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## Heteronormativity and the Ideal Family

Ashton R. Snider

*University of Missouri-St. Louis*, [ash.r.snider@gmail.com](mailto:ash.r.snider@gmail.com)

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Heteronormativity and the Ideal Family

Ashton Rachael Snider  
Bachelor of Arts in Philosophy, University of Houston – Downtown, 2013

A Thesis Submitted to The Graduate School at the University of Missouri – St. Louis in partial  
fulfillment of the requirements for the degree  
Master of Arts in Philosophy

May 2016

Advisory Committee

Jill Delston, Ph.D.  
Chairperson

Eric Wiland, Ph.D.

Stephanie Ross, Ph.D.

*Abstract:* In this work I argue that the heteronormative nuclear family (HNF) should not be considered the ideal family form as it has been in the past. The HNF assumes that the ideal family should include a monogamous heterosexual couple and their offspring. I argue that the HNF should not be used as an ideal by which to judge family health as there are many different family arrangements outside of the heteronuclear. The HNF should not be confused with particular heteronuclear households as the HNF as an ideal does not refer to any specific family. As some ideal by which to judge family health may be useful, I provide an alternative ideal focusing on function over form. In providing this alternative ideal, I supply one which can be achieved by families outside of the heteronuclear.

To make my case against the HNF as the ideal family form, I explain that this ideal promotes a kind of sexism. I support this claim by demonstrating how the HNF is predicated on the assumption of a flawed binary in which the sexes are strictly divided and naturally opposed complements to one another in their gender expression. I go on to point out that the HNF's history and basis in a strictly divided binary make it particularly apt as a tool to privilege white families who fulfill its form. This is because historically white nuclear families have been the favorite example used for what a healthy family should look like. I deny that the HNF can be effectively used to judge family health; however, an ideal family of some sort may be useful in assessing the suitability or functionality of families which actually exist. In consideration of this possibility, I provide an alternative and obtainable ideal emphasizing function over form. I propose that the ideal family would be a network of care in which each member reliably supports and cares for one another. I also lay out the bounds of the family as a network and how responsibilities and obligations might be understood and their fulfillment assessed.

## Heteronormativity and the Ideal Family

Institutions in our society perpetuate the idea that the heteronormative nuclear family is the standard and preferred family. Societies' privilege of the heteronormative nuclear family wrongly marginalizes families who do not fit the ideal.<sup>1</sup> The judgment that the heteronormative nuclear family is the standard, and the narratives in support of such families as ideal or standard, privilege a particular version of what family should be and wrongly characterize families who do not fit the ideal as unnatural. I argue that the heteronormative nuclear family should not be considered a benchmark of family health, as it is based in a problematic gender binary and may perpetuate a bias against families which do not emulate its form—without regard to the actual function of those families. However, an ideal family of some sort may be useful in assessing the suitability or functionality of families which actually exist. In consideration of this possibility, I will provide an alternative and obtainable ideal emphasizing function over form in the hopes that it will include functional families and exclude families in which members are neglected or harmed.

I will start by defining the heteronormative nuclear family and differentiate it from particular heteronuclear families. Secondly, I will explain how the HNF is predicated on the assumption of a flawed gender/sexual binary in which the sexes are strictly divided and naturally

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<sup>1</sup> I will be focusing on the U.S.; however, a similar case could be made with regards to any society which privileges the heteronuclear family.

opposed complements to one another. Thirdly, I will explain how the HNF's history and basis in a strictly divided binary make it particularly apt as a tool to privilege white families who fulfill its form. Finally, I will provide an alternative function-based account of the family as well as a corresponding ideal.

## **I. Defining the Heteronormative Nuclear Family**

To establish that the heteronormative nuclear family (HNF) is privileged, I first explain how the HNF is defined. Heteronormative ideas are those that assume that heterosexual relationships are the most natural or only natural sexual relationships. The nuclear family includes a pair of adults, or parents, and their children. The nuclear family has in the past<sup>2</sup> been more specifically defined as including a heterosexual married couple and their children—however, recently, that definition has been expanded, in various dictionaries, to include different variations of the family as long as they include two adults.<sup>3</sup> When I use the term heteronormative nuclear family, I am referring to an ideal form of the family and not to real families that would adhere to heteronormative ideas of what the nuclear family should look like. So I am not referring to any specific instance of a family with two heterosexual parents in a monogamous relationship. When I use the term heteronuclear to describe a specific family, I am referring to a family with the same form as the HNF; however, unlike the HNF the heteronuclear family is not a prescriptive ideal of how the family should be in order to be natural or the best kind. So, in form, the HNF includes two heterosexual monogamous parents and their children. While a

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<sup>2</sup> Nuclear family. (2006). In N. Abercrombie, S. Hill & B. Turner, *The Penguin Dictionary of sociology*. London, United Kingdom: Penguin.

<sup>3</sup> Nuclear Family. *Encyclopedia Britannica*. 2015. Web. <<http://www.britannica.com/topic/nuclear-family>> See also: Family. (2006). In D. Jary & J. Jary (Eds.), *Collins Dictionary of Sociology*. London, United Kingdom: Collins.

family may be heteronormative without children being a part of the family, I will sometimes focus on the idealized nuclear family which includes children—as those who fall out of heterosexual “norms” have been considered problematic with regards to child rearing. Also, I concede that the HNF may be attained by heteronuclear<sup>4</sup>families in form; however, emulating the makeup of this ideal may not automatically result in a functional family. In other words, while a family may be heteronuclear in form, i.e. made up of a married heterosexual couple and their children, this fact does not ensure that the family will function ideally.

**A. Heteronormative Ideas associated with the Nativity of the “Nuclear Family”**

The “nuclear family” became an established term in the late 1940’s after WWII. The term became important as soldiers returned from war and had to reassume their roles within society as married and single men. The nuclear family was so named because it was considered a basic feature or building block of society. In their book *Racism and Sexual Oppression in Anglo-America*, Ladelle McWhorter makes the case that the nuclear family became the focus of American life after eugenics fell out of favor following World War II. According to McWhorter, eugenics was replaced by an emphasis on building and supporting “normal” American families. McWhorter explains that former eugenicists, specifically Paul Popenoe, shifted their focus from “forced sterilization”<sup>5</sup> to “increased fertility in normal families”<sup>6</sup> after WWII. Paul Popenoe and others defined the “normal” family as a useful cohabitating heterosexual couple with their biological children which were raised to be useful in their society.<sup>7</sup> McWhorter goes on to

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<sup>4</sup> That is, a family with a husband, wife, and potentially children.

<sup>5</sup> Mc Whorter 251-252.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

explain that the term “normal” was particularly important as eugenicists excluded families who were not white and heterosexual. McWhorter writes,

Clearly *the* family, like *the* race, wasn't nearly the inclusive concept it might at first glance seem to be. *The* family was nuclear (with a male head), reasonably successful in a capitalist labor market (and thus not poor), fecund (but producing no offspring with mental or physical disabilities or antisocial attitudes), and of course, all of its members were heterosexual.<sup>8</sup> [Emphasis in the original]

Here, McWhorter is pointing out the implied elitism in the use of the term “nuclear” or “natural” family as it was championed by individuals previously involved in eugenics. McWhorter also references division of work and power within the nuclear family. In the mid-20<sup>th</sup> century the idea of the nuclear family became firmly established, and the nuclear family was widely considered to be the small social unit on which societies are built. It was assumed that, unless you were a deviant, you were heterosexual and that you would one day settle down and start a family. While assumptions like these still exist, in previous decades these presumptions were more prevalent as it was the prerogative of good families to raise children to be straight, productive, and reproducing members of society. Emphasis was placed on the sanctity of family life after World War II as women were expected to leave the jobs they were doing to be replaced by the men coming home from war. It was assumed that these women were merely placeholders, pitching in in order to support the men who were away from their jobs in order to fight, and that women's true work was in the home. This division of men and women's roles in society is extremely important and essential to understanding the HNF and the family structures which challenge it.

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<sup>8</sup> *Ibid.*

## **II. The HNF as Based in an Opposed Binary**

### **A. The Heteronormative Nuclear Family and Sex-Marking**

The term “nuclear family” was popularized under the assumption that a particular sort of family was the natural family and constituted the most basic social unit of society. This “natural family” was assumed not only to be based around a reproducing heterosexual couple, it also was assumed to include a distinct set of gender roles for each parent. In her article “No Vacation for Mother,” Erica Morin points out the division of gender roles within the family in post WWII America;

Sources including government propaganda, popular magazines, and films bombarded Americans with images and messages that reinforced traditional gender roles and portrayed the proper dynamic between men, women, and children in the American family (Meyerowitz 3). Husbands and fathers acted as the primary breadwinners and heads of the household, while wives and mothers cared for the home and children.<sup>9</sup>

In the 1950’s the typical American family included a breadwinning father and a caring mother who took care of the children, this arrangement was considered advantageous as one parent provided for the families economic security while the other directly provided care for the children. Traditionally the mother acted as the care provider for the children and as the caretaker of the home. Mothers in this way are associated with femininity, caring, empathy, and are expected to take care of domestic chores and childcare. Fathers are conventionally considered to be masculine, aloof, stern, and are expected to take care of providing for the family. While more women are working today and power seems more evenly distributed amongst both members of heterosexual relationships, heterosexual relationships still are vulnerable to unequal power

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<sup>9</sup> Morin, Erica A. 2012. "No vacation for mother": Traditional gender roles in outdoor travel literature, 1940-1965. *Women's Studies* 41 (4): 436-56.Pg. 437

divisions as men are given privilege in labor markets and in greater society.<sup>10</sup> In their book *Gender and Power in Families*, Ann Miller and Rosine Jozef discuss the division of power today in families based around heterosexual marriages. Miller and Jozef write, “Early life decisions for the newly married couple, such as where and under what circumstances they will live, will largely depend on the man's work or career. This begins to construct the context and rules for later decision making between them.”<sup>11</sup> Miller and Jozef go on to explain that early decisions, such as moving based on the husband’s career, may influence how future decisions are made. The wife’s life may be “organized by, and identified with”<sup>12</sup> the life of her husband to such a degree that any power she does possess could be understood as having been granted by the husband. Here, Miller and Jozef provide us with a rather chilling picture of what a woman may face after deciding to defer to a more economically secure spouse. This explanation references socialization to some respect as women who were raised in part by a father who “entitled” the daughter; effectively she has been socialized to accept the security offered by male dominance within the family. Of course, it can be and is often the case that a man and a woman can hold equal power when living together in a family. If a woman does decide to leave her job to take care of the house, it could be that she does so purely for economic reasons—as men are paid more than women in nearly every job market.<sup>13</sup> It is quite possible for a woman who has decided

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<sup>10</sup> Mahoney, Rahona. *Kidding Ourselves: Breadwinning, Babies, and Bargaining Power*. New York: Basic Books, 1995.

<sup>11</sup> Miller, Ann C., and Rosine Jozef Perelberg. *Gender and Power in Families*. London: Karnac Books, 2011. *eBook Academic Collection (EBSCOhost)*. Pg. 18

<sup>12</sup> *Ibid.*

<sup>13</sup> Cudd, Ann E. *Analyzing oppression*. New York: Oxford University Press, 2006.

to leave her job to maintain an equal partnership with her fellow parent, provided that they have mutual respect for each other.

## **B. Traditional Parents and Leading by Example**

It may be suggested that HNF's are valuable in that they allow children to grow up with one male and one female role model. In this way, heterosexual parents might seem to be better equipped to teach children about gender roles and about themselves as members of a certain sex. In her book *Whipping Girl*,<sup>14</sup> Julia Serano explains how gender expression is reinforced according to the social constructionist model. Serano does not advocate for the social constructionist model—however, her explanation of this model makes the division of the genders according to sex in this model very clear. Serano writes,

According to this social constructionist model, boys are socialized to become masculine and girls feminine; we learn to produce these gender expressions via a combination of positive and negative reinforcement, and through imitation, practice, and performance. Social constructionists point to the fact that the words "femininity" and "masculinity" do not merely describe human behavior, but represent ideal that all people are encouraged to meet.<sup>15</sup>

Serano points out that it is wrong to assume that there is some value in perpetuating gender norms associated with one's physical sex. If gender is socially constructed and children are primarily socialized via interactions with socialized parents, then arguments to maintain this cycle of socially constructed gender will likely rest on the fact that it is convention to do so. Arguments of this kind would have little to say about the inherent value of socializing children

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<sup>14</sup> Serano, Julia. *Intrinsic Inclinations: Explaining Gender and Sexual Diversity*. *Whipping Girl: A Transsexual Woman on Sexism and the Scapegoating of Femininity*. Ch. 6.

<sup>15</sup> Serano 96.

norms beyond mere convention and would have to contend with the existence of individuals, and families, who do not fit socially constructed norms. Such arguments might state that children would be better off fitting into society with these constructed gender norms. These arguments would have little to say about people who grow up and later cast off the ideals they were socialized to emulate, at the very least they will have little to say about them beyond the fact that they have “chosen” or at the very least will have to experience a harder life. Also, such arguments would have to contend with the objection that they perpetuate an entrenched sexist social structure. Marilyn Frye writes, “The cultural and economic structures which create and enforce elaborate and rigid patterns of sex-marking and sex-announcing behavior, that is, create gender as we know it, mold us as dominators and subordinates.”<sup>16</sup> If the socialization of children to fit gender roles delimited by sex is upheld as a desirable feature of the HNF, then these families will necessarily be participating in sex-marking. If the sex-marking of children influences children to take on more dominant or subordinate roles according to sex, then to privilege the HNF might also perpetuate the subordination of a particular sex. In this way, the HNF’s reinforcement of gender roles may make it susceptible to charges of sexism of the sort Frye describes. I would argue that the HNF also participates in oppositional sexism which involves a strict division of gender roles.

### **C. The Heteronuclear Family as an Expression of Oppositional Sexism**

In *Whipping Girl*,<sup>17</sup> Serano explains how our ideas about the exclusivity of gender roles, characteristics, and expression may constitute a kind of oppositional sexism. Serano explains that

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<sup>16</sup> Frye, Marilyn. *Ethical Theory; an Anthology*. Pg. 734

<sup>17</sup> Serano Ch. 6.

oppositional sexism assumes a gender binary in which there is no overlap in the expression of these two genders. Serano also explains how gender expression is reinforced socially in a way that perpetuates an oppositional picture of the sexes which is assumed to be essential. She explains that gender essentialists assert that individuals are naturally “preprogrammed” to have certain gender expressions, which coincide with one’s sex. It is important to note that Serano does not argue that gender is merely constructed or merely essential.<sup>18</sup> She writes, “both social constructionists and gender essentialists are wrong (or at least they are both only partially right). The fatal flaw of the gender essentialist argument is the obvious fact that not all men are masculine and not all women are feminine. There are *exceptional* gender expressions”.<sup>19</sup> She maintains that while gender may be in part constructed, aspects of a person's gender expression that occur contrary to reinforcement may suggest that they also arise from the person themselves. Furthermore, if a person is participating in a gender expression typically associated with the other sex despite the way they have been socialized, then this would suggest that the genders male and female are not strictly fixed in relation to one’s biological sex and that they are not necessarily opposed to each other without any overlap in expression. These shortcomings of both social constructionists and gender essentialists are important to note because both assume a view which precludes the existence of transgender<sup>20</sup> identities. This is problematic because it would assume that a large group of people’s experiences are unnatural without giving a sufficient account to explain their existence. Serano explains that oppositional sexism, which may account for resistance against accepting families which do not adhere to the definition of the HNF as

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<sup>18</sup> Instead she supports a view between the constructionists and essentialists.

<sup>19</sup> Serano pg. 97

<sup>20</sup> Or more specifically individuals whose natural gender is different than the one society would assign an individual based on the sex organs they were born with.

natural. The real problem with treating the HNF as standard is that it assumes that gender expressions and kinds of care are exclusive to a certain sex. Serano writes,

I would argue that the major problem with the binary gender system is not that it is binary (as most physical characteristics and gender inclinations appear to be bimodal in nature) but rather that it facilitates the naïve and oppressive belief that women and men are ‘opposites.’ Because the idea that women and men are ‘opposite’ sexes automatically creates assumptions and stereotypes that are differently applied to each sex, I call this view of gender *oppositional sexism*.<sup>21</sup>

The idea that children need one parent of each sex, as in the HNF, to be raised properly or naturally and assumes that a particular part of that child’s needs can only be met by members of certain sex. This assumes that men and women will naturally fulfill different roles as complementary opposites, and denies the possibility that roles traditionally associated with a certain sex can be fulfilled, or perhaps expressed, by members of the other sex. In other words, the HNF can be identified as an institution based on a kind of oppositional sexism as it assumes that each sex naturally fulfills a role which the “opposing” sex cannot. In the family this may mean assuming that a woman cannot fulfill the same role as a father, or that a man may not fulfill the role of a mother. Moreover, an oppositional sexist may maintain that the roles of mother and father are strictly gendered, such that duties fulfilled by one cannot be shared or carried out by the other.<sup>22</sup> Moving away from the assumption that it is a family’s duty to reinforce essential

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<sup>21</sup> Serano pg. 104

<sup>22</sup> Some studies suggest that a strict gender division in heterosexual families is not the only arrangement that works and that sharing typically gendered responsibilities across gender lines might lead to a more equal future. Alyssa Croft and others studied data from 326 children and their parent(s). They found that fathers who took on, or shared, traditionally feminine chores in the house were more likely to have daughters with work aspirations outside of the home. The researchers go on to suggest that the continuation of such a trend might lead to a more equal work force in the future. Croft, A., T. Schmader, K. Block, and AS Baron. 2014. “The Second Shift Reflected in the Second Generation: Do Parents' Gender Roles at Home Predict Children's Aspirations?” *Psychological Science* 25 (7): 1418-28.

genders delineated by sex may allow us to have a more inclusive understanding of what constitutes a functioning family. This more inclusive understanding could embrace individuals which challenge heteronormativity and traditional gender roles including: women in traditionally masculine professions, men who take on responsibilities traditionally reserved for women, transsexual individuals, and same-sex couples. Oppositional sexism is not the only problem with the HNF, as the HNF has also historically excluded other groups.

### **III. The HNF as Privileging White Heteronuclear Households**

#### **A. The HNF as White**

While black families were criticized, the middle class white American family was considered to be the bedrock on which American society was built. In *We Real Cool*,<sup>23</sup> bell hooks<sup>24</sup> points out how the fantasy of the white nuclear family was popularized and used to criticize black families. hooks writes,

No matter the presence of overwhelming research and data about the patriarchal white nuclear family, which documents that it has never been a safe place for women or children, unenlightened white folks still represent this configuration as the only truly healthy family system.<sup>25</sup>

The ideal of the white nuclear family was ubiquitous, visible on television which was dominated by happy white nuclear families and implied when black families were criticized for their lack of dedicated fathers. Here hooks points out that white nuclear families were still places where abuse and neglect might occur. She denies the assumption that the form of the nuclear family

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<sup>23</sup> hooks, bell, 1992. 2004. *We real cool: Black men and masculinity*. New York: Routledge.

<sup>24</sup> bell hooks chooses not to capitalize her name, and so I will do the same to respect her choice.

<sup>25</sup> hooks 95.

necessarily produces a superior or even a functional family environment. In other words, while a family may be heteronuclear in form, i.e. made up of a married heterosexual couple and their children, this fact does not ensure that the family will function ideally. hooks brings focus to the fact that the white nuclear family specifically was considered the only really functional kind of family. However, she points out how this view is popularized through the popular fictions found on the television screen: “The white fathers we saw on shows like *Leave It to Beaver*, *Father Knows Best*, and *The Courtship of Eddie’s Father*<sup>26</sup> were kind protectors and providers who gave their children unconditional love. They did not yell, beat, shame, ignore, or wound their children. They were the fantasy white family.”<sup>27</sup> She also points out that in a society segregated by race, black children grew up with the misconception that the white nuclear family was necessarily functional and loving with regards to their children based on these television shows. Not only were black families physically separated from white families, but they were also regularly exposed to society’s preference for the white nuclear family.

Efforts by American eugenicists in the first third of the 20<sup>th</sup> century, who later championed the nuclear family, were based in the idea that one’s abilities, intelligence, and overall value in society were largely inherited. Individuals were considered breeding or racial stock such that whole races of people were easily written off as less than. In his paper titled “*Evangelizing Eugenics: A Brief Historiography of Popular and Formal American Eugenics Education (1908-1948)*,”<sup>28</sup> Michael Kohlman explains that exhibitions by eugenicists became

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<sup>26</sup> While Eddie’s father is unmarried in this show, the show itself revolves around Eddie trying to get his dad married. Thus, this show is partly about desiring a nuclear family.

<sup>27</sup> hooks 95.

<sup>28</sup> Kohlman, Michael J. 2012. *Evangelizing eugenics: A Brief Historiography of Popular and Formal American Eugenics Education (1908-1948)*. *Alberta Journal of Educational Research* 58 (4): 657.

common for a short period and were even influential to American law. Kohlman explains that in 1915 the Race Betterment Foundation<sup>29</sup> entered a display about eugenics into San Francisco's Panama-Pacific International Exhibition, this display influenced immigration legislation which decidedly favored white immigrants. Kohlman writes,

Parts of this exhibit were later used by eugenics experts ...who testified to "educate" American congressmen on Capitol Hill before the passage of the Johnson-Reed Immigration Restriction Act of 1924. This Act limited hopeful migrants from non-Nordic countries to their pre-1890 levels, greatly favoring the eugenically approved stock from Anglo-Saxon nations.<sup>30</sup>

The display presented at the exhibition in San Francisco, like other displays presented by eugenicist groups, implied that delinquency and low intelligence was tied to skin color. A presentation by the American Eugenics Society at the Sesquicentennial Exposition in Philadelphia in 1926 more explicitly professed that things like criminal behavior and "feeble mindedness" would be passed down in the same way a coat color is inherited in Guinea pigs.<sup>31</sup> These eugenicists presented their research on heredity as hard fact. Their pseudoscientific approach gave undeserved weight to the view that white families were, by nature, functional and superior in their ability to produce the best future citizens.

## **B. Institutionalized Heteronormativity**

In March of 2016 the United States Supreme overturned a decision by the Alabama Supreme court which denied a lesbian visitation rights to children she had adopted in Georgia

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<sup>29</sup> Which, Kohlman points out, was led by John H. Kellogg.

<sup>30</sup> Kohlman 664.

<sup>31</sup> Kohlman 665.

after her former partner gave birth to the children.<sup>32</sup> This case reinforced the principle that states should honor court decisions made by sister states, and it also served as a reminder that citizens of every state are not afforded the same rights. Alabama explicitly bars same sex couples from being legally recognized as parents—unless such parents adopt in a different state, only a single adult or heterosexual married couple may adopt and gain parental rights and responsibilities. Alabama law regarding who may adopt reads, “Any adult person or husband and wife jointly who are adults may petition the court to adopt a minor.”<sup>33</sup> Marriage in the past has been a popular way to bar same sex couples from being able to adopt, however this law has been able to bar queer couples from adopting even after same sex marriage has become a nationally recognized right. By explicitly stating that only that singles and couples who are “husband and wife jointly” may adopt, Alabama is making it very clear that the only acceptable family under Alabama law is a heteronormative one. It is true that single people may adopt under Alabama law, however if one member of a same sex couple were to adopt in this way then this would legally confer all parental rights and responsibilities to one and only one adult. Alabama, sadly, is not the only state that bars adoption by those who do not meet the heteronormative ideal. In their brief titled “Legal Recognition of LGBT Families,” the National Center for Lesbian Rights reports that,

Utah prohibits anyone cohabiting with an unmarried partner from adopting.<sup>34</sup> Utah also gives a preference to married couples over any single adult in adoptions or foster care placement.<sup>35</sup> Arizona gives a preference to married couples over a single adult in

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<sup>32</sup> *V.L. v. E. L.*, 577 U. S. (2016). Found at <[http://www.supremecourt.gov/opinions/15pdf/15-648\\_d18e.pdf](http://www.supremecourt.gov/opinions/15pdf/15-648_d18e.pdf)>.

<sup>33</sup> ALA. CODE. Title 26, §26-10A-5.

<sup>34</sup> UTAH CODE ANN. § 78B-6-117(3).

<sup>35</sup> UTAH CODE §§ 78A-6-307(19), 78B-6-117 (4).

adoption placement.<sup>36</sup> Mississippi has a statute that prohibits “[a]doption by couples of the same gender,” but under the Supreme Court ruling, Mississippi must allow same-sex spouses to adopt on equal terms with other married couples.<sup>37</sup> Mississippi recently passed a law that may allow adoption service providers to refuse to place children with lesbian and gay single parents or couples if it would burden the exercise of their religion.<sup>38</sup> There is currently a case pending challenging Nebraska’s policy that excludes lesbian and gay parents from being foster or adoptive placements for children in state care.<sup>3940</sup>

Utah and Arizona would appear to be the least heterosexist state mentioned in the above quote, however, they unjustly call for privileging married couples before any facts about applying parties are known. The preference for married couples in states like Utah and Arizona is troubling as it implies that single parents are less desirable environments for children. It may be argued that two parents are more capable merely due to the amount of parents, as twice the support of one parent would be desirable. However, not every applicant will be able to provide the same amount of support. Two married adults may contribute very different amounts when it comes to raising and supporting their children. A single parent might be economically secure enough to provide a healthy, stable, and supportive environment such that they might be a better candidate for adoption than some married couples. Such differences in potential between applicants could be and should be discovered during the review of the applicant’s home situation. It is impossible to know whether an environment will be better or worse for a child simply from knowing the number of parents. It is unnecessary and unfair to write into law that married couples should be privileged when any good reason for preference is supposed to be

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<sup>36</sup> Ariz. Rev. Stat. § 8-103.

<sup>37</sup> MISS. CODE ANN. § 93-17-3(5).

<sup>38</sup> See Mississippi Religious Freedom Restoration Act, Miss. S.B. 2681, 2014 Reg. Sess., effective July 1, 2014.

<sup>39</sup> Stewart and Stewart v. Heineman, ACLU Case Summary, available at <https://www.aclu.org/lgbtrights/stewart-and-stewart-v-heineman>.

<sup>40</sup> “Legal Recognition of LGBT Families.” National Center for Lesbian Rights © 2015. <  
[http://www.nclrights.org/wp-content/uploads/2013/07/Legal\\_Recognition\\_of\\_LGBT\\_Families.pdf](http://www.nclrights.org/wp-content/uploads/2013/07/Legal_Recognition_of_LGBT_Families.pdf)>.

determined by the review process. Mississippi, after being forced to change a law, has legalized heterosexist denials of adoption rights on the pretense of religion. This is troubling because it allows one person to determine what another person has the right to do based on a personal belief. In this way, Mississippi can focus on the right to different beliefs and refusal of legal service instead of addressing their preference for heteronormative families. However, Nebraska is the most obviously heteronormative as they explicitly preclude anyone who is gay or a lesbian from being adoptive or foster parents.<sup>41</sup>

#### **IV. An Alternative to the HNF and some Ideas for its Institution**

##### **A. Some General “Parental” Responsibilities – a Function Based Assessment**

In this section, I ignore the demography of families and instead focus on the functions of a family. I will more specifically examine the functions of families with children and the relationship between responsibility and function in the family.<sup>42</sup> First, I ignore the gender and sexual identities of different family members and focus instead on what the function of a parent should be in society. Secondly, I show how a function-based ideal would be useful for institutions like adoption and foster care systems, in that it could provide a more inclusive idea of what is of value in existing or prospective families. In a later section, I provide an alternate ideal family, specifically one based in function that does not require adherence to oppositionally sexist ideas. In this section I will provide a general list of functions which may apply to families with

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<sup>41</sup> *Ibid.*

<sup>42</sup> In his paper “Are the Kids Alright? Rawls, Adoption, and Gay Parents,” Ryan Reed examines what it would mean to be a “fit parent,” such that one could be selected as an adoptive parent based on merit without heteronormative bias in a Rawlsian society. Reed examines what the function of the family, specifically the function of the parents, in order to determine what a functional family would look like in such a society. Reed, Ryan. "Are the Kids Alright? Rawls, Adoption, and Gay Parents." *Ethical Theory and Moral Practice* 16.5 (2013): 969-82.

children in a variety of societies. Although I will focus on families with children in the first part of this section, I will not exclude families without children from later paragraphs concerning my alternative to the heteronormative ideal. It is important to consider families without children as important support systems in their own right. There will be functions of the family which do not necessarily involve children, such as being supportive of each other or being an advisor for a fellow adult family member. However, as I mean to reexamine the HNF and produce an alternate ideal family, which may or may not include children, I must address how children might change the function of the family.

In his paper “Are the Kids Alright? Rawls, Adoption, and Gay Parents,”<sup>43</sup> Ryan Reed discusses the responsibilities of a parent. After giving his own account of a Rawlsian family, in which future citizens are centrally important, Reed explains, “If we accept this description of the family’s function, then we should acknowledge that while we may speak of ‘the family,’ what we are primarily talking about in the case of development of morality and civic virtue in the children is *parents* rather than *family*.”<sup>44</sup> Creating future citizens is not the proper function for all families, instead I would contend that this is merely a function for families which raise children. For the families that do have or will have children, the responsibilities of a parent to their children would be very important to the proper function of such a family. Unconventional families, either with children or with the intent to raise them, may be judged<sup>45</sup> on their ability to provide similar conditions to the HNF. If the marked gender roles of traditional parents allow

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<sup>43</sup> Reed, Ryan. "Are the Kids Alright? Rawls, Adoption, and Gay Parents." *Ethical Theory and Moral Practice* 16.5 (2013): 969-82.

<sup>44</sup> Reed pg. 971

<sup>45</sup> Justly or unjustly.

them to fulfill important responsibilities or functions that no other kind of parents are able to, then this would be a good reason to continue to hold such parents as a standard by which other parental arrangements should be judged. However, if such traditional parents offer nothing essential beyond what other parental arrangements can provide, then this would suggest that there is no reason to privilege the HNF as a benchmark of family health.

In an attempt to sort out whether traditional parents can offer a more complete upbringing than other sorts of parents—I will first provide a list of the responsibilities which all parents should be expected to undertake when raising children, then I will name and evaluate any parental duties which can only be carried out by traditional parents. As mentioned before, the nuclear family is thought of as, “a small insular group that consists of parents and children, a ‘social nucleus.’”<sup>46</sup> Thus, examining the HNF in terms of parental responsibilities is of particular importance as such responsibilities are centrally important to families which include children. The functionality of the HNF must, in part, rest on the parents of the HNF’s ability to fulfill their responsibilities. In extended families or families with more interdependent individuals, if there are children, raising them might be shared amongst the larger family so that “parental” responsibilities may be shared amongst more individuals. That being said, children do present a great many responsibilities and as such even in families with many adults, childcare may be of central concern within the family.

Below I have composed a list of what I argue to be the responsibilities of parents. These responsibilities are related to the function of the family in that their fulfillment may serve as one

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<sup>46</sup> Hansen, Karen V. *Not-so-Nuclear Families: Class, Gender, and Networks of Care*. New Brunswick, N.J: Rutgers University Press, 2005. Print. Pg. 4.

metric by which to judge the function of a family. It is not my intention to suggest that parents are to undertake all of these responsibilities on their own, as this might privilege economic classes which have the economic stability to do so. I am suggesting merely that it is a parent's duty to oversee the care and development of the children in their family to the best of their ability in the particular ways I include in the following list.<sup>47</sup> After this list, I will provide some justification for each item's inclusion and some circumstances which might confer various responsibilities to others in the community.

#### Parental Responsibilities

- 1) To provide a stable environment
- 2) To provide or acquire shelter
- 3) To provide or acquire security
- 4) To provide or acquire sustenance
- 5) To oversee or provide education
- 6) To oversee or provide healthcare
- 7) To provide love and support
- 8) To oversee or provide rules and discipline
- 9) To provide counsel and allow for decision making

I make this list specifically in reference to parents which assume responsibility for a child's wellbeing. I am not referring specifically to biological parents, but instead to any parent(s) with a

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<sup>47</sup> After the list, I will address how families without the means to care for their children by themselves might adequately represent their child's interests and oversee the fulfillment of their needs.

hand in raising children. Many of the items on this list overlap or must be considered part of other items. For example, part of providing a stable environment is to reliably and adequately provide shelter, security, and sustenance. These items<sup>48</sup> must be included on this list as they are essentials that every child needs. It may not be within a parent's power to reliably provide shelter, security, and sustenance on their own. It may be the case that parents depend on government support. In such cases, governments may provide means to help parents provide a stable environment. Parents may represent and fulfill their child's interests despite not being able to actively provide—instead such parents would oversee the fulfillment of their child's needs.

Parents also ought to provide or see that their child receives an education. On “reproductive labor” Reed contends that, “Such labor is not merely a matter of physically creating citizens – indeed, this activity is arguably the least of the labor involved in creating citizens – but of also teaching a morality to these citizens compatible with larger society.”<sup>49</sup> Here Reed is explicitly stating that a large part of parents' responsibility in child rearing is making sure that their children, or future citizens, learn to think and behave morally. Rawls, as Reed points out, considers young children “future citizens”<sup>50</sup> because they do not yet have the moral capacity to participate as adult recognized citizens and as such, parents have a responsibility to oversee their moral development. While children born in the US are considered citizens from birth, we certainly do not expect children to be developed enough to participate as voters or activists—in this way we could understand children as citizens in training. Moral development

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<sup>48</sup> These items being parental responsibilities 1-4.

<sup>49</sup> Reed pg. 971

<sup>50</sup> Rawls (1999a, 599; PL 200). Found in: Reed pg. 971

would require education, while parents may contribute to this education,<sup>51</sup> parents are not expected to undertake all the work associated with their parental responsibilities. For example, public education, while not perfect, is a considerable boon to families as it allows parents to oversee the academic education of their children without giving up their livelihood, interests, and personal goals. If parents were the sole providers of education, at least one parent would be obligated to give up at least a dozen years of their life in order to properly educate their children. Education is perhaps the most involved item on the list—as parents should not only see that their child receives an academic education, but must also necessarily participate in a child’s cultural, social, and moral education. This might include actively making one’s child aware of the avenues open to them as they progress into adulthood, thus educating and preparing them for their adult life choices. Part of a parent’s responsibility as citizens of any country, is to oversee their children’s development into fully-fledged citizens.

In order to ensure that one’s children grow up to be fully-fledged citizens one would need to make sure that their child remains healthy. This would entail providing or seeing that one’s child receives medical care to ensure that they grow up and develop properly. In fact according to the Child Abuse Prevention and Treatment Act (CAPTA), failing to provide or see that one’s child gets proper medical treatment for any grievous affliction is considered neglect and is subject to state intervention in the US.<sup>52</sup> However, raising a child calls for more than providing a stable environment and medical care—a parent should also provide emotional support.

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<sup>51</sup> I will discuss this later, specifically with regards to item eight on my list of parental responsibilities.

<sup>52</sup> Child Abuse Prevention and Treatment Act (CAPTA) § 201 a(4). 42. U.S.C. 5111.

Parents should provide emotional support so that their children feel valued by their parents and in order to help that child gain the social skills they need to participate in society. Moral, social, and perhaps cultural education requires items seven and eight, as part of one's social education should include learning how to respect and care for others. Being able to communicate and form healthy relationships with other human beings is an important skill for any human being functioning in a larger society. Children need love and support in order to feel that they are valued by their parents and to be able to form healthy relationships later in life. Also, children require rules and discipline in order to develop an organized personal code of right and wrong behavior such that they can better identify and respond to moral dilemmas. Parents, being so close to the child under their care, are ideally situated to provide their children with loving support as well as rules and discipline. Again, while it is a parent's job to oversee the development their children it is not unreasonable to think that extended family or government funded institutions like public schools will also have a hand in providing positive support and discipline.

Also, it is important for children to develop critical thinking skills and to be able to feel the weight of their decisions with relative safety, thus I have included the ninth item on the list. By providing counsel to their children and allowing them to make some decisions on their own, parents can foster critical thinking and independence in their children. This ninth item will naturally go hand in hand with the with items five and six as children will need education and support in order to seek counsel and/or make educated decisions.

Now that I have made a brief case for each item's inclusion, it falls upon me to point out any item under which HNF's parents would necessarily be superior parents. Comparing HNF's

ability to provide compared to other non-traditional families seems futile, as it seems unlikely that one can determine one's means simply being aware of one's family structure. So, I contend that the only difference in functionality one might point to between the HNF and non-traditional families is that one's social education might be different. Those who grow up in a privileged family structure may not learn of or have access to other kinds of families and learn that there are different family arrangements, sexualities, and gender expressions. As part of a dominant social structure it may not be part of one's social education that one is the majority and that other sorts of social arrangements exist and should be considered. In contrast, non-traditional families would necessarily be aware of some variety as they would be aware of at least one non-traditional family form (their own) and they would also be aware of the popular understanding of family (the nuclear family). In this way non-traditional families may provide their children with a slight advantage in that they would have a broader understanding of society. This advantage, if any, may be negligible. Regardless, HNF's have no obvious advantages with regard to function unless one is to make the case that being a dominant family structure that affords a family more ease in carrying out its functions. This dominance may be a feature affords more ease to members of a HNF as they would not have to deal with stigma. However, such an advantage would not arise from the family structure itself, but instead from a bias towards what has historically been favored.

## **B. The Negative Consequences of Privileging the Heteronormative Nuclear Family**

In some states heteronormative privilege is quite obvious, particularly with regards to adoption. However, many institutions or societies may be more subdued in expressing preference for heteronuclear families. If it is the case that institutions in our society perpetuate the idea that

the HNF is the standard and preferred family, then it is likely the case that other kinds of families will be treated differently by those institutions and in greater society as a result—state adoption law bears this out rather plainly. It is worth noting that even an obvious privilege may be difficult to combat—the assertion that a particular group is privileged is sometimes met with animosity, presumably because the allegedly privileged feel that their own struggles and way of life are being devalued in some important way. However, those who persist in supporting oppositionally sexist and heteronormative ideas and institutions, whether they are aware of the system of privilege they are supporting or not, could be doing harm to those who do not fit societies' standard of what is "normal." In his article about challenging heterosexism<sup>53</sup> against individuals who challenge the heteronormative ideal by offering foster care as gay parents, Damien Riggs explains how preference for heterosexuals marginalizes other groups:

the normative status of heterosexuality in Western societies continues to shape the experiences of all people living under the hegemony of heteropatriarchy. Whether this be through the oppression of certain groups (such as lesbians and gay men) or through the unearned privilege experienced by other groups (such as heterosexual men and women), the assumption of heterosexuality as the norm may thus be understood as thoroughly endemic to both social institutions and individual relations.<sup>54</sup>

Privilege is a tricky issue to grapple with because it directly challenges the legitimacy of the dominant social status of the most powerful groups, usually this dominance has been established over many different generations. This entrenched privilege makes it possible for members of the group not to recognize their privilege, as it has been attained gradually and likely not even in their lifetime. In *Undoing Privilege: Unearned Advantage in a Divided World*, Bob Pease

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<sup>53</sup> A sexism specifically directed at people who do not fit heteronormative ideals.

<sup>54</sup> Riggs, Damien W. "Reassessing the Foster-Care System: Examining the Impact of Heterosexism on Lesbian and Gay Applicants." *Hypatia: A Journal of Feminist Philosophy* 22, no. 1 (2007): 132-148. Pg. 132.

explains that privileged heterosexuals do not have to be knowingly complicit to participate in a privileged class. Pease writes, “As with other forms of privilege, heterosexuals may acknowledge the oppression of gay men and lesbians without appreciating the unearned entitlements and advantages they receive from their own sexual identity status.”<sup>55</sup> Here Pease makes it clear that you do not have to be sexist, oppositionally sexist, or heterosexist to participate in institutions or benefit from privileges based on these flawed ways of thinking. Therefore, in order to dismantle an undeserved privilege it is necessary to emphasize that individuals may be complicit in society’s tendency to privilege their group, even though the individuals themselves may not actively think that they should be or even are privileged. In other words, those who unquestioningly hold the HNF as a model to emulate may be unintentionally supporting the marginalization of other types of families, even if they assume that other types of families function well and are good in themselves.

## **A Solution**

To instate a new ideal family one must first understand what families in general would entail. If one is to acknowledge the existence of many types of families besides the heteronuclear, then it is necessary to use a definition of the basic family which is more inclusive. To be more inclusive this concept of family cannot depend on marriage and blood ties via procreation as such a basis would exclude all but heteronuclear families. Instead, I propose understanding the family as a network of care with formal ties between members. Understood in this way, families’ functionality might still be assessed with regards to how well they fulfill

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<sup>55</sup> Pease, Bob. *Undoing Privilege : Unearned Advantage in a Divided World*. London: Zed Books Ltd, 2010. eBook Academic Collection (EBSCOhost), EBSCOhost (accessed December 7, 2015). Pg. 138.

various responsibilities.<sup>56</sup> By formal ties, I am broadly referring to reciprocally recognized ties which imply strong mutual responsibility and love. Such ties might include being the adopted parent of, the sibling of, child of, or the spouse of another. However, I do not mean for this term to be too restrictive so that one's family is only bound together given government recognition of relationships. Instead, I take formal ties to be those that are recognized by all within the network of the family—in this way unmarried couples may also be family to one another. By requiring formal ties between members (which may include ties such as romantic partnerships or adoption), it follows that friends, mail carriers, and co-workers do not automatically constitute part of one's family.<sup>57</sup> Also, networks can be however small or big provided there are at least two family members. The reciprocal ties between family members imply mutual responsibility, these mutual responsibilities I consider to be akin to obligations of care as described by Nell Noddings.

In her paper titled "An Ethic of Caring,"<sup>58</sup> Nodding calls for a different kind of ethics founded on care. Nodding uses care within the family to illustrate how an ethics of care might work. Noddings describes two conditions which determine one's obligation of care: (A) "the existence of or potential for present relation", and (B) "the dynamic potential for growth in relation."<sup>59</sup> These two conditions determine different aspects of one's obligation of care for another; (A) gives one an "absolute obligation," while (B) helps one determine which obligations should take priority. Of course it might seem that one's family is ridiculously large and that one

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<sup>56</sup> Responsibilities like parents' responsibility to and for their children.

<sup>57</sup> Although it is not unthinkable that very strong friendships may be recognized and shared by the whole of the family network could expand the family somewhat.

<sup>58</sup> Noddings, Nell. "An Ethic of Caring." *Ethical Theory: An Anthology*. Edited by Russ Shafer-Landau.

<sup>59</sup> Noddings 703.

has an obligation to all others on this model, however Noddings asserts that this is not the case as one only has absolute obligations to a very small inner circle. Noddings writes, “practically, if we are meeting those in our inner circles adequately as ones caring and receiving those linked to our inner circles by formal chains of relation, we shall limit the calls upon our obligation quite naturally.”<sup>60</sup> One’s “inner circle” as stated here could be considered analogous to one’s immediate family. Also, Nodding explains that fulfilling one’s obligations does not entail fulfilling every whim of the one we care for, instead we make a commitment to do what we think is right to help that individual in their given situation. In this way, caring for someone the right way will require at least a basic understanding of the other person, the situation they are in, and one’s own abilities. Thus, caring for someone may effectively constitute doing nothing at all, provided that this results from a caring assessment. However, doing what is in a loved one’s best interests is not always within one’s power. In such cases it may be useful to adopt Nodding’s own pragmatic understanding of the “ethical ideal” and what it entails. Nodding writes, “It is limited by what we have already done and by what we are capable of, and it does not idealize the impossible so that we may escape into ideal abstraction.”<sup>61</sup> It would be unreasonable to hold someone morally accountable because they are unable to meet some need which is outside of their means. Both obligations of care and the ethical ideal which Nodding describes are indexical in that their requirements of the individual are directly dependent on that individual’s situation and abilities. If obligations of care are met within the context of one’s abilities and means, then that obligation of care is met—even if some important need of the other has not been satisfied.

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<sup>60</sup> *Ibid.* 702.

<sup>61</sup> *Ibid.* 700.

Understanding the family in the way that I have described may raise some important questions e.g., should children who are too young to be able to recognize and fully participate in reciprocal ties be considered a part of the family? This question is of particular importance as infants and small children may rely on their family in order to survive. It is worth noting that infants in the family represent perhaps the greatest opportunity for a potential growth in relation.<sup>62</sup> An infant's potential relation to another family member may increase drastically as that child develops and bonds with the adult and children who help take care of that infant. While infants may barely meet Nodding's first condition to establish an obligation of care (A), they are uniquely situated in their fulfillment of the second condition (B). Even given this dynamic potential that infants have to form relationships with others—if infants cannot recognize or understand the ties they have to other family members, then how can they still be considered part of the family? Until children are developed enough to recognize such ties it is up to the adult or adults who have taken responsibility for that infant to consider and anticipate their best interests. In this way a young child's network of care is first established by their parents, or the state, until they become a fully-fledged agent such that they can take ownership of their place within the family.<sup>63</sup> Another important question concerning this view of the family concerns disagreements concerning the bonds between individuals i.e., how does this view deal with instances of disagreements like custody battles? This question is more difficult to answer, obviously the ruling of the court in a custody battle will have some bearing in one's ability to maintain relationships. It is possible that one parent may be ruled against, and in these cases it is possible

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<sup>62</sup> Nodding herself notes this, particularly in reference to the bond between mother and child.

<sup>63</sup> Individuals with mental or physical impairments may require another to look out for their interests and establish a network of care for them in a similar way.

that one parent may become more like a member of that child's extended family. My view of the family may offer a more inclusive understanding of what can constitute a functional family; however, my view does not rule out the possibility that disagreements and dysfunction can occur in any type of family. Disagreements within families will inevitably occur, in such cases it is up to governments and the family members to decide what family arrangements they think are most functional for the parties involved. While governments and the family involved may make mistakes, there will be some fact of the matter as to which family is more functional.

I have asserted that a family is a network of care with formal ties of obligation akin to those explained in Noddings' ethics. Based on this I posit that the ideal family would be one in which the obligations of care are consistently met and one in which each member of the family is cared for appropriately. The antithesis of the ideal, a network in which obligations of care are reliably not met, would be an utterly dysfunctional family. It may be the case that families, even those understood as extending beyond the immediate or nuclear family, may require support beyond one's formal obligations of care in order for their needs to be adequately met. For example, it may be that case that a parent is unable to fulfill parental obligations on their own and so they might participate in a larger network of care that extends beyond their own formal obligations. A family living in poverty may be a highly functional one as long as obligations of care are reliably met, individuals within the family carefully respond to loved one's needs within their means, and given that each family member's responsibilities and needs are reliably met.

## **Conclusion**

The judgement that the heteronormative nuclear family is the standard is problematic for a variety of reasons. Narratives in support of such families as ideal or standard, privilege a particular version of what family should be and wrongly characterizes families who do not fit the ideal as unnatural or lesser. The HNF is oppositionally sexist as it depends on the underlying assumption that children need both a mother and father whose gender expression is essentially tied to their biological sex. Also, because the form of the HNF does not ensure its functionality, the HNF is not an acceptable prescriptive ideal and does not aid in the assessment of families. By privileging the HNF other kinds of families can, and have been, underrepresented and undervalued. Those who do not meet heteronormative ideals are sometimes discouraged or even barred from adopting in States like Nebraska and Alabama. While the HNF is flawed, it may be useful to have a more inclusive and attainable ideal in order to gauge the functionality of some family arrangement.

What I propose is not a specific ideal family arrangement based on form, but instead an ideal functionality of the family wherein the form of the family can be understood as a network of care with formal obligations of care. These formal obligations of care, as I have explained them, are the same obligations of care proposed by Nell Noddings in her writings establishing an ethics of care. Using Noddings' obligations of care as the uniting feature of my ideal family allows for a pluralistic concept of family, such that family and perhaps society has no standard basic unit as previously understood. Instead it would require the inclusion of a variety of different family forms united by similar function. Such a solution would require significant changes in the way we speak about and represent families. In the past, rhetoric and popular ideas

about the family have excluded minorities. By focusing on the function of all families, we can include groups that have historically been marginalized and excluded from representation. Also, by doing away with the assumption that parents should be a heterosexual couple with biological ties to their children we can more easily include same-sex parents, single parents, and any other family arrangement which does not adhere to this assumption.