

## Love, not the Family

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**Abstract:** I propose a speculative, debunking explanation for the widespread tendency to attribute special value to family relationships. Instead, I suggest, the value of family relationships between adults flows from the same source as the value of intimate relationships between people who are not related by kinship: that of love. This is important because social expectations and (contested) pieces of legislation often privilege family over non-family close relationships, and often seek to preserve family relationships that, if my suggestion is correct, would be better dissolved. Moreover, if love is the source of value of all intimate relationships, this can help reframe debates such as that concerning same-sex marriage in more constructive ways.

**Keywords:** love, family, commitment, value.

We often assume that family relationships, even with second or third degree relatives, have a special kind of value that other intimate relationships, such as friendships with non-family members, lack. I want to challenge this belief and suggest that, ultimately, the value of friendship and kinship alike flows from the same source: that of the love that bounds people. This, as I explain in due course, is part liberating and part threatening. A few terminological clarifications: I am talking about love in its broad sense, beyond the usual divides between companionate and passionate love, love for parents or for children, etc. I assume that emotional attachments to others play a huge role in our wellbeing<sup>1</sup>, making close relationships indispensable to the leading of a good life. When I talk about “friendship”, I refer here to all close relationships based on affection and intimacy that, unlike family relationships, are chosen, rather than given. (Understood in this way, friendship and family relationships obviously intersect insofar as we choose whom to marry.

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<sup>1</sup> See, for instance, the large literature on attachment theory, originated in the work of John Bowlby (1968-1980).



But this sense of friendship is a mere stipulation made for the sake of analytic clarity: one can, and often is, friends with one's family members. And, as it should become clear by the end of the article, I believe friendship is the ideal form of family as well as non-family relationships.)

I will shortly explain why it is important to acknowledge that friendships and family relationships have the same kind of value. But, first, here is a speculative explanation of why common-sense morality often attributes a special kind of value to family relationships: because we choose friends, but not relatives, the bonds with the latter can be taken as a given. Moreover, relationships with family members seem more impervious to change than friendships, especially in social contexts in which the family is a much-respected institution, and which impose high costs on individuals who fail to respect its norms. This caters to a psychological need for security: as long as we are part of a family, we can expect not to be abandoned – not no matter what, but almost no matter what. It is easy to rationalize the comfort of security by attributing special value to family relationships. I will not defend the accuracy of this speculation. It seems to align well with the fact that we humans depend on others for survival during our unusually long childhood. It is also in line with sociobiological views explaining the historical importance, for general individual flourishing, of belonging to small groups.<sup>2</sup>

The security provided by family relationships is amplified by the fact that relatives have particular social roles: it is not only that we do not get to choose, or lose, our relatives – with the exception of spouses – but they come into our lives with a set of pre-determined norms that regulate our interaction with them. These norms range over many aspects of family relationships: how to treat one's parents, children, siblings and more distant relatives, who can marry whom and how many parents a child may have. Most remarkably, it is customary to think that relationships with our relatives involve special obligations – obligations that are not grounded in any contracts or promises, implicit or explicit, that we have ever made. For instance, in many societies there is an expectation that one should give hospitality to a cousin or sister-in-law independently of whether we have a loving relationship with those individuals. Sometimes these norms take a legal turn: one example is a piece of legislation that sanctions obligations to support one's elderly parents financially and even emotionally. The Chinese government has recently modified the Law of Protection of Rights and Interests of the Aged, to require adult children to visit or keep in touch

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<sup>2</sup> See, for instance, Edward Wilson (1978).

with their elderly parents for the sake of the latter's emotional wellbeing. Failure to comply entails risk of being sued. An article published by New York Times in 2013 reported that:

*On the same day the new law went into effect, a court in the eastern city of Wuxi ruled that a young couple had to visit the wife's 77-year-old mother — who had sued her daughter and son-in-law for neglect — at least once every two months to tend to her 'spiritual needs,' as well as pay her compensation.<sup>3</sup>*

Another example is adoption legislation. The general default – in legal terms as well as in terms of social expectations – is that children are raised by their biological parents, whether or not this is in the best interest of the child<sup>4</sup>. Adoption, especially when it involves childrearing by people other than the child's blood relatives, is often represented by popular culture as a second best. In addition, in some legislatures relatives have legal priority when it comes to adoption even if this is clearly detrimental to the wellbeing of the child. For example, in Romania, until 2018, a child could not be legally put up for adoption without the written consent of the child's relatives up to the fourth degree of kinship<sup>5</sup>. The state had to wait for at least one year before clearing the adoption procedure in case the child's parents or other relatives cannot be identified, or refuse to cooperate. In the rest of this essay, I set aside the issue of the special value that children derive from having committed and caring adults, whether or not genetically related. This is because the case of children is special: unlike adults, children are dependent on other people's care, and love is only one of the things that they need from their relationships with those who rear them. A significant part of good child-rearing is continuity in care<sup>6</sup>. This provides a strong reason why the norms regulating family relationships with children should be grounded in more than the love that children receive in well-functioning families, namely in what is good for them overall. The fact that the value of relationships with children is more complex does not as such provide support for upholding traditional family norms: longitudinal studies of US lesbian families indicate that children raised in such families are comparable to children raised in heterosexual families in terms

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<sup>3</sup> Edward Wong (2013).

<sup>4</sup> One example is cases of custody disputes won by estranged genetically related parents against adoptive parents to which the child is securely attached, in spite of judges expressing the belief that the decision goes against the child's interest. See Norvin Richards (2010.)

<sup>5</sup> Ministerul Muncii și Justiției Sociale (2018).

<sup>6</sup> Indeed, this is what may make child-rearing in families so valuable in the first place. See, for instance, Harry Brighouse and Adam Swift (2014).

of psychological and social development, and experience lesser levels of abuse<sup>7</sup>. Indeed, empirical research found no significant differences in outcomes for children from same-sex versus heterosexual families<sup>8</sup>. And, all things considered, it may be better for children to have three, or more, adults co-parenting them than only two<sup>9</sup>.

Here is one reason to care about the question of whether family relationships have special value: if they do have such value, then disrespecting the norms that govern them, and opposing the codification of such norms in law, jeopardizes something that is distinctively important. If, instead, family and friendship are valuable for the same reasons – for instance, as I contend, reasons of love – then there should be a presumption in favor of the same norms guiding both kinds of relationships, as well as the same (if any) laws regulating them.

In particular, it matters a great deal whether family bonds really have special value, since allegiance to some of the norms that govern them are invoked to oppose changes in traditional family structure. To take a prominent example, same-sex marriage and adoption are divisive political issues, affecting the rights of a large group of people. A fear that same-sex marriage disrupts family values feeds much of the opposition to it. Likewise, adoption by same-sex couples is criticized not only for its alleged negative impact on children, but also for its potential to confuse and thus undermine conventional family relationships. A UK survey from 2008 shows that 76% of those who opposed same-sex adoption worried it would lead to the breakdown of the traditional family.<sup>10</sup> The survey registered this as separate from the concern that children need both a female and a male parent (which was endorsed by 87% of those thinking that same-sex couples should not be allowed to adopt). Again, if the full value of the family derives from loving bonds, then knowing whether same-sex marriage would protect or undermine such bonds should settle the question about its desirability<sup>11</sup>.

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<sup>7</sup> See, for instance, Nanette Gartrell, Carla Rodas, Amalia Deck, Heidi Peyser, and Amy Banks (2005).

<sup>8</sup> Jimi Adams and Ryan Light (2015).

<sup>9</sup> Daniela Cutas (2011) and Bill Cameron and Samantha Brennan (2015).

<sup>10</sup> Sara Gaines (2008).

<sup>11</sup> Which is separate from that of permissibility: most likely, adults have a right to engage in consensual relationships that set back their interests – including their interests in giving and receiving love.

So, do family relationships between adults have special value?<sup>12</sup> My argument that they don't takes the form of a debunking explanation: the belief in the putative special value of family relationships seems to rest on a confusion between a lower and a higher degree of commitment. Family relationships – as already noted with the exception of marriage – are not chosen, but given. Unless we take explicit steps to dissolve the relationship with them, our relatives are by default part of our life. Due to their given nature, we don't tend to evaluate, even implicitly, what we stand to gain or lose from the association with our relatives. The same sort of commitment is expected towards spouses, although marriage is an exception to family relationships not being chosen. In marriage – that is, by becoming part of the same family – spouses declare an intention to be there for each other for better and for worse rather than until someone who can be a better partner comes along. Relationships with other relatives are similar in structure, if not in intensity and content. And we typically count on our relatives to relate to us on the same terms. Although friendship presupposes a similar commitment between friends, this expectation is not socially enforced in the same way.

Being able to rely on others improves our lives immensely – at times, it can make the difference between a life worth living and a life not worth living. Yet, only a low degree of commitment, explored below, is necessary for this aim. This low degree of commitment is part and parcel of love, which means that it is not unique to the family but present in genuine friendships in general. This level of commitment is enough for us to be able to enjoy the goods of loving relationships, including a sense of secure belonging. A higher degree of commitment – of the kind that is unlikely to be found outside the family – is not necessary for this purpose. In very poor, or illiberal, societies, where individuals can hardly survive, let alone flourish, without being embedded in secure relationships, there may be good reasons to value the high degree of commitment that social norms require of relatives. But in fairly prosperous societies, that protect individual liberties and economic entitlements, we are better off – sometimes prudentially, sometimes morally – without the high, “almost no matter what”, levels of commitment. Acting on unconditional commitment detracts from individual flourishing and is incompatible with moral demands, and therefore is far from having obvious value.

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<sup>12</sup> I develop this argument at length in Anca Gheaus (2012). After completing this article, I discovered that a similar argument (substituting “love” with “intimacy”) is made by Diane Jeske (2018).

A lesser degree of commitment consists in ruling out, under normal circumstances, a cost-benefit analysis that would pose a threat of undermining the relationship. One may find richer, or more successful, or more cheerful, people with whom to share one's life, yet one will not abandon the people to whom one is committed in order to pursue the "better" ones. This type of commitment is also to be found in many true – that is, loving – friendships. Surely, not all friendly relationships are, nor is it clear that they should be, that committed – some are more casual, without necessarily being unloving for this reason. And it is not always clear when a casual relationship has evolved into a committed friendship, since the transition is often gradual and not marked by formal expressions of commitment. But, once connected by the bounds of genuine and deep affection, friends are unwilling to desert each other for the sake of "better" friends. Just like loving spouses, they are not even preoccupied – outside times of serious crisis perhaps – by the net advantage they derive from being part of the relationship.

There are, however, situations when only a very high degree of commitment can preserve close relationships. First, there are cases when the misery caused to one party would ultimately dissolve relationships characterized by the lesser level of commitment that is constitutive of love. Love, or at least the desire to continue the relationships with a beloved, can be eroded by enough unhappiness experienced over a sufficiently long time. Family relationships, on the other hand, can and often do endure in spite of (even mutual) misery; they do so not in virtue of affection and desire for the other's company, but in spite of their absence. A crucial question, then, is why an individual would find it desirable to remain in a relationship from which love is gone, or seriously compromised. This is particularly difficult to see in this time and age, when people do not – or should not – depend on particular relationships for survival. More likely, everybody's mid- and long-term prudential interests are well-served by the dissolution of such relationships; dissolution provides an opportunity for individual change when needed, and for the pursuit of better relationships.

Further, an "almost no matter what" level of commitment protects relationships against dissolution not only for prudential, but also for weighty moral reasons. To be committed to someone in this strong sense indicates the willingness to remain attached to that person in spite of grave conflicts such as differences in character or moral commitments, and even in the face of one party engaging and persisting in wrongdoing. The price for preserving the relationship is, in this

case, sharing one's life and oneself with people whom one considers blameworthy and who do not intend to change. In extreme cases, the price is one's own moral integrity. It is true that many families prize staying together in such circumstances. The abusive spouse, the racist uncle, the manipulative cousin are tolerated "because they are family" by people who would not tolerate lesser failings from their best friends. Moreover: groups of people that are not necessarily related by blood can "become" a family – that is, see themselves as being a family – when they enter relationships based on this unconditional level of commitment; one (extreme) example is the Mafia.

Friendships, too, can and should endure minor moral grievances, or more significant ones, when proper repentance and forgiveness follow the wrongdoing. But in normal circumstances it seems to be an internal requirement of friendship that we should distance ourselves from friends with whom we have irresolvable moral disagreements, or who refuse to offer reparation for wrongdoing. Unless we do so, we enable our friends to persist in their ways. Even in the few cases in which such persistence will serve them well, it will also significantly detract from the objective value of the friendship<sup>13</sup>.

It is hard to see why it is good to have norms ascribing to us involuntarily acquired duties towards people with whom we don't necessarily have loving relationships. This is particularly so when the behavior prescribed by the duties is thought to be fully valuable only when performed out of inclination<sup>14</sup> - as is the case with the above example of filial duties in China. As such, this is a good reason – supplementing many other good reasons – to want states that can ensure individuals' material independence from others. When, for instance, elderly people don't need to rely financially on their grown-up children for decent care during the old age, they can more easily cultivate relationships based on genuine affection.

It is equally difficult to see what can make it desirable to remain close with adults with whom it would not be morally acceptable to stay friends. The convention that ties adult family members can surely appease our – perhaps, instinctual, and uncontrollable – fear of being abandoned. Yet,

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<sup>13</sup> Following Aristotle, the value of friendship is often understood in moralized terms, as a concern not merely for the wellbeing but also for the character of one's friend. See Julia Annas (1977).

<sup>14</sup> In Gheaus 2017, I argue at length that the goods of loving relationships have full value only when provided out of inclination, rather than duty or commitment.

its abolition holds the promise of a freedom that is necessary for the pursuit of relationships that are based on love.

Debunking explanations like the one I offer here cannot, as such, settle disagreements. At most, they can pave the way towards a consensus or at least a better understanding of the disagreement. But a debunking explanation does something to shift the burden of proof on those who believe that family relationships *do* have special value. Until and unless a convincing argument is produced, there is no reason to believe that the family has any special worth which sets it apart from other close, loving relationships. A practical conclusion is that we shouldn't worry about threats to the (traditional) family unless they are also threats to adults' ability to build and maintain loving relationships, or to children's wellbeing. Do emerging institutions such as same-sex marriage or adoption by same-sex parents undermine the family? It remains to be seen, but, even if they do, this is not problematic: it is love, not the family, that makes relationships valuable. If so, then "family" should perhaps become an honorific name for "particularly close loving relationships"<sup>15</sup>.

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<sup>15</sup> This is how I understand, at the legal level, Elizabeth Brake's recent (2012) proposal that we should "minimize" marriage.

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