

Parental rights and duties to raise a child

Dear Minister, ladies and gentlemen!

Thank you for your invitation to this conference and for your kind introduction.

Our topic is a real "future agenda". If the central social issue of the 19th century was the variances between capital and work, in the 21st century it is the continuance of society and ensuring the future of human capital. And this is established only in families with children - and nowhere else.

Family policy based on a scientific basis has become - like social policy - a relatively independent sphere. It would seem that both these spheres, social policy (focused on the material/financial issues of redistribution between "poor" and "rich") and family policy (focused on levelling the differences between those who are responsible for children, and the childless), are currently facing a difficult position taking into account the ever growing trend where more and more areas of life are almost "colonized" by requirements, even by the pressure, of the "labour world". Before the existing banking or economic crisis some experts talked about the "imperialism of the pure economy". Let us realize we are not interested in a hasty devaluation of the market economy system, but rather in modifying it to an actual social (and ecological!) market economy and in a free family, which is the premise for a really liberal economy and social system.

A better reconciliation of family and employment in terms of various options of a conflict-free combination of adopting family obligations – i.e. childcare and education - with the requirements that are part of paid employment - this is the social objective, but it is still not a generally applicable fact. This is applicable namely for the often required equality of family care and employment. From my point of view, one of the greatest handicaps in the current discussion on reconciling employment and family is a reference to the historical concept of employment (established, probably, in the period of early industrialization) as a paid activity. The Fifth German Report on the Family Status in 1994 attempted to express in numbers the work supplied by the family (i.e. in education, provision and care), and the work was evaluated as consisting of

51% of the Gross National Product. Here we can see that it is necessary to perceive family care, to value and to remunerate it better than it has been up to now.

Better reconciliation of family and employment needs to be anchored in the large target system of the family policy, which is perceived as the politics of social order and is focused on creating the basic prerequisites for expanding family care and the organization of common family life. Not only state representatives (on all governmental levels) should participate and take part in it, but also private organizations, such as enterprises, family organizations, and last but not least families themselves, as the subject of family policy and deciders of their own fate. We need to establish ways for them to participate and to make them institutionally stronger than to date, whether it is representative and competitive representation interests (comparable with the representation of the interests of employers and employees), or, for example, implementing voting rights for children.

The existing discussion on the issues of reconciling employment and family is limited, at the most, to the current coexistence of full time employment (we should critically ask: if possible according to the male model?) and family care. If we consider the aspect of demographical development, i.e. the ever extending lifespan and the therefore implied necessity of longer paid activity, and if we take the equality of family care and employment seriously, we could conclude new perspectives from this. Instead of their concurrence, family care and employment in various stages of life would be consequential. Currently, this consequential model of family care and employment divided into stages is accompanied by considerable disadvantages during transitions from one sphere to another. Better financial remuneration for family care, or parental obligations should help this choice between various possibilities by compensating for the lower income associated with limited working hours because of family.

To achieve a conflict-free combination, if possible, of (current and future) family care and employment during life, there are several sub-objectives or partial objectives, which are assigned several tools, specific to these partial objectives. These are, often, to the fore of politicians' attention, since the final objective of family care itself and in combination with other tools and partial objectives, which are very important for the efficiency of these tools, withdraws inadmissibly into the background.

The central objective, however, must be organizing employment obligations that will enable family care, never the "economically competent family"!

In family policy throughout the EU, individual tools - in accordance with individual and various objectives - are set up differently, thus providing a varied image of national systems of family policy we can recognize within the influences of the up-to-now national political and culture development and national particularities. Because of these differences we face the question of the legitimacy and competence of particular political intentions (such as the objective to set the share of the employment rate of women) - from the legal viewpoint, it is, after all, a recommendation, not an obligatory target.

Due to the problem of the roles of individual genders in the area of the employment position within the family and because of reconciling family care and employment, I consider the following to be of importance: differences between genders carry a particular anthropological, personal and existence scope, which has been always interpreted from the cultural viewpoint, nonetheless cannot be reduced to socio-cultural assignment in terms of "gender". Contrary to consolidating specific roles for individual genders in the area of the employment position in society and family, there are currently, as I said before, political tendencies to enforce the egalitarian establishment of roles. Should not, instead, politics avoid claiming the ideological power to make the final decision on the differences between genders and promote consolidation of roles, whether differentiated or egalitarian? Both can be repressive. We so much more rely on the liberty of modern times, i.e. the liberality in which women and men themselves determine their life plans based on equality and equality, and in the case of marriage and family bonds they themselves mutually agree, freely, on the division of tasks. The Pate contractual theory in the political philosophy of the modern times was not established in vain.

Furthermore, we should pay attention to the family itself, and its "internal space". The family as such is very much influenced by social changes; however it still performs important tasks (as I said before, namely providing for and educating children and taking care of them). These socially urgent tasks characterize the family as an inde-

pendent partial society system. In terms of subsidiarity, the family has the right to organize the scope of its competence as independently as possible and to be reasonably authorized by society to do so. This right needs to be claimed all the time since it is threatened by the fact that the family exists as a small unit that is in many points dependent on the larger economic and political system, and which is, in addition, a non-market unit.

The importance of the family as an association of persons implies the tasks of raising children, both as a right and an obligation of parents. During the education of children, other educators join parents, with their own competencies. During the first years of life, however, parents occupy the role of educators. Education in trust is of basic importance for the future development of a child. Modern brain research advises on the importance of permanent persons for the development of children during the early years. Education, as a deliberate process, must be continuous for small children. Too large a discontinuity may be detrimental. Last, but not least: each education assumes a linkage! In this relation, a time issue is raised in relation to the time that families have for themselves. Here, we need to dispute all political and social trends socially discriminating and financially afflicting those parents who want to educate and raise their children by themselves, partially on account of the children, partially because they want to intensively and instantly experience, along with their children, their early development as something fascinating and fulfilling, so they do not want to shelve children in a childcare facility.

Parents should be able to freely agree about the possibilities available for the division of work in a family and the reconciliation of family care and employment, without regarding the financial viewpoint. Supporting childcare facilities should not, however, result in only privileged classes being able to afford education and childcare in the family. This could happen, if the scanty resources released from the public budget unilaterally flowed to childcare facilities. In the case of childcare and the education of small children these resources should be directly, if possible, directed to parents and it should be up to them whether and in what measure they use these resources in the family, or if they want to spend them on childcare facilities. This family autonomy is desirable also because we may, by all rights, question all practiced or proposed possibilities of childcare in various ages outside the family being equal in relation to the

well-being of children – taking into account the qualifications of minder personnel, the size of groups of children, and the existing need to save. The choice between personal childcare and childcare provided by third persons remains, in the end, a question of the parents' conscience, and it depends on their focus, preferences, and attitudes.

In general we can state that our societies need a new "operating system", extensively focusing on the family and children. In the future, "generation tolerance" could be the critical criteria for lawmaking.

At the same time, material and moral aspects are important, however not only these. Better consideration of children and the family in the area of the tax and transfer system is also needed. If the "education income" as discussed by many people could resolve any of these problems, it should be thoroughly and differentially discussed. Better financing of personal parental care should not be an unsolvable financial issue, if the policy is serious about generation equality - as a presumption of generation solidarity. If there are certain possibilities within the tax legislation, beginning with the tax-exempted subsistence level for each family member to the so-called "negative tax", then we need to have sufficient financial subsidies for the respective funds within the transfer area, or individual measures. Great, and on the European level, efficient aid would be "the establishment of a generation budget" along with (or better, instead of) the establishment of the "gender budget" as supported by some people, as well as producing generation balances that would better reflect the division of social resources to various generations. This would be a presumption reflecting the current "imbalance" detrimental to the younger generation, i.e. families with children. For example currently in Austria the dependent activity income is subject to levies of 22.8% to provide for the older generation, but only 4.5% for financing the expenses for the younger generation. Also within the discussion on the "basic provision" as initiated by many European countries children should be expressly included and the work as carried out by families should be taken into account.

Many thanks to the Czech Presidency of the EU for its prudence and courage in devoting this conference to an agenda that is often paid only limited attention and many successes in future discussions on this important issue!

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