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Review of *Failure to Flourish: How Law Undermines Family Relationships*. Clare Huntington. Reviewed by Mark E. Courtney

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work of empirical sociology is to recommend that non-sociologists read it. In particular, those who are currently living in a cross-class marriage should read this book. Many a cross-class couple might see themselves in conflicts over spending money, raising children, or planning vacations. *The Power of the Past* promises couples and sociologists greater understanding of how family life is shaped by the past.

Mary Ann Kanieski, Saint Mary's College

Clare Huntington, *Failure to Flourish: How Law Undermines Family Relationships*. Oxford University Press (2014), 352 pages, \$45.00 (hardcover).

In *Failure to Flourish: How Law Undermines Family Relationships*, legal scholar Clare Huntington argues that "negative family law" in the U.S. gets in the way of supportive family relationships. She proposes a new vision for responding to family disputes and engaging the state proactively in supporting families. While the critique is thought provoking and generally well-informed, Huntington's vision is less clearly developed and compelling.

Failure to Flourish includes two parts. In part one, Huntington explores the conflict between the conditions necessary for positive family relationships and the negative family law she finds in the U.S. She uses findings from research in the social, behavioral, and biological sciences to describe the importance of "strong, stable, and positive relationships" to the well-being of parents and their children, focusing on young children. She draws particular attention to how changes in family structure—particularly the frequency of divorce and children being raised in single-parent families—and the social forces contributing to those changes both reflect and contribute to harmful relations between family members. Huntington then examines how the "pervasive state" engages in regulation of the family, both direct regulation (e.g., deciding who can marry and who has the legal rights of a parent) and indirect regulation (e.g., incentives and subsidies, seemingly unrelated laws such as zoning ordinances, and the state's influence on social norms). She argues that the extent of this regulation belies what she calls the "myth of family autonomy" in

the U.S. and explores the origins of that myth. Part one of *Failure to Flourish* concludes with an examination of how negative family law undermines the development and support of strong, stable, and positive family relationships. Huntington argues that the substance, process, and practice of dispute resolution family law in the U.S. contributes to the rupture of family relationships (e.g., exacerbating the estrangement of divorcing couples and impairing their ability to jointly care for their children) while doing little or nothing to repair troubled relationships. Huntington also argues that the myth of family autonomy leads to a reluctance to proactively support families before problems develop, which often contributes to coercive intervention later (e.g., through the intervention of the child welfare system).

In part two of *Failure to Flourish*, Huntington describes an approach to developing "flourishing family law" that would support strong, stable, and positive family relationships. She proposes changes to the substance (e.g., more use of open adoption arrangements), process (e.g., conflict mediation), and practice (e.g., training lawyers in family systems theory) of family law to achieve her vision. Few of these proposed solutions will raise serious objections and many, such as family group conferencing in child welfare practice, are already quite common. Huntington also argues for a much broader role of the state in proactively recognizing a broader range of families, encouraging long-term commitment between parents, altering the physical context for family life, and supporting parents in their child development work.

Huntington's critique of U.S. family law in part one of *Failure to Flourish* should be of interest to many readers. It should be required reading for legal scholars and professionals not familiar with recent research on family relationships and child development. Likewise, family scholars, family advocates and policymakers will learn much from Huntington's examination of the myriad ways that the state influences family life. Part one is not without its blind spots. For example, the unquestioning acceptance of attachment theory as the basis for understanding the development of human relationships will understandably rub many behavioral scientists the wrong way. Huntington also ignores the widespread practice of coercing parents who come to the attention of child protection

agencies into finding kin to take over care of the children. This seemingly family-friendly diversion policy, generally seen by child welfare authorities as identical in spirit to the subsidized guardianship programs that Huntington admires, arguably denies parents the right to rehabilitative services.

Unfortunately, Huntington's argument in part two often reads like a laundry list of policies and programs, and the level of evidence supporting the potential impact of these ideas varies widely. While the overall vision provided here is broad and optimistic, Huntington's concluding chapter will likely bring the reader back to the reality that today's politics make it very unlikely that the vision will be realized anytime soon.

*Mark E. Courtney, School of Social Service Administration,
University of Chicago*

Jacqueline Bhabha, Ed., *Human Rights and Adolescence*.
University of Pennsylvania Press (2014), 376 pages, \$69.95
(hardcover).

This is an advocacy book to advance policy and practice for adolescents from a rights-based perspective. Its goal, as the introduction states, is "to achieve what has so far eluded policy makers and practitioners [to make] real progress on protecting and enabling the realization of adolescent potential across the globe." The book argues for equity in the treatment of adolescents in spite of their limited political leverage. The book will contribute positively to that goal, though based on the information in the book, the goal appears illusive.

The book pulls together a great deal of the existing policy proposals, research and some legislation on adolescence from a rights-based perspective. As such, it is more of a reference than a book one sits down to read cover to cover. The book is divided into three useful sections: (I) an overview defining adolescence, adolescent rights, and cross-cutting topics such as the science of brain development and sociocultural differences; (II) the experience of growing up with violence, covering children in armed conflict, child soldiers and post-conflict situations; and (III) social interventions that have strengthened or tried to improve adolescent rights. The 17 chapters cover a