

2014

Rescuing the Family from the Homophobes and Antifeminists: Analyzing the Recently Developed and Already Eroding "Traditional" Notions of Family and Gender

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Recommended Citation

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RESCUING THE FAMILY FROM THE HOMOPHOBES AND ANTIFEMINISTS: ANALYZING THE RECENTLY DEVELOPED AND ALREADY ERODING “TRADITIONAL” NOTIONS OF FAMILY AND GENDER*

Frances Goldscheider†

ABSTRACT

We are experiencing significant and growing family heterogeneity. Whether it is the growth of single-parent families or the debate between men and women over gender roles of all kinds, we are in a period of rapid change, great flux, and immense heterogeneity. And it seems logical that if we are widening the family and gender norms, we should also include same-sex couples, who have valid claims of their own.

This Article provides a demographer’s approach and historical context that can inform American society’s perspective of same-sex marriages. By analyzing demographic data, I demonstrate that the seemingly traditional notions of family and gender, on which many arguments touting the value of two-parent, heterosexual families are based, were only recently developed and have been eroding with the entrance of women into the public workplace and men’s increasing assumption of greater roles within the private home.

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* This Article is adapted from a presentation delivered on October 25, 2013, by Frances Goldscheider at Case Western Reserve University School of Law. The presentation was part of the Family and Moral Considerations panel during *Case Western Reserve Law Review’s* symposium *The Supreme Court’s Treatment of Same-Sex Marriage in United States v. Windsor and Hollingsworth v. Perry: Analysis and Implications*.

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INTRODUCTION

I am not a lawyer, but I will do my best to be clear and make points that can be understood and applied by lawyers. But first, I would like to give a disclaimer: clarity requires that I draw sharp contrasts. Sociologists regularly consider small differences—such as a difference of three percent or five percent—significant if you consider enough cases. When I draw sharp and seemingly general contrasts in this Article, I do so knowing they do not apply to everyone.

Society is experiencing a window of time during which there is significant and growing family heterogeneity. Whether it is the growth of single-parent families or the contestation between men and women over gender roles of all kinds, we are in a period of rapid change, great flux, and immense heterogeneity. And it seems logical that if we are widening the family and gender norms to include this kind and that kind and the other kind, we should also include same-sex couples, who have valid claims of their own.

This Article steps back to provide a historical context that can inform American society’s perspective on same-sex marriages. Part I will present research results on early challenges to the “traditional family structure”—i.e., the growth of non-biological relationships, single parenting, and working mothers. In Part II, a discussion of traditional family and gender roles rebuts the notion that these roles have always existed and explains how they developed during the Industrial Revolution. Part III follows by describing how these traditional roles diminished as a result of women joining the workforce. Then, Part IV explains and analyzes the continued and future diminishment of traditional family roles caused by men undertaking household burdens. Finally, pulling from these family-structure trends and an emphasis on what best serves a child in a family, this Article concludes by asserting that same-sex marriage represents a great opportunity for, not a threat to, the quality of parenting in the United States.

I. DATA SUPPORTING AND CHALLENGING ASPECTS OF THE TRADITIONAL FAMILY STRUCTURE

This Part reviews research that has ascertained the effects of certain family structures on parents and children. In this Article, the traditional family means a two-parent family with a stay-at-home mother and a working father. Several nontraditional family structures are considered in this Part. In particular, I address the effects of biological relationships, single parenting, and working mothers.

A. *Biological Relationship*

The New Family Structures Study¹ (NFSS) suggests that the best kind of family for raising children is a heterosexual couple composed of biological parents,² though I think most people know families with adopted children who agree that biology is not necessary for people to be highly invested, committed, and excellent parents. And we also know from experience that there are biological parents who are pretty lousy. So let us not worry about biology as it is at best weakly associated with the quality of parenting.

B. *Single Parenting*

Society is also worried about single parents. Much more research now exists on the topic.³ Most studies suggest that if you know enough about the resources that these families have, an awful lot of what you find is that single parents do not have nearly enough money.⁴ And money matters.⁵ Further, there is some evidence that parenting is not quite as consistent in single-parent families as in two-parent families,⁶ likely because a single parent is busy trying to do everything without much, if any, backup. It is amazing how children learn to take advantage of a lone mother who cannot gang up on them the way two parents can.

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1. Mark Regnerus, *How Different Are the Adult Children of Parents Who Have Same-Sex Relationships? Findings from the New Family Structures Study*, 41 SOC. SCI. RES. 752 (2012).
 2. *See id.* at 761–66.
 3. *See, e.g.*, Elizabeth Thomson et al., *Family Structure and Child Well-Being: Economic Resources vs. Parental Behaviors*, 73 SOC. FORCES 221, 227–28 (1994) (comparing single-parent households to other family types).
 4. *See id.*
 5. *Id.*
 6. *See, e.g.*, Nan Marie Astone & Sara S. McLanahan, *Family Structure, Parental Practices and High School Completion*, 56 AM. SOC. REV. 309, 310 (1991) (analyzing a study that concluded “children from nonintact families are subject to less consistent parenting styles and less social control than children living with both parents”).

C. *Working Mothers*

Some research promotes the traditional family structure by also suggesting that parents should be not only heterosexual but a couple with the man employed and the woman at home.⁷ Sociologists call this arrangement a “separate spheres” family, with the male and female parents working in separate public and private spheres, respectively.⁸ Finding the separate spheres family to be the preferred default family structure means that every other sort of family is a deviation. Whether it is parents working long hours to pursue serious careers or single parents—these families are seen as inadequate.

Let us not forget that this debate is really about same-sex couples and whether they could possibly be good parents. Why do we think that the only good parenting is by the labor of heterosexual couples in which the mother stays home? There has now been forty years of effort trying to document that working mothers are bad for children.⁹ There also has been research during roughly the same period on whether women who take on paid jobs are more likely to divorce.¹⁰ These studies are attempts conclude that women in the labor force create damaging instability for children.¹¹

But the research fails to fully support the narrative against working mothers. Unquestionably, employed women—particularly in countries where there is very little support for families like in the United States—tend to have fewer children than women who stay

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7. Erick Erickson, *The Truth May Hurt, But Is Not Mean*, REDSTATE (May 30, 2013, 2:57 PM), <http://www.redstate.com/2013/05/30/the-truth-may-hurt-but-is-not-mean/> (stating that “individual circumstances and mine should not hide the fact that there is an ideal and optimal family arrangement” of having women at home and men as the breadwinners); cf. Thomas Finn, *Social Science and Same-Sex Parenting*, 13 NAT’L CATHOLIC BIOETHICS Q. 437, 444 (2013) (“[A]s a group, children who are raised by their married biological parents will have the healthiest developmental outcomes.”).
 8. See, e.g., NANCY COTT, *THE BONDS OF WOMANHOOD: “WOMAN’S SPHERE” IN NEW ENGLAND, 1780–1835*, at 61–62 (1977).
 9. LOIS WLADIS HOFFMAN & F. IVAN NYE, *WORKING MOTHERS: AN EVALUATIVE REVIEW OF THE CONSEQUENCES FOR WIFE, HUSBAND, AND CHILD* 227 (1974) (“[M]ost research, like most social concern, has looked for negative effects on the child, the marital relationship, and the mother’s health.”).
 10. See, e.g., Liana C. Sayer & Suzanne M. Bianchi, *Women’s Economic Independence and the Probability of Divorce: A Review and Reexamination*, 21 J. FAM. ISSUES 906 (2000).
 11. See Regnerus, *supra* note 1, at 766 (noting that children who undergo fewer “transitions” tend to have the best outcomes).

home and have high-earning spouses.¹² Families can live on one salary, but most people need to have two salaries to adequately support their desired lifestyles.¹³ Hence, the need for two salaries naturally curtails the family sizes of working women. Careers for women can also be problematic by placing pressure on women to have their children at the right time.¹⁴ I imagine most of the women law students in this room have struggled with the question of when is it too late to have children. Do I have to wait until I make partner? So, although families with working mothers may have fewer children, forty years of worried research has not found that children of working mothers do any less well.¹⁵

As an early adopter of the working-female lifestyle, I was told by many people that I would never know how much I had damaged my children until they were grown. People said this even when I shared that my children seemed to be fine, living a stable life and accustomed both to having me when they had me—including all night, every night and holidays—and to having other kinds of care when they had other kinds of care. My children grew up fine and are successful, working mothers. Pulling from my experience, not to mention the *failed* research on mothers in the labor force, I have found that employed mothers are not a problem.

II. RECENT HISTORY AND THE SOURCE OF THE TRADITIONAL FAMILY AND GENDER NOTIONS

A. *The Imagery of Ancient Gender Roles Is Historically Inaccurate*

Why did we think it would be bad for women to work outside the home? In this Part, I want to focus on this traditional notion because this is what most of my research seeks to clarify. American society has long thought that the family, always and everywhere, was defined by men going off to work and women taking care of the home and the family. As mentioned earlier, this construction is called the separate spheres.¹⁶ Many famous scholars developed theories justifying the

12. Linda J. Waite & Ross M. Stoltzenberg, *Intended Childbearing and Labor Force Participation of Young Women: Insights from Nonrecursive Models*, 41 AM. SOC. REV. 235, 247 (1976).

13. Cf. Sandra L. Hanson & Theodora Ooms, *The Economic Costs and Rewards of Two-Earner, Two-Parent Families*, 53 J. MARRIAGE & FAM. 622, 623 (1991) (noting that dual incomes keep many families above the poverty line).

14. See Ronald R. Rindfuss et al., *Education and the Changing Age Pattern of American Fertility: 1963–1989*, 33 DEMOGRAPHY 277, 288 (1996).

15. See HOFFMAN & NYE, *supra* note 9, at 222 (discussing surveys concluding that employed mothers were happier than unemployed mothers).

16. See COTT, *supra* note 8.

separate spheres model.¹⁷ And historical writings intimated the timelessness of the social structure in modern society.¹⁸ Hence, as reflected in several popular media programs, American society thought that separate spheres represented what gender roles had always been¹⁹ and should always be.²⁰ But, as I will show, the idea

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17. See, e.g., Talcott Parsons, *The Social Structure of the Family*, in *THE FAMILY: ITS FUNCTION AND DESTINY* 173, 195 (Ruth Nanda Anshen ed., 1949) (“[I]f husband and wife were in direct competition for occupational status . . . such a discrepancy would appear to put an intolerable strain on the imperative of status equality among members of the conjugal family.”); GARY S. BECKER, *A TREATISE ON THE FAMILY* 14–37 (1981) (arguing that men and women had to specialize because that was more efficient); see also SIGMUND FREUD, *THE BASIC WRITINGS OF SIGMUND FREUD* 620 (A. A. Brill ed., trans., 1938) (discussing how male children raised by males are more likely to become homosexual). But see KAREN HORNEY, *FEMININE PSYCHOLOGY* 115 (Harold Kelman ed., 1967) (“[W]e know that this state of the cultural supremacy of the male has not existed since the beginning of time”); FREUD ON WOMEN: A READER 41 (Elisabeth Young-Buehl ed., 1990) (stating that Freud’s critics are responding not to his worldview but to “the [social] reality which the view reflects”).
18. See, e.g., S.F.W., *Woman’s Sphere*, *AM. LADIES’ MAG.*, May 1835, at 262 (discussing the similarity of the nineteenth-century woman’s sphere compared to that of the biblical Eve); ALEXIS DE TOCQUEVILLE, *DEMOCRACY IN AMERICA* 573–74 (Harvey C. Mansfield & Delba Winthrop eds., trans., 2000) (1835) (praising America’s separate spheres and recognizing Europe’s lack of separation that “give[s] both [sexes] the same functions, impose[s] the same duties on them, and accord[s] them the same rights,” resulting in “weak men and disreputable women”).
19. See M. KEITH BOOKER, *DRAWN TO TELEVISION: PRIME-TIME ANIMATION FROM THE FLINTSTONES TO FAMILY GUY* 11–12 (2006) (“[The Flintstones] seems to deliver a thoroughly conservative endorsement of Fred’s declaration that women belong at home, serving their husbands.”); see also Kay Deaux, *Sex and Gender*, 36 *ANN. REV. PSYCHOL.* 49, 66 (1985) (discussing studies of how the sexes are represented in various media forms and noting that “the activities in which males and females are engaged tend to parallel the common stereotypes of the active, work-oriented male and the passive, home-residing female”).
20. See, e.g., Liza Mundy, *The Jetson Fallacy: Much Longer Lifespans Could Explode the Nuclear Family*, *SLATE* (Oct. 21, 2013, 6:30 AM), http://www.slate.com/articles/technology/future_tense/2013/10/jetson_fallacy_if_we_live_to_150_the_nuclear_family_will_explode.single.html (“[Y]ou might call this the ‘Jetson fallacy,’ in honor of the classic early-’60s cartoon whose writers envisioned a human space colony 100 years into the future (that is, the 2060s). Living as they did in a city endowed with flying-saucer cars, robot housekeepers, and elevated dwellings, the Jetsons nevertheless remained strangely Cleaver-like in roles and composition: a nuclear unit comprising two kids, a dog, a breadwinning husband—George—who went to work at Spacely Space Sprockets, and a homemaking wife, Jane, who sweetly snatched his wallet before zooming to the shopping mall. Creative as they were in

that the 1950s family model represented eternal—even innate—gender roles that society should uphold and aspire to, however, is a serious error.

Many people think families in traditional cavemen imagery form the basis for the separate spheres paradigm embodied by the stereotypical 1950s family.²¹ In the imagined prehistoric framework, men go out hunting with their spears while the women cook and grind grains. And men dominate women with their physical strength because that is the natural order of things. Finally, men make decisions because, of course, they are smarter.

Expanding the norms reflected in cavemen imagery to more modern times, men should go out in the public sphere and bring home the bacon while women stay home to take care of the children, nurse the sick, cook, clean, put on parties for their husbands' colleagues, and do all of the other good things that the proverbial 1950s housewife was supposed to do.

But anthropologists have now been telling us for about fifty years that this vision of the separate spheres is very much a myth—that in pre-agrarian economies, women's gathering labor provided sixty to seventy percent of the family calories.²² This revelation was a real shock when I first read that article. It just was not in line with what we are all always told. People simply know that men brought home the bacon and women cooked it. How could it be that families were being supported, by and large, by women's gathering activities?

Apparent from the research, hunting was not always successful. In those times, both men and women contributed in providing needed sustenance.²³ This anthropological research throws a wrench into the pervading belief that men and women have always occupied their separate spheres.

imagining the landscape of the future, the writers were oblivious to the tectonic changes—divorce, the sexual revolution, feminism, the entry of women into the workforce—poised to explode the American family.”).

21. See BOOKER, *supra* note 19, at 11–12 (discussing *The Flintstones*, which debuted in 1960, and its conservative views that men worked while women remained at home as their subordinates); see also HETTY JO BRUMBACH & ROBERT JARVENPA, *Gender Dynamics in Hunter-Gatherer Society: Archaeological Methods and Perspectives*, in HANDBOOK OF GENDER IN ARCHAEOLOGY 503, 505 (Sarah Milledge Nelson ed., 2006) (discussing how traditional literature drew a sharp distinction between male hunters and female gatherers).
22. See Adrienne L. Zihlman, *Women as Shapers of the Human Adaptation*, in WOMAN THE GATHERER 75, 95–97 (Frances Dahlberg ed., 1981) (discussing the large role that women played in feeding themselves and their children by gathering).
23. *Id.*

B. *Industrial Revolution*

So how old is the vision that I grew up with and that still lingers in the psyches of everybody here: the separate spheres? Clearly, it does not go back to the caveman. To understand how we got to that vision, we need to understand the Industrial Revolution, which is really quite recent, relatively speaking.

It is time to examine a complex graph (Figure 1), which shows a new way to tell the story of the Industrial Revolution. The upper line portrays the standard story of the Industrial Revolution. It displays the percentage of men moving out of agricultural work. In 1790, only twenty-five percent of men in the United States were not farmers.²⁴ Once the Industrial Revolution gave us nonhuman, nonanimal energy, however, these men became more productive when they gave up the plow and the mule and moved off to work in factories, offices, and firms.²⁵

And if you follow that upper line up, you see that only a very tiny proportion of men still farm. Of course, the line goes all the way out to 2040. But even if you look back to real data, you still see that almost nobody is left in agriculture. If you want to add in a few more—such as people who are working throughout the food industry—I speculate that percentage would increase by fifteen or twenty percent. But the point remains: agriculture used to be what everybody did, and now almost no one does it.²⁶

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24. DONALD. J. HERNANDEZ, *AMERICA'S CHILDREN: RESOURCES FROM FAMILY, GOVERNMENT, AND THE ECONOMY* 102–03 (1993).
25. Simon Kuznets, *Quantitative Aspects of the Economic Growth of Nations: II. Industrial Distribution of National Product and Labor Force*, 5 *ECON. DEV. & CULTURAL CHANGE*, no. 4 Supp., 1957, at 2 (1957).
26. Timothy Egan, *Amid Dying Towns of Rural Plains, One Makes a Stand*, *N.Y. TIMES*, Dec. 1, 2003, at A1 (“From the Dakotas to the Texas Panhandle, the rural Great Plains has been losing people for 70 years, a slow demographic collapse. Without even the level of farmers and merchants that used to give these areas their pulse, many counties are also losing their very reason to exist . . .”).

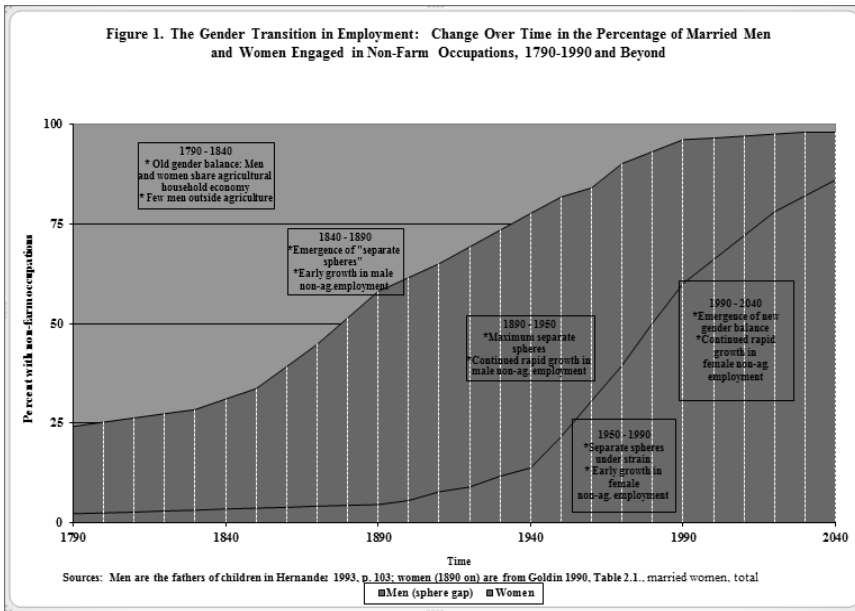


FIGURE 1. The Gender Transition in Nonfarm Occupations²⁷

Not that long ago, men were farmers in a subsistence agricultural economy. And what were their wives doing? What were their daughters doing? What were their widowed mothers doing? They

27. This graph was created by the author by superimposing two data sources: CLAUDIA GOLDIN, UNDERSTANDING THE GENDER GAP: AN ECONOMIC HISTORY OF AMERICAN WOMEN 17 (1990); HERNANDEZ, *supra* note 24, at 103.

Hernandez's data represented the percentage of children in different types of homes, including nonfarm male breadwinner families depicted in Figure 1. Admittedly, these data might not represent a direct correlation for the percentage of men participating in the labor force. Even so, the author did not weight by numbers of children and notes that, of course, childless men are missing. But the author can't imagine that doing anything to fix that would affect the story.

The author extrapolated data out to 2040 and back to 1790 for Goldin. These were done based on the author's early training as a demographer. For the past, the author had little reason not just to extend a straight line from Goldin's earliest points. Even if early industrialization *reduced* female labor force participation, these small differences in slopes wouldn't affect the story told by Figure 1. And, the author points out, Goldin's data started where they did due to limited availability. For the future, the author softened the slope a bit (more parallel to men after 1990), reflecting her estimate that women were lagging men by approximately a century, and also noting her sense that women will not achieve *full* equality on this dimension.

were working as hard as they could to keep food on the table. They were very much part of this agricultural household economy. The idea of separate spheres made no sense at all. Men, women, and children were all in the same sphere. Of course, all was not equal. Yes, men are stronger; yes, women spent more time nursing babies. But men were very much involved in training their children from a very early age to make sure they became good farmers and good spouses for farmers, which was their interest in their daughters.²⁸ Women, meanwhile, were doing much hard, physical labor.²⁹

Hence, our society's vision of the separate spheres is very recent. It emerged in about 1850 and reached its pinnacle in about 1950. This period spans from when men began their major move off the farm to when women began their major move into paid employment. Ironically, once the separate spheres paradigm entrenched itself in our social psyche, further cultural changes began to undermine the conditions for its rise.

III. PHASE 1 OF THE GENDER REVOLUTION: WOMEN ENTERING THE PUBLIC SPHERE

For Part III, we now discuss the lower line on the graph in Figure 1. This line has never before been drawn together with the upper line representing the percentage of men leaving agricultural work. This is my contribution.³⁰ While the upper line displays the nonagricultural jobs of men, the lower line represents simply female labor force participation—the percentage of women employed in nonagricultural jobs. This nonagricultural job classification is explained by the fact that early statistics did not count women who worked in agriculture as employed.³¹ They were just the wives, daughters, and widowed mothers of farmers; so, census data treated them as not economically

28. Cf. GREY OSTERUD, *PUTTING THE BARN BEFORE THE HOUSE: WOMEN AND FAMILY FARMING IN EARLY-TWENTIETH-CENTURY NEW YORK* 109 (2012) (“[C]ommitment to the intergenerational transmission of the farm created habits of cooperation between parents and children . . .”).

29. See *id.* at 132–34 (discussing the numerous tasks performed by women on farms).

30. See Frances Goldscheider, *The Gender Revolution and the Second Demographic Transition: Understanding Recent Family Trends in Industrialized Societies* (Maryland Population Research Center, Working Paper No. 2014:001, 2014), available at <http://papers.cpr.ucla.edu/abstract.php?preprint=1039>.

31. Christine E. Bose, *Household Resources and U.S. Women's Work: Factors Affecting Gainful Employment at the Turn of the Century*, 49 AM. SOC. REV. 474, 486 (1984).

active. It was just a gender-based assignment. When women started getting paid, however, statisticians had to pay attention to them.³²

The data tell an illuminating story. As shown by the curve in the upper line in Figure 1, industrialization started pulling men out of the family in a major way around 1850, and this change was pretty much finished by 2000. Interestingly, the curve for women looks very much like that for men but it begins about 100 years later. Women, like men, could be more productive and take better care of their families by taking paid jobs. It helped that new clerical jobs emerged that needed less physical strength and that workers together won the right to work eight-hour days.

But if you inspect the left portion of the graph, you see that once upon a time there was not much in the way of the separate spheres. Before the mid-nineteenth century, most people lived and worked in agriculture. And if you look to any reasonable projection, the men's sphere becomes increasingly occupied by women. I do not project that women will move all the way up to men's level. I am agnostic on true equality—whatever true equality might be—but there is no question that most women now expect to work; that most men now expect their partners to work; and that female employment is now normative: normal and expected. This change has attacked the separate spheres, at least from one side, as women joined men in *their* sphere.

As a demographer, of course, I care that women's lives changed and that made it possible for them to integrate work and family in a way they really could not before. Under a demographic regime of high fertility and high mortality, women's adult years had really been their child-raising years. By the time the last child was gone, women were either dead or decrepit, and often their husbands were dead. But suddenly they were having fewer children and living longer lives, leaving room for paid employment. We do not yet know how much the separate spheres area will shrink, but it is clear from all the studies discussed in Part I that two working parents can raise children successfully.

IV. PHASE 2 OF THE GENDER REVOLUTION: MEN MOVING INTO THE PRIVATE SPHERE

Do parents have to be heterosexual? Can male couples parent together? Those are often the questions behind the lifestyle argument; we are not sure men can parent. Conversely, can women support a family? When women started entering the employment arena, their earnings were denigrated as pin money.³³ It really did not mean

32. GOLDIN, *supra* note 27, at 25–26.

33. See VIVIANA A. ZELIZER, *ECONOMIC LIVES: HOW CULTURE SHAPES THE ECONOMY* 93–118 (2011); see also GOLDIN, *supra* note 27, at 119–

anything; no one would count on *her* salary. As a personal example of this phenomenon, the bank did not want to count my salary toward the mortgage for the first house that my family purchased. I might have another child and quit work! But now most families (and banks) count on women's salaries.

What is even newer is that more evidence shows that men can parent.³⁴ We are now entering what I call the second half of the gender revolution. The first half was when women first pressed against the separate spheres by going to work. The burgeoning second half is when men join women in caring for families. This Part begins by detailing this movement of men into the private sphere. While research and experience show that the importance of parental gender roles has diminished, focus returns to the importance of having two parents in a family. Then the discussion moves to how these developments impact the current debate on same-sex marriage.

A. *Sharing the Private Sphere*

I spend much time in Sweden, where the second half of the gender revolution is more advanced than it is here, though it is real here too. In the United States, at least on weekends, fathers spend as much time with their children as mothers.³⁵ And since single male parents are doing quite well,³⁶ two male parents can do even better because two parents are better than one. Similarly, two women together can do even better than a single mother. And we now know that women's earnings are good for the family. Everybody's earnings are good for the family.

Men's involvement is good for the family.³⁷ Now that the gender revolution has moved into its second half, with men helping out and increasingly becoming full partners in the family, families are better

58 (discussing the increased percentage of working married women through the twentieth century).

34. See, e.g., Elizabeth A. Gonyea & Manfred H.M. van Dulmen, *Fathers Do Make a Difference: Parental Involvement and Adolescent Alcohol Use*, 8 FATHERING 93, 93–94 (2010) (noting that father involvement reduces “antisocial behavior”); Lori A. Roggman et al., *Playing with Daddy: Social Toy Play, Early Head Start, and Developmental Outcomes*, 2 FATHERING 83, 99–100 (2004) (noting that fathers’ complex interactions with young children correlates with developmental benefits).
35. W. Jean Yeung et al., *Children’s Time with Fathers in Intact Families*, 63 J. MARRIAGE & FAM. 136 (2001).
36. See, e.g., Jennifer L. Hook & Satvika Chalasani, *Gendered Expectations? Reconsidering Single Fathers’ Child-Care Time*, 70 J. MARRIAGE & FAM. 978, 980 (2008) (“There is consensus that single fathers are more involved with their children than are married fathers.”).
37. See Goldscheider, *supra* note 32 (discussing how men’s and women’s roles have changed in recent times).

off. Working women once had fewer children than nonworking women. But now, when men take some responsibility for their home, families can manage more children.³⁸ The parts of Europe that once were the Catholic, high-fertility countries—for example, Italy, Spain, Portugal, Greece—now have the lowest fertility in the world because they have neither state support for families nor male support for families.³⁹ Further, in Sweden and the United States, relationships are more stable when men share family tasks, and certainly, stability is better for children.⁴⁰ It is good for children simply because children spend time with their fathers.⁴¹

I always predicted that the catalyst for men to be productive in the house was going to be through the children. In my opinion, caring for children is more fun than most of the other tasks around the house. And once men get into it, they figure out that it is good for the children to have clean clothes, good food, and a relatively hygienic environment. We now have evidence that home involvement is good for men⁴² and that marriages with that arrangement are happier.⁴³

Yet is it good for women? Some women resist sharing. They want it all done their way, and they want to control it just the way men wanted to control the car in the 1950s. They might let her drive it, but she clearly was not responsible enough to maintain it properly. There are a lot of women who feel that way about babies—that men

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38. See Frances Goldscheider et al., *Domestic Gender Equality and Childbearing in Sweden*, 29 DEMOGRAPHIC RES. 1097, 1111 (2013) (finding that “consistently egalitarian women” are more likely to have multiple children than other women).
39. Francesco C. Billari & Hans-Peter Kohler, *Patterns of Low and Lowest-Low Fertility in Europe*, 58 POPULATION STUD. 161 (2004).
40. E.g., Regnerus, *supra* note 1, at 766 (noting that children who undergo fewer “transitions” tend to have the best outcomes); cf. Wendy Sigle-Rushton, *Men’s Unpaid Work and Divorce: Reassessing Specialization and Trade in British Families*, 16 FEMINIST ECON., Apr. 2010, at 1, 4 (“[I]n families with children, men who provide childcare may form closer bonds with their children, and the stabilizing effects of children on marriage may be enhanced.”).
41. See Goldscheider, *supra* note 32 (explaining how men’s new roles allow them to spend more time with their children, leading to positive results).
42. See David Eggebeen & Chris Knoester, *Does Fatherhood Matter for Men?*, 63 J. MARRIAGE & FAM. 381, 388 (2001) (showing that “coresident fathers” have more social interactions than men who are not fathers).
43. Anders Barstad, *Equality Is Bliss? Relationship Quality and the Gender Division of Household Labor*, J. FAM. ISSUES (June 2014).

really cannot do it.⁴⁴ But couples who work it out find that it is just wonderful to have two people caring for the home and family, not just one.⁴⁵ The balance is positive. And the gains are worth it.

B. The Importance of Long-Term, Committed Relationships

Though we will shift toward a new consensus where two parents work and gender roles in the home and in the workplace become flexible, there will still be children. I am a follower of Malthus.⁴⁶ Demographers dismissed him when he said that the passion between the sexes was necessary and that passion is why there would be too many children.⁴⁷ Demographers reasoned that because of birth control, we could have our passion and eat it too. But I do think that the strength of the passion between adults, whether homosexual or heterosexual (and in the substantial majority of the cases, it is heterosexual), is going to be with us. Thus, Malthus was right. So whether we have to divide things up this way or that way, we will still have couples, and those couples will still have children. It is simply okay for same-sex couples to do the same.

Sadly, few people would bother if gay and lesbian parents were individual single parents. Having two committed parents is very helpful for children. What children need, then, is two parents who love them, who are committed to them throughout their trials and triumphs. More parents are better than fewer.⁴⁸ In every study I have ever seen, stable, long-term committed relationships best serve the interests of children and parents.⁴⁹

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44. See Joseph H. Pleck & Sandra L. Hofferth, *Mother Involvement as an Influence on Father Involvement with Early Adolescents*, 6 *FATHERING* 267 (2008).
45. See Barstad, *supra* note 43, at 13 (finding “significant correlations between the sharing of household labor and relationship quality”).
46. See generally THOMAS ROBERT MALTHUS, *FIRST ESSAY ON POPULATION* 210–49 (James Bonar ed., Augustus M. Kelley 1965) (1798) (providing an analysis of how passion between men and women is both necessary and why it will continue, resulting in the population to increasingly grow).
47. *Id.* at 219; cf. Kingsley Davis, *The World Demographic Transition*, 237 *ANNALS AM. ACAD. POL. & SOC. SCI.* 1, 4 (1945) (showing that even with declining birthrates, the decline in the mortality rate would lead to higher population).
48. *E.g.*, Thomson et al., *supra* note 3, at 227 (finding that single-mother households had the lowest incomes and higher poverty-rates when compared to households with more than one parent, even if that parent were a step-parent rather than a biological one).
49. See generally Brief of Amicus Curiae American Sociological Association in Support of Respondent Kristin M. Perry and Respondent Edith Schlain Windsor at 14, *Hollingsworth v. Perry*, 133 S. Ct. 2652 (2013) (No. 12-144) [hereinafter ASA Brief] (“[T]he consensus is that the key

Therefore, the question becomes this: what should the law and public policy do? We want to encourage parents to stay together. And one of the best ways to do that is to reduce the financial and parenting stress, which is widespread in the United States. Yet we expect young adults, people in their late twenties and early thirties who have not made much money, to bear total responsibility for children with little help from the state except for some tax credits,⁵⁰ which fall well short of offering sweeping assistance to all families.⁵¹

So I love being in Scandinavia, where the feminists all love to say that the men only do twenty-five percent of the family leave. And I respond that I would give a lot for us to get up to twenty-five percent.

C. *Implications for Same-Sex Marriage*

How does all of this apply to LGBT parents? Empirically, we know very little. The Canadian study and NFSS does not address this question directly.⁵² Some very small studies suggest that they are doing fine.⁵³ Other studies suggest that they are not.⁵⁴

Despite the opposing studies, the research outlined in this Article can inform the same-sex marriage debate. First, because of the diminishing rigidity of gender roles in work and home life, the cultural conflict surrounding families from same-sex marriages is subsiding. Under the separate-sphere paradigm, same-sex couples inherently lack competency in one sphere. In two-father families, the private sphere

factors affecting child wellbeing are stable family environments and greater parental socioeconomic resources.”).

50. See Anne H. Gauthier, *Family Policies in Industrialized Countries: Is There Convergence?* 57 *POPULATION* 447, 449 (2002) (asserting that despite a growing need for more expenditure on benefits for families, these benefits have decreased for families in many countries).
51. See V. Joseph Hotz & John Karl Scholz, *The Earned Income Tax Credit*, in *MEANS-TESTED TRANSFER PROGRAMS IN THE UNITED STATES* 141, 192 (Robert A. Moffitt ed., 2003) (noting that because the Earned Income Tax Credit does not benefit the unemployed, it is “not a substitute for the safety net”).
52. See Douglas W. Allen, *High School Graduation Rates Among Children of Same-Sex Households*, 11 *REV. ECON. HOUSEHOLD* 635, 636–39 (2013) (critiquing the literature that has studied the effect of same-sex parenting on child development and providing a list of the various studies that have been conducted).
53. See generally ASA Brief, *supra* note 49, at 31 (“The social science consensus is both conclusive and clear: children fare just as well when they are raised by same-sex parents as when they are raised by opposite-sex parents.”).
54. See, e.g., Regnerus, *supra* note 11, at 766 (asserting that there are notable differences in the development of children raised by heterosexual couples versus same-sex couples).

would have been abandoned. And two mothers could never find enough work to support a family. As the predominance of the separate spheres fades, however, so do these concerns.

The second point that can be drawn from the single-parent studies is that two parents are better than one.⁵⁵ Allowing same-sex marriages will make the law conducive to, and thus encourage, more two-parent families. Same-sex couples are less likely to face unplanned pregnancies, which makes the decision to have children a more deliberate and conscious one. Thus, same-sex couples are more likely to maintain a two-parent family. If the protests against same-sex marriage are truly based on parenting concerns, it seems counterintuitive to deny marital status to any two committed parents when they in fact embody the ideal family structure for children.

CONCLUSION

In today's world, legalizing same-sex marriages can bolster the quality of family structures by increasing the number of two-parent families in which parents can dedicate themselves to both home and work life without violating cultural norms. The decline of the separate spheres has increased society's inclination to accept and respect family structures with two parents, even same-sex parents, that prove to be ideal for children. Unlike what many believe, this development is bringing modern times in line with the vast majority of human history. It is thus in all of our interests to welcome these developments and not to confront them with hostility. Ultimately, every child deserves caring, capable parents.

55. See Thomson et al., *supra* note 3, at 227 and accompanying text (finding that two-parent households had the highest income and lowest poverty rates in comparison to single-parent households).