

Historical Perspectives on the Family and the Development of Intimacy

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Introduction

The conception, ideals, and functions of a family that many Americans in the 21st century hold near and dear—that the family is a cradle of development apart from the outside world, a private refuge where the living of life, as opposed to the work of life, takes place—is a relatively new. The aim of this paper is to show how various disciplines have conceived of and studied family and intimacy throughout history and how some of the tensions identified by the Greeks still resonate in contemporary American society.

The ideas of “individual,” “family,” “community,” “state,” and “society” intertwine throughout history, distinguished from and emphasized in relation to one another depending on the lens used by the observer, scientist, or philosopher. What a family is, how its members relate to each other, and the role family plays in the lives of its members and in society as a whole; who determines and controls those relationships; and, indeed, what is intimate and what is not are viewpoints that have developed and changed over centuries. By understanding how the notions of family and intimacy have evolved over time, a better picture emerges of how our ideal of the family originated and, perhaps, what we can do to improve it through an increased focus on intimacy. The family is a functional unit that can also serve as a cradle of human growth, development, and satisfaction for all.

Philosophical Origins

Family and intimacy in Western thought and practice, not surprisingly, begins with the Greeks. Specifically, the primary themes of the family and individual and their relation to society and the state have their origins in the writings of Aristotle and Plato. Indeed, the Platonic and Aristotelian views of family and society set up a dichotomy between individual and social views that forms a tension we live with to this day. To show how and to demonstrate the origins of today’s conceptions of family, marriage, and the social

institutions that support them, this paper will survey disciplines from philosophy, anthropology, sociology, moral theology, and biology to show that the contemporary view of family represents historical conditions and attitudes more than any ideal picture of family and intimate relationships.

Indeed, philosophy has been accused as undermining the family, especially in the minds of those more oriented to religion and morality. Reading Plato's conception of the family in his ideal city, as described in *The Republic*, it is not difficult to see why. To simplify, the ideal republic has a class of citizens called the Guardians, who preserve the community at the direction and discretion of the Rulers. In Desmond Lee's editorial comments that accompany his translation of *The Republic*, Plato viewed the family as destructive, at least for the Guardians:

If men and women are to lead the same lives, the family must be abolished. But the sex instinct has to be satisfied and controlled, and new citizens produced. Plato therefore substitutes for the family a system of eugenic breeding analogous to that used in breeding domestic animals. There will be mating festivals at which the Rulers will contrive that the couples from whom they wish to breed shall mate: the children will be looked after in state nurseries. The advantages of the system from Plato's point of view are, first, that it makes possible to breed good citizens, and, second, that it gets rid of the distracting loyalties, affections and interest of the family system, and diverts them to the service of the community—the Guardians will become one family. Here, again, the community overshadows the individual and the women Guardians 'bear the children for the state' (Plato, 2003).

The family is destructive because it's impedes his ideal state in creating the conditions for the greatest possible happiness for the entire community. It is not exactly the warm view of family togetherness, love, and intimacy seemingly so important to contemporary American society.

This view contrasts with Aristotle, who viewed the family as providing the "necessary conditions" and the basis on which public life rests. Although participation in the public *polis* (a city-state in ancient Greece) is superior to any other activity, it requires

the support of the nonpublic household. Participation in public politics (by men) provides “fully realized moral goodness and reason.” Nonpublic households (and women) share in goodness and rationality as appropriate to their lesser association. As Jean Bethke Elshtain wrote:

The splits were seen as necessary in order to maintain politics, law, order, justice, and sovereignty on the one hand, and to protect the innocent and helpless, preserve the home and its private virtue, and provide succor for those [men] seeking respite from the public world on the other. (Elshtain, 1982, p. 56)

In Aristotle, then, lies the philosophical foundation for our contemporary conception of the family and intimacy, with its traditionally male public face and its traditionally female private nurturance. In Plato, however, lies the philosophical basis for our vast state-supported education and family-support bureaucracies, in which state institutions serve as a mediator of and, in some instances, surrogate for family and intimate relationships.

Although the differences between public and nonpublic modes in family and intimacy are familiar, the tensions between the Platonic and Aristotelian ideals in practice is greater than it may initially appear. Indeed, contemporary families and society navigate in a sea of tensions between private and public conceptions of and support for intimate family relations. The winds have shifted throughout history, and the conception of family and the roles of family members have shifted accordingly.

To illustrate, consider the Platonic ideal and how it is manifested in the United States today. Plato may have revised his views from the ideal city of *The Republic* to the second-best city of *The Laws*, yet the Platonic ideal of *The Republic* forms the contemporary counterpoint to the ideal of the nuclear family and informs many contemporary social and educational institutions.

Consider that many children are not raised by a single parent (mother) in a household. They are raised in day care centers, public and private, by a class of daycare

workers. Children are taught in schools, most of which in the United States are run by the government, or the state, by a class of teachers. Contemporary governments (the state) has developed an intricate social service bureaucracy with conflicting goals of maintaining family structures and, by implication, intimacy while protecting children from irresponsible parenting, run by a class of social workers.

Our values of family and intimacy are inculcated in children during their schooling and supported by research and social services provided by federal and local bureaucracies. At the same time, those values are almost constantly under political and public stress, discussion, and attack. Few things are more hotly debated and reported in the media than family and, though less explicitly, intimacy.

Anthropological Definitions

In both Platonic and Aristotelian view, the family is defined and delineated primarily in relationship to the community or state and not as much as an entity in and of itself. Anthropologists provide a more neutral and objective definition of a family. In this regard, “family” is a difficult problem for anthropologists. “[They] have treated the question as *problematic*, as potentially varying from context to context, as requiring an answer based upon empirical data rather than academic dictate” (Skolnick and Skolnick, 1974, p. 30). Accordingly, anthropologists have sought to discover a definition of “family” that both fits a specific culture and provides a basis of comparison from culture to culture.

In “The Origin of the Family,” for instance, Kathleen Gough begins by acknowledging that no one really knows how and when families came into being and how they developed. “The family is a human institution, not found in its totality in any prehuman species. It required language, planning, cooperation, self-control, foresight and cultural learning, and probably developed along with these” (Gough, 1971, p. 58). Her view of the historical record led her to define a family as “a married couple or other

group of adult kinsfolk who cooperate economically and in the upbringing of children, and all of most of whom share a common dwelling.”

Gough’s definition contains a number of characteristics that run through the history of family studies, in most disciplines. First, the concept of “kinship” runs through both the anthropology and sociology. If it’s nothing else, family is blood relations, either by ancestry or marriage. Second, families are functional; they formed from the necessities of survival of the species, which includes economic and socialization activities. Third, families have a household or dwelling location, whether it’s living in the same quarters, the same neighborhood, or not.

Gough concludes that “The family was essential to the dawn of civilization, allowing a vast qualitative leap forward in cooperation, purposive knowledge, love, and creativeness.” The family is an economic necessity required for survival but it also serves, at least in contemporary formulation, as a focal point for intimacy. In the times of the ancient Greeks, the family was *not* “the locus for the expression of the deepest human emotions,” nor were “husbands and wives . . . day-to-day companions or emotional and intellectual intimates” (Okin, 1982, pp. 35-36). “Family” in prehistoric terms is more a unit of economy and survival and “intimacy” refers essentially to physical, sexual closeness for the purpose of reproduction. In anthropological definitions like Gough’s the Platonic ideal, in which “the community overshadows the individual” takes precedence over conceptions of individual intimacy.

For the most part, the family is defined and viewed throughout history for its political and economic necessity and functions, both between the private family and the state and between men and women within the family itself. Many if not most of the philosophical writings on the family concern its economic functions, including the ownership and transfer of property. Not surprisingly, men owned property and could transfer it to their heirs, and a vast body of law developed to set and enforce property rules.

Legal Functions

As anthropologists have made clear, the primary value of family and marriage has traditionally been a means to a larger social end and not a means to personal satisfaction, a contemporary conception of the family. The family either gets in the way of the higher social good or is necessary primarily to support the state, a debate that essentially follows from the lines of thought that defined and justified the ownership and inheritance of property, an initial and critical function of the family throughout history.

The contemporary view of the family and marriage begins to emerge in the late 17th century in the writings of John Locke, who laid the foundation of the legal view that marriage is a contract. In doing so, he broke with past theories, asserting that the family is not analogous with or a tool of society. As in the anthropological conception, “the family was a private association that preceded civil society, therefore the state had no right to intrude upon or into it.” Locke began a focus on the family as individuals with rights, including the right to dissolve the marriage contract by consent, which anticipated modern reforms in divorce law (Shanley, 1982, pp. 94-95).

The emergence of individuals other than the husband-father having existence and rights within the family expands the idea—implied in the Aristotelian idea of private households being necessary to provide succor the men—that emotional intimacy within the family is important. This idea is articulated more clearly in early 19th century philosophy in Georg Wilhelm Friedrich Hegel’s discussion of ethics and the family. In *Elements of the Philosophy of Right (Grundlinien der Philosophie des Rechts)*, published in 1820, Hegel presents an ideal of family intimacy, conceived of as “love:”

The family, as the immediate substantiality of mind, is specifically characterised by love, which is mind’s feeling of its own unity. Hence in a family, one’s frame of mind is to have self-consciousness of one’s individuality within this unity as the absolute essence of oneself, with the result that one is in it not as an independent person but as a member.

The individual emerges more clearly from the family collective. The family is an entity that serves the function for both the individual (education of the children, for example) and the state (transmission of property from one generation to the next).

Families complete themselves in three phases:

- (a) **Marriage**, the form assumed by the concept of the family in its immediate phase;
- (b) **Family Property and Capital** (the external embodiment of the concept) and attention to these;
- (c) **The Education of Children and the Dissolution of the Family.**

Hegel points to the economic and political functions of the family in terms of ethical law. The starting point may be “the right which the individual enjoys on the strength of the family unity” but that right only takes form when the family dissolves, with the death of the parents, particularly the father, the undisputable head of the household in the Hegelian view. Thus is laid the legal basis for inheritance of family property and capital, once the children are educated and on their own.

Even so, the family at this point in history still is primarily functional, serving as an economic unit for the maintenance of its race, culture, and form, rather than a place for the individual fulfillment and growth of its members. That the family is beginning to evolve, however, is clear given that, to Hegel, children have a “right to maintenance and education at the expense of the family’s common capital,” a view that differs substantially from that of the Greeks, in which women and children were property of the husband-father, children even to the point of being slaves.

Yet the tension between the Aristotelian and Platonic ideals increases with Hegel. He intensifies the importance of the private with his emphasis on intimacy and reinforcement of the father as public face and mother as private locus of spirituality. At the same time, Hegel foreshadows the strengthening of the state and subjugation of the family by the state, as his conception of the bourgeois family mirrors the alienated order of property

within industrialist capitalist society, the primary theme developed in the philosophy of Karl Marx.

Economic Tensions

Karl Marx and Fredrich Engles begin the next major theme in the philosophical conceptions of the family, articulated in Engles' 1884 book *The Origin of the Family, Private Property and the State*. In the terms of Marx's dialectical materialism, Engles writes, "the determining factor in history is, in the final instance, the production and reproduction of the immediate essentials of life." The character of a particular historical epoch is determined by both "the stage of development of labor on the one hand and of the family on the other." Accordingly, Engles traces historical development of the family from the shared wealth of tribal societies and transmission of property through the mother, like the Iroquois of New York, to the rise of private property and transmission of property to children through the father, like the Athenians of Greece. By the time of the Greeks, he writes:

Only one thing was wanting: an institution which not only secured the newly acquired riches of individuals against the communistic traditions of the gentile order, which not only sanctified the private property, formerly so little valued, and declared this sanctification to be the highest purpose of all human society; but an institution which set the seal of general social recognition on each new method of acquiring property and thus amassing wealth at continually increasing speed; an institution which perpetuated, not only this growing cleavage of society into classes, but also the right of the possessing class to exploit the non-possessing, and the rule of the former over the latter.

And this institution came. The state was invented.

To Marx, religion, family, state, law, morality, science, art, etc., are only particular modes of production, and every person experiences how their tie to the mode of production blocks and facilitates certain personality developments. Simply put, the

overall human condition in any society in which a division of labor exists is an experience of alienation, which is “the splintering of human nature into a number of misbegotten parts” (Ollman, 1976, p. 135). The conception of the family is more Platonic, where the family is an object of manipulation by the husband, who owns the wife and children as private property, essentially little more than slaves. “He can do with them as he will, or practically so; the family has become an object of his manipulation, reflecting the character of his own alienated labor” (Ollman, 1976, p. 161).

In short, family relations create alienation, not intimacy. The Marxian tension is between alienation and intimacy, though this takes some liberty with Marx, who wrote of the tension as between alienation and unalienation, a state only attainable in the classless communist society. Even so, alienated man is isolated, an “abstraction,” in Marx’s term, a being that has “lost touch with all human specificity” (Ollman, 1976, p. 134). Surely “intimacy” is bound up in human specificity, including emotional and physical connection.

What’s important at this point, however, is the notion that with Hegel and Marx, a qualitative dimension is added to the Platonic-Aristotelian tension: Hegel’s introduction of love and Marx’s focus on alienation begin to flesh out intimacy in the family, as opposed to the earlier focus on the function of the family. Personal satisfaction begins to emerge as a possibility—and not only a possible but also a desirable result of—family relationships.

Men can only control the narrow private sphere and have little or no control over the more important and satisfying public sphere. Only with the healing of private and public, with a return to communal social experience and the demolition of the state, can people experience true satisfaction, presumably in familial as well as social relationships. “Marx foresees in communism, where the very division between caring for oneself and caring for others has disappeared with the return of the individual from the state to ‘his human, that is, social mode of existence’” (Ollman, 1976, p. 212). If this is an aspect of intimacy

in a family, then family intimacy, for Marx, is possible only under communistic social forms.

Sociological Developments

Marx's writings coincided roughly with the reign of Queen Victoria in England, a time that intensified the individual's focus on family life. Perhaps the Marxian condition of alienation from the means of production did indeed shift the focus onto the family, as people turned to the private sphere to meet needs of connection and satisfaction that they did not experience in the public sphere. This was the time of Charles Dickens and a more intense focus on the rich and the poor and the quality of their family lives. Who, after all, had the more intimate and satisfying family life, Ebenezer Scrooge or Bob Cratchit?

Victorian England was also a time of great home instruction, with the publication of home instruction books and magazines for the women of the house to better take care of their men in the world. From homemaking, to architecture, to entertainment, sociological scholars write of Victorian society developing a conception of family as a private refuge from work. A similar dynamic occurred in family life in the United States. One sociological writer, in tracing the rise and fall and rise of breast feeding in the United States from the mid 19th century to today, notes that a "cult of motherhood" prevailed in the United States beginning in the 1850s. Another cultural analyst wrote, "The cult of motherhood was nearly as sacred in mid-nineteenth century America as the belief in some version of Democracy" (Douglas, 1977, p. 74). When private or intimate family matters they became public they were a "spectacle," objects of intense and almost lurid public interest and media focus (Chase and Levenson, 2000). Intimacy is clearly associated with privacy in Victorian times.

It was not all that it seemed, however, and the Aristotelian private sphere did not meet all intimacy needs. The intimate stereotype of Victorian marriage, for instance, is often labeled "sexual repression." Unfulfilled Victorian wives, in one description,

retreated into romantic fantasies while their husbands toiled away from the home. This was also the time of “female hysteria” described by Freud as the overriding neurosis of the time.

Even so, contemporary family historian Stephanie Coontz, for instance, wrote that the Victorians simultaneously made marriage more satisfying and paved the way for alternative lifestyles to thrive: divorce, gay marriage, living together, and single parenting. Marriage evolved from property and politics to personal satisfaction—from organizing labor and power by gender and age and conferring property rights onto children to “lifelong love and intimacy.” Yet just as that concept became accepted, she argued, it began to unravel. In tracing the recent of marriage based on romantic love, a relatively recent human development, Coontz argued that the institution of romantic marriage has been in crisis almost since it began (Coontz, 2005).

Throughout history, societies have decried a “crisis” in marriage and, by extension, the family. These crises wax and wane, and by the 1920s, the private institution of marriage had again reached a point of public crisis. In reaction to Victorian repression and as a result of ever increasing urbanization, industrialization, and alienation, social roles and individual morality shifted, especially for woman. As two sociologists put it, “The overthrow of small-town supremacy in moral standards in the twenties detached large numbers from the control and support of traditional sexual morality” (Foote and Cottrell, 1955, p. 20).

Biological Urges

The 1920s crisis in family intimacy in the Aristotelian private sphere began to lead to Platonic public solutions. On the one hand, educators saw a need for instruction in marriage and family studies. On the other, moral reformers saw a need for the socialization of immigrant families and, eventually, the protection of children from abuse and neglect. Briefly, colleges and universities began courses to instruct undergraduates in

marriage and family. At about the same time, private and eventually public social service agencies arose to provide educational programs for the socialization of children (White and Kein, 2002, p. 24).

One result was the development of courses in marriage and family in public universities beginning in the late 1920s. “Marriage courses in the United States were one way that social reformers sought to address what they viewed as the “marriage crisis” of the 1920s and 1930s” (Drucker, 2007, p. 236). What happened is that “romantic love and sexual congruence” began to take precedence over financial stability and family background in the choice of a marriage partner. The so-called moral reformers thought that education on family and marriage would help college juniors and seniors navigate the new mating and dating environment in a responsible fashion.

Enter Alfred Kinsey, a professor of zoology at Indiana University, who took over that university’s marriage course in 1938. As a biological scientist, Kinsey felt that information on human mating and sex behavior should be based on scientific fact, rather than vague religious-oriented information or “gossip and guesses.” With his scientific approach, Kinsey covered the mechanics of human reproduction, and birth control, and sex before marriage in a neutral, as opposed to moralistic, tone. As Drucker put it, ““While he did not explicitly advise students to experiment with sex before marriage, many students heard this lecture [“Biologic Bases of Society] as a tacit admission that doing so would be good for their health” (Drucker, 2007, p. 2443-44). As he developed this lecture over the course of several years, he eventually concluded that “individuals can reach their finest development as a result of marriage” (Drucker, 2007, p. 256), a statement that foreshadowed a contemporary view of family (and marriage) intimacy as a cradle of human growth, development, and satisfaction for all family members.

As the course developed and Kinsey’s lectures became increasingly explicit and went further against the prevailing moral notions of the time, Kinsey began receiving increasing criticism from members of the Indiana University faculty, especially in religion and sociology and from campus physicians. Pressure on the IU administration

grew. During the course, Kinsey met individually with students, a common practice in such courses, for individual counseling. He also started to take sexual histories of students, sparking an interest on his part in human sexual behavior. As pressure on Kinsey and the university administration grew, he was presented with a choice by IU President Herman B Wells: to resign from the marriage course and continue to take sexual histories or to continue the course and allow the IU health center to take over the course's individual counseling sessions. Kinsey chose the former and concentrated his energies on researching human sexuality, leading to his two landmark studies, *Sexuality in the Human Male* (1948) and *Sexuality in the Human Female* (1953).

Kinsey's work on the IU marriage course and his pioneering research into human sexuality further opened the personal sphere of intimacy in the family, especially between couples. Kinsey's lectures followed a theme that "the "art" of sex was essential to happy marriages" (Drucker, 2007, p. 256) at a time when most instructors, either explicitly or implicitly, suggested that sex was best left for marriage and reproduction, a view that many Christian theologians trace throughout *The Bible* and that forms the basis of philosophies since *The Republic*, in which procreation is a universal duty.

That mutually satisfying sex was fundamental to the success of a marriage and relationship meant that both partners were entitled to intimate pleasure, a revolutionary concept especially for women. Kinsey's fame grew, and his work contributed to greater sexual openness and to the laboratory experiments on human sexual response and the diagnosis of sexual disorders and dysfunctions in the 1960s and 1970s by William Masters and Virginia E. Johnson. Their Human Sexual Response Cycle model further emphasized mutuality in sexual intimacy. It is also possible that their work led to increasing identification of intimacy with sex, a line of inquiry worthy of further exploration.

Sociological Evolution

At this point in the United States, sociologists increased their interest in the study of family and intimacy. Family research accelerated after World War II as men returned home, and the Baby Boom began. “The postwar demand for the knowledge or training for successful adult family roles has grown to an unprecedented extent” (Foote and Cottrell, 1955, p. 11). Their survey of family research, designed to justify family research as a valid sociological topic, shows a significant increase in sociological research on the family beginning in the 1940s. Although much of it is of academic interest only, they wrote, more of it is relevant to “the life problems of its subjects” and therefore more practical than other forms of social science research, as evidenced by the demand for knowledge of family living especially by young adults.

Most research in the U.S. is stimulated by and directed to crisis (Foote and Cottrell, 1955, p. 11). “During the thirties, family research was predominately concerned with the success and failure of families as units and of individuals as marriage partners.” After the start of World War II, research tended to focus on the effects of the separation of children from parents and husbands from wives. Then during the 1950s, the focus shifted to the next family crisis, which involved the stresses of returning soldiers, the dawn of the nuclear age, and the acceleration of consumer society. Since the 1960s, the development of the sociological literature focuses on three major themes (Laslett, 1973, p. 95):

1. The development of the isolated nuclear family in recent times.
2. The growth of companionship compared to the traditional or institutional or traditional family.
3. The loss of functions by the family in the modern period compared to the past.

Social scientists seek to determine what families actually are in observable terms, as opposed to what they should be, which is generally left to religious organizations, judicial institutions, and government agencies. This is important for two reasons. First, note that the main themes identified in the study of the family mainly concern the family and not

intimacy. By the late 1960s, the family had become one impediment to an individual's realizing true intimacy, as embodied in the existentialist ideal of authenticity—the individual had to break free of suffocating middle-class morality in order to have genuine relationships.

Second, the ideal of the family and the maintenance of that ideal—and by extension, intimacy—became the purview not of individuals seeking to be authentic, true to themselves and their beliefs, but of public institutions. Since the early 1970s, in fact, family questions have become more than a focus of public institutions but outright partisan battlegrounds. In describing the history of the seminal 1975 case *In the matter of Karen Quinlan*, which turned, in the end, on whether people have as much a right to die as to live, Jill Lepore wrote: “in the decades since Quinlan, all manner of domestic policy issues have been recast as matters of life and death—urgent, uncompromising, and absolute” (Lepore, 2009, p. 60). Intimacy fought for in the 1960s and 1970s lost out to morality in the 1980s and 1990s.

Partisan Debates

Today, the tension between the Platonic state ideal in *The Republic* and the Aristotelian focus on the family in the private sphere continues in religious, moral, and political debates over “family values,” beginning with the Moral Majority and its increasing political influence in the United States beginning in the Reagan years and battles over gay marriage during the second Bush presidency. The nature of the family and its relationship to individual intimacy as perceived by various academic and moral disciplines still fuel today's debates. For instance, the anthropological and sociological qualities of family kinship, function, and location provided fodder for argument on what constitutes a family. Anthropologists and sociologists have overwhelmingly concluded that a family is more than biological kinship. Marriage is not a critical component of a family; a family can be chosen as well as given.

Such thinking led the Executive Board of the American Anthropological Association, the world's largest organization of anthropologists, to release the following statement in response to President George W. Bush's 2004 moral call for a constitutional amendment banning gay marriage as a threat to civilization:

The results of more than a century of anthropological research on households, kinship relationships, and families, across cultures and through time, provide no support whatsoever for the view that either civilization or viable social orders depend upon marriage as an exclusively heterosexual institution. Rather, anthropological research supports the conclusion that a vast array of family types, including families built upon same-sex partnerships, can contribute to stable and humane societies.

At the same time, local, state, and federal departments dedicated to family and children continue to grow and to serve as a focal point for debate and controversy. If ever there were a focus for the tension between the Platonic and Aristotelian, it would be the contemporary bureaucracies focused on education and family and children. Protecting children from neglect and abuse is the primary mission of the Illinois Department of Children & Family Services, a \$1.3 billion state agency (DCFS, 2009). Public schools are continual focus of scrutiny in terms of how well or poorly they educate children, how much money they require for the job, and what school curricula should contain, especially where family and intimacy is concerned.

The interplay of Aristotelian and Platonic ideals for family will continue, with the balance tilting toward one side and then tilting back. In the United States, the political concern and focus likely will continue to be the state of the traditional family—or more accurately, the perceived breakdown of the traditional family. As one more or less random example, Bob McDonnell, the Republican candidate—and ultimately victor—for governor of the state of Virginia in the November 2009 election answered for a statement in his 1980s masters thesis:

“A dynamic new trend of working women and feminists”—women who have sought “to increase their family income, or for some women, to break

their perceived stereotypical role bonds and seek workplace equality and individual self-actualization”—is “ultimately detrimental to the family” (Levy, 2009, p. 78).

The writer of the article that quoted McDonnell’s thesis went on to provide the other perspective in this ongoing debate over the traditional American nuclear family:

We live in a country that has been reshaped by the women's movement, in which the traditional family is increasingly obsolete. . . . As of September (2009) more than 60% of women aged 20 and over were working or seeking work according to the Bureau of Labor Statistics. Women are either the primary or co-breadwinners in two-thirds of American families, according to the Shriver Report (Levy, 2009, p. 80).

This debate ultimately rests on who will watch over the children, the traditional stay-at-home-mom or out-of-home childcare providers, funded or not by public institutions, and the balance likely will remain political for the foreseeable future.

Legal Conclusions

“Family may be the vessel that holds our deepest longing for connection with others.” Yet “family life in the last decade of the twentieth century thus seems to provoke both longing and disillusionment, an acute sense that the intimacy we pursue too often alludes us.” In arguing that much of American family law reinforces this condition, Milton C. Regan Jr. wrote that a the dominate view of family law in the United States suggests that “vessel of the family shouldn’t be filled with substantive moral content, but should be left empty so that individuals can use it for their own purposes.” Family law should be neutral and not interfere with what an individual sees as “the good life” unless that viewpoint harms another. This legal viewpoint is a rejection of status in favor of contract as the governing legal principle of family law in the United States today (Regan, 1991. pp. 1-3).

Family law, not surprisingly, favors the individual Aristotelian perspective but within an overall Platonic institutional approach to family relationship and practice. In legal terms, contemporary American law favors contract as the governing legal principal of

family life, over status. Status as a legal principal in family law, on the other hand, views family members as having specific legal identities that carry relatively fixed rights and obligations (Regan, 1991, p. 6). The contract viewpoint arose to disabuse a fixed nature of social roles, often growing out of Victorian family life and morality, to provide increased individual freedom and expression. “A contractual approach is skeptical of the notion that the family should be regarded as a social institution amenable to being shaped for collective ends.” Instead, the family is solely the regard of private choice “in which the individual seeks to cultivate an authentic sense of self through intimacy with others” (Regan, 1991, p. 1).

Regan suggests that we develop a new model of status that obviates the problems of proscribed roles in the Victorian status viewpoint, against which the U.S. feminist movement fought, yet maintains the status-based idea of a social sense of self in relationship to others. Moreover, Regan’s seeks to maintain the sense of individual authenticity that a strictly contract approach to law sought without to promote while still maintaining an older view of communal responsibility. The underlying vision is that intimacy would be the “dominant purpose of family life” with “increased potential for emotionally rewarding family relationships” (Regan, 1991, p. 54). The family provides support for personal growth and development, and intimate relationships blend emotional connection and personal responsibility.

This view of family intimacy finds expression in Erik Erikson’s definition of “intimacy” as “the capacity to commit himself to concrete affiliations and partnerships and to develop the ethical strength to abide by such commitments, even though they may call for significant sacrifices and compromises” (Erikson, 1950, p. 107). He contrasts intimacy with isolation or “distantiation: the readiness to isolate and, if necessary, to destroy those forces and people whose essence seems dangerous to one’s own.” It is the ethical sense, he wrote, that is the mark of adulthood. It may also be a more productive framework for weighing ever shifting balance between Aristotelian and Platonic ideals of family than today’s highly politicized moral battles.

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