

ILLEGITIMACY AND RACE

National and Local Trends

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Webster's Third New International Dictionary defines illegitimate as "1a. not recognized by law as lawful offspring: bastard; usually born of parents not married to each other. b. conceived in fornication or adultery." (A story, probably apocryphal, quotes a young woman on the difference between fornication and adultery: "I've tried them both and there is no difference.") One could define illegitimacy as a state referring to the birth of a child, which is not sanctioned or approved by society, with said child and his natural parents being denied many of the rights and privileges usually inherent in their roles of parent and child. Another, and possibly less precise but more meaningful definition is that illegitimacy is what society says it is, with different societies giving different definitions. For example, in some states in the United States, a birth is defined as illegitimate if the mother indicates she is not married at the time; but in other states the mother is asked only if she has ever been married, and if so, the child is assumed to be legitimate. An awareness of the range of usage should be kept in mind when statistics on illegitimacy are presented because the adequacy of and comparability among states of the definition and derivation of illegitimacy are relevant to the long and intensive debate on whether illegitimacy ratios are less important than illegitimacy rates. The present paper will present clarifying material on this point, so suffice it to say for the present that although ratios and rates each have certain weaknesses, both are useful and relevant to the analysis of illegitimacy trends.

UNITED STATES STATISTICS ON ILLEGITIMACY

So-called national statistics on illegitimacy were not available in this country until 1917; even then, only 54 per cent of the population was included in the birth-registration area. Moreover, in 1917, three of the states in the birth-registration area (California, Massachusetts and New York) did not report on illegitimacy and it is not clear from the Report of Vital Statistics whether total live births from these three states were excluded from the illegitimacy analysis. If they were not excluded, then the Vital Statistics section underreports the proportion of all live births that was of illegitimate parentage prior to 1933. It was 1933 before all the states were included in the birth-registration area and, it was 1938 before estimates were made for the states not reporting illegitimacy. (By 1948, states not reporting illegitimacy had risen from three to 16).

Recognizing the weakness, then, of statistics on illegitimacy, which include only the states in the registration area and thereby excludes many states with apparently extensive illegitimacy, Table 1 shows the illegitimacy ratios (i.e., illegitimate births per 1,000 live births) by race for the United States for selected years beginning in 1917 and extending through 1965.

Although it is clear that the ratios for blacks were consistently higher than those for whites between 1917 and 1965, the table also shows a steeper increase in illegitimacy ratios for whites than for blacks. More specifically, the black ratio in 1965 was about twice what it was in 1917, and the white ratio in 1965 was three times the 1917 figure. The population of the United States has merely doubled between 1917 and 1965, but the number of illegitimate births reported (to the National Center for Health Statistics) has increased by more than 14 times. It is emphasized, however, that in Table 1, 1940 is the first year shown in which the numerator used in computing illegitimacy ratios is assumed to be fairly accurate. Between 1940 and 1965, the per cent increase in illegitimacy ratios for whites was greater than that for blacks: 103 per cent as opposed to 56 per cent. However, according to Clague and Ventura, the illegitimacy ratio has several weaknesses as an analytical tool.¹ "Illegitimate births (the numerator) are affected by the size of the unmarried female population and the rate of illegitimacy (number of illegitimate births per 1,000 single women aged 15-44). The denominator (total number of live births) is primarily influenced by the factors that affect marital fertility, including changes

TABLE I. ESTIMATED NUMBER OF ILLEGITIMATE BIRTHS AND RATIO OF ILLEGITIMATE BIRTHS TO TOTAL BIRTHS BY COLOR, UNITED STATES

Year	Number of Illegitimate Births		Illegitimacy Ratios per 1,000 Live Births	
	White	Nonwhite	White	Nonwhite
1965	123,700	167,500	39.6	263.2
1964	114,300	161,300	33.9	245.0
1963	104,600	154,900	30.4	235.5
1962	94,700	150,400	27.0	227.8
1960	82,500	141,800	22.9	215.8
1955	64,200	119,200	18.6	202.4
1950	53,500	88,100	17.5	179.6
1945	56,400	60,900	23.6	179.3
1940	40,300	49,200	19.5	168.3
1937	32,231	42,707	20.1	163.9
1930	29,490	34,077	18.6	141.1
1923	18,139	16,901	14.4	126.2
1920	15,170	12,579	15.0	125.0
1918	12,000	7,906	12.5	113.8
1917	12,238	8,226	13.0	120.1

Source: For years between 1917 and 1937, Vital Statistics of U.S., Part I, 1937, U.S. Government Printing Office, p. 7; for years between 1940 and 1965, Clague and Ventura.¹ Figures for 1955 through 1965 are based on a 50 per cent sample.

in spacing and completed family size and the proportion of women who are married. If this changes, the ratio will change, even if the numerator remains the same." Berkov, however, in discussing the denominator used in computing illegitimacy ratios, notes that it "is a function of the number of women of childbearing age, the proportion of women married, and the level of legitimate as well as illegitimate fertility."² Berkov's description of factors affecting the total live births (denominator) is more complete and in the discussion of racial differences it reminds us that legitimate as well as illegitimate fertility among blacks is higher than it is for whites. (For a discussion of fertility see Reynolds Farley and for a discussion of marital stability by color in the United States, see Glick, both in this volume.)

Berkov is in agreement with Clague and Ventura that the illegitimacy rate, which takes the number of unmarried women of childbearing age as the denominator, is a more valuable index of change in measuring trends in the illegitimacy problem because it is apparently free of the weakness brought on by using a denominator that is influenced by marital fertility, proportion of women married and number of women of childbearing age. Many students of illegitimacy tend to

agree that *rates* are more important in analyzing changes in scope of the problem and in assessing factors (often mistakenly labeled as causes) related to illegitimacy such as age, color, residence and social class. These students also agree that *ratios* are more useful in the planning of amount and type of services for illegitimate babies among services provided for the newborn. This is an important function inasmuch as the mortality rates and other health and social indices show illegitimate infants and their mothers to be in greater need of health and social services. However, certain assumptions are questionable in the use of estimated rates: (1) that the establishment of legitimacy is adequate and comparable among states, (2) that the illegitimacy rates for states not reporting illegitimacy are the same as those for its region, and (3) that no illegitimate births are attributable to married or separated women. This last assumption is probably the most questionable because although some known and counted illegitimate births to separated and married women are included in the numerator, the married or separated mothers of such children are not included in the denominator in the computation of rates.

Beginning in the late 1940's, the Report of The National Office of Vital Statistics began to mention illegitimacy rates and state the disadvantages in using illegitimacy ratios. For example, in the 1949 Report the following statement appears: "While the trend in the number of out-of-wedlock births is of considerable value, for many analytical purposes rates per 1,000 unmarried women, aged 15-44 years form a better basis for measuring change in the illegitimate birth problem." It is stated that the ratio is inferior because it does not take into consideration the number of unmarried women in the population; thus the ratio (which uses total live births as a denominator) could increase and indicate a growing problem, whereas, in reality, the increase may be primarily the result of a decreasing number of live births to married women or to a growing population of young (15-19 years) unmarried women. Rates, it is stated, correct this problem because they are based on the number of unmarried women in the population. In a relevant footnote, the 1949 Report proceeds to further justify the attention to rates: "It is believed that only a relatively small number of births *recorded* (italics ours) as illegitimate occur to married women. These are cases in which it is known that the father of the child is not the husband of the mother." Recent federal reports continue to make the claim that only a few married women have illegitimate babies.

With these assumptions, then, the National Office of Vital Statistics

TABLE 2. ESTIMATED ILLEGITIMACY RATES BY COLOR, UNITED STATES

<i>Race</i>	<i>1940</i>	<i>1950</i>	<i>1960*</i>	<i>1964*</i>	<i>1965*</i>
White	3.6	6.1	9.2	11.0	11.6
Nonwhite	35.6	71.2	98.3	97.2	97.6
Total	7.1	14.1	21.6	23.0	23.5

Source: Clague and Ventura,¹ Table 58.2.

* Based on 50 per cent sample of births. Rates computed by relating births, regardless of age of mother, to women 15-44 years of age.

began publishing estimates of the illegitimacy rate—estimated because of the need to rely on population estimates by age, sex, color and marital status, and also because estimates were made for those states that did not gather data on illegitimacy. Table 2 presents the estimated number of illegitimate births per 1,000 unmarried women age 15-44 (rate) by color for selected years between 1940 and 1965.

Over the 25-year period between 1940 and 1965 (Table 2), the data show that although the nonwhite rate was invariably many times that for whites (8.5 times greater in 1965), the percentage increase over this span was greater for whites (slightly over three times as great) than for nonwhites (slightly under three times as great). More precisely, for the whites, the percentage increases over successive 10-year periods between 1940 and 1960 were 70 per cent and 55 per cent, whereas for the blacks over these periods the increases were 100 per cent and 38 per cent. Between 1959 and 1965 (according to Clague and Ventura), the rate for white unmarried women has increased 26 per cent; for nonwhite unmarried women it has decreased three per cent. With respect to racial differences, apparently a leveling-off process started about 1950, and may intensify more in the future because for 1964 and 1965, the nonwhite illegitimacy rates (estimates) have begun to decline while white rates are climbing. It is important to emphasize that, since 1950, the color differential in the illegitimacy ratio has also been diminishing. (According to Berkov and Clague and Ventura the more rapid increase in the total illegitimacy ratio as compared to the total illegitimacy rate between 1960 and 1965 reflects the fact that rates of legitimate births and the relative contribution of legitimate births to total births have been falling.)

BOSTON STATISTICS ON ILLEGITIMACY

As mentioned earlier, Massachusetts is one of the 16 states that do not gather data on illegitimacy. (The others are Arizona, Arkansas,

California, Colorado, Connecticut, Georgia, Idaho, Maryland, Montana, Nebraska, New Hampshire, New Mexico, New York, Oklahoma and Vermont.) National statistics are based on the 34 reporting states, the District of Columbia, and estimates for the nonreporting states based on regional averages. As risky as the procedure is for students of illegitimacy, it is considered to be better than nothing. It is certainly better than the problem of obtaining demographic data for the cities, many of which are unable to collect systematic data on illegitimacy and so cannot even compute illegitimacy ratios. Even less frequently can illegitimacy rates be computed for cities because population estimates by age, sex, color and marital status in recent years have not been provided for cities. This, of course, also applies to Boston. When an attempt was made to derive such population estimates from standard metropolitan statistical areas, the errors were too great and the effort to obtain estimated illegitimacy rates was abandoned. Now, at a time of increasingly pressing urban problems—an outgrowth of the Negro Revolution, migration of blacks to and whites from the cities and of the poverty of cities—the need is great for demographic trend data in cities, including data on illegitimacy (not because of the moral or legal characteristics of the mothers and children involved, but because the mortality and morbidity rates as well as other indices suggest that mothers and children involved in “illegitimacy” are in grave difficulties).

In view of the great need for data on cities then, it was felt that it might be useful if data on illegitimacy were collected for the City of Boston.

Beginning in 1964, the authors began to review all birth certificates and to collect data on illegitimacy in Boston. Such data were collected until all certificates of births (a total of 93,989) taking place in Boston between January, 1962, and December, 1965, had been reviewed and all presumptively illegitimate births in Boston identified. This was done because it was felt that such data would allow the assessment of short-term trends in Boston, as well as the comparison of such trends with national trends. Moreover, Lundberg and Lenroot of the Children's Bureau made a similar study of illegitimate births in Boston for the year 1914 (published in 1921), thus offering the opportunity to contrast the extent of the problem in Boston for two points in time approximately 50 years apart.

Table 3 presents the trends in illegitimacy ratios for Boston and the United States between 1962 and 1965. The table shows a steady in-

TABLE 3. ILLEGITIMACY RATIOS FOR ALL BIRTHS IN BOSTON AND THE UNITED STATES

Year	<i>Illegitimate Births in Boston</i>	<i>Total Births in Boston</i>	<i>Boston Illegitimacy Ratio</i>	<i>United States Illegitimacy Ratio</i>
1962	1,790	24,493	73	58.8
1963	1,861	24,116	77	63.3
1964	2,158	23,898	90	68.5
1965	2,290	21,482	107	77.4

TABLE 4. ILLEGITIMACY RATIOS BY COLOR FOR BIRTHS IN BOSTON, 1964

	<i>Number of Illegitimate Births</i>	<i>Total Live Births</i>	<i>Illegitimacy Ratio</i>
Total	2,156	23,898	90.2
White	1,451	20,794	69.8
Nonwhite	699	3,104	225.2

TABLE 5. ILLEGITIMACY RATIOS FOR ALL BIRTHS IN BOSTON AND FOR BOSTON RESIDENTS ONLY

Year	<i>Illegitimacy Ratio for all Births in Boston</i>	<i>Illegitimacy Ratio for Births to Boston Residents</i>
1962	73	68
1963	77	67
1964	90	83
1965	107	94

TABLE 6. ILLEGITIMACY RATIOS OF BIRTHS IN BOSTON BY RACE, 1914 AND 1964

	<i>Illegitimate Births</i>	<i>Total Number of Live Births</i>	<i>Illegitimacy Ratios per 1,000 Live Births</i>
White			
1914	794	19,087	42
1964	1,451	20,794	69.8
Negro			
1914	52	356	146
1964	681	2,878	237

Source of 1914 data: Lundberg and Lenroot,⁴ p. 107. One illegitimate birth was to "other than" white or Negro. Figures for 1914 include 752 births presumed to be illegitimate and 95 births presumed to be legitimate but later found to be illegitimate via a check with death certificates and with the records of agencies. This procedure was not followed by the authors with respect to the recent data, thus the 1964 illegitimate ratios may be viewed as underreporting the extent of illegitimacy.

crease in the illegitimacy ratios for Boston in recent years, as was the case for the nation. The Boston ratios are substantially greater than are those for the nation in each year; this is probably because of the well-known fact that many suburban and nonmetropolitan women in Massachusetts have their illegitimate babies in Boston. For Boston, and for the United States as well, the number of illegitimate babies born has increased each year between 1962 and 1965, and the total number of live births has decreased primarily because of a decline in marital fertility. (However, in part because the number of unmarried women has been increasing, the illegitimacy rate for the United States has remained fairly stable.)

Because of the great difficulties involved in obtaining data, the authors were able to obtain illegitimacy ratios by color for only one of these four years: 1964. The illegitimacy ratios by color for 1964 are presented in Table 4.

Comparing the data in Table 4 with the 1964 data in Table 1, it is interesting to note that the Boston illegitimacy ratio for white women is greater than the ratio for the United States as a whole, and the ratio for nonwhite women is smaller than the national nonwhite illegitimacy ratio. The ratios for Boston white women are undoubtedly inflated by the large number of white nonresident women who come to Boston to have their illegitimate babies away from home and take advantage of the specialized services available in Boston. That this is a rather stable phenomenon with respect to Boston receives some support from a comparison of illegitimacy ratios for Boston residents as compared with such ratios for all illegitimate births in Boston (see Table 5).

Table 5 shows that the illegitimacy ratios are somewhat lower for Boston residents than for all births in Boston. Even so, the ratios for Boston residents are still higher than they are for the nation. In general, metropolitan areas have substantially higher illegitimacy ratios than do nonmetropolitan areas of the United States. However, if Boston is representative of the larger northern cities, then it is in these cities rather than in metropolitan areas where illegitimate births are concentrated.

Boston Illegitimacy Ratios in 1914 and 1964

In 1921, Emma Lundberg and Katherine Lenroot, under the auspices of the United States Children's Bureau, undertook an extensive study of the scope of illegitimacy in Boston during the year

1914. Similar to the procedures used in the present Boston study, Lundberg and Lenroot based their decision on the child's legitimacy or illegitimacy on the information under the space "father's name" on the child's birth certificate. (Berkov's method of inferring illegitimacy in California is essentially the same as the method employed in the two Boston studies being discussed.) As noted earlier, the Lundberg-Lenroot study afforded an opportunity to compare the data on Boston illegitimacy ratios by race for 1914 and 1964. Table 6 presents these data.

In brief, Lundberg and Lenroot found that the Negro illegitimacy ratio for Boston in 1914 was three and a half times the white illegitimacy ratio; similar data over 50 years later (in 1964) also shows the Negro illegitimacy ratio in Boston to be three and a half times that of white women. This fact is a dramatic example of the community's failure or inability to act earlier on the problems surrounding illegitimate Negro children; Lundberg and Lenroot also established the fact that infant mortality was highest among the illegitimate children of the poor (and the nonwhite). Recent punitive legislative proposals in Boston, apparently directed primarily against unwed mothers has followed upon unfavorable publicity concerning the growing number of unwed mothers in Boston; by implication and innuendo most of these are thought to be recent Negro migrants. The data presented here, however, suggest that Boston has had a disproportionate number of Negro illegitimate children for a good many years and the entire problem cannot properly be placed on the migrants. It is true, however, that although the Negro population constituted over ten per cent of Boston's population in 1964, it was less than two per cent of the Boston population in 1914. This, however, only suggests that Boston could have undertaken to study and, perhaps, to deal with this problem a good many years ago.

With respect to percentage increase over the period between 1914 and 1964, little difference is seen between the racial groups for Boston. Percentage increase for whites has been 67 per cent and for blacks it has been 62 per cent.

In spite of the more favorable national picture for nonwhites when per cent increase with respect to illegitimacy rates and ratios is analyzed, it is a fact that both the national and Boston data on illegitimacy show very substantial differences, with the nonwhites having the higher ratios—and rates, too. Although the causes of this difference, both historical and contemporary, merit careful study and discussion,

the authors will not delve into this matter because it has been dealt with elsewhere³ and the paper by Liebow, in this volume, also touches on this area. Instead, the inadequacy of the available statistics will be discussed. The authors' own research and review of the relevant research of others lead to serious questions about the validity of illegitimacy rates and ratios alike for the United States as a whole as well as, of course, those in many individual states. The matter of validity, perhaps, can best be considered by focusing on the factors of color and marital status.

CONCEALMENT BY COLOR AND MARITAL STATUS IN ILLEGITIMACY STATISTICS

A number of writers have indicated that concealment of illegitimate births is much more frequent among white women than Negro women. More than 50 years ago, Lundberg and Lenroot, commenting upon the data collected in their extensive study of presumptive illegitimacy in Boston—based on birth certificates—indicated the evidence of a more widespread concealment of illegitimate births among white as opposed to Negro women.⁴ They did not, however, provide any data on this issue. More recently, Elizabeth Herzog, commenting on national statistics, has alluded to “differences in reporting” of and by white and nonwhite women with respect to illegitimate births.⁵ Berkov states, “Less information is available about illegitimate than about total births and it is assumed that concealment of illegitimacy is more frequent for white than for Negro women.”⁶ Berkov, like Herzog, presents no data on concealed illegitimate births by color; understandably, because no one has ever suggested that such data could be collected.

With respect to the bias by marital status in national reports of illegitimacy rates, a study by Clark Vincent in California showed conclusively that more than an insignificant number of married women had illegitimate babies.⁷ The fact that the study took place in one county in California—one of the states that does not report illegitimacy data—does not detract from its importance. In Vincent's own words:

A questionnaire was sent to all surgeons, obstetricians, gynecologists, general practitioners and osteopaths listed in the 1952 medical directory of Alameda County, California. The questionnaire requested data on the mothers of all babies born out of wedlock which the doctors had delivered

during 1952 in private practice (i.e., not delivered in a county hospital, clinic or public institution). Of the 576 questionnaires mailed, 409 or 71 per cent were returned. Of the 409 doctors who responded, 31.8 per cent had delivered in private practice during 1952 a total of 252 babies born out of wedlock.

These 252 cases of illegitimate births were further divided into three categories: (a) 171 unwed mothers who had never been married, (b) 51 mothers who were divorced or separated from their husbands, and (c) 30 mothers who were married but the baby was fathered by a man other than the mother's legal husband. The data being reported concern 137 unwed mothers of category "a" for whom data were reported by the doctors. Of these 137 unwed mothers, 83.9 per cent were white, 13.1 per cent Negro, 2.2 per cent Oriental, and for 0.7 per cent no data were given.

Thus, although Vincent did not comment at all upon the fact that 32 per cent of his 252 cases of illegitimate births were to married, separated or divorced women, his data perform a great service. Indeed, if the proportion of divorced women is substantially less than the proportion of separated women—as was found in a British study to be discussed below—then it is not farfetched to assume that at least one-quarter of the women who gave birth to illegitimate children in Vincent's Alameda County study were legally married. Inasmuch as California, like Massachusetts and other states, does not inquire into the legal status of the birth of a child, a married woman may be less inclined to conceal the birth of an illegitimate child from her physician than is the case of women in states that make such inquiries. But whether married women in other states do or do not conceal illegitimate pregnancies, the evidence from Vincent's study is that a great many married women do have illegitimate babies. What is surprising is that years after Vincent's study many researchers are still content to present illegitimacy rates and to claim that such rates, which divide all illegitimate births by the number of unmarried child-bearing women, are useful in assessing the causes of illegitimacy.

A further bit of inferential evidence that a great many married white women do conceal illegitimate pregnancies, perhaps with the help of private physicians and officials, comes from pairing Vincent's study of Alameda County (for 1952) with Berkov's study of Alameda County (for a brief period in 1966). Vincent, it is recalled, found that of the 137 women in his study who were not married, separated or divorced and on whom he had data, 84 per cent were white, 13 per cent were Negro, two per cent were Oriental and less than one per cent were of unknown racial origin. Interestingly enough, Vincent

provided no data on race—or anything else—for the married, separated or divorced women in his study of women who gave birth in private practice; i.e., secretly. However, one can probably assume that the married, separated or divorced women divide along racial lines in about the same way as did the never-married women who were delivered in private practice. (It is also sociologically and otherwise relevant that Vincent's single mothers of illegitimate babies were found to be predominantly middle or upper class on the factors of education and occupation. However, it is beyond the scope of the present paper to delve into the social class distribution of mothers of illegitimate babies.) By contrast, Berkov, in her study of birth certificates in Alameda County—a part of a larger study of illegitimacy in California—found that more Negro than white presumptively illegitimate births occurred in the county during her sample period. More specifically, Berkov found that of 97 illegitimate births in Alameda County during a one-week period, 57 were Negro and 39 were white. Were the illegitimate births found by Vincent adjusted for nonreporting physicians and applied to the figures presented by Berkov for 1966, they might substantially reduce the racial difference between the illegitimacy ratios presented by Vincent and by Berkov for Alameda County.

Indeed, although Berkov intended to be as precise as possible in avoiding the counting of legitimate births as illegitimate for California as a whole, she indicates a lack of concern for counting illegitimate births to separated (married) women. In a sentence pregnant with meaning she comments on the high Negro illegitimacy rates: "It is possible that the Negro illegitimate rate has been overstated because more of the Negro than white illegitimate births are likely to be births to separated women who are not included in the denominator of the rate."⁸ A short time later, she states, "If rates of illegitimate births (in California) are recalculated to include *separated women* (italics ours) among those at risk of bearing an illegitimate child, the rate of Negro illegitimate births drops by about one-fourth, but the rate of Negro legitimate births increases correspondingly."⁹ Based on the California studies of Vincent and Berkov it is clear that the illegitimacy ratios and rates alike being published in this country are highly questionable. It seems that it is time for researchers to attempt to assess the rate of illegitimate births to married (i.e., married or separated) women as well as to unmarried women.

Other recent studies also question the bland assertion that an in-

significant number of married women have illegitimate births. Thus Illsley and Gill, commenting upon their data on illegitimacy in Scotland, including an analysis of illegitimacy in Aberdeen for the years between 1949 and 1952, state: "In general the rate would be an appropriate measure of the incidence of illegitimacy if all illegitimate births occurred to unmarried women—the greater the proportion occurring to married, widowed and divorced women and the greater the proportion of consensual unions (i.e., stable relationships where offspring are designated as illegitimate), the more misleading it becomes to use the number of unmarried women as the denominator."¹⁰ Indeed, referring to Thompson's data, derived from municipal and hospital registrations, Illsley and Gill note that 31 per cent of the women involved in illegitimate births to residents of Aberdeen during 1949–1952 were married, widowed or divorced. More specifically, they report that 23 per cent of the women giving birth to illegitimate babies were in the married category and eight per cent were widowed or divorced.¹¹ For the more recent years, 1958 and 1966, Illsley and Gill report that 50 per cent and 28 per cent, respectively, of all illegitimate births of women resident and confined in Aberdeen were to women "ever married" or engaged in consensual unions. These authors state that the decline is the result of the increase in illegitimate births to young single women during this period. Most important is the fact that Illsley and Gill question the practice of including children born to women in stable consensual unions as illegitimate. This practice also causes inflation of illegitimacy ratios and rates.

A study that apparently uncovered a fairly large number of concealed illegitimate births (in 1962) to married women in Boston, was reported on by Teele and his associates.¹² The study involved the comparison of the names and addresses of 1,335 presumptively unwed mothers (derived from a study of Boston birth certificates covering a nine-month period in 1962) with a list of names and addresses of 1,149 unwed mothers who were reported by social agencies as clients accepted for service during the study period in 1962 because of their "out-of-wedlock pregnancy."¹³ Of the 1,149 women who received social services, no Boston birth certificate was found for 411 among the presumptively out-of-wedlock births and were excluded from the 1967 report by Teele and his associates. Policies of the social agencies on confidentiality of records at the time of the study precluded a review of the 411 records by the present authors. The United Community Services, however, supplied the following numerical data:

(1) Birth occurred out of Boston	117
(2) Birth occurred in Boston to a divorced or separated woman. (The birth certificate was apparently that of a normal family with the same name given for mother, father and child even though the social service agencies involved knew the child was illegitimate.)	237
Total	354

Of the remaining 57 women in the United Community Services study that were not found by the authors, 30 may have involved cases of fetal death, leaving only 27 unaccounted for. The inquiries about the 411 mothers for whom no birth certificate were found takes on great significance in the present discussion, for the results indicate that a great many married women have illegitimate births that are counted as legitimate. Paradoxically, it seems that the states that do not assess the legitimacy of birth (e.g., California) provide the best possibilities for studying illegitimate births among married and unmarried women because these states encourage researchers both to study birth certificates and to include private physicians, social agencies and other sources of information on illegitimacy.

The other side of the coin—and also of concern in the use of rates of illegitimacy, which rely on the number of unmarried females aged 15–44—is the extent to which babies delivered of married women are registered as illegitimate. The National Center for Health Statistics has never presented any data on this matter, apparently because the individual states do not present such data. Even if states did accumulate such data it would present a complicated task for analysts because, as noted earlier, the states ask different questions apropos of the child's legitimacy. Thus, some of the states ask only if the mother has ever been married, and if the answer is affirmative the child is counted as legitimate. In other states the mother is asked if she is married to the father of the child. In numerous other states, including the larger industrial states, e.g., Massachusetts and New York, the mother is not asked if she is married and the legitimacy of the child is not determined, a procedure that makes enumeration of illegitimate children delivered of married women impossible without careful study of birth certificates as in the Boston study.

The Boston study, even though—or because—Massachusetts did not record legitimacy status, did permit some data to be gathered on unconcealed illegitimacy among “ever married” women. Curiously,

among the 1,335 birth certificates for the first nine months in 1962, were 116 mothers of illegitimate children whose (present) names at the time of the child's birth were different from their maiden names. Because Massachusetts did not gather data on illegitimacy, the authors presumed an illegitimate birth if no entry was made for the item "father's name" or the father's name did not correspond to either that of the mother or of the infant. In such cases, then, if the mother has a name different from her maiden name, logic would have it that she was either a married, divorced, separated or widowed woman giving birth to an illegitimate child. Presuming this to be the case, almost one-tenth (nine per cent) of the illegitimate babies born in Boston during the period of intensive study were to married or "ever married" women who did not conceal the fact that they gave birth to illegitimate babies. Interestingly enough, although Negroes account for 31 per cent of all illegitimate births in Boston for the year 1962, only 26 per cent of the 116 unconcealed illegitimate births to married women are to Negro women. Outside of Boston, in other parts of Massachusetts, where few Negroes reside, it is safe to assume that nearly all illegitimate births to married women are to white women.

Considering both the apparently concealed and the apparently unconcealed illegitimate births to married women in Boston during the first nine months of 1962, the following may be derived:

(a) Illegitimate births in Boston

1335 illegitimate births (including 116 to "ever married" women) from birth certificates;

237 additional illegitimate births located through the social agencies' own research as occurring to separated or divorced women.

1572 new total number of illegitimate births

(b) Illegitimate births to "ever married" women in Boston

116 unconcealed illegitimate births;

237 concealed illegitimate births.

353 illegitimate births to married women.

These data indicate that at least 22.5 per cent of all illegitimate births in Boston during the study period were to married, separated, divorced or widowed women. This figure is not too dissimilar from the 32 per cent obtained for the proportion of illegitimate births to "ever married" women in Vincent's 1952 study group in Alameda County,

especially when it is considered that the study by Vincent was designed to find "secret" illegitimate births and utilized a canvas of all categories of attending physicians. If births to women in stable consensual unions were counted as illegitimate births to married women (as Illsley and Gill seem to propose) then a larger proportion of illegitimate births would be counted as illegitimate births to married women.

Although it has continued, in recent years, to place emphasis on the use of illegitimacy rates—a procedure based on the number of unmarried females of childbearing age—the National Center for Health Statistics has made no apparent effort to assess and to publish figures on registered or estimated illegitimate births by married women. Instead, it continues to assert that illegitimacy among married women is insignificant. The methods used amount to the concealment of illegitimate babies born to married women. Apparently the Office has no great interest in correcting the impression that national illegitimacy rates are fairly accurate. It is likely, however, that if data on both types of concealment were obtained or estimated (i.e., illegitimate babies born to married women who conceal them from officials and illegitimate babies born to married women who go unreported to or by the Office) and if offspring of stable consensual unions were not attributed to unmarried women, that the incidence of illegitimacy among those "ever married" would be almost as great as the incidence of illegitimacy among "never married" women. Such an accounting might tell more about both the causes of illegitimacy and the amount and type of services needed than do present methods. Moreover, the practice of supposing that only the children of "unmarried mothers" needed attention might undergo reappraisal. Indeed, inasmuch as the attention given "unmarried mothers" and their children is often punitive on the grounds that their children are illegitimate and the mothers are immoral, a sobering of legislative and social attitudes might result from a shift in focus to include the illegitimate children of the married and especially of the married, "respectable" part of the population. White women and married women who conceal illegitimate births are evidently more than just a few; therefore, it is reasonable to assume that the inclusion of these women and their babies in the computation of illegitimacy rates and ratios would substantially correct the notion that illegitimate babies are born only to the unmarried and the black. For in a very real sense the unmarried and the black are invariably subjected to the other side of the "coin of concealment;" i.e., the glare of publicity.

SUMMARY

This paper has presented some data on trends in illegitimacy rates and ratios by color and race for the United States and for selected local areas. For the United States as a whole the published data show that the extent of illegitimate births has been and still was, in 1965, far greater for blacks than for whites. Nevertheless, a leveling-off process has been taking place in the 1960's for blacks while rates and ratios for whites appear to be increasing. In Boston, illegitimacy rates could not be estimated because of the lack of population estimates by sex, age, color and marital status. However, illegitimacy ratios were computed and, overall, were higher than those for the United States between 1962 and 1965. When the Boston ratios were computed by color, the result was that the illegitimacy ratio for whites was higher than the national figure for whites; that for nonwhites was lower than the national illegitimacy ratio for nonwhites.

The question of the validity of ratios and rates alike was considered, using the findings from several local-area studies in the United States and Scotland. Essentially, it was found that the apparently more useful statistic—illegitimacy rate—was inappropriate because it assumes that all illegitimate births are to unmarried women. Specifically, it was noted that a number of researchers have stated or found a substantial number of illegitimate births among married women, both concealed and not apparently concealed. It was also noted that, because of administrative decisions and concealment practices, the number of illegitimate births is likely to be overestimated among blacks, a fact that inflates both the illegitimacy ratio and rate for blacks.

Present methods for obtaining illegitimacy ratios and rates leave much to be desired because of the lack of uniformity among reporting states, the lack of data from nonreporting states, the inclusion of children of consensual marriages as illegitimate, the exclusion of many illegitimate births to married women that are concealed, the exclusion of married women having illegitimate babies from the denominator on which rates are based and the failure to take proper count of unconcealed illegitimate births to married women. If illegitimacy is worth being studied at all, it should be studied thoroughly. If it is to be studied, students in the area will have to deal with some of the neglected issues and questions raised in this paper. By doing so they may even alleviate the present negative publicity being focused on the unmarried and the black. Moreover, it is emphasized that the care of

children should be of first concern, and not whether a child is legitimate or illegitimate. Indeed, in view of the temptation that many people apparently have to punish unwed mothers and illegitimate children,¹⁴ the time has come for society to think seriously about eliminating both labeling children as illegitimate and brutalizing their mothers.

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DISCUSSION

Mr. Arthur A. Campbell: This very informative paper emphasizes two basic problems in the study of illegitimacy: (1) the extent to which illegitimacy is concealed in different groups, and (2) the marital status of the mothers of illegitimate children.

Concerning marital status, the authors are quite correct in pointing out that it is possible for a married woman to admit having had an illegitimate birth in many reporting areas.

As of 1969, 31 states, the District of Columbia and the Virgin Islands, asked simply whether the child was legitimate or not. Seven states and Puerto Rico asked only whether the mother was married; Delaware and Virginia asked whether the mother was married to the father of this child.

Unfortunately, it is not possible in any of the states, with the existing records, to compare the mother's marital status with the legitimacy status of the child. It would require some difficult and sensitive social research to obtain the information we need to answer some of the questions that the authors of this paper have raised. However, I agree with them that high priority should be given to such research. Certainly, this would be important if the proportions of reported illegitimate births occurring to married women were as high as they were in the examples given by the authors in Alameda County and Aberdeen.

Comparisons of legitimacy status and marital status would be of great help in interpreting illegitimacy rates specific for age. We find that the illegitimacy rates per 1,000 unmarried women increase with age to a peak at ages 25 to 29.

In 1967, for example, the rate rose from 18.6 at ages 15 to 19 to a

peak of 41.4 at ages 25 to 29. This pattern results from dividing decreasing numerators (numbers of illegitimate births) by denominators that decline even more rapidly (numbers of unmarried women).

If it is true that the denominator should also include a number of married or separated women, whose numbers would rise with age, this could account for the unusual age pattern of illegitimacy rates that we obtain with existing definitions. It seems possible that the number of women exposed to the risk of bearing an illegitimate child declines with age no more rapidly than the number of illegitimate children.

The issue of concealment is separate, but related. In my own mind it is a more important issue than that of marital status. But in any case, it requires the same kind of sensitive and probing research. One place in which to begin such research is the reporting system used in the hospitals. How is the information obtained for the birth certificate? Is the information on legitimacy status requested of the mother, or is it assumed on the basis of her apparent circumstances? Are efforts made to conceal the occurrence of illegitimate births to certain kinds of patients? I am sure that if we were to investigate some of these questions we would find a great variety of practices among different hospitals.

As the authors state, we do not know at the present time what the data on illegitimacy in the United States reflect. The recorded numbers are rising rapidly, in part because of increases in the number of single women. The ratios of illegitimate to total births are going up even more rapidly because of declines in marital fertility.

However, the rate for the United States has remained relatively stable around 23 to 24 per 1,000 during the period of 1963–1967, and it is difficult to interpret this stability when we do not know whether the denominator is entirely appropriate for the numerator, or what the trends in concealment have been.

Given these limitations, I am not entirely sure what the following trends mean, but I cite them simply because I think they are relevant to the present situation. Between 1965 and 1967, the latest year for which data are available, the number of illegitimate births per thousand unmarried women, 15 to 44 years of age, increased by eight per cent among white women, but declined by eight per cent among Negro and other women.

Dr. Ryder: It seems to me, in looking at the illegitimacy literature, that there is a sort of a conservative and a liberal orientation to the event. The conservative looks at these illegitimacy data and sees them as evidence of sin. I think the liberal looks at these data and says something

like, "Oh, those poor unfortunate children that are being produced in such a way!"

But it seems to me that the kind of research we need to do on the phenomena like this hasn't even begun, because illegitimacy is one outcome of a long chain of events, or choice points that are made, all of which have to be taken into consideration in viewing the whole process.

It seems to me the first choice point is whether a woman not presently with a husband is going to have intercourse or not.

The second choice is whether or not that intercourse is going to be protected adequately from the risk of conception.

Once the conception occurs, the choices become rather varied, one of the possibilities is to have an abortion. A second possibility is to arrange a marriage—pretty promptly—to make it a premarital conception, and a third possible choice is to have an illegitimate child.

Until you compare abortion rates and premarital conception rates and illegitimacy rates as part of the same package (and all such data are poor), you are really not in a position to make any inferences with regard to what I think is in most people's minds when they look at the complex process as simple evidence about illegitimacy.

Furthermore, the illegitimacy classification seems to be a rather blunt instrument for tackling a problem perhaps a little more in line with Malinowski's approach, and that is that the problem, when the child comes into the world, is: Is that child going to have a male and a female parent, and at what point in time?

The choice to be made by a considerable part of our population is whether the man who happens to inseminate the woman is the best choice for the father of the child to be produced as a consequence.

That may not be a particularly sensible way of choosing a sociologic father for the child, even though he may be biologically competent. Perhaps the woman with an illegitimate child is a woman who is making a rather different choice. She may say, "I know who inseminated me, but let's leave that aside. I want a person who will provide me with a stable home life and one who will provide my children with the kind of father I think they need. Let's wait a while and I'll see if I can find such a person."

It seems to me from my reading of the data that the vast majority of women who have an illegitimate child eventually acquire a husband, and by eventually I don't mean 15 or 20 years later; I mean within the next year or two or three years.

If we look at illegitimacy from that standpoint, we simply have a

problem of timing in distinguishing illegitimates from premarital conceptions. In premarital conception the marriage occurs very soon, while the mothers of illegitimates may be showing a little more wisdom by waiting a while, rather than getting propelled into marriage.

Dr. Hauser: I think Dr. Ryder has touched upon the same kind of thing I want to get at, but I might state it in other terms. I think we are in a realm, here, where we who are demographers and statisticians are using inherited and probably inapplicable conceptual frameworks to get at the things we are trying to reach.

I think it is important to remember that the standards we employ are based on our own categories of marriage and legitimate and illegitimate births. According to our standards half of the population in Latin America is illegitimate, and all of the population with whom I lived for two years in Burma is illegitimate, and I'm not sure what that means.

I think it is intriguing to see the rather moralistic overtones that emerged with Dr. Teele's presentation for a perfectly understandable reason. He is trying to point out that unmarried white women are as immoral as unmarried black women, and I think the idea of morality should not be applied to either situation.

I think that what we have here is equivalent to what Gunnar Myrdal has called attention to recently in his three volumes, *THE ASIAN DRAMA*; i.e., the inapplicability of the labor force idea for the measurement of the work force in the developing regions of the world.

I think we have the same kind of situation here. Without further elaboration, I endorse heartily what Dr. Ryder has just said, but with this specific twist, that I think what we need here is the development of a framework for studying living arrangements, in households and otherwise, to get away from our inherited particular forms of marital categories, and their consequences in terms of legitimate and illegitimate births with which we work. For example, I think equally applicable both to the white and black societies in the United States is an idea that is used in the Jamaica census, and that is "visiting relationship."

We know that illegitimate babies in the U.S. experience relatively high mortality. The implication, I think, is that illegitimacy produces high infant mortality, and I think that this is utter nonsense. What produces high infant mortality is the socioeconomic status of these people of which "illegitimacy" as we define it is one index. What produces high infant mortality are inadequate biologic and social milieux in which the child is reared.

If we had some tabulations not by whether or not a marriage cere-

mony took place, civil or legal as the case may be, but by the kind of social and economic milieu in which the child is surrounded, then we would have more significant data, from an epidemiologic point of view.

The tragedy is that even if these people were married and had essentially the same income and so forth, they would still have higher infant mortality. We put the cart before the horse.

Similarly, some of the implications in the report of Pat Moynihan, who was acting in good faith, I can assure you, are unwarranted. For instance there is the implication that a child that doesn't have a father and a mother present necessarily has a distorted personality of some type. We don't know that! Possibly the three mothers mentioned by Dr. Thompson are the best invention that has ever been made; and a lot of us whites would have profited greatly if we had had three mothers and gotten rid of some of those we did have.

Similarly, from the standpoint of the role of the male. There is no other realm, I would say, in demography and statistics that is as ethnocentric, and as handicapped by inadequate notions as is this area of the family and marriage.

I would hope that the Census Bureau and those of us who can do surveys will be able to work out new patterns of living arrangements, and in terms of how the life space of the elders and the youngsters are actually deployed.

Dr. Thompson: I discovered in a study that I have just finished, that we also have illegitimate mothers, not just illegitimate children. We actually have the illegitimate family over generations, in which the mother has illegitimate children who then give birth to illegitimate children. In looking at the total family we found this was a way of life, that once illegitimacy is started it is difficult to stop. But it is not characteristic of all lower-class families. We found lower low-class families who never had illegitimate children. It was not the social class as such, but a kind of a subculture within the community that seemed to be involved.

If we would focus on the illegitimate mother rather than on the children exclusively, perhaps we would discover something in the socio-economic environment that gives rise to illegitimate families.

As Dr. Beasley will agree, some of the families that he studied in New Orleans were the families that I studied in this area. Among some of them it was to the advantage of the mother to have illegitimate babies. Therefore, I wish we could have a study on the subculture of illegitimacy, not just the illegitimate children themselves.

Dr. Driver: It seems to me that the idea of illegitimacy, whether applied to individuals or groups, certainly has consequences in a society, many of which are quite harmful. It seems to me that the starting point is to ascertain just what illegitimacy really *means* to those who collect the statistics. By one count, 40 per cent of the first births to married couples were conceived before marriage. Dr. Campbell has touched upon this in terms of definitions in various states.

If you ask someone whether a child is legitimate or illegitimate, he or she might find it a little difficult to reply. I suspect many would answer the question yes or no without being cognizant of its meaning.

But my point is, rather, that if one views legitimacy statistics as a kind of morality statistics, then we are quite clear that rates at a given time or over time are influenced by many factors other than the behavior that is going on. The increases from 1940 to the present may or may not be meaningful in terms of what was actually taking place in the community. So I feel that we should examine critically this whole reporting process and obtain a better measurement than the one that now exists because of variation in the way of reporting illegitimacy.

Dr. Teele: I want to say that apropos of the suggestions by Dr. Hauser and Dr. Thompson that we study the milieu of one-parent families, that my colleagues and I are in the first stages of such studies. We are trying to study the milieu of a group of families (both black and white) in which two or more women in a family had illegitimate children and lived together at some time in the last five or six years essentially giving all the children in the family an extra parent, at least for a while. We refer to such parents as "like-sexed couples." We are interested in seeing how that works out. It is a very sensitive kind of study, and we are dealing with it carefully. We want to compare this group of families with a comparable group of families in which there has not been any case of illegitimacy.