

The Upbringing Pledge as Framework for the Parent-Child Relationship

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1. Introduction

In order to develop children are entrusted to people who care for and guide them. Parents or guardians cannot be exchanged just like that. Permanence is an essential quality of the bond between the child and his or her first parents or guardians. If the lasting commitment of parents for the well being and growth of children is so important, the government must do everything it can to strengthen the development, preservation and quality of this parent-child bond. There are many instruments that policymakers have available to organise this support. A unique – and in our opinion underestimated – means the government has at its disposal is the creation of an institutional framework in which the parental commitment and pedagogical responsibility for the child can be expressed.

The traditional framework for this was marriage. The civil marriage family was a societal institution that regulated not only the life together of two adults but also had a clear-cut pedagogical objective and legitimacy: ensuring that the children that result from the relationship are cared for and brought up properly. The civil marriage family created rights and obligations for the partners as well as for the government. In this way the civil marriage family was an instrument for general pedagogical prevention.

Now that the civil marriage family in its traditional form enjoys increasingly less societal recognition, the pedagogical concerns that it included must be transposed in one way or another into an institution that is recognised by society. People who live together and contemplate having and bringing up children can and must be expected to explicitly and publicly commit themselves to parenthood. To this end, one could introduce the institution of the upbringing pledge.

The upbringing pledge means a pronouncement in favour of a lasting commitment with respect to the child. A public and formal pronouncement cultivates intentions that undoubtedly are present, but these receive added societal value via the pledge made. By pronouncing it, the parents acknowledge the responsibility placed on them by the child. Promise is debt.

The pledge affirms that the child has the right to a fundamentally indissoluble relationship with his or her parents. The parents commit themselves to always being available to the child and not to interfere with the relationship with the other parent, whatever the relationship between the partners themselves might be. 'We will be there for you.' 'In good days and in bad, we remain the parents of our child.'

When registering the birth or adoption of a child, the parents would formally make an upbringing pledge. This presupposes that the civil and public symbolic character of the declaration is preserved. In the case of remarriage or concluding a cohabitation contract or marriage of partners with children, the upbringing pledge can be

pronounced in the presence of all the children involved. In the case of divorce, the upbringing pledge will be reconfirmed by the ex-partners.

The upbringing pledge contains not only a statement of lasting commitment concerning care for the children, but also an explicit declaration of commitment to recognise and implement the rights of the child as a person.

The institution of the upbringing pledge for that matter also affirms the government's responsibility: it must support parents and children. In signing the Convention on the Rights of the Child, states have after all committed themselves to doing everything possible to ensure that children are able to grow up in dignified way. According to the Convention, this implies (1) that for the full and harmonious development of the child's personality, he or she must grow up in a family environment, in an atmosphere of happiness, love and understanding; (2) that the child is brought up by parents who are recognised in their common responsibility for the upbringing. The government must do all it can to ensure this. Instead of sanctioning parents who appear to fall short in taking up their responsibility (we refer to a government's proposal to withhold child allowance or a part of a scholarship in the case of skipping school), the government would be better off creating a positive climate that cultivates commitment. The institution of the upbringing pledge could be a step in the right direction.

2. Upbringing pledge and the rights of the child

A. The pedagogical responsibility of the state

Proposition 1

The Convention on the Rights of the Child recognises the rights of the parents¹ as those with the primary responsibility for the upbringing and development of the child. It also establishes the right of children to common parental care and upbringing in a family environment. In this, the role of the states with respect to the upbringing is also established. In several articles, the convention describes the scope of the secondary responsibility of the states in both general and specific situations. These actions – which we could describe as social-pedagogical action and empowerment – presuppose a more fundamental and foundational anchoring of the secondary responsibility of states. The latter was clearly defined in earlier stipulations: 'State Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child.' (18.1). In our view, this concern for the recognition of this principle also requires 'institutional action', in particular the establishment of the 'upbringing family' (upbringing pledge).

Proposition 2

Seen in a historical perspective, the civil marriage family was a social institution that regulated more than the life together of two adults. It also had a pedagogical legitimacy and objective: in particular, to ensure that the children resulting from the relationship were cared for and brought up well. The demands placed on the partners who wished to marry were also conditions that candidate parents had to fulfil. In this sense, the civil marriage family was considered an instrument of states to engage in

¹ In the Convention, the term "parents" is used in an undefined (and undifferentiated) way. In the following, the term "parents" does not necessarily refer to the biological father and mother, but rather to all adult persons who enjoy societal and legal recognition as parents of the child by virtue of a biological relationship, adoption, recognition, as well as actual care for the child.

general pedagogical prevention: to ensure that children have parents who would take good care of them. The point of departure and argumentation here was that parents have not only the right and the obligation to care for their own children, but that they as lovers who voluntarily commit to marriage must also have the best pedagogical intentions with respect to the children who result from the marriage. The role of states in this construction is secondary, supplementary and supportive (e.g. providing the material conditions required by the households, increasing parental skills). States only intervene when it appears that the parents are unable bring up the children properly (e.g. in the case of negligence or maltreatment).

Proposition 3

Since the civil marriage family in its traditional form enjoys increasingly less societal recognition and validity (due to questionable/untenable assumptions regarding the coherence of sexuality, reproduction and upbringing), states cannot limit themselves to noting this decreasing legitimacy and appeal. Because of their pedagogical responsibility, states cannot limit themselves to instituting cohabitation contracts in the context of maximising peoples' freedom of choice with respect to the organisation of the partners' intimate life together. In one way or another, the pedagogical concerns that were contained in the institution of the civil marriage family must be translated into an institution that is recognised by society.

B. Parenthood

Proposition 4

People who live together and contemplate having and bringing up children can and must be expected to explicitly commit themselves to parenthood. The nature of the matter – because of the child for whom society is also responsible – dictates that this commitment will have a public character.

Proposition 5

The upbringing pledge concerns the pronouncement of a number of fundamental children's rights and the commitment to personally guarantee these rights. In the first place the child has the right to continuous personal care by his or her parents. The parents must affirm that the child has the right to an indissoluble relationship with both parents. They commit themselves to always being available to the child and not to interfere with the relationship with the other parent, whatever the relationship between the partners themselves might be. 'In good days and in bad, we remain the parents of our child'. 'We will be there for you.'

Proposition 6

Parents may also be expected to support children's rights. This amounts to no more or no less than putting into words the idea that children are persons and must be treated as such, taking into account their uniqueness (as child and as individual). Society may expect parents to engage in a process of upbringing in which the children are recognised as discussion partners: as people who have something to say, who are listened to and who can be addressed as persons. This is not to impose a specific concrete model of upbringing on the parents. It here concerns a choice in principle for the child, which is interpreted differently according to the child, the parent and the situation. States that signed the Convention on the Rights of the Child have indeed committed themselves to respecting these rights, not only in public life, but also in all families and for all children.

C. Supporting the parents

Proposition 7

The child has a right to expert parents. This means that parents must be able to 'prove' that they are good parents. It is enough that parents declare that they are prepared to inform themselves as much as possible about children, what their needs are, what they as parents can offer them, and the like. Why for that matter would it not be possible to request (future) parents to attend a 'school for parents'. It is clear that we are not speaking here of a real school, but rather of meeting with other parents in order to reflect on what upbringing is (for them), to ask questions, gather information, to listen to other parents. Effects in terms of more successful upbringing – whatever this might be – cannot be expected. The goal must be to make people aware of the scope and the responsibility of parenthood.

Proposition 8

In its preamble, the Convention on the Rights of the Child very clearly states that 'the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,' (preamb. 6). This implies that states cannot avoid establishing what is to be understood by a 'pedagogically valuable family environment'.

Proposition 9

Possible objections to these proposals due to the danger of legalising the parent-child relationships by intervention on the part of the authorities that are too pedagogically normative, are misplaced. Legal stipulations after all do not relieve the partners in a relationship of their responsibilities. Such stipulations appear rather to function as principles to which people can/must orientate themselves when determining who is or is not responsible. There is no need to fear an imminent 'collectivisation' of family upbringing. The state must make possible the support, but not necessarily organise it (and can leave this to private initiatives).

D. Concrete proposals**Proposition 10**

When registering the birth of a child, parents make a formal pledge with respect to upbringing. This presupposes that the civil and public symbolic character of this registration of the birth is preserved.

Proposition 11

In the case of remarriage or concluding a cohabitation contract or marriage of partners with children, the upbringing pledge must be pronounced in the presence of all the children involved. In the case of divorce, the upbringing pledge must be reconfirmed by the ex-partners.

Proposition 12

The upbringing pledge contains not only a statement of lasting commitment concerning care for the children, but also an explicit declaration of commitment to the recognition and implementation of the rights of the child as prescribed by the Convention on the Rights of the Child.

Proposition 13

In accordance with the Universal Declaration of Human Rights, the upbringing pledge ensures parents the optimum possibilities to raise children in accordance with their own religious and/or philosophical convictions.

3. Discussion

We may assume that most parents want the best for their children. They are prepared to do whatever it takes to ensure the well being and development of their children. The good intentions of parents also go hand in hand with many questions on the part of parents concerning whether they indeed will be able to bring up the children up, whether they are doing the right things, whether they are really capable of bringing the task of upbringing to a happy ending. Parents know that they are not the only significant people engaged in the raising of their children: numerous other societal influences play an important role. For that matter, not all influences can be controlled by parents. This conclusion, however, does not diminish the responsibility of the parents. On the contrary. Parents are faced with the task of also taking into consideration these uncontrollable influences and situations and in finding meaningful ways to deal with them and to continue to look for growth opportunities for the children, for themselves and for the relationship with the children. Children did not ask to be born into this world. Parents must organise the world as well as they can to allow the child to develop and discover him- or herself. This aspect of parental responsibility is beautifully depicted in the film *La vita e bella*. The father is not responsible for the fact that his child lands in a labour camp. However, he considers it his responsibility to follow the child in captivity and as much as possible to imaginatively translate for the child everything that occurs into situations that provide growth opportunities for the child. It is his responsibility to make the world 'meaningful' for the child.

In the upbringing relationship, the child is an active partner, an active self-willing, giver of meaning. The parent or guardian is obliged to allow the child to participate actively in looking for sense and meaning in the world in which he or she lives. The child will often also add elements to the world of the parents. This is the child's right. The child must also gradually learn to assume responsibility for this contribution and for his or her reinterpretation of the world as well as for the way in which the relationship with the parents develops. In this sense, upbringing is searching together for the most meaningful world for all concerned. However, the responsibilities of parent and child are not equal. The parent retains the primary responsibility for creating a situation in which children can learn to take up their own responsibility – gradually, according to the development of their opportunities and their experiences. As a person, the child is entitled to recognition as a discussion partner. The child must be listened to, a dialogue must be entered into. However, in order to be recognised as discussion partner and to engage in dialogue, a person must receive a name and learn a language. Without a name, the child can never say "I"; without language, the child cannot speak. Giving a name and deciding which language will be spoken with the child are the responsibility of the parents. In this, the child not only has nothing to say, if he or she later has problems due to this (and what is puberty if not the person wrestling with all of these given elements – such as language, name, parents, and the like – that one did not choose but that one must integrate and take responsibility for), it is the obligation of the parents to assist the child in resolving these problems.

In short, the fact that there are many influences that the parent does not have under control, that the child influences the parent, that the child must be able to actively participate in his or her upbringing, takes nothing away from this parental responsibility: it does not diminish it, it makes it more complex.

This is not to say that the parents are the only ones who are responsible. Equal responsibility belongs to the society that is the source of the diverse influences that

impact the child. The government has very important responsibilities. The government must not and cannot fulfil the role of the parents, but it must and can support the parents in taking up their responsibility. This occurs in many different ways, each of which must be judged on its own merits. We note that the government is increasingly more active in assisting parents and more explicitly assuming responsibility for raising children. There are various causes and circumstances behind this. One factor that should not be underestimated is the International Convention on the Rights of the Child (CRC). In signing this, the states committed themselves to helping realise the rights of the child in all possible ways. Supporting the parents in raising children is an important element of this. According to these rights of the child, the child not only has the right to parents, but especially the right to good parents. And the convention indeed has a substantial view of what the essential qualities of good upbringing are. Belonging to good upbringing is a relationship with the parents. Belonging to good upbringing is also the recognition of the child as active participant in his or her own upbringing with a unique position that requires specific protection.

It is incorrect to assert that the convention does not impose a normative model of upbringing on the government. The measures that the government takes, the institutions that the government sets up for this purpose, all imply a well-defined vision of children and upbringing. In this, participation is indeed a central concept. Because of this participation, clear norms can be imposed on the government and parents with respect to assuming their responsibility. For that matter, participation implies a normative, communicative ethics, which means that the actions for enlarging the active participation of all concerned in the upbringing are not only supportive, but also normative and regulative. The normative framework of children's rights creates a space in which the subject is still able to place many of his or her own accents and can have many different convictions concerning what 'good upbringing' is.

Parents may have the best intentions and still have different views of what good upbringing is; in taking up the responsibility for the upbringing and development of the relationship with the children, they must be addressed to the extent to which they do justice to the child as a specially placed discussion partner. The government must support them in this task as much as possible, but in so doing is bound by the way in which the CRC interprets this 'image of the child'. All of this does not diminish the responsibility of the parents, but makes it more complex. In the same way, the responsibility of government is also greater and more complex. And again: this recognition of pedagogical responsibility in no way takes away from the position of the child as person entitled to active participation. On the contrary, in this model of upbringing, the child is given more quickly a greater responsibility for his or her own upbringing.

Parents can use all the help they can get in realising their good intentions in their own special way, within the space structured by the rights of the child. The societal institution of the upbringing pledge is one of the possible resources to support parents and one of the many resources, not insignificant and certainly not without benefit. Based on the nature of the upbringing pledge, however, its meaning cannot be articulated in terms of effectiveness or guarantees.

It appears from everything said above that the birth of a child and caring for a child are not private matters. The child, as person who has a right to recognition of his or her human dignity, engages all of society. There are people who, for all sorts of reasons, are more involved with the child and for whom caring for well being and upbringing are, as it were, self-evident (because of affinity, or because of affinity on

the part of the child with a person with whom one is intimately involved). At an individual level, these people have diverse intentions. Giving people the chance to articulate these intentions before society is not without importance. By articulating personal subjective feelings, these intentions are as it were objectified into actual societal commitment, in several meanings of the word. First, the human person who pronounces these words identifies with what he says. Putting into words causes one to reflect on and give shape to what one feels. By putting something into words, I become aware of what I feel and I become more aware of myself: I am the person saying this. In this, words are not neutral means, but rather they force the person to give personal form to his or her intentions. In this way, it also becomes clear for other people what I feel and who I am. The articulation of feelings in itself is often a struggle, not only with what one actually feels, but also with the way in which you come across to the other. Thus, putting something into words is never superfluous and self-evident, but rather a non-evident reflection about oneself and the other. What is said, is said. This also means that a person opens him- or herself up to judgement. It is clear to the other that you actually intend to commit yourself to the child. Not only does this create the opportunity to be judged in the future, but in this way, you also appeal to the other and, by extension, to society. 'I want to be there for this child' is both a demand for recognition of this commitment, and a demand for the commitment of the other. In the upbringing pledge, parents not only engage themselves, but also society and the government before whom the commitment is pronounced. 'I will be there for you' is also 'I wish to be recognised as the one who will be there for you and in this capacity wish to be recognised as someone who has a right to genuine support in realising this commitment'. Because of these characteristics, the pronouncement of a pledge in itself already contributes to building up community.

When people are asked to pronounce the upbringing pledge, this is not a mere formality. Time and space are made available for a witness to express a deep conviction. If parenthood indeed is not self-evident, then it is fitting here to reflect briefly on this, as individual and society. From this point of view, abolishing the personal registration of a birth at city hall before a civil servant in the presence of witnesses is a bad thing. By giving form in the pronouncement of the pledge as a formal event, you underline the seriousness of parenthood. It is entirely possible that feeling the community-founding significance of such ceremonies is no longer self-evident in these post-modern times, but this is precisely an argument for establishing such ceremonies. Society has every interest in the cultivation of suitable words and feelings concerning this living together as society, in which expression is given to that which is really important and worthy.

By connecting the pledge 'I will be there for you' with the normative convictions contained in the rights of the child, one is not tied down to the mere application of a model of upbringing imposed by the government. The pledge expresses the desire to give shape to the concern for the well being and development of the child within the framework created by children's rights. Such a commitment is nothing other than expressing the desire to recognise the child as a person, with everything that this entails. The government commits itself to do everything it can to assist parents in fulfilling this pledge. Both the parent or guardian and the government open themselves up to a judgement concerning their commitment to a dignified relationship with the child.

As said above, the benefit of the upbringing pledge is not to be sought in quantifiable effects (less problems with upbringing). For this, other resources must be employed. On the other hand, the meaning of symbols for the quality of a society is underestimated. Symbols help determine the culture and the quality of a society. The

upbringing pledge indeed is a symbol connected with many existing developments, and as an expression thereof, helps support them. Developments in law allow the regulation of parent-child relationships increasingly to be a question of a freely taken decision. The institution of the (explicit) pledge expresses this. When parents break up, the principle of co-parenthood applies. In the pledge, this principle – used if problems should arise – is already pronounced beforehand. In the case of blended families and in other situations, a way must be sought to organise the different parental responsibilities (between biological parents, new partners who must be able to assume responsibility, and so on). The pledge can be an important tool here. In regulating the relationship between biological and foster parents in general, there is a need for institutions that regulate the relationship between child and parents. The pledge does not solve the problems, but it does provide a framework within which to deal with the problems. In this sense, the upbringing pledge must be linked to the establishment of parenthood. Seen from this point of view, it neither takes away from nor is a threat to marriage. The upbringing pledge is a commemoration and rethinking of the registration of birth, in times in which nurturing parenthood can no longer be seen as merely linked to biological parenthood in the context of the civil marriage family.

References:

- VAN CROMBRUGGE, H. (2005) De herontdekking van de tragiek van het ouderschap: opvoeden in de 21^{ste} eeuw. In: HOGER INSTITUUT VOOR GEZINSWETENSCHAPPEN. *Waaizin van het gezin. Duurzame relaties en opvoeden in de 21^{ste} eeuw*. Tielt, Lannoo, 41-50.
- VAN CROMBRUGGE, H. (2005) Geen opvoeding zonder uitgesproken engagement. Van huwelijksbelofte naar opvoedingscontract. In: VAN CROMBRUGGE, H & LOMBAERT, E. (eds.) *Gezin en opvoeding: weldadig en gewelddadig*. Antwerp/Apeldoorn, Garant, 77-94.
- VAN CROMBRUGGE, H. (1999), De gezinspedagogische betekenis van het Verdrag inzake de Rechten van het Kind. In: M. BOUVERNE-DE BIE e.a., *Het gezin en de rechten van het kind*. Leuven/Amersfoort, Acco, 1-58.

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