

The Ecology of Paternal Caregiving

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Abstract

It is widely expected that same-sex marriage will soon become legal nationwide. This moment in history will be a major milestone in the state's journey in repudiating gender-specific roles in families. Yet, there is still much more that the state could, and should, do to reject the notion that family roles are gendered. My presentation will address a particular aspect of this claim: I will explore ways the state can foster an environment that better supports men who undertake childrearing responsibilities traditionally associated with women.

My presentation will proceed in three parts. First, I will briefly review the reasons why enabling male caregivers advances the principles of liberty and sex equality—benefiting both women and men—as well as children's well-being. I will then turn my attention to a series of policy proposals. Most proposals to date focus on workplace parental leave. All too often, fathers choose not to take parental leave due to a mix of financial considerations and cultural biases against stay-at-home dads. To encourage more fathers to take parental leave, many scholars have advocated reforming the law to institutionalize paid parental leave and “daddy quotas.” In my presentation, I encourage scholars to take a broader view, examining the social ecology that surrounds fathers beyond the workplace. While I do not dispute that reforming parental leave policies is desirable, I believe there are benefits to scrutinizing the environment in which parental leave policies are situated, as well as the role of law in shaping that environment. Specifically, I will explore potential policy reforms such as reframing “Mommy and Me” classes at state-funded schools, libraries, and hospitals; regulating men's access to diaper changing tables at public accommodations; and developing public-private partnerships in education campaigns aimed at reshaping perceptions of fatherhood. While these proposals target discrete areas that may appear small on their own, the collective force of such proposals could be profound. I will examine the pragmatic benefits of focusing attention on these reform proposals, which may produce small social effects independently, but large effects cumulatively. In the third and final part of my presentation, I will discuss how taking this broader approach to paternal caregiving fits into recent patterns in family law scholarship.