Choice at the expense of convention: the new orthodoxy in the sociology of personal life and families

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Abstract

There is a new orthodoxy in the field that was once understood as the sociology of the family, and is increasingly understood as the sociology of 'personal life' or 'intimacy'. The orthodoxy highlights the open-endedness of intimate relations at the expense of the family as an institution; that is, choice at the expense of convention. It thereby directs attention to the full range of families, relationships, intimacies, sexualities, friendships and acquaintanceships. In doing so, it provides a powerful framework for understanding dramatic shifts in marriage, cohabitation and having children. Yet the orthodoxy comes at a cost. It struggles to conceptualize the institutional foundations of choice. It also routinely overlooks circumstances where some families, relationships, intimacies, sexualities, friendships and acquaintanceships are privileged over others, and prevail over others. This is exemplified in research around paternity uncertainty, inheritance and family business. Not only does the sociology of personal life and families overlook these areas. It concedes them to other disciplines and frameworks, sometimes grounded in biologistic and economistic understandings of human behaviour. The field requires more sophisticated ways of understanding the articulation between choice and convention. This involves renewed consideration of its institutional dimensions, in order to better grasp the enduring weight of convention and the normative dimensions of choice.

Keywords: family, choice, personal life, intimacy, deinstitutionalization, individualization

There is a new orthodoxy in the field that was once understood as the sociology of the family, and is increasingly understood as the sociology of 'personal life' (Smart 2007) or 'intimacy' (Zelizer2005). The orthodoxy highlights the open-endedness of intimate relations, at the expense of the family as an institution. The dynamics of the process are sometimes understood in terms of 'individualization', sometimes in terms of 'deinstitutionalization'. There are differences between these approaches, but the differences are less important than what they have in common. The common thread is that choice now trumps convention. In the words of Carol Smart (a critic of both approaches): ‘it is the quality of decisions and actions that now demarcate the moral terrain, not obedience to a sedimented set of rules or conventions’ (2000: 12).

This paper questions the new orthodoxy. It argues that sociologists risk overstating choice at the expense of convention. The paper first describes three expressions of the new orthodoxy; the theoretical contributions of Andrew Cherlin, Ulrich Beck and Elizabeth Beck-Gernsheim, and Carol Smart. It then addresses two core problems: one conceptual, the other empirical. In considering the empirical problem, the paper considers three areas of research at odds with the new orthodoxy: paternity uncertainty, inheritance and family business. Finally, the paper proposes renewed consideration to the institutional foundations of the field, giving due weight to the influence of convention.

The new orthodoxy

There are many sources of the current orthodoxy. At one pole, conservative accounts despair of ‘an unprecedented decline of the family as a social institution (Popenoe 1993: 528). At the other, critical accounts – including feminism, postmodernism and queer theory – celebrate diversity and rupture. Conservative and critical accounts converge in their understanding that choice increasingly prevails over convention. The theoretical contributions of Andrew Cherlin, Ulrich Beck and Elisabeth Beck-Gernsheim, and Carol Smart highlight the common ground and differences within it.

Cherlin understands what is happening in terms of ‘deinstitutionalization’ – that is, a weakening of the social norms that define behaviour. In the 1970s he had anticipated the institutionalization of remarriage, whereby it became more like marriage. In fact, he argues, the reverse occurred: marriage became more like remarriage. Specifically, married couples can ‘no longer rely on shared understandings of how to act’, but rather ‘must negotiate new ways of acting’ on an ongoing basis (2004: 848). This is manifested in trends around the division of labour, childbearing outside marriage, divorce, and – most recently – cohabitation and same-sex marriages. The trends are grounded in two transitions in the meaning of marriage: first, the transition from institutional marriage to companionate marriage during the first part of the twentieth century; and second, the transition to individualized marriage from the 1960s onwards. The current context involves ‘vast latitude for choice’ in personal life, and the search for ‘personal growth and deeper intimacy’ through marriage and relationships (2004: 853). Cherlin does not describe it as a state of ‘anomie’, but the implication is there. Notwithstanding deinstitutionalization, marriage flourishes – not so much on account of its social benefits, but as ‘a marker of prestige and personal achievement’ (2004: 848). Cherlin is uncertain as to whether this status is robust, or ‘like an echo in a canyon’ (2004: 858).

Ulrich Beck and Elisabeth Beck-Gernsheim concur with Cherlin that marriage and the family are in decline. Unlike Cherlin, they have no misgivings. They describe marriage and the family as ‘relics’ of industrial society, no less anachronistic now than feudal institutions at the beginning of the industrial age. The post-industrial age brings with it new institutions, notably a labour market which demands greater autonomy, flexibility and mobility. In turn, there arises a new ethic of ‘individualization’, whereby biographies ‘are removed from the traditional precepts and certainties, from external control and general moral laws, becoming open and dependent on decision-making, and are assigned as a task for each individual’ (1995: 5). The concept of individualization – unlike deinstitutionalization – implies institutional foundations not only in the decline of the family, but in what arises to take its place. Beck and Beck-Gernsheim describe a compulsive 'search for the right way to live' (1995: 2) and the construction of new family forms. The desire to get married and have children remains powerful; partly in response to uncertainty and risk, partly as the ultimate expression of self-fulfilment. In particular, love carries a mounting burden as a 'latter-day religion', the 'central pivot' which gives meaning to our lives (1995: 170). Yet there are no structural supports for love, marriage or families; relationships are fragile; everything depends upon negotiation; love becomes a 'nightmare'; the 'normal chaos of love' prevails. Whereas Cherlin is uncertain about the future, Beck and Beck-Gernsheim are pessimistic, almost apocalyptic.

Carol Smart is closer to Beck and Beck-Gernsheim than Cherlin, insofar as she emphasises change over and above decline. Yet Smart also takes issue with the 'free-floating' abstraction of individualisation theory (2007: 184). In doing so, she builds on the work of David Morgan, who understood the family not as an institution but as 'a range of flexible practices' (2007: 25). Smart proposes that it is time to 'go further' than Morgan in demoting 'the family' in the sociological imagination and developing a broader conceptualization of the field (2007: 187). The concept of 'personal life' incorporates 'all sorts of families, all sorts of relationships and intimacies, diverse sexualities, friendships and acquaintanceships' (2007: 188). Moreover, it denotes 'the centrality of the individual', but does not imply 'ideas of separateness, autonomy and the conceptual slide into individualization' (2007: 188). In this context, Smart observes how contemporary practices give rise to 'new moral terrains', defined by 'the quality of decisions and actions' rather than 'obedience to a sedimented set of rules and conventions' (2000: 12). Divorce, for example, requires children to forge new relationships 'in a context in which there are no guidelines and rarely anyone else to talk to' (2000: 17). At the same time, children operate 'from an assumption of interdependence' in their family networks, which they want to preserve (2000: 18). This is a far cry from Cherlin's anomie, or Beck and Beck-Gernsheim's chaos. On the contrary, it suggests that 'family transitions may be restructuring childhood in positive as well as negative ways' (2000: 19).

There are profound differences between Cherlin, Beck and Beck-Gernsheim, and Smart. Even so, they agree upon 'the centrality of the individual' (Smart 2007: 188) at the expense of the family, and the influence of choice and contingency at the expense of convention and tradition. In close connection, they also marginalize the conceptual centrality of the family in the field.

Conceptual Problems

The conceptual frameworks of Cherlin, Beck and Beck-Gernsheim, and Smart warrant closer attention. They highlight – in different ways – the conceptual problems of the new orthodoxy.

Cherlin's point of departure is the family as an institution. In this respect, he takes his bearings (like conservatives such as Popenoe) from Parsonian functionalism. The family once governed behaviour through norms around relationships and having children; now there is wide latitude for personal choice and self-development. The field is now 'deinstitutionalized'. This approach assumes that norms necessarily take a repressive form, whereby collective demands override personal preferences. In doing so, it overlooks a substantial literature grounded in the work of Michel Foucault which considers how 'discursive regimes' (and thereby norms) might demand personal choice and self-development, to greater or lesser degree. Nikolas Rose, for example, observes how neoliberal regimes give rise to 'experts' – in welfare, education, health, artistic accomplishment, or whatever – who understand human behaviour in calculative terms, and accordingly tutor their clients in 'techniques of self-government' (1999: 65). On this basis, Rose describes how 'free individuals' are 'enwrapped in webs of knowledge and circuits of communication through which their actions can be shaped and steered and by means of which they can steer themselves' (1999: 65). Cherlin's account provides no grip on the distinction between Foucauldian 'powers of freedom' and Durkheimian anomie.

Whereas Cherlin's point of departure is Parsonian functionalism, Smart takes her bearings from the radical critique of functionalism, notably feminism. It is on this account that she resolutely resists conceptualizing the family as an institution (past or present), and understands it as a set of practices instead. Ironically, Smart then proceeds to emphasize the embeddedness of these practices – through tradition, habit, memory and intersubjectivity. By implication, embedded practices are not institutions because they are context-specific and contingent. This is fine for getting a grip on 'nuance, difference and complexity' (2007: 107), but not for understanding how some practices are privileged over others, or prevail over others. In close connection, Smart's approach provides little insight into the dynamics of the field. Against 'individualization' (and presumably 'deinstitutionalization'), Smart proposes the 'connectedness thesis', but steers clear of whether people are becoming more or less connected.

Beck and Beck-Gernsheim neither shy away from the family as an institution, nor overlook the institutional aspects of personal choice. They describe a multiplicity of institutions with partially competing logics, giving rise to 'institutional individualism' (Beck 2000: 166). The upshot is not anomie but institutionalized chaos. The effective difference between these outcomes is unclear. It is on this account that 'individualization' and 'deinstitutionalization' are readily bracketed together. Both concepts address the decline of the family as an institution. Smart's 'connectedness' seems to be a counterpoint for these concepts, but Smart does not acknowledge the institution in the first place. The differences are more apparent than real.

Empirical problems

During the past decade my research has taken me to areas on the distant frontiers of the sociology of personal life and families: specifically, paternity uncertainty, inheritance and family business. Other disciplines and interests drive research in these areas: evolutionary psychology in the case of paternity uncertainty, economic sociology in the case of inheritance, and business studies in the case of family business. Sociologists of personal life and families take little interest in these areas. This is not because they are marginal to the understanding of personal life and families. On the contrary, they are pivotal both in terms of how personal life and families are organized, and how they articulate with other aspects of social life.

Consider paternity uncertainty first. Paternity uncertainty demands inquiry into patterns of sexual behaviour and having children. Evolutionary psychologists have dominated this line of inquiry, because they believe it provides independent evidence of their biologistic understanding of human behaviour. Specifically, relatively high rates of 'paternal discrepancy' are said to demonstrate women's sexual strategy of 'obtaining men of high genetic quality', by fair means or foul (Schmitt 2005: 280). In this context *The Handbook of Evolutionary Psychology* declares, 'Definitive conclusions cannot be reached, but it appears that men are cuckolded about 10% of the time' (Geary 2005: 492). Yet closer attention to scientific evidence and sex survey data indicate that evolutionary psychologists routinely inflate the extent of paternity uncertainty. For example, 'the best evidence based on scientific testing in the UK indicates a paternal discrepancy rate in 1991 of about 1 per cent' (Gilding 2009: 153), while sex surveys indicate a range of 0.7-2.0 per cent in 1990 and 1.0-3.1 per cent in 2000. Sex survey evidence in particular demonstrates the influence of marriage in regulating sexual behaviour and having offspring. The 'weakening hold of marriage' during the 1990s explains rising estimates of paternity discrepancy rates (2009: 153), but paternity uncertainty is the exception nonetheless, not the rule. It is ironic that evolutionary psychologists stake their case on paternity uncertainty, rather than sociologists. Paternity uncertainty highlights the enduring influence of marriage as a social institution, but sociologists' preoccupation with choice and contingency causes them to overlook it.

The study of inheritance, like paternity uncertainty, does not command interest in the sociology of personal life and families. Economic sociologists direct their attention to this area because of its 'pivotal economic role', its implications for social inequality, and its relevance to the 'normative fabric of society', involving principles such as 'equality of opportunity, social justice, and the freedom of private property' (Beckert 2008b: 521). Jens Beckert's comparative historical analysis of inheritance law in the US, Germany and France is especially innovative. Beckert finds 'no unambiguous tendency of an expanding individualism' in the three countries across the past 250 years (2008a: 292). Above all, testamentary freedom remained constant. The main changes were abolition of primogeniture and entails, expanded rights for spouses and illegitimate children, and introduction of inheritance taxes. Beckert conceptualized the process as one of 'embedded individuality', involving 'a *change* in family solidarity', but not individualization (2008a: 292). Contemporary research is consistent with this argument insofar as it demonstrates the enduring effect of family considerations in inheritance. For example, a qualitative study of the 'super rich' shows that they 'overwhelmingly' plan to leave their fortunes to their children (Gilding 2005: 39); and a random study of probate finds that the 'vast majority' of testators in Victoria (more than 85%) 'leave their money directly to their children' (Baker 2006: 24). Again, it is the conventions that warrant attention here, rather than choice.

In the area of family business, business academics drive the research agenda. In the wake of managerial capitalism (Berle and Means 1967), family business was commonly understood as an anachronism. From the 1980s there occurred a resurgence of small and medium enterprises, many of them family businesses, causing renewed interest in the area. In the first place, business academics document the pivotal role of family business in capitalist enterprise - not only in the formation of new businesses, but at the commanding heights of the economy (Gadhoum et al. 2005). In Australia, for example, the MGI Family and Private Business Survey 2006 calculates that 'family enterprises generate more than half of Australia's employment growth and account for about 40% of Australia's private sector output'; that 'over half of Australia's top 500 private companies are family owned'; and that the estimated total wealth of family owned businesses in 2006 was $4.3 trillion (Smyrnios and Dana 2006). Family businesses have advantages during start-up, insofar as they trade trust in long-term benefit for low remuneration and poor conditions. The advantages diminish as businesses grow in scale, and the 'free rider' effect and nepotism become problematic. In this context, family businesses routinely struggle to achieve continuity (Eddy 1996). In turn, business academics direct their efforts towards measuring the 'competitive advantage (or not)' of family businesses (Uhlaner 2006: 140), and identifying strategies to facilitate continuity. Ironically, these strategies are often sociological rather than economic, directing their efforts to governance structures and family culture.

Contrary to the ‘cultural turn’ in the sociology of personal life and families (Smart 2007: 32), paternity uncertainty, inheritance and family business highlight economic dimensions of the field. Paternity uncertainty is controversial at least partly because children are the single largest financial commitment of most families. Inheritance is the vehicle whereby family assets are transmitted from one generation to the next. Family businesses take families to the centre stage of capitalist enterprise. There is evidence of choice and contingency in each of these areas: notably, in evidence of increasing paternity uncertainty; in the tendency of the super rich to create more flexible vehicles for the division of their estates among children; and in the difficulty of family businesses in achieving continuity. Yet conventions are more compelling than contingencies in each of these areas: misattributed paternity is uncommon in marriage; most people leave their wealth to their children; and most business start-ups involve family relationships.

Convention and choice

The new orthodoxy frames the field in terms of personal life and intimacy, rather than the social institution of the family. In close connection, it observes that choice and contingency now trump convention and tradition in the field. The framework thereby directs attention to the full range of families, relationships, intimacies, sexualities, friendships and acquaintanceships. In doing so, it provides a powerful framework for understanding dramatic shifts in the conduct of relationships and having children.

Yet the new orthodoxy comes at a cost. It struggles to conceptualize the institutional foundations of choice and contingency. It also routinely overlooks circumstances where some families, relationships, intimacies, sexualities, friendships and acquaintanceships are privileged over others, and prevail over others. This is especially the case where families and relationships have an economic aspect – exemplified in research around paternity uncertainty, inheritance and family business. Not only does the sociology of personal life and families overlook these areas. It concedes them to other disciplines and frameworks, sometimes grounded in biologistic and economistic understandings of human behaviour.

In this context, the economic aspects of families and relationships offer a particularly promising line of inquiry in the field. On the one hand, there is obvious correspondence between neoliberal regimes and flexible families; or specifically, choice in the marketplace and choice in personal life. On the other, there is a growing literature emanating from economic sociology which highlights the institutional dimensions of behaviour in the market, no less than in other domains. Smart's 'connectedness thesis', Beck's 'institutional individualism', and Beckert's 'embedded individualism' provide possible reference points in adopting this line of inquiry. All of these concepts attempt to find more sophisticated ways of understanding the articulation between choice and convention, and the individual and society. More generally, the field demands renewed consideration of the social institutions which inform families and personal life in order to better grasp the enduring weight of convention and the normative dimensions of choice.

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