



Love's Promises: How Formal and Informal Contracts Shape All Kinds of Families (Queer Ideas/Queer Action)

Martha M. Ertman

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Blends memoir and legal cases to show how contracts can create family relationships

Most people think of love and contracts as strange bedfellows, or even opposites. In *Love's Promises*, however, law professor Martha Ertman shows that far from cold and calculating, contracts shape and sustain families.

Blending memoir and law, Ertman delves into the legal cases, anecdotes, and history of family law to show that love comes in different packages, each shaped by different contracts and mini-contracts she calls “deals.” Family law should and often does recognize that variety because legal rules, like relationships, aren’t one size fits all. The most common form of family—which Ertman calls “Plan A”—come into being through different kinds of agreements than the more uncommon families that she dubs “Plan B.”

Recognizing the contractual core of all families shows that Plan B is neither unnatural nor unworthy of legal recognition, just different.

After telling her own moving and often irreverent story about becoming part of a Plan B family of two moms and a dad raising a child, Ertman shows that all kinds of people—straight and gay, married and single, related by adoption or by genetics—use contracts to shape their relationships. As couples navigate marriage, reproductive technologies, adoption, and cohabitation, they encounter contracts. Sometimes hidden and other times openly acknowledged, these contracts ensure that the people they think of as “family” are legally recognized as family in the eyes of the law.

Family exchanges can be substantial, like vows of fidelity, or small, like “I cook and you clean.” But regardless of scope, the agreements shape the emotional, social, and financial terrain of family relationships. Seeing the instrumental role contracts will help readers better understand how contracts and deals work in their own families as well as those around them.

Both insightful and paradigm-shifting, *Love's Promises* lets readers in on the power of contracts and deals to support love in its many forms and to honor the different ways that our nearest and dearest contribute to our daily lives.

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