Examine the ways in which laws and social policies affect family life

Currently, in the UK, the family is a fairly unregulated sphere of life, compared with different societies such as China. Laws and social policies in Britain today tend to encourage or discourage certain types of families, rather than actively enforcing them like China’s one child policy. Government agencies and institutions only seem to take an active role on policing areas of family life when things are perceived to have gone wrong, such as regulating the fair distribution of assets following the breakdown of a marriage.

Most current social policies in the UK come from a New Labour perspective, as this party have been in power for almost 12 years. Therefore, many of these current social policies encourage the existence of the family, although not just in the nuclear form endorsed by the New Right. For instance new labour modified the law so that unmarried cohabiting couples, both heterosexual and homosexual, had the right to adopt on a basis equivalent to that of a married couple. This has made adopting easier for unmarried couples with fertility issues, but the biggest change to have resulted from it is that homosexual couples can now, fairly easily, adopt children, leading to a much more diverse range of families.

This change has been heavily criticised by New Right thinkers, who claim that it further undermines the nuclear family, by removing the restriction on unmarried couples from adopting children. They also claim that, due to not being raised in the “natural” environment of the nuclear family, that children adopted in this manner will be more likely to take part in anti-social behaviour, and even criminal activities.

However, most feminists are in favour of cohabiting couples being afforded similar rights to a married couple. Liberal feminists see it as another step towards equality, moving away from a familistic gender regime, as it removes many of the roles impressed upon women by marriage, whilst affording them the same benefits so that they are not forced to marry out of necessity. Radical feminists, especially those supporting separatism or the creation of matrilocal households, are in favour of this as it makes it far easier for women living independently of men to still be able to raise children.

However, some of New Labour’s other policies are more closely to linked to ones supported by the new right, as they have reduced the amount of benefits available to single parent families, in conjunction with the New Right theory that the family should be a self-reliant entity, and that benefits available to single parents offer “perverse incentives”. This benefit cut makes it more difficult for single parents to manage to survive economically.

This policy has been heavily criticized by feminists as a clear example of the New Right ideology of attempting to justify a return to the patriarchal nuclear family, by forcing women to remain in marriages by making them economically dependant on their husband.

This policy would also be criticised by Marxists, as it only really affects those on a lower income, and therefore contradicts the claim that this is a step towards reinstating the nuclear family for everyone in society. The wealthier people in our society would be almost completely unaffected by this policy, and therefore it serves only to reinforce the ruling class ideology onto the proletariat, whilst permitting the bourgeoisie to do as they please, one of the many hypocrisies evident in capitalism.

Both of these examples of social policy come from a fairly democratic society, where the family is mostly a private affair. People that claim this often take examples of extreme societies, like Nazi Germany in the 1930s and 40s. Under Hitler’s rule there were incredibly severe policies established, designed to encourage “racially pure” individuals to breed, in order to produce a master race. This also meant that those who’s gene pool was seen as a threat to this, were subject to non-voluntary sterilisation, on grounds of “physical malformation, mental retardation, epilepsy, imbecility, deafness or blindness”.

Compared with policies such as these, it makes ours seem very relaxed and minimal. However Donzelot (1977) argues that all family policies are examples of the government interfering with and manipulating families, just on a more subtle level than that of enforced dictatorships. He argues that “policing of families” occurs on a smaller level, with professionals like Doctors or Social Workers having the power the affect the shape and nature of families.

He also claims that most of this is focused on poorer families, as they are often seen to be “problem families”, and as a cause of criminal behaviour. This would appear to suggest that Donzelot had a Marxist perspective, however he does not state who benefits from policies of family surveillance and interference.

To conclude social policies have a dramatic effect on family life, and therefore the lives of all people governed by them. Social policy provides the infrastructure for family life, similar to economic policy providing the infrastructure for society as a whole. Changes in social policy, such as the Divorce act, can radically alter the structure of a society. Conflict theorists believe that current social policy exists primarily as a means of reinforcing the ideology and lifestyle of the ruling element of society onto the oppressed peoples.