

**No Exit:
What Parents Owe Their
Children and What
Society Owes Parents**

ANNE L. ALSTOTT

OXFORD UNIVERSITY PRESS

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For my father, David Alstott,

and my sons, John and David

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Acknowledgments

I began to develop the ideas in this book in 1999, as I defended *The Stakeholder Society* (Ackerman and Alstott 1999) to my feminist friends. They objected that the social inheritance of \$80,000 that Bruce Ackerman and I proposed would do too little to help women and might even harm them. Gender, they worried, would warp women's choices about how to spend their funds: too many women would withdraw from the labor force to care for children, deepening their own disadvantage in the process. Their thoughtful comments, and the birth of my twin sons in that same year, led me to revisit the feminist literature on paid work and care work. Although I was inspired by much that I read, I was not entirely satisfied with existing theories of care or with policy proposals for income support or family-friendly workplace accommodations. The search for an alternative policy led me to some basic normative questions. How should a liberal, egalitarian feminist think about equality for children and people who rear children? Is parenthood just one life plan among many, or is there something distinctive about it, something that justifies redistribution to parents? Is it possible to assist parents while also fighting gender subordination? Is the risk of subordination inherent in child-rearing work? Or can we imagine a free society in which some women and some men, perhaps in equal numbers and perhaps

not, choose to rear children but without losing their status as autonomous equals capable of choosing and pursuing a life plan of their own?

In a bit of hellish irony, one of my children was struck with a serious illness while I was completing revisions to this book, and I learned first-hand the difficulties of caring for a child with special medical needs. Tony Kronman, the dean of the Yale Law School, responded to my situation with characteristic grace, and I am forever grateful to him. I am also indebted to my colleague Jed Rubenfeld, who agreed to take up the duties of the deputy deanship.

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tive questions helped motivate me to reframe the normative argument and to engage more directly with family law. I later learned that one of these reviewers was Beth Garrett, and I am pleased to be able to thank her, by name, for her searching, challenging, and constructive comments.

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I am grateful every day for Russ, John, and David. I sacrificed their time as well as my own to this project, and I appreciate their love and understanding. Russ keeps me going; without him, I could not do any of the things I do. My love for David and John defies expression.

I also want to thank Shannon Delaney and Amanda Abbott, whose affectionate and responsible care for our sons helped make my work possible. Finally, I want to express my gratitude to our pediatrician, Dr. Joseph Avni-Singer, who has been a model of generosity, patience, and sympathy during difficult days.

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No Exit

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Introduction

A child alters his parents' lives forever. Parenthood brings new experiences but also new responsibilities: a parent is no longer quite the author of her own life.¹ Parents must protect, nurture, and guide their child and remain at his side for 18 years—or more, if needed. Today, marriages may come and go, but parenthood endures for better and worse, for richer and poorer, and in sickness and in health.

It is an understatement to observe that parents find it difficult to combine child rearing with their own endeavors in the larger world. However good our day care provider, school, or babysitter may be, children need parental care in order to flourish. Today, more than ever before, parents do manage to care for their children and work outside the home too. But many of us feel a constant pull between the children's seemingly limitless need for our time and our own need to lead an independent life. For some parents, this tension is primarily psychological: we feel torn between competing desires, and we never seem to have the balance quite right, whatever decision we make. But for many parents, the conflict has a harder edge: we must work to make ends meet, and yet we also need time to meet our children's noneconomic needs—for closeness, for conversation, for recreation.

Parents take justifiable pride in meeting their responsibilities. Parenthood requires real moral and emotional growth. We learn to be more generous than we thought we could be to another human being. We feel newly

mature; we are the grown-ups now. We give more of ourselves than ever before, knowing we are doing the right thing.

And yet, the tension between our own plans and our children's needs persists. Where does this tension come from? Many books document the balancing act that parenthood entails, but this book tackles a more fundamental question: Why should balance be so elusive? Is the tension we feel merely a product of our emotions or of moral strictures we place on ourselves? Could we, should we, simply *choose* to feel less conflicted? Or is there a deeper dilemma here?

This book aims to consider parenthood in social perspective. What role do—and should—parents play in a good society? Over time, our society's demands on parents have steeply increased, while the economic rewards of child rearing have diminished. At one time, children were an emotional *and* economic bonus, providing workers for the farm or factory and old-age security, too. For today's parents, in contrast, child rearing is a one-way obligation: parents spend time and money preparing their offspring for modern life, without expecting much other than love in return.

Today, society expects parents to do the intensive work of preparing children for modern life. We expect parents to invest in their children far more time and money than ever before; we rely on parents to give priority to their children's needs for nearly two decades; and we expect them to do so without much economic reward. Slowly, but surely, a combination of technological, social, and legal change has transformed modern parenthood into an extraordinarily demanding social role, and one that carries a built-in tension between meeting our children's needs and pursuing lives of our own.

Once we understand the source of the dilemma, we can begin to address it, to take steps to help parents give children what they need and also preserve for themselves the opportunity to shape an independent life.

“Do Not Exit”

Society expects—and needs—parents to provide their children with *continuity of care*, meaning the intensive, intimate care that human beings need to develop their intellectual, emotional, and moral capabili-

ties. And society expects—and needs—parents to persist in their role for 18 years, or longer if needed. A variety of social and legal institutions convey a common message: do what it takes to give your children the continuing care that they need. Put even more simply: “Do Not Exit.”

Continuity of care expresses the insight that children’s development depends on a long-term, continuing relationship with at least one parent (or parent figure). Indeed, continuity of care helps define what a parent is. Both in folk wisdom and in family law, a parent is someone who cares for a child and who puts that child’s interests first when need be. And who does so, not for a day or a year, but for the long term.

Why is *continuity* important as well as *care*? Child psychologists explain that healthy emotional development requires a close and enduring relationship with one or more parental figures. Parental continuity gives young children a stable foundation for their increasing interactions with the outside world. Consistency in parental praise and discipline helps children develop emotional control. Parents also provide lasting role models which older children can begin to identify with—and which teenagers can reject, safe in the knowledge that the parent will not leave. Of course, parents sometimes must exit their children’s lives; illness, accident, or other calamities may cut short a parent-child relationship. But psychologists emphasize the importance of recreating continuity for these children as soon as possible.

Continuity of care serves a second function as well: parents who persist with their children for the long term can best represent children’s interests in interactions with the health care system, the educational system, and other public bureaucracies. Parents with a close, and lasting, connection to their child tend to develop expertise in caring for that child and to identify with his or her fate. Public institutions rely on parents to act as children’s protectors and advocates; when parents fail, our schools and other institutions for children perform badly.

To be sure, parents do not ordinarily perceive “Do Not Exit” as a command from the state. Good parents provide their children with continuity of care out of love and a sense of moral obligation to these vulnerable humans who are given to our charge for a time. They remain with their children for the long term and do their best to respond to their children’s needs. For these parents, the state’s role in child rearing is nearly invisible

day to day. The state, it may seem, is a distant arbiter of the tragic cases that arise when parents abandon or neglect or abuse.

But if we take a closer look, we can see that the state plays a role even in successful families. In the United States today, individuals usually choose whether to be parents, but once the child arrives, every parent assumes a role whose rights and responsibilities are defined explicitly by the state through its laws. Parents who provide their children with continuity are granted wide authority over them. These parents scarcely feel the law's supervision, and this is as it should be: continuity of care implies a warm and intimate connection, not a cold legal calculus. But when parents fail to provide continuity of care, the state revokes or curtails their parental prerogatives.

Society's "Do Not Exit" command to parents is grounded in a deep and appropriate commitment to human dignity and equality. If every child is to have a fair start in life, we cannot authorize parents to act in any way they wish. A society that seeks to protect the life chances of every person cannot be indifferent to the conditions of child rearing. We understand that society owes every child the conditions he or she needs to flourish. Every child deserves a parent who will not exit.

But from a parent's perspective, "Do Not Exit" has a double edge. Parents can, and should, take pride in meeting their obligations to their children. Continuity of care is good for children and for society, too, because well-cared-for children can grow into autonomous adults. Yet, at the same time that the "Do Not Exit" command promotes children's interests, it also burdens parents' opportunities. We can acknowledge the moral and emotional satisfactions of parenthood while also recognizing that parents provide continuity to their children at considerable cost to themselves.

My complaint is not that parents must learn to work hard, give priority to their children's needs, and moderate their own dreams. That is just growing up. Instead, the point is that the No Exit obligation can severely limit the ordinary jobs, and ordinary lives, that parents can choose to live. Parents who meet their responsibilities to their children will find their personal opportunities more circumscribed than they would otherwise be. They may compromise in their choice of jobs and limit their geographic mobility. They may turn down better options that would require working

the night shift, reliance on a questionable babysitter, or too much out-of-town travel.

For some parents, these economic adjustments mean a lower living standard and uncertain old-age security. For others, compromise brings real hardship. A low-income mother needs her job to pay the rent, but a lengthy commute, long workday, or rigid job schedule may make it difficult or impossible to give her children adequate supervision. Parents with a severely ill or disabled child may find it especially difficult to meet their child's need for extra care while keeping the family financially solvent.

These economic pressures will come as no surprise to most parents, and certainly to most mothers. Study after study confirms that mothers *in every income class* compromise their working lives in order to provide their children with continuity of care. Mothers work less, earn less, and achieve less than men and than childless women. Job interruptions take their toll on mothers' earning power. Even when mothers stay in the race and accumulate the same credentials as their childless counterparts, they still earn less. Over the long term, work disruptions and lower earnings take their toll. Mothers are terribly vulnerable at divorce and accumulate less financial security for old age.

Changing gender roles have not saved the day. Although more mothers hold jobs now, they still bear primary responsibility for child rearing. To be sure, attitudes have evolved, and fathers do more now than a generation ago, but the rate of change in actual behavior has been slow. On average, it is still the mother who manages the household, identifies the children's needs, and takes responsibility when children are sick, schools close, or the babysitter quits. But even if mothers' and fathers' roles could magically be equalized, the hard fact is that child rearing requires intensive emotional work and a large time commitment: 18 years or more.

Why Marriage Isn't the Answer

Traditionally, society has looked to marriage to provide the emotional and financial foundations for child rearing. In idealized form, marriage is a long-term partnership, and at one time, marriage was (at least in theory) a No Exit relationship. But today, Americans legally exit their mar-

riages at high rates, and former spouses owe limited financial obligations to one another.

Society could try to make marital exit more difficult.² But legal reforms cannot easily reverse the underlying social trends that are making marriage marginal to many children's and parents' lives. Rates of divorce and nonmarriage remain high. A full one-third of American children are now born to unmarried parents. Black children and children of younger or less-educated mothers are least likely to spend time in a married family.³

Nor can the state readily improve parents' economic security by increasing child support or alimony obligations. Although enforcement of child support has improved in recent years, even so, in 1997, only 56 percent of custodial parents had a child support award, and of these, only 67 percent received any payment at all. Low-income single parents are least likely to receive child support payments, and the amounts they do receive are quite low.⁴

Even with better enforcement, the likely impact of child support and alimony reforms is blunted by economic reality. For poor and working-class families, the grim fact is that men's real wages have fallen over the long term, while women's wages remain low, leaving little surplus to divide between two households when parents divorce (or fail to marry). For middle-class couples, the long-term trend is that wealth is changing its form, with easily visible (and divisible) physical and financial capital being replaced by human capital—earning power—which, for reasons both principled and practical, is far more difficult to divide. The increasing number of stepfamilies and second families also limits the possibilities for wringing greater financial support out of absent parents.⁵

These realities suggest that it is both impractical and unwise to rely on marriage as the primary source of security for children and those who care for them. But what is the alternative?

Can We Do Better?

The status quo represents one path. Today, society tells parents “Do Not Exit” but disclaims any public responsibility to assist parents who provide continuity of care. It's their duty, we say. (The government's

budget contains a few programs for parents, but they provide limited amounts and often assist only a subset of families.)⁶ When confronted with evidence that parents, especially mothers, are faring badly in economic life, we shrug: that's life. After all, prospective parents have fair warning of what they are getting into.

But we can—and should—aspire to do more to assist parents. It is both unfair and counterproductive to pit children's need for care against parents' need for economic security and a life of their own. Instead, we should aim both to ensure continuity of care for every child and to reward and support those parents who provide it.

The key is to change the way we think about parents' obligations to children and society's obligations to parents. Parents make a private decision to have children, but when they do so, they also step into a public role. Children deserve the parental care they need to develop their autonomy and take their place in adult life, but parents deserve the chance to provide that care while leading lives of their own. A fair society should expect parents to care for their children and to sacrifice time and opportunity if necessary, but it should also help parents preserve a reasonable range of life options during and after their years of care.

Today, most parents, and especially most mothers, provide continuity of care to their children. In the process, too many drift toward the margins of economic life. But parents' present economic position reflects a failure of social policy and not a law of nature. It is both practical and affordable to create new programs to assist parents who live up to their obligation of care. Public policy can help ensure that these parents have the opportunity to combine child rearing with independent projects over a lifetime.

In this book, I propose two new programs designed to enhance parents' long-term opportunities. Both programs aim to serve parents in a wide range of economic circumstances. And both aim to respect parents' own judgments about how to combine paid work with child rearing.

The first program, *caretaker resource accounts*, would provide parents with financial resources to help remain in or reenter the mainstream of economic life. The program would give parents an annual grant of \$5,000, which could be used for any of three purposes: child care, parents' own education, or parents' retirement. Each individual could choose how best

to use the funds to further his or her own plans, but every option would improve parents' long-term prospects.

The second program, *life-planning insurance*, would offer extra help to the parents of children with serious illnesses or disabilities, in the form of job leave, income support, and supportive social services. The two programs work in tandem: caretaker resource accounts would provide a standard package to all parents, whereas life-planning insurance would offer more individualized assistance to those whose children suffer severe illness or disability.

The goal should not be to render child rearing costless. It would be impossible, as well as unwise, to attempt to erase any imprint of parenthood on parents' lives. Instead, the goal should be to lighten the burden. Child rearing should be a life stage, and not a life sentence.

One Family's Experience

As I completed this book, one of my children was struck with a serious illness. Our 3-year-old son has joined the millions of American children with asthma, and unfortunately, he has an especially severe form of the disease. Many children with asthma respond well to standard medications; our son does not. He has spent too many weeks in the hospital and far too many months taking medication with harmful side effects. His illness has puzzled several specialists, and he has undergone more invasive procedures than any small child should.

My son's uncontrolled and unpredictable illness has changed our family life. Several days a week, he needs careful treatment and monitoring. We use a stethoscope and an oxygen monitor, and we are alert for the physical signs that signal a respiratory crisis. Often, we must wake our little boy—and ourselves—every two, three, or four hours around the clock to give him the breathing treatments that keep his airways open. When the wheezing gets especially severe, we need one parent to take him to the emergency room and another parent (or babysitter) to take care of our other child.

My husband and I have reorganized our working lives so that we can care for our son. I resigned my administrative post at the law school where

I teach; although I still teach classes, a professor's schedule is more flexible and forgiving than is a deputy dean's. My husband also shoulders significant child care responsibilities.

What I have written has thus come home to me, quite literally. I feel the No Exit obligation that binds me to my sons: I love these children fiercely. I see how vulnerable they are and how much their very lives depend on our continuing care and love. The changes I have made in my working life feel relatively unimportant. Sometimes I miss the rhythms of being a dean; I liked having more responsibility and authority, and I liked solving day-to-day problems for students and other professors. Still, I know that I made the right decision.

Many parents in the United States have limited resources. They may find it difficult or impossible to provide their children with continuity of care without endangering their own economic prospects. Even healthy children can strain parents' resources. When illness or disability strikes, many families face economic crisis.

No Exit?

No Exit may seem a surprisingly unsentimental title for a book about parents and children. For some readers, the phrase will evoke Jean-Paul Sartre's one-act play about hell. Sartre imagines a hell without demons or physical torment. Instead, he presents us with an ordinary, even pleasant room, which holds three people. The twist is that the three strangers are locked together for eternity—there is no exit from the room—and they will torment each other endlessly through needling conversation that revisits their worst actions in life.

I do not imagine that family life is hell. And yet, the No Exit metaphor conveys the sense of being trapped that I think parents do feel. Many excellent books have documented the costs of motherhood.⁷ But we have not quite faced the hard fact that we inevitably constrain parents' opportunities when we seek to promote children's. For children's sake, parents must remain in the locked room of parenthood for 18 years or more.

But this book has a hopeful message as well. Society can take productive steps to preserve parents' opportunities—to prop open the door to the

room—and to allow parents greater autonomy during their child-rearing years and thereafter.

These ideas raise as many questions as they answer. Should parents resent the implication that they care for their children from a sense of obligation? Is the No Exit obligation really a legal duty, or a product of personal morality and social norms? If society does impose a No Exit obligation, why does it permit so many parents to freely exit their children's lives, at divorce, for instance?

More fundamentally, is it fair to tax the childless to lighten the economic costs of child rearing, when parents freely choose to have children, in full knowledge of the cost of doing so?

And how heavy *are* the costs of child rearing, really? Haven't we made enormous strides in recent decades enabling parents, especially mothers, to rear children *and* hold paid jobs? Given the enormous progress in gender equality in the last generation, why should we now create programs aimed largely at mothers? Isn't there a danger that rewarding parenthood will worsen women's situation by making traditional gender roles more appealing?

There are also a host of practical details that merit attention. How much would the proposed programs cost? Would they require expensive, and intrusive, new bureaucracies? Why aren't existing programs sufficient? And, given my commitment to assisting parents, why don't I embrace proposals for family-friendly workplace reforms that would guarantee parents access to flextime and part-time work?

This book addresses all of these questions, and more.

Part 1

*Why Continuity of Care
Is Important for Children
and Costly for Parents*

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