways of those who have sex with those of the same sex.

Chapter 10 concerns the theoretical question “What is consent?” as it relates to consent to sex, the age of consent, and divorce. The tendency in the rolling revolution is to see consent as overcoming circumstances, biology, and the givens of life, but going all the way in this direction would lead modern societies to inhumane conclusions.

Chapter 11 forms an interlude of sorts, where I name the new “problem with no name,” the decline of marital character. It addresses the question of how men and women have changed since the advent of the rolling revolution

and how those changes compromise marriage and family life. Changes in our world affect people at a personal level. Everything combines to affect such character—the predominant mode of thinking affects what individuals value and the way of life that they would lead.

Chapter 12 concerns two of the main dilemmas of promoting marriage and family life in a liberal society. First, how might parental rights and duties be conceived of in a liberal society? The predominant approach, good enough in the main, emphasizes parental rights, but it also opens the parent–child relation up to much regulation from the state because the state is allowed to intervene “in the best interests of the child.” The state’s idea of the child’s “best interests” often clashes with the parents’ idea, and under modern circumstances the state is increasingly likely to win this conflict where it deems the conflict important. A deeper investigation of the genuine conflict between the family and the political community—a conflict as old as politics—reveals the dangers each poses to the other, and points to a more family-friendly manner of policing the boundary between the two. Second, how might a culture more suited to marital and familial values be promoted? I answer this through an investigation of the deregulation of obscenity and pornography. Much modern law and culture abets the proliferation of pornography. The proliferation of pornography on the internet is both an effect and a cause of declines in marital responsibility. Those interested in maintaining the compromised family culture of today must start with knowing why they should oppose public nudity, public fornication, child pornography, and other innovations. Opposition to these things points toward the need to roll back laws that have deregulated pornography. I outline a series of steps whereby this could be accomplished.

This book, like the rolling revolution it criticizes, could be endless. The rolling revolution affects marriage and family life in many untold ways. The conclusion in chapter 13 consolidates as much practical guidance and theoretical wisdom in a few words as possible. Proponents of the rolling revolution have put forward much wisdom that has become our old clichés. We need new clichés! I provide these, as well as my theoretical basis for thinking that my new clichés are superior.

NOTES

1 Our New Family Regime?

- 1 Aristotle, *The Politics*, trans. and ed. Carnes Lord (Chicago: University of Chicago Press, 1984), 1253a15. See also Aristotle's treatment of regime at 1276b1–3, 1280b30–35, and specifically at 1289a15–20, where he likens regime to “what the end of the community is in each case.”
- 2 See, for instance, Aristotle, *The Politics*, 1292b5, 1293a30, 1294b22–25, and esp. 1310a14–36; Aristotle, *Nicomachean Ethics*, trans. Robert C. Bartlett and Susan D. Collins (Chicago: University of Chicago Press, 2011), 1158b12–19 and 1160b23–1161a2; and the account of declension of regimes in Plato, *The Republic of Plato*, trans. Allan Bloom (New York: Basic Books, 1968), 544a–569c, esp. 553a–c, 558b–c, 562e–563a, which depicts regimes as corresponding to the particular character of private men arising from corresponding families.
- 3 Aristotle, *The Politics*, 1280a9–11.
- 4 Augustine, *The City of God*, trans. Marcus Dods (New York: Modern Library, 1993), 706 (bk. 19, chap. 24).
- 5 Plato, *The Republic*, 514a–521b.
- 6 Alexis de Tocqueville, *Democracy in America*, trans. and ed. Harvey C. Mansfield and Delba Winthrop (Chicago: University of Chicago Press, 2000), 358 (1.2.10), 518 (2.2.15).
- 7 Leslie G. Rubin, *America, Aristotle, and the Politics of a Middle Class* (Waco, Tex.: Baylor University Press, 2018), 40–41.
- 8 Tocqueville, *Democracy in America*, 3.
- 9 Aristotle, *The Politics*, 1292b25–1293a11.
- 10 Aristotle, *The Politics*, 1293a12–33.

- 11 See esp. Aristotle, *The Politics*, 1318b9–1319b32, where he compares the “oldest” and “most decent democracy or polity” where the people’s rule is mixed with a deference to the “best persons” because the people lack leisure with the “final sort” of democracy where “the base element . . . is more in the front of one’s eyes” and the meanest sorts rule.
- 12 Aristotle, *The Politics*, 1294a35–b18.
- 13 Aristotle, *The Politics*, 1310a12–39.
- 14 Tocqueville, *Democracy in America*, 240 (1.2.7).
- 15 Tocqueville, *Democracy in America*, 518–19 (2.2.15).
- 16 Tocqueville, *Democracy in America*, 558 (2.3.8).
- 17 Tocqueville, *Democracy in America*, 676 (2.4.8).
- 18 Christopher Lasch, *Haven in a Heartless World: The Family Besieged* (New York: W. W. Norton, 1995).
- 19 *Obergefell v. Hodges*, 576 U.S. ____ (2015).
- 20 See Rémi Brague, *The Kingdom of Man: Genesis and Failure of the Modern Project*, trans. Paul Seaton (Notre Dame: University of Notre Dame Press, 2018).
- 21 James Q. Wilson, *The Marriage Problem: How Our Culture Has Weakened Families* (New York: HarperCollins, 2002), 192.
- 22 This grandiose language is borrowed from “George Washington to James Madison, 31 March 1787,” in *The Founder’s Constitution* (Chicago: University of Chicago Press), chap. 6, doc. 8.
- 23 Hopefully readers are clever enough to use the framework and examples of the book and apply them to other circumstances.

Introduction to Part I

- 1 Kate Millett, *Sexual Politics* (Garden City, N.Y.: Doubleday, 1970), 62.
- 2 Millett, *Sexual Politics*, 62.
- 3 Millett, *Sexual Politics*, 62. See also Shulamith Firestone, *Dialectic of Sex: The Case for Feminist Revolution* (New York: Bantam Books, 1970), 236–37.

2 Feminism and the Abolition of Gender

- 1 Sheryl Sandberg, *Lean In: Women, Work, and the Will to Lead* (New York: Alfred A. Knopf, 2013), 7: “A truly equal world would be one where women ran half our countries and companies and men ran half our homes. I believe this would be a better world.”
- 2 John Stuart Mill, “The Subjection of Women,” in *Essays on Equality, Law, and Education*, ed. John M. Robson, vol. 21 of *The Collected Works of John Stuart Mill*, ed. John M. Robson (Toronto: University of Toronto Press, 1984), 271.
- 3 See Mill, “Subjection of Women,” 297–98.
- 4 Much of the subsequent discussion is drawn from Scott Yenon, *Family Politics: The Idea of Marriage in Modern Political Thought* (Waco, Tex.: Baylor University Press, 2011), 175–96. For second-wave treatments of first-wave feminists, see Firestone, *Dialectic of Sex*, 15–37; Betty Friedan, *The Feminine*