Abstract: *Sex, Class and Education*

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The “culture wars,” as they play out in high profile Supreme Court decisions and legislative fights over abortion and same-sex marriage, are first and foremost about family values. Family values in the United States are not unitary, different families in different parts of the country are leading different lives. In the “blue states” that voted Democratic in the last presidential election, and certainly in urban areas on the coasts, a new family culture has emerged among middle class men and women, a culture that is geared for the post-industrial economy. With fertility rates dropping and the average age of marriage moving into the late twenties, these states deregulate sexuality, identify responsibility with financial independence, respect equality and autonomy, and safeguard access to contraception and abortion for teens and adults. Middle class men and women reap the benefits.

This new culture, in both its feminist and non-feminist iterations, fetishizes choice. It does so because it is grounded in socialization that makes the exercise of autonomy – and the transfer of responsibility for investment in human capital from institutions to individuals – foundational to middle class life. The centerpiece of the new cultural reorganization is the emergence of the twenties as a period of exploration of jobs, career possibilities, relationships, and gender roles and attributes, with the deferral of irrevocable choices and permanent responsibilities until the far more mature – and financially independent -- thirties.

With greater autonomy and fewer unacceptable pathways, however, comes less societal support for any single course of action. Traditionalists, who bemoan loss of the insistence on societally approved pathways emphasizing abstinence, marriage, and the gender roles that made early marriage universal and enduring, have launched something of a counterattack. Rooted in more religious, rural and conservative communities, they play on feelings of moral crisis to promote a “values” agenda that celebrates chastity and pumps government money into marriage promotion programs. Largely invisible in the political reaction to their efforts, however, is the fact that their embrace of more traditional values – one more acceptable choice among many – in fact dramatically restricts the avenues open to the most disadvantaged Americans, and further blocks any hope of progress into the increasingly hard to attain status of middle class life.

The critical moral issues that divide the two systems of family law -- of abstinence education, abortion, and gay relationships -- center on control of sexuality, particularly of female sexuality. If, as Professor Bridget Crawford notes, one of the challenges of third wave feminism, is “to develop an account of the law's ability to enhance women's autonomy and well-being,” [cite omitted] then the blue state model is radical because it allows women to control their own sexuality. On the other hand, the emphasis in third wave feminism on autonomy and choice represents options available only to middle-class women. Autonomy and choice for both men and women depend on control of fertility, access to education, and labor-market participation – factors that require investment in human capital, family-friendly workplaces, and funds for contraception and abortion. The third wave celebration of choice often obscures the
political forces that defer to middle class preferences while undermining the subsidization necessary for poorer women to follow the same paths.

After a brief exploration of these two models, this paper identifies two critical factors in the creation of “virtuous cycles” that make autonomy and choice possible, or “vicious cycles” that lock less advantaged women in poverty. The first is the correlation between the different models and varying approaches to parental leave laws – without the ability to combine employment and parenting, the choice of autonomous, unmarried motherhood becomes ephemeral. The second is the connection between education, access to contraception and abortion, and control of fertility. While early childbearing may be a barrier to higher education and the prospects for greater income, the paper explores strategies for breaking this connection.