

(Re)inscribing the heteronormative family

Same-sex relationships and parenting 'after equality'

Rosie Harding

UK artist Edward Monkton¹ has a range of philosophical cartoons, 'the INTERESTING thoughts of EDWARD MONKTON', commonly sold as greetings cards, mugs, coasters and other such products. One of his cartoons is called 'The LAW of STRAIGHTNESS', with a picture of pencils and the caption, 'my pencils are STRAIGHT'; of socks – 'my socks are STRAIGHT'; a pillow – 'my pillow is STRAIGHT'; and some chips – 'my chips are STRAIGHT'. Below this are the words:

EVERYTHING must be STRAIGHT or else the World will EXPLODE*

*Those who do not believe in the Law of Straightness will not BE SAVED

As with any artistic work, there are a number of different possible interpretations of this cartoon, and perhaps the most immediately obvious is that it is referring to tidiness and, particularly, an obsessive-compulsive approach to tidiness. However, this cartoon also raises complex and intertwined questions regarding the nature of the regulation of sexuality in contemporary Western societies. One way to frame these questions is to ask: What does it mean to think about 'the LAW of STRAIGHTNESS'? There are two aspects to this: (1) the LAW and (2) STRAIGHTNESS. In using the term 'the law', we implicitly accept a monist or singular idea of law – that there is something inherently coherent, and therefore privileged, about this singular entity that is described as law. When combining this with a concept of 'straightness', we are led to the concept of heteronormativity: 'the institutions, structures of understanding, and practical orientations that make heterosexuality seem not only coherent – that is, organized as a sexuality – but also privileged' (Berlant and Warner 2000: 312).

In this chapter, I seek to explore the ways that the 'law of straightness' is still manifest in contemporary English family law, even 'after equality' and taking into consideration the recent legal shifts in the ways that lesbian and gay lives are recognized and regulated in English law. I argue that, by exploring the multiple facets of legal regulation of the family, we can gain a greater understanding of both 'law' and 'heteronormativity'. In so doing,

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**Michael J. Shanahan, Jeylan T.
Mortimer, Monica Kirkpatrick Johnson**

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After Legal Equality Robert Leckey, 2014-07-11 Groups seeking legal equality often take a victory as the end of the line. Once judgment is granted or a law is passed, coalitions disband and life goes on in a new state of equality. Policy makers too may assume that a troublesome file is now closed. This collection arises from the urgent sense that law reforms driven by equality call for fresh lines of inquiry. In unintended ways, reforms may harm their intended beneficiaries. They may also worsen the disadvantage of other groups. Committed to tackling these important issues beyond the boundaries that often confine legal scholarship, this book pursues an interdisciplinary consideration of efforts to advance equality as it explores the developments, challenges, and consequences that arise from law reforms aiming to deliver equality in the areas of sexuality, kinship, and family relations. With an international array of contributors, *After Legal Equality: Family Sex Kinship* will be an invaluable resource for those with interests in this area. *Ageing, Gender and Family Law* Beverley Clough, Jonathan Herring, 2018-03-19 This book explores the intersecting issues relating the phenomenon of ageing to gender and family law. The latter has tended to focus mainly on family life in young and middle age and indeed the issues of childhood and parenting are key in many family law texts. Family life for older members has then been largely neglected. Addressing this neglect, the current volume explores how the issues which might be important for younger people are not necessarily the same as those for older people. The significance of family, the nature of family life, and the understanding of self in terms of one's relationships tend to change over the life course. For example, the state may play an increasing role in the lives of older people as access to services, involvement in work, and the community, the ability to live independently, and to form or maintain caring relationships are all impacted by law and policy. This collection therefore challenges the standard models of family life and family law that have been developed within a child-parent-centred paradigm and which may require rethinking in the turn to family life in old age. Interdisciplinary in its scope and orientation, this book will appeal not just to academic family lawyers and students interested in issues around family law, ageing, gender, and care, but also to sociologists and ethicists working in these areas. [Paradoxes of Neoliberalism](#) Elizabeth Bernstein, Janet R Jakobsen, 2021-12-24 From the rise of far-right regimes to the tumult of the COVID-19 pandemic, recent years have brought global upheaval as well as the sedimentation of longstanding social inequalities. Analyzing the complexities of the current political moment in different geographic regions, this book addresses the paradoxical persistence of neoliberal policies and practices in order to ground the pursuit of a more just world. Engaging theories of decoloniality, racial capitalism, queer materialism, and social reproduction, this book demonstrates the centrality of sexual politics to neoliberalism, including both social relations and statecraft. Drawing on ethnographic case studies, the authors show that gender and sexuality may be the site for policies like those pertaining to sex trafficking, which bundle together economics and changes to the structure of the state. In other instances, sexual politics are crucial components of policies on issues ranging from the growth of financial services to

migration Tracing the role of sexual politics across different localities and through different political domains this book delineates the paradoxical assemblage that makes up contemporary neoliberal hegemony In addition to exploring contemporary social relations of neoliberal governance exploitation domination and exclusion the authors also consider gender and sexuality as forces that have shaped myriad forms of community based activism and resistance including local efforts to pursue new forms of social change By tracing neoliberal paradoxes across global sites the book delineates the multiple dimensions of economic and cultural restructuring that have characterized neoliberal regimes and emergent activist responses to them This innovative analysis of the relationship between gender justice and political economy will appeal to interdisciplinary scholars in social and cultural studies legal and political theorists and the wide range of readers who are concerned with contemporary questions of social justice *Family Law* Rob George, Joanna Miles, Sharon

Thompson, 2023-07-13 An unrivalled collection placing key judgments and expert commentary at your fingertips *Family Law Text Cases and Materials* presents everything the undergraduate student needs in one volume The authors offer a detailed and authoritative exposition of family law illustrated by materials carefully selected from a wide range of sources Key features Combines a wide range of cases and materials with insightful explanation commentary and analysis creating a complete resource for students of family law Features authoritative author commentary which engages with a range of theoretical and critical perspectives Accompanying online resources provide regular updates on recent developments in family law further reading suggestions questions and additional legal coverage Also available as an e book with functionality navigation features and links that offer extra learning support New to this edition Developments including the Domestic Abuse Act 2021 Divorce Dissolution and Separation Act 2020 and the advent of mixed sex civil partnership Consideration of the Law Commission's proposed reform of weddings law particularly in relation to non qualifying ceremonies A revised analysis of the Gillick competence and children's autonomy rights in light of recent case law Updated case law including *HM Attorney General v Akhter and Khan* 2020 *Guest v Guest* 2022 *Bell v Tavistock and Portman NHS Trust* 2021 and *Re H W Care Proceedings* 2022 Digital formats and resources The fifth edition is available for students and institutions to purchase in a variety of formats and is supported by online resources The e book offers a mobile experience and convenient access along with functionality tools navigation features and links that offer extra learning support www.oxfordtextbooks.co.uk/ebooks The online resources that support the book include regular updates on the law further reading suggestions and questions for students to consider *Children are Everywhere* Meghana Joshi, 2023-11-10 *Children are Everywhere* engages with how

demographic anxieties and reproductive regimes emerge as forms of social inclusion and exclusion in a low fertility Western European context This book explores everyday experiences of parenting and childlessness of ethnic Germans in Berlin who came of age around the fall of the Berlin Wall and brings them into conversation with theories on parenting waithood non biological intimacies and masculinities This is the first ethnographic work by a South Asian author on demographic anxieties

and reproduction in Germany and reverses the anthropological gaze to study Europe as the Other Scandalous Economics
Aida A. Hozic, Jacqui True, 2016 This book is about the neglect of gender and race in explanations of the Global Financial Crisis It is also about the sexual scandals and gendered austerity policies that have relegated public debate and the crisis itself We need to look at the activities and the privileges of the advantaged the TED women of the crisis as much as the victimization of the disadvantaged to fully grasp the interplay between gender and economy in this age of restoration

Family Law Joanna Miles, Rob George, Sonia Harris-Short, 2019 Placing key judgments and expert commentary at your fingertips Family Law Text Cases and Materials presents everything the undergraduate student needs in one volume Drawing on their extensive experience the authors offer a detailed and authoritative exposition of family law illustrated by materials carefully selected from a wide range of sources The book has two principal aims to provide readers with a thorough understanding of the law relating to the family and to stimulate critical reflection on that law Readers are encouraged to consider how and why the law has developed as it has what policies it is seeking to pursue whether it achieves the right balance between the rights and interests of individual family members and the wider public interest and how it operates in practice Online Resources The text is supported by substantial online resources which features regular updates on the law further reading suggestions and revision questions to accompany each chapter **Delivering Family Justice in the 21st**

Century Mavis Maclean, John Eekelaar, Benoit Bastard, 2015-08-27 Family justice requires not only a legal framework within which personal obligations are regulated over the life course but also a justice system which can deliver legal information advice and support at times of change of status or family stress together with mechanisms for negotiation dispute management and resolution with adjudication as the last resort The past few years have seen unparalleled turbulence in the way family justice systems function These changes are associated with economic constraints in many countries including England and Wales where legal aid for private family matters has largely disappeared But there is also a change in ideology in a number of jurisdictions including Canada towards what is sometimes called neo liberalism whereby the state seeks to reduce its area of activity while at the same time maintaining strong views on family values Legal services may become fragmented and marketised and the role of law and lawyers reduced while self help web based services expand The contributors to this volume share their anxieties about the impact on the ability of individuals to achieve fair and informed resolution in family matters Philosophical Foundations of Medical Law Andelka M. Phillips, Thana C. de Campos, Jonathan Herring, 2019-11-28 With advances in personalised medicine the field of medical law is being challenged and transformed The nature of the doctor patient relationship is shifting as patients simultaneously become consumers The regulation of emerging technologies is being thrown into question and we face new challenges in the context of global pandemics This volume identifies significant questions and issues underlying the philosophy of medical law It brings together leading philosophers legal theorists and medical specialists to discuss these questions in two parts The first part deals with key

foundational theories and the second addresses a variety of topical issues including euthanasia abortion and medical privacy The wide range of perspectives and topics on offer provide a vital introduction to the philosophical underpinnings of medical law

Family Law Sonia Harris-Short, Joanna Miles, Rob George, Robert Henry George, 2015 Family Law Text Cases and Materials presents everything the undergraduate student needs in one volume The authors offer a detailed and authoritative exposition of family law illustrated by materials carefully selected from a wide range of sources

Legal Recognition of Non-Conjugal Families Nausica Palazzo, 2021-02-25 This book argues that insufficient recognition of new families is a legal problem that needs fixing in light of recent evolutions in family patterns and normative conceptions of family People increasingly invest in relationships falling outside the model of the marital family such as non conjugal unions of friends or relatives polyamorous relationships and various religious based families Despite this Western jurisdictions retain the marital family as the relevant basis for allocating family law benefits rights and obligations Part I of the book illustrates recent evolutions in family patterns and norms and explores how law can accommodate multiple family grids without legal recognition involving normalisation Part II focuses on courtroom litigation on the basis that courts nowadays are central avenues of social change It takes non conjugal families as a case study and provides an analysis of the most compelling argumentative strategies that non conjugal families can mobilise to pursue legal recognition in Canada and the United States and within the systems of the European Convention of Human Rights and the European Union Through its comparative interdisciplinary and critical legal method the book provides scholars activists and policymakers with conceptual tools to tackle the current invisibility of new families Further by advancing legal arguments to enhance the protection of non conjugal families in courtrooms the book illuminates the different approaches jurisdictions are likely to take and the hindrances thereof to overcome and debunk stereotypes associated with proper familyhood

Same-Sex Relationships, Law and Social Change Frances Hamilton, Guido Noto La Diega, 2020-01-15 This edited collection provides a forum for rigorous analysis of the necessity for both legal and social change with regard to regulation of same sex relationships and rainbow families the status of civil partnership as a concept and the lived reality of equality for LGBTQ persons Twenty eight jurisdictions worldwide have now legalised same sex marriage and many others some level of civil partnership In contrast other jurisdictions refuse to recognise or even criminalise same sex relationships At a Council of Europe level there is no requirement for contracting states to legalise same sex marriage Whilst the Court of Justice of the European Union now requires contracting states to recognise same sex marriages for the purpose of free movement and residency rights unlike the US Supreme Court it does not require EU Member States to legalise same sex marriage Law and Sociology scholars from five key jurisdictions England and Wales Italy Australia Canada and the Republic of Ireland examine the role of the Council of Europe European Union and further international regimes A balanced approach between the competing views of critically analytical rights based theorists and queer and feminist theorists interrogates the current international consensus in this fast

moving area The incrementalist theory whilst offering a methodology for future advances continues to be critiqued All contributions from differing perspectives expose that even for those jurisdictions who have legalised same sex marriage still further and continuous work needs to be done The book will be of interest to students and scholars in the field of human rights family and marriage law and gender studies *LGBTQ Divorce and Relationship Dissolution* Abbie E. Goldberg, Adam P. Romero, 2019 LGBTQ Divorce and Relationship Dissolution Psychological and Legal Perspectives and Implications for Practice brings together social science and legal perspectives to examine the timely topic of relationship dissolution and divorce among sexual and gender minorities *Hayes & Williams' Family Law* Stephen Gilmore, Lisa Glennon, 2020 Provides a comprehensive critical and case focused introduction to family law Hayes Williams Family Law helps students to gain a firm understanding of family law principles the developing law and key reform debates **Hayes and Williams' Family Law** Stephen Gilmore, Lisa Glennon, 2018 Provides a comprehensive critical and case focused introduction to family law Hayes Williams Family Law helps students to gain a firm understanding of family law principles the developing law and key reform debates *LGBTQ Intimate Partner Violence* Adam M. Messinger, 2017-01-10 Nationally representative studies confirm that LGBTQ individuals are at an elevated risk of experiencing intimate partner violence While many similarities exist between LGBTQ and heterosexual intimate partner violence research has illuminated a variety of unique aspects of LGBTQ intimate partner violence regarding the predictors of perpetration the specific forms of abuse experienced barriers to help seeking for victims and policy and intervention needs This is the first book that systematically reviews the literature regarding LGBTQ intimate partner violence draws key lessons for current practice and policy and recommends research areas and enhanced methodologies *Families and COVID-19: An Interactive Relationship* Linda Hantrais, Julia Brannen, Nicky Le Feuvre, Marie-Thérèse Letablier, 2022-03-15 **Research Handbook on Family Justice Systems** Mavis Maclean, Rachel Treloar, 2023-05-09 Bringing together current research from a diverse range of jurisdictions on family law the Research Handbook on Family Justice Systems addresses the aims and boundaries of family justice systems Delineating the common purpose of family law to achieve fairness for groups of people who live or have lived together this Research Handbook is concerned with the rules referred to as family law but also with the institutions comprising the operating system **Beyond (Straight and Gay) Marriage** Nancy D. Polikoff, Michael Bronski, 2008-02-01 The debate over marriage equality for same sex couples rages across the country Beyond Straight and Gay Marriage boldly moves the discussion forward by focusing on the larger more fundamental issue of marriage and the law The root problem asserts law professor and LGBT rights activist Nancy Polikoff is that marriage is a bright dividing line between those relationships that legally matter and those that don't A woman married to a man for nine months is entitled to Social Security survivor's benefits when he dies a woman living for nineteen years with a man or woman to whom she is not married receives nothing Polikoff reframes the debate by arguing that all family relationships and households need the economic stability and emotional peace of mind that now extend only to

married couples Unmarried couples of any sexual orientation single parent households extended family units and myriad other familial configurations need recognition and protection to meet the concerns they all share building and sustaining economic and emotional interdependence and nurturing the next generation Couples should have the choice to marry based on the spiritual cultural or religious meaning of marriage in their lives asserts Polikoff While marriage equality for same sex couples is a civil rights victory she contends that no one should have to marry in order to reap specific and unique legal results A persuasive argument that married couples should not receive special rights denied to other families Polikoff shows how the law can value all families and why it must *Handbook of the Life Course* Michael J. Shanahan, Jeylan T.

Mortimer, Monica Kirkpatrick Johnson, 2015-10-26 Building on the success of the 2003 *Handbook of the Life Course* this second volume identifies future directions for life course research and policy The introductory essay and the chapters that make up the five sections of this book show consensus on strategic next steps in life course studies These next steps are explored in detail in each section Section I on life course theory provides fresh perspectives on well established topics including cohorts life stages and legal and regulatory contexts It challenges life course scholars to move beyond common individualistic paradigms Section II highlights changes in major institutional and organizational contexts of the life course It draws on conceptual advances and recent empirical findings to identify promising avenues for research that illuminate the interplay between structure and agency It examines trends in family school and workplace as well as contexts that deserve heightened attention including the military the criminal justice system and natural and man made disaster The remaining three sections consider advances and suggest strategic opportunities in the study of health and development throughout the life course They explore methodological innovations including qualitative and three generational longitudinal research designs causal analysis growth curves and the study of place Finally they show ways to build bridges between life course research and public policy

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