



INTERNATIONAL COMMISSION ON
COUPLE AND FAMILY RELATIONS

FAMILIES AND DEMOCRACY
Compatibility, Incompatibility
Opportunity or Challenge?

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in collaboration with



Editor's Preface

It is, on the face of it, rather odd to juxtapose the institution of the family with the political system of democracy, let alone to take this as a conference theme. Family members do not elect representatives to govern them, nor are those in authority in families accountable to their members. Yet we know that families are the building blocks of society. They provide children with their first models of political organisation and their first experience of the exercise of authority. They create the leaders of future generations, providing them with different levels of social and emotional intelligence, as well as intellectual capacity, that shape the wider institutions of which they are a part. In this sense some might argue that families get the political systems they deserve, since they have provided the original blueprints for organisational life.

On the other hand we also know that political systems affect families, sometimes undermining them and breaking them up. There is no guaranteed complementarity between the systems used by families and those used by the socio-politico-economic institutions that make up their environment. Nor is there guaranteed complementarity between the aims of individuals and those of the families to which they belong. Collective and individual interests are often in tension, and especially when resources are scarce. Where two or three are gathered together conflict is endemic, providing an opportunity for growth and development or for stasis and destruction.

The papers collected in this report were presented at the 53rd meeting of the International Commission for Couple and Family Relationships, which took as its theme: *Families and Democracy: Compatibility or Incompatibility, Opportunity or Challenge?* They appear here in much the form that they were presented at the conference, and my editorial touch has been applied to try and convey the spoken message in written word with as little change as possible. The papers address the diversity of families as well as the variety of political systems they inhabit. They provide the rich tapestry of experience, as well as food for thought, that we have come to expect from this international gathering.

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**CHAIR'S REPORT ON THE 53RD CONFERENCE OF THE INTERNATIONAL
COMMISSION ON COUPLE AND FAMILY RELATIONS, LYON 2006.**

These remarks set out here are not meant as resumé of keynote speeches, workshops or groups at the 2006 Conference in Lyon. They are the results of the connections and resonances for me, as one of a number of participants at the Conference, as the event progressed and impacted on my thinking. They are meant as the *entrée* for what follows in the publication from the Conference later in the year, where the keynote speakers effectively speak for themselves. It is a challenge always to comment on what others have said and, I believe, far better to share one's own experience. It is neither correct nor incorrect but it has truth and meaning, even if only for one person!

Opening Session

The opening of the Conference was facilitated by three excellent speeches from Professor Bernadette Barthelet, from the Institute of Family Sciences, of the Catholic University of Lyon; M. Hubert Brin, President of UNAF (Union Nationale des Associations Familiales); and, M. Dominique de Legge, ministerial delegate from the French Ministry of the Family, representing M. Phillippe Bas, the French Minister for the Family. The first two speakers represented partner organisations with ICCFR/CIRCF in the development and running of the Conference. It was interesting to hear three separate but intertwining examples of family policy and action in France. Whilst obviously the three presentations were rooted, so to speak, in French society, culture and history, they were nevertheless transferable to the respective cultures and nationalities present at the Conference. Indeed, the challenge and difference was a good start for this international meeting of minds, politics, culture and thought.

Keynote presentations, Wednesday

After this formal opening of the annual Conference, we settled down to in-depth presentations. Chantal Lebatard, Board member of ICCFR and also of UNAF, led the opening discussion and presentation by setting the Conference within the context of its theme, Families and Democracy: compatibility, incompatibility, opportunity or challenge. She spoke from her enormous experience in working for UNAF. She presented us with the challenges of those engaged in supporting families in France today and, similar to the opening three speeches, offered us an opportunity to consider our own culture, thought and practice. She reminded us that some years ago sociologists had noted fifty-seven different types of family form, and that this had now probably increased markedly. What we heard later in the Conference seemed to bear this out.

Her comments, in setting the backdrop to the Conference theme, focused on the dualism of democracy and freedom, and explored the dilemmas that thought and social policy initiate for the family in today's world. It is clear from her presentation, and a theme returned to often during the Conference, that long-held and cherished beliefs about what is family have been challenged by laws, lives and cultural shifts that are a consequence of equality of opportunity and freedom. Whilst it is clear that the values enshrined in these principles are ones that this Commission would support and actively develop, they also do challenge the thinking and ways of life for many of us. It reminded me of another major dualism, agency and structure, that age-old tension between individual rights and freedom, and the needs of the group or community.

Chantal introduced Professor Georges Eid, from the Institute of Family Sciences, who offered delegates a reflection on Family, Democracy and Citizenship. He noted how democracy had grown over the last century defining this as the process of allowing people to take part in the political life of the country. Georges used Greek mythology to explore and explain his perspective, juxtaposing the hierarchical *Oedipal* theory, and story, with that of the more democratic myth of *Psyche and Cupid*. I found it interesting to note that we are still driven by these archetypes, and they still hold powerful sway in our thinking and emotions so much so that we are willing to debate and argue them long after their *publication* (vis. the question thrown at Georges suggesting that he had misinterpreted the myth!). I was reminded of Bruno Bettelheim's book, *The Uses of Enchantment*, where he took the archetypal images

from Grimms fairy tales and offered a psychoanalytic interpretation of these stories. Claudio Deschamps later in the Conference suggested that the *psychoanalytic* was in some sense anti-democratic with its reliance on the *Oracle*, again a link with the world of Greek mythology and the way in which it is has been used to give meaning to our respective but similar worlds.

Finally, Georges reminded me of the paradox that increased freedom has a way of locking people up. His focus on the tension between the private and public, referred to by me earlier with my comments about agency and structure, allowed for a reflection on the struggle today for all of us in the field of family support where the demise of Grand Theory in the face of post-Modernism has offered a freedom of a kind whilst also creating anxiety from the loss of long-held beliefs and certainty. This, for me, was one of the most interesting elements of the presentation, where I had to struggle with this internal dialogue.

It was clear, when we broke for dinner, that we had already been fed well, at least intellectually, given what I took to be the energy in the entrance hall and patio at Valpré, as well as the dining room when we were feeding ourselves in a different way! The way delegates remained in the dining room, with the last remnants leaving well after 11.00.pm, spoke of the enthusiasm and interest generated by the whole of this first day.

Keynote Presentations, Thursday

Thursday morning dawned bright both in climate and Conference offerings. Judge Ina Gyemant's presentation, from the perspective of law and its impact today in California, continued this intriguing theme of the struggle and tension between the personal/private and the public. Her examples of what constitutes *family* today were intriguing and challenging, not least in relation to traditional views of who should and could be parents. She told us of the developments in parenting, particularly for gays and lesbians, and what impact that has had on basic and traditional matters, such as who is a father, who is a mother and who has rights over the child.

I was struck by her comments about seeing the best interests of the child as paramount, within the context of judgements she has made in family courts. This principle has been enshrined in Children's Law in England and Wales since 1989 but, as with many good intentions, has not been the perfect solution that those who drafted it thought it might be. What was missing from that legislation, to my mind, was the absence of clarity about parental rights and responsibilities, the very issues that Judge Gyemant offered us as evidence that making decisions and creating family policy is no easy matter.

She further touched on domestic violence and the roles, rights and limitations for grandparents. It was amusing to hear of how confusing a modern family might be where a child can possibly have eight grandparents! However, what was also represented was the potential confusion, pain and upset for the child in trying both to understand and negotiate a passage through this modern family morass. This was also further evidence of how democracy might not be such a perfect solution for many people, especially children, using Georges's idea of participation in political life, since children are excluded from this opportunity worldwide! (This matter interestingly raised itself in one comment from the Group Discussions Considering the cross-cultural impact and incidence of domestic violence, I was reminded of how we are all similar, in our many cultures, if we only but scratch the surface. Whilst there is a comfort in some of this, it nevertheless does not solve the problem of what to do about such a worldwide phenomenon, with most violence directed by men at women and children. Again, we return to the concerns and images of patriarchy and power, tempting anyone to wonder whether the institution of marriage is possible in a democracy, whilst noting, as Claudio Deschamps suggested, that the post-modern description of this age-old institution is better described today as a *relational network*, certainly an expression that might better describe the new family structures that Ina Gyemant offered us.

The final keynote speaker on Thursday was Professor Claudio Des Champs, from Argentina who addressed the Conference from the context of therapeutic work and family life much attacked by a regime that was far from democratic in its operation. Claudio spoke to us of the disruption of family life, in all its guises, as a result of state violence, thus setting out the impact of the breakdown of democracy. The familiar stability that many of us take for granted

had been removed violently and the net consequence of this disruption was the increase in drug abuse, violence and the breakdown of relationships. It's an interesting concept – that the macro-community is responsible for creating the conditions for micro stability and order. Interestingly, with strains of Orwell's *1984*, Claudio also described the attack on thought and intellectualism.

I found myself reflecting on my gratitude for not having suffered any of this in my life. It put into perspective the debates and disagreements about different therapeutic approaches that I had witnessed and taken part in. None of it had any meaning or reality compared to that which Argentines had suffered in recent times.

In relation to the theme of the Conference, Claudio then introduced an interesting notion – the rise of couple and family therapy as a representation of the rebuilding of democracy and openness. He cited the basic presumption of family therapy, that an individual is unlikely to be the problem, at least on his or her own, and that this therapeutic approach has something inherently democratic in its perspective and operation. As further evidence, and making a link with Georges Eid, he noted how psychoanalysis, going to the *Oracle* or expert, seemed at odds with this democratised therapeutic intervention.

The notion of democracy as an eco-system is an interesting development, not least since all of nature seems to opt for homeostasis, or balance. Our problem is in not understanding that balance means just that – it doesn't mean level. But, an increase towards a healthy balance is critical for therapeutic work, and there is, therefore, the question of whether the state has a responsibility to provide this basic human need. The increase in therapeutic work in Argentina reflected by the increasing balance at the level of State should not surprise us. I was reminded of being criticised some time ago, when working in the Child Guidance service, for dealing with a benefits issue for one of my clients – it wasn't purely therapeutic I was told. I had reasoned that unless there was food in the stomach and a certain lessening of levels of financial anxiety, then food for the intellect and emotions would be inevitably ignored! It's a somewhat prosaic example compared to the issues prevalent in Argentina but I think it makes the point.

At this point in the Conference programme, we moved to the more active involvement of delegates in the Workshops and Discussion Groups. It is invidious, even foolish, to try to reflect here what happened experientially in these diverse settings. However, I will offer some selective comments gleaned from the Workshops, based on what those moderating the events have said. I invite you to reflect for yourselves on your own experiences, and enter into a debate (this is democracy after all!) or personal contemplation on what happened.

1. *Mediation and its impact on families breaking down, led by Liliana Perone.*

It is within the framework of relationships that individuals learn to be human beings. In effect, relationships enable individuals to internalise rules, norms and the law. These processes of 'apprenticeship' are necessary if the individual is to acquire a personal capacity to live within society. It is only in these ways that the individual is able to become an agent for the communication of a culture or, alternatively, for breaking from it. Family mediation is one of the means which society offers to safeguard (key) relationships and thus help maintain them.

Comment: One striking and interesting perspective that was offered was of not making the mistake of assuming that any couple are at a similar stage in their own personal and relational development. Many problems arise because couples are at different stages, and this is compounded if the mediator fails to take note of this.

2. *Deprived Families in Europe – 4th World Families? led by Matt Davies.*

The workshop focused on the situation facing families experiencing long-term poverty in Europe as highlighted in a recent pan-European report published by ATD Fourth World, "Valuing Children, Valuing Parents". There was an overview of the challenges poor parents face in bringing up their children, particularly the difficulties they face in accessing preventative support services, leading to families experiencing persistent poverty and living in fear of being separated due to child protection intervention. The

workshop also looked at examples in Europe of how poor children and parents can be supported to remain together as a family unit to meet the challenges of poverty.

3. Civic Marriage and Community Support to counterbalance certain impacts of democracy, led by Dagmar Kutsar.

During the second half of the twentieth century, the family as an institution underwent a number of major changes in Western societies. Nuclear families replaced multi-generational families as the dominant family form. The patriarchal model of the working husband (head of household) and housewife was progressively replaced by a more egalitarian family with both partners in employment. Remaining single and living in one-person households became an acceptable alternative to founding a family. New principles of child centred-ness have gradually been introduced into family policy in several European countries. Children are more than ever given a priority and power in family-based decisions while decision-making has gradually become individualised and stayed over community interests. The marriage-based family is, however, likely to remain as a traditional construct. The family is where we learn to be human and to be citizens. How does the democracy work in the family decisions? How human rights are respected or violated in the family? Can a child's voice be heard between the family and the community? Can responsibility and control be balanced in the family, between family group and the community? What are the links between community support and family organising? Can civic marriage and community support counterbalance certain impacts of democracy?

Comment: The workshop did indeed offer the opportunity to reflect on the issues set out above. However, what was striking was a statement that finds its form in many different cultures and societies in relation to the definition of family policy, the "best interests of the child". Another important matter, possibly tapping into a concern expressed in the Discussion Groups, was policy and service determined by the "State helping those who help themselves". Finally, it is noteworthy that, possibly again, women are becoming more visible, with men disappearing!

4. The impact of Democracy on traditional African Families and Communities, led by Zama Mabaso and Simone Bavery.

This South African model is based on a negotiated democratic constitution having as a foundation the Bill of Rights and the Freedom Charter. The workshop focused on the rights and freedom enjoyed by traditional families and communities ten years after the first democratic Government of National Unity was elected. The workshop also focused on: the traditional families and communities values (Ubuntu); their basic human rights; their rights to free education and health care; their rights to land, housing, water and sanitation; the pursuit of a culture of democracy in communities, social relationships and family life. In relation to this, the role of NGO's and CBO's in educating families and communities towards democracy was explored.

Comment: The workshop leaders gave a social and political history of South Africa from pre-historic times to the present, illustrating what was called "a double-barrelled country in transition", moving too fast to assimilate. Within the workshop, and related to a comment from one of the Discussion Groups about the importance of siblings, it is striking that the terms *brother* and *sister* are used more than *uncle* and *aunt*, perhaps stressing the importance of close family. Also, whilst there have been some big and helpful changes, some things remain the same, for example, children having to walk long distances to school. And the ever-present problem of domestic violence is prevalent, with no immediate and obvious solution, as is the problem of HIV/AIDs. The political democratic solution is also different from many Western processes in that elected individuals are responsible to their Party and not to those who elected them.

5. Enriching couple relationships through understanding gender roles and equality – developing new models for marital distress prevention, led by Helena Hiila and Vuokko Malinen.

Finland's marital laws are liberal and gender equal. The large number of divorces has made marriage a secularized institution. Although there is information about the characteristics of sound relationships, couples in each generation have to solve their

marital cultural problems themselves. Finnish society promotes an active role of the father in children's lives from the very beginning. However, only a small percentage of fathers use the opportunity to share the parental leave, although numbers are slowly growing. The latest research shows that a good marital relationship improves good fatherhood, whereas a fragile marital relationship weakens the man's role as father. The Family Federation of Finland strives to enhance and support good marital relationships as the "first home" of a child. This workshop presented project activities and how these activities meet the needs of male and female clients.

Comment: The workshop leaders described how they brought a trainer from the Gottman Institute to Finland to help them develop a programme in educating couples in Relationship skills. This programme had been piloted recently and was held over two subsequent Saturdays. The feedback from the couples was extremely positive even after the first session. As a result they were intending to run the programme for couples in several centres throughout Finland. The participants were curious as to how the programme was marketed, as it is often very difficult to get couples to participate in programmes seen as supporting relationships. It is believed that the success of the programme was because it was described as skills training, and this was seen as less threatening than Marriage Enrichment.

Keynote Presentations, Friday

The Conference thematic structure, shadows and light, was leading us, by Friday morning, away from the penumbra (not a reflection at all on the enlightened and vibrant presentations of Thursday!) into the *glow* of solutions to these well documented social issues that practitioners, the judiciary, academics and policy makers were having to struggle with.

Professor Jan Walker, from the UK, addressed the Conference on the subject of family support that focused on public concerns set against the realities of everyday living. Whilst the perspective was drawn mainly from the current situation in the UK, it appeared as if Jan spoke to most delegates, mirroring their experience in their own culture. A major UK concern is the level of divorce and family breakdown and it is interesting to set this fact against that presented by Claudio Des Champs, that political and societal unrest make for family breakdown. Indeed, Jan suggested that much of the current situation might be because of democracy, or more choice. What was noticeable about her presentation, however, was the first real and sustained focus on children in the Conference. Whilst relationship break-up may not be so pleasant for adults, they have at least some choices and options in the situation. Children are different in that they are always the unwilling victims of adult breakdown. The picture offered was inevitably driven by concerns and policy directions in the UK at the moment, where the *Every Child Matters* agenda is driving most family welfare intervention.

Another difference offered by Jan's presentation was the focus on the growing phenomenon of the roles and rights of fathers in the UK. In many ways, this element of family structure is related to the themes returned to by other keynote speakers, that of the massive changes in family structure and power. Many of these shifts are a consequence of more than one element in current society – changes in the law, equality of opportunity, the economy and the pressure on both parents now to earn.

The future suggests that the traditional family will tend to continue to diminish in number and Jan offered the statistic that 20% of couples could be cohabiting by 2025. The Civil Partnerships legislation in the UK, offering similar rights for gays and lesbians to married couples where a partnership is entered into, may be followed up by similar changes to support those who cohabit. Does this matter? From one point of view it is questionable whether it does. What is clear is that these changes are driven by the search for *family* and, by those who make the laws, an opportunity to achieve this. In this there is some comfort and hope, in that family structure may change, but the concept of family as the fundamental unit in society remains constant.

The second keynote presentation of the morning, offered by Professor Anandalakshmy of Chennai, India, provided me with a number of poetic and philosophical reflections on family. She noted how the word *parent* has become a verb! I was reminded of Paulo Friere's work and ideas, especially iatrogenesis, making me pause and consider my own, and my own

organisation's possible contribution to family and adult breakdown by its unwitting practice and developments. She gave us a new disease, that of *Affluenza*, or the pursuit of more. And, I felt a certain level of nervousness in the laughter from the audience when she suggested that Democracy is a semantic problem! With such a diverse group of people from so many cultures, maybe we all missed an opportunity to wrestle with this idea at this point.

However, she also offered something of a counter to what we had heard thus far, telling us that marriage was still a great fixture in Indian society. She noted, however, that globalisation was taking its toll on tradition, especially affecting language that is changing and disappearing. She also seemed to agree with Jan Walker in reflecting on the economy and its impact on family life. Indian parents seem to have similar pressures that their Western counterparts have in terms of having more, giving more and expecting less back.

I was, however, taken by her notion of that which marks us out from other animals. We have the longest childhood, and whilst that might have some negative connotations in relation to dependence, it does allow for the inculcation of ideas and culture. It offers hope in terms of what we, as parents, can teach our children and, in turn, what they can teach theirs. The notion of sharing parenting, in many informal ways, certainly part of the society that I grew up in and now mainly absent, also gave me some hope for our future in the work we all do to sustain family and relationships. It also offered an antidote to yet more parenting programmes!

The afternoon workshops on Friday followed the theme of light and the solutions being offered in different parts of the world. Again I offer the reader a short extract or comment to provide a flavour of the experience.

6. *Democracy as an Opportunity for the Family, led by Paul de Viguerie.*

Democracy is doubtlessly the political regime which best enables the principle of the support system to function that naturally puts the family at the centre and origin of all economic, social, cultural, educational policies. "Support system" means respect for and acknowledgement of the capacities of each community to act and express itself. Therefore in France the multitude of family movements, far from being a handicap, highlights the capacity of the family to be responsible for itself and to take care of education and inter-generational solidarity. Democracy in its turn allows each family to make free choices between the responsibilities of family life and professional life, between the parent's role as educators and as partners. This reciprocal acknowledgment of families and democracy is never obvious but requires constant efforts of vigilance and governance, so as to ensure a growing trust even towards the poorest families. Without it, the family and democracy both lose out: the family becomes dependent and democracy drifts towards a latent totalitarianism. This workshop allowed for a discussion on these themes.

Comment: One particular concern of ICCFR has been to create an environment conducive to sharing and learning between the representatives of families, social policy advisors as well as those directly involved in family support. This workshop created both practical and ethical opportunities which allowed efficacious working and the space to share problems that are present in the everyday lives of families. It was shown that the French system, from within a first-rate democratic system of family support, had great merit. The basic question related to well functioning organisations giving aid and representing families as the democratic organisational structure that allows the expression of the needs and rights of families.

7. *Relationships between the print media and families in the context of democracy, led by Agnes Rochefort-Turquin.*

How does a press group like Bayard Press, which publishes newspapers and magazines for readers of all ages from small children of the age of 1year (Popi) to seniors aged 85 years (Notre Temps, Vermeil, Pelerin), see it's role in relation to family structure? How does a Catholic publishing group envisage contributing to the strengthening, the support and democratization of family ties within a democracy in which family models are evolving rapidly? The options available when tackling such

issues, and the editorial decisions taken, were examined through the use of case studies.

Comment: There is an energetic and fascinating response being made by Bayard Press to aiding the family and their members of all ages in France today. What was particularly striking was the number of cartoon books for young children focusing on relationships and their difficulties, and possible solutions. It offered a creative, substantial and unusual response to family difficulties, and a challenge or support for traditional family interventions. How many of us adults now get a story read to us? It reminds us of the importance of story-telling and the impact it has both as information exchange and also an intimate time between children and parents.

8. Democracy and Change: solutions found by the family system through migration and flight, led by Charles O'Brian.

We live in a world where migration is a common occurrence. Whether forced or voluntary, millions of people every year leave their homelands to live elsewhere. Families have to adjust to different social, economic, cultural, religious and political systems. The stress and disruption to the family system and to family life cannot be underestimated. The family is an open system with permeable boundaries, in turn influenced by the external world and in some small part having an influence on it. This relationship between the family and the ecology that it inhabits is one that develops over time and across generations. This leads, in some part, to a synchronicity between family life and the world outside. For example democratic social norms such as gender equality and the rights of the child are values replicated in the family system. What sense do families from a very different tradition transplanted into this new ecology make of these values? Do they experience them as liberating or persecutory? This workshop, through the sharing of information and ideas, case discussion and structured exercises gave participants an experience of what it is like for the migrant family in our democratic world.

Comment: The presenter contextualised the workshop by sharing information with the group on his own experience of immigration. Most immigration generally reflects families seeking better circumstances, often economic in form. Refugees, on the other hand, are those immigrants who are seeking escape from life-threatening circumstances (poverty, violence, famine, etc.). For families who do migrate, first generation immigrants tend to be pre-occupied with survival and family stabilisation, with resulting *secondary trauma* issues arising in later generations.

9. Approaches to applying Brief Strategic Family Therapy for drug users in Russia, led by Olga Tousseva.

BSFT is a therapeutic approach based on structural family therapy that deals with early drug abuse among teenagers. It was developed in the USA, and, as any intervention, needs adapting to a new cultural setting for its successful implementation. The workshop provided a short introduction on the current situation of family structures in Russia, as well as an outline of BSFT, research findings, explanations on why this approach is useful when working with families in transition and how it can be applied and adjusted in Russia.

Comment: The workshop presented a study identifying comparative factors in the Russian population (moving from a socialist system to a market economy) to the Latin American migrant population of the USA - on the basis that the drug use was a 'dis-adaptive behaviour pattern'. It was suggested that there is a need for effective brief interventions, which have an educational component, about dangers of HIV/Aids and viral hepatitis and which focus on harmonising relationships between parents and the adolescent drug users. The family therapy approach has been found to be more effective than individual counselling and group work because of the family involvement and assistance provided to all family members - improving communications within the family; parenting practices and parental leadership in managing adolescent conduct problems; associations with anti-social peers, allowing for a greater sense of connectedness for the adolescents and encouraging more accountable behaviour.

Keynote Presentation, Saturday

Professor Marie-Claire Foblets, from Belgium, delivered the final keynote paper, on Saturday morning. The Vienna Open Forum had suggested that it would be useful to have a synthesis of the Conference, and Marie-Claire bravely agreed to attempt this task. She arrived, therefore, at the Conference without notes, slides or the usual paraphernalia associated with a keynote presentation. She attended keynotes, workshops and discussion groups to gain a flavour of what was being discussed and digested. Her presentation was remarkable in its clarity and also provocative, in that she offered her own reflections but, in a true democratic style, asked delegates to offer their own, and thus provide an even more rounded synthesis.

Naturally, such a presentation is difficult to represent – it is possible only to offer a reaction, so what follows is certainly not a synthesis of a synthesis! I invite you, the reader, to continue this dialogue either with colleagues, other Conference delegates that you are in contact with, or with your self in an internal dialogue.

I would agree with her opening remarks that the Conference topic was large and broad. The boundaries were difficult to define, leading to an inevitable diversity of definition, characterised either by absence or over complication. The richness of the cultural mix of delegates also meant that the many different experiences of democracy made for a problematic, if fertile, meeting of minds.

It seems clear, though, that for families and the couple, the increase in democracy has generally meant an increase in levels of equality, the liberalisation of roles and a general increase in secularisation. The role that religion has played, for example, has decreased, and with it some elements of certainty, even if there was an oppressive element to some of these.

Clearly, the democratisation of thinking about family and couple has led to the development of other models, with the consequent wane of the nuclear family, itself a seemingly problematic structure in many cultures not too long ago. However, the new ways of thinking have led to flexibility of family structure, in part chosen, but also driven by this flexibility. It is ironic how these new structures, themselves innovative and creative at inception, quite quickly become *traditional* sociologically and demographically, if not emotionally also! This maybe alludes to the exponential nature of change in our lives in the last one hundred years, and the difficulty of holding onto some kinds of certainty, though the pursuit of this latter element has not diminished.

She noted also the increased number of family models in our societies, with different family members taking on increased responsibilities. Notably, and mentioned often by speakers and participants, was the role of grandparents today. The impact of migration on families cannot be underestimated either, with some family structures thrown into a form of chaos, at least initially, when coming to terms with a new environment, and particularly where the political system is different.

Her references to the impact of the technological revolution I found very interesting, and the impact of the *electronic age* on life, culture and role definition. In that, she mentioned the seemingly growing rise of autism, and its consequences. I was reminded of a young boy I know who lives in the north of England where there is a very strong northern regional accent. This boy speaks with an American accent though he has never set foot in the United States – his language all comes from Disney and other cartoon channels he watches on TV! I was left feeling that we minimise these impacts on our ways of life at our peril, and it did bring back to mind Ananda's comment about the apparent continuing strength of marriage in India, but of the growing impact of globalisation and subsequent problematic change that will ensue.

It is also true that the increase in democracy has led to a rise in the number of different therapeutic approaches. The keynote speeches and workshops themselves were testament to this fact. If democracy has choice as one of its inherent elements, then the *customer* certainly has more opportunities nowadays. Quite how this choice is made can be difficult to infer.

Interestingly, she commented on the democracy in action she had found in the Group Discussions. I found this a notable comment, as I have been one who has at times questioned the role and function of these settings. The rich reflection and the opportunity for all to contribute in a smaller setting, and be listened to, perhaps is something we should guard carefully.

The loss of certainty and order that she commented on, particularly in Europe, probably touching the majority of people present given the preponderance of Europeans at the Conference, is notable. She coupled this with the problem of how people commit, which might be a reflection on the increased levels of relationship breakdown prevalent across the world and is certainly a European phenomenon.

In the UK at present there is an increase in the involvement of fathers, and a development in the impact of father's groups on policy, family life and debate generally about family. I had noticed in this Conference (and also in the Conference in Vienna in 2005) the discussion about the process of filiation, focused on identity and identification. The place of the child was very much part of our discussions, though often by implication rather than direct comment. However, for good reasons, and for ones that are not so good (viz. paedophilia) children remain the focal point for adults. Many if not all of our family laws, and policies, tend to be driven by the needs of children rather than those of adults.

It would seem that a corollary of democracy is the increase in definition and codification of Human Rights. The increase in laws and subsequent rights has been driven by different identifiable groups in the last few decades – women, children, gays and lesbians, significant others, etc. The challenge, it would seem for all of us in the Commission, is to try to second-guess the next grouping so that maybe, for once, the law is not playing *catch-up* with life. For me, also, I have continually to remind myself that changes in law do not lead directly to changes in behaviour or thinking. One of the strengths of this Commission is its opportunity to allow for such a change in attitude when reflecting on the experiences of others within the Conference setting: another precious element of ICCFR/CIRCF, I think.

Finally, I thought that her reflection on the role of the State was fascinating. How do we define the dynamic relationship between life and law – set out in the four normative orders that Marie-Claire suggested (accepted, negotiated, imposed and rejected)? How do we curb the worst excesses of over-intervention whilst enjoying appropriate protection? It is clear, from her observations, that all of us are struggling in our own communities with these dichotomies. The richness of the Commission's membership clearly allows us to continue to struggle, debate and learn from each other in that small *democracy* that comes into being each year with the Conference.

Group Discussions

The Group Discussions ran throughout the *life* of this Conference and yet again provided the time and opportunity to debate, think, listen and learn from others. As with the Workshops, I have no intention of attempting to record what happened in these settings. You needed to be there! However, the Group Leaders did collate findings, reactions and reflections that I set out below for you, the reader, to engage with in whatever form seems appropriate:

- The group structure allowed for an information flow and the sharing of ideas in a safe setting; This was important as there were strongly held and divergent views in some of the groups.
- Does democracy naturally lead to debate or dialogue, and which is preferable?
- Democracy is difficult to define, is not conflict free and does not necessarily lead to equality.
- Setting a balance between the private and public can be very problematic, and open to debate. For example, how far should services or development go in search of fertility?
- Relationships need investment all of the time, from a number of different perspectives - social policy, education, individuals, etc;
- The impact of new technology on relationships should not be discounted, aiding the process of remaining in touch with others, or never being out of reach (?!).

- Should children be part of ICCFR or have their input into Conferences?
- Does the family actually allow for democracy because of the struggles between roles, for example, between parents and children, men and women, parents and grandparents?
- Is the family inherently undemocratic as an institution?
- Multi-parenting is an important element, but the role of siblings and grandparents must also be given credence and support.
- It is very difficult even painful to talk about the different roles that men and women have as parents.
- The issue of filiation has become very important, as well as the matter of trust between parents – how do fathers ever really know if they are the father?
- There is a need to explore the differences and similarities between mutuality of “genetic” and “social” parents.
- There is a great value in the difference between the genders, and it must be remembered that both focus on different but equally important perspectives.
- Regardless of the high incidence of family breakdown, children are very resilient to change.
- Attachment theory is important but it must also be remembered that there are other attachment relationships that are as important as the parent-child one.
- It is important that the focus on troubling or troublesome families does not lead to stable families being left behind or under-resourced.
- How can democracy be achieved between service providers and clients?
- There is an inherent problematic feature related to family support in that the power dynamic is always present thus potentially denying genuine, shared meeting between practitioners and families.
- Service provision needs to be examined in the light of new thinking – for example, men appear to access services dubbed skills development but not those called counselling, suggesting a marketing problem at the very least.
- There is a need to understand how globalisation is affecting everyone in relation to social and family policy, but clearly some more than others.
- It is obvious that creativity and flexibility are present in families and family structures but this is to different degrees in different parts of the world.
- Gender inequality still seems to be a real feature of life particularly in the Third World so how is democracy compatible in families?
- The conservative view that the family is dying; the liberal view that the family is changing and adapting.

By way of process, the bi-lingual group had decided to feedback in a different way from the other four groups by giving all members of the group a *voice* (democracy in action possibly?) where all had the opportunity to speak, for different lengths of time, and using innovative methods of feedback. My very favourite comment from the feedback provided by the Group Facilitators, and one that could provide us with a very useful if not provocative Conference theme for the future was: *Every man and woman is a civil war!* Even a brief reflection on this phrase leads to all kinds of thoughts and ideas in relation to family, policy, relationships and the law.

Conclusion

My conclusion for this report mirrors the few words that I shared at the final plenary. The Conference, and thereby the Commission, provides a wonderful and unique opportunity to wrestle with ideas and be challenged by difference, be it of culture or language. It is always a great opportunity and privilege to spend these four days within this *learning community* to grow together in our own relational network. It is a useful experience to remember that the law and policy does play catch up with the existential reality of family life and that, meanwhile, there is pain in that gap between them. But, and without trying to diminish our differences and culture, I am reminded and filled with hope that we are all of one race and that this goes beyond ethnicity, religion, politics and culture.

Acknowledgements

I would like to take this opportunity to acknowledge a number of major contributions to the Lyon Conference. It would appear to have been a great success, having had a quick look at the Evaluation Report Analysis provided by Simone Bavery.

Firstly, this event would not have been possible without our two partner organisations, UNAF and ISF. In particular, at UNAF, Mme Liliane Liebovitch toiled endlessly on our joint behalfs to ensure a successful conference. Chantal Lebatard, Board member and member of UNAF, supported her in this work. As you will be aware if you have ever produced a conference or similar event, there are many hitches and upsets, and this conference was no exception. However, the team at UNAF worked on as if these occurrences had not happened! Similarly, Professor Bernadette Barthelet, from ISF, filled the gap left by Professor Pierre Benoit admirably and worked with her colleagues prior to the event, and during it, to make it all happen.

The keynote speakers provided a special anchor-point for all of us, and so I am most grateful to the six people who offered presentations: Professor Georges Eid, Judge Ina Gyemont, Professor Claudio Des Champs, Professor Anandalakshmy, Professor Jan Walker, and Professor Marie-Claire Foblets. This work was further enhanced by the Workshops and we are indebted to the Workshop leaders for the time they took to prepare their events, and for the work they then put in during the conference. Equally, the five Group Facilitators provided that final link between presentation, work and discussion to make for a well-rounded event.

The opening session was also a success, and we are again indebted to Professor Bernadette Barthelet of ISF for providing the opening talk during that particular part of the conference. Then, M. Hubert Brin, President of UNAF came for the opening and returned for the final morning session, so I am grateful to him both for that expression of support but also for the support he gave before the event by allowing the two UNAF members, noted above, to work so tirelessly for a successful conference. I am also grateful to the French Government, both national and local. M. Dominique de Legge, representing the French Minister for the Family, spoke at the opening event, and then Monsieur Albéric de Lavernée, Vice President of the Rhone General Council graciously received us all at the Rhone Department Hall on the Friday evening. Both expressions of support made a great difference to the Conference, and having such firm support from the host country is very important to this International Commission. During the opening session, and on the Friday evening, I would also like to thank members of UDAF Rhone for their welcoming and then helpful work as *tour guides* in the Friday evening walkabout in Lyon itself.

The venue proved most welcoming and hospitable and we are all indebted to the Director of Valpré and his staff for the attention to our needs.

Finally, I would like to thank colleagues on the Board of the Commission for their support during the year, and for the work they put in at the Board meetings involved in the planning of the event. During the Conference all worked tirelessly to ensure that matters moved smoothly for participants. In particular, I would like to make mention of Chantal Lebatard and Simone Bavery who worked hard together, and separately, to make our Conference in Lyon happen. The General Secretary of ICCFR/CIRCF, Gerlind Richards, is the person who held everything together both during the year and during the Conference itself, so my particular thanks go to Gerlind for all of this unstinting work.

As I said at the final plenary, all of the work of the above would have been wasted but for the hard work of another group who have gone without mention, the Conference participants themselves. The enthusiasm and energy, humour and compassion, were palpable, and so, yet again, ICCFR/CIRCF held another wonderful Conference because a disparate group of people came together in time and place, drawn by common interests and concerns, to produce a memorable event.

Terry Prendergast
Chair, ICCFR/CIRCF

July 2006.

FAMILY AND DEMOCRACY

Opening Keynote Paper at the 53rd ICCFR Conference

Chantal Lebatard
Union Nationale des Associations Familiales, France

Dear Friends,

The Organizing Committee of our Conference entrusted me with the dangerous honour to guide participants through the theme debated this year "**Family and democracy: compatibility, incompatibility? Opportunity or Challenge?**"

The Family, as we all know since Aristotle, is the element of the social body that plays the role of intermediary between the individual and the state; some even say it is the fundamental element. Others - and this was mainly heard in 1994 on the occasion of the International year of the Family - used the comparison with the biological cell : "*the family is the basic cell of society*" The comparison was abandoned later but it described to some extent the interaction taking place between that fundamental element and its environment, including the socio-economic perspective. In others words, from the very beginning of our reasoning, we ask this question about the possible existence of a relation between political organisation and family organisation: is the family determined by politics or is it the determinant of politics?

In order to speak more precisely about the subject of democracy in a society characterized by individualism and a tendency to withdraw inside the private sphere for the sake of freedom and equality of choice, values and individuality, we may wonder if the social upheavals observed in the majority of our contemporary societies have impacted on the mentality of the individuals that compose a family, or if they have transformed the family into a group centred around a certain affective and protective intimacy; and again, if that intimacy was at the origin of social and cultural developments.

Family and Democracy : opportunity or challenge? And for which of the two?

I. Family and democracy : which relations ?

In "*About Democracy in America*", Tocqueville makes a distinction between aristocratic societies and democratic societies, and compares them by using the figure of the Father. In aristocratic societies, the figure of the Father is central. Society is exclusively governed by the Father who has not only a natural right but also the political duty to command. The Father is both the author and supporter of the family, its major authority and judge. In democratic societies, where "the State extracts each individual from the middle of the crowd in order to bring him under the control of common laws", there is no need for a paternal intermediary: according to the law, the father is only "a citizen older and richer than his sons". However, Tocqueville pursues his analysis and shows that the evolution towards democracy replaces laws and authority by confidence and attachment. "The natural link is strengthened while the social relation becomes loose".

As already indicated *inter alia* in Tocqueville's analysis, some family systems are incompatible with certain political regimes. The authoritarian, monarchic family system cannot survive as such in countries where democratic awareness generates new social relations, including those between individuals themselves. The question is to know how the system adapts to the new situation and if the transition is unavoidable. We may understand the concerns of those who base their family model on a rigid theory in which political order is generated and subjected to a "divine" or religious order. To them, the family models proposed by countries belonging to what is called a "more advanced democracy" seem extremely subversive and dangerous as far as social order is concerned. At the opposite end, the totalitarian regimes we experienced in Europe or elsewhere have all been afraid of the family, and constantly tried to destroy it or tightly control it. Hence the following question: if political democracy seems to favour family democracy, does the latter contribute - boomerang like - to alter political behaviours towards more equality and dialogue? Our task is to explore this point.

II. Family seized by democracy

Today, the family seems to be encompassed by that democracy to which it had been totally alien for such a long period. It organises itself according to the same values. Democracy is a system based on the equality of rights and freedom and is characterized by the fact that it merely exists because of the voluntary participation of the individuals who compose it and not as the result of an external constraint. This presupposes a mutual respect with the participation of all the citizens, and therefore a behaviour based on negotiation and dialogue, irrespective of the specific form selected to exercise power or direct participation .

In France, the code of civil law of 1804, sanctified for a long time the concept of the monarchic family whose ruler, "the family head", was the father, holder of the paternal and marital power. Two centuries of evolution - at an incremental pace at the beginning and strongly accelerated over recent years - totally upset family law and led to the emergence of new modes of functioning of inter-personal relations inside families. This type of evolution is common to many countries, although it was not always implemented at the same speed. Each society manufactures its rules and adjusts its institutions, but specific factors are constant:

Equality between married husband and wife was based for a long time, and under the influence of the Church, on the free commitment of goodwill. In France, this concept of equality has recently been marked by the alignment of the legal age of marriage, fixed at 18 years for men and women alike. This equality, as well as the reciprocity it implies, is applicable to all aspects of marital life, patrimonial and fiscal law, including the duty to assist, be faithful and give mutual support. Adultery is equally punishable for men and women. Equality is total, even in the case of divorce and separation. Marital violence is even more unacceptable in this context because it violates the concept of mutual respect and equal dignity of each individual and excludes the opportunities of dialogue and democratic discussion implied by that equality.

Equality between parents vis à vis their children is aspired to whatever the form of marital union between the parents. France has recently rejoined many other countries where each parent has authority over the child and keeps it even in the case of marital dissolution. In France, both parents nowadays enjoy an equal right to give their name to their children; they may choose the name to be transmitted, or decide to transmit both names. There remain some minor inequalities when the father and mother are not married: the father must officially apply for the affiliation and demonstrate his willingness to be legally recognized as the father; in addition, this registration must take place within a fixed period. The mother is *de facto* the holder of parental authority, due to her giving birth.

Emergence of children's rights as stated in the I.C.C.R. and more or less implemented in national laws. Children's rights are more and more frequently monitored by independent authorities: child protector in France, "ombudsman" elsewhere. What matters is the function and the recognition of the rights it implies: for example, maintaining contact with grandparents and some other third parties, and, for girls, medical consultations and access to contraception or even abortion without the need for parental agreement.

III. Today, the family is a democracy

Similar to social and political democracy the family is today a place of dialogue and negotiation. It results in each family being singular due to the specific nature (chemistry) of the interpersonal relationships that are generated, and the creativity that governs the management of these relationships. This is a real challenge for those who try to intervene in relationships to help couples, families, or individuals to live better within these relationships.

Their common basis is *affectiveness*, the only contemporary foundation for "living together". Sociologists belonging to different countries consider that affectiveness is a major element

irrespective of social environment, although forms may vary according to environment as well as the importance given to dialogue in inter-personal exchanges. We are witnessing a homogenization of relational modes and their difficulties. Today the "success" of a relationship is exclusively measured by the intensity of feeling, and many couples fail to maintain their marital relationships at the level of affective intensity required and conclude that their partnership is ruined. This intensity is concentrated instead on the parent-child relationship. Presently, a child is usually born from its parents' desire, from a concordant and negotiated expectation selected among other priority wishes. Therefore, a child occurs later in the life of the parental couple and becomes the object of an unquestioning attachment. Its success is primordial and deserves all the efforts of the parents; the child's pleasure is sovereign. Very often, this lies at the heart of family decisions, including those concerning the child's education.

Dialogue and negotiation make it possible to find relational modes void of conflict, in which everyone seeks to feel comfortable. Family becomes a space where one is accepted and loved for oneself. Solidarity, sharing, exchange are naturally anchored and cocooned in that space by the family. Young adults no longer wish at any cost to leave that family nucleus, where life is so nice and everyone feels free. (There remains the question of domestic tasks, not always in harmony with the equality proclaimed, but let us remain silent on this point - old models die hard!). Are we going towards an "associative family" as suggested by Michel Fize a French sociologist, or towards what François de Singly calls a " conversational couple " ?

IV. Today, like democracy itself, families live in uncertainty

Time erosion. We live in a world characterized by short-lived, instantaneous events. We need immediate satisfactions. It becomes impossible to wait. Tomorrow does not exist, only today matters and it is already past and must therefore be thrown away. How shall we build and maintain a family life, strongly establish a relationship, if we believe that tomorrow we will be different from today, and if we do not believe in a certain continuity in our feelings? Children need time and constancy in order to build themselves; they need stable affective and cultural landmarks, words that are repeated so that they settle in memory. In the case of human beings, transmission takes longer than a simple programme loading on our computer. Are "sustainable" family relationships possible? Are the flexibility and mobility of relationships between adults, of conjugalities that appear and soon disintegrate, compatible with the unconditionality and permanence we wish to give today to the relationships between parents and children? What about the myth of a "parental" couple that would survive beyond marital status and enable both parents, irrespective of new relationships formed elsewhere, to jointly remain the decision-makers about what is good for their common child? Is this reasonable?

Economic and financial globalization as well as the globalization of knowledge have an impact on value systems and references. Ongoing comparisons between various models from time to time leads to confusion. Everything seems equal, nothing is of value. The loss of identity generates unease and ill-being, and also passivity and indifference. Too many models, too many speeches, nothing sustainable or strong: this leads to the undermining of identity .

On the other hand, *the era of distance and instantaneous communication* and of virtual and digital technology weakens the links between individuals instead of consolidating them. Cellular telephones are dangerous liaison officers. They can be "double agents" in that they simultaneously link and de-link their users: you are both present and absent, immediately available, but also elsewhere and for other people, because it is possible to contact you irrespective of your work, place, time and hour. And this is only a beginning: according to a recent survey, mobile telephone operators indicated that, in France, more than 1% of children under 2 already have their own cellular telephone. The umbilical cord is being rebuilt.. Facing that situation, what access to autonomy, and what space for personal construction do we leave our children if we are able to call them anytime and everywhere?

The world lives and communicates on-line. In this way, new truths are being revealed: those of the Net, a fantastic source of information, of knowledge transmitted differently, but for which our societies are still busy training users who still have no critical judgment, no capacity

for interpretation, and who are "illiterates". This can result in technological fracture and difficulty of access; a digital fracture between individuals and generations that can be felt everywhere, including in families.

Allow me to also evoke the virtual universe and the numerous games it offers. We may agree that the tyranny exerted by the images and words appearing on the "Net" may undermine our social democracies as well as our family democracies by undermining the capacity for adhesion and relationship between individuals. Of greater concern, the increasing *individualism* we observe in our societies undermines voluntary adhesion and the capacity for negotiation necessary for our common good,. Our democracies seem to be sick; they disintegrate; our will is eroding; we experience a loss of confidence in ourselves and in our capacity to commit; an indifference towards common good develops, and an apathy whenever we have to build our future; we tend to relativize models to constantly insist on our freedom of choice and to immediately question that choice in order to make another one; we are unable to take others into consideration and to help them. These are the evils with which our societies are confronted and which lead us to have some doubts concerning the sustainability of democracies, even more since they are characterized by the exclusion and rejection of the weak and different. At the end of the day, we remain exclusively selfish! *Is loneliness the consequence of democracy?*

Obviously, we know the weakness of the Other, we are aware of it, but in a compassionate mode, without sustainable commitment, in the name of a certain fraternity or equality of rights. It suffices to look at the huge outbursts of solidarity during a tsunami, and at the meagre achievements made in our reaction to fulfil the objectives of the Millenium.

At the same time, identical evils strike families: the growth of affectivity and demands of individualism generate new relationships and family structures. The filial link between a man and a woman and the child they create together, as well as the name, seem to disappear in favour of elective relations based on individual will. "My parent, my child, is the one I choose as such". The elective family is based on the strength of feeling which inter-connects individuals and no longer on "natural" or institutional relations. In the present situation, we even require that society recognises and validates these links in the name of the equality of rights and respect for persons.

How far can we go along this way? How far can a democratic society accompany the mutation of family structures without being influenced in return? This is another theme to be discussed during these days.

V. What consequences for our practices?

At the beginning of my lecture, I wondered about the relationship between family and democracy: was it one of opportunity or challenge? If we go further and look more deeply, is there a real compatibility between the two from the point of view of professional practice?

Democracy presupposes a solidarity between its members in the name of the equality of rights and mutual respect. Therefore, democracy must create assistance services in order to help the weakest and provide equal access to all common goods. Social assistance policies, services to the poorest and most vulnerable, measures related to the provision of advice, assistance, intervention, coaching - there is a long list of what our societies put in place. But how can we adapt our responses to needs that are increasingly diversified due to the observed development of family life?

As soon as we create responses, and organise and institutionalize them, isn't there a risk that we build them on the basis of standards and models of social control, which will be so much more constraining by seeking to cover all the needs enumerated? In France, we observe a return to the responsibility of parents accompanied by injunctions about parenthood; the obligation for failing parents to attend training sessions, to accept various forms of support and to conclude agreements with local authorities. In this in the interest of their child? Does it satisfy an individual interest? Or is it in the common interest of a society

that wants order, cohesion and security? How can we reconcile respect for democracy with our social interventions? And when this intervention is therapeutic, in order to increase well-being and give a better life, how shall we manage this while respecting democracy at the same time?

As Tocqueville reminded us: "*democracy deals with each individual in isolation*". Is there a democracy that takes into account the family group while respecting its specific forms and relational modes? Or is there a risk in protecting the rights of some individuals against the rights of the others? Does prejudicing some make impossible any dialogue or negotiation about relationships inside the family and undermine the autonomy and "privacy" of that family? Paradoxically, and in the name of freedom of choice and equality, our societies refuse to define rules for the functioning of families that are indispensable to their survival; they refuse to intervene in the choice or support of a specific family "model" and proclaim loudly their non-interference in the modes of establishment or structures of family life that our sociologists never stop to enumerate. How far can we push these paradoxical situations?

It remains for families themselves to make use of the democratic space in order to organise themselves, to voice their concerns and seize the tools put at their disposal by democracy: press, representation, and participation in social life. They may act as established organizations entrusted with the institutional representation of families, like the UNAF in France.

Compatibility or incompatibility between democracy and family? The purpose of these opening remarks is to open up some pathways and to put the issues in perspective. We have three days to reflect over these themes together. Lecturers will explore for us the various facets; workshops will throw light on more specific aspects. Our purpose is to exchange our approaches and experiences, and the cultures and visions of our societies. Each one of us is asked to contribute to the common debate which will be extended in the reflection groups, and also during informal encounters in the corridors and over lunches. Let us fully benefit from this space and time, freely and democratically extracted from our family life, and devote it to our families.

FAMILY, INTIMACY AND DEMOCRACY

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Introduction

From a historical perspective, and until very recently, three key-concepts were used to define what we meant by citizenship: **political** (or access to equal rights within the State); **social** (or access to social rights); **economic** (or equal access to economic opportunities). Now a fourth concept has emerged to strengthen the status of citizenship: equal access to **intimacy** (everything relating to our most intimate wishes, our pleasure, or way of being in this world).

In this concept, we witness the unveiling of our private life, the disclosure of the privileged relationships between the Self and Others, and the value attached to physical intimacy.

I propose to look at intimacy, in the absence of democracy, as something that was impossible or even unthinkable throughout history and which only emerged in the 20th century during the process of democratization. We finally note its consecration in the move from the Oedipus myth to the myth of Psyche and Cupid.

I. Historical Development : from unthinkable to achievable intimacy

In traditional societies, families were inevitably based on marriage, considered as a 'central institution', imposing fixed and distinct rules on both men and women. Marriage was the keystone of the whole social system, both as a political stake (to change potential enemies into allies) an economic stake (to keep or increase one's heritage) and as an individual stake (bachelors had a lower status and a pejorative connotation). Hence the impossibility of allowing individuals to choose their partners freely; that sort of choice involved the whole clan. Marriage was primarily an economic business, in which one was allowed to have a considerable number of children; its purpose was to generate profits in an agricultural society based on subsistence.

The more children available to cultivate the fields, the wealthier people were, meaning that, until the 19th century, the prime purpose of marriage was human reproduction. Sterility was considered as the greatest of all evils because it prevented the accumulation of wealth and even threatened the survival of the group. For all these reasons, marriage and love excluded one another in most cases. Quite often marriage was a sort of logical state of siege or martial law because individuals were forced to work more than 17 hours a day, leaving *de facto* little time and space for love and intimacy. Urgency invaded all the aspects of human consciousness, generating a lack of emotional commitment in the couple, and indifference towards children. Therefore, marriage was an affective regime characterised by a rather low tension.

For many centuries, and under the domination of theology (1st to 18th centuries), marriage was an institution that evolved through minimal sexual experiences. At this point one should remember that according to a certain interpretation of the Lost Paradise, sexual experience was represented by a snake (with its lethal connotations) and viewed as an intrinsic mode of corruption leading to human suffering (Sexually Transmissible Disease) and even death. 'The Snake represents Pleasure; Eve - Senses and Adam - Reasoning' (Gilman, 1989, p.28). Eve, the Temptress and Suborner whose sexual desire threatens Man's reasoning, must be kept under control.

However in the 19th century life expectancy began to increase because of better hygiene and nutrition. For the first time in the history of mankind, generations began to overlap. Personal efforts and investments started to be valuable for men and later for their heirs, as the biological conditions of individualism were reached. Parallel to this trend, in Western countries we go from a monarchic political system to a lay form of democracy. We also observe a shift in the normative and socializing nucleus: religious at its origin, it becomes increasingly based

on human sciences. (One must not forget that human sciences were also powerful factors of secularisation.) Today, if we want to 'confess' we prefer to go to a psychotherapist rather than a priest.

Families, although still based on marriage, and also influenced by democratic ideas, are less and less domestic monarchies. Progressively, they cease to be the condition necessary for our survival and become the presumed place of 'happiness'. The important question becomes not 'how shall we survive together?' but 'how shall we be happy together?'

Marriage, which was a mere arrangement (marriage of convenience), and where sex was only a duty, is now increasingly based on individual choice. Men begin by choosing their spouse, and women to be chosen by the man of their choice. Affective and sexual compatibility is more and more real, and enables us to speak about the emergence of a genuine intimacy in the first half of the 20th century. During more than 50 years, we observe the cohabitation of marriage and love after several centuries of mutual exclusion.

II. Present situation : the emergence of intimacy

Since the middle of the 1970s the number of democratic governments in the world has more than doubled. Democracy has spread to more than 30 countries and at the same time strengthened its position in already democratic countries. This change started in the North Mediterranean region (Greece, Spain, Portugal), then at the beginning of the 1980s permeated through Central and South America (e.g. Brazil, Peru and Argentina). Later, it invaded Eastern Europe and some regions of the former Soviet Union, and in 1989 started to reach some countries in Asia and Africa.

Democracy is a political system that authorizes any adult, irrespective of gender or wealth, to participate in the political life of his/her country (one man, one vote). More precisely, democracy exists *a minima* when several political parties are competing, when there is a free uncorrupted electoral system and a real legal framework protecting civil liberties and human rights (Held, 1989).

In fact, intimacy is at the very centre of private life in our democratic societies. We are convinced, and this has been demonstrated by history, that there is an organic and inescapable link between intimacy (with or without marriage) and democracy because, at least in our opinion, real intimacy cannot exist without a genuine freedom of choice and without equality.

Today, in our Western world, the truly revolutionary aspect inside marriage and families is not to be found in structural or even functional changes but **in the quality of relationships**, in those qualitative links that permeate private life and make intimacy the backbone of the life of couples and families. This change is nowadays so powerful that the concept of intimacy is starting to replace, for some of us (at least theoretically), the family concept as an ideal to be reached (Jamieson, 1998).

How did we come to this situation? As observed earlier, it took us twenty centuries to establish, first in the West, and through a process of liberal democratization, such a freedom of choice and equality, originally between men but also later between men and women. If it is true that for some historical reasons men - because they were the only ones to occupy the public space until the 19th century - succeeded in imposing democracy, we must add that women are today the 'true revolutionaries' since they are exclusively responsible for the consolidation of democracy in the private sphere during the last 30 years. Because of the struggle of women - and this is increasingly visible - democratic values applicable to the public domain are infiltrating the private sphere and progressively changing the rules of the game. That is why we observe the emergence of what the eminent British sociologist Anthony Giddens calls 'democracy of feelings': daily life is increasingly evaluated on the basis of democratic principles. We are obviously struck when consulting experts in political sciences on the one side, and psychotherapists on the other, by the similarity of the criteria used to define good relationships in private life, as well as in the public sphere. As indicated by Giddens, this leads us to believe that if we want to create a world in which good relationships

will be the norm rather than the exception, we must talk about 'democracy' in everyday life and the democratization of intimacy (Giddens, 1999).

Democracy and adequate relationships are based on the following attributes:

1 First and foremost, **equality**: in a democracy or good personal relationship, one starts from the idea that the Other is one's equal. Equality with the Other is the criterion of successful relationships.

2- **Autonomy**: in public and private spaces, individuals are not locked in compulsive or fused relationships, but free to engage in relationships that respect personal life.

3- **Respect** : in both spheres, you respect your partner's needs and interests.

4- **Communication, discussion and debate** in the private sphere, and self-disclosure opening you to the Other and enabling you to fully enjoy your intimacy.

5- And above all, **prohibition of violence**, both physical and mental.

In accordance with this modern version of intimacy, man is increasingly compelled to accept the disappearance of the sort of woman who until recently had to be merely passive or even in a state of rapture and adoration (her Prince charming!). In general, women are more self-assured, more independent intellectually and financially, but also emotionally.

Women want to be recognized as full citizens and to fulfill themselves in both the public and private spheres. Sexual emancipation makes them more demanding in their choices and they no longer simply want the presence of a man in their life, of any man, but only of the man who is up to their expectations. They no longer consider marriage (supposing they decide to marry) as a place for status and survival, nor for protection and financial assistance.

Equipped with increasing material and symbolic resources, women no longer fall so easily into the trap of the mystique of 'services', according to which they were sometimes obliged to serve and make sacrifices until they were exhausted. Today, they prefer to tilt from a status of **inequality in confidence** to that of **equality in defiance** whenever they do not succeed in obtaining equality in confidence (Unger, 1987). Today they are aware that family may also be a structure of power endowed by affect that may render traditional power insignificant (although that is not always the case!), and that their Prince Charming may easily become a domestic torturer.

Symmetrical families (where both partners earn equal wages) are becoming more and more common. We are progressively abandoning the idea of complementarity between genders (which is in practice quite often used for male domination) to adopt, slowly but surely, the concept that proclaims the **interdependence of partners**. Never in the whole history of mankind have the relationships between men and women been so egalitarian and freely accepted than today, but they are also much more fragile. Marriage (or, even more, other types of union based nowadays on intimacy) is neither a jail (divorce is always possible) nor a supermarket (respect for commitment and faithfulness is possible, Hirschan, 1970) but an institution that is increasingly becoming a domestic democracy.

III. From Oedipus to Psyche : a new image

In the wake of all these changes we observe today a new questioning of the Self, a new art of living and thinking that progressively introduces us into a new image: slowly but surely, we depart from the realm of Oedipus to penetrate into that of Psyche and Cupid. If the first placed hierarchy at the very heart of intimacy, the second introduces the concept of equality in the private domain.

A. The Oedipus or patriarchal tragedy

The story of Oedipus is the patriarchal myth *par excellence*, a dominating order in which fathers are at the summit of a hierarchy that governs cultures and institutions, starting from the family. Oedipus is the archetype of all hierarchical narratives, and one which also concerns separation and trauma. For the psyche, trauma is a shock that leads to dissociation: we are separated from a part of the Self, cut into pieces to the point that we no longer know what we know, or feel what we feel. Trauma is the most dramatic expression of that dissociation. This psychological mechanism survives in patriarchal structures and gives us the ability to adjust to the severing of our relationships (i.e. to the utmost hierarchical and inegalitarian relationships whatever the price, even if this should end tragically).

To recap on the myth: Laius, King of Thebes, was informed by an oracle that he would be killed by his son who would marry his mother. To escape that fate, he ordered the murder of his son Oedipus. Jocasta, the mother, incapable of resisting the **law of the father**, joins her husband and abandons her son in the mountains. We immediately notice that the separation between the mother and her son is a demand of patriarchy. This is the starting point of the Oedipus complex: sexualizing intimacy, making it a taboo, linking the liberty of young men to them leaving women (starting with their mother), going away in the company of men and considering any woman who dares resist that separation as a potential Jocasta, the 'unspeakable' mother of Oedipus - although with the difference that Jocasta did not resist (C. Gilligan, 2003, pp.80-81). To be more explicit: the murderous rage against the father and the incestuous love with the mother did not precede but followed, several years later, abandonment by the parents and the sacrifice of their son.

As regards the central hero, the Oedipal tragedy is also a dramatic story about dissociation. Jonathan Lear (1998), philosopher and psychoanalyst, considers Oedipus as a man who takes refuge in reasoning as long as it does not prompt him to reflect on his abandonment. He is determined, at any cost, to escape the reality of what he already partly knows. In answering the Sphinx's question about feet, Oedipus does not even condescend to look at his swollen foot despite it constituting the key to his story.

In Lear's opinion Oedipus corresponds to the description of somebody "**who knows everything**", but who is really a man who is afraid of knowing, who shows a total absence of curiosity because his knowledge prohibits him from having feelings about the world. The dissociation or gap is between knowledge, and the feeling of knowing, knowledge and the pleasure of knowing. He ends up by gouging his eyes, and then his mother hangs herself.

With this dissociation, the pleasure initially linked to vitality, light, love and life becomes the mark of a bad person, irrespective of gender: the mark of a bad mother, one who feels attracted by eroticism and curiosity and drifts away from the values inherent in patriarchy. Patriarchy freezes pleasure: hierarchy pushes us to conceal our vulnerability and sets the code of honour against happiness. If we take a closer look at what happened, we see that on every occasion the father's or husband's authority was challenged. Oedipus is hurt by his father and mother because his fate was to kill his father. Everything follows in a tragic sequence, as if the situation was inevitable. The father's order is challenged (father's control over the son, men's domination over women) and a man, hurt in his self-esteem, triggers the cycle of violence.

B. The myth of Psyche and Cupid or the triumph of democracy

In patriarchal societies, the absence or silence of women is always 'deafening' and their anger is often contained. Today, in our democratic societies based on the ideal of equality, where everyone has a voice irrespective of his/her gender, race or class, the presence of women is increasingly felt. This is even more true since sons more easily challenge their fathers' authority, and new technologies, by giving access to knowledge, reduce the need for a clergy that is precisely based on prohibition of the acquisition of knowledge. We do not mean that patriarchy has ceased to exist in a democracy, but that these two concepts are basically in conflict, and that, for the first time in the history of mankind, democracy is winning in the Western world. The active presence of women in a democratic society contains in itself the

seeds of a transformation into a new civilization that is perhaps no less patriarchal since, as stated by Edgar Morin: "Women are the secret agents of change".

The story of Psyche and Cupid (Apuleius, 1983) is the narrative of the sort of change that leads to freedom, equality and the birth of a little girl called Pleasure. This means that, contrary to the old Greek myths that always ended tragically, the story of Psyche and Cupid has a happy ending, and thus represents the founding myth of a domestic democracy that today replaces **domestic despotism**, the mark of centuries-old patriarchy. Psyche is one of the three daughters of a King, the youngest and most beautiful, so beautiful that she was greeted as the 'New Venus'. According to the oracle her tragic fate was to marry a monster. Venus (the oldest daughter) sends out of jealousy her son Cupid to punish Psyche and make her fall in love with the ugliest of all men. But Cupid falls in love with her! They marry in secret, with the condition that Psyche will never look at her husband's face. He visits her during the night and comforts her with his presence and voice. At first, Psyche respects her promise, but, when she falls pregnant, she is so desperate that she requests the presence of her sisters who remind her of the oracle's prediction (the monster will kill her and her child). She gets up at night with a lamp and a knife, intending to behead the monster. Just before giving him a deadly blow, she looks at her husband's face and discovers that he is far from being a monster and falls deeply in love with him. Some oil drops from the lamp and burns Cupid's shoulder. He wakes up and, extremely angry, leaves her, because she failed to keep her promise.

There follows a series of events, in particular where Psyche, clinging to her love, faces Venus with courage and obstination. Her curiosity had almost killed her, but Cupid - realizing that he would punish himself by punishing her - tries to find her in broad daylight. He succeeds, and understands that he is really in love with her. Their wedding is organised by Jupiter himself, who forbids Cupid from leaving his spouse, even if she disobeys him. Filled with joy Venus dances during the ceremony, consecrating the **first democratic marriage** between two equal and loving partners. Later, Psyche gives birth to a little girl called Pleasure.

Psyche does not behave like Jocasta who, in order to protect her husband, preferred to abandon and hurt her son. She represents the anti-Jocasta who chooses to kill the monster and protect her child and herself. By disobeying her husband and opening her eyes to see with whom she lives, Psyche escapes the Oedipal conspiracy and walks towards equality and freedom, unveiling the power that love has to dissolve hierarchy in all its forms and to generate pleasure. Psyche is no longer bound to that patriarchal logic that constantly asks for more and more sacrifices (submission).

Psyche is a young woman who breaks a taboo by looking at what she is not authorized to see, and by describing what cannot be recounted: she talks about her love story and her lover, just like a child who discovers that to speak, describe oneself and name others is a source of pleasure, desire and curiosity. Psyche refused to sacrifice **absolute love** for the sake of **sacrificial love**, in other words to reject pleasure and to lead the life of the living-dead. She decided really to involve herself in a relationship, to live in harmony (synchronization) with her partner and not to be cast in a mould. Her genius resides in her capacity to resist: this enables her to have her say and maintain her relationship. In a patriarchy, women cannot express themselves in order to safeguard their relationships. By insisting on keeping her right to speak and remaining in charge of her destiny she avoids becoming a mere object, in spite of all her mishaps. Psyche succeeds in resisting the process of dissociation. Through increasingly synchronous interactions with her beloved, through the experience of sexual pleasure, she kept her identity, that holistic unity that does not separate affect from reasoning. Psyche remained in contact with her body as a means of measuring the degree of consonance or discord with the world around her.

It frequently happens following a traumatic event that the victim becomes voiceless and unable to experience pleasure, for example, after a rape. Often, the victim seems to "swallow his/her tongue" and adopts the voice of someone else, generally his/her father: the law of the father has a greater (cultural) resonance with the predominant model. In love and democracy, everyone has a voice that must be heard and respected. The story of Psyche and Cupid. shows a drifting away from the Oedipal tragedy. It is the story of a transition, particularly noticeable at a time when the tension between democracy and patriarchy is becoming

explosive, as clearly demonstrated by the attacks launched by fundamentalists. To liberate love is to free our voice, so that it can convey the whole spectrum of emotions, as well as all the nuances and subtleties of human thinking. This also confers psychological equality, since everyone has a voice and must be free to speak. This argument means that an affinity exists between love and democracy and that love is the psychological foundation of a democratic society". (C. Gilligan, *ibid.*, p.206).

Conclusion:

If the Oedipus myth is the archetype of patriarchy, a story showing the way to hierarchy and tragedy, the myth of Psyche and Cupid is the archetype of democracy, a story showing the way that leads to freedom and equality between men and women. Therefore, we may envisage today a democracy that is no longer based on patriarchy, a family in which partners experience an egalitarian and free relationship, and in which children are respected and listened to.

FAMILY POLICY - HOW IT FACILITATES, HOW IT IMPEDES

**Judge Ina Levin Gyemant
San Francisco, California**

Good afternoon, thank you very much to the ICCFR for inviting me to speak. I am honoured to be part of this gathering of intelligent and accomplished professionals from around the world.

In my talk today I will focus on how family policy, including legislation and court decisions in the United States, affects families, touching on interesting cases and issues that are currently the center of great discussion and debate in my country.

But first I want to tell you about my nephew David:

David is in a committed relationship with Bob. They have been together for 15 years. Bob is a psychologist and David is a very successful writer in Hollywood, California. Four years ago they decided that they wanted to have a family. They went to an agency in Los Angeles, studied books filled with the biographies and photos of women who were willing to be egg donors, selected one, paid her and hired a surrogate to carry the embryo they were about to create. The egg donor was pumped with hormones, David and Bob gave their sperm and soon two embryos were produced. They were implanted and one took - whose they did not know.

When it came time for the delivery, the surrogate came to the hospital in Los Angeles. She was from a sparsely populated and very conservative state in the western part of the United States, so David and Bob did not want the child born there. The two very nervous and expectant fathers were afraid they would have trouble leaving the state with the child, and the one of them who was not the biological father would have problems adopting the baby.

When they arrived at the delivery room the doctor said it would be hours before the baby would be born and they should go out, relax, have dinner and return later. The surrogate asked if they would go with her husband who was unfamiliar with the area and the large hospital complex. David and Bob readily agreed, and the three men went to dinner. When they returned to the hospital after midnight the front door was locked so they were forced to go the back of the hospital where an elderly woman was on security at the door.

She asked where they were going, and they said to maternity. She informed them that only the father could go to the delivery floor. David and Bob looked at each other and said, "We are both the father". The elderly woman rolled her eyes and looked at the other man saying "and who are you?" "I am the husband of the mother," he said. "Right!" she answered and she promptly called up to the delivery room and was told to send all three men upstairs. As they passed through the door she muttered, "must have been one heck of a party".

An amusing story but it highlights the complexity of the family today.

I was raised in the 1950s in San Francisco, California, where our family was lucky enough to be one of the first on our block to buy a television. Through that grainy black and white screen, and at the local movie theatre my father ran with his brothers, I was shown very clear images of what a family was supposed to look like. As befits the cold war era, it was called a nuclear family - a working father and stay-at-home mother with two children, a son and a daughter, living in a comfortable house. On most of these shows, the father and mother slept in separate beds.

Fast forward to 2004, young San Francisco Mayor Gavin Newsom ordered city officials to issue marriage licenses to same-sex couples. As television cameras covered the hundreds of gays and lesbians lined up at City Hall to get married, we see again that what constitutes a family is more complex than the image I was offered as a child.

The U.S. Supreme Court recently recognized that society's traditional definition of the "American Family" has changed dramatically over the past several decades. In a case dealing with the visitation rights of grandparents and other third parties, Justice O'Connor observed: "The demographic changes of the past century make it difficult to speak of an average American family. The composition of families varies greatly from household to household. We see that many children today are born into non-traditional families, single parent families, lesbian and gay families and unmarried heterosexual families. Each of these families contains its own unique composition of parental figures".

And government has been slow in keeping up with changing social mores and technical advances: changes in attitudes toward gays and lesbians, in vitro fertilization, surrogate mothers, sperm donors and more have completely reconfigured the landscape of what a family is and how to form one. No matter what one thinks of artificial insemination and surrogacy, the issue of what a family is and the problem of determining lawful parentage have to be addressed. A child cannot be ignored.

In three recent landmark decisions, the California Supreme Court concluded that children born into gay and lesbian families must be afforded the same rights and legal protections provided to other children. These cases are monumental in that they represent the first reported decisions to hold that parental rights can be established by parents of the same gender without an adoption and without proof of a biological relationship to the child. The California Supreme court is the first state high court to reach this view.

Now let us step back for a minute. A recent article 'Legitimate Parents - Construing California's Uniform Parentage Act to Protect Children Born into Nontraditional Families' reviewed the background of the law and the significance of these decisions.

Here is a summary:

Under the common law, the concern was not for children's interests but the desire to restrict childbearing to couples who were married. This resulted in rules that penalized non-marital children - so-called illegitimate children. Most states denied an illegitimate child the right to inherit from his or her father, the right to bear the father's name and the right to public benefits. Then, beginning in the late 1960s, the U.S. Supreme Court began to strike down all legal discrimination against illegitimate children and condemned in no uncertain terms the practice of punishing children for what they called the irresponsibility of adults. In 1975 in California the Uniform Parentage Act was enacted eliminating the distinction between legitimate and illegitimate children. It bases legal parentage on the existence of the parent and child relationship instead of the relationship between the parents.

The original intent of the Uniform Parentage Act was to ensure the children's financial support from both parents and protect the emotional and physical needs that the children received from existing social and physical relationships with their parents. There never was a problem with maternity: a mother's relationship is linked to her biological relationship with her child. Paternity has always been uncertain, and in 1975, when the act was passed, paternity was difficult to prove through scientific evidence; there were no DNA tests, only blood tests, so legal fatherhood could be based on biological and/or social parent-child relationships and there were certain presumptions of legitimacy in the law. For example, a married man does not need to demonstrate that he is the biological father in order to establish legal parentage; his paternity is presumed by the fact that he is married to the mother. An unmarried man's paternity can be based only on scientific evidence that he is the biological father through blood, DNA tests, or proof of an executed and filed voluntary acknowledgement of paternity or on evidence showing that he 'received the child into his home' and 'openly held the child out as his own.'

Now in alternative families we see courts liberally construing these same provisions to 'legitimize' children living in alternative families by applying the paternity presumptions to women and non-biological parents.

In the case of Elisa B, a same sex couple, Emily B and Elisa B planned to have children together using artificial insemination by an anonymous sperm donor. Emily gave birth to twins

in 1998, one of which had Downs syndrome. Before the twins' birth the couple decided that Emily would stay home to care for the children and Elisa would be the family's breadwinner. The couple's relationship dissolved 18 months later, and Elisa eventually cut off all contact and support. Emily applied for public assistance from the state, which, in turn, filed an action for child support against Elisa.

In Elisa B. the court held that Elisa's procreative conduct, assisting Emily in becoming pregnant and expressing her intention to enjoy the rights and responsibilities of parenthood, made her a parent. This is the first case that recognized that a child might have two legal parents of the same sex who have equal status in terms of their relationship to the child without adoption.

The California Supreme Court had previously held in 2003 on a deeply divided 4-3 ruling that an adopted child could have two parents both of who are of the same sex. As late as last week, May 22nd 2006, the United States Supreme Court refused to take a case that would have reviewed second parent adoptions.

I must tell you, as an aside that in 1985 when I was the Presiding Judge of the Family Law Department in San Francisco I would routinely receive home studies from the California Department of Social Services describing a gay or lesbian couple who wanted to adopt as financially and emotionally stable, loving, the home clean and orderly and living in a good neighborhood with supportive grandparents and more. In sum, a model placement for an adoption. The end of the report would always say: "the Department recommends against this adoption" because that was the policy of the California administration at the time. I routinely granted the adoption because I felt that was what was in the best interest of the child.

Those days are gone in California, or are they? In March of this year Archbishop William Levada of the San Francisco diocese, now Cardinal Levada, an official at the Vatican, said "It has been and remains my position that Catholic agencies should not place children for adoption in homosexual households". In response, the Board of Supervisors passed a non-binding resolution stating that it is an insult when a foreign country like the Vatican meddles in the customs such as the right of same sex couples to adopt and care for children in need. A Catholic civil rights group has now sued the Board of Supervisors claiming that the resolution violates the separation of church and state.

But I digress. Let me return to our Supreme Court cases. In the case of K.M. a lesbian couple initiated the process to have a child together, K.M. contributed her ova, which were fertilized with sperm from an anonymous donor and implanted in her partner E.G. Both women could claim maternity as either the genetic or the gestational mother - the mother who gave birth - of the twin girls who were born in 1995. The girls were co-parented until the couple separated in 2001. After separation K.M., the genetic mother, filed a request asking the court to determine that she was the parent and to issue a custody and visitation award. E.G. argued that when K.M. donated her ova she signed a standard hospital form that included a waiver of her parental rights to the children. The court held that K.M. had not waived her parental rights and was not a typical egg donor because she intended to produce the child and raise it in their home.

Under current California law children born to same-sex parents after January 1, 2005, who are registered domestic partners, have the same rights and responsibilities with respect to a child of either of them as have spouses. The cases I discussed occurred before January 2005 and are still relevant because children will continue to be born to couples who are not registered domestic partners.

What of marriage? Clearly the issue of same-sex marriage will be addressed one day in the Supreme Court. Historically, for example, it was only after the civil war of 1860 -1865 that African-Americans were allowed to marry in all areas of the United States. It took almost another century, and a U.S. Supreme Court decision in 1967, for mixed race couples to be able to marry anywhere in the United States. As of today, only one state, Massachusetts, allows same-sex couples to marry. In California, three weeks ago, a Federal Court side

stepped the issue of gay marriage and said that the California Supreme Court should decide first, and they should have the case by the end of the year.

There are currently seven states plus the District of Columbia that have statewide laws that provide some spousal-like rights to unmarried couples. Even though many think of this as primarily a gay issue, according to observers, the majority of those who take advantage of civil union or domestic partnership laws are unmarried heterosexual couples.

The rights and responsibilities of domestic partners are basically the same as married couples except that tax treatment does not take into account the relationship, and the U.S. federal government does not recognize gay marriages, gay and lesbian partners of federal employees do not receive federal health insurance, Social Security or any of the other benefits given to the spouses of heterosexual employees.

Custody and visitation are important issues when it comes to the extended family, as well as gays and lesbians. The gay and lesbian cases we have just reviewed appear to emphasize the rights that children have, including their interests in maintaining their relationships with members of the family in which they were raised. However, when we turn to grandparents the emphasis is different. The emphasis is on the right that a fit parent has to make decisions concerning the upbringing of his or her own child.

In the year 2000 the United States Supreme Court decided the Troxel v. Granville case. They held that a state statute which authorized visitation rights to any person if it was in the best interests of the child was overbroad and interfered with the fundamental liberty that a parent has in making decisions about his or her child's care, custody and control.

What if your child and their spouse no longer allowed you to see your grandchild? What are your rights? Do you have any? Since this Supreme Court case, a grandparents' ability to obtain visitation rights to their grandchildren has become very difficult, if not impossible.

Most states hold to the concept that parents have a fundamental liberty to make decisions about their children's care, custody and control. Therefore, if a parent is a fit parent and allows at least some, even minor, contact with the grandparents, the grandparents will have a very difficult time convincing trial courts to grant them formal visitation rights to their grandchildren. It is only when one parent is deceased that his or her parent has a good chance of having visitation rights because the decision is based on the child's best interest.

And what if a child has 8 grandparents? "What?" you ask, "how can a child have 8 grandparents?" Well, as a result of divorce and remarriage it is happening more and more often. Many of us who were divorced when our children were younger have now remarried, as have our spouses, and if our children marry someone whose parents are divorced and remarried – voila! 8 grandparents.

My step granddaughter Claire is 6 years old. She asked my step daughter Kimberly "Now grandpa is your daddy, right?" Kimberly said "yes" and "Nana is your mommy, right?" Kimberly said "yes." "Then who is grandma Ina?", she asked. And poor Kimberly side stepped the issue because, though her own marriage is strong, she did not want to explain about divorce and raise the child's anxiety about Kimberly and her husband getting divorced.

So we ask ourselves 'How does the impact of divorce play out across generations?' An upside is that children can have more grandparents who love them. A downside is the message this gives them about marriage.

I have a friend who was driving his granddaughter to the wedding of the child's father. It was his 3rd marriage. My friend was advising his granddaughter that she should not marry too young – that she should wait until she was 29 or 30. His granddaughter, then 10 years old, turned to him and said "Oh grandpa that is much too old for a first marriage."

Grandparents can be the silver lining in many blended families. Step parents who were resented become appreciated when they offer babysitting and share in the details of the child's development.

Many children of divorce have fantasies of getting their parents back together. It seems that their own children are helping them realize that fantasy because they are able to bring divorced parents together in a way that was inconceivable.

Is the family impeded or facilitated by divorce? If married couples were to read a recent study from Rutgers University they would learn that divorce is one of the fastest ways to destroy your wealth. Those who divorce lose not ½ but on averages ¾ of their personal wealth. One big reason for this is that one household is cheaper than two, and individuals work harder when they are working for a family.

50% of marriages end in divorce in the United States. Much of the climb in the rate of divorce is attributed to “no-fault” divorce which was first introduced in the 1970s. Before ‘no fault’, in order to obtain a divorce, a couple had to prove fault or cause - that is, they had to prove to the court that one of them, for example, committed adultery, or abused or deserted the other. While many times the proof of adultery or abuse was a sham, nevertheless it made a divorce more difficult to obtain than walking into court and declaring “we have irreconcilable differences”. Clearly the law has facilitated dissolution of marriage.

Over the past 10-15 years we have also seen a marked increase in the number of grandparents assuming custody of grandchildren. Many times the situation is a result of the parent’s involvement with drugs and/or mental health problems which leads to the child’s abandonment, physical abuse or failure to have care, guidance and control.

A grandparent can become the custodian of a grandchild in 4 ways:

- 1) They can adopt a grandchild after a court terminates both parents’ rights to the child.
- 2) They can ask the Probate Court to appoint them the child’s guardian.
- 3) They can be awarded custody when the child’s parents divorce.
- 4) They can informally assume custody.

The first three methods - adoption, guardianship and custody - provide the grand parents with legal rights in relation to the child and some protection from a parent’s attempt to regain custody. An informal agreement affords no rights or protection.

Three states allow grandparents to seek legal custody of a child by showing that they have been the child’s ‘de facto’ custodian. This requires them to prove that they have been the child’s primary caretaker for some period of time in the parent’s absence.

When deciding whether to appoint a grandparent as guardian, the court considers:

- 1) the ability to meet the child’s daily physical, educational, emotional and moral needs;
- 2) the child’s wishes if they are sufficiently mature;
- 3) an established relationship between the child and the grandparent;
- 4) the child’s best interest.

You can imagine that all the issues we have been discussing: custody, visitation, divorce, adoption are highly emotional and have the potential for leading to high drama in the courtroom. But none so much as domestic violence.

What is domestic violence? Domestic violence can be physical violence, a verbal threat of physical violence or a pattern of harassing behavior. The victim and the abuser must have a close relationship (married, divorced, separated, dating or used to date, living together or used to live together as a couple). Domestic violence is never acceptable in any family; it is always detrimental for children. Domestic violence tends to worsen over time. It does not disappear on its own. It is estimated that approximately 2.3 million people each year in the United States are physically assaulted by a current or former spouse, boyfriend or girlfriend. 3.3 to 10 million children witness domestic violence each year. It affects every culture. A recent report stated that for the first time in the United States reports of domestic violence in Asian families were more than in Caucasian families.

Over the past 20 years the court system and law enforcement have raised their consciousness about domestic violence and treated the crime more seriously. The police are arresting batterers, superiors in the police department are reprimanding officers who do not take police reports and make arrests. Police are being educated about the battered woman's syndrome and about the reasons many women do not want to make a police report after calling the police, or do not want to follow through and press charges. I am using women as the victims because that is usually the case—there are a few examples of men being battered by women but they are the exception.

The next step after a police report is for the battered woman to get an emergency protective order which lasts for 5 or 7 court days, and then a restraining order that lasts up to 3 years. This order is designed to keep the abuser from coming near the woman, attacking, assaulting or contacting her, her children and her family members. Along with this protective order she can ask for custody of the children and child support, and ask that the batterer be removed from the home.

If there is a question of custody or visitation the parties are sent to mediation. Many mediators have now been trained to separate the victim of domestic violence from the abuser in order to keep her from being intimidated during the mediation.

Domestic violence encompasses a wide range of behaviors—from the potentially lethal to the less serious, for example harassment. Two decades of research have confirmed that adults and children are victimized in the same family. Communities now are developing new responses to stop violence within the family. Perpetrators must be held accountable. So one new response is that prosecutors, recognizing that women fear testifying in court against their abusers, are developing ways to prosecute cases without the victim's testimony.

At least 20 years ago the San Francisco Superior Court recognized that domestic violence cases were different from other family law cases. They rotate judges every week who are on duty 24 hours to be available to the police to issue emergency restraining orders. The judges also set up a separate calendar so that the victims of domestic violence do not have to appear on the regular calendar with folks asking for child support, etc in their divorces. They recognized that it was embarrassing and demeaning to be on the regular calendar.

Domestic violence is a very complex issue. Many of the victims are financially dependent upon the men abusing them; many of them were abused in their families while they were growing up, or they could be immigrant's dependent on the legal status of the abuser. The men, on the other hand, have complex issues about women, including anger and control issues.

The calendar that the San Francisco court set up was held every Wednesday afternoon. Most of the parties were not represented by attorneys, they were representing themselves. On one particular afternoon, I had before me a woman who was asking for a protective or restraining order. She and her husband had a child together and I sent them to talk to a mediator. They came back from mediation without an agreement so I asked them to tell me their positions. Because they were representing themselves it was my practice to allow them to explain their position - to have their 'day in court'. However this man was building himself into a small rage as he spoke. When he calmed down and said he had no more to add, I told him I had made my decision; that I was ordering his child to be in the temporary custody of his wife and that I was granting the restraining order. He turned to me and said "Well (expletive) you, Bitch", and started to leave the courtroom. I said to him that that was a contempt of court and not to leave. He continued out of the door. My bailiff turned to me and I motioned for her to go after him and at the same time hit the alarm button which is hidden under my bench. Sheriffs poured out from all courtrooms around mine and soon they marched the man back. "That, sir is a contempt of court, that will be 5 days in the county jail, take him away" I said.

And I called the next case. I informed the new man standing before me that his girlfriend had requested that I issue a restraining order that he stay 100 yards away from her. "What is your position?" I asked? "What ever you say Judge is fine with me, 100 yards, 200 yards that's just fine". The whole calendar went like that, that afternoon. Very smooth. For a brief moment I considered hiring skills to re-enact the contempt scene every Wednesday!

One of the reasons I was so harsh was that as a woman myself I understood that the men appearing before me had issues with women. I felt that I had to ensure the integrity and effectiveness of the order I was issuing. If I appeared weak, the restraining orders would be meaningless.

In conclusion, it is clear that in so many ways family policy influences the functioning of the family unit. I was not able in this time to discuss the conservative influence of the current administration in the United States. Their policies with respect to contraception, abortion, childcare, healthcare, maternity leave, taxes and aid to needy families, to name just a few areas, profoundly affect the creation and sustainability of the family unit. Whether the family is a so called traditional unit, a gay or lesbian unit, grandparent, single parent or divorced - in the government's legislation, our court decisions and our support services we need to remember that this family unit is the only one the children are going to experience - we must make it the best it can be for the children's sake. Thank you.

**PATHOLOGY OF THE FAMILY AND THERAPEUTIC
INTERVENTIONS IN A DEMOCRATIC ENVIRONMENT:
WHAT IMPACT?**

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Introduction

After lengthy periods of democratic regimes interrupted by military coups since 1930, and most of all after the dreadful years of the last dictatorship which started in 1976 and ended in 1983 (the most cruel and devastating dictatorship, responsible for numerous murders, torture, rapes, deprivations, the disappearance of thousands of people, the economic bankruptcy of the country and the launching of a war against Great Britain in 1982 - the swan song of the most sinister military regime in the country's history), Argentina entered an unprecedented period of Presidential elections. Argentinian society finally succeeded in restoring a stable democracy, in spite of a process of Presidential succession that unrolled, generally speaking, in an atmosphere of anxiety (for instance, the first democratic President, Raúl Alfonsín, was confronted with two military coups and resigned almost one year before the end of his mandate, in the midst of an economic crisis characterized by chronic inflation that created a genuine panic among the population).

The period following the lengthy and corrupt Presidency (two mandates) of Carlos Menem, to which I shall return later, ended with people demonstrating in the streets and the President's flight from the Presidential Palace, escaping from the crowd and rushing to his helicopter. Immediately after that, five interim Presidents succeeded one another within a period of ten days. Following that period, marked by severe social and political disorders, the Nation was shaken again by a deep economic crisis that gave it the status of "default" country *vis à vis* the International Monetary Fund. Soon after, in December 2001, the last interim President decided to freeze bank deposits and, during that period, savings made in USD were converted into pesos, losing two-thirds of their value. In the best cases, millions of Argentinians had to wait months or even years to recover the monies held by the State in what was called the "corralito" (small corral). This fraudulent measure temporarily prevented citizens from accessing their money deposited in banks. In most cases, they recovered the totality or a major part of the money deposited in pesos, but only one-third of their savings in dollars.

Psychological field

In the realm of psychology, following the "night of bludgeons" in 1967 (during which the army entered the University and beat up both lecturers and students, thus violating the State campus that was undergoing the most brilliant period in its history), hundreds of lecturers, prestigious psychotherapists and academics were expelled from the University, put before Courts of Justice and, in some cases, kidnapped and murdered. Many went into exile; some of them benefited from the re-establishment of democracy in 1983 and decided to come back while others left forever. These events were repeated in 1976 with even more virulence and cruelty, and numerous other psychologists experienced the same fate.

Slowly, Lacanian psychology started to impose itself in the whole University. Due to an abstruse language and an obvious loss of interest in politics, and in particular the adoption of an a-critical position *vis à vis* the dictatorial regime, Lacanian psychology settled definitively in the universities and exerted a undisputed hegemony over many years.

Recently, starting in 1983, at a very slow pace and mainly in private universities that have curricula teaching a variety of theories and clinical practices, we witnessed in academic circles a considerable interest in the integration of cognitive and systemic psychology.

The hegemony of psychoanalysis in general has so deeply penetrated the language (in spite of the considerable number of clinical psychologists belonging to various conceptual orientations), that even today, notwithstanding information provided by the media and the time elapsed, most people undergoing a non psychoanalytic therapy say that they go to their systemic "analyst" instead of saying that they visit a psychotherapist with a systemic or cognitive orientation.

Nevertheless, the psychotherapeutic landscape has considerably changed in Argentina as a consequence of new programmes and extended choices and opportunities provided by short therapies, systemic family and couple therapy, cognitivism and updated psychoanalytical procedures. Above all, patients and clients are better informed, more demanding and less compliant than during dictatorial regimes. New consultants no longer accept the couch, and much prefer the symmetry of dialogue or exchange, or even discussion, to long periods of silence that generate anxiety, or to a complementary role and the position of power of the psychotherapist who "knows everything" while the patient is ignorant and deprived of any knowledge and awaits the interpretation of the oracle. Today, consultants seek concrete solutions to concrete problems.

The situation has evolved considerably with the emergence of new methods and better adapted frameworks (e.g. self managed groups co-ordinated by a professional, group therapy, multi-family psycho-educational groups, mediation and network interventions) that expanded with the exponential development of NGOs, offering new ways to generate change, solve conflicts and overcome difficulties.

In my opinion, the final re-establishment of democracy opened unprecedented opportunities and, inevitably, new types of conflict. But it also did away with military regimes and coups that had received implicitly or explicitly the support of a considerable number of citizens, including some political parties, intellectuals, media and the Catholic clergy. This was the starting point of a long and difficult road leading to a non-authoritarian society that decided to exit from an endless night of silence, secrets and denouncement to the open expression of problems and differences, risking freely to express differences, and peacefully to resolve family and social disputes, irrespective of the complexity of such issues. Just like in family or couple therapy, in which each member, and each version of a story is listened to with due respect, all the actions of Democracy and all the sectors involved in social disputes have the right to voice in their turn their opinions in a legitimate way.

The crisis of the Welfare State

The crisis of the Welfare State, which already existed, exploded during the 1990s, under the extremely corrupt Presidency of Carlos Menem : neo-liberal economic procedures were wildly applied (this also happened during the dictatorial regime 1976-1982) and de-stabilized Argentinian society in an unprecedented and devastating manner. The impact of these global neo-liberal economic measures wrecked all the welfare networks and led to a dramatic increase in unemployment, affecting all social layers, entrepreneurs, middle managers, workers and so on.

The impact on families was terrible: the dismantling of family hierarchy, the loss of the father's role and unemployment, accompanied in many cases by depression, violence, alcoholism and desertion of households by these jobless men, unprotected by the State. Women, who had previously been just about present in the labour market were now propelled onto that market, and many of them also had the responsibility of caring for their families. The disappearance of welfare marked whole families, including the prominent middle class already severely hit by previous crises, unleashing all sorts of pathologies: violence, sexual abuse, addictions, alcoholism, juvenile delinquency and criminality, in general. The splitting of numerous families resulted in the forced emigration of some of their members or the up-rooting of entire families. Some of them have come back in recent years and others, as before, have left forever.

Family Functions : family as a relational network

André Gide's provocative outcry - "Families, I hate you" - that had so much popularity in the 1960s, characterized by a return to the Paris Commune and vagrancy, seems to have been replaced nowadays by a discreet complaint "Families, we miss you" (**Fernando Savater**).

Many professionals specializing in the study of families in the present context indicate that family prestige is increasing because of a psychological need for them in the face of a loss of their institutional importance. On this point, Luis Flaquer (1998) insists that :

"The loss of importance of the family in our social organization was followed by an increasing attention given to it as a source of emotional identification. The more it is deprived of its weight as an institution the more we appreciate it. One of the principles of economic sciences is that we precisely appreciate what is missing and not abundance. This also applies to the field of affects: while family was too present in the 1960s, we miss it today ". And he adds "The family is a human group whose raison d'être is the pro-creation, education and socialization of children. We find this basic parental micro-system almost in every society".

In addition, the family group is, for some authors, the fundamental element of our social status: a nucleus of social relations, a lever for the constitution of our heritage, a platform for finding a job and a support should crises arise, and a system of protection and care in the event of health problems. For most people, the essential quality of family life is that it constitutes a contract, or an emotional or affective involvement, in spite of its possible conflicts and internal difficulties.

Family, society and going back to the roots. The "J'accuse l'intégrisme économique" by Albert Jacquard and the "Refondation anthropologico-politique" by Edgar Morin

"We are told that economy governs the world, that the laws of market and profit are the absolute truth. But can human society live without any other value than merchant value? Whoever questions this new religion is immediately considered as irresponsible" writes Albert Jacquard in demonstrating the evils of triumphant and fanatical economism that pretends to govern our lives to day. In his book he invites us to reject the fatality of economic fundamentalism. "Western liberalism" states Jacquard "means slavery for the great majority of men whether they are citizens of countries of the South or pushed into the deprived group of population in the North. The most urgent task is not what is presently done by the World Bank and the IMF to surrender the deprived to the greediness of the rich but to sustainably preserve the social and environmental safeguards very often obtained through hard struggle. Then, to extend these guarantees to all the inhabitants of the world".

Further, he adds "... Collective wealth is produced by the establishment of communication lines between those who have needs and those capable of answering them. Our wealth is represented by the Others. Or, more precisely, it is the possibility to exchange with them... What constitutes a human being is exchange... It is the fact of exchanging which represents a need, not the content of that exchange".

This analysis reinforces the need and importance of human relationships and a society based on exchange and communication, and puts the stress on the transition from economic fundamentalism to the integration of human diversity that characterises our great universal family.

Edgar Morin (1997) says: *"We need to re-introduce the human being as a means, an end, an object and subject of policy... However, we are not talking of the Man who, according to Marx, must find his salvation by dis-alienating himself, that is to say by freeing himself of everything alien to him. The concept of a dis-alienated man is irrational : autonomy and dependence are inseparable since we depend on what nourishes and develops us : life, sex, culture. The concepts of total liberation, conquest of nature, salvation on earth, correspond to an abstract delusion. However, Man... is a Trinitarian entity/ individual/species/society that reproduces itself by destroying itself during its History...We may keep the Marxian idea of a generic man who reproduces himself, but only if we complexify self-production into self-ecological-production and accept that the building-process of Man ("hominisation") is unfinished, uncertain and random. At the same time, we must restore in all its complexity a being who cannot be reduced to production or economic relations, but who is at the same time biological, social, economic and mythological.*

Terrestrial father/motherland is not an abstraction since mankind was born from it...human diversity is the most precious aspect of human unity which itself is the treasure of human diversity. Hence, a double requirement : restore and accomplish human unity in the flourishing of diversity. Save singularities and diversities and also create a common fabric".

Family relational network : object of family therapy

This common fabric, this unity within diversity underlined by Edgar Morin, constitutes an excellent metaphor for the essential microsystem of Mankind : the Family. Families which are under attack in Argentina and elsewhere by consumerism, and by the laws of the market as underlined by Professeur Jacquard, belong to the field of family therapy. Whenever we are called by that unit (composed of individuals of different genders and ages coming from more or less privileged or deprived social groups, various cultures and different religions), it is because they feel the need to be helped in painful circumstances: for example, addiction in one or several of its members, violence in the couple or in the parental/filial system, anorexia or panic attack, sexual abuse or adolescent pregnancy, even before mentioning the so-called psychiatric disorders or family crises resulting from unemployment or a severe illness of one of its members.

Family therapy meets these challenges by activating the resources of family members, facilitating self-help and mutual assistance, to increase their solidarity, control their emotions and communicate better. This helps restore the protective ecology and positive atmosphere of family affects and, at the same time, improves and enhances their connectivity, sense of belonging and active participation in their immediate neighbourhood.

This exercise to restore the roots of family welfare benefits from a democratic macro-eco-system which, in spite of all its defects and limitations, enables us constantly to correct ourselves and solve conflicts. It includes a hierarchical structure, operational rules, a reward and sanction mechanism as well as procedures that are more or less efficient to protect children and elderly people. In fact, the Family, just like the Democratic State, deals in principles in relation to the education and health of its members. Thereby we can draw some analogies between the macro-system of Democracy and the micro-system of the Family considered as living organisms, jointly evolving in an intertwined interdependence, in a spiral involving interactive and retroactive loops,

Irène Théry (1997) considers that the modern family is no longer an institution, but a relational network. Family is no longer what it used to be because its function has radically changed. Thus, François Singly, reflecting a general opinion, summarizes the situation as follows : *"Yes, the family has changed. Not only has the institutional framework burst into pieces, but its basic function has also dramatically changed. For a long time, its fundamental purpose was to transmit the economic heritage and moral traditions of one generation to the next. Today, families tend to favour the building of a personal identity, both in marital and parental relationships"*.

From this perspective, the family as a group may be viewed as the product of democratic individuality-building.

"In harmony with the increasing trend to give a greater psychological and emotional content to the family inner dynamic, the predominant idea today is inter-subjectivity. The raison d'être of the family, in the same way as that of love, is its mode of functioning" (Théry, 1997).

In spite of the diversity of opinions concerning the present state of the family and the many discussions between "pessimists" (the family is a threatened species) and "optimists" (the family is in good health), the family keeps some of its essential functions, abandons others and creates new tasks. Changes mainly occur in democratic macro-eco-systems.

The two major objectives of systemic family therapy are the coaching, support and promotion of the development of democracy as a healthy environment for the family, and of the family itself as a healthy environment for the individual. Both the family and democracy must be considered as relational networks, and as fundamental factors in the building of individual identity and social cohesion. This view is opposed to the entropy of exclusion, marginalization and lack of future vision that can occur in contemporary society.

Family Therapy

"If you want to see, learn how to react"

(Heinz von Foerster)

Systemic family therapy is a practice enshrined in an epistemology that not only gathers all the members of a family, a couple, organization or company in order to work together, but which is mainly characterized by an "accent put on the rules of inter-personal communication, on interactional processes (time-limited models), inter-personal structures (maps anchored in space, rigid or fuzzy borders), operational processes (relationships between micro-, meso and macro-systems), evolutionary processes (genesis and change in the systems) or second order reiterative processes (relationship between the observer and the observed); this leads in its turn to survey what constitutes reality and the central role of narratives during therapy" (Sluzki, 1991).

Multiples and simultaneous psychotherapeutical approach to the different systems

During the period 1993-97 I was invited to participate in the activities of the Secretariat on Addictions of the Province of Buenos Aires, the most densely populated province of Argentina (one-third of the total population). At that time, the situation was dramatic and this was only the beginning of the crisis: economic indices seemed all right but factories were closing down everyday, unemployment reached alarming proportions and beggars became more and more common in cities, which had previously been far from the case in Argentina where begging on a large scale was never observed. We worked with the macro-system of a population of 12 million inhabitants experiencing the total dismantling of its networks (hospitals, schools), various cases of violence, drug abuse and alcoholism as well as an alarming level of juvenile delinquency. The strong ideas that guided our intervention were those included in the elaborate thinking of Professeur Morin, who was invited by the Secretariat, and the systemic constructivist approach. We already knew that multiple variables were contributing to the general downfall: political and economic factors, and the weight of governmental institutions such as the police of the province of Buenos Aires linked to the most bloodshedding and criminal repression of the last military regime. The police forces had become one of the most corrupt in the whole country and were the accomplices of drug dealers. Educators, schoolteachers, principals in primary schools and, in particular, headteachers in secondary schools were overwhelmed by the situation.

Theoretical reflection on that ecosystem in crisis : micro, meso, exo and macrosystem

"A human being is only an individual in the context of the social systems in which he integrates himself. Without individualities there would be no human social relations or events"

(Humberto Maturana)

The eco-systemic analysis of family relationships tells us of the prime social layer that deals with relationships between the individual and its immediate neighbourhood, the Family. In our counselling sessions we start our work with that microsystem and involve ourselves in a co-developmental process between its members. However, we are aware that although the family has considerable resources, the parents' capacities to raise children and care for them with some chance of success largely depends on the social environment of those families. This second ecological layer, that Bronfenbrenner (1997) called *mesosystem*, deals with the issue of relations between ecosystems. This refers to the inter-relationship between the different host-environments that participate in the education and development of a human being during a specific period of his/her life. For instance, we talk about relationships between the family and the school: each of these microsystems will impact on the other.

According to the same author, the third layer is the *exosystem*: the work environment, characteristics of the district, social networks, distribution systems for goods and services. Events that occur in the parents' working environment will undoubtedly have an impact on children's lives.

Finally, the fourth layer, called *macrosystem*, represents cultural values, the system of beliefs and historical events (wars, social crises, floodings, etc.) that may also influence the other ecological systems. For example, criticism or approval of certain types of behaviour, tolerance/rejection of some differences, corporal punishment in educational institutions, attitudes *vis à vis* sexuality or drugs, societal reaction towards abortion, and so on. Family health and mental hygiene in a society depend on the possibility given to these parents and children to establish healthy relationships/connections, strong and sustainable links with other human systems outside the family. In turn, this will depend on the form and fashion used by external influences to penetrate the household and regulate parent-child relationships, most of all the rules of conduct of the immediate neighbourhood as well as the social and historical circumstances and culture constituting these families' macro ecosystems. In the case of the intervention made in the Province of Buenos Aires, we had to act simultaneously on the micro, meso, exo and macrosystems.

General systemic intervention

In addition to the well-known contributions of systemic practice – for example, interventions at the level of communication, correction of the dysfunctional structure of the family, adjustment of the hierarchy of power in the family, the possibility of reformulating a problem in order to solve other problems, or creating new evolutionary pathways to write new scenarios - a trend emerged in the 1980s that finally settled down and flourished : constructivist models. Based on narratives that were present in embryonic form in the writings of Paul Watzlawick, in the re-centering technique adopted by the Palo Alto team, and in Milton Erickson's hypnotic psychotherapy, these models became the **avant-garde** for the development of ideas in the domain of family therapy. They created, over time, a specific way of looking at psychotherapy : narrativism. This new method impregnated the systemic and cognitive field as well as the domain of mediation and conflict resolution.

In any case, the schematic formulation - "the description of the problem is the problem" - may be considered as the equivalent of "problems exist in the description we are using", "Problems are meanings around which we organise problematic behaviours" and "change is the process to express things differently". All these formulations share a common element : to STATE. In other words, through the praxis of language, the fact of narrating stories becomes a plausible narrative method. By using this model as a landmark, we may use family therapy as a practice that helps people to alter their stories and narratives in order to increase the number and quality of their choices, possibilities, and value judgments, dissolving the problem that was until then anchored in their original narrative. Descriptions and stories (that is to say narrative structures) are semantic systems that include as constitutive elements a scenario ("what"), characters ("who") and context ("where and when") (Sluzki, C. 1991).

Intervention in the Province of Buenos Aires : from the scenario "every man for himself" (help us, we are exhausted) to the scenario "one for all and all for one" (team work based on solidarity and the learning of self-help).

The Addictions Secretariat entrusted me and other colleagues with the training of professionals who worked in the Addiction Rehabilitation Centres established in the different cities and districts of the Province.

First of all, the systemic approach enabled these social workers and psychologists to establish contacts and to intervene in family environments with the parents, brothers and sisters, that is at a first micro-systemic level, a more efficient approach than treating a drug addict in isolation. At the same time I took part in the training of educators, parish priests and voluntary, non professional co-ordinators in the Centres where neighbours used to meet in different districts. In this way, we tried to enlarge the concentric circles of our systemic intervention to reach the mesosystemic level.

Gradually we started to move with the intention of reaching a new concentric circle, the exosystem: inhabitants of the neighbourhood were invited to meet in schools, parishes, large conference halls or theatres and sports clubs. Authorities and schoolteachers involved

themselves in the fight against drugs. Above all, young people were invited to these meetings, where they were allowed to express their anger and grief, ask questions, talk about their teachers and the ill-treatment they were subjected to whenever they were accused of bad behaviour or impoliteness towards school authorities. I remember how surprised they were when I asked them to climb on the stage and handed them a microphone. At the end of these meetings, they used to come closer and ask me what they could do for their mates who were addicts or towards those who sold drugs in the school premises. The programme was specially meant for young people since they were the prime targets of dealers. They were summoned to these meetings, not to be preached at on moral issues, but to be informed so that they would involve themselves in the fight against drugs and rescue their friends, brothers, sisters, schoolteachers or neighbours. The aim was also "to train leaders", "ten thousand leaders for life", as stated by Dr; Juan Yaria, Director General of the Secretariat.

Finally, under the inspired and clever direction of Dr. Yaria, the programme tackled the *macrosystem* and centred its efforts on prevention. Intellectuals of renown were invited to participate in mass meetings, to write articles in newspapers, speak on the radio and intervene during TV broadcasts. I myself published two special issues of systemic perspectives, the journal of family therapy of which I am the editor. These examined the problem of network and the complex considerations applied to the treatment of drug addiction. These issues were freely distributed to thousands of professionals and volunteers who participated in the programme of assistance and prevention. The empirical complexity, the presence of random variables and existence of powerful and corrupt political and economic interests were addressed with considerable energy and purpose. This was mainly through a well-thought out strategy that took into account the complexity of the issue by applying, from the outset, a multi-discipline programme and organizational procedures appropriate to the huge challenge represented by the overpopulated Province of Buenos Aires (a district characterized by extreme poverty and shantytowns without running water. Therefore, we avoided the demagogical approach so often used by political parties - "assistencialism" and "alms-charity". Rather, we encouraged the taking of initiatives, pro-activity and the possibility of learning that "together, it is easier, together, it is possible". So doing, we used old Argentinian traditions going back to the arrival of those European migrants who built this country.

One should remember that learning means in cybernetic terms, that a system is capable of changing its behaviour and, sometimes, its mode of internal organization from analysing the results of its action. Information is not stable, but rather constitutes a process. By "information" we mean the content of our exchanges with the outer world while we are busy adjusting ourselves to it, and subjecting it to this same adaptation process. According to Norbert Winner, the founding-father of cybernetics "*communication is the cement of society and those people whose job is to keep open communication paths are precisely those on whom depends the survival or fall of our civilization*". However, Winner was not only talking about dictatorial regimes, but anticipated and strongly criticized the submission of the press and radio to commercial interests . He said that communication paths are strangled and mutilated whenever, they are exclusively dominated by the law of profit. The transformation of information into storable goods unavoidably means the deterioration and weakening of the continuous current that must irrigate society. The same is true as regards the accessibility of information. Despite what we call "security requirements", this implies a national discussion on the moral aspect of communication. I had the opportunity to express these ideas during mass lectures and to organize visual demonstrations for hundreds of participants. At that time, many of our interventions were similar to the actions of American tele-evangelists, those media ministers in the United States who preach the word of God to millions of viewers. Our interventions similarly made use of big halls and teleconferences held simultaneously with thousands of viewers in all the districts of the huge Province of Buenos Aires and Argentina.

Family Therapy : Techniques and practice

As will demonstrated by many works presented during this Symposium, Democracy intends to facilitate and accept divorce, homosexual couples and families (still however controversial, but considerably less denied from a social perspective), deal with monoparental families,

"stepfamilies" and so on. The distribution of precise and straightforward information makes it possible to avoid or remedy family or institutional abuse and contribute to the prevention of and assistance with cases of child sexual abuse. Many taboos and secrets will be unveiled and debated in the field of democratic ecology. Nevertheless, if the individual freedom proclaimed by democracy is not fraternal and based on solidarity and fails to take into account those networks that are necessary to promote equal opportunities for all the members of that society, such as access to education and health and state protection. If it allows itself to be dominated by merchant laws, then man merely becomes a wolf devouring his kin, as we see in big urban centres everyday.

The law of the market takes no account of human beings. *The multi-directional bias* of Boszormenyi-Nagy (1996), at the beginning of the history of family therapy clearly expressed an idea of justice: "every man according to his merits, rewards, rights and responsibilities".

The validation of feelings associated with each narrative and the legitimacy given to the vision-version of family conflict by each member of a family calling upon us in our private or institutional consultations is conceptualised by the Milan Team as the neutrality concept. This concept produces a relationship of empathy on the side of the therapist or mediator *vis-à-vis* each consultant, and helps him to keep a meta-position in the middle of all his interlocutors. Later, the *curiosity* concept developed by Gianfranco Cecchin (1989) enables consultations using circular questions that, although they are not neutral help to build another way of expressing oneself and acting on this.

Our democracies are characterized by a macrosystem of multinational companies, very often allied to accomplice governments which control media, sometimes belonging to the business world and related to corrupt civil servants and trade-unionists. Therefore, we deal with families but also with values and ideas concerning success, the ideology of winners or losers within a system based on consumption. In doing so we have learned from Milton Erickson always to take into consideration the opportunities and resources of what are called today the resilient aspects of the individuals, couples, families or organisations which consult us.

Example of the consultant traumatized by forced exile and "de-exile" process

Jean, 35 years old, came back from his exile in France and asked me to treat his "de-exile trauma". He flew from Argentina as a political exile to save his life during the last military regime when he had been a political activist. What he expressed were the difficulties and symptoms that had appeared since he had returned to Argentina in 1983, when democracy was restored.

Following a period of empathy, of simply listening to his narrative with respect and attention, trying to understand his sufferings, I started to work thoroughly on his original narrative and to change it surreptitiously. Trauma, as we know well, is a word-concept that embodies passive suffering, and indelible traces requiring lengthy work for serious disorders. His experience had been extremely painful. He was suffering from a double up-rooting, first from his country and culture of origin and, secondly, once he had succeeded in integrating himself in another culture after huge effort, in deciding to go back to Argentina eight years after leaving the country in haste. You will notice that I use the term "experience" and not "trauma". This is exactly what I did with Jean: first of all, while understanding his pain, I asked him what he had learned in France, a country with a long democratic tradition and a culture so rich and different from ours. Gradually, he started a different account: guided by my questions first and later almost spontaneously he started to explain how he had joined some other Argentinian exiles, then found a job. During this period, and with considerable effort he had learned French, met a young French woman and spent the last years of his *stay* in France with her (more and more we've used the term *stay* instead of *exile*).

I followed his account with genuine surprise and inserted micro-interventions, mostly positive connotations concerning, first, his capacity to survive and to adapt himself and, finally, his success in integrating himself to these new and trying circumstances. After a few conversations of this type we both concluded that his experience had rendered him more mature, that he had learned a foreign language - this enabled him to work for Air France in Argentina - and that the return of a person above the average Argentinian citizen, somebody

with his life experience, had quite understandable difficulties recovering his place in a country that was at the very beginning of contemporary democracy.

Shortly after, many of his companions in exile came to see me and none of them asked me to treat his "exile trauma". Jean, proud of his past, of his journey and experience in France, and of his love for his country of origin, never again pronounced the word "trauma" to talk about his experience of "exile-stay" or his return to Argentina.

Conclusions : Challenges and opportunities arising from the joint evolution of the macrosystem of Democracy and the microsystem of the Family

Democracy is the best organization or ecosystem available based on coexistence and social development. This is my opinion as a systemic constructivist therapist, and also as a citizen of a country that has had many difficulties in building a democratic context. I would say the same about the family and about building and developing individuality.

With all its rules of the game, rights and obligations, Democracy is a system open to change: the functioning of each step of its vital cycle constitutes a transition process. Moreover, this transition, viewed as a permanent and structural condition of Democracy, reminds us of the developmental process of social organizations and institutions, and that of the family life cycle and the evolutionary process of the individual. Whenever we work with families, organisations or institutions, we know that we are dealing with dynamic material, a living fabric in constant change. Our observations and interventions thus constitute a form of intrusion, more or less respectful, into consulting systems, while these systems, observed and disturbed by our intervention, act in their turn upon us and change our perspective.

Moreover, in constructivist terms we must face another challenge: we do not work on the "genuine" family or the "real" system, but on a second order reality. This means that we continuously carve out one part of the "reality" in order to create an operational field with the purpose of focussing and applying a specific strategy, or simply to amplify the possibilities available to the members of that system who face any given problem. Whenever we put the "question of the miracle" (De Shazer, 1982): "how would your life be without that problem?", "what would you do differently if, by a miracle, this problem no longer existed?", "how do you think people around you will realize that you no longer have that difficulty?", we propose a different type of conversation. We lead our consultants to the menu of the "solution oriented therapy", a therapeutic practice that awakens unsuspected or simply forgotten resources. Subsequently, these resources are stimulated by direct or indirect language leading to action and change, which motivate and trigger a proactive behaviour that generates new learning and, sometimes, the "deutero apprenticeship" described by Gregory Bateson: the experience of learning to learn. The answers given to inductive questions open the possibility of a different future. This future conceived in detail helps us to act upon our present context, to correct or modify our present approach, as we have already seen in the case of exiles and the Secretariat on Addictions.

In societies that are sometimes indifferent, anomalous, extremely superficial, egoistic and competitive, it is finally these two aspects - creative imagination and the restless search for resources related to solidarity - that enable us to conceive a different reality, a future based on solidarity and the possibility of relating to Others by the opportunity to create common intimacies that are recognized and fair for each of us, or personal intimacies respected by our Selves and Others.

Democracy and Family are indispensable constructs, but they do not suffice. The difference is made by the values and rules of cohabitation between the participants in these interdependent systems. When we form a genuine therapeutic alliance with our consultants and we understand their way of producing changes, their motivations, languages and mode of co-operation, we become at the same time the benevolent and curious witnesses and the discrete catalysts of these evolutionary processes, encouraging the structural reorganization and production of new narratives that alleviate symptoms, re-generate the relational fabric, vivify the past and make the present and past merge to transform dreams into achievements.

**SUPPORTING FAMILIES IN DEMOCRATIC SOCIETIES:
PUBLIC CONCERNS AND PRIVATE REALITIES**

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At night returning, every labour sped,
He sits him down the monarch of a shed;
Smiles by his chearful fire, and round surveys
His childrens looks, that brighten at the blaze:
While his lov'd partner, boastful of her hoard,
Displays her cleanly platter on the board ...

Oliver Goldsmith, 1728–1774
The Traveller

The more traditional model of family life, partnership and parenting has viewed paternal and maternal roles as complementary, clearly defined and delineated, within an economic union which creates a supportive adult alliance and kinship networks. It constitutes a powerful image of stability and permanence, but is a deceptively simple portrayal of complex intimate bonds between adults and between parents and their children. It is doubtful whether this idealised construction of warmth, well-being and contentment has ever really reflected family life (Walker, forthcoming). Yet, in many western democracies, it continues to provide the yardstick against which parents are judged. The family unit is usually regarded as the ideal human community in which physical, developmental and emotional needs are met. Traditionally, marriage, parenting and family have been regarded as 'a package deal' (Struening, 2002) but the ever-increasing diversity in family forms and living arrangements since the middle of the twentieth century has provoked concerns about its demise, and fears that families are fundamentally unstable and family values have been rejected, leading to increases in juvenile crime, antisocial behaviour, teenage pregnancy, drug and alcohol misuse and behavioural disorders in children. This paper reviews these concerns, explores the challenges facing democratic societies in the 21st century, and draws on recent research to consider how policymakers and practitioners can promote a sense of order and continuity while respecting change and individual human rights.

The Concerns

Dramatic social changes in the western world over the last 50 years have resulted in greater ethnic and cultural diversity, and huge variations in family living arrangements through a declining fertility rate and increases in cohabitation, single parenthood, parental separation and divorce, step-families, same-sex unions, people choosing to live alone, and the employment of women. Generally, people are living longer, are healthier, although health improvements are unevenly distributed across classes and cultures, and spend longer periods of their lives outside the conventional family unit (Roseneil & Budgeon, 2004). Statistics relating to the UK for 2004/5 indicate that:

- 42 per cent of all births occurred outside marriage, as against just 12 per cent in 1980
- 76 per cent of dependent children lived in family units headed by a couple, as against 92 per cent in 1972
- 24 per cent of children lived in a lone-parent family (90% of which were headed by a mother), as against just 7 per cent in 1972
- 24 per cent out of men and 25 per cent of women under 60 were cohabiting, as against 11 per cent and 13 per cent respectively in 1986

- 67 per cent of all working-age mothers with dependent children were in employment, and 67 per cent of lone fathers and 53 per cent of lone mothers were combining employment with childcare (Office for National Statistics, 2006)

Married couples still constitute the main type of adult couple partnership, but most couples enter marriage having experienced earlier sexual relationships and a period of cohabitation. By the mid 1990s, 77 per cent of first marriages and almost all second marriages were preceded by cohabitation. If these trends continue, by 2021 more than one in five partnerships will consist of cohabiting couples and it will be increasingly common for children to be born to never-marrying parents (Haskey, 2001). Despite these more liberal attitudes, however, paradoxically, marriage appears to demand a far greater commitment to sexual exclusivity and fidelity than in times past, and expectations of the marital partnership are substantially greater than ever before. A strong emotional bond from which personal emotional benefits are derived is no longer viewed as a bonus, but as a key aspiration. We might argue that marriage today embodies a basic conundrum: mutual dependence, intimacy and sexual exclusivity have to be balanced within a post-modern culture which values diversity and emphasises personal growth, getting ahead and choice. There is also renewed emphasis on privacy, (the European Convention on Human Rights places a high value on the privacy of family life), increased expectation of equality, and a positive focus on sexuality beyond its function in procreation. The sexual and gender order which has underpinned family life is undeniably weaker (Roseneil, 2005), thereby stretching the conventional boundaries of family structure, partnership and parenting and rendering them infinitely flexible and permeable.

According to leading social theorists such as Beck (1992), Beck & Beck-Geinsheim (1995) and Giddens (1992) we are living in a period of de-traditionalisation and individualisation in which individuals are increasingly compelled to make their own choices as they are freed from externally imposed constraints, moral codes and traditional customs. People no longer have pre-given life trajectories. Self-expression and self-actualisation come to the fore, so while people search for and value some kind of family, what we see increasingly now are 'families of choice'.

The area in which this kind of choice has been manifested most starkly in recent years is in respect of the making and breaking of couple relationships. The change in family living arrangements which has caused the most widespread concern relates to the huge increase in parental separation and divorce – the breakdown of the family. Although in the UK more marriages survive than end in divorce, nevertheless, around 40 per cent of children in the UK experience their parents divorce by the time they are 16 years old. In addition, others experience the ending of a cohabiting relationship. Some 20 per cent of children affected by divorce are under five and just under two-thirds are aged 10 or under (Office for National Statistics, 2006). Moreover, increasing numbers of children face repeated disruptions as subsequent adult/parental relationships break down. These children are especially vulnerable and the most likely to be adversely affected by parental separation and the associated family transitions. The outcomes of parental separation which arouse the most concern are poverty, enduring parental conflict and father absence. The latter has put the role of fathers into sharp perspective. Concerns have been expressed about the numbers of so-called 'fatherless families' and the 'deadbeat dads' who lose contact with their children and/or fail to provide financial security during their upbringing. As a consequence, the policy agenda has been increasingly dominated by a plethora of initiatives spanning child and family services, child protection, criminal justice and family law, designed to ensure that children at risk are identified as early as possible and that parents are supported in fulfilling their responsibilities and punished if they fail to do so. Supporting relationships and supporting families have become central to the responses of many governments in many different countries where parental relationships are prone to dissolution.

The Challenges

Contrasting interpretations of these shifts in family living arrangements have resulted in two polarised perspectives on modern relationships: one which is largely negative, and one which is primarily positive. The more pessimistic view of family change equates change with decline.

Individualisation is regarded as a threat to the stability of the family and the well-being of children (Popenoe, 1993; 1994). Families which are not underpinned by a heterosexual, monogamous, life-long marriage are seen to pose significant dangers for children. Moreover, the breakdown of family ties is viewed as leading not only to the disintegration of families, but also to demoralisation, alienation and social breakdown (Bauman, 2003; Fukuyama, 1999). Supporters of this perspective recommend that divorce should be made more difficult and men should be reinstated as authority figures.

The opposing, more liberal perspective argues that family change is positive and that many adults and children have been freed from punitive and unhappy situations (Smart & Neale, 1999). Diversity and choice are seen to lead to greater democracy in personal relations (Weeks et al, 2001) and children are regarded as essentially resilient and adaptive, able to have a voice and their own rights protected. Supporters of this perspective suggest that governments should offer more support to parents and children so that they can exercise their choices and rights responsibly as circumstances change.

There are serious limitations within both of these interpretations. A growing body of evidence would suggest that social structures have not changed as dramatically as has been claimed: individualisation is not the predominant characteristic of modern family forms, and its behavioural assumptions are unjustified (Smart & Shipman, 2004). In a comprehensive review of the literature, Jamieson (1998) found little evidence to support the thesis that individualisation or democratisation are emerging features of contemporary relationships. A number of empirical studies demonstrate an enduring attachment to family ties and commitment in 21st century society. (Anderson et al, 2000; Smart & Shipman, 2004; Weeks et al, 2001). Adam (1996) has argued, moreover, that tradition remains a central feature of contemporary society and that reflexivity is, and always has been fundamental to human nature. In over 20 years of research in the Newcastle Centre for Family Studies we have found no evidence that the vast majority of people who separate are making easy, selfish choices and abandoning obligations, commitment and care within family life. Indeed, it seems clear that while the structures of economic necessity, moral codes and social groups have undoubtedly changed, they have not gone away. Class, gender differentiation and religious beliefs have a continuing importance (Duncan & Irwin, 2004). Furthermore, despite increased choice in how people live their lives, the majority value family connectedness and usually struggle 'to do the right thing' whenever they have to make important decisions which impact on family life.

The stories of many hundreds of people facing separation and divorce are testament to their ever-present concern for their children's welfare, their enduring anxiety about whether to end a marital relationship even when it has been characterised by domestic abuse, and their worries for the future. The vast majority of people do not end relationships and disrupt family life without thinking long and hard, and many feel 'guilty' for years afterwards. Post-divorce parenting is extremely demanding of all family members and the majority of fathers want to play a role in their children's upbringing. Being a part-time father can be stressful and emotionally draining, and making the shift from parenting as a couple to parenting apart can be so difficult that fathers simply withdraw and give up. While parenting in marriage is usually unequal, it is even more unequal following parental separation. Picking up the pieces of fragmented lives is no easy task – nothing is ever the same again and everyone has to adjust and accommodate to new circumstances and expectations. Post-modern living arrangements are undoubtedly diverse and fluid. Pahl (2000) has suggested that people are constantly in the process of refashioning relationships into new 'confluent' associations in which 'men and women are gradually learning to talk to one another as equals.' People seek to sustain the relationships they value. In order to understand connectedness and the moral texture of commitment, it is necessary for us to look beyond marriage as the ideal foundation for family life (Walker, forthcoming).

Several pieces of new legislation in England and Wales have stretched the conventional boundaries of partnership and parenting. The Adoption and Children Act 2004 enabled gay men and lesbians to adopt children; in 2005, the Civil Partnership Act 2004 allowed same-sex couples to register their partnership, according them rights and responsibilities similar to those of married couples. Gay marriages are increasingly recognised in democratic societies.

These newly acknowledged intimacies require policymakers and practitioners to move beyond traditional heteronormative conceptualisations of family life and parenting practices. We have to accept that family relationships are complex – we do not yet have terms for all the new forms of relationship. Parenthood no longer requires particular forms of relationship or family structure, but it continues to denote expectations about behaviours, tasks and commitments, and it is increasingly challenging.

The meaning of parenthood has been transformed alongside the reconstruction of marital relationships. What has emerged is parenting based less on authority, gender division and marital status, and more on the quality of relationships within families. Children appear to have an accepting, inclusive view of what counts as family: their definitions and expectations do not centre on biological relatedness. While there must always be concerns about children who are brought up in seriously adverse environments, poor outcomes are not inevitable: the majority of children manage to overcome stress and disruptions providing the quality of family relationships can be protected. The challenge, then, is to ensure that risk factors can be minimised and protective factors enhanced, whatever models of partnership and parenting children experience. It is deeply unhelpful to regard parenting in the new millennium within a deficit paradigm in which processes of welfare reform and moral re-ordering have to be intertwined. Rather than viewing contemporary personal relations as in decline, it is more constructive to regard them as transforming and adapting to 21st century society with its greater opportunities. Instead of defining reciprocity in terms of measured and regulated obligations, it can be viewed as a process of shared satisfaction in which family is a crucial foundation for the development of social capital (Gillies, 2003).

Promoting Continuity and Respecting Human Rights

Modern partnerships demand a high degree of personal maturity and good communication and negotiation skills. Although men and women today can contract an equal partnership as they enter cohabitation or marriage with only themselves to consider, when they have children the allocation of parenting tasks tends to be far from equal, as they always have been. Responsibilities for childcare in most democratic societies fall primarily on mothers, even though the majority are in employment outside the home. Fathers are likely to take less of a share in childcare tasks: the increased freedoms within conjugal relationships often conflict with the constraints and decisions inherent in parenthood. In the UK, relatively few fathers so far have claimed their entitlement to parental leave and flexible working arrangements (Hewitt, 2004) and most fathers continue to regard the role of breadwinner as the central aspect of fathering.

There have been many initiatives aimed at getting fathers to do more as parents. Research has shown that fathers have a crucial role to play in their children's upbringing, and their involvement in their children's education is 'associated with better educational, social and emotional outcomes for children including better examination results, better school attendance and behaviour, and higher educational expectations' (Goldman, 2005 p269). Yet fathering has multiple dimensions within a wide range of styles and family forms (O'Brien, 2004). In order to promote a positive change in fathering practices we need to

- challenge traditional stereotypes of gender roles associated with childcare
- encourage more flexible social attitudes to masculinity and fatherhood
- facilitate more wide-spread family-friendly work environments
- encourage fathers' engagement in parenting programmes and activities, particularly following parental separation

Practitioners face a considerable challenge in involving fathers – it is usually mothers who attend parenting programmes. Men tend to have a weak investment in social welfare interventions, such as counselling, family therapy, family mediation and group work. To some extent families and professionals face a paradox: on the one hand, couple relationships and family formation are regarded as the private sphere in which diversity is acknowledged even if

it is not always accepted. On the other hand, governments have high expectations of parenthood and parental behaviour is increasingly regulated. Social welfare practitioners find themselves at the interface between family autonomy and the state's expectations of parents. There is a potential conflict between adults need for intimacy and children's need for stability. Struening (2002) has argued that the voluntary nature of modern partnerships, freely entered into, has rendered them both fragile and strong: fragile because feelings are changeable and intimacy is not always satisfied, and strong because freely chosen relationships carry with them an integrity and dignity which those embedded in economic dependence or coercion do not. In her view, the welfare of fragile families is a legitimate interest for all governments because it is difficult for parents to do well in the modern world unless they receive support. This is reinforced by the expectation that families will continue to perform a range of functions, including meeting the daily material needs of their members, caring for and raising children, caring for dependent, elderly or frail adults, and satisfying the intimacy needs of partners.

Moreover, adults nearly always want some degree of control over themselves, their partners and their children. John Gray (1996) has commented that the most frequently expressed complaint women have about men is that men do not listen, while men complain that women are always trying to change them. Whether we agree with this analysis of couple relations or not, he has highlighted the fact that any relationship has its own rhythms and cycles, emotional needs fluctuate and if these are not accommodated, relationships disintegrate, often slowly and painfully, to the point of breakdown. Yet seeking help and support for the most intimate of relationships is not something adults in western cultures find easy. Admitting that a relationship is going wrong is hard to do because it is regarded as signifying failure. One of the enduring challenges for relationship counsellors is how to encourage couples to seek help early when it may still be possible to salvage and strengthen the relationship. When the 1996 Family Law Bill was being debated in England, politicians faced difficult decisions about how far to promote marriage and whether to insist that all couples should attend an appointment with a marriage counsellor prior to being allowed to divorce. How far should the law go? We know from our research that there is usually one partner who wants to separate and is ready to live apart and another who wants to cling on to the relationship. Each is likely to have different approaches to issues concerned with feelings and to want different kinds of support from a counsellor.

It is now more widely acknowledged that divorce legislation is not the right mechanism for attempting to promote or save marriages. However, there is an enormous challenge for policymakers and practitioners in the wake of high numbers of separations and divorces. Ideally, they would want to do what they could to save a troubled relationship. But the reality is that most couples have thought long and hard before taking steps to leave a relationship and it is generally too late to turn people back at the door of the court, so to speak. However, our conversations with many hundreds of people (Walker, 2001; Walker et al, 2004) indicated that they would have found it helpful to have been warned about the harsh realities of post-separation/divorce family life and to have been given much better information and support to work through the decisions they had to make and the new relationships they would have to forge. The plea is not for patronising, morally-driven, paternalistic interventions, but for straightforward advice and information on which informed choices can be made. Counselling support can help partners to prepare for a life apart and to manage the transition from an intimate couple relationship to a functioning, supportive parental relationship if there are dependent children. This calls for services which focus on improving the quality of family relations, irrespective of living arrangements and legal status.

Promoting conciliatory divorce and encouraging both parents to retain responsibility for the upbringing of children are central tenets of family law in many countries. Yet, many jurisdictions have struggled to find appropriate ways to support these goals. In the UK we are still arguing about whether there should be an element of compulsion in referring couples to meet with a mediator, as in Norway for example. We are uncertain about whether we should insist on parents attending a post-separation parenting programme as they increasingly do in the US and Canada. The research evidence suggests that the vast majority of parents appreciate the programmes and that children can also benefit from attending 'kids' programmes. These interventions are regarded as supportive and necessary but worries

rumble on in some democratic countries about whether they constitute an invasion of privacy or reflect an over-protective nanny-state. Yet positive post-separation relationships are inextricably linked with the way in which parents communicate with each other and with their children, and with their attitude towards one another. Over a third of post-divorce parents in one of our studies (Walker et al, 2004) described communication as poor or non-existent two years after they separated – these were the families in which a child’s contact with a non-resident parent was likely to be difficult and parental co-operation low. It is clear that when parents can co-operate with each other they are more likely to encourage contact, help their children sustain a relationship with both parents and with extended family members, and enable adaptation to the inevitable family transitions which follow family break-up. Given the evidence, it is difficult to see how appropriate support and targeted interventions can be regarded as anything other than ‘the right thing to do’ and an indication of responsible government. But does this always hold good? If it is the quality of family relationships which holds the key to healthy child development and well-being, should there be more rather than less intervention in the lives of families?

Since the late 1990s the New Labour Government in the UK has instituted a variety of initiatives to redress what was widely perceived as the deficit in parenting. The establishment in 2003 of a Ministry for Children, Young People and Families signalled the emergence of an explicit child-centred family policy, with the eradication of child poverty by 2020 as the central goal. There is a clear underlying belief that children do better if they are cared for by two parents in a stable household, however. The British Government’s agenda for reform, launched under the title ‘Every Child Matters’, set out five key outcomes for every child, irrespective of family structures:

- being healthy
- staying safe
- enjoying and achieving
- making a positive contribution
- experiencing economic wellbeing (Department for Constitutional Affairs, 2003)

This agenda for change requires that the provision of help, advice and support for parents and children should be readily available and that the wishes and feelings of children should be considered and taken into account in making decisions which impact on them. Universal services seek to support families at key stages of vulnerability and the transitions in a child’s life; while targeted services aim to meet specific needs, for example during parental separation and divorce, when children get into trouble, or through periods of ill-health. To be effective, parenting and support programmes need to ensure that they do not stigmatise or label families. The reforms in youth justice, however, have given courts power to refer parents to parenting programmes, to make parenting and child safety orders, and to imprison parents for failing to ensure that a child attends school, and for breach of a parenting order. Poor parenting and lack of supervision are considered to be important risk factors for youth offending and antisocial behaviour, so parental obligations to bring up children to be responsible, competent citizens are emphasised, encouraged and enforced within the full panoply of the law. Indeed, the risk paradigm has led to received wisdom that if children at risk of offending and antisocial behaviour can be identified at an early stage then early preventative interventions can turn them away from a pathway into crime. There is little reliable evidence however, that we can accurately identify these children or that we know which interventions work to redirect them along a straight and narrow law-abiding path. So we may be in danger of drawing children as young as eight to ten into an increasingly wide net within the criminal justice system: so-called supportive interventions which become modes of social control. For example, Antisocial Behaviour Orders (ASBOs) can be placed on young people and adults within the civil law for up to six years. But breach of an ASBO results in a criminal penalty. There have been many ‘horror’ stories in our media pointing to the nonsensical restrictions which courts can place on people who in years past would never have come into the ambit of the criminal justice system.

The considerable growth in family and parenting interventions has been so marked that the role of the state in both supporting and regulating family life is being questioned. A Commission on Families and the Wellbeing of Children (2005) has identified the need for greater consistency in the degree to which a supportive approach informs public policy towards families. It also argues for caution in terms of the expectations placed on family services to deliver social change at the same time as supporting families in the upbringing of children. If welfare is to be provided from a combination of the family, the community and the state, then it is essential to understand the realities facing families today in democratic societies, the roles family members play and the contexts in which they operate and make choices. Our economic policies are generally encouraging greater family financial autonomy, wider participation in the work force, saving for the future (including for pensions) and decreased reliance on the welfare state. Underpinning this framework is the assumption that children are active participants in family life and civic society (Brannen et al, 2000). Under advanced liberalism, the state expects families to take responsibility for the 'risks' which permeate all domains of a child's life. There is an intrinsic tension, however, between these increased expectations and the obligations placed on family members, notably parents, and the policy focus on full employment, autonomy, citizenship and social capital (Brannen et al, 2004).

Family relationships and family lives are complex and dynamic. The intergenerational transmission of values and commitment continues, as does a generally loving relationship between parents and children. Despite social flux, we can perceive strong emotional and caring bonds within families, most of which provide children with the kind of care that is conducive to good health, education, life opportunities, fulfilment and enjoyment. It is not possible through restrictive legislation to force harmonious domestic relationships or to have any real influence on behaviour. But law and policy can create a framework and encourage processes which buttress and support family ties in a variety of ways. This framework requires us to respect diversity and change while facilitating continuity. A problem emerges when interventions seek to be both supportive and facilitative, and at the same time, can result in punishment for non-compliance. It would be particularly unfortunate if being referred to a counsellor or therapist was viewed as a sanction – a means of enforcing a court order, or punishing someone for failing to be a responsible parent.

Accommodations to multiple transitions in families and in societies takes time and people move on at varying paces depending on individual, social, economic, and political circumstances. It is likely that how family and parental relationships are fostered, preserved and strengthened is more important in promoting the well-being of families than prescribing the household constellations in which we live our lives. However much choice families have in our fast-moving world, the majority continue to make sacrifices and compromises along the way in order to protect the relationships that matter most. What traditions are and what they mean is negotiable and subject to change. Yet in most families we find commitment to both traditions and to change. As Stuart and Shipman (2004) have concluded, 'By being attentive to complexity, context and culture we can perhaps resist some of the more sweeping generalisations associated with contemporary theorising about individualisation and family life.' Social interdependence requires the support of governments in managing separate interests within the complex rules of personal, family relations, and in upholding children's rights and the human rights of all family members. Balance and proportionality are key principles. The challenges facing families and democratic societies can then be re-cast as opportunities for everyone to maximise their potential, within a framework of connectedness and mutual support. Both statutory and voluntary organisations have an important role to play in meeting these challenges, in creating an ethos of welfare that emphasises holistic, accessible and affordable user-centred support for all family members, and which places value on caring, on interdependence and on state support to lift families out of poverty (Williams and Roseneil, 2004). This approach encourages social justice, antidiscriminatory policies, respect for diversity and equality and investment in the enhancement of social capital. It relies on effective partnerships within families and communities, and between the professions whose remit is to offer support, advice and guidance.

References

- Adam, B. (1996) Detraditionalization and the Certainty of Uncertain Futures. In P. Heelas, S. Lash and P. Morris (eds), *Detraditionalization: Critical Reflections on Authority and Identity*. Oxford: Blackwell.
- Anderson, M., Tunaley, J. and Walker, J. (2000) *Relatively Speaking: Communication in Families*. London: BT Future Talk.
- Bauman, Z. (2003) *Liquid Love: on the Fidelity of Human Bonds*. Cambridge: Polity Press.
- Beck, V. (1992) *Risk Society*. London: Sage
- Beck, V. and Beck-Gernsheim, E. (1995) *The Normal Chaos of Love*. Cambridge: Polity Press.
- Brannen, J., Heptinstall, E. and Bhopal, K. (2000) *Connecting Children: Care and Family Life in Later Childhood*. London: Falmer.
- Brannen, J., Moss, P. and Mooney, A. (2004) *Working and Caring over the Twentieth Century*. Basingstoke Palgrave: MacMillan.
- Commission on Families and the Wellbeing of Children (2005) *Families and the State: Two-way Support and Responsibilities*. Bristol: Policy Press.
- Department for Constitutional Affairs, Department for Education and Skills and Department for Trade and Industry (2003) *Every Child Matters*, Cm 5860. London: The Stationery Office.
- Duncan, S. and Irwin, S. (2004) The social patterning of values and rationalities: mothers' choices in combining caring and employment. *Social Policy and Society*, 3, 4, 391-400.
- Fukuyama, F. (1999) *The Great Disruption: Human Nature and the Reconstitution of Social Order*. Free Press: New York.
- Giddens, A. (1992) *The Transformation of Intimacy: Sexuality, Love and Eroticism in Modern Societies*. Cambridge: Polity Press.
- Gillies, V. (2003) *Family and Intimate Relationships: A Review of the Sociological Research*. ESRC Families and Social Capital Research Group. London: South Bank University.
- Goldman, R. (2005) *Fathers' Involvement in Their Children's Education*. London: National Family and Parenting Institute.
- Gray, J. (1996) *Mars and Venus Together Forever*. London: Vermillion.
- Haskey, J. (2001) Cohabitation in Great Britain: past, present and future trends – and attitudes. *Population Trends*, 103, 4–25.
- Hewitt, P. (2004) Keynote speech, 'Working with Fathers', Fathers' Direct Conference, London, Monday 5 April. Online at <http://www.dti.gov.uk/ministers/speeches/hewitt050404.html> in August 2004
- O'Brien, M. (2004) *Fathers and Family Support: Promoting Involvement and Evaluating Impact*. London: National Family and Parenting Institute.
- Office for National Statistics (2006) *Social Trends No. 36*. London: Palgrave Macmillan.
- Pahl, R. (2000) *On Friendship*. Cambridge: Polity Press.
- Popenoe, D. (1993) American Family Decline 1960–1990: a review and appraisal. *Journal of Marriage and the Family* 55, 527–55.
- Popenoe, D. (1994) The evolution of marriage and the problem of stepfamilies: a biosocial perspective. In A. Booth and J. Dunn (eds), *Stepfamilies: Who Benefits? Who Does Not?* Lawrence Erlbaum Associates, Hillsdale, NJ.
- Roseneil, S. and Budgeon, S. (2004) Cultures of intimacy and care beyond 'the family': personal life and social change in the early 21st century. *Current Sociology*, 52(2), 135–59. Thousand Oaks, CA: Sage.
- Roseneil, S. (2005) Living and loving beyond the boundaries of the heteronorm: personal relationships in the 21st century. In L. McKie and S. Cunningham-Burley (eds), *Families in Society: Boundaries and Relationships*. Bristol: Policy Press.
- Smart, C. and Neale, B. (1999) *Family Fragments*. Cambridge: Polity Press.
- Smart, C. and Shipman, B. (2004) Visions in Monochrome: families, marriage and the individualization thesis. *The British Journal of Sociology* vol. 55, issue 4, 491-509.
- Struening, K. (2002) *New Family Values: Liberty, Equality and Diversity*. Maryland, BM: Rowman and Littlefield.
- Walker, J. (ed) (2001) *Information Meetings and Associated Provisions within the Family Law Act 1996 Final Evaluation Report*. London: Lord Chancellor's Department.
- Walker, J. (forthcoming) The Human Life-Cycle: Partnership and Parenting. In M. Davies (ed) *The Blackwell Companion to Social Work*, vol. 3. Oxford: Blackwell.
- Walker, J., McCarthy, P., Stark, C. & Laing, K. (2004) *Picking up the Pieces: Marriage & Divorce Two Years After Information Provision*. London: Department for Constitutional Affairs.
- Weeks, J., Donovan, C. and Heaphy, B. (2001) *Same Sex Intimacies: Families of Choice and other Life Experiments*. London: Routledge.
- Williams, F. and Roseneil, S. (2004) Public Values of Parenting and Partnership: Voluntary Organisations and Welfare Politics in New Labour's Britain. *Social Politics*, Vol. 11, No. 2, pp 181-216. Oxford University Press.

**PARENTING IN A DEMOCRACY :
OPPORTUNITY AND CHALLENGE**

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“There is a wonderful mythical law of nature that the three things we crave most in life -- happiness, freedom and peace of mind -- are always attained by giving them to someone else.”

Peyton Conway March

PREAMBLE

It is an honour and a privilege to be here in this beautiful part of France. I would like to congratulate the organizers for selecting a theme for the Conference, which is both contemporary and perennial in relevance.

Many of us come from countries that have an ancient history and very old traditions. In the process of industrialization and modernization, we may have lost the access to our classical roots and our folk wisdom. The value of our culture and knowledge systems may also have been masked by the experience of colonization. As a practical response to the colonial experience, some of us may have learnt to select parts of the tradition; others may have been obliged to reject their native philosophy. However, most of our people have tried to take the best from their own culture and combine it with some aspects of the culture of the colonial powers, even while fighting for independence from them. My perspective is from India, a democracy with multiple languages, religions and customs, a large proportion of the people in poverty and several varied sets along an economic spectrum. Nevertheless, India is a thriving democracy.

REFLECTING ON BEING HUMAN

The human being (*homo sapiens*) comes at the peak of a long evolutionary pathway. We are a species that is known for the ability to reflect upon itself: volumes have been written about the human condition. As *homo sapiens*, we also have a long period of infancy and childhood. The dependence of the newborn on maternal care gives scope for bonding between the infant and mother. During the relatively long human childhood, an entire development drama unfolds, with parenting activities setting the pattern for growth and relationships. The inculcation and transmission of culture from one generation to the next, through home, community and school, enables us to have history and the continuity of cultural traditions. Thus, it is evident that the responsibilities of parenting go beyond the biological imperative. It becomes necessary to have a comprehensive review of what constitutes parenting, especially in the context of rapid modernization and globalization.

Firstly, there is a grammatical shift in the language used, which needs to be acknowledged. About twenty years ago, the term “parent” was a noun, which referred to the mother or father. In the intervening years, it seems to have also been transformed into a verb, “to parent”, thus indicating an activity. “Parenting” can be seen as a verb in the [present continuous tense](#). Most appropriately, because the consciousness of having parental duties is forever [present](#) and it is [continuous](#)! The title of this seminar implies that currently, there is concern about the discordance between the parenting role in the family and the individual’s assertion of perceived democratic rights.

While reproduction is built into the DNA, having offspring is a matter of choice in most cultures today. Parenting is an experience, which is voluntarily sought. Affection and empathy are of the essence for good parenting and the expected result is mutual love and trust between parents and children. That is the ideal scenario. In our observation, many adults are unable to serve the parenting function adequately and they seek out support systems. And the fortunate ones find that there are some persons available to provide that support. Hence, the most recent definition of “parents” includes all those who serve a parenting function: adoptive parents, care-givers, crèche workers, teachers, nurses, siblings, aunts and uncles, neighbours, even monks and nuns! They are not necessarily surrogate parents, rather they assist and strengthen the child’s parenting experience.

Parenting is an inclusive term to refer to the nurturance, support, responsiveness and tenderness offered to the young. It is a dynamic process, with great diversity. In this century, parenting poses tough challenges and offers tremendous opportunities.

Parenting is the act of giving happiness, freedom and peace of mind to those in our care and consequently, of our attaining them.

The CHILD is the focus in this presentation. Given the complexities of the modern world, the child may find the family a necessary, but not sufficient cause for charting the map of the future. Given also the freedom and choice for all individuals inherent in a democratic set up, there is both opportunity AND challenge!

IDENTIFYING THE “KEY NOTE”

Some of the early proponents of the field of Child Development, or Human Development, as it is also termed, have had debates with scholars in other disciplines, especially in the more exact sciences. A trace of ambiguity in drawing conclusions, a fuzzy boundary in the definition of variables, empirical data which defy exact replication – all of these are taken as evidence of Human Development being an inexact science; we have been pushed into a defensive stance. As social scientists, we have struggled, often unsuccessfully, to maintain that our discipline is, indeed, a science. Sometimes researchers have resolved the issue by studying only those variables, which lend themselves to exact measurement. White rats were forever being bred to run mazes in the psychology laboratory. On the basis of their behaviour, conclusions were drawn about the types of reinforcement and their effect upon the speed of learning a given task. Extrapolating the results from laboratory rodents to human beings was not unusual. This research has continued to pose problems, with protest articles like “Am I a man or a mouse?” Nevertheless, behaviorists, who are loyal to Skinner, have tended to dominate the academic journals because of their elegant quantification and statistical certainty.

The uniqueness of every child and the special relationship of each child with the significant caregiver becomes the very reason for some of the fuzziness and ambiguity. We study a few children and make an inference to the whole population of children who fall in the same broad category. We are lulled into a feeling of scientific certainty, when we use numbers and seemingly scientific labels. Consider some examples. Socio-economic status (SES) is one of the favourite variables in social science research and it is divided into “low” and “high”. The division of anything so complex as the actual experience of living into only TWO categories should be a caution to us in accepting the results using these variables. Implicit in this dichotomy is the assumption that almost every relevant characteristic about a person could be predicted on the basis of a grossly defined standard of living.

If the complexity of being human and of living in varied socio-psychological settings is not recognized, our samples will be easily categorised and the conclusions all too self-evident. This is not to deny that individual examples will have to be classified in some manner and that some salient generalizations will have to be drawn. Another category system that will surely sound outmoded to most of you assembled here is the division of parental styles of disciplining children into “Authoritarian”, “Laissez faire” (or permissive-indifferent) and “Democratic”. The experts seemed to have found a political metaphor to be the most suitable

one to describe families. However, we can see that there is a problem of semantics in using the term “democratic” for both family dynamics and State.

These preliminary thoughts arise from ambling in the territory of theory.

In this address, I have chosen to have the freedom to treat “parenting” as a fine art. By calling parenting a fine art I place emphasis on three aspects: a) the child as individual and as unique b) the inter-personal dynamics between the parenting adult and the child to be situation-specific as well as negotiable and c) the entire interaction to have its own aesthetic and cultural conventions. The label of fine art allows me to move away from the constraints of a scientific paradigm to the more open space of myth and magic. Thus, I can also release myself from the urgency of producing a simple formula for good parenting.

Science, it is said, makes the unfamiliar, familiar. It uses standardized measurements and logical thinking. Myth, on the other hand, makes the familiar unfamiliar, and extends the story line. Myth uses allegory, metaphor and magic; an insight from it may be worth the data from a thousand test tubes. I am arguing here that it is possible to combine precise facts with cultural symbols, to enhance the texture of an observation and to use a native idiom. Parenting, at its best, does that, and hence the labeling of it here as a fine art.

And I will finish this section with one last comment about the origin of the word “keynote”. It usually refers to the central theme of a meeting or seminar and is expected to guide the discussion. Perhaps I should not presume that my brief talk will reflect the central theme adequately. I will instead go back to the origin of the word from music and only set the keynote or the *key note* for the competent conducting of this symphony.

ORCHESTRATING THE ELECTRONIC BLAST

Globalization of trade and financial transactions has led to the globalization of cultural codes. As soon as the “iron curtain” came down, the young people in Moscow invited Michael Jackson to perform and duly screamed their delight. Today, there is an international dress code of blue jeans and T shirts, which is so powerful that it has swept aside sarong, sari, sherwani, kimono and kaftan. Elders bemoan the loss of culture and weavers commit suicide, but youth everywhere have expanded the concept of ‘significant other’ and they select the garb that will make them anonymous at airport and storefront. To some extent, other traditions and customs have also received a jolt in our countries. The mother tongue is being forgotten or distanced and communications among the educated young are dominated by SMS and e mail short hand. The experience of living in a house with three generations of kin has become no more than the substance of prize winning novels. These observations are generally more true, of course, of the affluent and elite families, who may be seen as trend setters. Despite the global sweep, family name, family honour and pride, and filial loyalty are highly valued.

Today’s parents have, therefore, a tremendously challenging task ahead of them. The last two decades have witnessed an electronic revolution, which is no longer something to marvel at from a distance, but one which has entered the living spaces, the schools which children attend and the space in everyone’s shirt pocket. It is an under-statement to say that there is an information overload and a lot of static. To use a musical metaphor again, the simple melodic line of music that today’s adults heard in their childhood, in family and community, has been replaced by the orchestrated sounds of several instruments at the same time, playing different parts of a composition or even different pieces of music. To add to the noise or cacophony, some of the music is atonal and some instruments off-key.

Television, cell phones and personal computers contribute to the electronic blast. They are contemporary devices that are easily available to all children particularly in rich families. In the year 2000, a book called “**Affluenza**” was published in the United States. It is by John de Graaf et al who wrote up and expanded on two documentaries of the same name, broadcast earlier in the US on the Public Broadcasting System. The author defines the word *affluenza*, thus. ***Affluenza, n. a painful, contagious, socially transmitted condition of overload, debt, anxiety, and waste resulting from the dogged pursuit of more.***

This definition is sure to amuse us and we might have a satisfactory chuckle at this pithy put-down of Americans. Let me quote a passage from the book.

“For the first time in human history, children are getting most of their information from entities whose goal is to sell them something, rather than from family, school or religion. The average twelve-year-old in the United States spends forty-eight hours a week exposed to commercial messages. The same child spends one and a half hours per week in significant conversation with his or her parents”.

Another extract from the book is that Americans spend six hours a week shopping and only forty minutes playing with their children. One poll found that ninety-three percent of teenage American girls rate “shopping” as their favourite activity. The authors say, “In the Age of Affluenza, nothing succeeds like excess”. In the book, there are dozens of witty sentences and passages that can be quoted.

The last laugh is, however, not on Americans. It is on us, people who live in India and other developing countries. The descriptions of Affluenza would easily fit the rich and the very rich in India. Most young children of the affluent are vulnerable to commercials and advertisements, as the advertising companies have realized. There are women who will happily spend most of the day shopping for things they don't need and men who will rate their success in life by the car they drive and the size of the mansion they own. The tragedy is that they never have “enough”, and the pursuit of material goods continues like a mad race with no destination. To give an illustration of the extent to which privilege can be bought, there are privately run, high-fee-paying schools in the capital city of New Delhi, where all the classrooms and the school bus are fully air-conditioned and the school lunch is catered by one of the luxurious five-star hotels!

Controlling children's use of and access to the internet, cell phones and television programmes must surely be the toughest challenge to our collective parenting skills. Globalization of trade was the way it all started. But the homogenization of lifestyle and culture today is a veritable *tsunami*. And in all fairness, one must admit that the very same gizmos also offer opportunities for the young to become well-informed citizens of the world. I am sure that everyone here is aware of the potential uses and abuses of each of these great inventions for communication, entertainment and the acquisition of knowledge. It is a fine line between use and abuse! Parents have to be keen geometers to draw it well.

The problem is further compounded by the fact that many parents are not clear how to state or implement the rules of the house. They are often inconsistent. Where are the lines that differentiate their approaches? It would be ideal to have firm and affectionate authority, but it may be the path of least resistance to be indifferent to the children's needs or unyielding and strict on every count. Some parents frequently take the easy way out by giving in to whatever the youngsters want. Alas, they tend to be generous with everything except their time. Add to this lack of self-definition the fact of both parents having exacting jobs outside the home and you have an unbeatable combination!

In most cases of economic deprivation, a sibling or neighbour may just keep an eye on the infant when the mother is away. Or the mother carries the little one to field and farm and manages her child under the harsh weather conditions as best she can. In some homes, there may be grandparents sharing the space and the care of the child. For families with means, there are hired helpers to provide custodial care to the children. Whoever else is in the home with the young child, the most constant “baby-sitter” is the television screen. The dominant and pervasive medium takes over the living space first and then colonises the mind. Images flash past at lightning speed and confuse the child. Passivity is all that is required. Lethargy becomes a habit and obesity the inevitable consequence! As an advisor on children's problems, I am often called upon to suggest a treatment for young children who are slow of speech and with near-autistic symptoms, when the main antecedent factor is the exposure to the blast of day-long television.

However, there is hope. It is not the end of the road. There are ways in which families can make the television into a resource for wholesome entertainment and education. For this to happen, the adults in the home will also have to be disciplined in order to have the moral authority to implement their rules. They will be well advised to discuss and negotiate the timings and selection of channels for viewing and establish the rationale. It helps if a parenting adult is around and available to respond to a question or share an observation. After all, the family curriculum for values is seldom taught directly, but comes mostly in the form of comments, asides and casual conversation, when the family is together for routine activities or sharing the space in the living room.

The same kind of detailing can be done for the use of the cell phone and for surfing the net. These new technologies are accessible and attractive: it is for us to decide whether we control their use or watch helplessly while our children fall under their control.

There is also the possibility of reviving a sense of community and shifting some of the socialization responsibility to civil society and to institutions like crèche, school, voluntary group or youth organization. The family will never cease to be relevant, but it does need the support of other social units in times of fragility and threat.

THE EDUCATION CHORUS AND ITS MANY VOICES

The very term “education” conjures up both hope and despair: hope because it has the avowed role of opening up the world of knowledge to a child and equipping him for a reasonable livelihood, and despair because in the actual working of the educational system in India, it leaves a sea of discontent. As Amartya Sen, the Nobel prize winning Indian economist said in a recent interview to *The Frontline*, “The fruits of higher education are now shared by a bigger part of the society than three decades ago. On the other hand, the gap between the highly educated Indian and the illiterate masses remains extraordinarily large.” We know that the divide starts from the preschool institution, the very first experience of schooling.

In the past, about fifty years ago, the Primary school was a neighbourhood school, which was run by the local government and was a “leveler”. All children within a certain radius attended it. However, today there is a proliferation of schools run by private enterprise, which offer space, equipment and other facilities, but charge fees at commercially viable rates. So there is a clear economic divide, and the type of school available to the poor and under-privileged offers them an education that rarely lifts them out of the quagmire they are in. There are exceptions, of course, but not enough in quantum, to bridge the divide based on socio-economic status.

Let us come to the parenting issue on schooling. Most families in the middle levels consider education to be mainly a channel for upward mobility. The majority are parents who will supervise every activity of the child to ensure that he keeps on the straight and narrow path to achievement and, ultimately, to financial success. The child’s routines are strictly monitored from school to tuition class and the pressure is turned on for high academic achievement.

While moderate support and parental involvement can be a great impetus for children to perform well in academic tasks, the parents’ obsessive entanglement with every detail of the child’s lessons and his mastery of them can be a real strain for the children. Teachers tell us that they find it equally difficult to deal with the intrusive parent and the indifferent one. Ah for a balance! In addition, there is the child’s own temperament. It is the equation between the parenting adult and the child that finally determines the resolution of all tricky issues. What are the scientific rules that one can apply across the board, except those that sound too general? The specificity will have to be carved out like a delicate sculpture, and that is where the fine art of parenting comes in.

I have used the word ‘education’ to refer to the system rather than the process. I would venture to say that, in India, the process of education does not generally receive the focus it

deserves. Within both school and home the emphasis is on completing school-work satisfactorily and on taking examinations, not on developing the intellect or cultivating the mind.

"The Ode to Joy": SPECIAL CHILDREN, ORDINARY ADULTS

Sometimes an ordinary person is called upon to do extraordinary things. One instance is that of parents having a child with special needs, due to a sensory deficit or other disability. The heroic courage of such parents, most often mothers, merits a separate study and documentation. With luck and good support systems the parenting of such children is assisted by a number of people: professionals, para-professionals, teachers and helpers. The most important task of parenting here is to identify the child as a **person** and not as a **handicapped person**. The setting, the spaces, the learning materials, and methods of communication - all of these will have to be **inclusive**, designed, of course, to accommodate the person's handicap or disability.

Parenting at its best aims to avoid the expectation of perfection in the child and to shed the hard-edged ambition regarding the child's future. A few years ago our local newspaper had a story called *Faith Line* in their middle page. I shall tell it to you briefly and hope you will tell it to others,

The father of a handicapped child was speaking at a fund-raising dinner in New York. He said, "My child does not understand or do the things that others of his age can do. He does not remember facts and cannot calculate numbers. He is not perfect. Where is God's perfection?" A stunned silence followed. Then he went on to explain. "I believe when God brings a child like this into the world, the perfection he seeks is in the way people react to the child".

And he proceeded to relate a recent experience. While out on Sunday morning with his son they passed a group of boys playing baseball. The child with the disability looked longingly on, hoping to be asked to join. The older boys sensed this and asked him to join them. They gave him the turn to bat and cooperated in their fielding in such a way that he could make a home run. They cheered him and carried him on their shoulders. It was an unforgettable experience. The baseball players had rare maturity and an admirable compassion.

"That was God's perfection", he concluded.

If you go back to the connotation of parenting presented at the start of this paper you will agree that the boys on the field had done a lovely job of parenting a child with disability.

THE DIASPORA AND THE FAMILY

A consequence of the Indian diaspora is the "internationalization" of families. Grandparents are constantly on the move from one continent to the other, to attend the arrival of a new grandchild in the US, the "naming ceremony" of a grandson in Australia, the graduation of a granddaughter from High School in Germany and so on. At every major airport, one runs into these roving grandparents. They live with their adult children outside the country for three months at a time, or six at the most. One could call this phenomenon 'Home is where the heart is', and the hard currency earned by the younger generation certainly helps in anchoring the boat.

We need to create a new terminology in the social sciences to address situations arising out of the wide dispersal of Indian immigrants to the first world, still longing for the support system of an extended family. More often than not, grandparents are present in the home for every new arrival. The Indian extended family can best be represented by an Escher drawing, linked

in various illusory strokes, dissolving and reassembling for every important event in the life of any one of the members.

GRAND FINALE

In the last few years, many countries have become signatories to the Convention on the Rights of the Child. This has resulted in a "rights approach" to many issues, which may have been seen earlier as fit for charity or welfare.

A variety of extra-familial institutions have arisen in India the last fifty years. They recognize the primacy of the family unit and where possible, work in co-operation with the family. When poverty is oppressive and parents do not have the means to care for or feed their young children, institutional provision of a centre for child care is an imperative. Some prominent Indian movements and institutions are deserving of our notice.

One of the best known among them is SEWA. The struggle of working women at the grassroots over the last thirty years has resulted in the organization called SEWA, (Self-Employed Women's Association), under the leadership of Ela Bhatt, now being 500,000 strong! SEWA is a federation of trade unions and cooperatives and women's banking, all individually and collectively, democratic and innovative in functioning style. The SEWA story is an exciting saga of the persistence and power of women's collective energy. A recent OUP publication, "We are Poor, but We are Many" by Ela Bhatt, is an authentic testimony to the strength of purpose of the women and their success in taking control of their own lives.

This grassroots movement in Gujarat has also created several Parent Cooperatives for Child Care. The mothers work hard all day in a variety of low-paid occupations and send their young children to the daycare center. This center becomes a second home to many of the children. The experience of operating daycare centers for children of the very poor has given rise to the slogan that "Child care provision is poverty alleviation". The SEWA Child Care story has been documented and is one of the ten case studies of the Bernard van Leer Foundation's "Effectiveness Initiative". Where the parent was unable to take care of a disability in a toddler, the teacher and crèche worker stepped in and provided treatment and affectionate support. The report, "UTSAH", is replete with similar heart-warming stories from the crèches. These episodes reinforce my thesis that we are confronted not with the failure of the family, but with its fragility in extreme poverty.

Another example of civil society's response to parenting issues among the disadvantaged by providing appropriate information to caregivers is a voluntary group in Chennai, India. How this group enlarged from an informal gathering and developed its agenda and outreach to become the *Network for Information on Parenting (1999) NIP* is a modern-day legend! Bala Mandir, which started as a foundling home, fifty-seven years ago, has grown into an important generator of ideas on child care and education. Bala Mandir provided the shade and the shelter for NIP to grow. The Network is a loosely federated body of individuals and institutions involved in working with infants and young children. Child Development experts, Paediatricians, other health professionals, Psychologists, Nursery School teachers, Teacher trainers, Social Workers, Special educators, researchers and free-lance journalists came together in the cause of children. Today NIP is defined by a marked sense of purpose, conviviality and diversity. NIP has developed a variety of materials, which have, like a veritable Harry Potter, enchanted mothers, fathers, preschool teachers and crèche workers. The NIP is like cyberspace, literally *sans frontiers*. Anyone can reach it without the constraints of geographical or professional boundaries.

I will conclude with a third example. Like the earlier two, it is an organization that I have been associated with for quite a few years. Volontariat was set up in the erstwhile French pocket in South East India, called Pondicherry by a young woman from Belgium. The first efforts were made more than 45 years ago, to reach the poorest of the poor in the city. The programme grew gradually, supported by idealistic young people from France and Belgium, who sponsored children for their education and gave of their labour and affection to build up the activities. Madeleine de Blic, the person who founded Volontariat is a living legend in the city.

Today there are more than a thousand sponsored children who get full support for education and health. They have a Homework Help Centre in the evenings and extra curricular activities on weekends. Some children under the Volontariat umbrella have learnt Yoga, classical music on the recorder and band music. Several have become skilled carpenters, computer workers and painters. Almost all have had a week of summer camp every year, on the farm that belongs to the organization. There is a home for the destitute aged and residences for "street children". The special magic of Volontariat is to bring the various groups, young and old, together for celebrations of children's birthdays and to re-create a family ambience.

Parenting is thus a privilege and a responsibility of the family. In the contemporary world, both biological and social factors will determine whether the family operates as a separate unit or draws support and strength from the community and the society at large.

FAMILY AND PARTICIPATION IN DECISION-MAKING IN SOCIETY
Supplementary paper

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Motivated invitation : starting position or the authority of argument?

1- "*Family and democracy – compatibility, incompatibility, opportunity or challenge*" is the theme of the 53rd international conference of the International Commission on Couple and Family Relations (CICFR) (ICCFR) in co-operation with UNAF and the Institut des Sciences de la Famille, to be held in Lyon from 7 to 10 June 2006.

In the invitation to this conference, democracy is described as "*a culture*" that "*has existed in the Western world for two centuries in the public sphere, following pressures exerted by man* (EID), "*spreading all over the world*" and characterized by the fact that the "*discussion concerning authority is affected by the weight of the argument*". Arguments are no longer expressed by frozen words; institutions may evolve and the stress is put on the importance of the individual, of the citizen. Democracy has had an impact on family life, on couple relationships and on the interests of children. "*Relationships between men and women who may fulfil their lives as they wish in an open and democratic society become increasingly egalitarian and determined*" (EID)... The questions before us are to know whether the diversity of efforts made to integrate families in our democratic societies and to democratize family life is a progress or a recession, and if democratic societies are in a process of disintegration or re-generation. At the end of the day, are democracy and family compatible?

This formulation is rather provocative, inviting us to discuss or to contradict the argument. Therefore I started to analyse the ideas and terms related to democracy and family used in the summaries of the presentations put on the programme, since these two concepts converge in both society and family: "what do we mean by democratic and by family?" "do we have the choice to be in favour of these definitions or against them?".

2- The question under scrutiny is to determine how democracy, initially a political concept based on the respect of the individual, freedom of expression, autonomy, representation and participation in decision making (VIGUERIE) "inserted" itself into family life (LABRUSSE) (BECK). Is this terminology valid in a discourse about family relationships? And is it possible to separate and isolate the internal and external functioning of a family? Can we apply to the set of relationships existing within the family the terms borrowed from a political system which basically deals with the distribution of authority and the exercise of power in our social system?

This way of formulating the problem ("democracy is permeating the private sphere as a consequence of women's struggle") (EID) implies that, from the family standpoint, democracy is like a trespasser coming in from outside to invade the family realm, territory that has for a long time been "alien" to it, to impose or "insert" a regime of forced equality ("equality in defiance") (EID), characterized by constraints within which we are not sure we are able to live as a couple or family. In other words, we are considering the authoritarianism of democracy. When we talk about democracy in its original meaning, we also refer to the power of the people, to devolution and delegation, and to the withdrawal of power: is this also applicable to families? So we note that "democracy" was for a long time alien to family life and that families were opposed to the foreign concept of democracy (LABRUSSE), and we wonder how marriage and families are possible without the (imposed) equality and freedom of men and women (BECK) (HILA).

Immediate reaction : "But don't you think dignity and therefore equality between individuals is in fact a fundamental reality, a basic principle in our society that also applies to couple relationships or contemporary educational relationships?"

3- It is assumed that fundamental **rights** (WALKER) (KUTSAR) are designed for political society as the necessary foundation of democracy, and hence, in the first place, to **protect** the individual and the family against the intrusion of the State and third parties, Respect for privacy and family life, and for the freedom to marry, have changed over time and are being used in a way that incorrectly reflects reality. In fact, the more the accent was put on individual freedom and the autonomous choice of a family style, the more the political authorities, the (European) lawmakers, the European Court of Human Rights and national jurisdictions became interested in internal family structures and relationships, and intervened to **impose** stringent rules based, for example, on the principle of equality. The authors cited note that in spite of the subsidiarity principle, these principles have evolved into legal rules, thus helping to shape family structures in their widest meaning (LABRUSSE), (VIGUERIE) - for example, equality, freedom (KUTSAR), family solidarity and their contribution to national solidarity (LABRUSSE, KUTSAR).

Hence, we find ourselves in a paradox. We mention the necessity of mutual confidence (VIGUERIE) between the State and families and we expect of families that they make free and responsible choices (VIGUERIE). All this results in a freedom and equality that are sometimes felt as imposed and constraining, leading at the end of the day to a restriction of freedom, or at least to no enlargement of personal freedom and autonomy, certainly for some categories of people.

4- The elements or aspects of democracy in the family frequently quoted are : "social democracy", children's rights, gender equality, democratic values that are reproducible in the family system, and awareness of the existence of means others than violence for solving problems whilst respecting and safeguarding the rights of others (ANANDALAKSHMY). The authors warn us against the negative aspects of "legalization" of our community, politics, civil life, family life.

5- It is worth studying the issue of the increasing intervention of Law in personal relations. Can we accept that in these texts some terms have remained rather vague and that certain aspects of the comparison between "family" and "democracy" have been left in the shadow? What are other sources of unease we experience when talking about "democracy" in the family? Is it children? Do we have to consider them as fully-fledged members? What about grand-parents? Or women who become autonomous or equal to men? What about the role of children in family decision-making (KUTSAR)? On this point, it is worth re-reading the remarkable presentation of Martin KOSCHORKE who attended the ICCFR meeting in Tallinn (2004) and stated : "*Family is not a democracy, family is a totalitarian system*". "*Democracy means those who are subjected to power have the right and the means to check and control this power*". This is not the case with families. And we might recall that in 1971 M. MENDEL wrote about the need "to decolonize children".

6- Democracy: may we assume that the term "democracy" sends us back to a system or a culture clearly defined, consistent, logical and stable? If "every man is a civil war", so also are our societies, even democratic ones. And so are families. And it is necessary to define our terms. What is the meaning given to the term "family", "the family", "families"? Are we talking about families in a formal or informal sense, internal or external, personal relationships or the social or economic structure?

7- It is said that the writers thought in the first place of the "internal family", relationships inside the family. Do they also mean the family considered as a social "cell", the basic element of a well-organized democratic society, or as a household taking care of its members? And what of the links between the two approaches? (BECK, LABRUSSE, WALKER, KUTSAR, DE VIGUERIE, KOSCHORKE).

"Where are the snows of yesteryear?"

8- The problem of the collision between family life and democracy is not new. Some decades ago, we observed three developments in the sociology of the family that should still be of interest to us. Five years later it seems useful to me to evaluate these democratic reactions

against the authoritarian family which is accused of contributing to the replication and maintenance of an authoritarian industrialized society.

We observed the development (1°) according to the trend of "non violent resistance" of a pedagogical movement (anti-educational) advocating an **anti-authoritarian educational system** (1960-1970) and (2°) a wave of households living "inside **communes**" and, on the other hand (3°) a democratic movement inspired by pluralistic family organizations (UNAF, UIOF, 12 BGJG, LIGUE, etc.) (1980-1990) that were in favour of a re-evaluation of the family, a sort of Family **Constitution**, a **Declaration or universal/European Charter of Family Rights** at the level of the Council of Europe, as well as among Catholic movements and the Holy See (1983) and some parliaments and national political parties.

9- In 1971, a Flemish monthly journal published a file on the "family" and in particular an article entitled "*Democracy in the family, a developing educational model*" and another paper "*Commune : an active unit at the socio-political level*". These movements aimed to provoke a fundamental change in the family viewed as an educational milieu for children and as a societal institution - both of which were stigmatised as being authoritarian. They were causes that obviously related to democracy and the family. However they seem to have been abandoned or forgotten. Warriors have become tired or afraid.

10- Martin KOSCHORKE observes today, in almost identical terms, the same authoritarian relationships. What happened **to democratic education as a pedagogical model, or to anti-authoritarian education**? We shall not dare to ask what is the present situation concerning "non violent coercion". Where are the "**communes**"? Did these democratic initiatives leave traces in our present families? We may ask ourselves whether the family movement and, therefore, the representation of the Family has progressed to this day, or if, to the contrary, it has regressed to the point that some authors even talk about the "splitting of the family movement in Europe". This is in spite of the beautiful words embodied in the Sanya Declaration.

11- I am no longer sure that the eloquent words contained in "Statements" such as "*the family is the cell...*" really serve the purpose of families. These statements often hide considerable uncertainty, deep disagreements or differences, and serious divergences of opinion. The enlargement of concepts and meanings does not necessarily help the democratic family movement. The diversification of social realities covered by the term "family" does not promote the representativeness of the family movement.

12- To live, we need a soul. Any (family) movement needs a soul, an engine or a common idea, a shared vision that defines objects as well as the goals it inspires. This is just like a meal that we prepare together, share and eat around the table.

If we want to fight, undermine or eliminate and neutralize a movement/institution, a very efficient means is to extend, enlarge or "fuel" its object until it becomes nonsensical. In fact, at present, the "family" concept covers so many different realities, sometimes opposed and contradictory, that the common idea/foundation collapses and is in danger of becoming a shared illusion.

What then could the answer be: to yield and accept that we have finally abrogated or reduced the concept of marriage to an affective relationship or horizontal co-habitation, by making it accessible to partners of the same gender, to close our eyes and act as if they are the same? Or do we embark on the search for what is essential: what is common to all the "family" ? Or do we go back to the original idea of family: man/woman, marriage, children? Whatever we do we must be bold enough to take stock honestly of the modest efforts made in the past by individuals, organizations and governments in this field.

13- However, I fear that today the issue of democratic participation is no longer put as a positive requirement or demand that all the families be represented or present during the decision-making process, but rather seen only in the context of poverty and the struggle against social exclusion.

Democracy?

14- The sociologist Mark ELCHARDUS defines democracy by three essential dimensions or "components". This definition, including some nuances introduced by the lawyer Mathias S. STORME concerning "subsidiarity" as a function of pluralism, will help us in our reflections.

15- The first component of democracy : *rights and legal order* conferring equal political rights on each individual.

From this perspective, we are not talking exclusively of subjective rights, but of the primacy of politics over other powers. This is coupled with the concept of formal equality (Art. 10 of the Belgian Constitution : ...Belgians are equal before the law...) : political power must act through general rules identical for all and not on a case-by-case basis, or even by arbitrary decisions.

16- The second component : the element of representation. In a democracy, representation is only legitimised by the people, the Nation. Politics works through institutions that represent the Nation and exclusively draw their legitimacy from the people. All the decisions defining citizens' rights find their origin - directly or indirectly - in "the people".

17- The third component deals with the power of the people to exercise effective influence on the policies implemented in their name. One might refer here to the "right to participate": to what degree does the population exert an influence on the decisions that partly govern its life, and what is being decided above their heads? Here, I much prefer to talk about the right of speech and the right of participation: to what extent does the population have an influence on those decisions that affect its life? Or do representatives of the people decide without consulting the population?

18- According to Professor M. STORME, we must add **the promotion of "differences"**, and the protection of **pluralism** to safeguard against uniformization.

Too often, differences, pluralism and diversity are only considered from the standpoint of individual rights. As a counter-part we must have a vision of the community that protects pluralism through the radical application of the subsidiarity principle. This idea is totally in accordance with the philosophy of the Commission.

According to M. DE WINTER, lecturer at the University of Utrecht, what matters - besides the aspects related to the state of law - is social ethics. In democratic ethics we also talk of equality, social responsibility, protection against discrimination, minority rights, etc. According to DE WINTER, 'common good' may also be easily defined by the conservation and development of democracy, of democratic citizenship. The guiding principle is that a state based on democratic law is the only form of community life that makes possible the peaceful co-existence of multiples beliefs and religious opinions in an organized, equitable and peaceful fashion. "*The democratic way of life*" excludes violence in human relations. Therefore, the essence of democracy is community life with the aim to solve problems between individuals or groups in a human, well structured and peaceful way.

Who sees an incompatibility - *mutatis mutandis* - between this way of looking at things and a contemporary form of "democratic" family relations?

19- We should note with Marj ELCHARDUS that the second and third components of democracy (representation and participation) are in a situation of crisis, although this is less so for the first component. ELCHARDUS considers that there exists a considerable confidence in fundamental rights and freedoms, individual rights, while "public" dimensions have slightly "eroded". We have the feeling that the first dimension (rights) works well - at least in our part of the world, while we are seldom confident that institutions effectively represent the population, and doubt that the population - through its institutions - keeps control over social developments. There is a feeling that democracy is threatened not by attacks against fundamental rights but by the weakening or absence of effective participation.

20- In our Western democratic countries citizens do not really feel threatened as regards their individual rights, but rather concerning their participation and representation. Therefore, we must explain why the representation of institutions and the genuine participation of citizens (and therefore, families) are insufficient or in doubt.

The loss of confidence in democracy seems to result more from a feeling of impotence than from the idea that we do not enjoy enough rights, and from the impression that decisions are the result of unclear processes (erosion of representation) and impose an ideology that does not correspond with what the majority of the population wants (erosion of participation).

It is striking to note that citizens' pessimism has often less to do with individual perspectives, and much more with a common destiny. We are less afraid for ourselves than for our children because of the absence of a common project concerning the future.

"Outside. Inside"

21- It is possible to study the "family" as an institution directed/oriented to the external world (society) needing to participate in social life in its broad sense. For example, the social exclusion of deprived families goes beyond material poverty and involves lack of active or passive participation in social life, including political life.

Participation has increasingly become a criterion used for assessing the social inclusion/exclusion of the family and of the individual living in poverty. However, participation is at the same time a means, a goal to be reached, a criterion of the efficiency of the assistance and support given to families and individuals. The degree of participation in cultural and social life is considered as a criterion of the degree of inclusion/exclusion of the poor, and of the efficiency of the assistance provided to that group of the population.

However, we must be careful to avoid the danger that inclusion and participation expected from (poor) families does not evolve into a criterion used to exclude those poor people who are not considered as sufficiently active. Lack of participation might then lead to the exclusion of the clients of assistance services.

22- One should note that in such a context one frequently omits making any reference to participation in life and political structures, and almost totally **to focusing on structures**, and the **organization** of support to family assistance services. We may wonder if the services devoted to family help promote the participation of families (their customers) in political life, in the organisation of the services themselves, or to the organization of assistance. Do our agencies involve families in the organization of the assistance they provide?

In took us a long time to ask these questions, to realize that *"it is essential that participation starts from the analysis of the problems of the client (of the Public Assistance Service)... It is important that assistance services be able to guide a discussion on ideas related to "professionalism" and "quality" which constitute their foundation and determine if such ideas are in accordance with human dignity"*.

"For Freedom, for justice, for peace..."

23- Talking about education, Aldous HUXLEY wrote in 1946: *"Our aim, let us recall, is to train up human beings for freedom, for justice, for peace"*. This aim cannot be reached by walking in the opposite direction. If your objective is freedom and democracy, you must learn the art of being free and autonomous. If you train up people to passive and degrading submission, you will never succeed in achieving the freedom and democracy you have in mind. One does not achieve worthy intentions with inappropriate means.

24- This is where democracy and education/pedagogy meet: The Sanya Declaration states "Art.2.2 : "Human rights principles and democracy must be learned, exercised and respected , above all inside the family". Art 2.3: "Democracy in society is directly related to democracy inside the family".

25- Is citizenship a condition that parents are capable or willing to teach children? Under what circumstances? What should be the role of schools in that respect?

Tolerance

26- In democracy, and therefore in education for democracy, one of the most important elements is tolerance (Dr Wachter, ref. To M. LEVINSON), but also solidarity, equality, ..freedom, responsibility, and respect for differences. Cultivating tolerance in a society characterized by huge cultural differences and varieties of religions and political ideas is a matter of survival.

Different forms of tolerance are possible.

1. One may teach children to tolerate that others are different because they are not responsible for what they are.
2. One tolerates difference because we are basically all identical.
3. One may explain to children the deep reasons for differences observed in human behaviour and make them understand them.

27- A democratic common life is only possible if we embark with a positive mind on the search for a common idea, a shared myth - apart from the fact that we live on the same territory, house or family.

Common ground

The indispensable minimum is a "common ground" to be defined; a common ground, a system of values and standards prevailing for everybody indicating the limits of tolerance, to be protected and sanctioned by public authorities. Therefore it seems incompatible with democracy to advocate a solution of problems, conflicts or divergent ideas by using violence, by excluding certain groups of citizens, or by denying certain categories of persons their human dignity.

To accentuate "differences" may lead to the recognition of identity, but it may also constitute a form of "separation", a splitting that leads to exclusion, discrimination and inequality as well as to conflict.

Social assistance and democracy

28- During the 2005 ICCFR Conference in Vienna, Christopher CLULOW made an extremely interesting plea in favour of a "consultative" model in the assistance given for the prevention of (family) relationship breakdowns. *"Consultation in this context describes a collaborative process in which different resources are pooled to achieve a common goal. It differs (...) by being client rather than consultant centred. The objective is not to take problems away from client organisations in the search for a solution, but to help them build their own capacity to deal more effectively with change and uncertainty... ...relationship support (means) consultative processes"*.

This is also a plea for the participation of the client him/herself and the family in the solution of their problems with the support of an egalitarian, democratic relationship between care providers and those assisted.

29- Do we have sufficient positive models of structures designed to involve families, to promote their active participation in the development of a family policy, and to develop structures intended to assist families and provide them with concrete support? How many services or institutions that provide assistance to families are open to the active participation of their clientele (families) in order to be able to achieve the objectives of their work?

"Further development of methods for the participation of affected persons (i.e families affected by exclusion) in the design and the evaluation of solutions is a future task of fundamental significance. Initial practical experience shows that the ongoing participation of

parents is the best method for ensuring need-based and efficient support of the integrative capacity of families".

The ill-assisted

30- *"The interview showed that materially poor parents receive much less assistance with practical (e.g. help with housework in the event of illness) or emotional problems than non-poor parents. 33% of materially deprived parents said they have no one they can talk to about parenting, relationship or other problems. Study research confirms that materially deprived people with children are at greater risk of becoming emotionally ill than well-situated parents. (Maria Hofecker-Fallahpour: "Soziale Ausgrenzung von Familien aus dem Blickwinkel der Psychiatrie", Lecture at the Munich conference on 09.03.2001). "Why do parents on all social levels in many European countries feel as if they were socially isolated in "a fight for survival?"*

31- We noticed that programmes offered to parents (counselling, education, assistance) to assist them in the education of their children or in their relationship with their partner are not always a great success and often do not reach their public. *"The discussion of this problem... revealed a broad range of causes for the dramatic discrepancy between demand and supply, on the one hand, and acceptance and effectiveness, on the other. "Why don't families take advantage of education and counselling programmes?*

- *Professionals sometimes lack objectivity and observation skills, due in part to their largely middle-class origin and education. This applies especially to work with migrant families. Need-based work greatly depends on the development of instruments for analysing and understanding a respective family's background, and how it leads to certain behaviour.*
- *Socially excluded families are extremely inhibited in taking advantage of counselling and education programmes (e.g. application forms, waiting times, paying fees).*
- *The settings and subjects of counselling and education have negative connotations (e.g. school-like buildings and programmes).*
- *Lack of methods for including affected persons in the process of planning support programmes."*

32- These comments contain a serious criticism concerning professionals who assist families, and we should be all aware of that situation. And if this is true for marginalized and poor families, it also applies to all those families that are threatened by social degradation or social exclusion, e.g. due to the number of their children

33- Here another problem emerges : an ever-increasing proportion of the assistance work provided to individuals and families is subjected to the authority of governments. This field is more and more included in their competences.

Regarding assistance to families and individuals in Flanders, the great majority of services are financed by private initiative. The government recognized the value of these initiatives. Progressively, the sector fell into the hands of public authorities through regulations determining the recognition or allocation of subsidies. More and more, these subsidies are released from any objective examination or evaluation of the activities, spontaneously developed by free association, and transformed into functions integrated into governmental policies that authorities consider a priority. Government decides which needs are important and determine priorities in the social assistance provided and financed. Therefore, it is the government that determines the rules of the game. In others words, clients must suffer from those evils accepted by the government. At that level, the principles of democratic co-operation and subsidiarity are threatened.

"There are no small presents!"

33- Article 2 - Family and human rights - of the Sanya Declaration states : "Families assume an important role in the defence of human rights in their midst, but also in society in general".

- "1. Families must have the capacity and means to guarantee the safety of their members and to meet their essential needs. This consideration is based on the principles of

equality, inviolability of the rights and duties of the individual, mutual respect, love and tolerance.

2. The principles of human rights and democracy must be taught, practiced and respected above all inside the family.
3. Democracy in society is directly related to democracy inside the family".

34- Could we imagine that democratic relationships exist in a family if the family, partners, parents and children do not feel recognized and involved in the taking of decisions (political and others) concerning their interests and rights outside their family? Life is not merely a "fight for survival". The role of families must be recognized in our society. "*The project work increasingly substantiated the theory that the social exclusion of people with children is possibly influenced not only by economic factors and a lack of family oriented infrastructures, but also by prevailing attitudes in a society about the actual nature and value of families*".

The rule of politics and the economy or the rule of the street and the family?

35- Don't you think we underestimate the impact of the political regime and economic system on the family, relationships in the family and ways of communicating with the external world? Quite often, a behaviour is totally appropriate and works well in our social context and daily environment. Don't we put too much load on the shoulders of families? How can we expect families to practise and teach human rights and democracy in an authoritarian or totalitarian political environment or in an economic system that does not care about family needs? If democracy in our society is directly linked with democracy inside the family, in which direction and on which side is power residing?

36- On the discussion concerning democracy and family and their openness to the external world, one thing seems to be clear: families, and persons mandated to speak in the name of families, must be able to make their voice heard whenever the debate relates to their rights and interests and those of their children. This point seems to me so obvious that when preparing my presentation the idea often came to me that we should organize other conferences on the subject. What we are saying today has often been said before, but it bears repeating. This is one reason for the existence of the family movement and the educational and training work performed in this field.

Drafting of a Charter

37- Some more questions: "What could be the form of participation in decision-making? How can we make it effective and efficient? How can we ensure the recognition and regulation of the right of families, all families, to participate in the taking of decisions in fields concerning families and children? Here, we are forced to introduce some nuances and even to let some doubts and hesitations remain, when including in a "**Charter**" or "**declaration on family rights**" the principle expressed in legal form in which families have the **right to participate** in the decision-making process concerning their fate. The process involves *inter alia* what sociologists of the law sometimes call "normative logics", the hope to see a norm being formulated from above which also determines our social reality, our way of life and mode of action, or at the least the possibility of influencing it and giving it an orientation.

38- Starting from my experience as head (or rather father) of a (large) family and active member of the family movement designed to protect family interests, I am absolutely convinced that such participation in decision-making is not to be taken for granted and that, on each occasion, it must be **fought for** in order for it to become effective in reality, and to be finally confirmed in formal texts and legal statements. It will be the social realities of life (e.g. the presence and autonomy of families) and the voice of families that will determine, at the end of the day, the right to participate democratically in the decision-making process.

A problem of conviction

39- In parallel with the substantial issue of my presentation, one of the major questions is, I believe: "Whom do we hope to convince? Whom are we addressing?"

Our target is not only public authorities, governments, political leaders, but those who establish and decide about political programmes, who are able to formulate and give a scope to that right of participation in the decision-making process. It is also families and family organizations that must come forward and give consent to that participation, in the interest of the family, and those institutions and services dealing with family welfare.

"Targeted lobbying (personal presence, clear objectives) on all political levels, particularly also on the local level, can turn the contributions and needs of families into a key criterion for political decision-making. However, important decisions influencing processes of social disadvantage are already being taken in the economy and the working world. They make up a target group for lobbying, which has received too little attention up to now, and which also has its own, well-functioning lobbying system. Why not transfer some of their good practices to lobbying work aimed at strengthening families".

40- When we consider "the family" as an outward-looking institution seeking to participate in social life (in a broad sense), this participation is a criterion of inclusion/exclusion of the family and of the individual living in poverty. But participation is also a tool, a goal to be reached, and a criterion reflecting the efficiency of the assistance provided to individuals and families. Nevertheless, we usually leave aside in this context any reference to participation in political life as well as to the organization of assistance *per se* for families".

"The international exchange of information clearly demonstrated that although social inequality is an existential issue for citizens in our time, it is largely tabooed in public discourse. Typically, the existence of social inequality in European societies is admitted (and documented with income-based statistics), but no studies are conducted to determine how this inequality impacts on families, the "smallest democracy at the heart of society."

*"The objective of all methods presented here is **empowerment**, meaning a process of expanding a person's ability to lead a self-determined life. Empowerment strategies are of central importance, particularly in prevention work, because the habit of powerlessness and passive suffering often associated with social exclusion is passed down from generation to generation. Practical experience and scientific studies convincingly show that financial support alone cannot solve the problem of social exclusion and that self-awareness and self-help are fundamental starting points for bringing about change".*

40- What efforts are made by the services and institutions entrusted to helping families, particularly with regards to the promotion of the participation of families (their clients), the organization of services and, at the individual level, the functioning of services for their benefit?

A Declaration or Charter?

41- One might propose as an ultimate goal the "legal formulation" of a requirement", a need or demand aiming at the democratic participation of families in the decision-making process. This demand may be covered by the action of family movements.

Here we should not underestimate the difficulty or even impossibility of submitting a legal definition acceptable to all the components of what we call *family*. From this perspective, the situation has not become easier lasting recent years, probably due to the diversification of family models. In fact, it is already quite difficult to give a sociological, religious or even ideological definition of family. At the legal level, it suffices to underline the extent to which the European Court on Human Rights has given a rather wide interpretation of the "family" concept in Article 8 of the Convention, which, at least in principle, was not unanimously shared but which imposed itself through the channel of national legislations and was strengthened by the principle of autonomy, freedom and equality of persons.

42- The Sanya Declaration resolved or rather evaded the problem by saying :*"while different forms of families exist in different social, cultural, legal and political systems, the family is the basic unit of society. As such, it must be protected and assisted"*.

When read with care, other definitions will not fail to astonish the cautious reader.
"Family is the basic fundamental cell of society..." And the text goes on : *"and (this cell) has the right to be protected by society and the state".*

43- Is it necessary here to give a detailed definition of the family "norm"? In any case, we must be aware that our life is made much easier - or less difficult - when we used undefined terms on which we may confer the meaning of our choice. Whatever the case, we also observe a considerable variety of definitions in the preparatory documents of this conference.

However, when we talk about a "family", we must insist that the participation of families in decision-making must not be assimilated in the right of participation of spokesmen/persons (individuals, associations, services) who declare they speak on behalf of families. Hence, when we claim participation of family bodies in the elaboration of policies, we must demonstrate their legitimacy, the sociological justification of that approach, and the degree of representativity.

44- The question is to know whether a considerable number of families are "excluded" from that representation. *"Social exclusion exists when material poverty allows only limited participation in social life/citizenship, or none at all."*

Which aspects?

45- It is necessary to distinguish **which aspect** of the terms "democracy" or "family" we want to put forward. Do we mean the "personal relationship" aspect or the "social structure" or economic cell? Do we mean formal or informal aspects? And what about "democracy", "power to the people"? Which definition shall we use: "equality", autonomy and "individual rights", freedoms, participation, inclusion, freedom of expression, freedom of association, freedom of choice, organizational system of society, allocation or withdrawal of authority, of decision-rights, power? Do we include relationships with formal structures, political only or also the other intermediary structures or the intermediate field ("middenveld"), schools or family assistance services, family organizations?

46- Some aspects of "democracy" compel us to ask not only if the term is compatible with "family" but also whether it is appropriate to qualify what takes place inside a family.

It is to be noted that while terms remain unchanged "the family" - the way families and individuals organize themselves - is constantly evolving and adjusting to societal change as well as to the modifications of political and economic structures...

Rights

47- Whenever we demand the recognition of a right of participation of the family in a formal context, do we talk about a "legal" norm as such or a rule of law? Or do we mean an ethical standard expressed in legal form, a principle, or a guideline?

In this case, who is the beneficiary or holder of that right? In Europe, in our present legislation, the "family" as such does not exist as a legal entity. It has no legal status and carries no rights. Only family members' enjoy rights: depending on their belonging to a family in the role of partner, parent, child, etc. Therefore, do we have to claim the recognition of a legal status for the family? Would such a proposition have a chance to succeed?

Democratic participation of families

48- Finally, what is the formal legal foundation on which to base our demand to safeguard the participation of families in the decision-making process?

49- In Europe, the leverage for this request might be found in the European Convention of Human Rights and the European Social Charter. We must also add the International Convention on Children's Rights and the European Declaration on Fundamental Rights, included in the draft European Constitution. There are also declarations concerning family

rights, proposed by non-governmental organizations and family movements: UIOF, OMF, UNAF, Holy See, World Summit on Family (Sanya Declaration).

50- Can we support these texts and others as, a Charter on the Family that would contribute to the well-being of families and individuals? Since, at the end of the day and at the legal level, it is by making reference to these criteria that draft texts concerning participation in decision-making will be evaluated.

Let us consider five documents that are most important for our theme concerning participative democracy: the **European Convention on Human Rights**, the **European Social Charter**, the **Declaration on Family Rights** (OMF-UIOF), the **World Declaration** for a global Family Policy (**Sanya Declaration**, China 8 December 2004) and the **EU Charter on Fundamental Rights** incorporated into the draft European Constitution.

Conventions

47- It is stipulated that "*family is the natural and fundamental element of society and has the right to be **protected** by society and the state*" (Declaration on Human Rights, art.16,3). "*Any person has the right to the **respect** of his...family life. There can be no **intrusion** from any public authority*" (Art.8,1 and 2,5 of the European Convention on Human Rights). Wouldn't this be sufficient, complemented by Article 10 on the freedom of expression and Article 11 on the freedom of association and meeting? Don't we have here a fair basis and tool to insure the democratic participation of families? We might need to add the explicit recognition of family as an **active element** of a democratic society.

51- While basing itself on the Convention, the **European Social Charter** goes a step further and associates real social rights with political and civil rights. But it also clearly and explicitly defines the context :

"Considering that the exercise of social rights must be guaranteed without any discrimination based on race, colour, gender, religion, political opinions, national or social origin; Determined to deploy the efforts necessary to improve the living standard and promote the well-being all the categories of their populations, both rural and urban through institutions and appropriate achievements..."- "1. Contracting Parties recognize as an objective of a policy they will pursue by all useful means, at the national and international levels, the implementation of conditions capable of guaranteeing the effective use of the following rights and principles :...16. The Family, as the basic cell of society has the right to an appropriate social, legal and economic protection in order to ensure its full development".

Declarations

The most recent declaration made on family rights, the **Sanya Declaration** (China) contains some remarkable texts about the family; however we fear that they are too romantic or optimistic and lack realism:

"... on the 10th of December 1948, the United Nations General Assembly, appealing to the world through its Universal Declaration on Human Rights, stated in its Article 16,3 that "The family is the natural and fundamental basic unit of society and has the right to be protected by the society and the state (Resolution 217 (111) G.A.) Everywhere in the world, the family has always been considered as the basic cell of society. By ensuring essential functions, it is a source of stability, continuity and development. Different as well as similar, families are the cradle of future generations, the very essence of the future of the world. Their strength and their weakness are everywhere the reflection of society.

The family, the oldest expression of relationships between human beings, the main agent of social integration and transmission of values, constantly adjusts to the evolution of economic and social conditions and the progress of mankind. Nevertheless, the new global challenges of the last decade and deep changes in constant development have led to a new vision of the world that re-invents economic, social and political structures as well as institutions. Such changes have an impact on family dynamics.

Thus, it is necessary to promote on one side the opportunity and equality of rights and opportunities so that women and men be able to play their role, assume their responsibilities

and duties in the family and society - in conditions of freedom, equity, security and human dignity - and, on the other side - policies offering a better life to all the families by respecting their diversity and specificity".

52 -What still constitutes the crux of the matter is the expression of the fundamental idea of our faith in participative democracy, where those who are governed (in this case families) are involved in what is political in a more direct manner than through the intermediary of representation (strictly formal); they co-operate in the implementation of their own well-being, and in the welfare of the community/ies they are part of, and they believe in the autonomy and co-responsibility of man...

Hence, our position : we must recognize that people's fundamental needs must be satisfied..., that people seek the satisfaction of these needs in certain forms of common life and social structures, that we call **family**: a form of life in common with an essentially permanent character, sustainable but diversified that varies over time and in which one can trace back common and constant characteristics but also differences, diversity and even contradiction. The family is then a community that fulfils an essential mission in society.

Freedom and autonomy

53- Any declaration about family rights must promote the freedom and autonomy of families and individuals as to how their needs and personal interests are met, and the role of families in the interests of the community. Again, this presupposes the emancipation of families, or of them possibly joining in the search for solutions, and the will to participate in political decision-making.

54- One major criterion for the value of any declaration would be the extent to which the weakest and most vulnerable families and individuals, economically speaking, and the less autonomous (poor families, children, elderly) are included in the opportunity to participate actively in social life.

55- But a declaration concerning family *rights* cannot change or become a disguised *declaration about obligations*; in other words, it cannot have a restrictive effect on families. Norms of moral, racial, religious, philosophical and cultural nature establishing what is good to be heard by a family, a nice family, a normal family, a family, must be avoided/rejected.

Any declaration on family rights must, in a positive fashion, call on the autonomous resources and proper capacities of families and individuals, in particular as regards participation in the decision-making process. What we must absolutely avoid is to (ab)use the form of a declaration of rights to formulate obligations.

55- Quite often the texts proposed have a protective flavour. In other cases they preach protection but this remains merely words. The same applies to statements like: "The family as the basic cell of society has a right to an appropriate social, legal and economic protection in order to ensure its full development" (Part 1,16 European Social Charter).

To recognize and proclaim the family's need for protection does not correspond to the recognition and promotion of the basic active role of the family in our society. Rather, many texts seem to have been written against the background of a certain anxiety, a loss of confidence in the strength proper to the family itself.. If the family is considered as the basic element of society, texts are obviously inspired by the supremacy and primacy of the State which organises, grants and distributes its protection. Very often we notice fear and some doubts concerning the family's capacity to maintain its significance and functions.

56- The UNAF and UIOF Declaration 1955 on family rights sound more positive and democratic but are now slightly out-moded:

*"The family is a natural community, based on marriage. It constitutes the fundamental element of society. By granting the family the **responsibility** of its future, the State must guarantee the free exercise of its **mission**."* (Art.1).

Other draft texts went further along the same lines: "*respect for families*" , "*rights must be construed as recognition of its natural rights to freedom and self-promotion.*" (International Secretariat of the Int. Congress of the Family) "*Public authorities must respect and foster the dignity and lawful independence of every family.*" But, what does it mean in practice?

Derived rights

57- One must not lose sight of the fact that family rights may only be derived, functional rights. Similar to parental authority, these are rights derived from and are "functions" of Human rights, also explicated in Children's rights that depend on the role played by families in society. From this perspective, any declaration on family rights should be preceded by a recognition and specification of Children's rights, a transposition by extension of Human rights at the level of children. These rights are based on the role and function of the family, in particular as regards education, coaching, self-promotion and emancipation of children.

The International Convention on Children's Rights must therefore be mentioned in the basic documents of any Charter dealing with family rights. This implies that the position and promotion of children (as well as other vulnerable groups, e.g. elderly people) must be the corner stone of a Family Charter.

Ethical requirement

58- The participation of families in decision-making is a requirement, a moral demand, based on the irreplaceable functions of the family. In this context we must determine the background of draft texts and proceed to their assessment. Thus, the OAS and Holy See text: "*The family has the right to belong to any kind of civil or cultural association, especially those for the public good.*" The message is similar to that contained in Article 10 of the Convention on Human Rights. "*Associations of a family nature and their federations are entitled to be legally recognised and to enjoy freedom of public and private assembly, expression and action.*" (International Secretariat). Isn't this text a slightly different repetition of Art.10-11 of the Convention on Human Rights?

59- For its part, the text of the UIOF "*Declaration...*" (1955) adds another element : "*Families as such have the right to be represented in public authorities and in bodies invited to submit opinions, manage or control economic, social, cultural (and educational) institutions*".

60- A bill introduced in the Belgian Parliament, without success, intended to integrate a family Charter in Belgian positive law and endeavoured to make a synthesis :

"The family has the right to exercise its social and political role in society-building.

- a. *Families have the right to create associations with other families and institutions in order to fulfil their role in an appropriate and efficient way and to protect the rights and promote the well-being of and to represent family interests.*
- b. *From an economic, social, legal and cultural standpoint. The legitimate role of families and family organizations must be recognised in the preparation and implementation of programmes that have an impact on family life".*

61- Families and, when necessary, family associations must have their say in the field and at all levels where decisions are taken concerning the living conditions of families (as a group), where decisions are made about policies regarding the living conditions of families (as such) at all levels (school, community, social security, public authorities, Europe) as well as in every domain, depending on their increasing importance for family life: income, health, living environment, education, consumption, social security, facilities and social services, and laws.

This participation in decision-making cannot be restricted to political and public structures and levels of discussion (lawmaking, executive power, public/private institutions, consultative bodies,) but must be enlarged to other sectors where important decisions are taken : education, economy, development.

Reality precedes the norm

62- Clearly, in a Family Charter, any normative text concerning participation in decision-making should be the expression of what already exists: of a social reality. Families must win their democratic participation in the decision-making process and be aware of the irreplaceable nature of their functions.

The legal norm concerning participation in decision-making will only be recognized and accepted "in principle" if it exists and operates in practice. This supposes a commitment taken by families, the regrouping, organization and representation of competent bodies, a co-operation and co-ordination between family associations. Is it possible to request such a participation if families themselves do not make their voices heard in representative structures, or if families do not have the possibility of exercising their responsibilities and participating fully in their own organizations?

The right of association is recognised and guaranteed. This also relates to families. They must use that right just like workers. The legal recognition of the family's right of participation (family associations) may be used in support of this.

63- Even without that recognition, in the absence of a text included in a charter, and even if "public authorities" do not ask for their advice, families must make their voices heard since they have something to say. Public authorities will only recognise and listen to families and family associations if, whether invited to or not, we make known that we have something to say on the issues that are of interest to us.

A listening culture

64- The participation of families in decision-making presupposes the existence of democratic participative structures inside the family organizations themselves. What is the meaning of that right of participation in the functioning of public authorities and institutions if as families, as representatives of family bodies, we are unable to discuss between ourselves, if we only submit diverging and contradictory requirements or advice?

65 My position is as follows: families and family organisations will be unable to demand their participation in decision-making if they fail to understand each other, disagree and do not succeed in voicing their claims. Our **mission** is to promote "a culture" that "progresses all over the world" and is characterized by the fact that the "argument related to authority is upset by the authority of the argument": a culture insisting on the importance of individuals and citizens - a listening culture.

Additional considerations

66- The basis of the criterion used to evaluate human and political relations in our societies is to be found in the principles of equality and dignity. Why should it be different as far as the family is concerned? As a matter of fact, the origin of equality in the family does not reside on the principles of democracy but rather in the equality of citizens and between members of the family, including children. This equality derives from a common source : the concept of human dignity, the individualistic vision of Man.

67- Equality and democratic participation must not be the exclusive privilege of the State and of the Family: they should also predominate in family representative organizations and in those institutions and bodies that help families. Elected citizens are not the only ones to have the right to speak on behalf of others. However, everybody who presents himself/herself as representing families must legitimate his/her position.

68- Egalitarian democratic relationships in the family are not sufficient to create a democratic structure in a Society or a Nation. The influence exerted on families or relationships by a political regime, or an authoritarian or totalitarian economic system, is extremely powerful, and at least as powerful as the impact of religion, although less explicit.

What is there to fear about the presence of human dignity, or the equality of individuals in families, whether we talk about men, women, parents or children, or about the active democratic participation of families in social and political life and in those institutions whose role is to assist them?

Aldous HUXLEY wrote in 1946 in his book "**Ends and Means**; an enquiry into the Nature of Ideals and into the Methods employed for their Realization": ***Our aim, let us recall, is to train up human beings for freedom, for justice, for peace.***"

Bibliography

- BAERT, H. en SPOOREN, P., "Services sociaux et d'orientation: accord et désaccords?", ICCFR Paper Leuven 2003, in: HILL, Derek, o.c. 2003.
- BOSSUYT, M., e.a., Eindverslag Commissie "ter invulling van de cursus maatschappelijke oriëntatie", overhandigd aan Vlaams Minister van Binnenlands Bestuur, Stedenbeleid, Wonen en Inburgering Marino Keulen, mei 2006, 38 p.
- CLULOW, C., "Gelijkheid in het gezin: welke gevolgen?", **Welzijnswerkkroniek** 1988, nr. 113,
- CLULOW, C., "Supporting Couples in Society: Where are we now and where might we go?", ICCFR Paper Vienna 2004, 10 p.
- COMMAILLES, J., **Familles sans justice?**, Le droit et la justice face aux transformations de la famille, Justice humaine/Le Centurion, Paris, 1982, 258 p.
- COMMAILLES, J., *The Family and Democracy*, in: **The Family**, Contemporary Perspectives and Challenges, Festschrift in honor of Wilfried Dumon, MATTHIJS, K., (ed.), Leuven, University Press, 1998
- DELPEREE, A., *De medezeggenschap van de gezinnen in de maatschappij*, p.m., IUGO, Internationale gezinsconferentie, Luik, 3-7 september 1973, pm
- DE WINTER, Micha, *Democratieopvoeding versus de code van de straat*, rede uitgesproken bij de aanvaarding van het ambt van hoogleraar Universiteit Utrecht 20 juni 2000 (Micha de Winter 2005).
- DONATI, I., *The new citizenship of the family*, in: **The Family**, Contemporary Perspectives and Challenges, Festschrift in honor of Wilfried Dumon, MATTHIJS, K., (ed.), Leuven University Press, 1998
- DUMON, W., *Opvattingen en ideaalvoorstellingen van het gezin*, **Kultuurleven** 1971, 10, 938
- ELCHARDUS, M. "Een paar bouwstenen voor een democratisch project", in : **Samenleving en politiek**, 1999, nr.2 , 30 e.v.
- HILL, Derek (ed.), **Vers un nouvel équilibre : Harmoniser vie familiale, vie professionnelle et relations intergénérationnelles**, Leuven 3-6 juin 2003, Vlaamse Overheid, Brussel, 2004, www.iccfr.org.
- HILL, Derek, (ed.), **Never the same again, Families and their Relationships**, Ten Years after the Year of the Family, 51st Annual International Conference, Tallinn, 12-16 June 2004, www.iccfr.org.
- HOFFMANN, E., *Social exclusion of families in Europe, Causes, consequences and integration promotion*", Final Report EU-Project : Fighting Social Exclusion, January 2000 to July 2001, Bonn, Lisbon, Vienna, 35 p., www.worldfamilyorganisation.org/summit/doc.
- KOSCHORKE, M., *Who has the power in today's families?*, in: HILL, Derek, o.c. - 2005, www.iccfr.org.
- PAS, H., *Le droit des familles à la participation à la prise de décisions*, ("Recht van de gezinnen op medezeggenschap in de maatschappij"), in **Maatschappelijke uitstraling van sociale wetenschappen**, Vriendenboek Prof. Dr. Frans Van Mechelen, Leuven 1988, 333-340.
- PAS, H., (ed.), "**Vive la Différence?**", 45 Ans Couple, Mariage, Famille, Relations, Consultations, ICCFR 1953-1999.
- ROOSE, R., A. CLAEYS en M. BOUVERNE-DE BIE, *Participatie en OCMW*, in : **Armoede en sociale uitsluiting, Jaarboek 2005**, ACCO, Leuven, 2006, J. VRANKEN, (ed.), 235-248.
- STORME, M.E., *De juridisering van sociale verhoudingen van de negentiende eeuw tot vandaag*, in : HEIRBAUT, D. , MARTYN, G. en OPSOMMER, J., **De geschiedenis van het recht in de twintigste eeuw**, Reeks Iuris Scripta Historica, Koninklijke Academie WLSK, Brussel 2005, 27-75.; www.storme.be
- STORME, M.E., *Democratie: hoe is het mogelijk? Over de randvoorwaarden van een daadwerkelijke democratie*, www.storme.be
- STORME, M., *De fundamentele vrijheid om te discrimineren*, www.storme.be., **De Standaard**, 5-6 februari 2005, 50-51.
- VAN BLAADEREN-STOK, C.L., *Democratie in het gezin, een opvoedingsmodel in ontwikkeling*, **Kultuurleven** 1971, 10, 965.
- VAN POUCKE, A. en VERHAEGEN, I., *Commune, een sociaal-politiek actieve leefgroep*, **Kultuurleven** 1974, 190, 991.
- WIESER-HÖRMANN, Elisabeth, "*Gleichheit in der Familie*", **Dialog**, Information Ehe und Familie, IEF Wien, 1987, Bd. 3, Heft 3/87, 16-17.

Documents

- Déclaration de Sanya**, Déclaration mondiale pour une politique familiale globale, Sanya, Chine, 8 décembre 2004, Nations Unies, Conseil économique et social, 24 mai 2005, E/2005/NGO/3
- Charte des Droits Fondamentaux de l'Union Européenne**, J.O. C 364/1, 18 décembre, 2000.