

婚姻與家庭生活僅僅是相互同意的  
個人之間的契約嗎？不同的道  
德基礎及社會轉化

Are Marriage and Family Life  
Merely Contractual Agreements  
Among Consenting Parties?  
Shifting Moral Foundations and  
Social Transformations

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## 摘要 Abstract

本文探討關於婚姻與家庭生活的不同觀念的社會及文化意義，比較對於婚姻與家庭生活的兩種不同的理解。傳統的理解是契合於具體的宗教與文化之中的，而當代西方俗世的自由主義理解則尋求將婚姻重塑為自主個人之間的一種平等主義的社會契約。前者把家庭視為社會存在的一種規範形式，是圍繞著一夫一妻制婚姻以及他們的生物學子女（甚或收養子女）而形成的；而後者則把家庭看作符合於當代西方流行的社會公正及性別中立原則而合法構成的機構。

This paper explores the social and cultural implications of different conceptions of marriage and family life. It compares traditional understandings of marriage and family, set within particular religions and cultures, to a Western secular liberal understanding, which seeks to recast marriage as a sort of egalitarian social contract between autonomous individuals. Rather than appreciating the family as a normative form of social being constituted around the monogamous marriage of husband and wife and their own biological (and perhaps adopted) children, here the family is to be appreciated as an institution legally to be molded more closely in line with currently popular Western principles of social justice and gender neutrality. Claims regarding individual autonomy, gender neutrality, and rights to sexual freedom have come to possess a commanding place within the West's recasting of the family.

**【關鍵字】** 婚姻 家庭生活 同性婚姻

Keywords: Marriage, Family Life, Same-Sex Marriage

## I. Introduction

“Since Plato’s time, it has been widely understood among philosophers that the family stands as the major obstacle to the achievements of social justice” (Francis Fukuyama, 2002, p. 98).

Even in the fourth century BC, Plato appreciated that the family would need to be dramatically reformed, with traditional forms of family life deliberately undermined, socially to engineer currently favored versions of social justice. Without significant state regulation to transform marriage and

family life, individuals would continue to give preference to the needs and interests of their own family members, living within their deeply embedded religious and cultural understandings of human flourishing (see Plato's *The Republic*, book V). Just such a cultural shift is being established at law in the Western world. The goal is fundamentally to alter the underlying culture such that it no longer supports the ideal of the family as a normative form of social being naturally constituted around the monogamous, formally married heterosexual couple and their own biological (and perhaps adopted) children. Instead, the family is to be appreciated as an institution legally to be molded more closely in line with currently popular Western moralistic principles of social justice and gender neutrality. Claims regarding individual autonomy, gender neutrality, and rights to sexual freedom have come to possess a commanding place within the West's recasting of the family.

In part, the challenge is that the now dominant background secular culture no longer recognizes sex as properly set within the monogamous marriage of husband and wife, and the traditional duties of family life. Instead, contemporary Western culture affirms the permissibility of engaging in sexual activity outside of marriage with one or more partners (heterosexual or homosexual) or of living together without benefit of marriage. In part also, advocates for nontraditional lifestyles, such as same-sex marriage, actively seek to undermine traditional forms of the family and its central role in human flourishing so as to shift society toward their preferred moral vision. As feminist Shulamith Firestone once boldly put it: the aim is to end the "tyranny of the biological family".<sup>1</sup> The normalization of sexual activity outside of the marriage of husband and wife, including homosexual relations and cohabitation without marriage, has had a powerful influence on background cultural institutions of the Western world. Legislative action and court rulings, for example, are redefining marriage to encompass a broader range of relationships than the union of husband and wife.

This paper explores the implications of these cultural shifts through the lens of the family. Traditional forms of the family (such as the Orthodox Christian family or traditional Confucian family) appreciate themselves as properly shaping the moral lifeworld. The family is experienced as a normative form of social being that expresses the proper form of human flourishing. This does not mean that such families are perfect. But, rather that they understand themselves as setting out an ideal, a morally regulative form of social life, towards which persons should strive. Such families embody particular religious and cultural moral norms, understandings of familial roles for men and women, as well as appropriate sexual activities, authoritative relationships

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(1) Shulamith Firestone argued for a feminist revolution against the existence of the biological family: "... the end goal of feminist revolution must be, unlike that of the first feminist movement, not just the elimination of male *privilege* but of the sex *distinction* itself: genital differences between human beings would no longer matter culturally. ... The reproduction of the species by one sex for the benefit of both would be replaced by (at least the option of artificial reproduction: children would be born to both sexes equally, or independently of either, however one chooses to look at it; the dependence of the child on the mother (and vice versa) would give way to a greatly shortened dependence on a small group of others in general ... The tyranny of the biological family would be broken" (1970, p. 11).

among spouses, and parents vis-a-vis children. Properly lived, family life orients husband and wife, together with their children, towards appropriate lifestyles, goals, and forms of human flourishing. Insofar as China seeks to preserve its Confucian cultural heritage, it should not follow the West in matters of the family.

## II. The Sociobiological Connections of Family Life

The traditional family, constituted by a married husband and wife, together with their own children, has historically been regarded as a normative form of social being, a morally regulative category of social life. Such families also routinely assume responsibility for the parents of the man and woman who form the core of the reproductive family, who themselves may continue to support their children and grandchildren. So understood, the family exists as a foundational element of our experience of the ways in which men and women come together to procreate and raise their children, create social capital, watch over the elderly, and otherwise realize key aspects of human flourishing. Within such a family persons discover themselves and their moral obligations already sustained within a web of pre-existing duties and responsibilities. Here, moral obligations are typically discovered rather than created. Traditional forms of the family do not appreciate children, parents, and spouses as isolated individuals, but rather as persons who have particular familial roles and obligations (Cherry 2010). As H. Tristram Engelhardt, Jr. puts it: “The obligations that connect parents and children are such to which they may never have committed themselves and to which they need never have consented in order for the obligations to have moral force” (Engelhardt 2010, p. 508). Persons are appreciated in part in terms of their particular roles and responsibilities to other members of the family. For example, parents typically understand themselves as in authority to consent to medical care as well as to make dietary and educational choices on behalf of their minor children. Parents control access to media and literature, and make other lifestyle choices on behalf of the family. Here, day-to-day life is framed within essential religious and cultural understandings, which orient children and adults towards proper forms of human flourishing.

The lifeworld of the family teaches children proper piety, moral discipline, and the appropriate expression of virtues, such as honesty and humility, love and charity. For example, children need to be taught how to develop an appropriately oriented prayer life or how to show proper reverence to their ancestors. They need to learn how to care for their brothers and sisters, parents and grandparents, as well as what it means to submit to parental authority. Families also provide instruction regarding rightly ordered sexuality, and the morality of sexual relations outside of the marriage of husband and wife. The familial lifeworld instantiated and cultivated will vary by culture and religion. Successful families, however, nurture their children and grandchildren through religious and cultural knowledge towards particular understandings of the good life. The family seeks successfully to embody core religious and cultural understandings as well as to communicate these foundational commitments to future generations. The family recognizes itself as the core community through

which children and grandchildren are taught how best to live, as well as how to seek the good for oneself and others.

Traditional forms of the family tend not to be egalitarian, nor do they typically affirm contemporary liberal understandings of social justice. Instead, such families tend to advance intergenerational interests that are non-egalitarian and focused on family members. For example, traditional families tend to affirm the authority of adults, especially parents, over minor children, while encouraging loyalty and affection for family members over outsiders. Such families conserve and expend common resources to help the family succeed, such as by utilizing family-based savings accounts to pay for health care, insurance, or college tuition, or by preparing an estate plan to support future family members even after one's death. Costs are routinely imposed on some members to benefit the family as a whole, such as by asking that some members earn a living while others care for the family's children or its elderly. Families seek success for family members over outsiders, such as by giving members preferential access to medical or financial resources, educational tutoring, employment opportunities, and other social connections. The family's social capital is focused most predominantly on its own members and their success. As Engelhardt notes, families "advance the interests of their members in preference to the interests of others, thereby undermining fair equality of opportunity" (2012, p. 596). Preferential expenditure of resources on family members, such as favoring one's own children and grandchildren, for example, is the experienced social norm. Such preferential treatment enables the family to create social and economic capital for itself and to help its members through the generations to flourish.

Significant cross-cultural empirical data demonstrates that in the absence of such intact traditional familial relationships central possibilities for human flourishing go unrealized. Children who are raised in families with their own biological mother and father are advantaged socially, emotionally, psychologically, and financially over children raised in other contexts. Children raised in single parent homes, for example, are more likely to be impoverished, to engage in delinquency as adolescents and criminality as adults, to fail to finish school, to become pregnant as a teenager, as well as to experience poor emotional and psychological health (Defoe 2003; Norval et al. 2002; Weitoft et al., 2003). Even as adults, they are more likely to "... get fewer years of education and enjoy less stable marriages and lower occupational statuses than children whose parents got and stayed married" (Gallagher and Waite 2000, p. 125). Transitioning from adolescence to adulthood can be stressful, even in the best of circumstances. Families tend to work with their adolescent, teenage, and young-adult members, providing ongoing emotional and lifestyle support, shelter and guidance, as well as

financial resources long after their childhood years.<sup>2</sup> Learning to live in the world as a responsible adult is often a slow and arduous process. Children routinely rely on their parents, often well into their twenties (and older), for personal guidance.

Children raised outside of the biological family very often do not experience such advantages. Statistical risks for abuse and neglect, for example, are greater for children who are raised by stepparents or a nonspousal partner, such as a cohabitating boyfriend or girlfriend, when compared to children raised by their own biologically related parents.

...[S]tepfathers, on average, are less attached to the unrelated children of their partners than genetic fathers to their own children. From an evolutionary perspective, men's investments in children are influenced by genetic links. ... In addition, stepfathers and children may compete for mothers' time, energy, attention, or affections. All of these suggest that genetic fathers may make higher quality investments in children than stepfathers; accordingly, stepfathers have a higher probability of physically abusing children (Alexandre et al. 2010, p. 960).

Similar data is available from around the world. In rural China, data suggests that children of divorced and separated parents are much more likely to experience multiple types of abuse or violence than children who live with their biologically related parents (Mengtong and Ling, 2016). One study of fatal child abuse in Britain found stepfathers to be the offenders approximately 62% of the time (Cavanagh et al. 2007). A study in the Netherlands assessing data from all seventeen of the country's child-protective service agencies found families with a stepparent to have an elevated risk of child abuse and maltreatment (van Ijzendoorn 2009).

Mothers have been shown to be more likely to abuse their own children when there is a non-biologically related father figure living in the home. There are financial and social benefits for single mothers who live with a man or remarry. However, stress associated with the creation and maintenance of stepfamilies is associated with elevated risk of abuse and mistreatment (Berger, Carlson, Bzostek, & Osborne, 2008). In one study in Brazil, child physical abuse was 2.7 times more likely in a household with a stepfather present, over households with two genetic parents. The elevated risk to the children in this study was often due to alleged abuse by the mother, rather than her live in partner (Alexandre et al, 2010, p. 960).

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(2) Family life is also connected to financial resources. The connection between marriage and income, for example, is well documented: "Less marriage means less income and more poverty", reckons Isabel Sawhill, a senior fellow at the Brookings Institution. She and other researchers have linked as much as half of the income inequality in America to changes in family composition: single-parent families (mostly those with a high-school degree or less) are getting poorer while married couples (with educations and dual incomes) are increasingly well-off. "This is a striking gap that is not well understood by the public" (Sawhill, 2011, p. 42).

Children living in households with biologically unrelated adults, including stepparents and foster parents, were significantly more likely to die from inflicted injury when compared with children living with their two biological parents (Palusci and Covington, 2014, p. 26; see also Schnitzer & Ewigman, 2005; Stiffman, Schnitzer, Adam, Kruse & Ewigman, 2002). Martin Daly and Margo Wilson, for example, when looking at child-abuse statistics in the United States initially assumed that the over representation of stepparents as abusers was an artifact associated with the under reporting of abuse by biological parents. However, as they narrowed their search criteria to only the most unmistakable cases of abuse, including fatal cases, the data only heightened the contrast between biological parents and stepparents. They concluded:

But as we made our abuse criteria increasingly stringent and narrowed the sample down to the most unmistakable cases, the over-representation of stepfamilies did not diminish. Quite the contrary, in fact, by the time we had reduced the cases under consideration from the full file of 87,789 validated maltreatment reports to the 279 fatal child-abuse cases, the estimated rates in step-parent-plus-genetic parent households had grown to approximately *one hundred time* greater than in two-genetic-parent households (1999, p. 28; see also Daly and Wilson, 2008).

These types of consequential outcomes appear even when controlling for ethnic background and socioeconomic status (Gallagher and Waite 2000, p. 125; Cookston and Finaly 2006; Fagan and Rector 2000).

The nature of the empirical data support regarding the biological family as necessary for adequately appreciating the ways in which men and women come together to reproduce and successfully raise children. The roles that male and female biological parents together play in the successful raising of their children cannot be straightforwardly reproduced by other types of social arrangements. As Charles Murray summarizes:

No matter what the outcome being examined—the quality of the mother-infant relationship, externalizing behavior in childhood (aggression, delinquency, and hyperactivity), delinquency in adolescence, criminality as adults, illness and injury in childhood, early mortality, sexual decision making in adolescence, school problems and dropping out, emotional health, or any other measure of how well or poorly children do in life—the family structure that produces the best outcomes for children, on average, are two biological parents who remain married (2012, p. 158).

Such social biological data strongly suggests that the boundary conditions for conceptualizing the family tend to converge on heterosexual normativity and on men and women raising their own biologically related children.

As particular cases of family life step away from the biological reproductive family, they become more one-sided and incomplete. There will be human relationships and forms of human flourishing that one will not be

able as adequately to experience, know, or appreciate the more one steps away from the biological family. For example, homosexual couples cannot form a natural reproductive unit. This means, in part, that when same-sex couples raise children, there is a “diminished context of kin altruism (like adoption, step-parenting, or nonmarital childbirth), which have typically proven to be a risk setting, on average, for raising children when compared with married, biological parenting (Regnerus, 2012, p. 765; see also Miller et al 2000; Moore et al., 2002). Other non-traditional living arrangements, such as a group of close friends, even when children are present, may use the terminology of “family” to express emotional connectedness or the fact that they live together, but such social settings depart in important ways from the usual social and biological experience of the human family.

Mark Regnerus, working with the New Family Structures Study (NFSS), a data collection project surveying a large, random, sampling of young adults in the United States concluded with regard to children growing up in a variety of different social arrangements that the data

...clearly reveals that children appear most apt to succeed well as adults—on multiple counts and across a variety of domains—when they spend their entire childhood with their married mother and father, and especially when the parents remain married to the present day. Insofar as the share of intact, biological mother/father families continues to shrink in the United States, as it has, this portends growing challenges within families, but also heightened dependence on public health organizations, federal and state public assistance, psychotherapeutic resources, substance use programs, and the criminal justice system. (2012, p. 766)

It is the traditional family, comprised of at least the married father and mother, together with their own biological children, that most fully captures the living social reality of the family.<sup>3</sup> In the union of husband and wife with their

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(3) Regnerus, for example, found that the outcomes for children raised by men and women who pursue same-sex relationships were rather different than for those raised in in-tact biological families. “Just how different are the adult children of men and women who pursue same-sex romantic (i.e., gay and lesbian) relationships, when evaluated using population-based estimates from a random sample? The answer, as might be expected, depends on to whom you compare them. When compared with children who grew up in biologically (still) intact, mother– father families, the children of women who reported a same-sex relationship look markedly different on numerous outcomes, including many that are obviously suboptimal (such as education, depression, employment status, or marijuana use). On 25 of 40 outcomes (or 63%) evaluated here, there are bivariate statistically-significant ( $p < 0.05$ ) differences between children from still-intact, mother/father families and those whose mother reported a lesbian relationship. On 11 of 40 outcomes (or 28%) evaluated here, there are bivariate statistically-significant ( $p < 0.05$ ) differences between children from still-intact, mother/father families and those whose father reported a gay relationship. Hence, there are differences in both comparisons, but there are many more differences by any method of analysis in comparisons between young-adult children of IBFs [in-tact biological families] and LMs [lesbian mothers] than between IBFs and GFs [gay fathers]” (2012, p. 765-765).



children there is the self-conscious realization of the sexual, reproductive, and affective bonds between male and female that is socially richer and more encompassing than other structures for raising children.

Among the consequences of the family's social lifeworld is that it possesses an authority over its members. Traditional forms of the family have become controversial, for example, precisely because they understand themselves as expressive of the proper contours of human flourishing and as possessing legitimate authority to express that moral lifeworld through the family. Family authority is grounded in the nature of the family as a *sui generis* social unit. The family constitutes a domain of morally normative interactions that possess a social reality of their own, such that in realizing its domain of normativity the family also possesses at least limited authority to define and protect the interests of its members. The character and extent of such authority will depend on the normative account of the good the family embraces.

However, rather than affirming Western ideals of personal autonomy and individual equality, traditional understandings of family-based authority are typically structured within the contours of specific ways of being, including norms regarding appropriate sex roles and lifestyle choices, expressions of filial piety, and the authority of parents over children. The traditional Christian family, for example, recognizes the marriage of husband and wife as the uniquely appropriate expression of sexual desire and the proper social union for raising children. It is understood as a sacramental mystery; it is to be unique, monogamous, fruitful in terms of children,<sup>4</sup> and, ideally, oriented towards the holy.<sup>5</sup> Here, marriage is appreciated as the union of husband and wife in companionship, reproduction, and the struggle towards God. Traditional Christian understandings of the family, based on the marriage between one man and one woman, were central to the shaping of Western culture, just as Confucian knowledge of the importance of particular family relationships shaped China. Each embodies a particular account of human flourishing and moral commitment.

There are strong resemblances between how traditional Christianity understands the family and how the family is experienced in Confucianism. Each understands important differences between men and women and is directed towards social traits associated with supporting the flourishing of its members. Each affirms an ideal form of the family towards which one should orient oneself and others. Each tends to be organized in ways that affirm the

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(4) During a traditional Christian marriage ritual, the priest asks God to bless the couple with a joyful, healthy, fruitful, and lengthy marriage: "...Grant them fair children, and concord of soul and body; exalt them like the cedars of Lebanon, like a luxuriant vine, that having sufficiency in all things they may abound in every work that is good and acceptable unto thee. And let them behold their children's children round about their table, like a newly-planted olive orchard, that, obtaining favor in thy sight, they may shine like the stars of heaven, in thee, our Lord and God..." (Antiochian Christian Archdiocese, 1997, pp. 173-174).

(5) St. Gregory Palamas (1296-1359) summarizes: "If, however, you do not choose to live in virginity and have not promised God that you will do this, God's law allows you to marry one woman and to live with her alone and to hold her in holiness as your own wife (cf. I Thess. 4:4), abstaining entirely from other women" (1995, p. 328).

authority of parents over their minor children, underscoring the importance of parental guidance to orient children towards proper forms of human flourishing.<sup>6</sup> Confucian ethics, for example, often focuses on the biological family, filial piety, and proper familial relationships, rather than on impersonal notions of universal love, human equality, or individual autonomy. Persons are obliged to cultivate particular family-based, differentiated and graded love, rather than generalized egalitarian social obligations (Fan 2016, p. 195).<sup>7</sup> The robust, content-full visions of human flourishing available within such traditional religions and ways of life, together with the morality such a perspective supports, cannot be adequately captured or recreated within a general secular vision of the family. Such forms of the family are central to an experiential, embodied, living account of human flourishing into which one is born. Legislating changes to the legal and social expectations and experiences of family life will necessarily undermine such foundational ways of life.

### III. Undermining Traditional Modes of Family Life to Effect Cultural Transformation

To speak of the family in such traditional terms, as a foundational social unity naturally constituted around the ideal of the monogamous, formally married heterosexual couple and their own biological children, has become controversial.<sup>8</sup> In part, the Western world has experienced a significant breakdown of the family as a central moral and social institution. This circumstance is itself the result of a number of shifts in taken-for-granted

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- (6) “The more one takes seriously the independent normative character of the integrity of the family, the more the state and others bear a moral onus probandi with respect to interventions into family life and parental decision making. This reaches to pediatric decision making so that the family and parents should not bear the burden of showing that they are not acting in abusive or improper fashions. The stronger the integrity of the family, the more morally offensive will be intrusions by child advocates into the intimacy of the family” (Engelhardt, 2010, p. 507).
- (7) “[T]here is a sequence or order for taking care of (loving) other people. Families should be supported and loved first. Benevolence to friends, neighbors, and strangers is an extension of loving one’s family. As a result, persons are morally justified in loving and spending more resources on their own families than on others. This is the essential teaching of the original Confucian principle of graded love” (Wu, 2017, p. 707). On this point, consider also, Julia Tao: “Confucian care ethics rejects universal love. Instead, Confucius himself also urges that a person . . . should start from one’s parents and siblings and then extend to other people. . . . There is no requirement to treat everyone equally with the same impartial treatment. . . . Our obligations are defined by our relationships” (Tao 2002, 54–5).
- (8) As James Davidson Hunter puts it: “The family is the most conspicuous field of conflict in the culture war. Some would argue that it is the decisive battleground. The public debate over the status and role of women, the moral legitimacy of abortion, the legal and social status of homosexuals, the increase in family violence, the rise of illegitimacy particularly among black teenagers and young adults, the growing demand for adequate day care, and so on, prominently fill the headlines of the nation’s newspapers, magazines, and intellectual journals” (Hunter, 1991, p. 176).

cultural mores and the moral expectations of social life: increased cohabitation without marriage and the normalization of extramarital sexual activity, including homosexual relations, ease of divorce, and progressively informal social arrangements for conceiving and raising children. Marriage as the usual practice for normalizing sexual relationships has by-and-large given way to the general acceptance of extramarital sexual activity with one or more partners.

As a result, individuals are becoming ever more isolated from the well-documented rich social connections of family life. For example, adults in the West are less likely to marry than in past decades. In the United States, for example, according to the 2016 Census, 50.6% of 30-34 year olds were married with a spouse present in the home. This percent increases to 61.3% for 35-39 year olds and 63.9% for 40-44 year olds.<sup>9</sup> By way of comparison, in 1960, the percentage of 35-44 year olds who were married was 88% for men and 87.4 % for women (Marquardt et al., 2012, figure 3, p. 66). In Europe, the marriage rate has declined by almost 50% from 1965 to 2013.<sup>10</sup> Adults are much more likely than in the past to live a sexually active life as a single adult or to live unmarried with a sexual partner. In 1960, there were less than half a million (0.439) cohabiting couples of the opposite sex in the United States; in 2010, this number had increased to around 7.5 million couples (Wilcox and Marquardt, 2011, figure 8, p. 77). In short, an increasingly significant percentage of adults find there to be little justification to be bound by the traditional moral and cultural expectations of marriage. Such circumstances demonstrate an increasingly marked shift in taken-for-granted sexual mores.

Yet, sex outside of marriage is not without consequences. Children born to unmarried mothers<sup>11</sup> and sexually transmitted disease are only the most predictable outcomes of sexual activity outside of the marriage of husband and wife. Such outcomes are consequential. The disadvantages (social, emotional, psychological, and financial) for children raised outside of marriage are well

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(9) U.S. Census Bureau, Current Population Survey, 2016 Annual Social and Economic Supplement. Table A1. Marital Status of People 15 Years and Over, by Age, Sex, and Personal Earnings: 2016. Available: <https://www.census.gov/data/tables/2016/demo/families/cps-2016.html>

(10) 2017. Marriage and Divorce Statistics. Eurostat Statistics Explained. Available: [http://ec.europa.eu/eurostat/statistics-explained/index.php/Marriage\\_and\\_divorce\\_statistics#Fewer\\_marriages.2C\\_more\\_divorces](http://ec.europa.eu/eurostat/statistics-explained/index.php/Marriage_and_divorce_statistics#Fewer_marriages.2C_more_divorces)

(11) As of 2016, Iceland was leading Europe with 69.6.9% of children born outside of marriage; France was not far behind with 59.7%, Bulgaria 58.6%, Portugal, 52.8%, Norway 56.2%, and Sweden 54.9%. For the twenty-eight member states of the European Union, the total percentage of children born out of wedlock was approximately 42.6% (Eurostat, 2018). In the United States, the statistics were very similar. In 2016, 39.3% of all children were born to unmarried mothers (Martin et al., 2018). The dominant secular culture has disconnected sex from marriage and traditional family life.

documented.<sup>12</sup> Sexually transmitted diseases are routinely passed on to others, and the financial expenses to treat such disease increase healthcare insurance premiums and the costs for tax-payer financed medical care.<sup>13</sup> The United States Centers for Disease Control and Prevention estimate that there are approximately twenty million new sexually transmitted disease infections each year in the US, with nearly half of those occurring among fifteen to twenty-four year olds. Total prevalence of sexually transmitted disease exceeds 110 million cases, adding more than sixteen billion dollars in direct costs to the healthcare system each year (Centers for Disease Control and Prevention 2017a; see also Owusu-Edusei et al. 2013).

Traditional forms of the family have also become controversial because of the liberal narrative that the family is merely a social construction, an epiphenomenon or byproduct of social life, with no essential reality of its own. Activists seek to liberate the family from biological constraints and the confines of traditional cultural or religious norms. This goal has been pursued through a public, critical reassessment of tradition in favor of a full-fledged post-traditional ethos where, as Engelhardt puts it, “The focus is on freedom from the surd constraints of nature and the traditional authority of others” (2000, p. 141). Particular familial or societal roles are not to be based on real or purported innate sex differences. Family members are appreciated as having interchangeable social roles, as much as possible, and as far as feasible. Biological differences, such as the fact that women conceive, bear, and nurse children are appreciated as mere challenges for medical science to overcome.<sup>14</sup> As Judith Butler concludes, for example: “... a feminist view argues that

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- (12) As Charles Murry summarizes the data: “No matter what the outcome being examined—the quality of the mother-infant relationship, externalizing behavior in childhood (aggression, delinquency, and hyperactivity), delinquency in adolescence, criminality as adults, illness and injury in childhood, early mortality, sexual decision making in adolescence, school problems and dropping out, emotional health, or any other measure of how well or poorly children do in life—the family structure that produces the best outcomes for children, on average, are two biological parents who remain married. Divorced parents produce the next-best outcomes. Whether the parents remarry or remain single while the children are growing up makes little difference. Never-married women produce the worst outcomes. All of these statements apply after controlling for the family’s socio-economic status” (Murray 2012, p. 158)
- (13) The Centers for Disease Control and Prevention document that “Syphilis rates increased by nearly 18 percent overall from 2015 to 2016. The majority of these cases occur among men – especially gay, bisexual and other men who have sex with men (MSM). However, there was a 36% increase in the rates of syphilis among women and a 28 percent increase in syphilis among newborns (congenital syphilis) during this period. ... While gonorrhea increased among men and women in 2016, the steepest increases were seen among men (22 percent). Research suggests that a large share of new gonorrhea cases are occurring among MSM [men who have sex with men]. These trends are particularly alarming in light of the growing threat of drug resistance to the last remaining recommended gonorrhea treatment. MSM also bear a great syphilis burden. MSM make up a majority of syphilis cases, and half of MSM diagnosed with syphilis were also living with HIV...” (2017b)
- (14) So far, the only examples of “men giving birth” have been females, who live as males. Some are taking male hormones so as to live as transgender males. They are, however, biologically females. See Drewett, 2017.

gender should be overthrown, eliminated, or rendered fatally ambiguous precisely because it is always a sign of subordination for women” (1999, p. xiv). In short, individual autonomous choice is to drive expression of lifestyle, and gender social norms.

As a result, it is argued, the family ought to be fashioned around the negotiated equal partnership of autonomous persons. According to this narrative, human flourishing is not to be found in living within a traditionally religious (perhaps Christian) family, nor is it to be found within the rich familial obligations of a traditional culture, such as Confucianism. Persons are to choose to be autonomous individuals, who shape their moral values, interests, and understandings of human flourishing for themselves. Individual autonomy is perceived as essential to human good and the failure to pursue autonomy, so understood, is judged an indication that one is the victim of unjust external oppression. Despite the significant social, biological, and demographic data demonstrating the importance of the traditional biological family, this Western liberal narrative acts *as if* there are no consequential differences between the traditional marriage of husband and wife, homosexual marriage, and other types of sexual lifestyles, so as more fully to appreciate the family in nominalistic terms. Marriage is to be appreciated in terms of an egalitarian relationship among autonomous partners, where the family is viewed as a social contract created in each case through the consent of its participants. Unlike traditional religious and cultural worldviews that recognize the family as possessing an ontological reality to be rightly lived, this account appreciates each particular example of the family as created by and fully reducible to the collaboration of its members. Marriage and family life have no important reality of their own; instead, they exist to realize a particular lifestyle choice that is personally fulfilling.

This worldview is also characterized by an assumption against moral norms that require chastity outside of the marriage of man and woman. There is a presumption in favor of sexual freedom. Heterosexual normativity is likewise rejected. Sexual relationships are to be based on personal attraction, the pursuit of pleasure, and self-satisfaction. With only the authority of individual permission to guide proper choice, sexual experimentation has become the taken-for-granted social norm. For those who live embedded within this cultural milieu, there has ceased to be any meaningful context through which to differentiate appropriate sexual relationships aside from consent. Against such a cultural background it is perhaps no surprise that the institution of marriage itself has been redefined through state action. No longer deeply embedded in traditional religious or cultural understandings of appropriate forms of human flourishing, marriage has been deflated into essentially a contractual relationship among consenting persons, who are bonded by personal affection and lifestyle choice. It has become a formal legal arrangement regarding the rights and duties of cohabitation, inheritance, community property, and so forth. As a result, for those embedded within this Western liberal culture, it has become implausible to think of family life as a living arrangement properly structured around the reproductive union of man and woman.

Proponents of same-sex marriage, for example, assert the existence of human rights for homosexual couples to marriage, with all of the legal

entitlements and social recognition as heterosexual marriages. In the United States, for example, the U.S. Supreme Court created a Constitutionally protected right to same-sex marriage (*Obergefell v. Hodges* 576 U.S. 2015), a ruling that likely would not have made legal sense no more than twenty-five years ago.<sup>15</sup> Indeed, the majority opinion thought it necessary to preach a new cultural understanding of marriage.

The nature of marriage is that, through its enduring bond, two persons together can find other freedoms, such as expression, intimacy, and spirituality. This is true for all persons, whatever their sexual orientation. ... There is dignity in the bond between two men or two women who seek to marry and in their autonomy to make such profound choices (US Supreme Court, *Obergefell v. Hodges* 576 U.S. (2015) at 13).

Freedoms publicly to identify oneself as a homosexual and openly to cohabitate with and express one's love publicly through marriage for a same-sex partner are claimed to be central to moral and political equality. Social justice, it is urged, requires gender neutrality and gender blindness. Activists in France, for example, have endeavored to replace the terms "mother" and "father" with "parent 1" and "parent 2" in legal documents. "Justice Minister Christiane Taubira said the legislation... is needed to 'secularize the bond of marriage' and allow same-sex couples to adopt children under the same conditions as heterosexual couples" (Vidon-White 2012). Large segments of the European Union have recognized same-sex marriage for some time. Others countries have gone further, legislating in favor of a wide variety of non-traditional sexual relationships. For example, Brazil has granted civil unions, with all the benefits of marriage, to a group of one man and two women (Castillo 2012).

Commentators have also argued that since prohibitions against consensual sexual relations among adults are impermissible, consensual incest and incestuous marriages among adults should also be acceptable. "For public policy, this would mean that incest between siblings must be allowed, and between parents and their adult children as well" (Tralau, 2013, p. 104). Andrew Pecoraro has argued, for example, that the United States Supreme Court's reasoning in *Obergefell v. Hodges* would also support Constitutional protection for the marital union of brother and sister:

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(15) In a dissenting opinion, Justice Scalia notes that the majority opinion expressed in *Obergefell v. Hodges* stands against all of history: "These Justices know that limiting marriage to one man and one woman is contrary to reason; they know that an institution as old as government itself, and accepted by every nation in history until 15 years ago, cannot possibly be supported by anything other than ignorance or bigotry. And they are willing to say that any citizen who does not agree with that, who adheres to what was, until 15 years ago, the unanimous judgment of all generations and all societies, stands against the Constitution. The opinion is couched in a style that is as pretentious as its content is egotistic" (U.S. Supreme Court, *Obergefell v. Hodges* 576 U.S. (2015), Scalia Dissenting at 7).

...absent any evidence of coercion or psychological abuse, the choice between a brother and sister to form a romantic bond is a product of their own autonomous choice. It is likely one of the most difficult choices each has made. Especially after *Obergefell*, the state cannot close the doors of marriage simply because it does not approve of the choice two individuals have made. Moreover, this concept implicates the very dignity that *Obergefell* seeks to protect – the right of two individuals to make a choice of their existence without undue interference by the state (2017, p. 2085).

Incest among consenting biologically related adults is legal in various parts of Western Europe<sup>16</sup> and a judge in Argentina recently ruled that a woman, whose husband had died, could marry her own stepdaughter (Yomary, 2016). While traditional Christianity recognizes the impropriety of incest, for Western liberalism provided that it is consensual and there are no likely harms (e.g., the couple uses birth control to avoid children with genetic problems) then there may be little to say against the practice (see Engelhardt, 1996, p. 199). Sexual fulfillment is just another avenue for individual autonomous exploration. In short, this liberal moral and political vision appreciates itself as standing openly in opposition to traditional forms of marriage and the family, such as the lifeworlds embodied by traditional Christian and Confucian families.

Shifts in background cultural practices, such as in forms of marriage and family life, often signal fundamental changes in background moral understandings. When law and political action marginalize traditional forms of the moral life, the underlying support for such moral content is changed as well. As Ruiping Fan has argued, once traditional rituals are socially undermined, the background moral norms of the underlying culture will not be kept in good order for long (2012). As illustrated, for example, when individuals no longer follow the traditional practices of marriage and married life, they cease to be nurtured regarding morally appropriate sexual relationships. For traditional Christians, marriage is not reducible to an exchange of promises or to a contractual arrangement among spouses. During the traditional wedding ceremony, the man and woman do not even exchange vows. Instead, the crowns of martyrdom are placed on their heads, reminding them that they are

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(16) See Daniel Sokol. "Incest: Legal in Portugal, Illegal in Germany," *The Guardian* April 16, 2012. [Online] Available: <https://www.theguardian.com/law/2012/apr/16/incest-legality-ethics>

crowned as martyrs to each other and to Christ.<sup>17</sup> This deeply religious ritual practice reveals God joining man and woman together into “one flesh”.<sup>18</sup> Marriage is not merely a human partnership, but a divine institution. As the West came to affirm only the very thin moral practice of individual consent, asserting the goods of sexual freedom and sexual pleasure among consensual partners, “marriage” was recast as a legal and civic relationship removed from its religious and cultural contexts and reduced to the individualistic goods of this world. This shift reveals a deep cleft between traditionally Christian marriage as the union of one man and one woman and general secular marriage as a living arrangement among consenting persons, regardless of sex, biological relationship, or number of partners. The term ‘marriage’ may be used in both cases but the content, context, and meaning are vastly different. Removed from its religious context, the secularization of “marriage” regards only the individualistically affirmed goods of this world.

If one represents marriage as primarily regarding personal affection or sexual attraction, it becomes much easier to recast it as a civic or legal arrangement aimed at individual autonomy, rather than a spiritual unity aimed at salvation (Christianity) or an essential element of traditional understandings of human flourishing (Confucianism). Such a deflation of marriage represents an immanent displacement of the transcendent. Holy matrimony has been recast as a civic or legal arrangement aimed at an autonomously chosen personal lifestyle. In such terms, the secular world, together with a growing number of liberal Roman Catholics and progressive Protestants, finds it all too plausible to affirm same-sex unions and homosexual marriages. Consequently, advocates of the post-modern family affirm a wide variety of “family types”, including homosexual unions, non-marital cohabitation, single parents, group living arrangements with open sexual practices and so forth, as equally permissible, and perhaps even good. Marriage and family life have become just another individualistic expression of a hedonistic and consumerist culture.

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(17) The crowing of man and woman as husband and wife is the usual practice among the Eastern Orthodox Church. It was the ancient tradition among Roman Catholicism: “The celebrated text regarding the formation of marriage comes from the famous *Responsa ad Bulgaros* of Pope Nicholas I (858–867). In his reply to a series of questions proposed by the Bulgarian Christians, the Pope delineated the customs connected with the celebrating of marriages as they were observed at Rome. He wrote that the customs were accepted by the Church in very ancient times, and that it still held them. ... There was first a betrothal, which was then followed by the rite of the *desponsatio*, at which a ring was placed on the woman’s finger. Thirdly, there followed the celebration of the Mass either immediately (*mox*) or at some convenient time (*aut apto tempore*). Lastly, there was the crowing of the couple as they were leaving the church” (Fus, 1954, p. 13).

(18) “O God most pure, the Creator of every living thing, who didst transform the rib of our forefather Adam into a wife, because of thy love towards mankind, and didst bless them, and say unto them: Increase, and multiply, and have dominion over the earth; and didst make of the twain one flesh; for which cause a man shall leave his father and mother and cleave unto his wife, and the two shall be one flesh. . . .” (Antiochian Orthodox Christian Archdiocese, 1996, p. 295).



## IV. Conclusion: Marginalizing Traditional Families

As this paper has explored, political ideological forces have maneuvered to reshape the contours of Western culture in line with particular understandings of equality and social justice. In doing so, they have self-consciously appreciated the importance of redefining marriage and undermining traditional forms of the family to achieve their social and political goals. John Rawls (1921-2002), for example, argued that left to itself the traditional family makes it impossible to secure justice in society. Indeed, Rawls concedes that his account of social justice tends towards the dissolution of the family. An individual's starting point in life, his advantaged or disadvantaged state, sex or family role, he argued, is not morally deserved. "That we deserve the superior character that enables us to make the effort to cultivate our abilities is also problematic; for such character depends in good part upon fortunate family and social circumstances in early life for which we can claim no credit" (1999, p. 89). The family, he concluded, should be subject to state oversight and regulatory action.

The consistent application of the principle of fair opportunity requires us to view persons independently from the influences of their social position. But how far should this tendency be carried? It seems that even when fair equality of opportunity (as it has been defined) is satisfied, the family will lead to unequal chances between individuals. ... Is the family to be abolished then? Taken by itself and given a certain primacy, the idea of equal opportunity inclines in this direction (Rawls 1999, p. 448).

Susan Okin similarly recognized that traditional forms of family life embody particular understandings of human flourishing and appropriate social roles for men and women. Consequently, she argued that

The liberal state ... should not only not give special rights or exemptions to cultural and religious groups that discriminate against or oppress women. It should also enforce individual rights against such groups when the opportunity arises and encourage all groups within its borders to cease such practices (2002, 229-230).

Moreover, religions and cultures, such as Orthodox Christians and traditional Confucians, should not be permitted to educate their own children. Such "education", she concludes, would be no more than indoctrination (2002, pp. 219, 226). Traditional forms of the family stand as major obstacles to the political realization of gender neutrality and egalitarian distributive justice.

The political affirmation and legal enforcement of same-sex "marriage" as just one more acceptable social choice among others is central to this

cultural shift.<sup>19</sup> Once family life is appreciated as no more than a culturally conditioned social construction, there is no reason to believe that it ought to be based on the heterosexual marital union of husband and wife. Moreover, the aim of such legalization is to marginalize those who have traditional understandings of family life. As Justice Alito in his dissenting opinion in *Obergefell v. Hodges* recognized:

Perhaps recognizing how its reasoning may be used, the majority attempts, toward the end of its opinion, to reassure those who oppose same-sex marriage that their rights of conscience will be protected. Ante, at 26–27. We will soon see whether this proves to be true. I assume that those who cling to old beliefs will be able to whisper their thoughts in the recesses of their homes, but if they repeat those views in public, they will risk being labeled as bigots and treated as such by governments, employers, and schools. ... By imposing its own views on the entire country, the majority facilitates the marginalization of the many Americans who have traditional ideas (US Supreme Court, *Obergefell v. Hodges* 576 U.S. (2015), Justice Alito dissenting, at 7).

In short, in the Western world, the family as a social institution is held to be subject to significant state regulation to be molded more closely in line with liberal principles of egalitarian social justice and individual autonomy. Analogous ideological forces seek to reshape marriage and family life in China, and in doing so to change Chinese culture. The goal of the legalization of same-sex marriage is legally to effect the transformation of society.

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(19) It is worth noting, however, that political debates about the rights of homosexual partners to marry do not usually regard “rights to marry” per se, but rather rights legally to coerce. The point of state-based legalization of same-sex marriage rights is to create a formal legal structure designed to coerce others into recognizing and supporting such choices. As Frank Bruni of the *New York Times* intolerantly concludes: “...church leaders *must be made* ‘to take homosexuality off the sin list’” (2015, p. SR3, my emphasis).

Mary Lowe argues, for example, that traditional Christian moral positions on sexuality must be overthrown: “Another problem is that sexual sins are said to pollute and defile the body in a way that other sins do not. Paul wrote, ‘Every sin that a person commits is outside the body, but the fornicator sins against the body itself’ (1 Cor 6:18). When reflecting on Romans 1, Luther also claimed that certain sexual sins lead to physical pollution: “Those who do not acknowledge God ...should be catapulted into the lowest and the worst uncleanness, that they have not only an unclean heart ... but also an unclean body”. Anything outside of heterosexual relations in marriage, Luther thought, led to an unclean heart, which led to an unclean body. All of these accusations of sin create emotional hardship and physical danger for LGBTQI persons” (2010, p. 74).

## 參考文獻 References

- Alexandre, G.C., Nadanovsky, P., Moraes, C. L., and Reichenheim, M. 2010. The presence of a stepfather and child physical abuse, as reported by a sample of Brazilian mothers in Rio de Janeiro. *Child Abuse & Neglect* 34: 959-966.
- Antiochian Orthodox Christian Archdiocese of North America. 1997. *Service Book of the Holy Eastern Orthodox Catholic and Apostolic Church According to the use of the Antiochian Orthodox Christian Archdiocese of North America*, 10th ed. Englewood Hills, OH: Antiochian Orthodox Christian Archdiocese of North America.
- Berger, L. M., Carlson, M. J., Bzostek, S. H., & Osborne, C. (2008). Parenting practices of resident fathers: The role of marital and biological ties. *Journal of Marriage and the Family* 70, 625–639.
- Bruni, F. “Same Sex Sinners”. *New York Times*, April 5, 2015, p. SR3.
- Butler, J. 2007. *Gender Trouble: Feminism and the Subversion of Identity*. New York: Routledge Classics.
- Castillo, M. 2012. Unprecedented civil union unites Brazilian trio. *CNN.com*. (August 31). Accessed July 28, 2015. [www.cnn.com/2012/08/31/world/americas/brazil-polyfaithful-union/](http://www.cnn.com/2012/08/31/world/americas/brazil-polyfaithful-union/).
- Cavanagh, K., Emerson Dobash, R. and Dohash, R.P. 2007. The murder of children by fathers in the context of child abuse. *Child Abuse & Neglect* 31 (7): 731–46.
- Centers for Disease Control. 2013. “CDC Fact Sheet, STD Trends in the United States, 2011 National Data for Chlamydia, Gonorrhea, and Syphilis.” Accessed July 28, 2015. [www.cdc.gov/std/stats11/trends-2011.pdf](http://www.cdc.gov/std/stats11/trends-2011.pdf).
- Centers for Disease Control and Prevention. 2017a. Sexually Transmitted Disease Surveillance 2016. Atlanta: U.S. Department of Health and Human Services.
- Centers for Disease Control and Prevention. 2017b. STDs at record high, indicating urgent need for prevention. Latest U.S. data reveal threat to multiple populations. [Online] Available: <https://www.cdc.gov/media/releases/2017/p0926-std-prevention.html>.
- Cherry, M. 2010. Parental authority and pediatric decision making. *The Journal of Medicine and Philosophy* 35(5): 553-572.
- Cookston, J. and Finlay, A.K. 2006. Father involvement and adolescent adjustment: Longitudinal findings from Add Health. *Fathering: A Journal of Theory Research and Practice about men as Fathers* 4(2): 137–158.
- Cox, J. 2013. “The only safe guide is love”: Models of engaging Luther’s ethical hermeneutic for theological responses to the affirmation of same-sex sexuality. *Journal of Theology* 52:365–72.
- Daly, M. & Wilson, M. 1999. *The Truth about Cinderella – A Darwinian View of Parental Love*. New Haven: Yale University Press.

- Daly, M., & Wilson, M. (2008). Is the “Cinderella effect” controversial? A case study of evolution-minded research and critiques thereof. In C. Crawford, & D. Krebs (Eds.), *Foundations of evolutionary psychology* (pp. 383–400). London: Psychology Press.
- Defoe, B. 2003. *Why There Are No Good Men Left*. New York: Broadway Books.
- Drewett, Z. 2017. Man gives birth to healthy baby four years after transitioning. *Metro* December 13. [Online] Available: <https://metro.co.uk/2017/12/13/man-gives-birth-healthy-baby-four-year-s-transitioning-7155091/>
- Engelhardt, H.T., Jr. 1996. *The Foundations of Bioethics*. Lisse: Swetz & Zeitlinger.
- Engelhardt, H.T., Jr. 2000. *The Foundations of Christian Bioethics*. Lisse: Swetz & Zeitlinger Publishers.
- Engelhardt, H.T., Jr. 2010. Beyond the best interests of children: Four views of the family and of foundational disagreements regarding pediatric decision-making. *The Journal of Medicine and Philosophy* 35(5): 499-517.
- Engelhardt, H.T., Jr. 2012. Fair equality of opportunity critically reexamined: The family and the sustainability of health care system. *Journal of Medicine and Philosophy* 37(5): 583-602.
- Eurostat. 2018. Share of live births outside of marriage. [Online] Available: <http://ec.europa.eu/eurostat/web/products-datasets/-/tps00018>
- Fagan, P. and Rector, R. 2000. “The effects of divorce on America (2000). *Heritage Foundation Backgrounder* 1373. Washington, DC: The Heritage Foundation.
- Fan, R. 2012. Confucian ritualization: How and why? In D. Solomon, P. C. Lo, R. Fan (eds.), *Ritual and the Moral Life* (pp. 143–158). Dordrecht: Springer.
- Fan, R. 2016. Nonegalitarian social responsibility for health: A Confucian perspective on article 14 of the UNESCO Declaration on Bioethics and Human Rights. *Kennedy Institute of Ethics Journal* 26: 195-218.
- Firestone, S. 1970. *The Dialectic of Sex: The Case for Feminist Revolution*. New York: Bantam Books.
- Fukuyama, F. 2002. *Our Posthuman Future: Consequences of the Biotechnology Revolution*. New York: Picador.
- Fus, E. A. 1954. *The Extraordinary Form of Marriage According to Canon 1098: A Historical Synopsis and a Commentary*. Washington, DC: The Catholic University of America Press.
- Gallagher, M. and Linda W. 2000. *The Case for Marriage*. New York: Random House.
- Hunter, J. D. 1991. *Culture Wars: The Struggle to Define America* New York: Basic Books.
- Lowe, M. 2010. Sin from a queer, Lutheran perspective. In *Transformative Lutheran theologies: Feminist, Womanist and Mujerista Perspectives*, M. J. Streufert (ed.), 71–86. Minneapolis, MN: Fortress Press.

- Martin, J. A., Hamilton, B.E., Osterman, M.J.K., Driscoll, A.K., Drake, P. 2018. Births: Final data for 2016. *National Vital Statistics Reports* 67(1). January 31, 2018.
- Marquardt, E., Blankenhorn, D., Lerman, R.I., Malone-Colón, L. and Wilcox, W.B. 2012. *The State of Our Unions: Marriage in America, 2012*. Charlottesville, VA: National Marriage Project and Institute for American Values.
- Mengtong, C. and Ling, Chan Ko. 2016. Parental absence, child victimization, and psychological well-being in rural China. *Child Abuse & Neglect* 59: 45-54.
- Miller, B. C., Fan, X., Christensen, M., Grotevant, H., van Dulmen, M., 2000. Comparisons of adopted and nonadopted adolescents in a large, nationally representative sample. *Child Development* 71 (5), 1458-1473.
- Moore, K. A., Jekielek, S. M., Emig, C., 2002. Marriage from a child's perspective: How does family structure affect children, and what can we do about it? *Child Trends Research Brief, Child Trends*: Washington, DC.
- Murray, Charles. 2012. *Coming Apart: The State of White America*. New York: Crown Forum.
- Norval, Glenn, Steve Nock, and Linda J. Waite. 2002. Why Marriage Matters: Twenty-one Conclusions from the Social Sciences. *American Experiment Quarterly* 5 (1): 34-44.
- Okin, S. 2002. Mistresses of their own destiny: Group rights, gender, and realistic rights of exit." *Ethics* 112 (2): 205-30.
- Owusu-Edusei, Kwame Jr., Harrell W. Chesson, Thomas L. Gift, Guoyu Tao, Reena Mahajan, M. Cheryl Bañez Ocfemia, and Charlotte Kent. 2013. The Estimated Direct Medical Cost of Selected Sexually Transmitted Infections in the United States, 2008. *Sexually Transmitted Disease* 40 (3): 197-201.
- Palamas, St. G. 1995. A New Testament Decalogue. In G.E.H. Palmer, Philip Sherrard and Kallistos Ware (eds. and trans.), *The Philokalia*, volume 4 (323-330). London: Faber and Faber.
- Palusci, V.J. and Covington, T.M. 2014. Child maltreatment deaths in the U.S. National Child Death Review Case Reporting System. *Child Abuse & Neglect* 38: 25-36.
- Pecoraro, A. J. 2017. Exploring the boundaries of Obergefell. *William & Mary Law Review* 58(6): 2063-2103.
- Plato. 2004. *The Republic*. C.D.C. Reeve (trans.) Indianapolis: Hackett Publishing Company.
- Rawls, J. 1999. *The Theory of Justice*, revised edition. Cambridge: Harvard University Press.
- Regnerus, M. 2012. How different are the adult children of parents who have same-sex relationships? Findings from the New Family Structures Study. *Social Science Research* 41(4): 752-770.
- Reinhard, K. L. 2012. Conscience, interdependence, and embodied difference: What Paul's ecclesial principles can offer the contemporary church. *Anglican Theological Review* 94:403-28.

- Sawhill, I. 2011. The decline of marriage: For richer, for smarter. *The Economist* (June 25): 42.
- Schnitzer, P. G., & Ewigman, B. G. 2005. Child deaths resulting from inflicted injuries: Household risk factors and perpetrator characteristics. *Pediatrics*, 116: e687–e693.
- Sokol, D. 2012. Incest: Legal in Portugal, illegal in Germany, *The Guardian* April 16. [Online] Available: <https://www.theguardian.com/law/2012/apr/16/incest-legality-ethics>.
- Stiffman, M. N., Schnitzer, P. G., Adam, P., Kruse, R. L., & Ewigman, B. G. 2002. Household composition and risk of fatal child maltreatment. *Pediatrics*, 109: 615–621.
- Tao Lai Po-wah, J. 2002. Is just caring possible? Challenge to bioethics in the new century. In J. Tao Lai Po-wah (ed.), *Cross-cultural perspective in the (im)possibility of global bioethics* (pp. 41-58). Dordrecht: Kluwer Academic Publishers.
- Tralau, J. 2013. Incest and liberal neutrality. *The Journal of Political Philosophy* 21(1): 87-105.
- U.S. Census Bureau, Current Population Survey, 2016 Annual Social and Economic Supplement. Table A1. Marital Status of People 15 Years and Over, by Age, Sex, and Personal Earnings: 2016. Available: <https://www.census.gov/data/tables/2016/demo/families/cps-2016.html>
- Van IJzendoorn, M., Euser, E.M., Prinzie, P., Juffer, F., Bakermans-Kranenburg, M.J. 2009. Elevated risk of child maltreatment in families with stepparents but not with adoptive parents. *Child Maltreatment* 14 (4): 369–75.
- Vidon-White, M. 2012. ‘Parent 1’ and ‘parent 2’ could legally replace mom and dad in France. *The Washington Times* (October 11).
- Weitoft, G. R., Hjern, A., Haglund, B., Rosén, M. 2003. Mortality, Severe Mortality, and Injury in Children Living with Single Parents in Sweden: Population Based Study. *Lancet* 361 (9354): 289–95.
- Wilcox, W.B. and Marquardt, E. 2011. *The State of Our Unions: Marriage in America 2011*. Charlottesville, VA: National Marriage Project and Institute for American Values.
- Wu, Jingxian and Mao, Ying. 2017. Liberty in Health Care: A Comparative Study Between Hong Kong and Mainland China. *The Journal of Medicine and Philosophy* 42(6): 690-719.
- Yomary, T. 2016. Strange love: Argentinian judge rules that woman can marry her own stepdaughter. *Latin Times* December 06. [Online] Available: <https://www.latintimes.com/strange-love-argentinian-judge-rules-woman-can-marry-her-own-stepdaughter-406291>.