WHAT IS A FAMILY?
A CONTEMPORARY VIEW

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ABSTRACT: In the light of two cases that held the attention of the United States in mid-1993, family therapists as well as other professionals need to consider—or re-consider—what it is that constitutes a family. Is the family based on biological ties? On psychological bonds? On legal definitions? When a conflict arises as to the family with which a child should reside, what factors need to be considered? Contested adoption cases are rare but not unique; the legal "divorce" from biological parents in favor of psychological ties is a much newer phenomenon. These cases are central to the discussion of this contemporary view of what constitutes a family.

It used to be very simple to define the family. There was what professionals call the "nuclear" or traditional family: father, mother, and children. There was also the "extended" family: grandparents, aunts, uncles, and cousins. Out of courtesy, and if there were no hostile feelings, in-laws might also be considered part of one's family, particularly in connection with family rites of passage such as christenings, Bar/Bat Mitzvot, graduations, marriages, and funerals.

Life is not as simple today. We have single-parent families, re-married families (formerly called step-families), blended families, foster families, adoptive families, and combinations of some of these, each with a legal under-pinning. There are those who wish to be perceived as families, such as homosexual couples who perform activities...
normally regarded as functions of a family, but who may or may not
be legally recognized as such for parenting or legal purposes. In addi-
tion, families may regard particularly close friends as family mem-
bers. If this is confusing for adults, imagine how confused children
must be about the concept of family!

In the discussion to follow, there are two threads that emerge as
dominant: psychological perception of the family and legal issues. The
first is particularly relevant to the Kimberly Mays case in Florida,
while the second dominates the contested adoption of Baby Jessica in
Michigan. Both are related to child development and to concern with
the "best interests" of the child.

DEFINING THE FAMILY

Two decades ago, a dictionary definition of "family" included, al-
beit as a fifth definition, "All the members of a household; those who
share one's domestic home" (Morris, 1969, p. 474). Thus, for many
elderly people living in a communal setting, their co-residents may
serve as family in the absence of spouses or biological relatives. On
the other hand, those who no longer share the family home would not
be considered family members under this rubric.

There are other bases for defining a family. The most obvious
basis is the biological one, one's parents and their children, or, in the
extended family network, those descended from a common pair of an-
cestors going back two, three, or more generations. A second basis for
defining family is based on legal ties, beginning with marriage be-
tween two people, and including also persons legally adopted (at any
age) into the family unit. Foster children, who may live within a fam-
ily unit for many years, are technically not legally "family," but may
be so considered by those with whom they live and may reciprocate
the feeling themselves. The third basis for inclusion in the family is
preference, as noted above with respect to homosexual couples with or
without children, which has only been legally recognized within re-
cent years (Gutis, 1989; Polman, 1989).

There is, however, an element that is unrecognized in these defi-
nitions. That element is the psychological image of one's family. The
factors that contribute to the individual's perception of who is in one's
family and who is not become especially critical where child custody
is concerned. That has been the crux of one of the two heart-rending
cases so publicized in 1993, the Kimberly Mays case. As one column-
nist wrote with respect to her desire to remain with the man she