Review Essay

SOCIAL STRUCTURE AND SOCIAL CONTROL: ON *THE MORAL ORDER OF A SUBURB*

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M. P. Baumgartner, *The Moral Order of a Suburb*. New York and Oxford: Oxford University Press, 1988. x + 172 pp. $19.95.

I

This fascinating book is a study of how the 16,000 residents of "Hampton," a predominantly upper-middle-class and partly working-class suburb of New York City, handle conflicts within families, between neighbors, and with strangers. Its argument is that "the moral order of the suburb is the product of a distinctive social enviro.iment" (p. 3). More specifically, it suggests that those aspects of modernity conventionally supposed to produce conflict and even violence—"transiency, fragmentation, isolation, atomization, and indifference among people" (p. 134)—in fact produce, at least in the suburbs, exactly the opposite: "Grievances arise, but people contain them and confrontation is uncommon. . . . A kind of moral minimalism pervades the suburbs, in which people prefer the least extreme reactions to offenses and are reluctant to exercise any social control against one another at all" (p. 3).

The Moral Order of a Suburb's longest section develops this theme by examining how Hampton's families handle internal conflicts. These conflicts are primarily over life's quotidian irritations—forgotten birthdays, late nights, too much liquor drunk, too little milk drunk, televisions on too long or off too soon. Most potential conflicts are apparently defused when the offended person criticizes the offending behavior and the offender responds accommodatingly. In Hampton it seems to be true that a soft answer turneth away wrath: Even if the accommodation is not a capitulation, it can lead to a casual negotiation through which the dispute is resolved. And where conflict is not defused, it is typically carried on in ways that are by most standards mild and not inflammatory. One response to offense is to deprive the offender of something, primarily the small favors one family member can do another and the privileges parents can withhold from their chil-

dren. But the modal response appears to be avoidance—having as little to do with the offender as possible. "Temporary avoidance," we are told, "is a very common response to domestic tension and helps to define the town's characteristic moral order" (p. 24). In more severe cases, the disputants make sustained efforts to stay apart.

Disputes commonly end as tamely as they begin. Often, the disputants simply drop their disagreement, sometimes quite abruptly. Alternatively, the dispute is mediated by other members of the nuclear family or, less often, by members of the extended family. So routine a part of life is this that family members can become skilled at peace-keeping techniques.

Where the dispute is more serious and persistent, two relatively extreme, but still nonconfrontational, responses are likely. A party to such a dispute may show signs of emotional distress, such as depression, agitation, poor performance in school, or self-destructive behavior. But what Baumgartner calls the ultimate sanction is permanent avoidance—spouses divorce, children leave home.

Baumgartner's point that these responses to offense are "weak and restrained" (p. 60) is sharpened by her description of the ways people do *not* respond to provocation. Violence is rare and, where it occurs, mild.[1] Intervention by people outside the family is also infrequent. Even informal intervention by friends or neighbors is generally undesired by everyone involved. Formal intervention by authorities—coerced or even volunteered—is evidently even less welcome. When intervention by authorities occurs, it occurs as minimally as possible: ministers "rarely go further than to structure a dialogue"; police avoid making arrests (pp. 43–44). Where a third party participates in a dispute, it is likely to be a therapist who can be thought of as interested in a patient's health rather than in a disputant's conflict.

What accounts for the "spare and restrained character of domestic social control" in Hampton, for what Baumgartner terms its "moral minimalism"?[2] (P. 55). Baumgartner denies that the re-

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[1] Baumgartner reports that townspeople "can report few cases of actual or suspected domestic violence" and that "[o]fficial statistics concur in suggesting a low rate of family violence." Precisely what those statistics are she does not say.

[2] It is not clear why Baumgartner calls the phenomenon "moral minimalism" (or for that matter, why the book is said to be about the "moral" order of the suburb). As she uses the term, moral minimalism embodies "aversion to confrontation and conflict and a preference for spare, even weak strategies of social control" (p. 10). This may be "sanctional minimalism," or "moral-conflict minimalism," or even "social-control minimalism," but why "moral minimalism"? Does Baumgartner believe that unless behavior is sanctioned, it doesn't raise moral issues? Does she believe that suburbanites feel themselves morally constrained from using strong sanctions? Does she believe that suburbanites decline to sanction much offensive behavior because they do not believe it raises moral issues?

strained response to offense is due to the triviality of the provocation. She argues that there is no such thing as an inherently trivial offense. Rather, "[t]he seriousness of an offense is defined in practice by the response to it. Where moral minimalism prevails, offenses are apt to appear trivial to an observer precisely because their victims react with such restraint" (p. 56). She observes that "most assaults and homicides [in much of the United States] occur in the course of disputes originating from an array of everyday annoyances that suburbanites usually tolerate or handle with avoidance" (p. 57).

Ultimately, Baumgartner contends, moral minimalism is explained by the social structure of the suburb and the suburban family: "suburban families are comparatively weak families, and . . . this characteristic in turn breeds a relative absence of social control" (p. 60). Family members follow independent routines and rarely do things together, when they are home they are often dispersed throughout the house (even communal rooms are so numerous that they are often occupied by only one person), they rarely own possessions jointly, they are not bound together over long periods by economic necessity, children expect to leave home and even the community when they grow up, divorce is readily available to end marriages, and so on.

Baumgartner argues that these social-structural characteristics are significant for a number of reasons: they reduce the density and emotional intensity of family relations and thus of family disputes; they increase the practicality of avoidance, the modal means of dealing with disputes; they decrease the incentive and inclination of the disputants to negotiate or adjudicate their dispute and of other family members and outsiders to intervene in it; and they reduce the availability of other means of settling the dispute, since, given their independence, family members are not susceptible to most kinds of sanctions. Social structure also helps explain why some responses to conflict are not used. For instance, Baumgartner suggests that the common reluctance to seek or accept intervention from third parties derives in part from the unwillingness of people of high status to accept intervention from anyone of lower or possibly equivalent status.

When Baumgartner turns from the ways Hamptonites handle conflicts within their families to the ways they handle conflicts with their neighbors, she sees similar disputes, similar strategies, and similar explanations. Once again, the problems appear to be primarily of the everyday sort: unchained dogs, loud music, annoying lights, offensive smells. Once again, in their anxiety to avoid conflict, Hamptonites will often simply tolerate what they find provoking. They will sometimes approach the offending person conciliatorily, hoping to work out some accommodation, and the offender will generally respond in kind. But they will, once again, quietly avoid people they find trying. They will rarely complain to

an official, and then usually anonymously, even if preserving ano-
nymity means giving up the chance of accomplishing anything.
They will rarely respond violently or even confrontationally. This
is moral minimalism, and again Baumgartner accounts for it in
terms of the social structure of the suburbs and the weakness of its
social bonds: suburbanites move in and out of town readily, so that
relationships are likely to be fairly short; relatives are unlikely to
live in the town; and suburbanites' lives are compartmentalized, so
that neighbors are not business associates or even people with
whom one has even commercial dealings. This "culture of weak
ties" (p. 92) promotes moral minimalism by increasing the hope
that either a problematic neighbor or the offended party will move
away reasonably soon, by making avoidance possible, by limiting
the amount of information people accumulate about each other
over time, by reducing people's involvement in any single relation-
ship, and by making unlikely long-term coalitions which might
sustain and exacerbate hostilities.

The last major part of Baumgartner's book looks at
Hamptonites' relations with strangers. Here too, we find them
avoiding conflicts, and for similar reasons and in similar ways.
Again, the level of provocation appears to be low: "predatory be-
havior by strangers—such as burglary and mugging—is quite infre-
quent" (p. 101). Opportunities to encounter provocative behavior
are also relatively infrequent: since Hampton is primarily residen-
tial, there are few public places for people to meet in the town,
and they are likely to be places where people are, if not acquaint-
ances, at least socially similar. When townspeople encounter
strangers who seem troubling, they "do nothing and wait for the
offender to move on or for the situation to resolve itself" (p. 105).
Principally, they rely on the authorities, primarily the police, to
deal with strangers. They are able to do this because of the loose
organization of communal life, because it is easy for people to
"withdraw into their private enclaves, leaving problems with
strangers behind them" (p. 107).

Baumgartner concludes on an emphatic note. Her last chapter
begins, "Moral minimalism dominates the suburbs. On a day-by-
day basis, life is filled with efforts to deny, minimize, contain, and
avoid conflict. People shun confrontations and show great distaste
for the pursuit of grievances or the censure of wrongdoing" (p.
127). She stresses the centrality of her social-structural explana-
tion of this behavior with the following summary:

> The analysis presented here suggests that moral
> minimalism . . . will be found wherever social life approxi-
> mates the suburban model. The necessary factors include
> independence among people, arising from equality, auton-
> omy, and self-sufficiency; individuation, in which people
> act on their own without group support; social fragmenta-
> tion, in which each person's involvements and associates

are widely scattered and unique; and social fluidity, in which people are highly mobile, both physically and interpersonally, and move in and out of relationships constantly. (P. 129)

II

The Moral Order of a Suburb is part of a developing and important literature on how conflict in American communities is actually treated, on the role state law plays in that treatment, and on the important part that other forms of law and social control play in it. Like much of this literature, Baumgartner's book provides an admirable corrective to the lawyer's tendency to see state law as the primary and ultimate source of social norms and social control (see, e.g., Engel, 1980; Ellickson, 1986; Greenhouse, 1986). As a contribution to this literature, *The Moral Order of a Suburb* is a welcome book.

But the ultimate success of Baumgartner's book depends on the correctness of her arguments that moral minimalism characterizes suburban life and that it can be accounted for by the social structure of that life. How convincing, then, is Baumgartner's case? I will argue that two kinds of problems with evidence crucially weaken it. First, Baumgartner provides little evidence about what Hampton's social structure actually is; second, she assumes rather than shows that that social structure produces the "moral minimalism" she describes.

I call these evidentiary problems crucial because they penetrate to the core of Baumgartner's book, her analysis of "moral minimalism" in Hampton and her "central theme . . . that the moral order of the suburb is the product of a distinctive social environment" (p. 3). Through citations to anthropological and sociological literature, Baumgartner does make a prima facie case that aspects of Hampton's "weak" social structure *could* conduce to "moral minimalism." However, Baumgartner does not adequately demonstrate that Hampton's social structure is in fact weak. And she neither produces convincing evidence that moral minimalism is caused by social structure nor bolsters the evidence she does present by trying to eliminate alternative explanations for "moral minimalism."

Consider, for example, Baumgartner's theory that Hamptonites avoid intrafamily conflict because their family bonds are weak. Her evidence that family bonds are weak is that the structural characteristics of suburban life must produce weak families. But her evidence is doubly unsatisfactory. First, there is a problem with the source of the evidence. Much of the evidence about those structural characteristics is drawn from a few studies of other suburbs rather than directly from Hampton. Baumgartner surely faced difficult problems in gathering data about the discomfiting topic of how people deal with conflict in sensitive settings.

She is, however, obscure about how she tried to solve those problems. She says her main technique was participant observation. But she does not specify in what sense or to what degree she was a participant or an observer or even whether she lived in the town. We are, rather, told that the data came "primarily [from] direct observation and informal interviewing," as well as from a few written sources and some formal interviews with "various social control specialists" (p. 19). The book conveys the impression that informal interviews, rather than direct observation, were the primary basis for her conclusions. (This may help account for the fact that, although Baumgartner is at home with some absorbing anthropological literature, her book lacks that sense of the texture of a community's cultural life which is the pride of anthropology.) The written sources and the formal interviews with social-control specialists apparently were not always sufficient; we are not told, to take a pertinent example, what the divorce rate in Hampton is.

Second, whatever its source, Baumgartner's evidence does not show that suburban family bonds in fact are weak; it shows only that suburban families seem to be structured in a way that might cause weak bonds. Baumgartner tells us nothing about how family members in Hampton actually feel about each other or deal with each other when they are not in conflict. This substitution of *a priori* reasoning for empirical investigation is puzzling in a book which makes a point of showing that the social structures of modernity may produce quite different behavior from that commonly thought inevitable.

The unreliability of drawing conclusions from family structures about how people feel or about what motivates them need not be belabored, but ought to be iterated. The unreliability is suggested by the variety of attitudes that might result from any single social structure. For instance, it is often said that the very loss of familial functions that is important to Baumgartner's theory of distanced family relations has actually intensified, not weakened, the emotional interactions of family members, since that change makes more prominent and consequential the most emotionally charged aspects of family life. The unwisdom of Baumgartner's whole-hearted reliance on social-structural explanations is also suggested by the fact that social structures that differ from Hampton's, like that of the Eskimos Jean Briggs (1970) visited or that of the less affluent, more religious, more familistic suburbanites Carol Greenhouse (1986) studied, may, like Hampton's, produce a culture in which sharp responses to provocation are disfavored, where avoidance is a modal response to provocation, and where social control mechanisms are "weak."

Baumgartner does find confirmation for the primacy of social structure in evidence that moral minimalism is generally more characteristic of Hampton's upper middle class than of its lower classes. However, this evidence, while probative and plausible, is

muted by the absence of large class differences within Hampton and by the fact that Baumgartner does not ask what role factors other than social structure might play in explaining the differences in class behavior. Indeed, this very evidence might seem to raise the possibility that forces outside the structure of life in Hampton might affect how people live in Hampton. Hampton is, after all, a suburb of New York City, and Hampton's upper middle class presumably spends a good deal of its time (and perhaps a good deal of its attention) there. And the mobility of the upper middle class which Baumgartner emphasizes might well suggest that its behavior is shaped by experiences in places whose social structure differs from Hampton's.

These observations raise the possibility that Baumgartner might have strengthened her case for the causal centrality of social structure by showing that other plausible explanations for moral minimalism are unpersuasive. The behavior Baumgartner describes in Hampton might, for instance, grow out of and be sustained by both its social structure and a set of norms that define and restrain provocative behavior and responses to it. These norms might be embedded in a larger set of norms and cultural understandings about social relations and social conflict. But because Baumgartner tells us only how people respond to provocative behavior and does not put those responses into a complete cultural context, we cannot properly evaluate this alternative (or complementary) explanation.[3] Baumgartner tells us little about the full normative structure of life in Hampton or any attitudes of Hamptonites from which we might infer something about that normative structure. We learn nothing, for example, about how Hamptonites evaluate provocation or interpret their responses to it or how their attitudes toward conflict within the family or the neighborhood fit with their attitudes toward conflict of other kinds (for instance, conflicts in their jobs). Thus, for example, Baumgartner's statement that "[m]oral minimalism entails a considerable degree of indifference to the wrongdoing of others" (p. 131) cannot be adequately assessed from the limited evidence she presents. From that evidence, one might equally well conclude that there was little wrongdoing to respond to, that when wrongdoing occurred it was in fact responded to (even if it was responded to weakly, which itself is not adequately demonstrated), or that failures to respond to wrongdoing were born not of indifference, but rather of any number of possible sources, of which moral modesty, a taste for tolerance, or a conviction that conflict is costly or wrong are a possible few.

Had Baumgartner looked to some of these questions, she

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[3] Of course, these norms themselves might be attributable to Hampton's social structure. In that case, Baumgartner could have strengthened her case by showing how this was true and by identifying the ways in which Hampton's normative system mediated between social structure and behavior.

might have found a rich array of explanations of the "moral minimalism" that she describes. To take one instance among many, what of the modern American tendency to think of family relations and of the law governing disputes about those relations in medical—particularly in psychological—terms? Might this tendency contribute to moral minimalism? Interpreting the behavior of your family in moral terms might give that behavior a gravity it would otherwise lack. It might turn the merely irritating into the betrayal of a moral obligation. The tendency to interpret the behavior of your family in psychological terms, on the other hand, might drain that behavior of some of what makes it provoking. If behavior has psychological explanations, if it is a medical symptom rather than a moral choice, it is harder to take offense. *Tout comprendre c'est tout pardonner*.[4]

Baumgartner's narrow evidentiary base and limited conceptual range similarly impair her analysis of the central question of social control. Baumgartner describes social control in Hampton as "weak" (p. 132) and quantitatively scarce (p. 100). This description has a surface plausibility, but again, Baumgartner's evidence fails to sustain her thesis. For while the sanctions Hamptonites employ seem milder than those other groups use, we cannot tell from Baumgartner's evidence whether those sanctions are actually perceived by the sanctioned as mild and thus whether their effect is actually weak. Indeed, Baumgartner tells us regrettably little about how the sanctioned respond. As I noted earlier, Baumgartner vigorously rejects the argument that sanctions are weak in Hampton because offenses in Hampton are generally trivial. Rather, she insists that the meaning of offenses in a culture is socially mediated, so that it is impossible to judge their seriousness without consulting the culture's own views of that seriousness. It is therefore puzzling that she does not also believe that the meaning of sanctions in a culture is socially mediated and that their seriousness cannot be judged without consulting the culture's views of that seriousness.

A further difficulty with Baumgartner's conclusion that social control in Hampton is weak lies in her method of calculating the strength of that social control. Baumgartner seems to assume that the strength of a system of social control is best measured by the "amount" of social control visible in a community. But surely that strength is better measured by the system's success in meeting its goals. By their fruits ye shall know them.[5] Almost by definition,

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[4] I have explored the shift from moral to psychologic thought in family law in Schneider, 1985.

[5] The problem lies, I suspect, not just in Baumgartner's decision to use the means rather than the fruits as a way of measuring the strength of social control; it probably also lies in her belief (in which she follows Donald Black, 1976) that social control can be quantified. My point is not that social control is necessarily unquantifiable, although I doubt that in practice it can be. My point is that Baumgartner's tendency to think in those terms may have led her

the preeminent purpose of Hampton's system of social control is presumably to inhibit socially offensive behavior. And it appears from Baumgartner's evidence that some of the most socially offensive behavior in Hampton is social conflict. Thus one might suppose that the purpose of Hampton's system of social control is to inhibit social conflict. At least on the evidence that Baumgartner provides, that system seems to succeed brilliantly. As Baumgartner testifies, there is relatively little socially offensive behavior in Hampton. What there is is mild. We know it is mild because Baumgartner tells us it is, as she does, to take one instance from many, when she speaks of the "high standard of orderliness which prevails in the town" (p. 119). And we know it is mild, to use the test that Baumgartner herself proposes, because responses to that behavior are mild. In short, Hampton's system of social control seems not weak, but strong. That it succeeds by economical rather than extravagant sanctions hardly shows its weakness. Indeed, the system of sanction by avoidance seems ingeniously chosen to accomplish its ends in the way least offensive to those ends.

On this view, then, what *The Moral Order of a Suburb* needed to explain was not why Hampton's system of social control is weak, but rather why it is strong and how it achieves its effects in such efficient and even elegant ways. One suspects that Baumgartner might have found part of the answer to that question by expanding the scope of her inquiry to include more than immediate responses to provocation. She might profitably have inquired, for instance, into the norms that define and inhibit offensive behavior and into the ways in which those norms are inculcated and sustained. She might have reported on the emotional realities as well as the social structure of life in Hampton. *The Moral Order of a Suburb* in these respects illustrates one of the dangers of too exclusive a concentration on specific disputes in explaining how a social system copes with social conflict. As David Engel (1980: 435) writes, an

> objection to dispute analysis is that it has tended to turn attention away from normative systems in society by focusing exclusively on breach of norm and conflict. Society, like the formal legal system, has thus been viewed primarily in terms of relatively rare instances of conflict rather than the pervasive normative processes whereby established rules and procedures are reaffirmed and particular patterns of order maintained.

to overemphasize the tools (as opposed to the effectiveness) of social control and to see only those means of social control that can readily be quantified.

III

Let me close with a word about *The Moral Order of a Suburb* and the law, specifically family law. For a variety of familiar reasons, family law faces enforcement problems as acute as those of any area of law. Because there are some things government ought not do and many things it cannot do, family law must often operate obliquely and interstitially, by establishing social structures and rules that channel behavior rather than by regulating behavior directly. But family law does not create these structures and rules in a vacuum; rather, it works against a background of social rules and social controls which exist quite apart from the law. These rules and controls affect law's ability to regulate behavior; they also may suggest promising forms of legal regulation. It is unfortunate, therefore, that we know so little about so many aspects of the social setting in which family law operates, particularly the nonlegal means by which families seek to resolve their internal conflicts.

The Moral Order of a Suburb bids fair to alleviate some of that ignorance, for in it we have an analysis of a culture in which family disputes are apparently resolved without the violence which family law seeks to curb. And, on first reading, the book seems to offer a practical lesson: that with affluence come inclinations to deal with disputes in relatively benign ways. Thus, on first reading, the lesson is the optimistic one that, since "[s]uburbia is growing at a rapid rate," the apparently desirable regime that Baumgartner describes is the moral order of the future (p. 134).

Baumgartner, however, draws no such conclusion. On the contrary, throughout the book she seems implicitly and impliedly to deprecate the suburbanite's "weak" handling of conflict. At the end of the book, her disapproval becomes more overt, direct, and severe. She seems to associate the suburbanite's effete attitudes toward conflict with a failure to appreciate the beneficial attributes of conflict (attributes she identifies only with an allusive footnote). More explicitly and centrally, however, she writes:

> Moral minimalism entails a considerable degree of indifference to the wrongdoing of others. In fact, . . . this is only one dimension of a larger indifference that is found. If people in such places cannot be bothered to take action against those who offend them or to engage in conflicts, neither can they be bothered to help those in need. Positive obligations to assist others are thus also minimal where moral minimalism flourishes. . . .
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> Moderation thus prevails in both positive and negative behavior alike. In this sense, weak social ties breed a general indifference and coldness, and a lack of conflict is accompanied by a lack of caring. (Pp. 131, 134)

If Baumgartner is correct, we may be led to a much bleaker view of the problem of family conflict, for her evidence would

then seem to suggest that conflict and perhaps violence may be concomitants of the virtues of intense family feeling. However, we encounter here the same evidentiary failings that we encounter throughout *The Moral Order of a Suburb*. Baumgartner hardly even begins to demonstrate the truth of the suggestion that suburbanites feel only minimal obligations to assist each other and that they are generally indifferent and cold. The only evidence she presents about how Hamptonites actually behave toward people who need help is that "working-class people engage in more mutual support than middle-class people" (p. 133). Yet one plausible explanation for this is surely that affluent people need less support from their neighbors than people who are not affluent. And as to the warmth that Hamptonites have for each other, Baumgartner provides no real evidence. Rather, here as elsewhere, she relies on assumptions about how people must behave whose society is structured the way Hampton's is: "Much theoretical and empirical work has established that generosity and kindness increase with intimacy and social cohesion. It therefore follows that groups in which people are atomized and separated from one another by a great deal of social distance—and where moral minimalism is likely—will not be very altruistic" (p. 132, footnote omitted). This is not an implausible speculation, but it relies on assumptions where it needs (and could get) facts.

In sum, Baumgartner's title promises to deliver exactly the kind of book that needs to be written, a study of how a community relatively free of conflict manages some kinds of interpersonal disputes, a study that examines the part the formal legal system plays but is sensitive to the full range of normative components that make up a system of social control and to the full range of ways a system of social control may work. The book Baumgartner has written provides some intriguing information about how the citizens of a suburban community respond to provocation and some suggestive and significant ideas about how social structure may influence those responses. And the book should be a useful corrective to the lawyer's solipsist tendency to assume that law is the primary source of social control. That its empirical and theoretical promise is not fulfilled is due to the narrowness of its evidentiary and thematic base. But many works of scholarship have promised more and delivered less, and as a first contribution to a young field, *The Moral Order of a Suburb* is to be welcomed.

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