

FAMILIES

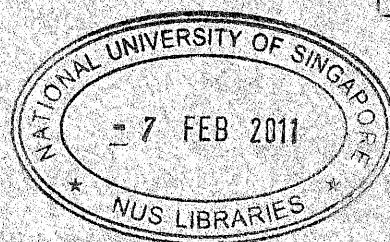
A Sociological Perspective

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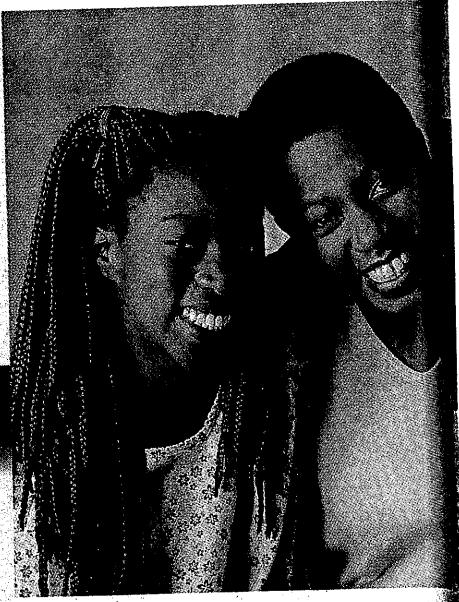
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In 2005 a Louisiana couple whose home was destroyed by Hurricane Katrina was forced to relocate in Chicago. They said of the people there, "They took us in with open arms. . . . It's like we're all *family* here. That's what it feels like." A year later the political group MoveOn.org published a book on the tragedy titled, *It Takes a Nation: How Strangers Became Family*.

A proverb among the Mende of Sierra Leone says: "The stranger who tells our stories when we cannot speak not only awakens our spirits and hearts but also shows our humanity—which others want to forget—and in doing so, becomes *family*" (Beah, 2007, p. 81).

The Olive Garden Italian restaurant chain has a marketing campaign that features the tag line, "When you're here, you're *family*." The idea of family pervades the company's Web site: "Olive Garden is a *family* of local restaurants focused on delighting every guest with a genuine Italian dining experience. . . . We offer a comfortable, home-like setting where guests are welcomed like *family*."

In each of these examples we see the varied, fluid, and sometimes unexpected ways people use the term *family*, and the powerful connotations that term has. Could the displaced Louisiana couple have expressed their gratitude by saying, "It's like we're all *neighbors* here"? Could the suffering Mende thank people who have informed the world of their plight by referring to them as *supportive allies*? Could Olive Garden inspire feelings of comfort in potential customers if its advertisements read, "When you're here, you're *an important customer*"? Certainly not.

The really curious thing, though, is that none of these examples used the word *family* to describe the relationships most of us usually think of as family—husbands and wives, parents and children, brothers and sisters, grandparents, aunts, uncles, cousins, and so on. Instead, people use *family* to induce images of love, commitment, generosity, protection, and warmth.

In this chapter, we'll examine the vital issue of how family is defined. Who gets to be called a family and who is excluded from this definition are not simply differences in labels. The categories of "family" and "nonfamily" have different values and privileges in the culture.

IDENTIFYING FAMILIES

Perhaps no word evokes as much emotion or carries as much political weight as *family*. It permeates our lives and defines who we are as a culture. We're all born into a family of one sort or another and will spend at least part of our lives inside some type of family.

Ironically, as recognizable as it is, family is also a remarkably elusive term. Ask 10 people to define it and you're likely to get 10 different responses. We may want to think that family is a natural feature of human life, but in fact its meaning—not to mention how people feel about it and what they expect from one another within it—is **socially constructed**. This means that what we believe to be "real" is always a matter of what we collectively define and agree upon as real (Newman, 2007). Your relationships to others *become* family relationships when you refer to yourselves and treat each other as a family (Berger & Kellner, 1964).

For instance, when I talk about the "Newman family" I am describing something that is organized in a particular way; something that has identifiable boundaries that determine who's in it and who's not. But this thing called the Newman family does

not have an objective reality separate from people's definitions of it. In fact, although we may refer to it—thereby giving it meaning—no two members experience or define it in exactly the same way. Newman family means something entirely different to my younger son than to my older son or, for that matter, to me. And it certainly means something even more different to those outside it.

One of the most fundamental and deceptively simple questions facing people who study family is this: Just what exactly *is* a family? The answer has very real and critical consequences for all of us. People defined as family may be in line to receive a whole host of tangible benefits, such as eligibility for certain types of housing, tax breaks, inheritances, health care coverage, and travel insurance, not to mention legitimate recognition within their community. Even our right to spend time with certain people sometimes depends on whether or not we're considered that person's family. For instance, all 50 states have some type of law that grants grandparents and sometimes other relatives the right to visit children over the objections of parents. The state of Washington goes even further, giving anyone, even those without any defined relationship to the child, the right to petition for visitation rights. Petitions are successful if the court concludes the individuals play such an important family-like role in the child's life that regular contact would be in the child's best interest (L. Greenhouse, 2000a).

Not only are those who fall outside the definition of family ineligible for certain benefits, but their relationships may be considered illegitimate, inappropriate, or immoral as well (Hartman, 1994). One of the key ideas to keep in mind as you read this book is that our views about which family forms are acceptable, normal, desirable, and praiseworthy also determine our views about which forms are abnormal, problematic, and in need of repair or condemnation.

The "Official" U.S. Definition of Family

Taken to its logical extreme, the idea of family as a social construction would mean that a family can be whatever an individual says it is. If I choose to consider my mother's best friend, my mail carrier, or even my dog as members of my family, I can. But we don't live our lives completely by ourselves, so we don't have complete freedom to define our own families. At some point we need others to ratify or recognize our own personal sense of family. Not only do we come into fairly regular contact with people who want to know what our family looks like, we also must navigate a vast array of organizations and agencies that have their own definitions of family and that may, at times, impose them on us. For instance, local, state, and federal governments manage many programs that provide certain benefits only to families. The federal government regularly compiles up-to-date statistics on the number of individuals, married couples, and families that live in this country. Obviously it must have some idea of what a family (or what a marriage) is before it can start counting.

This information is often used by legislators and researchers to support their arguments about the state of U.S. families and their need for legal protection. For instance, shortly before I first wrote this chapter, the U.S. Census Bureau released figures showing that only about half of the nation's households contained married couples (cited in Roberts, 2006). Such information will no doubt be useful to groups wanting to bolster programs designed to strengthen marriage.

The Census Bureau's official definition distinguishes between *households* and *families*. **Households** are all persons or groups of persons who occupy a dwelling such as a house, apartment, single room, or other space intended to be living quarters.

■ social construction of family

The meaning we attach to family is a matter of collective definition and human agreement.

■ household

All persons or groups of persons who occupy a dwelling intended to be living quarters.

■ family

A group of two or more people related by blood, marriage, or adoption and residing together.

■ nuclear family

Small family unit consisting of a married couple with or without children, or at least one parent and his or her children.

■ extended family

Relatives outside the nuclear family, such as grandparents, aunts, uncles, and cousins.

Households can consist of one person who lives alone or several people living together. A **family**, on the other hand, is a group of two or more people (one of whom is the householder—the person in whose name the unit is owned or rented) related by birth, marriage, or adoption and residing together (U.S. Bureau of the Census, 2006b). This official definition also defines what social scientists call the **nuclear family**—the small unit consisting of a married couple with or without children or at least one parent and his or her children.

According to the official definition, a family is always a household, but a household is not always a family. Over the past several decades, the growth of “nonfamily households” (people living with friends, roommates sharing an apartment, cohabiting couples, young single people, and so on) has been dramatic. In 1960, 15% of all households were nonfamily; today the figure is over 30% (Figure 1.1).

Right away you can see that the official definition limits who does and doesn't count as family. Grown children who maintain their own households and no longer live with their parents are not counted as part of their parents' families (though the parents would no doubt think otherwise). And what about **extended families**—grandparents, aunts, uncles, and cousins who extend beyond nuclear families? Most of us would consider them to be part of our family too, even though they don't live with us. And the official definition excludes close friends and other nonrelated folk whom we may *treat* as members of our family.

How useful is this conventional definition of family in everyday life? What does it imply about the nature of people's relationships and their responsibilities to others within and outside their families? To address these questions, let's take the official definition of family as a starting point and break it down into its component parts.

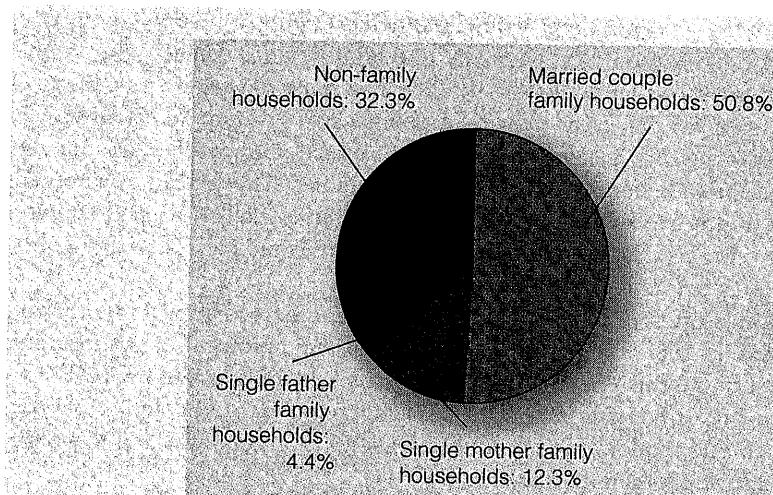
Two or More People: Family as a Social Group

A popular nationwide Italian restaurant chain, *Buca Di Beppo*, serves all its meals “family style,” meaning that the portions are purposely large so two or more people can share them. One person would have a difficult time eating there alone. Likewise, according

FIGURE 1.1

The Diversity of U.S. Households

Source: U.S. Bureau of the Census, 2006a, table H1.



to the Census Bureau definition, one person cannot be a family. Why not? In sociological terms, families contain not only individual people but also named relationships: husband-wife, parent-child, sister-brother, and so on. These relationships imply connections, bonds, attachments, privileges, and obligations *between* people.

Of course, any type of close social group contains connections between people. Teachers form bonds with students, bosses with employees, coaches with players. But the intensity of involvement between family members is usually stronger than it is in these other groups. And the range of activities we share with family members tends to be much broader than contacts with friends, coworkers, or other people in groups to which we belong. We do pretty much everything with certain family members across a range of situations: eating, sleeping, playing, punishing, fighting, convalescing from illness, having sex, and so on. Such close involvement adds a unique emotional element to family relationships.

Another big difference between families and other close groups is that families tend to last for a considerably longer period of time (Klein & White, 1996). We're born into a family that already exists, and it endures for our lifetime. Even after we become adults and start our own families, our parents are still our parents and our siblings are still our siblings no matter what we think of them. Some people may choose to formally "disown" some of their family members by deciding never to have contact with them, but they don't cease to be their family. We can certainly have lifelong relationships with close friends, but families are the only groups that virtually require lifetime membership.

The strong prospect for continuing interaction gives families a history and tradition we rarely find in other social groups. Given how common divorce has become (see Chapter 14), this idea of permanence applied to families may seem hopelessly outdated. However, we still assume that people don't get married with the intent of getting divorced.

Living Together: Family as Common Residence

Another implication of the official definition of family is that the family group shares a common residence. In most people's minds, family is closely associated with a sense of place. Think of how often you equate *family* with *home*. Indeed, for many social scientists, common residence is *the* defining characteristic of family (e.g., Murdock, 1949). The individuals who make up a family constitute a single identifiable entity that can be located in the same space.

That view is common, but it's not universal. Among the Kipsigis of Kenya, for instance, the mother and children live in one house and the father lives in another (Stephens, 1963). The dominant household forms among the Ashanti of Ghana are frérèches or dwellings that consist only of siblings (Bender, 1979). Traditionally, wealthy European families sent their children away to boarding schools, where they spent the majority of their childhood.

Consider the "commuter marriage." In U.S. society, a **commuter marriage** is one in which spouses spend at least several nights a week in separate residences, yet they are still married and intend to remain that way. Marriages in which spouses live apart much of the time have always existed. Careers such as the military, the merchant marines, professional sports, and entertainment often require one spouse to travel for long periods. Today, however, commuter marriages are likely to occur because the husband and wife both have careers that require commitments to different locations. Although the

■ **commuter marriage**
Marriage in which spouses spend at least several nights a week in separate residences.

difficulties of such arrangements are substantial, no one would deny that the people in them are families.

Remember also that having a common household residence does not, in and of itself, determine whether a unit is a family. Perhaps you live with a roommate. Not only do you share an address but you are likely to share domestic chores and household expenses too. You may even feel very close to each other, sharing personal experiences, helping out in times of need, and so on. Yet most people wouldn't consider roommates family. Your common residence is likely to be the result of economic convenience rather than long-term emotional commitment.

Some cities have tried to restrict definitions of family to limit the kinds of people who are allowed to live together in the same household. Black Jack, Missouri, for instance, does not allow two unmarried adults who have a child together—either by blood, adoption, or foster care—to live in dwellings zoned for single families (Currier, 2006). In an effort to reduce overcrowding inside homes, the city of Elgin, Illinois, is considering a measure that would limit residence in dwelling units to single nuclear families. Four or more people who are *not* related by blood, marriage, or adoption would be presumed not to be a family. However, they would be allowed to continue living together if they could prove they were the “functional equivalent” of a family by, for example, living and cooking together and by sharing expenses (Zimmer, 2006). Similarly, in 2006 concerns with suburban overcrowding led the city of Manassas, Virginia, to try to redefine “family” in its zoning code so that large extended immigrant families could not live in “single-family” dwellings (Caldwell, 2006).

Related by Birth: Family as Kin

■ **kinship**

Who is related to whom across generations.

■ **patrilineal descent**

Kinship system in which family connections are traced through the father's line.

■ **matrilineal descent**

Kinship system in which family connections are traced through the mother's line.

The official definition suggests that families consist of people who are related to one another across generations, what social scientists call **kinship**. Kinship is a way of recognizing some people as special and distinct from others (Gittens, 2001). But how do we determine such relationships? Most people would argue that two individuals are kin if they have a blood—that is, a biological—connection. Since reproduction occurs in all human societies, it's easy to assume that kinship is determined in a similar fashion everywhere. However, sociologists and anthropologists are quick to point out that kinship is as much a human creation dependent on social rules and cultural traditions as it is an automatic biological fact. Kinship, in other words, is not a synonym for blood/biological ties (Gittens, 2001).

At birth everyone inherits two separate bloodlines, raising the question of which bloodline—the mother's or the father's—is to be more important for determining an individual's kin. These designations are vital because they determine not only names but authority, ownership of property, and inheritance.

In some societies, kinship is established only through the father's line, a system called **patrilineal descent**. A woman typically takes her husband's name and children downplay or ignore their connections with members of their mother's family, showing allegiance and loyalty to kin on the father's side. So, for instance, a mother's sister—whom we'd call an “aunt” in the United States—has no culturally recognized role in a patrilineal family.

In other societies, the kin group is made up of people connected by mother-child links, or **matrilineal descent**. Here a child's status and heritage are traced only through the mother's blood relations, and the father's kin are not considered part of the family. The Hopi, a Pueblo group in the American Southwest, are a matrilineal society. The

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relationship a Hopi child maintains with his or her father's relatives may be affectionate, but it includes little direct cooperation or culturally recognized authority.

Finally, in some societies, such as the United States, children trace their descent and define their kin through both parents' bloodlines, a system known as **bilateral descent**. Although U.S. women typically take their husband's name when they marry and children take their father's name, descent and inheritance are usually linked equally to both parents. We may distinguish between our *paternal* and *maternal* grandparents and even like one set better than the other, but we recognize both equally as kin. Neither side of the family is expected to exert special influence and power over the children.

In bilateral descent societies, the potential for kin relationships can be quite extensive. If you were to map out a family chart of kin on both sides of your family, its size and complexity could be immense. But at some point we all stop counting distant kin as family. Barack Obama and Dick Cheney are *eighth* cousins, but neither man considers the other family.

Related by Marriage or Adoption: Family as a Legal Unit

Family isn't simply a group made up of biologically connected kin. The law also determines which people can be members of our family. For instance, adopted children have the same legal and family status as biological children.

Moreover, in many societies marriage is the legal cornerstone of an official definition of family. Most of us take for granted that **monogamy**—the marriage of one man and one woman—is the fundamental building block of family. Some people may have several spouses over their lifetimes, but in the United States they are allowed only one at a time (what sociologists call serial monogamy). And families can exist without a married couple, such as a single parent and his or her children. But monogamous marriage continues to be the only adult intimate relationship that is legally recognized, culturally approved, and endorsed by the Internal Revenue Service. It is still the one relationship in which sexual activity is not only acceptable but expected.

Monogamous marriage, like family in general, is a patterned way of life that includes a set of commonly known roles, statuses, and expectations. Although the expectations of husbands and wives are always changing, and will differ from one couple to the next, they are far better understood than expectations for any other type of relationship, such as a "significant other," "life partner," or "boyfriend, girlfriend." Furthermore, no other intimate relationship has achieved such status or is privileged as highly as marriage. Despite public concern about its disintegration, legal monogamous marriage remains the cultural standard against which we judge all other types of intimate relationships.

Traditional heterosexual marriages have long benefited from legal and social recognition. According to the Government Accounting Office, marriage partners in the United States today enjoy more than a thousand legal rights and benefits not available to other adult relationships (cited in Conley, 2007). They can, for example, take part in a spouse's health insurance plan and pension program, share the rights of inheritance and community property, make a claim on a spouse's rent-controlled apartment, receive Social Security and veterans' benefits including medical and educational services, file joint tax returns, determine the spouse's medical and burial arrangements, and receive crime victims' recovery benefits (Hunter, 1991; Sherman, 1992). In addition, spouses are granted visitation rights when the partner or his or her children are in a hospital or prison (reported in Ingraham, 1999).

■ **bilateral descent**
Kinship system in which family connections are traced through both the mother's and the father's line.

■ **monogamy**
The marriage of one man to one woman.

■ **common-law marriage**

Agreements by which couples who have not had their relationships validated religiously or civilly are considered legally married if they've lived together long enough.

Even though legal marriage is undeniably important, not all states agree about who can and can't marry. Today some states, such as Pennsylvania, still recognize **common-law marriage**. These marriages are agreements by which couples who have not had their relationships validated religiously or civilly are considered legally married if they've lived together long enough. Some states allow first cousins to marry, others don't; and the minimum legal age for marriage varies from state to state, as does the recognition of marriage contracts across state lines (Johnson, 1996). Despite these variations, it's hard to imagine a society that is not structured around the assumption that the vast majority of adults will live in monogamous marriages.

■ GOING GLOBAL

Plural Marriage

Many cultures around the world do not limit marriage to two people of the opposite sex, or even to two people. Some societies allow an individual to have several spouses at the same time in an arrangement known as **polygamy**. Anthropologists have estimated that about 75% of the world's societies accept some type of polygamy, although few members within those societies actually have the resources to afford more than one spouse (Murdock, 1957; Nanda, 1994).

In some parts of the world, **polyandry** permits one woman to have more than one husband. In certain areas of northern India, for instance, women can marry a set of brothers. The practice stems from economic pressures. This area's terrain is rugged—steep forests and mountains leave only about a quarter of the land suitable for farming. With so little land to support a larger population, having all sons in one family marry the same woman ensures the control of childbirth and keeps the family wealth under one roof (Fan, 1996). It's estimated that roughly 10 out of 100 families in this region practice this form of polyandry.

Even in the United States, certain groups practice **polygyny**, or the marriage of one man to several wives. Somewhere between 20,000 and 60,000 members of a dissident Mormon sect in Utah live in polygynous households (cited in McCarthy, 2001). Although their marriages are technically illegal—Utah outlawed polygamy as a condition of statehood in 1896—few polygynists are prosecuted. In fact, 2001 marked the first time in 50 years that a person was convicted on polygamy charges. However this case doesn't mean that Utah is cracking down on polygamy. In this case a man with five wives and 25 children had decided to discuss his polygynous marriage openly on national talk shows, violating an unspoken rule that such arrangements would be quietly tolerated if the participants didn't speak publicly about them.

■ **polygamy**

A marriage in which an individual has more than one spouse at the same time.

■ **polyandry**

A marriage consisting of one wife and multiple husbands.

■ **polygyny**

A marriage consisting of one husband and multiple wives.

Family as a Social Institution

The official definition of family considers whom we live with and whom we consider our kin. But sociologists also talk about family as a **social institution**. Institutions are the building blocks that organize society. They are the patterned ways of solving the problems and meeting the requirements of a particular society. Although people may differ over what a society "needs" and how best to fulfill those needs, all societies must have some systematic way of organizing the various aspects of everyday life. Key social

■ **social institutions**

Patterned ways of solving problems and meeting the needs of a particular society.

institutions in modern society include the family, education, economics, politics and law, and religion. Some sociologists add health care, the military, and the mass media to the list.

Reproduction is essential to the survival of humans as a whole, and all societies must have a way of replacing their members. Within families, sexual relationships among adults are regulated; people are cared for; children are born, protected, and socialized; and newcomers are provided a family identity that gives them a sense of belonging. Just how these activities are carried out varies from society to society. Indeed, we've already seen that different societies have different ideas about which relationships qualify for designation as a family. But the institution of family, whatever its form, remains the center of social life in virtually all societies.

To be a member of a family group means more than simply being connected to other individuals in named relationships. It also means having certain legal and culturally recognizable rights and responsibilities, which are spelled out in the formal laws of the state and the informal norms of custom and tradition. Parents, for instance, have legal obligations to provide basic necessities—food, shelter, clothing, nurturance—for their children. If they fail to meet these obligations, they may face legal charges of negligence or abuse.

Along with spelling out obligations, the institution of family includes some assumptions about authority—about who has the legitimate right to control or influence the lives of others (Hunter, 1991). In other societies, someone outside the nuclear family may hold this authority, such as the father's brother or the community at large. In U.S. society, parents have the legal right to control their children. However, in cases of multiple parents (birth parents, adoptive parents, stepparents, foster parents, and so on) the lines of authority may be murky. Courts must sometimes determine who has legitimate authority over children, as in custody cases in which biological parents have attempted to regain custody of children put up for adoption.

Conflict over family authority can sometimes have grave consequences. In 2003 a bitter dispute became the lightning rod for a national debate about the legal parameters of family. Terri Schiavo, a severely brain-damaged Florida woman, had lived on life support for 13 years. State law allowed her husband to make life-or-death decisions. He wanted to remove her from life support. Two years later, over aggressive opposition by her parents, religious interest groups, and even some federal legislators, he was granted his wish.



Terri Schiavo in 1990 before collapsing into a "persistent vegetative state" . . .



. . . and 13 years later before she was taken off life-support equipment; she died in 2005.

Family as a Cultural Symbol

Judging from the strong emotions evoked by debates over the definition of family, it's clear that family is important not just for whom it includes or for how it meets society's needs, but for what it stands for. Many people fervently believe that as the family goes, so goes the country. Hence,

the task of defining what the American family *is* [is] integral to the very task of defining America itself. . . . Obviously more is at stake than a dictionary definition of "the family." The debate actually takes form as a political judgment about the fate of *one particular conception of the family and family life* [emphases in original]. (Hunter, 1991, pp. 177, 180)

In U.S. society family has become a powerful symbol of decency. You can be assured that if you go out to eat at a family restaurant, you'll probably not see a fully stocked bar or scantily clad servers. Disneyland and Disneyworld are considered family theme parks because they emphasize the wholesomeness of the activities they provide. You'll find no pubs, strip clubs, or gambling halls there. Likewise, every video rental store has a "family movie" section. But the films you'll find here aren't necessarily about families. Instead the label *family* identifies films devoid of graphic sex and violence, with themes children and adults can enjoy together.

Some people believe that a definition of family that goes beyond the official definition demeans family's symbolic importance. From their perspective, family means only the most traditional type: married parents and their children. If people have the right to define a family however they see fit, they would empty family of its symbolic meaning and power. The significance of marriage, in particular, rests on its uniqueness—the belief that it is not one lifestyle among many but the fundamental intimate arrangement in society. Some fear that when relationships that aren't marriages start being treated as if they are, marriage loses its cultural value and relevance.

But to many others, the popular rhetoric of "family values" is little more than a thin cover for a particular political agenda. In their view, those who deplore cohabiting heterosexual and homosexual couples, the increasing numbers of single and working mothers, the growth of nonfamily households, and the high rates of divorce are making an explicit judgment about the sorts of human relationships we ought to define as "appropriate."

STRUCTURAL FAMILIES OR EMOTIONAL FAMILIES?

To those who argue for a more inclusive definition, the shape and configuration of a family are less important than the emotional bonds that can exist between people. Should, or can, our official definition of family go beyond people who are structurally tied to one another by law or by blood to include people tied to one another by their commitments, love, and interdependence?

Families We Choose

Despite the official definition and political attempts to limit family definitions, in everyday usage we are likely to use the word *family* to describe a group of individuals who have achieved a significant degree of emotional closeness and sharing, even if they're

not related. Indeed, an approach to defining family that relies more on feelings and less on formal structure is appealing to many family scholars. Compare the following definition once proposed by the American Home Economics Association (now called the American Association of Family and Consumer Science) to the Census Bureau definition we examined earlier:

two or more persons who share resources, share responsibility for decisions, share values and goals, and have commitment to one another over time. The family is that climate that one "comes home to" and it is this network of sharing and commitments that most accurately describes the family unit, regardless of blood, legal ties, adoption or marriage. (quoted in Christensen, 1990, p. 36)

Notice how this definition highlights emotional ties, obligation, and cooperation, not formally recognized relationships and living arrangements.

A prominent sociologist once argued that we ought to define family as "a unit comprising two or more persons who live together for an extended period of time, and who share in one or more of the following: work (for wages and house), sex, care and feeding of children, and intellectual, spiritual, and recreational activities" (D'Antonio, 1983, p. 92). Another suggests that any definition of family should emphasize commitment and have, at its core, the expectation that adults care for and protect children, "no matter what living arrangements they enter into" (Giddens, 2007, p. 31).

Changes in society and in contemporary lifestyles have led many people to construct nonfamily care networks to supply them with the kinds of emotional satisfaction and assistance that most people typically seek from officially recognized kin (Hansen, 2005). You may know of situations in which **fictive kin**—people other than legal or biological relatives—play a family-like role in providing for the emotional and other needs of others. For instance, instead of marrying or relying on children or siblings, as they approach retirement age, many single older women these days are forming lasting bonds with longtime friends that include, among other things, dividing chores, pooling financial resources, and purchasing insurance policies or homes together (Gross, 2004). Or perhaps you have a close family friend whom you've referred to for years as "Uncle So-and-So" or "Aunt So-and-So," even though he or she isn't a sibling of either parent. In some situations, choosing whom you identify as family is left to your discretion. The family status of in-laws and step-relatives, for instance, is often left to the judgment of individual families. The powerful emotional connections we can form with these "chosen relatives" shows that, in practice, family is rarely limited to formally recognized kin relations.

■ **fictive kin**

People other than legal or blood relatives who play family roles by providing for the emotional and other needs of others.

■ TAKING A CLOSER LOOK

Fictive Kin in Ethnic Communities

Fictive kin have historically played an important role in certain ethnic communities. For instance, in some Latin American communities, *compadrazgo* is a form of fictive kinship in which adults outside the blood family are named as protectors of newborn children. Unlike contemporary forms of godparenting, which are often merely symbolic, *comadres* and *compadres* form close, lasting bonds with family members, ensuring their involvement throughout

the child's life. In times of economic hardship they are expected to provide security to the family (Kana'aupuni, Donato, Thompson-Colón, & Stainback, 2005).

In her book *All Our Kin*, anthropologist Carol Stack (1974) describes fictive kin relationships in a Midwestern black neighborhood called "the Flats." The people in this community used many kinship terms to refer to relationships based on caring, loving, and close friendship. These "kin" felt the sort of obligations, responsibilities, and loyalties we typically associated with blood relations. Stack found that the community's informal system of parental rights and duties determines who is eligible to be a member of a child's "family."

This system often conflicts with the official law of the state concerning parenthood. For instance, a girl who gives birth as a teenager might not raise and nurture the child. Although she may live in the same house as the baby, an **othermother**—her mother, grandmother, aunt, older sister, cousin, or an adult female friend—may do the actual child rearing (Collins, 2002). Young mothers and their firstborn daughters or sons are often raised as sisters or brothers. The child learns to distinguish his or her "mother" and "father" (the biological parents) from his or her "mama" and "daddy" (the people who raised him or her). Usually—Stack estimates about 80% of the time—the mother and the "mama" are the same person. But in those other cases, the "mama" can be someone else, when relatives conclude that the mother is not emotionally ready to nurture the child and fulfill her parental duties. The "mama's" relatives and their husbands and wives also become a part of the child's extended family.

In sum, social circumstances can sometimes alter traditional ideas about kinship. People can be recognized as family not because they have biological ties but because they assume the recognized responsibilities of kin—they "help each other out" in times of need.

The Controversy Over Same-Sex Marriage

For some people, family is less a matter of whom they choose to include than whom they are legally *prevented* from including in their family. One of the most contentious debates about the definition of family today is whether same-sex couples should be granted the right to marry and thereby create culturally and legally legitimate families.

Current Legal Status

In some countries, gays and lesbians can have their relationships legally ratified. Belgium, Spain, and the Netherlands allow gay couples to legally marry, as do several provinces in Canada. France, Denmark, Portugal, and Germany allow same-sex couples to enter "civil unions" or "registered partnerships," which grant them many of the legal and economic benefits and responsibilities of heterosexual marriage (Lyall, 2004).

The matter is far from resolved in the United States, however. Vermont legalized civil unions (but not marriage) for same-sex couples in 2000, extending benefits like inheritance rights and full medical, dental, and life insurance to "domestic partners." Since then, similar laws have been approved in Connecticut, California, Oregon, New Hampshire, and New Jersey. In 2007 California became the first state to allow overnight "conjugal" visits for gay and lesbian prison inmates and their partners (McKinley, 2007).

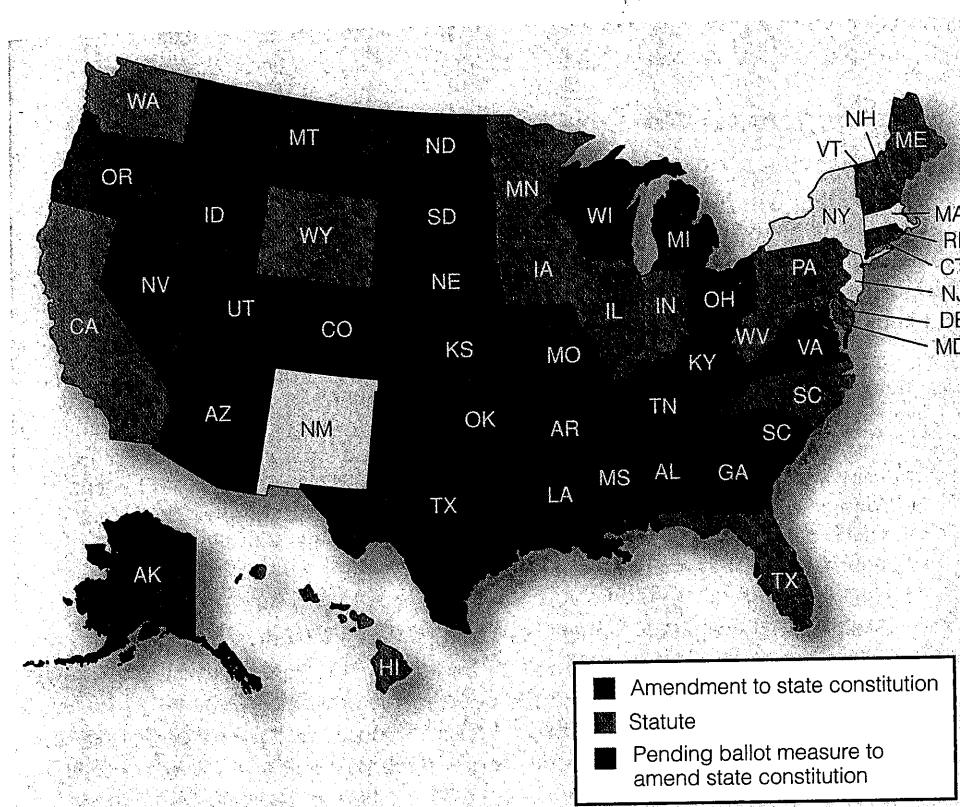


FIGURE 1.2
State Laws Banning
Same-Sex Marriage
Source: New York Times,
2006.

In addition, according to the Human Rights Campaign, a national advocacy group, more than 8,000 employers—and 215 Fortune 500 companies—provide domestic partner benefits for their gay and lesbian workers (cited in Joyce, 2005). In 2004 Massachusetts became the first state to grant same-sex couples the right to legally marry, provided they are state residents. California followed suit in 2008.

But most states, 44 at last count (Figure 1.2), have moved in the opposite direction, either enacting statutes that define marriage as a union of a man and a woman or including bans against same-sex marriage in their state constitutions (National Conference of State Legislatures, 2005). Courts in New Mexico and Oregon have nullified same-sex marriages that had been permitted by some cities (Mehren, 2005). In 2006 the New York State Supreme Court ruled that denying same-sex couples the right to marry does not violate the state constitution. In 2005 the Michigan state legislature ruled that its law defining marriage as a relationship between one man and one woman meant that gay and lesbian state workers are not entitled to health benefits for their partners (Lyman, 2005).

At the federal level, the 1996 Defense of Marriage Act formally reaffirmed the definition of marriage as the union of one man and one woman; authorized all states to refuse to accept same-sex marriages from other states if they ever become legal; and denied federal pension, health, and other benefits to same-sex couples. However, because the Constitution's "Full Faith and Credit Clause" requires each state to recognize the lawful actions of others states, some opponents of legal same-sex marriage worry that federal courts could overrule the Defense of Marriage Act and force states to recognize gay

marriages performed elsewhere (Masci, 2004). In 2006 the U.S. Senate began debate on a constitutional amendment that would strictly limit marriage to heterosexual couples.

The Argument to Legalize Same-Sex Marriage

Although domestic partnership or civil union laws and policies go a long way toward legally recognizing long-term gay and lesbian relationships, many people feel such changes are inadequate. Advocates of same-sex marriage argue that allowing gay and lesbian individuals to legally marry would result in a more secure, stable, and protective relationship. After the Court of Appeals in New York ruled that the state could bar same-sex couples from legally marrying, the chief judge who opposed the ruling stated:

The true nature and extent of the discrimination suffered by gays and lesbians is perhaps best illustrated by the simple truth that each one of the plaintiffs could lawfully enter into a marriage of convenience with a complete stranger of the opposite sex tomorrow, and thereby immediately obtain all of the myriad benefits and protections [of] marriage. Plaintiffs are, however, denied these rights because they each desire instead to marry the person they love and with whom they have created their family. (quoted in Wolfson, 2006, p. 3)

Without legal status, such family relationships can sometimes be difficult to preserve. For instance, homosexual partners of victims of the September 11, 2001, attack on the Pentagon were not eligible for the same survivor benefits offered to heterosexual spouses in the state of Virginia (Farmer, 2002). In contrast, the governor of New York issued an executive order making same-sex surviving partners of victims of the attack on the World Trade Center eligible for aid of up to \$30,000 from the state's Crime Victim Board (Dahir, 2002).

In addition to citing these sorts of practical problems, some advocates of gay marriage argue that legalizing it would lead to greater public acceptance of homosexual people in general. Having the right to legally marry and start families would combat the all-too-common belief that gay relationships are solely about sexual activity and would force heterosexuals to acknowledge that gay couples can be seriously committed to each other and take on traditional family responsibilities. Far from being a repudiation of family, then, the desire to legally marry acknowledges the ideal of family.

The Argument Against Legalizing Same-Sex Marriage

Public opinion on legalizing same-sex marriage is, at best, mixed. Although acceptance of gays and lesbians in the military, in the workplace, as elementary school teachers, and as politicians has grown over the past several decades, support of laws allowing gay couples to marry is tepid. A recent study found that only 32% of U.S. adults favor a law that would allow homosexuals to marry, and only 45% favored allowing same-sex couples the right to enter civil unions (Pew Research Center, 2007). Even people who consider themselves supportive of gay rights in general are ambivalent about legalizing gay marriage (Seelye & Elder, 2003).

Most opposition to legalizing same-sex marriage comes from conservative religious groups that feel such legal recognition would destroy U.S. families and society. In 2004 a prominent evangelical minister proclaimed in apocalyptic terms that if same-sex marriage were legalized, "the family as it has been known for five millennia will crumble, presaging the fall of Western civilization itself" (quoted in Coontz, 2005, p. 273).

Ironically, some opposition to legalizing same-sex marriage comes from a small number of gays and lesbians. They argue that legalizing same-sex marriage would be a

civil rights victory but would render gays and lesbians even more invisible to the larger society and undermine the movement to establish a separate and unique gay culture and identity (Ettelbrick, 1992; Johnson, 1996; Stacey, 2001). Some fear that homosexual married couples would be expected to behave just like heterosexual married couples, amounting to acceptance of a heterosexual standard for what a successful intimate relationship ought to look like (Lewin, 1996). In fact, some gay opponents of homosexual marriage argue that the absence of marriage as a regulating institution in their intimate lives actually gives them the space to define their families in richer ways, to include friends, neighbors, and community (Johnson, 1996).

In the end, the debate over legalizing same-sex marriage may be more symbolic than practical. Canadian same-sex couples did not run in droves to courthouses to marry when such an option became legal in certain provinces there. Although there are no official statistics, gay rights organizations put the number at only about 3,000 marriages nationally in the first year. Of those, about 1,000 were U.S. couples who returned to the United States after getting married (Mulkern, 2004). In Massachusetts, the number of same-sex marriages has dropped steadily since 2004 (Belluck, 2008).

Moreover, long-term gay and lesbian households have existed for decades—operating much like heterosexual marriages—with legal marital status. Over one third of lesbian households and one fifth of gay male households include biological children under the age of 18. Eight states and the District of Columbia now allow unmarried same-sex couples to adopt, and 40% of private adoption agencies report placing children with same-sex couples (Coontz, 2005). Indeed, even without legal recognition, the family structure for most gay parents tends to be based on a conventional heterosexual model: two parents living in one household (Bowe, 2006).

In sum, more is at stake in this debate than the emotional rewards of formalizing shared commitment in a loving relationship and the practical rewards of legal recognition of gay and lesbian marriage. This issue is fundamentally about what arrangements we as a culture believe deserve the label “family.” These beliefs can ultimately shape the law, public policy, and the contours of our everyday lives.

FAMILY PRIVACY AND AUTONOMY

One of the most powerful values associated with definitions of family in U.S. society today is that family is, or should be, private. **Family privacy** means that a family can exercise discretion and be protected from unwanted outside interference, whether it be from nosy neighbors or governmental agencies. Families are assumed to be the best judges and guardians of their own interests and needs. Privacy is usually linked to **autonomy**—the ability of families to make their own decisions about their futures or about the treatment of their members.

The Cultural Ideal of Family Privacy

Although family privacy is something most people in the United States take for granted, there is nothing “natural” about it. Societies create privacy when members agree that certain aspects of family life are legitimately off limits to others (Nock, 1998b). In general, in the United States we include in this category such matters as sexuality and other displays of affection, grieving, and family conflict (Fox, 1999).

Family privacy is maintained by powerful social norms and everyday expectations. For instance, we are advised to “keep our noses out” of other people’s family affairs.

■ **family privacy**

The ability of families to keep their everyday activities confidential and to be protected from outside interference.

■ **family autonomy**

The ability of families to make their own decisions about their future or about the treatment of their members.