

# THE FAMILY

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HOUGHTON MIFFLIN COMPANY

BOSTON • NEW YORK • CHICAGO • DALLAS • ATLANTA • SAN FRANCISCO

*The Riverside Press Cambridge*

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**The Riverside Press**

**CAMBRIDGE · MASSACHUSETTS**

**PRINTED IN THE U.S.A.**

**TO**  
**MY MOTHER AND FATHER**

## EDITOR'S INTRODUCTION

TWENTY years ago courses on the family in colleges, normal schools, and high schools were rare. Today, there are many hundreds of such courses being taken by tens of thousands of students. One reason for this growth is the change that has been taking place in the curricula, quite generally, toward the more immediately useful and practical subjects. Why a college curriculum is as it is seems curious. It appears to be based on tradition, prestige, and scholarly values as much as on utility. However, even on the basis of scientific values, the family should early have had a wide recognition in the curricula; for the family has always been a major social institution and until recent times our chief economic unit.

There is another reason for the rapidly increasing number of courses taught on family life and family problems. Formerly, since all children had a home and family, presumably they were familiar with them and, hence, needed no instruction. However, this is no longer true. The revolution that is taking place in family life is making it a different institution. As an illustration indicating that changes in the family bring difficulties every year finds in the theater and in the bookstore offerings revealing tragedies in broken and incompetent homes of otherwise successful men and women. Men who can make a success of their business do not necessarily make a success of their families. Young men students are realizing the situation as well as young women, and are taking courses on the family. The columns of advice on

family matters in the newspapers, the family clinics, the juvenile courts, the family aid societies, the family service of churches, the domestic relations courts, are testimony adequate to shatter any illusions young people may have that they naturally know how to meet the problems of family life.

Yesterday, steam, the enemy of the family, caused the household to dwindle, transferring most of the economic activities of both men and women to the factories, reducing very much the family's former grandeur and introducing innumerable perplexities into the life of women. Today, electricity, the friend of the family, is furnishing new aids to keep these activities at home. Who shall say what it will be tomorrow?

Another reason for the study of the family is the increasing awareness that the stakes are high. Everyone wants at least two things out of life, a higher standard of living and happiness. A higher standard of living, more money to spend, is a function of our economic institutions. Happiness is a function of the family, probably more than of any other social institution unless it be the church. Of course, happiness is individual; but what we are as individuals is determined by our social institutions, except in so far as heredity may play a part. Our capacity for happiness is probably determined largely by the influences affecting us during the tender years of childhood, mainly spent in the family environment. Whether or not we find happiness in adult life is dependent in good part on our success in mating and forming a successful family life.

One difficulty with teaching a course on the family has been the lack of a satisfactory textbook. The very early ones were quite too ethical and pious to be realistic

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enough for the new generations of young people. Others have reflected too much the prejudices of the authors. They were too "feministic," or too historical, or gave too much emphasis to the ethnological illustrations from the family customs of primitive peoples. Lately the tendency has been to emphasize the marital and personality factors in the family. When this swing is very far, as is often the case, the result is a good deal of sentiment with sacrifice of fact and sound thinking.

Professor Nimkoff has, we think, an exceptionally well-balanced book on the family, riding no particular hobbies, and exploiting no special prejudices. It is rich with the latest scientific contributions and is in harmony with the newer points of view. Furthermore, it is written with unusual clarity. We are thus happy to offer to the students and teachers of the United States so excellent a book.

WILLIAM FIELDING OGBURN

## PREFACE

SCIENCE has established two facts meaningful for human welfare: first, the foundation of the structure of human personality is laid down in early childhood; and second, the chief engineer in charge of this construction is The Family. The appreciation of these two facts is responsible for the recent quickening of interest in the study of The Family.

This book undertakes to furnish the student with a well-rounded, comprehensive, and unified understanding of the nature of The Family. Each chapter dovetails into those adjoining it, and the twelve chapters together form an integrated whole. The first two chapters are devoted to describing in general the nature of the family as a social institution. Then follow chapters which consider the origin of the family and its development to the present day. With this background of family change, the student is prepared to examine the modern family. The rest of the book is accordingly given over to treating the salient aspects — biological, economic, social, and personal — of the family as we find it in the United States today. Particular emphasis is placed upon the interplay of personalities in family experience; that is, the relations of parents and children, and of husband and wife. Cases taken from the Institute for Family Guidance serve to make this discussion concrete. Continuing, family disorganization is considered in both its individual and collective aspects. The book concludes with a discussion of social effort now being exerted in behalf of family betterment. Thus the writer has sought in this volume to

represent the multifarious yet composite nature of man's most important social institution, The Family.

The writer wishes to acknowledge here his indebtedness to Professor Ernest R. Groves, the good teacher who awakened in student days an interest in the study of the family which has resulted in this book. Also he wishes to indicate his obligation to Professor William F. Ogburn for his critical reading of this manuscript.

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## CONTENTS

I. STRUCTURE OF THE FAMILY . . . . .	I
II. FUNCTIONS OF THE FAMILY . . . . .	47
III. ORIGIN AND EARLY DEVELOPMENT OF THE FAMILY	99
IV. BACKGROUNDS OF THE MODERN AMERICAN FAMILY	141
V. THE MODERN AMERICAN FAMILY . . . . .	179
VI. THE FAMILY AND SOCIAL CHANGE . . . . .	223
VII. BIOLOGICAL ASPECTS OF THE FAMILY . . . . .	254
VIII. ECONOMIC ASPECTS OF THE FAMILY . . . . .	296
IX. PSYCHO-SOCIAL ASPECTS: THE CHILD IN THE FAMILY . . . . .	339
X. PSYCHO-SOCIAL ASPECTS: THE MARRIAGE RELATION TION . . . . .	373
XI. FAMILY DISORGANIZATION . . . . .	421
XII. FAMILY REORGANIZATION . . . . .	461
INDEX . . . . .	515

## CHAPTER I

### STRUCTURE OF THE FAMILY

IT WILL be helpful to start our discussion of the family by making clear the sense in which the term *family* is to be understood throughout this study. As we shall presently see, this seemingly simple word may be used in a variety of meanings. Thus, if we are to escape confusion, we must first define the term. What is the family? We shall make indirect approach to an answer, by considering how the family differs from other arrangements with which it may be confounded. There are three terms which need to be distinguished, the one from the others, namely, *mating*, *marriage*, and *family*.

*Mating.* Mating is a biological term referring to the union of the sexes. Obviously, if an animal species is not composed of two sexes, no mating exists. The rotifer, for example, multiplies merely by splitting off a portion of itself. But even if the species is composed of two distinct sexes, mating may not occur. As is true among many aquatic animals, for example, one sex may deposit eggs at certain points, and leave to chance the matter of their being fertilized by the other sex. Hence, only where we find an animal order constituted of two sexes, and one of the sexes, besides, actively seeking out the other for purposes of propagation, only there do we have the process of mating. Since bi-sexual congress occurs well below the human level, mating has no special reference to human beings.

*Marriage.* Whereas mating occurs among animals as

well as among men, marriage is known only to human beings. Mating is biological; marriage is sociological. Marriage uniformly involves two things: *public social sanction* and *systematic social control*. In every known society, no matter how primitive, marriage is distinguished from mating in this twofold way. Among us, mating apart from marriage is not only not sanctioned, but definitely tabooed. In certain primitive societies, however, mating before marriage is permitted. But even in such cases, it is interesting to note that the group does distinguish between the two types of relationship. Although the whole system of pre-marriage mating among pre-literate peoples is in a general way sanctioned and controlled, the particular matings are not. But marriages are always individually sanctioned by means of some sort of ceremony. Unlike matings, they are heralded, made public. In addition, the social group controls marriage by means of obligations which it imposes, and privileges which it confers, upon those whom it permits to marry.

We may see something of the scope of society's concern over marriage by noting certain ways in which marriage is regulated by convention everywhere. Convention indicates (1) who shall be permitted to marry, (2) from which group(s) mates may or may not be chosen, (3) by whom mates shall be chosen, (4) how they may be secured, (5) where they shall live, (6) their rights and responsibilities, and (7) how, and for what causes, their marriage may be terminated.

Let us note in some detail one example of social control over the first of these seven matters, namely, the right to marry. In the following abstract from Blackstone's *Commentaries*, various disabilities are enumerated, the

existence of which would serve, under the common law of England, to render a marriage invalid.

1. The first of these legal disabilities is a prior marriage, or having another husband or wife living; in which case, besides the penalties consequent upon it as a felony, the second marriage is to all intents and purposes void: polygamy being condemned both by the law of the new testament, and the policy of all prudent states, especially in these northern climates....

2. The next legal disability is want of age. This is sufficient to avoid all other contracts, on account of the imbecility of judgment in the parties contracting; *a fortiori*, therefore, it ought to avoid this, the most important contract of any. Therefore if a boy under fourteen, or a girl under twelve years of age, marries, this marriage is only inchoate and imperfect; and, when either of them comes to the age of consent aforesaid, they may disagree and declare the marriage void, without any divorce of sentence in the spiritual court. This is founded on the civil law. But the canon law pays a greater regard to the constitution, than the age of the parties; for if they are *habiles ad matrimonium*, it is a good marriage, whatever their age may be. And in our law it is so far a marriage, that, if at the age of consent they agree to continue together, they need not be married again. If the husband is of years of discretion, and the wife under twelve, when she comes to years of discretion he may disagree as well as she may: for in contracts the obligation must be mutual; both must be bound, or neither: and so it is, *vice versa*, when the wife is of years of discretion, and the husband under.

3. Another incapacity arises from want of consent of parents or guardians. By the common law, if the parties themselves were of the age of consent, there wanted no other concurrence to make the marriage valid; and this was agreeable to the canon law. But, by several statutes, penalties of 100*l.* are laid on every clergyman who marries a couple either without publication of banns (which may give notice

to parents or guardians) or without a licence, to obtain which the consent of parents or guardians must be sworn to. And by the statute 4 & 5 Ph. and M. c. 8, whosoever marries any woman child under the age of sixteen years, without consent of parents or guardians, shall be subject to fine, or five years' imprisonment: and her estate during the husband's life shall go to and be enjoyed by the next heir....

4. A fourth incapacity is want of reason; without a competent share of which, as no other, so neither can the matrimonial contract, be valid. It was formerly adjudged, that the issue of an idiot was legitimate, and consequently that his marriage was valid. A strange determination! since consent is absolutely requisite to matrimony, and neither idiots nor lunatics are capable of consenting to any thing. And therefore the civil law judged much more sensibly when it made such deprivations of reason a previous impediment; though not a cause of divorce, if they happened after marriage. And modern resolutions have adhered to the reason of the civil law, by determining that the marriage of a lunatic, not being in a lucid interval, was absolutely void....

Lastly, the parties must not only be willing and able to contract, but actually must contract themselves in due form of law, to make it a good civil marriage. Any contract made, *per verba de præsenti*, or in words of the present tense, and in case of cohabitation *per verba de futuro* also, between persons able to contract, was before the late act deemed a valid marriage to many purposes; and the parties might be compelled in the spiritual courts to celebrate it *in facie ecclesiæ*. But these verbal contracts are now of no force, to compel a future marriage. Neither is any marriage at present valid, that is not celebrated in some parish church or public chapel, unless by dispensation from the archbishop of Canterbury. It must also be preceded by publication of banns, or by licence from the spiritual judge.<sup>1</sup>

<sup>1</sup> Adapted from Blackstone, William, *Commentaries on the Laws of England* (11th ed., London, 1791), Book I, chap. XV, pp. 433-42.

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In the United States we do not permit marriages between members of the same family, and as a rule extend the prohibition to first cousins. In certain states a white person may not marry a person whose skin is black or brown or yellow. We permit our young people to make their own selection of a marriage partner, but in certain European countries today the choice is made by others, generally by members of the family, with or without the aid of professional matchmakers. In our society a man secures a maid by proposing to her and securing her consent to marriage. But elsewhere mates are secured in a great variety of ways — for example, by purchase, or capture, or exchange of some kind. Once married, the legal residence of the couple is fixed by every society. Among us, the place chosen by the husband becomes for most purposes the legal residence of the wife. Then the whole body of rights and responsibilities of the married pair is fixed by the social group to which they belong. The code covers both personal and property matters. The Roman husband was allowed to chastise his wife, if he thought she needed correction; and he was free to use whatever means of punishment he wished. The colonial husband, on the other hand, was prevented by the *mores* of his time from punishing his wife corporally. All her property, both real and personal, however, became her husband's at marriage. In our own country at present, laws are to be found upon the statute books of every state indicating the rights and the responsibilities of married persons. Finally, every society determines upon what bases and in what manner the bonds between married persons may be legally severed. The grounds for divorce may be flimsy enough in certain primitive societies, but definite grounds there are; and no couple

may be permanently separated without some formal, socially sanctioned action, even if it be nothing more than the return of the wife's dowry to her parents, or the turning of the entrance of the family tent so that it opens to the west, where before it pointed to the east.

Mating is thus a biological matter and marriage a social affair. The two may or may not be associated. Thus marriage is unknown to animal societies. Animals below man mate, but their mating is subject to no systematic group control. Their unions are not celebrated and no specifications are set up for them to live by. It is thus an error to refer to the living together of apes as marriage, as certain excellent students of the family have done. Among men, mating generally accompanies marriage, but this need not be the case. It is possible for persons to be legally married in our society and for them never to live together. Marriages between quite elderly persons for considerations of companionship or comfort are not few. Again, mating occurs in our society apart from marriage, although contrary to the *mores*. There is thus a distinction to be made between these two conditions which is more than a matter of academic quibbling.

*Family.* Chiefly on account of its inclusion of offspring, the family may be set apart from both mating and marriage. The family may be defined most simply as a relationship of indeterminate duration existing between parent(s) and offspring. This definition emphasizes the fact that, to be a family, both parent(s) and progeny must remain together for an indefinite period after the birth of the young. Because this is not the case among frogs, they have no family life. The tadpole would not recognize his mother, were he to see her.

She deposits her eggs in the shallow waters of a stream and departs. The tadpole is hatched and swims away upon his independent career.

The family is generally but not invariably based upon mating. Among some animals low in the scale of development, one-parent reproduction exists. If the single parent looks after the young when they are born, together they may be said to constitute a family. The simplest family thus consists of a single parent-single offspring relationship. A family based upon mating is, however, the more common arrangement. But it should be observed that the family goes beyond mere mating in two ways: it includes the product of mating, the progeny, and it calls for the living together of the two generations for an indefinite period.

As between the family and marriage, there is no necessary connection. Among animals, the family is purely biological; and it is quite likely that, in the evolution of the institutions of mankind, the family antedated marriage, since there must have been a long period before the beginnings of culture during which mankind lived without marriage, probably mating and having families in some such fashion as the anthropoid apes. Among certain primitive peoples, marriage takes place only after the two mates have had a child born to them. These facts suggest that marriage was invented by mankind on behalf of the family, as a means of assuring more effectively the interests of children. We may thus say that marriage has its origin in the family and not the family (as with us today) its origin in marriage.<sup>2</sup>

Just as it is inexact to talk about marriage on the ani-

<sup>2</sup> Cf. Goodsell, W., *The Family as a Social and Educational Institution*, Macmillan, New York, 1919, p. 8.



mal level, just so it is improper to speak of the family where no offspring are involved. There is no such thing as "a childless family," a phrase frequently encountered in writings on the modern situation. "Childless marriage" would be more correct.

*Family as a social institution.* The simplest family is a biological affair consisting of two units, a single parent and a single offspring. Recently a single kitten was born to the writer's pet cat; cat and kitten together comprised the social family. The father cat was part of the biological family group, but, since he — like all others of his kind — put in not even a single appearance after the mating, he was hardly to be regarded as part of the social family unit. It is a far cry, however, from such a simple, biological two-member family to the complex, social, multi-member family which we find among men. Irrespective of size, the established forms of the human family, as we find them among pre-literate and literate peoples alike, are everywhere complex organizations, interfused with the civilization which exists. Like marriage, the family is everywhere among men a social institution.<sup>3</sup> It will be our concern in the rest of this chapter to observe certain forms which the family as a social institution has assumed at various times and places.<sup>4</sup> In advance of our doing this, however, it is necessary for us to look into the nature of social institutions in general.

*Nature of social institutions.* All social institutions possess the same framework, the same essential fea-

<sup>3</sup> Cf. Hertzler, J. O., *Social Institutions*, McGraw-Hill, New York, 1929, pp. 51 ff.

<sup>4</sup> See Reuter, E. B., and Runner, J. R., *The Family*, McGraw-Hill, New York, 1931, chap. VI, "The Family Institution," for a number of readings on various aspects of the topic. This is an excellent source book on the family.