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The relationship among parents and children in Vietnamese families nowadays

Nguyen Thi Van HANH¹

Abstract

Family is a social institution. It is a product of history defined by the economic, political, cultural and social conditions of a given society. In Vietnam, industrialization and urbanization have considerably affected to family, changing its size, structure, relationship and quality. This article has the objective of studying the relationship among parents and children in Vietnamese family nowadays through the below factors: (1) the care of parents on their children; (2) the amount of time parents use for taking care of their children; (3) the way parents use for teaching their children; (3) behavior and desires of parents on son and daughter. Main methods used are secondary data analyzing and in-depth interview. Figures on Vietnamese family used in this paper are taken from National Survey on Family 2006 carried out by Family Department of the Population, Family and Children Committee, the General Statistics Office, the Family and Gender research Institute and the United Nation Children's Fund and some other resources. We can see from the result that there are many changes in the relationship among parents and children in Vietnamese family nowadays. On one hand, it is getting more democratic and there are more equality among sons and daughters. On the other hand, parents seem not to care much about their children as before for they have lots of other things to do. The changes in the relationship among parents and children in Vietnamese family are considered the consequence of the industrialization and urbanization period, and to its turn, it is one of the main causes for the instability of Vietnamese family structure.

Keywords: relationships; parenting; childhood; Vietnamese family.

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Introduction

Vietnam is a pronatalist society where everybody believes that married couples should reproduce or should want to reproduce. Having children seems to be evident to all married couples, so the relationship among parents and children is one of the basic in almost every Vietnamese family. In the period of integration and globalization, Vietnamese society has been impacted negatively and positively on every side of social life. Family – the social cell, is an active but sensitive institution, it goes without saying that within a changing world, families are speedy, widely and profoundly altering (Nguyen Linh Khieu, 2007). This paper has the objective of studying the relationship among parents and children in Vietnamese families nowadays through the below factors:

- The care of parents on their children;
- The amount of time parents use for taking care of their children;
- The way parents use for teaching their children;
- Behaviors and desires of parents on sons and daughters.

Main methods used are secondary analysis and in-depth interview. Figures on Vietnamese family used in this paper are taken from National Survey on Family 2006 carried out by Family Department of the Population, Family and Children Committee, the General Statistic Office, the Family and Gender research Institute and the United Nation Children's Fund with the technical help from experts of Australian Family Research Institute. This is the first national survey on family which was conducted on the whole country. The survey is conducted with the objective of identifying the real situation of family in the period of industrialization and urbanization in Vietnam. This survey used quantitative and qualitative methods to collect information from 9300 households which are random sampled throughout all 64 provinces of Vietnam. In addition, there is another survey used for taking data, which is a 7600 household survey on 12 provinces. This is within the framework of the data collecting project for the Family Study Syllabus of professors from Vietnam National University in which the author was directly involved. The published data of the family national survey combined with individual research of the author will provide the overview on some basic issues in the relationship among parents and children in Vietnamese families nowadays. In this research, we basically pay attention on the parents whose children are at the age of schooling (from 7 to 17).

Economic development and cultural integration

From late 80s of the last century, Vietnam began to promote industrialization in order to fostering economic development, coming to be in tune with other countries in the region and in the world. This process is often considered by the

researchers the changes based on flying-geese development pattern with the specific characteristic that different country groups with different development level in East and South East Asia catching up one another in developing one industrial branch in particular and industrialization process in general (Trinh Duy Luan, 2002). The industrialization process of Vietnam has achieved much success making significant changes on the country's economy. Within 25 years, Vietnam has made significant change to its economic sector structure. From a country mainly dependent on agriculture with nearly 40% of the total domestic product and backward industry making up only more than 20%, Vietnam has now reversed these two figures with the contribution percentage of industry to GDP grows up to 41.5% and agriculture contributes only 20.89%.

Beside industrialization, urbanization is also an indispensable trend of development in the world nowadays and Vietnam is considered one of the nations having strong urbanization speed with the fast and wide increase of urban population rate and decrease of rural population rate. After more than 20 years, Vietnam urban population rate has raised up to nearly 10%. Industrialization and urbanization with their great achievements have made positive changes to Vietnam. Society develops, living standard is considerably improved. In 1996, monthly income per capita in Vietnam was only 226.000 VND (about 12.5 US \$), after ten years, it has tripled. Poverty rate in 1995 was 34.44%, reduced in 1999 to 28.21% and to only 12% in 2009².

As written, Vietnamese family is in Vietnam social system, affected and governed by the changes of this system. The social processes taking place vigorously here like globalization, modernization, industrialization and urbanization have made significant changes to many basic characteristics of Vietnamese traditional family. It seems to be that family relationships are constantly changing everywhere in the world. Industrialization and urbanization are destroying widen network relation and strongly changing the obligation nature of family. In many developed countries, people respect family life but only use a small part of their life to live in something like traditional family. As we will see, the industrialization set in the mobilization of social forces changed the content of kinship and family relationship in everyday life. These social forces conclude the development of a consumption culture, the economic market, strong states and a flexible urban social structure together with technical innovation.

Culture and economy are the two institutions having close relation. The Vietnamese economic development few decades recently has had strong multi-sided impact on this country's culture development. Under the condition of the market economy and the globalization, the period of cultural integration has changed the family's structure and functions (Hoang Ba Thinh, 2008). The family's tradition, order and discipline have been strongly affected and changed much toward the

² General Statistics Office

trend of cohesion decrease. The dark side of the market economy and the pragmatic life-style has negatively affected the traditional moral values and the wholesome life-style of Vietnamese families. These changes manifest the most through the young generation. The generation gap among family members has presented more profound and obviously.

The care of parents on children

In the relationship among parents and children, the thing we want to explore first is the care of the parents on their children. The care of adults is one of the most necessary demands for children. It seems that not many parents really recognize how important this demand is and do not pay much attention to fulfill it (Cojocar, 2009). There are a number of reasons why we do not really realize this need, one of which is that we seem to think that all the other things we have done for the children can totally meet their demands. For instance, we buy them their favorite food like candy or ice-cream or some kind of toys or presents and we think they are all the care we have to and can do for our children.

The trend of family nuclearization has brought about changes in family relations. This kind of family seems to be adaptable to new social tendency; family members seldom monitored by one another but are liberal in their own way of living. Especially, the “democratization” of parents-children relation is a brand new feature in Vietnamese modern family. In the past, children often had to listen to every word of their parents (like an old saying “children only sit where their parents allow”), but now Vietnamese adolescents have their freedom in choosing and deciding their own lives. The National Family Survey 2006 showed that 80% Vietnamese children of 15-17 said that their parents let them decide every thing relevant to their own lives.

However, modern society not only brings about good changes to the relations among family members but also make negative ones like widening the hole among generations. Nowadays, the popular Vietnamese family structure is nuclear one with few children (the rate of nuclear family in Vietnam now is 63.4% and even higher in the urban areas), the family income has increased, so the parents have better conditions for children bringing-up, sometimes they do pamper their children (Dang Canh Khanh, Le Thi Quy, 2007). Besides, the modern parents have to go to work all day long, having little time to take care of their children. They give the schools and other institutions full power to take care and educate their children. They just pay the tuition, buy learning tools and think they have fulfilled their tasks. So, we can see that the outstanding feature of the relationship among parents and children in Vietnamese families nowadays is the loose connection. The adolescents seem to grow up elsewhere outside the home. Caring is a wide and abstract concept. Here, we consider caring through the care for children

education and their friend relations. Vietnamese society places a higher value on education rather than on material success. Hence, most parents care for children's education and encourage their children to study (Tran Thi Nhung, 2008).

According to the cited survey, almost every parent in the survey sample pay attention to their children's studying at school. However, the attention changes through different kinds of family and areas. Parents in the urban areas pay more attention on their children's study than parents in rural ones. Parents with high education level and income tend to care more. For example, the percentage of the parents whose education level are elementary school and below always notice about their children's studying time and school result is only about 60%, whereas this of the parents whose education level are college and above is more than 90%.

In addition to children's schooling, the parents also care about other things like children's friend relations. The percentage of parents who know their children's best friend as well as the places where their children often come to with friends is 74%. There are even 31% parents directly involve in their children's making friends.

Power relations changes as families change. As children age, their dependence on their parents diminished. Peer groups and to non-family groups give children a source of power outside the family (Goode, 1964). In general, Vietnamese parents seem to pay attention and create good conditions for their children's studying as well as care about their children's social relations (Tuong Lai, 1996). But there is still a significant part of parents who have the conception and action entrusting their children to other institution, especially the school.

Time amount for children taking care

In order to take care of the children, the first thing parents need to have is time. The time amount for children taking care is one of the most important measurements to measure the care of parents for their children. According to the cited survey, the percentage of the mothers who use 3 hours per day to take care of their children is 27.8% (the highest percentage among the mothers). Meanwhile, the highest choice among the fathers (29.6%) is for "1 hour per day". The fact that mother spend much more time on children taking care than father is not a noticeable phenomenon as it has been happening all over the world.

Until relatively recently, the father role was considered less important than the mother role and therefore was the focus of less scholarly attention. Then it has changed dramatically over time. In some circles, fathers are now considered as important as mothers in the development and well-being of children. Research suggests that, if given the opportunity, fathers can interact with and care for their children just as well as mothers can. For many men today, becoming a father

means making a commitment to care for their children emotionally and physically, whether or not they are forced to do so by the mother's employment or absence. (David M. Newman, 2002)

Not only different by gender, the time amount sparing for children is also different by other social factors, place of residence for example. The urban mothers spare more time for their children than rural ones. There are only 24.7% of rural mothers uses more than 3 hours per day to take care of their children while this percentage of urban mother is 38.3%.

Significantly, there is a number of parents who have absolutely no time for taking care of their children. This percentage of women is 6.8% and of men is much higher 21.5%. Their main reason to account for this is that they are busy earning their living. So, in Vietnamese society, like many other modern ones, the pressing life-style of industrialization has made many parents having no time to care for and nurture their children. This, in turn, leaves lots of corollaries (Le Thao, 2009).

Children educating methods

Family is one important factor in the social educational system. Now and then, family is tightly linked to society and follows its direction (Trinh Hoa Binh, 2006). Family is the basic and soonest educational environment of human. Family education is not only for the family itself but for the community and the whole society as well. The family function works very soon since the child is born. It has the responsibility to educate the children basic human behaviors. When children go to school, the family has the function to orient them toward their suitable studies and jobs (Dang Canh Khanh, Le Thi Quy, 2007).

Vietnam is the first country in Asia and the second on the world to approve the Convention on the rights of Children (1990) and also promulgated the Law on Child Protection, Care and Education and Law on Universalize elementary education very soon. According to the Convention and Laws, all social institutions, families and adults have the responsibility to care, look after and educate children. This child educating function was also mentioned in the Law on Marriage and Family (1992). It's obviously that legally and emotionally the role of parents in educating children is vital.

Discipline is probably one of the most important elements in which the parents can lead, guide and direct their children (Miller, 2008). Setting limits to what a child can do means you care about him/her. In the National Family Survey 2006, those methods parents use facing with their children's faults are: give out some warnings and show the children what is right or wrong (74.2%), reprimand (42.6%), spank (11.2%), contact to the school (5.1%); ignore (8.8%) and feel

powerless (0.5%). Parents in the rural areas tend to ignore their children's fault more than the urban ones. Whereas the latter seem to use the method of sparking or feel powerless more than the former. The more the family income increase, the more parents seem to use reprimand method.

When asked about their parent's method on facing their own (children's own) faults, majority of children are with their parents (70.6%). However, some feel sad, worry and cry as they think their parents are not fair to them. Some do not dare to speak it out and some seem to pay no attention to their parent's punishment. Almost every parent (more than 85%) has encouragement when their children do good things or have good school results. The encouragements are mainly compliments. Generally speaking, the educating methods parents use for their children nowadays are quite plentiful, both positively and negatively. Inadequate educating method using may create big gap among children and parents as well as cause negative consequences on children growing up.

Differences in nurturing, educating and expecting toward sons and daughters

According to the global gender gap index of World Economic Forum 2009, Vietnam stood at number 71 out of 134 countries. Gender equality has long been a significant issue in Vietnam. In Vietnam, traditionally, sons have been favored as they have to maintain the family line, do heavy and important family work and to be relied on when parents get old (Tran Thi Nhung, 2008). Hence, there have been differences in the care, education opportunity and expectation for sons and daughters in Vietnamese families. The conception of having to have son is still agreed by a significant percentage of 37%. Their main reasons are "to have somebody to maintain the continuity of a family line" (85.7%), "to have some one to rely on when you get old" (54.2%) and "to have some one who do heavy, important things in the family" (23.4%). The gender percentage of Vietnam is now 112 boys for every 100 girls and even higher in some parts of the country, for example in the North East area, this percentage is 120 boys for 100 girls.

Property distribution is one of the important indicators to consider the way parents treat their sons and daughters. There is still a trend that sons in the family are often given priority (28.7% of people aged 18-60 said that they would settle their son as priority whereas this percentage for daughter is just 0.6%). The conception of equally distribution for sons and daughters is more agreed by parents in the urban areas and parents with higher education level and income.

In the education field, the majority think that sons and daughters have equal education rights but in fact the percentage of school boys is higher than that of school girls. Bringing children up, parents have many worries about the risks and

challenges they (the children) have to face up with. For sons, these may be they would fall into the social evils (38.3% parents are afraid of that) or they do not have ability to reach high education level (21.9%). The worries for daughters are nearly the same but with lower percentage (21.9 and 18.5%). Besides, parents are worried about their daughters having sex before getting married (4 times higher than that percentage of worrying for sons).

The expectation for children's future is also different on that of sons and daughters. Parents seem to wish their sons to have good jobs and high education level more than their daughters. Whereas they wish their daughters to have happy family life. This demonstrates the traditional trend in Vietnamese (and many other) society that men are expected to dedicate to work outside the home while women should engage their lives inside. Article 18, Vietnamese Law of Gender Equality wrote "Boys and girls are taken care of, educated and created equal rights for studying, working, playing and developing". Fact and law are not always with each other and it's clear that there is still a significant difference between sons and daughters treatment by which sons are settled as priority.

Conclusion

It's obviously true that there has always been a generation gap between parents and children. The question is how deep that gap is and how strong it affects to the emotion between these two generations.

In Vietnamese families, there is a clear hierarchy between parents and children. Parents are the "executive committee" and the "board of directors" of a family and the children need to follow the leadership of their parents (Miller, 2008).

The biological facts of parenthood-sexual intercourse, pregnancy, birth, lactation – are, of course, universal. But much more is involved in becoming a parent than biologically creating a child. In every society, the conceiving, bearing and rearing of children are shaped by cultural and historical beliefs, expectations, values and norms (Newman, 2002). Almost every respondents agree with the conception that in the relationship between parents and children, children should obey adults and there is necessary a clear hierarchy in the family, legally and emotionally, parents should care for and look after their children at least until they reach to adulthood.

Vietnam, in the process of social change, is caught in the dynamic interplay between industrialization and cultural traditions. How the interplay will affect the relationship among parents and children is a critical issue.

The social changes have manifest affects on family life. In the field of the relationship among parents and children, those changes make the relationship become more democratic and there is less imposition but also drive the parents

and children to play off one another and there is less commons among them. Whether this is good or bad, it is still an unavoidable trend in Vietnamese society nowadays just likes many other modern societies all over the world.

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Attending parenting education programmes in Romania. The case of the Holt Romania Iași programme

Daniela COJOCARU¹

Abstract

The article presents the partial results of a study concerning the factors that influence the participation of rural-environment parents in parenting education programmes. The research aims to explore the mechanisms that lead to a higher number of participants joining parenting education programmes, as well as to an increase of the beneficial effects these classes have on parents, starting from the perspectives and opinions of parents who had taken parenting classes. Aside from the factors that pertain to the organisation of courses by the providers of such programmes, we see as equally important the personal motivational factors such as: investing in personal growth, the need for socialisation and learning, the clinical (therapeutic) effect of participation and the opportunity of escaping domestic routine. All these factors may become analysis frameworks for the providers of parenting education, supplying information that may be used for refining the contents and the form of organising parenting education classes.

Keywords: parenting; parent education; grounded theory; participation; personal development; clinical (therapeutic) effect; domestic routine.

Background

In the past ten years, a number of models for parenting education programmes have reached Romania; these models had been developed, implemented and tested abroad, and in time they underwent modifications and adaptations to the specificities of the Romanian cultural environment. There have also been local initiatives of educating parents, as a form of supporting parenting and as a complement to other types of intervention such as counselling, support groups

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etc. (Cojocaru, 2009a). In the absence of a methodological model devised and validated through prior experience, the local initiatives focussing on parenting education have developed chiefly the information dimension, applied in a group setting; these practices were called by their providers “parenting education programmes” or “parenting classes”. Both observations of the ground and data from literature (Hamner & Turner, 2001) point to the fact that when parenting education is articulated on wide social networks it may provide a number of solutions to parenting issues (parenting stress, child-directed violence, poor communication, poor ability of defending the children’s rights in relation to institutions), as well as to children’s issues (aggressive behaviour, school failure, dropping out of school, lack of adaptation in society etc.); It seems, therefore, that parenting education may be the answer to some issues, but its effectiveness and its ability to provide support to parents and, indirectly, to children, or to larger social networks depends on a number of factors whose influence is only partially known and clarified. Despite the lack of a consensus concerning the definition of parenting education, this sphere includes those programmes, services and resources provided to parents and carers that aim to support them or to increase their ability of raising their children (Carter, 1996). Parenting education is one of the key strategies that form the inventory of techniques aimed at supporting families, together with counselling, crisis intervention, family therapy etc. (Cojocaru, 2009). According to some authors, the characteristic trait of parenting education programmes is their participative approach, which „helps the parents gain control over their own lives, become better defenders of their own interests and of their children’s, in their interaction with social agencies and institutions, to engage more actively in their children’s education through direct involvement or through the acquisition of resources” (Kellaghan, Sloane, Alvarez and Bloom, 1993: 93-94). The universe of parenting education includes a large variety of programmes, approaches and target groups: poor parents, teenage parents, parents from different ethnic groups, parents of disabled children, parents of chronically ill children, grandparents etc. (Fine and Lee, 2000; Sandu, 2010).

The idea of this research started from the intention of developing throughout the country a parenting education strategy, championed by Holt Romania, one of the national providers of such programmes, and intention shared by the Romanian Unicef Country Office, which over the past ten years has consistently supported and promoted pilot programmes in this domain, as well as by the Romanian authorities, directly or through intermediate structures. Romanian authorities have often stated their interest in developing a national strategy for implementing parenting education, as a way of supporting and strengthening the services that prevent, among others, abuse, neglect, exploitation through labour, child abandonment and school failure, as well as a way of promoting children’s rights. Parenting education is also seen as a valuable tool for recovering deficient parenting, within interventions in the domain of child protection/child welfare

(Cojocaru, 2008). The aim of this research is to identify the factors that mobilise the parents towards attending parenting classes in the rural environment, in order to produce a body of useful data for the national strategy concerning parenting education in Romania, in terms of the number of parents' adhesion to these programmes.

Methodology

The aim of this type of research, using the research technique called Grounded Theory, is not to test assumptions that have been pre-developed by the researcher, but rather to allow the researcher to acknowledge the fact that he/she does not know enough in order to formulate meaningful assumptions for the researched topic (Auerbach and Silverstein, 2003). In these circumstances, our research set out to explore the mechanisms that would lead to a higher number of parents joining parenting education programmes, as well as to an increase in the beneficial impact of these classes on the parents, starting from the parents' perspectives and opinions as beneficiaries of parenting education programmes. We add that the individuals taking part in the research are parents from the county of Iași who attended the course *How to become better parents*, provided by Holt Romania – Iași Branch in the interval 2007-2009.

Research strategy

The strategy of our research follows a tradition called *grounded theory*, which aims to generate theories on processes, actions or interactions that are supported by, or grounded in the subjective perspectives of the research participants (Bloomberg and Volpe, 2008, p.11). The research design is qualitative, appropriate for our objectives, which were to find out which are the factors that facilitate the parents' participation in parenting education classes.

One of the most important assumptions of qualitative research is that the social world is neither stable, nor uniform, and as a consequence there is no sole truth in research, a truth that could be captured in data. Qualitative data is analysed inductively, within flexible methodological frameworks, and very often the data analysis stage – searching for shared themes and patterns – takes place at the same time with the data collection stage.

Our choice of design is supported by a number of arguments:

- the *exploratory character* of the research, due mainly to the complete lack of data in the area of parenting education in Romania; as of the date our research started, in Romania there were no studies, systematic or not, of parenting education programmes, of their providers, of the contents and target groups, of their impact on families and children etc.

- *the questions in our research*, aimed at identifying the factors that facilitate the parents' participation in parenting education programmes, using as a starting point the reports generated by the parents' subjective experiences, instead of standard operationalisation schemes described in the current literature. In the complete absence of any studies of parenting education based on Romanian realities, the use of such methodological tools was considered inappropriate. Exploring the parents' subjective representations concerning their participation in education programmes aimed at their role as parents is the more necessary as, from the preliminary factual documentation of our research shows that none of the providers of parenting education programmes in Romania has grounded the implementation of their respective programmes on a preliminary research of the local culture or cultures of child rearing and childcare, that is of the values that constitute the foundation of the local parenting practices.

Data collection

The methodological procedure aimed for data collection in three stages*: discussions with parenting educators in order to clarify the research strategy, focus groups discussions (five) in four rural locations in the county of Iași, and 20 in-depth interviews with subjects selected from amongst those who had taken part in the focus groups.

The sample and the selection of participants

The focus groups were organised in the villages of Scobinți, Andrieșeni, Popricani and Holboca, four rural communities in the county of Iași; the criterion for choosing the locations was the quality of the relationships the Holt organisation has with the community social workers in those villages and their capacity to mobilise the parents for the meetings we requested. The focus groups were organised in the interval April - June 2010 and had an average of nine participants each (one group per village), with the exception of the village of Scobinți, where two focus groups were organised, one with eight participants and one with only four. For the organisation of the focus groups the researcher asked for assistance from the community social workers and from the former parenting educators trained by the Holt organisation during previous social assistance programmes held in the rural environment, programmes that also included elements of parenting education: *Community Based Services in Iasi, Vaslui and Suceava Counties* (October 2008 – September 2009, with the support of the Romanian Unicef

* The interviews were held and transcribed by Alina Iovu and Cătălina Panainte, research assistants in the Childhood and Parenting Research Center project, implemented by Holt Romania – Iași Branch, a project supported by the Romanian Unicef Country Office.

Country Office) and *Area centres specialised in counselling and support for parents and children in difficulty*, funded through PHARE in the interval 2007-2008 and implemented by the General Directorate for Social Assistance and Child Protection/Child Welfare, in partnership with the Holt organisation.

The selection of parents for the focus groups was based on the following criteria: previous *participation* in a parenting education programme, *diversity* in terms of gender, age, level of education, number of children, marital status, and distance *in time* from the parenting classes attended – only parents who had attended courses in the past three years were accepted.

This last criterion was inspired by the data in literature, which question the remanence of parenting education classes in time, as well as by the piloting of the focus group, implemented before the data collection stage itself in the villages of Andrieșeni and Popricani; this exercise showed that the parents who had attended parenting classes more than three years before had a hard time remembering this experience and were no longer capable of discussing concrete details concerning them, the information they provided being quite imprecise and fragmented. Through trial and error we arrived at the distance of three years as the optimal one for the respondents to have clear, integral representations that could be developed in a narrative context, facilitated by the presence of other parents who had lived the experience of these classes.

The participants in the focus groups were mainly women (only two men were present in all the groups) aged between 25 and 55, most of them without permanent employment, most of them married, Christian Orthodox, with children of various ages, the best represented ages for the children being 0-3 years and 3-6 years. In the last stage of the research (July-September 2010), twenty individual interviews were held with subjects from the rural environment who had attended parenting education classes through the programmes *Area centres specialised in counselling and support for parents and children in difficulty*, funded through PHARE in the interval 2007-2008 and implemented by the Holt organisation, and by CBS (*Community Based Services in Iasi, Vaslui and Suceava Counties*) Programme, funded by Unicef in the interval 2008- 2009.

The subjects were contacted by telephone by the Holt operators, based on the data collected during the focus groups in the previous stage of the research; the subjects were invited to take part in individual interviews and a time was agreed for meeting them at their homes for the interviews.

The selection criterion before the interview had been diversity, according to three variables: location, level of education and children's age; later on, as the data collection progressed, several significant variables were discovered: number of children, marital status, occupation, participation in support groups established as a result of parenting education classes (see also the annex with the matrix of social and demographical data of the analytical sample) etc.

The subjects who took part in this stage were 18 women and 2 men, aged between 26 and 50 (average age 32.4), having between one and five children (average number of children 2.65), most of them married (85%), with one subject not married, one divorced and one living in a common-law marriage.

The level of education varied from primary school (5%), secondary school (25%), vocational school (45%), high school (20%), post-high-school training (5%).

The time elapsed since the end of the classes varied between one and three years, and the economic status of the cases had a low variation, in most of the cases the most important contributor being the father, earning a salary (50%), while in 40% of the cases the only income was the children's monthly allowance; two isolated cases were found, one in which both spouses were income earners, and one in which the mother's salary was the only income.

All the participants in focus groups and in individual interviews were asked for consent for taking part in the discussions with the operators and were given assurances that the collected data would be used only for scientific purposes. The focus groups lasted an average of 90 minutes and were recorded on audio and video with specialised equipment; subsequently, the conversations were transcribed faithfully and a database was structured using the empirical material collected during the research. At the end of the focus group sessions the participants were given questionnaires in order to collect their social and demographic data and they were asked about their availability for individual interviews at a later stage, being reassured that the information they provided would remain confidential and the data would be used exclusively for scientific purposes.

The parents' eagerness to attend parenting education programmes.

Personal motivation factors

The behaviours related to the parents' participation in the classes have an *individual determination*, a personal one, pertaining to the way the parent defines subjectively his or her new situation created by these classes, a *situational determination* (the place or time context) according to which the parent defines his or her context, a *cultural determination* pertaining to the cultural model and the manner in which it resonates with the idea of educating grown-ups for the role of parent; also important in this equation is the manner in which the provider of such services takes all these elements into account in order to adapt their contents, themes, form of organisation and teaching methods to the participants' interests and cultural and socio-demographic profiles.

Investing in personal growth

An important characteristic of a learning society is the provision of opportunities for adults to take part in training programmes throughout their lives. Also, it is necessary that the adults understand that it is important to take advantage of any opportunities provided in order to further their education (Johnson et al., 2003). Parenting education programmes are particular forms of adult education; the fact that many subjects associate them with schooling gives them a sense of pride and improves their self-esteem. The beneficial effect in terms of education is accompanied by a beneficial effect in terms of social life, as the individual is brought into a social network of peers, similar to school environments, which the subjects seem to relate more easily to. Their excitement and their eagerness for participation are enhanced by the non-routine character of these parenting education programmes and by the fact that the participants view these classes as a way of improving their knowledge, similar to schooling.

“I was excited... it was like going to school again, it was very nice. We were going to classes and we were all very proud.” (S19)

“Well, at the time the classes were held I was painting this dado and I’d wash up and run to get there. I liked going [to the parenting education classes, author’s note]... it reminded me of when I was a pupil. I’d hear about how other parents behaved. Each his own way... as they did at home. I’d be more peaceful when I came home. I wasn’t stressed anymore.” (S6)

The need for socialisation and learning

The confrontation of ideas and of personal opinions about the exercise of parenting becomes a form of education, as during the interactions among peers certain assumptions related to parenting are challenged and the definitions that are generated are negotiated by the entire group. Discussions about problems with children are brought by the parents during these meetings to the level of discussions about the ways parenting is exercised, about the ways parents meet these challenges. Questioning one’s own parenting practices provides the parents the reflection context for the identification of alternative practices, already experimented by other participants and validated during group interactions. Thus, the influence of the group on the context of providing a socialisation environment is stronger and more relaxing than the influence of a professional during the counselling process; within a group, the usual power and inequality relations between client and specialist are diluted, and an environment for interaction is created, providing support and understanding at the participants’ own level.

"I was more relaxed and it was for me an opportunity to go out, because I don't get to go out very much and see people" (S13)

"We didn't have jobs, and thus we could go to these classes and change a little, and it was really a pleasant outing. When I knew the day came to go to class, I dropped everything. I'd cook the evening before, so that I could go the next day. It was better than going to a psychologist." (S16)

"I had a great time, especially that I got to meet with a lot of people, there were even persons I didn't know, I met them at the course. We felt great, it was like being in a family, it was very nice, we got to get out of the house, to meet new people, because there were girls there şparticipants, author's note ş whom I hadn't met before." (S1)

"It would be great if they asked to go to these classes again. It was quite relaxing for us... you'd leave everything at home... you forgot about no money, no this, no that and the other... it was a time for parents to relax... because you don't always get to meet with one, three or 15 people in one place... This course was really an excellent idea." (S9).

"I had a good time, a great time. I relaxed and I also learned something new. You always make new friends, although here in the village there aren't many to choose from, really. But at least while I went to these classes I made friends with most of the people there and it was very nice. Well, afterwards we also worked in a clothing factory, which opened in the village.. one of these clothing things... and well... I worked with the girls there who went to the same classes. What can I say, it was nice. That's why I say there should be more classes like that. Well, also for the women who just gave birth, who have a baby. There are many women who have nobody who could teach them, and they have babies and they get married young." (S15)

"Going to these classes I met several girls. We still meet, to this day, and we chat." (S5)

In order to promote a positive change in behaviour several stages are necessary, one of them referring to the opportunities and the encouragements offered to parents during the meetings to reflect both on their own perspectives and on the others (Thomas, 1996). The confrontation between one's own opinions and definitions of certain situations with the others' is a source of motivation for taking part in parenting education programmes. The parents' socialisation process is accompanied by clinical effects (sharing joy, fears, feelings etc.), effects that result in enhanced trust and eagerness to participate. The relaxed environment, mentioned by all the interviewed subjects, is enhanced by the freedom to take

these classes without any constraint from the authorities or from the providers of parenting education services.

“And because I had the opportunity to go out... I got to see people I hadn't seen in a long time. I was relaxed going there. so relaxed because I saw these people and I got to see other people's mentalities. I see others who judge better than I do, or worse than I do... I can see their attitudes. And their behaviour, which you know, because you're from the same village, you're neighbors; you're bound to know it. And then you educate yourself as well. Maybe I was wrong about something, look, this woman did it another way; and thus you control yourself and you repair yourself. I erase the wrong part and I try to go the right way.” (S13)

For some of the parents, a mobilising factor was the fact that the representatives of the local authorities were invited to take part in parenting education activities, the parents perceiving this as a sign of the special attention given to them by the community leaders.

“How shall I put it, [I felt, author's note] not necessarily like I was given special attention, but I felt... more important. I met someone on the road one day and he asked me where I was going and I said I was coming here, that here was a class in parenting education, something to do with raising children, and he was surprised, and I told him I'd been here before...” (S20)

The classes' clinical effect

Some studies show that parenting education programmes improve parenting practices and optimise the participants' mental health (including by solving problems such as depression) and have a clinical effect on parents (Tonge et al, 2006; DeGarmo, Patterson, Forgatch, 2004; Patterson, Chamberlain, Reid, 1982; Barth, 2009). This clinical effect, of reducing the mother's stress and depression decrease the frequency and the seriousness of domestic violence episodes and, sometimes, solve part of the children's behaviour problems, having a similar effect to psychotherapy (Barth, 2009). The transformations suffered by the Romanian family in the past two decades, both in terms of structure and in terms of function and values, have induced a significant increase in stress levels, which reflects negatively on the family climate and on the parents' performance within the family (Cojocaru, 2009b). Parenting education classes have the potential – mentioned in literature (Breuer and Moskovic, 1994) – of reducing this stress significantly and consequently of optimising the general family climate, influencing both the relationship between parents and children, but also the relationship within the couple. This stress reduction effect is supported by the empirical data we collected; most of the parents we interviewed mentioned the state of relaxation felt both

during the meetings and in the interval immediately following the course. The relaxed atmosphere of the meetings is a motivating factor for the parents' attendance of classes.

"Good, I was relaxed, it felt good. I couldn't wait to get there. The classes were on Wednesdays and Saturdays. We'd meet there... and we'd relax in a different way" (S11)

"I felt that I acquired new knowledge, I learned something good for the children, for example about discipline, stress; in general I felt good after I took this class, it was beneficial for me and I discovered many new things, very many... new information about raising and educating children; it was a nice experience and a relaxation, we'd get away from home where we had our chores, and there I was more relaxed, there were several of us, girls, we'd learn new things, it was good" (S2)

An impressive number of subjects invoked the effect of improvement of their mental and emotional state brought on by the course, as well as the resources of calm, of good mood that the parents would use later on in their families. We have called this complex emotional effect *clinical effect*, also due to the fact that in their reports a number of subjects made a parallel between the state of mental wellbeing experienced within the group with the therapeutic effects of psychological or theological counselling.

"I was sorry it ended, honestly. I knew I had to go home. I told you it was... I never went to see a psychologist or a sociologist. I'd like to, very much, but I have no money. Well, when I went there, it was like going to church. I'd come home relieved from problems, from trouble, it didn't matter anymore whether I had what to cook that day or not. I just knew I came back from there delighted. The advice, first of all, they were very good, and also we met people, because there we wouldn't just talk about our stuff, just about the classes, but there you go, both, the classes that is, the advice, and the people that went there, because everyone asked questions, and if you didn't know the answer, you'd listen to the others, there were people who were curious to know, can you do this that way or the other; I can tell you, that's why we went there. I'm sorry, as I was telling you, if there were classes like this held again, could they do it so that it's not the same course, so that we can come and no-one can say they should go instead of us, who went twice to the same course." (S16)

"... it's really relaxing, there's something that really calms me down s... t I was really happy, when I walked through the door I felt this thrill go through me. I had a good time and that means something. Communication helps with your memory and it helps you morally. Even if you're angry with your child,

you take him by the hand and you leave the house, and doing so you clear out all the anger, and then you come home and you're fine. It's something very nice, I like it" (S20)

The therapeutic effect of the parenting education classes is conditioned by the degree of nondisclosure and confidentiality of the group discussions and seems to be facilitated by the group composition, that is the fact that it consisted of unknown individuals (especially avoiding next-door neighbours), an element that encourages free self-disclosure.

"Very good, I was very open, even to the other girls who were there; then you talk about problems... and I was fine. I went, I didn't hold back, thinking so-and-so will hear my problems, or... The ladies told us to be open, because all we say stays there. It was good for me, because I had someone I could confess to, because if you go to your next-door neighbours, they laugh at you and they gloat. I had some problems three years ago with my husband, big problems. He was drinking and not coming home at night, and then right after that I gave birth to my son and I had no-one I could talk to, the girls in the neighbourhood were laughing at me, seeing me pregnant and going with my children to the police station three or four times a week. He settled down eventually, he's not drinking anymore. Now I'm fine, I'm really fine." (S17)

„I remembered the class, after we did our homework at the end of the course we'd sit together around a little table, have a cup of coffee and shared our problems from home. It was refreshing after the course, it was like being in a big family" (S1)

Escape from the domestic routine

The meetings within the parenting education classes are also viewed by the participants as an activity that breaks the domestic routine, fact mentioned as a mobilising factor especially by the women who are not employed and who only work in the household; the activity was viewed as an opportunity to enjoy personal time, spent in relaxing and at the same time useful activities, away from their daily routine involving children and chores.

"I didn't know what it was all about; it was Mrs. Vasilica [the parenting educator, author's note] that asked us whether we wanted to attend. For me it was an opportunity to get out of the house, to escape in a way; otherwise, I didn't have other places to go to, only to this thing [the parenting classes, author's note]. I wasn't sorry. I wasn't, because I knew that once a week I had to get out of the house, I had to go, I'd make time and watch the clock. Even if I was in the middle of cleaning, I had to." (S18)

“It was good... I’d go again. I’d escape a little... otherwise, all the time at home... I’m also thinking about the information and about the actual meeting, really, everything there is interesting.” (S17)

For the women who were involved exclusively in household activities and in childcare, the parenting education course was a recreational activity, it meant relaxation and disconnect from the worries and the demands usually associated to care-giving roles.

„I didn’t really have to fit the classes in my schedule, because my time is mostly free, I don’t have animals around the house to occupy my time. In the house I do as much as I can. I clean, I cook, I look after the children, and then I’d leave them with my mother whenever I came here, for example now I left them with my brother. It wasn’t a problem for me to organise my time, because I have the same... what do you call it, I do the same thing every day. I wake up in the morning, I clean, I cook and I do the laundry... but I only do the laundry once a week, because I use the washing machine. I don’t really have much... The rest of the time I sit at the computer sometimes, for the TV I don’t really have a lot of time, although sometimes I wish I had...” (S15)

„I felt calmer. That is, how shall I put it... more free. In the class I was more free, I’d leave at home all the worries, all the troubles, and I’d go. I was more serene...” (S14)

The way the women reported the experience they had in relation to the parenting education programme reflects the need – sometimes unconscious or unrecognised – to alternate care-giving activities with other types of activities, which have recreation potential. For the parents who are *primary caregivers* (that is they are involved solely in domestic activities), and whose parenting role has chiefly a routine care dimension, oftentimes expanded by the presence of several children, who have to renounce or at least cut down drastically their social interaction, the parenting education classes also had the quality of a *respite*-type intervention, very much appreciated by the subjects.

“When I went to these classes I never said no... Even when I had worked to do, or... I felt the need to get out and talk to somebody once in a while. At home, things are a little dull... You stay there and you do the same thing every day...” (S9)

“It was something, and even a special thing in my life. I used to have a job, but this was different, maybe because I learned something, I don’t know... Otherwise, I got to relax, and on the other hand I learned some things.” (S17)

"It was very nice. It was relaxing, as well, like it is now... If you only sit at home with the children, you can't last long. We have to get out, to have our own time. I've been out around town, I've relaxed, I went for a walk, but I couldn't stay out long. I'd be out for two or three hours." (S15)

An interesting nuance, suggested by one of the respondents, was that the organisation of the parenting education course in that particular community was an opportunity to escape both from the individual routine, as well as from the collective, community routine. The novelty of this event in the community was, in the beginning, an occasion for surprise, and arose a mobilising curiosity.

"I never thought there would be a parenting education course in our village. Never thought it. When they invited us for the first time, I didn't even know what it was all about, even the second time I didn't know very well, I was amazed. I had never thought such a thing could exist. It helped me very much; it helped me with the children. I have no words to tell you how much I enjoyed it." (S20)

Conclusions

Parenting education is one of the strategies that contribute to the strengthening of the support provided to families. An important characteristic of parenting education programmes is the participative approach, which causes the parents to become more actively engaged in the education and the care of their own children, in activating and mobilising resources, be they personal, familial or institutional. Among the determining factors of parent participation, a crucial role is played by the personal ones. The parents' willingness to join parenting education programmes is influenced by personal motivation factors, such as: investing in personal development, the need for socialisation and learning, the clinical effect of participation and the escape from domestic routine. Parenting education programmes are viewed by the parents as particular forms of education, capable of supporting the participants in their personal development. Vulnerable and disadvantaged individuals have access to more restricted social networks, and in general their social networks overlap to a great extent with their family networks; therefore, taking part in parent meetings contributes to their opportunity of entering wider social networks. In the rural environment, the mother's role focuses on the household, on her domestic responsibilities, of caring for the children and managing the household; their personal motivation for joining social networks is stronger, especially that the promotion of parenting education programmes is carried out by the local authorities. Beyond the effects on expanding their social

networks, joining parenting classes contributes, in the parents' opinion, to the optimisation of mental health, the clinical effect of parenting education programmes being repeatedly invoked by the parents as one of the most important motivators. The clinical effect of taking part in the classes and the expansion of social networks are accompanied by the motivation related to the parents' escape from domestic routine. This is more obvious in the mothers who took the classes and who were involved exclusively in domestic activities and childcare; for the parents, joining the parenting education classes was also a recreational activity, a relaxing activity meant to break the routine. Beyond escape from domestic routine, the organisation of parenting education classes in the rural environment was an escape from the collective routine, the classes being viewed and defined as important events in the life of the community.

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Ethical responsibility and social responsibility of organizations involved in the public health system

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Abstract

The present text examines the general concept of responsibility, ethical responsibility and social responsibility with special reference to the public health system and particularly to the public health system in Romania. A central issue is the analysis of the individual ethical responsibility and the problematic of the way ethical responsibility may be extended also to the level of organizations understood as distinct entities required behaving ethically and socially responsible. The concept of social responsibility extrapolates from the social responsibility of corporations to the responsibility of all types of organizations, and especially of the state understood as an organization that acts ethically and responsibly in the global system.

Keywords: ethical responsibility; social responsibility; organizational ethics; medical ethics; freedom and responsibility; public health; ethical management; fairness; ethical expertise.

Ethical responsibility and public action

One usually accepts the fact that responsibility includes in fact several distinctive categories, each conveying in its own way the general concept of responsibility. Following is our attempt to understand possible contents and outlines of the concept of responsibility so as to decide whether individual responsibility may be extended to group level, or whether an organization may be deemed ethically responsible. We shall examine the issue of responsibility and ethical responsibility of organizations by discussing the subject of ethical responsibility

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in the health system. We are making use of a more extended discussion on the issue of responsibility because recent studies invoke not only the difficulty of defining social responsibility, but also the confusions concerning the contents of responsibility (Fassin, van Rossem, Buelens, 2010; Cozma, 2010; Crouch, 2010).

One way of understanding and assuming ethical responsibility begins with a comment on the four foundations of morals in order to attain Good as proposed by Georg Christoph Lichtenberg. He proposes four modes of considering the idea of doing well as a central element of ethical action. One way to understand well is the philosophical way which implies the urge: “do well for good’s sake, out of respect for the law”. Turning Good into a purpose in itself means indeed that good appears in the human being as a way to assert transcendence without transcendence, as a kind of generosity in which ethical responsibility appears as a consequence of assuming legal responsibility. Another way of understanding is religious, which supposes that Good must be done because “it is God’s will, out of love for God”. To be responsible in this respect supposes submission to the divine commandments, to be virtuous supposes an ethics of virtue built on the principles of religious morals. The idea of doing good may be embraced from a humane perspective: in this case, good ought to be done for the welfare and love of oneself. One may discover within the resources to find oneself and accomplish oneself for good’s sake. A possible starting point is political: doing well for the prosperity of society. By doing well, one identifies oneself as a socially responsible being that contributes to the development of the public domain, which also means establishing the political (Lichtenberg, 2001). Social responsibility is founded on philosophical, humanist, political principles, while religious principles are pushed to a secondary level. It is not the divine will that shapes the set of values and actions implied by social responsibility, but the voluntary engagement in social responsible activities. This does not suppose a rejection of religious values. We may even note that the value system of social responsibility may originate in religious values. However, with modernity, the other perspectives implied in Lichtenberg’s picture are more important in taking the action responsible for attaining Good. We may say that “in the self-proclaimed lay states, the law remains the only spine of society as it tends more and more to identify with morals” (Trif, Astărăstoaie, 2000: 46). Thus, medical ethics need not have as starting point the miracle of the person. The dignity of the person is based on human experience and international documents on human rights, and the main professional concern of the doctor must not be “to demonstrate love of the other person” (Buta, Chirilă, Rebeleanu, 2010: 34). Beyond the evident value of religious morals and of the spiritual dimension, the responsibility to do good must have an ethical and legal base capable to render human action significant beyond the control that any type of transcendence might exercise upon the individual, even as a person of free will. Whether it is the individual moral responsibility or the organizational one, we are

considering a non-theological, non-ecclesiastical meaning of responsibility.¹ From the angle of medical ethics, stated is not a godly quality of the doctor, but the source of the ethical responsibility and the close connection to the legal responsibility. Thus, responsible action is conceived as human engagement to humans, society, the legal system and the community ideology at its base, the global vision and action it embraces. Social responsibility is part of this society modernizing system that supposes conscious and free action for the good of the other.

Responsibility between determinism and voluntary action

The issue of responsibility, in general, brings into discussion the topic of the relationship between conscious decisions, control of choices, and voluntary action in which the individual takes into account the other. From the examples below, we shall see that once we clarify the meaning and limits of freedom we may have a nuanced understanding of the principles of ethical action and responsibility.

In order to explain the relationship between determinism and freedom, Fernando Savater guides us by two examples. In the first example, he compares white warrior ants of Africa with the action of warrior Hector. He indicates that the termites, for lack of a shell, build ant hills of a few meters height that are hard as a rock for protection against other animals. Sometimes, however, such ant hills collapse because of external factors. Then, ants quickly set off to build back the hill. Other ants take advantage of the situation to attack them. They continue the construction work and close the hill leaving warrior ants outside to fight to the very end, as soldier-ants are programmed to sacrifice their life for the safety of the others. Compared to this sacrificing attitude, another type of giving oneself for the good of the others is provided by Homer whose Iliad tells how Hector, the most important warrior of Troy, waits for Achilles outside the fortress walls, knowing the latter is stronger than himself and may kill him. He lets himself driven by the sense of duty and sacrifice in order to protect his family and fellow citizens. Fernando Savater wonders: is Hector a hero like the soldier-termites? Undoubtedly, both attitudes are heroic. But the difference between the soldier ants and Hector is a radical one: while termites live under radical necessity, they cannot escape, and are “necessarily *programmed* by nature to accomplish their heroic mission”, Hector confronts Achilles because he consciously and deliberately wants to do so. “Unlike of termites, we say about Hector that he is free, and for this reason we admire his courage”, writes Savater (1997: 23).

¹ A complex presentation of the theological perspective on responsibility may be found by those interested in a book whose author holds important bioethical concerns in terms of Christian analysis see Iloaie, 2009; see also Iloaie, 2009a: 38-52. In a similar theological perspective, significant for an ethics of dialog, is the text by Jitianu, 2009. Our approach, however, is from a lay perspective. A special contribution on relationship between religion and the system of social and medical services one can see in Cojocaru, D., Cojocaru, Ș., Sandu, A. (2011).

Thus, voluntary, conscious engagement, assumed to the ultimate consequences is the one that makes us more sensitive and pragmatic in understanding responsibility. In other words, responsibility is a sacrifice assumed under an open option to choose an alternative that is not given or generated by an external decision. Responsibility supposes sacrificing several possibilities for action in favor of one sensed to be more adequate for self accomplishment and for attaining a balance with the outside world. Therefore, we suppose that in a responsible action the individual controls the decision and the act, and this capacity deems the individual responsible, he/she may be blamed or rewarded on account of the finality and effects of the acts (Glover, 1970: 19). The mechanical action, which is not a result of choice, and the instinctual sacrifice of termites cannot be judged in terms of punishment or reward, as the question of responsibility only applies to Hector, who bravely takes on the fight even risking defeat. The meaning of sacrifice is rendered by the dimension of freedom associated with the sacrifice. In a discussion on determinism and freedom, it is important to point out that theoreticians base responsibility on the control of one's acts and on the idea of holding humane feelings for a person who should be praised or blamed for the consequences of his/her acts (Fischer, 1986: 13).

Without resorting to texts from the theological, philosophical or cultural thought, we can contribute a second example on the importance of control and voluntary action. Related to this complex philosophical and theological issue, Fernando Savater uses an anecdotal situation. He gives Amador the following piece of advice: "If someone persistently denies the idea that humans are free, remember the example of the Roman philosopher. In ancient times, a Roman philosopher was talking to a friend who denied human freedom on account that one does what one has to do and cannot do otherwise. The philosopher gripped his stick and started hitting his friend with it: 'All right, stop hitting me!' the friend cried. Without stopping, however, the philosopher said: 'Didn't you say that I wasn't free and could only do what I had to do? No use asking me to stop: I'm automatic'. Only when the friend admitted that he could deliberately stop the blows did the philosopher cease hitting him" (Savater, 1997: 25). Fernando Savater does not advocate for this method of persuasion but mentions the story for its symbolic value. This example simplifies a complex issue to a life situation in order to conclude that any freedom denial may trigger a constraint that reflects negatively on the denier; human action is not automatic, or subject to blind natural necessity; the conflict between mechanic determinism and freedom assertion may only be solved in an inter-human situation perceived as a dialog situation; the negation principle is converted into freedom assertion, an act symbolically perceived as an exercise of violence because the pressure of evidence brings balance to the conflict.

An essential question is the following: may an individual who cannot make free decisions under certain given constraints be considered responsible? A potential response is that an individual cannot be held responsible ethically for acts that are not the result of his/her intentional action or non-action. However, one should not make absolute the direct relation between being responsible and holding action control. R. A. Duff opines that we should be reserved as regards the fact that having control is sufficient for being responsible. If we have absolute responsibility for the effects of our acts, we may reach conclusions that could not be accepted logically or ethically. He uses the example of the action on the free market that could render an agent responsible for everything happening to the competition, including an ethical commandment according to which the agent would be responsible for the fact that on the free market his/her competition proved inefficient and went bankrupt (Duff, 1998: 292). What we understand from the above is that there are theorists in whose opinion holding control on things does not always represent sufficient reason for deeming the negative effects of an action proof of lack of responsibility. Often, an action belonging to a series of actions subject of the complex processes of economy and real life, is part of a certain causality; regarding the possibility to hold someone responsible based on causal responsibility (Shiner, 1999: 974) it is necessary to consider the fact that the causal chain brings elements that cannot be controlled by the individual whose action is exposed to the pressure of events at the interface of determinism and hazard, of controlled action and chance, of personal action and the action or passivity of others.

This general discussion on freedom and responsibility is important for our topic that targets the health system because the physician needs to make decisions while subject to several types of constraints. Among these let us mention: constraints resulting from rules provided by legislation, by good practice codes, and also by economic conditioning, in addition to patient's will, and the will of the patient's family, as well as constraints related to their expectations and decisions. Thus, discussing responsibility related to freedom and to the control of the situation and of decisions is extremely important because from the ethical and legal perspectives, as a specialist, "the physician must be the master of his/her decisions and should take attitude before the family and dependants in order to save the patient's life" (Trif, Astărăstoe, 2000: 116).

Ethical expertise and responsibility in the health system

One question to ask is whether and to what extent responsibility should operate or not also in the health system. A question I have encountered in specialized literature is whether the physician should not be exempt from potential negative consequences of his/her acts as long as he/she proves to have acted according to

the protocols of the respective situation. Is it a firm and sufficient guarantee for exempting the physician from responsibility the observance of the scientific standards and technical criteria of professional qualification? May the physician be exempt from responsibility for the negative consequences of his/her professional practice by virtue of the very fact that he/she did his/her duty, or may the patient hold the physician responsible for the negative consequences upon his/her health that can be connected to the medical acts in the case? Trif and Astărăstoae call to our attention the fact that more and more “the relation physician-patient has been evolving towards a contractual relation, based on trust the patient chooses the physician, who is fully aware of the obligations of the contract. Among the contract clauses may be the incrimination of the medical act for: 1) not taking the risk of acts that could have been useful to the patient; 2) non-intervention resulting in privation of chance; 3) results that fail patient’s expectations” (2000: 21). The medical professions are well regulated both in deontological codes and to a growing extent from the legal point of view. These target the protection of professionals and of the patients, with positive consequences upon the improvement of medical assistance and increased confidence in the health system. The border between ethical and legal responsibility may be established in the general terms of the relation between the ethical and the legal. Clarifying in this respect is the fact that “deontological deviation will constitute an act sanctioned by public opinion, but also by the doctor’s conscience while the legal deviation makes the object of legal coercion.” (Trif, Astărăstoae, 2000: 59). The relation between what is personal and what pertains to the public domain is sometimes invoked as a possibility to distinguish between the ethical and the legal. Ethical responsibility is related to the deep resources of the individual and the interpersonal relations, while the legal one pertains to public decision and legal regulations at its foundation (Martinez, Richardson, 2008: 15). Thus, claims of patients’ rights go beyond the ethical problematic and reflect in legal consequences for the doctor. Regulations of the medical profession through deontological codes have an impact not only upon the moral order governing the profession but also upon the legal order, in many cases implied, other times operating explicitly. This way, “doctors’ failure to observe professional obligations, inadequate observance of orders, laws, regulations and instructions may generate not only a moral responsibility for the violation of deontological norms, but also a legal one.” (Trif, Astărăstoae, 2000: 49). Legal responsibility is relevant in our discussion from two perspectives: on the one hand it protects patients’ rights, who sometimes find themselves subject to inadequate practices, or neglect, or are even ignored by specialized personnel; on the other hand it may also have real value in preventing cases from going to court for *malpractice* or associated activities, as legal medical responsibility “stimulates doctor’s initiative in the interest of the patient.” (Trif, Astărăstoae, 2000: 52).

Ethical and legal expertise show, however, that in the medical sector, unlike other activity sectors, ethical requirements prevail by comparison with the

legal or administrative ones. Therefore, doctors need ethical training as a significant part of their professional qualification. This need is a growing part of the European trend visible in the tendency of the European fora to stimulate ethical and legal competence in the medical profession, to encourage bioethics programs and even include bioethics exams in the medical schools, etc. (Ioan, Gavrilovici, Astărăstoae, 2005: 9). A new type of applied ethics valorization is a debate at the intersection of academic studies and practical action and is represented by the introduction of appreciative methods (Cojocaru, 2005: 36-48) in the complex relation between doctor and patient. Sandu and Ciuchi believe there is a possibility for a new paradigm available to the physician as a way to adapt classical methods to the new requirements of current medicine (Sandu, Ciuchi, 2010: 57).² Applying appreciative methods, ethical counseling may become central in attaining ethical competence and developing abilities for responsible action.

Besides ethical training, an important aspect lies in the ethical regulations of medical practice. In addition to the growing importance of the deontological codes, relevant is the tendency to create multidisciplinary ethics committees that should prepare guidelines. These ethics committees could have, among others, the mission to “provide consulting to pertinent fora for a dynamic finalization of the legal and deontological framework in response to the new issues appearing. Thus, Bioethics precedes legislation” (Ioan et al, 2005: 15).³ The relation between the ethical and the legal proves to be in this case dynamic and complementary, with each of the two elements supporting the other in its specifics. At this point in our discussion it is important to mention that the creation of multidisciplinary ethics committees that should prepare an ethical model for resource allocation in the health system is directly tied both to the doctor’s individual responsibility and, at a general level, to the organizations in which the doctor is engaged, on which the doctor depends for the decisions he/she makes, or which interfere with the doctor’s activity often conditioning decisions. The importance of the “medical ethicist” within the profession is conveyed in the studies of Trif and Astărăstoae, 2000: 46. Also, in the drafting of the ethical model strategies for the system and for the profession one cannot ignore the outsider view that the ethics expert brings. The latter has significant input in the training of the medical personnel, in the analysis of critical situations under the provisions of deontological codes, through the ethics counselor, more and more needed from the daily activity of the doctor to the establishment of development strategies in the system (Frunză, 2010: 14).

² On the development of appreciative methods in a multicultural context, a relevant presentation is to be found in Cojocaru, 2005, p. 36-48. See also issue 30/2010 of *Revista de cercetare și intervenție socială* which is dedicated to this method.

³ The importance of the medical practice guides (both as regards a series of economic requirements in the health system and health policies, and the systematic preparation of recommendations in support of practitioners and patients in the decision-making process and in ethical interactions was highlighted in Boloșiu, 2007, p. 261-268.

Another open and sensitive issue under debate concerns the relation between the individual and the community. In this context there is the debate on the relation between the individual responsibility and the collective one (Duff, 1998: 293). From this perspective, a special subject of medical responsibility is team responsibility. Team work triggers the group responsibility as a typical issue of responsibility. Thus, the personal responsibility of the team head for the activity of each team member should be correlated to the responsible involvement of each member of the group and with the responsibility of the group acting as a distinct entity that consciously and responsibly assumes action. It is worth noting that the team has both ethical and legal responsibilities, and that in relation with those the physician supervises it is specified that “the responsibility of the physician for those he/she supervises deriving from the responsibility for the acts of a third party, is as follows: if the doctor’s order is wrong, the doctor is responsible, not the person executing the order; if the doctor’s order is right but the person executes it wrong, it is the responsibility of the person executing it; if the doctor’s order is right but the person executing it does not have the competence to carry it out, the doctor is responsible; if the doctor’s order is right but the person executing it is not supervised or checked, the doctor is responsible” (Trif, Astărăstoe, 2000: 97-98).

The complexity of the issue is also revealed by Duff who raises the problem of the way in which we may talk about group responsibility and organizations’ responsibility. It is legitimate to ask whether the responsibility of the organizations is of the same nature as the responsibility of the individuals that make up the group, whether a member of an organization is responsible in solidarity with the acts of the group or organization, whether we can truly speak of the responsibility of corporations, universities, governments, nations, or of the responsibility of states to the extent that we note that their acts may be judged in terms of responsibility (Duff, 1998: 293). Thus, one issue to be raised is that of the ethical responsibility of the state in relation with its citizens when it comes to securing access to a fair health system, in the context of states’ action as organizations at a global level that adopt the international decisions in the field. Let us remind here a brief statement of such regulation: “Considering health requirements and the available resources, Parties shall make appropriate decisions in order to secure, within their jurisdiction, a fair access to quality healthcare” (*Convenția*, 1997).

Ethical responsibility and social responsibility of organizations involved in the medical system

Generally, it seems legitimate to ask: to what extent may organizations be considered ethically responsible? Discussing the possibility for an organization to be regarded as a moral person, Patrick MacLagan points out to two competing stands: 1. a reductionist one, according to which only individuals or small groups of individuals can act as responsible agents; 2. a holistic one, with anthropomorphism elements, according to which the organization as a whole may be regarded as a moral agent. The presence of these anthropomorphism elements helps us consider the idea of organizational responsibility. However, Patrick MacLagan believes the discussion on the ethical or non-ethical character of the organization is problematic as these characteristics rather apply to the conduct of the organization members. Consequently, the emphasis should not be on the organization but on its members, with the whole set of values and responsibilities on their account. But he does not ignore the fact that individuals, managers, other factors and interest groups involved have sufficient freedom to make ethical choices in an organization. Moreover, organizations are entities with a legal status. This means that organizations may be treated as if they were distinct from their members, that they have a well defined legal responsibility and consequently may be sued as distinct entities (MacLagan, 1998: 106). Even if he does not agree that we may speak of the moral responsibility of organization literally, he is close to the views of authors who speak of firm criteria, decision-making procedures, distribution of responsibilities, and formal definition of modes of action. All these may justify attributing the quality of moral agent to organizations. For example, starting from the analysis of the decision-making in a corporation, Kenneth E. Goodpaster and John B. Matthews, Jr. explicitly state that we may demand that corporations should be responsible to the same extent as individuals. The holistic view on organizations supposes however that the idea of moral person should be regarded only as a metaphor, that the organization is a moral person only metaphorically and it is necessary to avoid any process of transforming an organization into a mythical entity with trans-individual attributes (MacLagan, 1998: 108).

The usefulness of such an interpretation may be noted from the special perspective proposed by Preda, when he examines the organizational behavior and the theories one may elaborate on organizations, and brings into discussion Gareth Morgan's views on the metaphorical approach of organizations. Using metaphors for a better understanding of organizations proves the explanatory function through analogous means. These are eased by the fact that practically there is no total similitude between the analyzed organization and the metaphoric image by which we make it more accessible, while differences resulting from the absence of a

total overlap simplify reality a lot and describe it in a significant way (Preda, 2006: 39). One of the metaphors helping us for a better understanding of organizations is provided by the human relations theory, which implies understanding organizations from the perspective of the metaphor of the living body, capable to meet human needs. Thus, they are conceived as “living bodies that adapt to the environment are divided into species, categories, and fight for survival” (Preda, 2006: 43).⁴

One way to avoid any deviations and overestimates of organizations' responsibility is for Goodpaster and Matthews, Jr. that of using for base of discussion the way groups act in certain situations as if they were a person. As groups, in certain situations, have a unitary action, an internal decision structure, a system of rules that cover authority relations, a protocol regulating cases in which the action of an individual is assimilated to the official action of the group, similarly, organizations act in a unitary way and manifest responsibly. To attribute moral responsibility to organizations supposes an extrapolation of an individual state of matters or that of a group to an organization. During such an extrapolation, it attributes to corporations types of acts, strategies, decisions etc. according to which organizations appear as agents with distinct moral responsibility (Goodpaster, Matthews, Jr., 1984: 148).

In this perspective, there are multiple situations in which medical organizations may be held responsible on ethical and legal grounds. For example, “The responsibility of health units as legal persona is engaged as a rule for faulty equipment, lack of control of the equipment, nonobservance of functional routes, nonobservance of hygiene norms, switch of children and use of false identity. Known incriminations are for interference with sterile circuits, no testing for hepatitis or HIV of blood used for transfusion, faulty irradiation equipment, and mandatory vaccination with no prior check-up for side effects. The responsibility rests with the head of the section or the manager of the hospital. The lack of patient supervision leading to accidents also constitutes a problem for the hospital as a legal persona” (Trif, Astărăstoae, 2000: 99). Ethics appears in this context as evident for the well-functioning of the system and for the creation of a cooperative environment for all factors involved in the medical activity. Ethics does not suppose only a system of evaluation, it is not just a field of expertise helping us provide awards or sanctions in connection with the way responsibilities are assumed. Ethics may be “used as a connection element between patient, clinician, and hospital manager” (Borzan, 2007: 226).

For an adequate understanding of the social responsibility and of the way in which we may establish a series of similarities between the social responsibility of corporations and the social responsibility of the organizations in the public

⁴ From Gareth Morgan's descriptions, Marian Preda also retains metaphors according to which organizations may be conceived as machines, brains, political systems, prisons of the psyche, flows and transformation processes, domination instruments.

health system, we ought to be aware that a central concept in the ethical definition of an organization and of the ethical behavior is the concept of responsibility. As it generally occurs in the organizational ethics, business ethics brings up for debate the subject of responsibility and raises the question whether an organization may or may not be held ethically responsible. Clarifying the issue of ethical responsibility of business organizations helps us state that if with organizations whose main objective is gaining profit the ethical requirements is present; all the more the other types of organizations should assume an ethical responsibility.

The ethical behavior supposed by the assuming of social responsibility is quite often seen as a part of the key to success on a certain market, especially in transition countries. It involves an enlargement of the influence of that organization in the community it serves, as well as in the political and economical fields. Especially in the case of multinational corporations, there is the tendency of involving in programs that the state does not cover, or does only partially cover. Such programs “include education, health care, water services, policing services, waste management, telecommunications, social housing, public transportation, and security. Firms’ decisions to build schools or health care facilities represent a direct fulfillment of public services associated with the absence of child education or proper medical treatment” (Valente and Crane, 2010: 57).

Theoreticians agree in general that the idea of social responsibility creates for the decision-makers in an organization the general framework of an ethical choice. Organizations are in the situation to choose between voluntary restraining profit maximization, and accomplishing desirable social objectives. The positive side on the short term appears only in an increased sensitivity to the social costs of the economic activity and a focus of the corporation on social objectives. However, in time, it becomes obvious that what may seem less attractive from an economic point of view achieves an important economic function and may have consequences upon alternative ways of profit increase. This choice that in certain cases may be a dilemma, supposes a voluntary action climate in which, based on the reflections of Andrews, we include: 1) determining a corporation to cut profit by voluntary contributions to education, support of health system, aid, charity work, water saving and environment protection acts, support for the victims of domestic violence etc; 2) as the action does not follow a legal or financial obligation, one should choose a higher level of ethical action than the one required by tradition and laws; 3) when the possibility to choose between various business opportunities exists, companies will choose the ones with social value; 4) the deliberate act of investing for reasons that are not economic and that contribute to a better quality of life. If we ask a company to be sensitive to the economic action climate privileged by these elements, we should assume that the organization acts as a responsible person to the extent that the decision-makers of a company choose social responsible programs for implementation (1984: 137-138).

There is a growing tendency at the international level that various types of organizations publicly assume public responsibilities left underserved by government actors in societies that are at a transition stage in what concerns their economical development. In this respect, “companies must be ready to face challenges not commonly experienced in industrialized countries, where public infrastructure is typically already in place. Present research and management best practice tends to presume that public policy exists to guide firms in their social responsibilities. However, increasingly companies are forced to blur the lines between private and public activities by taking on roles typically undertaken by government bodies” (Valente and Crane, 2010: 73). These new relations involve a new dynamics of relations between corporation management and the management of public institutions, entrenching new challenges and new types of collaboration and interferences of ethical responsibilities.

Theories promoting social responsibility lead to the idea that organizations have moral rights and responsibilities. These are assimilated as such by organizations even if a series of difficulties appear while supporting the programs that are unavoidable during implementation. McFarland suggests that assuming the organizational behavior ethically is largely determined by the fact that the ethical problems penetrate the communication, public relations and publicity processes as well as everything pertaining to the effort to attain a correspondence between the image and the ethical behavior of the company (1982: 206). Also, he surprises us in two of his statements: that every managerial decision has implicitly also an ethic dimension, and that the extreme dependence of society upon various types of counseling is manifested in the dependence on ethical expertise (McFarland, 1982: 273). Thus, ethics seems to be a dimension one cannot escape, which may mean that in reality, being a responsible ethical agent becomes evident for every organization.

Generally speaking, existing studies discuss on the social responsibility in connection with the responsibility of corporations. What is missing is a discussion on other types of organizations that should be required to have ethical behavior, especially the organizations represented by various state institutions. Social responsibility is often seen as a PR or marketing element, optional for organizations, but also valorized as it determines a market behavior based on shoppers' preference for the products of organizations with an ethical behavior on the market. Recent research, still in an incipient phase in Romania but of remarkable potential, try to connect social responsibility directly to state responsibility in providing resources and equal non-discriminating opportunities for guaranteed access to adequate health services of all communities.⁵

⁵ One must highlight the contributions in this respect of Vasile Astărăstoae concerning a change of mentality based on the ethical foundation of public policies in general and on the ethical and cultural foundation of health policies in particular.

To set the grounds for effective and sustainable action in the spirit of social responsibility, several program documents have been prepared in Romania. One of these is the *Report of the Presidential Committee for analysis and preparation of policies in the public health field in Romania* (Vlădescu et. al., 2008).⁶ In order to diminish the problems facing the health system, the presidential Committee contributes a set of proposals that should reshape the system by making all those involved responsible and by situating the patient in the center of the whole system. The conclusions of the presidential Committee are important as, in order to function, according to principles of social responsibility, the health system in Romania should have at least the following features that are presented in the report:

- “To provide integrated health services, based on continuous healthcare, in which the patient should receive the medical services needed, at all levels, 24 hours a day, 7 days a week, 365 days a year.
- Patients/citizens shall become *partners* in the decision-making process, receiving the necessary information and having the opportunity to exercise control – to the desired extent – upon the decisions and medical treatment affecting them directly, replacing the existing model with a partnership for health.
- The new organization of the system will facilitate increased access to *relevant information* of all protagonists in the health system, according to the strategy of health information.
- The health system will have to *create transparency*, make available to patients and their families the information necessary for informed decisions when they choose a health service provider, a hospital or a certain treatment alternative. These should include information on the system’s performance as regards *safety, practice based on proof, and patient satisfaction*.
- All decisions made in the system, from those for resource allocation at national level to those related to diagnosis and treatment should have to be *based on the best scientific knowledge*, available at the time.
- Ensuring the *quality* of medical acts will become a fundamental element of the system,
- The new proposed structures should have as exclusive object of activity this field.
- *Safety* will be a basic characteristic of the system. Risk reduction and the safety of the patient will be supported through the proposed computer systems and procedures and through the quality system which will help recognize, prevent and diminish errors” (Vlădescu et. al., 2008: 63).

⁶ The presidential Committee for analysis and preparation of policies in Romania: Cristian Vlădescu, Oliviu Pascu, Vasile Astărăstoae, Ion Verboncu, Rodica Anghel, Alin Stănescu, Geza Molnar, Victor Olsavszky, Cezar Irimia.

Consequently, beyond the beneficial promotion of the principle of decentralization, when we talk about the public system of health, we must speak of a direct responsibility of the state in providing equal access to healthcare services, in developing the prevention system, in focusing the medical act on the patient and the patient's satisfaction, in implementing methods based on up-to-date scientific knowledge, in ensuring the quality of the medical act and of the quality, safety and integrity of the system. The social responsibility of the state should function beyond any economical calculation. If the global trend demands event profit organization to be socially responsible and reinvest a part of the profit for the benefit of community, all the more should the state, which should serve all its citizens, should behave like an ethical organization with social responsibilities to each individual and society as a whole. This involves a new attitude towards those benefiting from the public health services that should be involved as active beneficiaries and not regarded as passive clients (Cojocaru, 2006: 32-38). The necessity of an ethical model presupposing a fair distribution of the financial burden in the case of health care is obviously justifiable from an ethical standpoint. Moreover, one can note that "the perception of a right to health care has unduly led to an entitlement mentality and uncontrollable cost escalation" (Frangenberg, 2010). A solution for avoiding the unethical spending of resources would be a system where state social responsibility and the social responsibility of organizations involved would be correlated with the individual responsibility.

To improve relations between the organizations of the health system, for a better functioning of each organization, and also in order to secure an adequate climate for assuming responsibility, provisions as the ones below are important:

- "*Cooperation* between fields and professions should be encouraged, both between various levels of assistance and between specialists of the same level. The development of *multidisciplinary teams* as a base for services should need – besides changes pertaining to the health system – also changes at the level of medical education, undergraduate and graduate.
- The system should be organized so that it facilitates *cooperation between sectors*, which is essential in approaching high impact determiners of health" (Vlădescu et. al., 2008: 63).⁷
- All these elements should be part of the public policies system prepared by the government and assumed in the spirit of social responsibility by all types of organizations involved. An important role in assuming social responsibility belongs, as in the case of economic organizations, to the managerial structure. It is evident that the management of the healthcare system implies on organizational culture based on structures, value systems,

⁷ A description of the developments of the reform in the public health system in Romania, as well as recommendations for priorities of future development of the system, are to be found in Baba, Brînzaniuc, Cherecheș, Rus, 2008, p. 15-25.

attitudes and complex modes of action. It is shaped by economic, social, cultural factors, by legal regulations, and stereotypes influencing health. The central role belongs to the manager, who is responsible for combining these elements into a functional structure (Borzan, Mocean, 2002: 249). The manager's responsibility is deemed by specialists as a crucial one. The manager has the mission of bringing things together, of making them work as a whole, of influencing opinions and directing all action (Hinpea, Mora, Țiclău, 2009: 93). The dynamics of all these elements provides the image of taking responsibility.

Instead of conclusion

The debate on responsibility proves that responsibility entails a voluntary action that is situated beyond juridical obligations, without contradicting them. The problematization of individual ethical responsibility can help us understand the ethical responsibility of organizations and the social responsibility of the state. Both individuals and organizations can not postpone ethical responsibility, in general, and social responsibility in particular.

More than in any other kind of organization, in the public health system the ethical responsibility has an obvious social function. In a world of global interdependence, we expect public policies to be issued by responsible organizations that constitute the institutions of a rule of law, ethically and socially responsible. Assuming responsibility is a central issue in the building of an ethical system of public health. The periods of crises prove that there is a need of balance between the individual responsibility for their own health and the various types of institutional responsibility in ensuring the ethical and efficient medical services. The premises of assuming such action already exist in international regulations on the importance of the social responsibility of organizations. States and governments are called in their turn to act as ethical organizations and managerial structures that should be responsible for social problems in general and for public health problems in particular as part of a larger concept of improving the quality of life and of the level of health globally.⁸

⁸ This text was elaborated during my research supported by CNCIS-UEFISCSU, project code ID_2265, contract no. 842/2009, "Ethical Expertise and Social Action. An Interdisciplinary Perspective on Applied Ethics".

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The Parent-Child Relation in Hobbes: Beyond Private Life and Public Reason

Corneliu BÎLBĂ *

Abstract

We proposed a reading of Hobbes to analyze the way in which the issue of family and especially the parent-child relation is approached in his social contract theory. Our analysis first shows how we can overcome the hermeneutical dead end of the contradiction between the model of indivisible sovereignty applied to the family and the feminist critique of the contract. For this purpose we applied to Hobbes Rawls's distinction between the *concept* of justice and the political *doctrine* deriving from it. Then we argued against Peter King that the notion of hypothetical consent is operational and we can use it to justify the hobbesian concept of filial obligation. We have showed that the possible sources of filial obligation – that is inequality, gratitude and consent – must be considered first from the perspective of the natural condition and second with respect to civil order. The reason is that family can be seen as a micro-field of permanent transit from natural to political – just as international relations are the macro-field – and sovereignty has to be defined as a permanent process of legitimizing the circulation of power between these *infra* and *supra* levels. This allows us to understand that inequality, gratitude and consent are closely interconnected and that the notion of hypothetical consent is fundamental for the idea of contract extension. Finally, we have argued that no revolution of family relations can be situated outside the paradigm of hypothetical consent.

Keywords: Hobbes; parent-child relation; paternal domination; filial obligation; hypothetical consent.

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Introduction

In what follows, I aim at analyzing some aspects of the parent-child relation in Thomas Hobbes's theory of social contract focusing on the problem of filial obligation and on the justification of paternal authority. This is a difficult matter, since Hobbes's attitude towards family is a controversial issue. For on the one hand, Hobbes argues against traditional patriarchalism defended by his contemporaries Bramhall, Filmer and Tenison, saying that paternal authority does not derive from natural procreation, because – then – it should be divided (between mother and father), which is impossible. On the other hand, by applying this concept of indivisible sovereignty to family (Boucher 2003, 27) – according to the natural model of the patrimonial kingdom (Strauss, 1952: 60) – Hobbes implicitly adopted some elements of the patriarchal position (Schochet, 1967: 431). Consequently, some feminist scholars have admitted that “Hobbes is a patriarchal theorist [...] who rejects patriarchal rights” (Pateman, 1989: 447)¹.

This conflict of interpretations can be managed if we adopt the rawlsian point of view and distinguish between the Hobbesian *concept* of social contract, which is anti-patriarchalist in its realm, and the Hobbesian political *doctrine*, which could be still patriarchalist in some technical aspects. Since this distinction is not effective in the Hobbesian corpus, I propose to consider it as an ideal norm of interpretation, justified by the epistemological difference between the logical consequences of the original position and the political and ideological beliefs that constitute the doctrine of *Leviathan*. Therefore, some aspects of the familial relations could be determined by the epistemological concept of human nature, while others by the political and ideological skills that Hobbes shares with his time.

I will analyze the parent-child relation in Hobbes as if the concept of justice would not have been developed in a particular doctrine of sovereignty. This concept is related with two subsequent ideas: a description of “the natural condition of mankind” and an hypothesis saying that society has risen as a result of a contract between humans beings considered as rational: that is they know their own interest, calculate their actions and communicate with each other for obtaining primary common goods such as peace and security². Therefore the issue of the parent-child relation should be basically divided into two chapters: one regarding the children's status in the state of nature, and the other referring to the parents' and children's rights and obligations in any civil society.

¹ This new attitude in the interpretation of Hobbes is based on the idea that “patriarchy is more complicated. [...] Paternal right is only one dimension of patriarchy” (Pateman 1989, 449).

² This theory of the establishment of civil community was interpreted in the rationalist tradition as a first variant of the theory of rational choice. The opposition between individual (or private) reason and collective (or public) reason assumes this fact that “We all must, in effect, supplant our private reason and judgment with the reason of the arbitrator, which thereby becomes public reason for us” (Ridge 1998, 541).

State of nature, sovereignty and parent-child relations

According to Hobbes, the natural men are not sociable at all, as having by nature the right to do anything for the preservation of their life, they become enemies each time they want the same thing., “The state of nature of men before they entr’d into Society” (Hobbes, 1983, 1.12, 49) was (historically) a state of war of every man against every man. In such a war peace could not be obtained by the victory of one man, so that the making of peace requires the use of reason. For reason is the source of some general moral precepts which are called natural laws by which men are commanded to endeavor peace (this is the first and fundamental law), to limit their natural right to all things by making covenants (the second law), to perform the covenants made (the third law), to be grateful for receiving gifts and benefits (the fourth law, etc. Hobbes says that men get out from the natural state of war by making a covenant: they transfer the natural right to kill any man to a sovereign who will use it only for defending the convention. This “monopoly of legitimate force” (Weber, 2008: 156) means that no one besides the Sovereign holds the absolute power, neither parents over children, nor masters over servants. When talking about what *parents should teach their children*, Hobbes says: “originally the father of every man was also his sovereign lord, with power over him of life and death; and [...] the fathers of families, when by instituting a Commonwealth they resigned that absolute power” (Hobbes, 1839: 329). This fragment is of peculiar importance for the hobbesian studies, because some scholars have found here an argument for their hypothesis about the “sexual contract” (Pateman, 1989: 459) that is the exclusion of women from public life. This valuable interpretation – although controversial and not charitable – has pointed out that actually there is at least one argument against the classical interpretation, according to which there are no acknowledged conventions to precede the political contract. Therefore, the idea that there are no means to limit the Sovereign’s power in Hobbes because there are no conventions prior to sovereignty is, to a certain extent, an exaggeration. Family is such a convention. Nevertheless, family relations are the permanent transitory field between natural and political, which means that they have an indefinite status. On the one hand, parent-child relations have a natural character, since they are subjected to the natural law. It is obvious that the human being that is not a *subject of law*, obedient to civil authority, must be obedient to paternal authority in the virtue of nature. From this point of view, „the natural condition of men” signifies not only the state of savagery that precedes society and civilization, but also the human nature that repeats itself with every human being. The natural child is first of all a being dominated by feelings and instincts that will become social only through education and reason. On the other hand, the child is a “passive citizen” (Kant, 1991: 126; Schapiro, 1999: 718-719) and his education becomes the task of an adult person that is subject of law and abides by the sovereign authority. Consequently the parent-child relations are subjected to regulation by the positive laws and “parents

are assumed to be the best judges of what is in their children's best interests" (Quong; 2004: 325). This epistemological ambiguity of the family is not vicious at all, since the family is, like the State, a kind of monster which belongs to different orders, for it is made by two types of domination: "the one *naturall*, such as is the *paternall*, and *despoticall*; the other *institutive*, which may be also called *politicall*" (Hobbes, 1983: 5.12, 90)³.

In order to understand the stake of this distinction, it is necessary to imagine political sovereignty not as a *state*, such as civil state, but as a *process* of domination that ensures the circulation of power between an inferior limit – that is the natural man – and a superior (also natural) limit – that is the field of international relations. According to Hobbes, the Sovereign is not a part of the social contract. He remains in the state of nature as its guarantor. At the upper limit of political sovereignty lies the natural state of war, hence the open field to exert natural (or despotic) domination. When referring to this aspect, Hobbes speaks about the conquest as an alternative way for the institution of sovereignty, for the right of dominion is given not by the victory, but by the covenant of the vanquished (Hobbes, 1839: 189). Therefore, we can say that the natural domination becomes political domination at the *supra* level; this is even more obvious at the *infra* level, where each new born is caught in the scheme of natural domination and have to reiterate the original contract and become a citizen. The model of contract implies the commercial exchange – Foucault says (1997: 14) – and the Sovereignty is that process that produces political legitimacy for the natural domination, both at the *supra* and *infra* level of commonwealth. The proof for this interpretation is the comparison of kingdom with family – "and thus a Great Family is a Kingdom, and a little Kingdome is a Family" (Hobbes; 1983: 8.1, 117).

This is not at all an advantage for the task of defining and legitimizing the rights and obligations parents and children each have. The difficulty of analyzing these rights and obligations comes from the asymmetrical character of the parent-children relations and we can now see that there is a double asymmetry: in natural and in civil order. In the natural order, there is obviously a difference of power between children and adults, which are an inequality between them as far as the faculties of soul and body, are concerned. In the civil order, it is precisely the natural inequality and the associated responsibility of the faculties of soul and body that triggers the asymmetry between passive and active citizens. The distinction between the two plans seems compulsory to me in analyzing the various ways to legitimate the rights and obligations within the parent-child relation in Hobbes.

³ Regarding this aspect, *Leviathan* reads: "The attaining to this sovereign power is by two ways. One, by natural force: as when a man maketh his children to submit themselves, and their children, to his government [...], or by war subdueth his enemies to his will [...] The other, is when men agree amongst themselves to submit to some man, or assembly of men, voluntarily [...]" (Hobbes, 1839: 158-159).

Three sources of filial obligation. And three difficulties

Peter King (1998) had shown that Hobbes suggested (maximum) three ways to solve this problem, mainly: a) the inequality of power explains why parents have the right to give orders to children and children have the obligation to obey; b) filial obligation derives from gratitude; c) the parent-child relation is contractual in its nature. King made a minute analysis of the three aforementioned possibilities but he did not consider necessary to distinguish, for each one in part, between the level of natural and civil order as suggested above. King had only made a distinction between the two meanings of the state of nature – as state of savagery prior to any society or as analytical device (King 1998: 69) – conceived to emphasize by contrast and hyperbole the constitutive elements of society. But this is not enough to define the family status in Hobbes's system; to be more precise, it is not enough to understand that family lies between two forms of authority. However, King's analysis has the merit of shedding light on the difficult task of positing family in Hobbes, irrespective of the interpretation of the state of nature. In what follows, I will give a short account of King's considerations as far as the three possible sources of filial obligation are concerned and I will show how to complete its analysis by considering the distinction between the two types of authority and the idea of continuous circulation of power, i.e. the idea of power as *process* between the two *states*.

The first difficulty: the natural inequality

According to King, the first "suggestion" of Hobbes would be that paternal domination results from the parent-child inequality in the state of nature. A series of fragments in Hobbes (as in *Leviathan* 1.13 and 2.20; *De cive* 1.10 and 9.1 or *Elements of Law* 23.2 and 23.3) would allow this interpretation in the light of which domination on children could be justified either by the natural right of each individual to use any means to survive or by the idea that rough force creates a natural hierarchy of the categories of individuals (such as adults and children). King believes that Hobbes does not exploit this possibility because of the difficulties it raises, namely: the hypothesis of parent-child inequalities would contravene the axiom of natural equality; moreover, even if the power inequality would explain paternal domination, it could not explain filial obligation and moral hierarchy, says King. As far as I am concerned, King himself did not explore in a satisfying manner the resources of this hypothesis. If there really is in Hobbes the "suggestion" that paternal domination originates in natural inequality, this supposition can work implicitly and in parallel with the axiom of natural equality. The "axiom" of equality refers to those men that, when found *de facto* in the natural state of war (because of passions), they have the possibility (by the use of their reason) to make a covenant. The description of this state of nature, in Hobbes, points to those conditions that are necessary for justifying political authority.

Consequently, King's statement regarding the children's political status⁴ is useless if we refer to the lack of the quality of subject of law as a form of political inequality determined by natural inequality. In other words, the natural inequality between children and adults is a condition for the political inequality between children and parents. We should not interpret this inequality only as a difference of physical force, but also as a difference of power according to Hobbes's definition of power: "Natural power is the eminence of the faculties of body, or mind; as extraordinary strength, form, prudence, arts, eloquence, liberality, nobility" (Hobbes, 1839: 74). The definition given by Hobbes to power and value in chapter X of the *Leviathan* allows us to state that power inequality between parents and children is definitely a source of paternal domination and also of filial obligation. An undeniable proof for this interpretation is that civil order does not contest paternal domination within family and this is because the natural relations within family are not a state of war. On the contrary, when dealing with what it means to honour someone, Hobbes says that "[to pray to another..., to give great gifts..., to show any sign of love, or fear..., to praise, magnify or call happy..., to speak with consideration..., to believe, to trust..., to agree, to imitate... etc.]" *all these ways of honouring are natural*; and as well within, as without commonwealths" (Hobbes 1839, 78 – my italics). Put differently, family is the original place of manifestation for the superior and inferior relation and thus, the action of honouring the other. Before thinking that family is a form of civil agreement, we should rather consider that family in the state of nature is a form of acquisition in which peace is ensured by the hierarchical structure of power, i.e. by paternal domination. This interpretation is supported by the fragment *De cive* 9.2 where Hobbes *deduces* child domination from natural equality by means of the following reasoning: 1) The victor is the master of the vanquished on the base of natural law (major premise); 2) All *adults* in the state of nature are equal (minor premise); 3) "Therefore" children (that do not have enough power to stand along the adults) are subjected to that person that first has them in his power.⁵

The second difficulty: the gratitude

The second suggestion of Hobbes – King says – is that the source of filial obligation could be the gratitude and trust that comes from the parents' gift of life *in the state of mere nature* (Hobbes, 1839: 2.20, 187) or from the education received from parents (Hobbes, 1839: 2.30, 329) in the civil state. But we have to say that the sense of gratitude is different in nature and society. As sovereignty

⁴ "Even if the state of nature is a pure analytical device, we may ask what it tells us about the political standing of children" (King, 1998: 6).

⁵ "Wee must therefore returne to the state of nature, in which, by reason of the equality of nature all men of riper yeares are to be accounted equall; There by right of nature the Conqueror is Lord of the conquered: by the Right *therefore* of nature, the Dominion over the Infant first belongs to him who first hath him in his power" (Hobbes, 1983: 122).

limits the right of life and death of the parent and institutes parental obligation, precisely by this limitation, the gratitude showed to parents is a propedeutics for respecting civil laws and the Sovereign. Nevertheless, when inquiring – in *Leviathan* 2.30 – “what doctrine [parents] ought to teach their subjects” (Hobbes 1839, 329) and answering that they should tell children how the fathers of families have resigned the absolute power and founded the commonwealth, Hobbes adds: “[yet] it was never intended they should lose the honour due unto them for their education” (Hobbes, 1839: 329). What Hobbes has in mind is that children have to be obedient to their parents because of the natural law, since the fathers have not lay down their right to be honored by children, for transferring this right “was not necessary to the institution of the commonwealth” (Hobbes, 1839: 329). On the other hand “it is necessary that [children] should be obedient to them [...] and not only so, but they acknowledge the benefit [...] by external signs of honour [to which end they are to be taught]” (Hobbes, 1839: 329). This argument could be considered as a vicious circle if there [were not be] the circulation of power between the two forms of domination: *paternal domination works by means of natural laws for the use of political domination, as political domination works by civil laws for the use of natural rights*. In the end, this would be. The teaching on the original situation simultaneously creates the obligation towards parents and the gratitude towards civil order⁶: children learn that the fact to have been born not in a mere state of nature, but in a family of parents that abide by constituted civil laws is a gift, and they should be grateful for. Civil society is a common good: children should understand this before they become citizens themselves and can understand this even from the relation with their parents that is presented as different from the simple state of nature. Children would be able to take political responsibility provided that they obey their parents and be grateful to them for the education received (Chapman, 1975: 86; Bejan, 2010: 619). For Hobbes, gratitude is a law of nature that resembles contractual obligation since it results from a benefaction that has already been done in the same manner that obligation itself results from the prior drafting of a convention.

The relation between obligation and gratitude is quite difficult to analyze because the term of “obligation” has, in Hobbes, an ambiguous meaning; thus, in the state of nature, obligation refers to the seeking of peace by limiting natural law (*in foro interno*)⁷ in some cases, while in others the carrying out of external actions prescribed by the natural laws (*in foro externo*) and in society civil obligation sometimes refers to the interpretation of a civil law in conscience (*in foro interno*), whereas in other cases it refers (*in foro externo*) to the external constraint of a legislator or judge (Warrender, 1957: 71). When Hobbes analyzes

⁶ “In teaching a child the nature of obedience in family, a parent is teaching the nature of obedience in the state.” (Chapman, 1975: 86)

⁷ “There is no Obligation on any man, which ariseth not from some Act of his own” (Hobbes, 1839: 133).

paternal domination in the simple state of nature, he says that, if a mother – whose moral domination prevails in the absence of the contract of submission – decides to expose her child instead of nourish him, then “the obligation also which arose from the benefit of life, is by this exposition made void” (Hobbes, 1983: 123). Therefore the gift of a mother creates an obligation through gratitude since this obligation is not of a contractual nature. But what could be the basis of the idea of gratitude (filial obligation) in that state of nature which lacks even the simple convention between woman and man? The answer to this issue is difficult as the gift (or benefit) is not based on any contractual promise regarding any future act which can be considered a reward. Despite all this, Hobbes claims that, if the abandoned child were found by another person that nourished him, he should obey the latter “because preservation of life being the end for which one man becomes subject to another, every man is supposed to promise obedience to him in whose power it is to save or destroy him” (Hobbes, 1839: 2.20, 188).

This could mean that, if the source of filial obligation is not a promise, then it is a behavior responsive to the expectancy of promise, an expectancy that accompanies benefaction. This behavior could not exist if there was equality between parents and children because of the mistrust and suspicion between equals, in the simple state of nature. Therefore the inequality between parents and children is the source of a relationship based on trust: if in the state of nature, there was no trust between those related by blood, then parents would suppress their children. But this does not happen because of the mistrust in other people, that are *l'extérieur* and oblige men to defend themselves by founding a family and having children or by acquiring subjects, thus setting a public form of *intérieur*, i.e. sovereignty. Hence paternal domination implies trust as a result of mistrust, a sort of “unsociable sociability” in Hobbes’s version that generates a form of obligation through the children’s gratitude to their parents. In *De cive* 3.8, where the third law of nature is formulated not as an incentive to gratitude, but as a command to blame ingratitude, Hobbes claims that in the absence of gratitude, “all beneficence, and trust, together with all kind of benevolence would be taken from among men, neither would there be ought of mutual assistance among them, nor any commencement of gaining grace and favour; by reason whereof the state of Warre would necessarily remain, contrary to the fundamental Law of Nature” (Hobbes, 1983: 66). Both benefaction and gratitude – although not verbal – are actually explicit signs necessary for building confidence in people and this confidence is essential to achieve any agreement in the state of nature. Consequently, King’s interpretation (1998) of the relation between filial obligation and gratitude has flaws as he considers the parent-child relation rather in commonwealth. Thus the distinction between gratitude and convention is much more difficult to make since the parent-child relation is caught in a network of conventions that turns the signs of gratitude into an action from interest. Seizing this difficulty, King tries to find a way out: starting from the idea that trust is in fact the main element of a contract

and is related to social virtues, he deduces that we should be able to analyze gratitude outside trust, if we wish to found filial obligation on the natural law. According to King, Hobbes would explicitly reject the hypothesis of gratitude in *De cive* 9.8 (Hobbes, 1983) where he would describe the honour owed to parents “as a kind of bargain” (King, 1998: 74). This observation is justified. Therein, Hobbes claims that “The enfranchised son, or released servant, doe now stand in lesse fear of their Lord and Father [...] doe Honour him lesse, then before” (Hobbes, 1983: 124). And Hobbes further comments that a master or parent that releases his son or servant has not the intention to make the servant or son his equal, but “It must therefore be ever understood, That he who is freed from subjection, [...] doth promise all those externall signes, at least whereby Superiours used to be Honour’d by their inferiours” (Hobbes, 1983: 124). Doubtless, here the respect owed to parents is inscribed in the logic of social relations and can be understood “as a kind of bargain”. However, before drawing a final conclusion, we should also read the end of the fragment: “the precept of honouring our Parents, belongs to the law of nature, *not onely* under the title of Gratitude, *but also* of Agreement” (Hobbes, 1983: 125). The reference here is made to the fundamental natural law, otherwise plural should have been employed as “gratitude” and “agreement” which are indications for the third and the second natural law, respectively (in *De cive*’s description). Furthermore, it is obvious that here, gratitude comes before contract as we showed above and ingratitude is against the fundamental law of nature - says *De cive* 3.8 - as it ruins trust and consequently compromises any future convention. In the general exposition of natural laws and of the foundation of commonwealth, Hobbes starts from the situation of equality between adults in the state of nature and, consequently, he puts the law of contract before the law of gratitude. However, in the case of inequality between parents and children, it is obvious that the law of gratitude precedes any (other) convention in determining obligation. As a result, it is a mistake to believe, just as King does, that gratitude, being retrospective, cannot be a source of obligation for children in their childhood because they would not understand the significance of the parental gift. The excerpt from *Leviathan* 2.30 (quoted above) shows how parents should build the gratitude they expect by the education they give, as the doctrine they should teach explains the significance of the parental gift and presents discipline as a common good. Accepting the idea that gratitude is a source of filial obligation only for adult children - as King suggests - returns to the statement that gratitude is not at all a source of filial obligation because adults transform gratitude in a “kind of bargain”. Besides this, there is no explicit opposition between the hypothesis of gratitude as such and the hypothesis of respect “as a kind of bargain”, as the expectation of gratitude is integrated in the cost-benefit analysis that precedes benefaction. For this purpose, we provide as proof the excerpt from *Leviathan* 2.30 where Hobbes, when referring to the respect owed to parents, says that “nor would there be any reason why any man should desire to have children, or take the care to nourish and instruct them, if they were afterwards to have no other benefit

from them than from other men” (Hobbes, 1839: 210). Love, friendship and respect can also be considered such advantages as Hobbes considers them to be “ways of honouring” (Hobbes, 1839: 77-78); therefore, the idea that parents are not trustful because they act from interest – as King suggests – cannot be justified in anyway.

The third difficulty: the consent

The third solution of Hobbes analyzed by King would be that the source of paternal domination and filial obligation is *consent*. In this respect, textual sources are richer since consent is the “official solution” provided by Hobbes for the issue of obligations: he says that paternal domination does not actually come from generation (nor the despotic domination from victory), but from the consent “either expresse, or by other sufficient arguments declared”. Herein a difficulty arises as far as the expression of consent is concerned: children cannot take part in a contractual relation by using articulate language – “words spoken with understanding of what they signify” (Hobbes, 1839: 121). In this case, some scholars have admitted that the mother’s decision to keep the child and nourish him is accompanied by the latter’s tacit consent, and this consent – “projected into the future” (Schochet, 1967: 444) – creates an obligation. This solution is, in fact, based on the importance of the relation between gratitude and consent (Warrender, 1957: 51-52) since consent is projected into the future “through the law of gratitude” (Schochet, 1967: 444). The obligation of submission is a result of the further understanding and acceptance of a debt created by the consumption of a benefit. However, this remarkable solution of the – let’s say – *postponed contract* is not accepted by all Hobbes’s interpreters (as required by the principle of charity). Warrender himself cannot decide on the issue of cognitive interpretation (Warrender, 1957: 124; cf. Schochet, 1967: 434). King subscribes to that interpretation and contests the fact that we can endow children with the capacity to signify “by inference”, as new-borns “completely lack the cognitive capacities that would allow them to give consent” (King, 1998: 77). He does not even accept the idea that the simple desire to eat, in the absence of rational faculties may express “the will of Contractor” and invokes, in this sense, an excerpt from *Leviathan* in which Hobbes says that “Over natural fools, children, or madmen there is no law, no more than over brute beasts [...] because they had never power to make any covenant or to understand the consequences thereof” (Hobbes, 1839: 257). But quoting this fragment in the present context finally proves the need to adopt a form of “hypothetical covenant from the perspective of the mother” (Lewis, 2003: 56), to underline the difference between the beings whose faculty of reason lacks accidentally or only for a while and those to whom nature refused by definition the gift of reason. In *Leviathan*, the fragment quoted by King refers to the exemption of responsibility of those who do not understand *hic et nunc* the command of the commonwealth. If we take into account the fact that a major

problem of social contract theory is the extension of the contract (Rawls, 1993: 38), and not only in space – that is including new lands and new subjects – but also in time by including new generations, the solution of tacit or hypothetical consent is strongly imposed.

The hypothetical covenant would then refer to the situation in which, in the lack of the partner's actual consent, the rational contractor would take a decision that, by hypothesis, would correspond to the non expressed interest of the other. Thus, hypothetical consent would be a presupposition on the likely answer of the one incapable of speech and reason, as if he were to fully possess these faculties. King does not take into account such considerations, which means that he does not take seriously either contract theory or Hobbes. He points out two fragments in which Hobbes seems to operate with the notion of hypothetical consent. The first is from *Leviathan* 2.20 (quoted above) and reads that if a child was abandoned by the mother and nourished by someone else, he owes to the one that saved his life and "is supposed to promise obedience to him" (Hobbes, 1839: 188). As we have already suggested, this excerpt should first be analyzed as a matter of gratitude because the issue here is the moral obligation that derives from the gift of life made in the simple state of nature. The paternal gift builds trust in the future possibilities of the child who will answer exactly as taught, the first thing taught being precisely the trust (or mistrust). From mutual trust an obligation derives *as if* it were contract; in fact, the obligation is first the expression of gratitude and further becomes the basis of contractual relations.

The second place where Hobbes seems to have used the notion of hypothetical consent is *Elements of Law* 23.3: "And though the child thus preserved, do in time acquire strength, whereby he might pretend equality with him or her that hath preserved him, yet shall that pretence be thought unreasonable, both because his strength was the gift of him, against whom he pretendeth; and also because it is to be presumed, that he which giveth sustenance to another, whereby to strengthen him, hath received a promise of obedience in consideration thereof" (Hobbes, 1840: 155-156). As can be seen, here too and even in a more explicit manner, the issue is that of the gift, thus *gratitude and consent must be connected together*. However, King rejects the notion of "supposed" or "presumed" promise because – he says – the idea of consent would work in the hypothesis of the lack of cognitive capacities. He strongly supports this position and does not accept the idea that the child's immediate interest is more important than the analysis of counterfactuals. King believes that the notion of child interest is actually a detour from the idea of consent and contract theory: "Interests are now fundamental notion. Why not then appeal to interests in all cases and simply ignore consent?" (King, 1998: 80).

The major problem of King's interpretation is that he makes an analytical distinction between the possible sources of filial obligation without showing an interest in their connection. He analyzes the notion of contract without pre-

supposing the interest, defines gratitude without referring to consent and discusses inequality without considering it a source of obligation. The three so called “suggestions” of Hobbes may be then easily rejected by King: he is not interested in the way in which these simple elements work together. A proof in this sense is that defining the three simple solutions sends to the same (known) places in Hobbes’s corpus. For instance, consent is defined by King by means of two perfectly equivalent fragments, one in *Elements* 23.3 and the other in *Leviathan* 2.20 (King, 1998: 76). Before that, King used the same quotations (King 1998, 70, 72) to give arguments for the solution of inequality (with *Elements* 23.3), and to define gratitude (with *Leviathan* 2.20)! Despite these inaccuracies, King’s effort to distinguish between the three roots of filial obligation is of great theoretical importance as the concepts defined by him may lead to the complex solution of the problem. There is no immediate logical opposition between the three concepts; consequently, they do not have to be considered exclusively to define the source of obligation, as King did, but must be interconnected under a double aspect: first, regarding natural order and second – the civil order, and this is because “freedom means something different in society from what it does in nature” (van Mill, 1995: 458). If we analyze the idea of consent taking into account this difference, it will lead us alone to inequality and gratitude.

The complex solution: the parent-child relation and the hypothetical consent

In natural order, where every man has an unlimited right on all things, including on the body of the other men, consent is nothing but a limitation of natural (absolute) freedom *in foro interno*, under the pressure of external factors that prevent motion power in an actual or potential way. Thus understood, the consent given to the winner *in war* or the consent that limits natural law by contract *in the state of war* is one and the same thing. In both cases, we are dealing with the future limitation of natural freedom to avoid a possible evil. The interpretation of paternal domination as a particular case of acquisition – when the child is impounded by the mother or by the one that the mother is subject to or by the one that founds him exposed – would equal the form of consent that operates in the case of *master over servant*. However, for King “filial obligation is identical to servile obligation only applying to the older child” (King, 1998: 80), since only adults have the possibility to express their actual consent, on the one hand, and the hypothesis of hypothetical consent is unconvincing, on the other hand.

If we want to explain filial obligation by the idea of hypothetical consent, we have to understand that the hypothesis of natural inequality between parents and children is fundamental and this inequality refers to the victory of the strongest in the natural state of war. Clearly, the child cannot obey the winner by expressed

signs but not many signs are needed to consider that the acceptance of conditions has taken place. First, *he is not able to refuse* by expressed signs; second, *he would have a serious reason to accept* (“the preservation of life being the end”); third, *he would not have any reason to refuse*, lacking the “idols” that spread discord between men, namely “first, competition; secondly, diffidence; thirdly, glory” (Hobbes, 1839: 112). The idea of presumptive consent derives from *reductio ad absurdum*. It is true that the expression of actual consent is missing, but is no less true that the actual reasons of the opposite choice are missing too. Hypothetical consent is not defined by the counterfactual situation, that is *what decision would the child take if he possessed the faculties of an adult*, but rather by the hypothesis that the absence of resistance and of the reasons for resistance is a form of consent. The classical theory of sovereignty actually works under this hypothesis: the absence of resistance towards possession was considered to be a form of consent “by other sufficient argument declared”. One may object that the hypothesis of the lack of resistance and reasons for resistance is not convincing in the case of the parent-child relation because of the child’s evolution: we can expect for his physical and moral development to cause in time those reasons for refusal (to obedience) that were absent in childhood. But this argument has to be in agreement with the fundamental hypothesis of inequality. To be more precise, we have to give a general answer to the question: how will the caregiver make sure that the one in his care will not become his enemy and remain obedient? The hypothesis of power inequality allows us to understand that the strongest has the first chance and it depends only on him whether the future adult will have reasons to turn against him. To grasp the deep sense of Hobbes’s reasoning, we suggest the parallel reading of two excerpts. The first is from *Elements* 23.8, where Hobbes says that parents “may alienate schilddrent, that is, assign his or her dominion, by selling or giving them in adoption or servitude to others; or may pawn them for hostages, kill them for rebellion, or sacrifice them for peace” (Hobbes, 1840: 157). The second excerpt is from *De cive* 9.7: “a Parent cannot be injurious to his Sonne as long as he is under his power” (Hobbes, 1983: 124). The obvious contradiction between the two excerpts is not a formal vice as the issue is in fact the normal opposition between natural right and natural law. Certainly, parents may abandon their children, but then the children’s obligation towards them ceases in virtue of the natural law and is transferred to another master. Therefore King’s stake on the first fragment (*Elements* 23.8) is an exaggeration. What is more important is the fact that the respective fragment shows the extreme situation that could derive from inequality if parents did not limit their natural right or use it to punish disobedience. Besides the state of exception, parents would endeavor to shape in a disciplinary manner the children’s nature so that the increase of their capacity to overcome obstacles is offset by their capacity to limit natural freedom by internal mechanisms. We are thus led to the issue of gratitude and consent.

It was not at random that the idea of hypothetical consent was taken seriously by those commentators of Hobbes that analyzed the relation between consent and gratitude⁸ (Schochet, 1967: 433). This is because, in the end, gratitude cannot exist beyond consent as it is nothing else than the limitation of natural law *in foro interno*, based on the trust that comes from a previous act of benefaction. Therefore, it is out of the question for the act of gratitude to be carried out without the *actual* consent of the indebted one. Before that, when the benefactor performed his service (with an interest in mind), he did not have any guarantee on the future response of the recipient (thus, it would not have been a free gift, but a contract). As a result, the donator lays down his right hoping that his gift will be received as a sign of peace and that, in exchange, he will not be treated with hostility. The assumption he will make is that the other will act according to the natural law: “every man ought to endeavour peace, as for as he has hope of obtaining it, and when he cannot obtain it, that he may seek and use all helps and advantages of war” (Hobbes, 1839: 117). And this is nothing else than a form of hypothetical consent as the first natural law establishes clearly and distinctively the condition that limits natural right (namely when there are assurances that the other envisages peace rather than war). The idea of hypothetical consent does not only concern the parent-child relation, but is also present in any act of benefaction to the extent to which benefaction is a sincere gesture of peace by the transfer of right. A clear proof in this sense is the fragment in *Elements* 14.11, where Hobbes shows that consent is the general condition of every form of transfer of right⁹ in search for peace. To answer by an act of hostility to a peaceable action is a proof of vanity and a violation of the fundamental natural law and of the precept “that every man strives to accommodate himself to the rest” (the fifth natural law). Consent is thus actually present in the gesture of gratitude and given as hypothesis in the act of benefaction.

As a result, the free gift (as non-mutual transfer of a right) resembles very much that form of contract – called pact or convention – in which the thing contracted is delivered immediately by one part while the obligation of the other part is postponed for a time to come. This similitude suggests that, in adulthood, filial gratitude will be hardly distinguished from contractual obligation. What makes this possible is the capacity of adult children to understand, by reason, that the parent’s gift – preservation of life or education – has been the expression of the human natural inclination for power and honors. This could mean, as *De cive* 9.7 also reads, that adult children become less grateful “if regard be had to true

⁸ “Ultimately, the future consent of the child was probably derived from Hobbes’ fourth law of nature, the law of gratitude” (Schochet, 1967: 433).

⁹ “And forasmuch as in all covenants, and contracts, and donations, the acceptance of him to whom the right is transferred, is necessary to the essence of those covenants, donations, it is impossible to make a covenant or donation to any, that by nature, or absence, are unable, or if able, do not actually declare their acceptation of the same” (Hobbes, 1840: 91).

and inward Honour” (Hobbes, 1983: 124), but they will not stop honoring, by external signs, the ones that have more power. They can turn gratitude into a rational account; every party knows the interests of the other, and tries to live in harmony with him according to the natural law. As a result, the genuine reason for which someone respects his parent – for love or calculation’s sake – remains impossible to determine as long as he performs the actions that he is expected to. In *Elements* 8.5, Hobbes presents the honors that superior and inferior give one another as a strategic account, for the signs of honor “the inferior giveth to the superior” are strategic responses to the signs of honor “from the superior to the inferior”.

It is obvious that these considerations on “manners” refer too little to that “mere state of nature” where there are neither conventions, nor the leisure to observe the exchange of honors between superior and inferior, especially since there is no distinction between superior and inferior¹⁰. We can ask then if we could talk about contract as source of filial obligation in that state of nature where the natural unlimited right prevails. We showed above that recognition derived from the “preservation of life” is a source of this obligation and should at least mean that he who benefited from the gift of life will not become enemy of his benefactor. But this is nothing else than a “secret pact”¹¹ by which mother and child enter a

¹⁰ “The subordination of men was due to convention and human consent, not to nature.” (Schochet, 1967: 432).

¹¹ The notion of “secret pact” was employed by Samuel Sorbière, Hobbes’s friend and secretary, in his translation of *De cive*, to render the notion of agreement (*pactum*) from the fragment 9.8 which reads that *sparentibus honorandis esse legis naturalist non modo sub titulo gratitudinis, sed etiam pactionis* (Hobbes 1642, 233). “Non seulement a cause de la gratitude, s...t mais aussi en vertu d’une paction secrete” (Sorbière, 1787 : 169). Probably Sorbière understood from the context that it was a form of agreement based on tacit consent (and this is precisely its sense); however, the use of the word “secret” is excessive in the fragment discussed since it only refers to emancipated children and released servants and not to the secret, emotional or bodily relation between mother and child. We could consider that Sorbière translates too freely, as in the case of fragment 10.7 which actually refers to a “secret pact” that is not mentioned by the French text. Hobbes refers therein to the agreement of the “many Nero’s” in democracy that – as Sorbière’s translation reads – “se pretent l’epaule tour a tour” (*hodie midi, cras tibi*); but the translator completely forgot the expression *quasi tacito quodam inter se pacto* (Hobbes, 1642: 10.7, 259). We could forget this incident if we did not find a small inadequacy in the English translation of the (exact) same fragment: “sand they mutually give way to each others appetitet as it were by this secret pact, Spare me today, and Ile spare thee to morrow” (Hobbes, 1983: 134). Not (only) the translation of *tacito* by “secret” draws my attention, but (especially) the association between this option and the change of the original meaning of *hodie midi, cras tibi*! Namely, the expression of the Latin version (1642) – which was often used as epitaph – could not be used to render precisely the idea of hypothetical consent based on which paternal domination is established in the state of nature; instead the expression in the English version (1651) is practically the best definition we can give to hypothetical consent. I am not trying to suggest that the deviations from the Latin text are the result of Hobbes’s interventions (which is quite possible), but rather that the idea of hypothetical or “tacit” consent affords the interpretation of filial gratitude as a form of secret contract (*Spare my life...*).

relation of domination that sets “a little body politic which consisteth of two persons” (Hobbes, 1840: 149). However, the idea of secret pact – even if we accept it – does not seem to be sufficient to explain filial obligation in the state of nature, given the fact that it only has a negative meaning of limitation of the right to kill and this is not enough to found a solid positive relation. In *De cive* 14.9, Hobbes says that, in the state of nature, “all things were determined by every man own judgment, and therefore paternal respects also” (Hobbes, 1983: 173). This means that we cannot speak of the duty to honor one’s parents before the existence of family. In the state of nature the family refers to “the whole consisting of the father or mother, or both, and of children, and of servants [...] wherein the father or master of the family is sovereign” (Hobbes, 1840: 158). If this family is able to ensure its own protection by growth and conquest, “then is that family called Patrimonial Kingdom” (Hobbes, 1840: 159).

Consequently, what makes family the place of manifestation for filial obligation in the state of nature, is its capacity to ensure protection and stability, which implies a certain power to protect the children. However, in the state of nature, the effort of association is so baffled by the continuous change of the power relations that no convention can be accomplished: “But yet a family is not properly a Commonwealth [...]. For where a number of men are manifestly too weak to defend themselves united, every one may use his own reason in time of danger to save his own life, either by flight, or by submission to the enemy, as he shall think best” (Hobbes, 1839: 191). And Hobbes compares this situation with “a very small company of soldiers surprised by an army”, thus suggesting that, in the state of nature, contracts are null because what finally guarantees them is power. But this does not mean at all that the source of filial obligation is only civil, even if its turning into positive duty is made by civil law as in the case of filial obligation within the Law of Moses (*De cive* 14.9). The explanation consists in the fact that children have to respect their parents before becoming citizens or subjects of law, and this fact makes us return to the issue of hypothetical consent in the state of nature. Now the idea of hypothetical consent has to be argued in another way.

The best argument is the comparison between despotic and political domination. When Hobbes says that family is a small kingdom as kingdom is a large family, he particularly has in view the type of submission: the political obligations of the citizen resemble the *domestic* obligations that children and servants have towards their master. What seems important to me here is the source of the obligations that citizens have in the instituted sovereignty. To be more precise, if the legitimacy of all obligations results from the original contract, the question raised is: how does contract reiteration take place when an emancipated son becomes a citizen with full rights and obligations? This question seems useless as the obligation that results from the contract is different from the obligation that

results from law, even if the law is based itself on an original convention¹². Thus it seems that the idea of contract renewal (every time an emancipated son becomes citizen with full rights and obligations) is superfluous, since the obligation derived from the law precedes the knowledge of action. But there is still one more problem to solve, namely that there is no obligation without consent, in which case we have to admit by hypothesis that consent has been given: “because we have contracted to obey the sovereign’s laws through our own will, we are also the authors of the laws, which provides an additional reason to obey” (van Mill, 1995: 455). And if consent was given hypothetically, then the civil law was (re)established by a “secret” pact. Because, if it had not been so, what right would have been to punish the crime of lese majesty by the law of war and not by civil laws (*De cive* 14.20)? “There is an obligation derived to observe each one of the civil Lawes, so that that Covenant contains in itself all the Laws at once” (Hobbes 1983, 180). This constitutive obligation has to be also based on a form of consent and this consent is only hypothetical. Similarly, filial obligation cannot derive from civil laws as the relation between parents and children is prior to and independent in relation to civil laws. So, as at the *supra* level of the commonwealth, the Sovereign punishes by the law of nature any action (of lese majesty) by which the community is dissolved *hypothetically*, at the *infra* level, paternal domination and filial obligation are the natural mechanisms by which commonwealth is infinitely (re)produced by hypothetical consent.

Conclusions

The analysis of the parent-child relation in Hobbes is of interest to the issue discussed in this volume under various aspects that precisely refer to the notion of parenting. At a first glance, the conception of Hobbes on family as *little kingdom* to whom the concept of indivisible sovereignty is applied (Boucher, 2003: 37) is the opposite of present theories and practices. Thus, the idea of “multicaregiver families and parenting” (McHale et al., 2002: 99) or „parentage élargi” (Dandurand, 1994: 343) – referring to the alternative or competitive participation of several (individual or institutional) actors in the upbringing and education of the child – equals to a limitation of the idea of patriarchal sovereignty operated by Hobbes and hence, a disconfirmation of his theory on paternal domination and filial obligation. Hobbes’s theory on the parent-child relation would not be of any interest had it not been for the history of ideas since it remains fundamentally related – by content – to the patriarchalist thought of the 17th century (Austin, 2007: 62). However, the historical point of view is only a point of view, never

¹² “In simple covenants the action to be done, or not done, is first limited and made known, and then followeth the promise to do or not do; but in a law, the obligation to do or not to do, precedeth, and the declaration what is to be done, or not done, followeth after” (Hobbes, 1840: 221).

sufficient to release us from the unpleasant inheritance of an author whose logic “is impeccable” (Pateman, 1989: 454). This is because the perfect logic of Hobbes allows us to go beyond the historical character of his opinions on the best form of government or the most suitable form of family organization to find the clue of contract theory. This clue should be the rawlsian distinction between the original *concept* (of justice) and the various peculiar *conceptions* that can be built according to that concept (Rawls 1999, 5). Even if this distinction pertains to the originality of rawlsian approach of contract theory, I think we can (still) find its germs in the perfect logic of *Leviathan*. Hobbes says, indeed, that absolute monarchy is the best form of government but implicitly admits that other forms of government are legitimate for the right to represent multitude shall be given „to whatsoever man or assembly of men” (Hobbes, 1839: 159). Leo Strauss showed that Hobbes’s arguments for absolute monarchy do not exclude the possibility of an alternative (Strauss, 1952: 66), which also comprises the establishment of mixed forms of government (*Elements* 1.17). Hobbes avoids an open critique of the other forms of government; he is only content to show the advantages of monarchy or, from time to time, to suggest certain disadvantages of democracy. Starting from these observations, we could notice that one of the most important difficulties of the political theory in Hobbes is the absence of a vision on political change. However, the idea of change cannot be excluded from Hobbesian theory for it is implied both in the idea of existence of a perfect form (although not in the Aristotelian sense) and in the idea of difference between the pure and mixed forms of government. The only interdiction that Hobbes formulates is that of the revocation of the Sovereign. This problem of political change (or even in the sense of “irresistible democracy”) has some major consequences on the approach of family in the political theory initiated by Hobbes.

Firstly, if it is true that the fathers of families founded the commonwealths, and this enterprise was preceded by a sexual contract that subjected women (Pateman, 1989), then nothing prevents – in theory – the emancipation of women to take place by the reform of administration and legislation without revolution or civil war. Paradoxically, what can guarantee the success of such reforms intended by an enlightened despot is precisely the interdiction of the citizen’s (men’s) revolt against the sovereign. Secondly, even if we admit that families function according to the political model of indivisible sovereignty, this model does not originate in the rights of the Sovereign (although it can be formulated in this language), but rather in the rights of the subjects for “no man can obey two masters” (Hobbes, 1839: 186). Here we must have in view that the relation between woman and man is (somehow) defined in the field of international relations because family constitutes a little political body in natural expansion (by generation and acquisition). As a result, the model of indivisible sovereignty is not passed to the family from the political; on the contrary it constitutes the political according to the laws of nature. The idea is that the model of indivisible sovereignty is not defined by the

subjection of woman in the traditional family even if it were related to the subjection of woman – as feminist authors showed. An argument that may be invoked here is a fact signaled by the literature on non-heterosexual families, namely that “similar to heterosexual couples, warmth decreased and conflict increased somewhat among lesbian couples when they transitioned to parenthood, differentiation between partners in childcare (though not housework) and paid employment developed” (Bilbarz and Savici, 2010: 482). Certainly, these observations may be contested in the light of other observations – “that lesbian couples without children shared housework more equally than all the other comparison group” (Kurdee, 2007; Bilbarz and Savici, 2010: 482) – which suggest that lesbian couples learn patriarchalism from heterosexual couples. But then, the demonization of the distinction between public and private as expression of patriarchal attitude is unwarranted for it is revealed as permanently connected – in lesbian families, included – to the distribution of roles that is required by the life in the couple and the fulfillment of obligations that result from parenthood. To the extent to which lesbian families are defined by “more active negotiations when setting up household routines” (Esmail, 2010: 594), we may consider that we are dealing with a new form of contract. However, this contract, even though is characterized by the fact that roles are *not* predetermined by biological sex, cannot signify the end of the patriarchal model as long as it is based on the veiled perpetuation of indivisible sovereignty when “a state of exception” was instituted in family. We use this expression to denote the suspension of the natural equality of parents once the situation of parenthood occurs. Child care is a state of exception in the sense that continuous deliberation and negotiation between parents in the state of equality is replaced by a fixed distribution of roles and, consequently, by a decision model based on domestic expertise. This means that, along with assuming the role of parent, the natural state of equality – but also anarchy – ceases to be a viable model and family is to be understood through transformational operations of the contractualist model. Hobbes’s model is the most flexible model because: a) it admits the natural equality between woman and man; b) it gives the initial sovereignty over the child to the mother; c) it relates filial obligation to the care, and not to the generation; d) it prescribes the limitation of the parents’ power over children and seeks a balance between discipline and the natural rights.

Thirdly, the diversification of the forms of parenting in contemporary developed societies described by the notion of “multiple parenting” (Dandurand, 1994: 353) could not be conceived outside the tendency towards deprivatization of family relations and their movement towards the public sphere (Holstein and Gubrium, 1995: 897; Cojocaru 2009a: 45). Understood as institutionalization of child care, the notion of *public parenting* (Dandurand, 1994: 353) actually synthesizes the idea that the relaxation of the model of indivisible sovereignty in family relations is possible only if the fathers of families transfer more and more paternal

rights to “that great Leviathan [...] to which we owe our peace and our defence” (Hobbes, 1839: 158). In the language of contractualist theory, this transfer equals to a change in the original contract and not to an annulment of the concept of original position: for the idea of “professional parenthood as an expression of domestic life deprivatization” (Cojocaru, 2009a: 45; Cojocaru, 2009b: 89) and institutional message addressed to the child is based more than ever on the concept of hypothetical consent forged at the margin of Hobbesian political theory. As proof, present theories on parenting need the presupposition that someone (such as the State) needs to adopt “to a greater extent the point of view of the child as it affords to consider all the adult actors that assume caring” (Dandurand, 1995: 353). The change of stress from the language of obligations to the language of rights – for instance the right of the child to claim a “normal family life” – is important without doubt, irrespective of what may be understood by “normal family life” (Joyal, 2006), but the idea of right, as well as that of obligation cannot work without the “impeccable logic” contained by the Hobbesian notion of hypothetical consent.

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