



## ***THE FAMILY OF THE FUTURE***

**Rome, April 2006**

**POSITION PAPER <sup>1</sup>**

### **PRESENTATION**

The family is not a dying institution. On the contrary its popularity is on the rise, seemingly in direct proportion to our ever-increasing need for stability, security and a well-delineated identity in a society that is more fast-paced than ever. The family is alive and well though it takes on, with chameleon like ease, new forms and lends itself to different models. In the network society the possible configurations of the family unit appear in as many diverse and unique forms as there are people – as there is variety in nature.

Considering people's increasingly vested interest in the family – reevaluating from a legal point of view its possible legitimate interpretations and configurations would appear to be a logical course of action. But such a re-evaluation necessarily reveals the limitations of predetermined morality and current intellectual thought to lend themselves effectively to understanding society's and the individual's evolving needs. This is nowhere more apparent than when one examines the use made by the judiciary system of morality and intellectual thought in establishing family relevant legislation (be it conservative or liberal).

The very essence of the family is changing and the causes (and in part the consequences) are attributable first and foremost to the change in women's status in society but also to the mutations occurring in the work force and the radically new possibilities that both science and technology have made accessible to modern medicine.

The policy questions surrounding the family unit (perhaps more so than other questions) provide a sounding board for the complex and intertwined changes that western society is currently undergoing.

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Drawing on these observations Vision puts forth this position paper in an attempt to delineate appropriate future policy initiatives that will more comprehensively take into consideration the current situation.

Is it plausible to imagine that the sociological conception, legal representation and individuals' vision of the family can endure intact – frozen in time? – while all around us technology rears its head, influencing and bearing forth political and economic policies that are completely redesigning the structure of society.

If the family is in fact as somebody once called it the “primary unit”, one of the corner stones on which the society as we know it has been built, it is logical to hypothesize that were the social organization to evolve toward a qualitatively distinct model, it would require the configuration of the family to be revisited. “*Upheaval towards a new mode – qualitatively distinct from its predecessor*” seems to be a recurring theme in a society characterized by globalisation. The era of globalisation: founded upon the rapidly emerging and often contradictory reduction of costs associated with accessing information.

Generation X – the generation represented by Vision's collaborators – is a by-product of the family structure that predominated in industrialized societies during the last thirty / fifty years, namely a more egalitarian, flexible and smaller family structure than that characteristic of the rural and pre-industrialized world. A radical rethinking of the current concept of the family presents itself anew and the process does not promise to be any less dramatic (and perhaps traumatic) than it was for past generations.

The transition from a rural family model to an urban one, nearly twenty years in the making, was not without its share of difficult institutional choices and political conflicts. A transition of equal dimension can but firstly be meditated upon by the collective conscious and then, and only then considered from a legislative point of view.

Through this initiative, Vision undertakes a rational and tranquil reflection on a delicate subject, universally recognized as one of the most thorny and difficult to manage precisely because it touches on what is considered to be an inherently private and personal domain. This is therefore an invitation to reflect upon an institution that like other institutions, owes its ongoing survival solely to its adaptive capacity in an ever-changing environment. Our ultimate objective is to identify potential legislative initiatives while simultaneously promoting a positive confrontation between the “private” and “public” dimensions of the issue – which are all too often at odds with one another.



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## I THEMES AND LIMITS OF THE STUDY

Vision's project begins with a reflection upon the possible delineation of the present research. It has become clear that the debate surrounding the family has a tendency to give rise to a number of rather heterogeneous questions opening a window on a vast array of issues and themes.

The following table is an attempt to create a schema of the arguments associated with the present debate surrounding the family and family law:

1. First and foremost a distinction is necessary between the two "core" areas of reflection concerning the future of the family. Both areas are related yet distinct. We distinguish the question surrounding the legal status of the couple in society as distinct from the question of parent-child relationships. Furthermore within each of these areas two main points need to be addressed, on one hand legal issues and the eventual modification of established laws within a nation's juridical system and on the other hand policy issues concerning the family can render the institution of the family more or less bearable / convenient for the individual.
2. Alongside these two core areas of reflection, exist other issues which are important but not exclusively inherent to a discussion on the family. For example the issue of medically assisted procreation raises the question of the interaction between society and science as well as that between society and religion(s). Even an extensive discussion of democracy and of a society's values would not be out of place within the confines of an exposé on the future of the family.

On Vision's methodological choices:

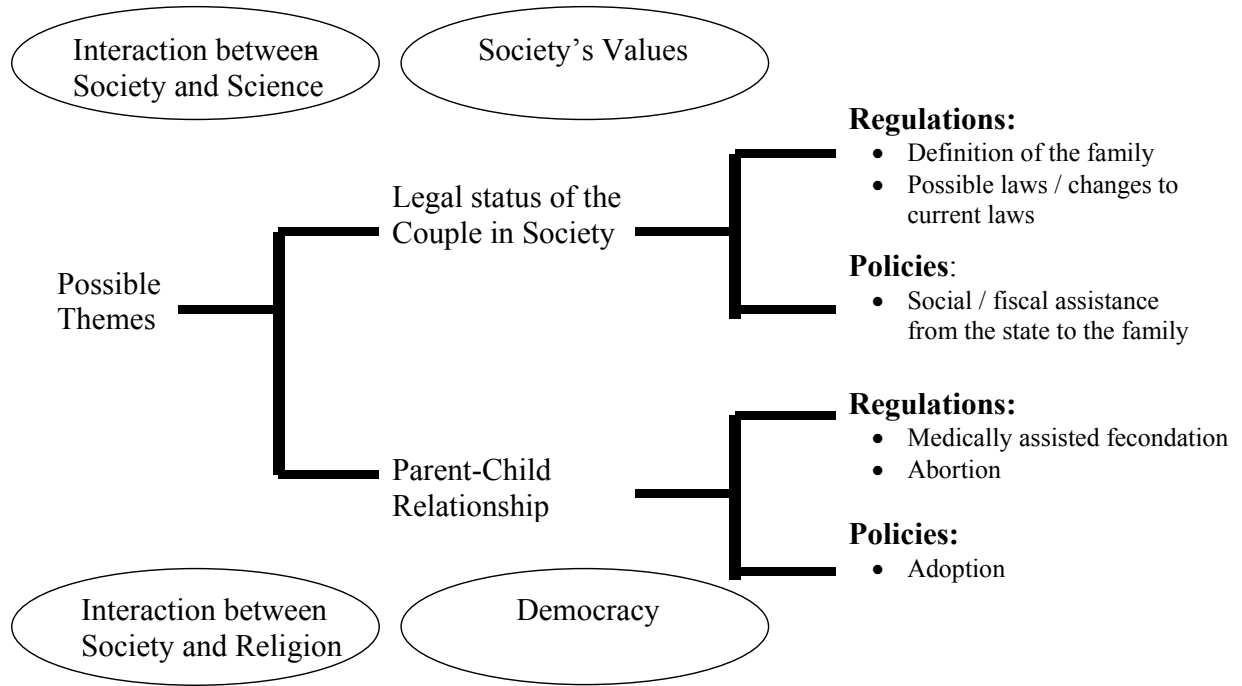
The analysis is centered on the evolution of the status, both legal and legitimate, of couple composition and the parent-child relationship in society. In both areas a distinction is made between:

- An indicator measuring the "flexibility" of the law
- An indicator measuring the quality of social "welfare" policies relevant to the family

We anticipate that the relationship between the well-being of the family and flexibility of a nation's family law are two complex measures that are not easily expressed through linear correlation. Therefore in Vision's Family Freedom Index, the increase in one of these variables is sufficient to increase the family's "performance" (family performance is to be viewed as a dependant variable).



## DELINIATION OF THE PROJECT'S SCOPE





## II THE METAMORPHESIS OF THE FAMILY: INTERNATIONAL COMPARISON

What to think of the fact that in only a quarter of a century the birth rate has so greatly diminished, that the number of marriages has been reduced by nearly a third and that more recently divorces and separations seem to be more the norm than the exception?

To summarize the situation in Darwinian terms one might conclude that the traditional family model is no longer the Alpha of the jungle that is once was. Still all of this does not mean that the family itself is on the brink of extinction – rather the family seems to be adapting to its surroundings; evolving, even mutating into its modern version. The challenge consists in understanding the various new forms that the family has adopted.

Often the increase in the number of divorces and the decrease in the number of marriages and births are blamed by statistical indicators and policy makers on poor “family performance”. Yet other indicators approach the family in a more qualitative way – using the idea of “variability in terms of form” – it is with the later that Vision’s work is concerned.

The portrait of the modern family is most distinguishable by its unmarried couples and its children born out of wedlock. This recent family model has been preponderating itself in Western countries quantitatively over the last twenty-five years.

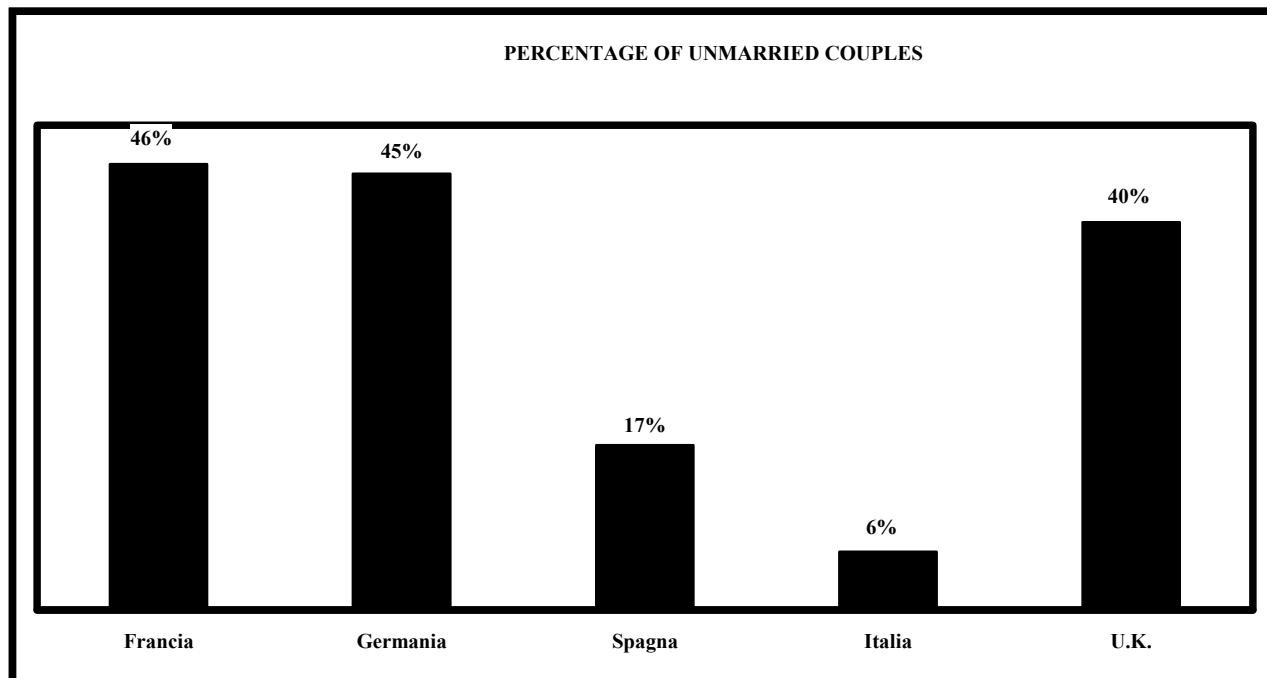
Examining the following graphs and tables we can detect a certain number of tendencies:

The greatest percentage of live births outside of marriage in 1992 occurred in the North European countries (Denmark 46%, Finland 29%, Sweden 50%, Norway 43%, the United Kingdom 30% and France 33%) in marked opposition with the South European countries (Spain 10% and Italy 7%). It seems that the south was “lagging behind” the north. This may be due to the fact that in countries like Italy and Spain the Catholic Church exerts a strong influence on people’s beliefs and behaviour (Catholicism frowns upon children born out of wedlock and considers premarital sex a sin). The fact that South European women began to join the workforce *en masse* years after their North European sisters – and therefore had on average less access to financial independence – may have prompted them to prefer marriage as, if nothing else, a financial and legal safety net when it came to the decision to have children.

In any event, only ten years later in 2002, the average number of births outside of marriage in the Northern European countries had increased by around 15% on average. Even Spain with 26% in 2002 now ranks alongside Germany and Belgium. Italy’s percentage remains historically low, increasing by only three points (from 7% in 1992 to 10% in 2002). One sees from the other graphs that a positive correlation appears to exist between the number of cohabitating, unmarried couples and the number of births outside of marriage.



The following tables are based on statistics gathered from the Istat<sup>2</sup> (Italian National Institute of Statistics).



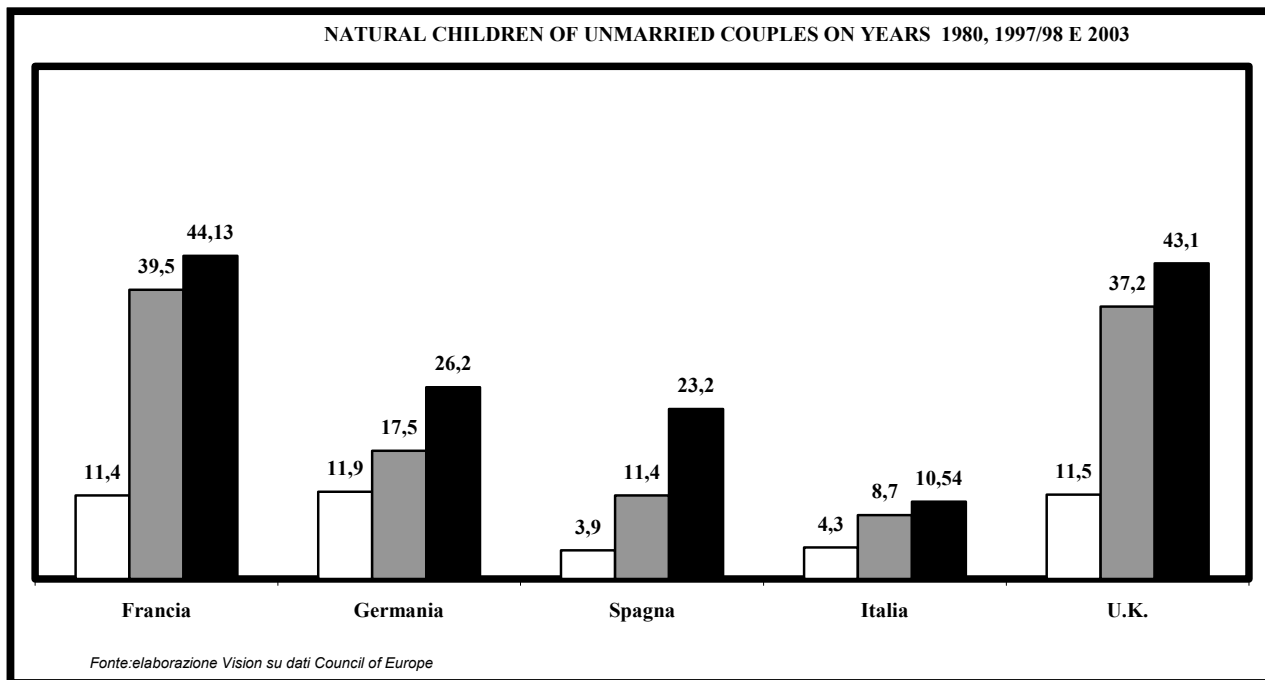
Data elaborated by Vision based on National Statistic

**LIVE BIRTHS OUTSIDE OF MARRIAGE AS MEASURED  
IN PERCENTAGE OF ALL LIVE BIRTHS**

|                 | 1992  | 1993  | 1994  | 1995  | 1996  | 1997  | 1998  | 1999  | 2000  | 2001  | 2002  | 2003  |
|-----------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| <b>Belgium</b>  | 13.59 | 14.55 | 15.84 | 17.28 | 19.05 | 20.98 | NA    | NA    | NA    | NA    | 29.50 | NA    |
| <b>Denmark</b>  | 46.40 | 46.76 | 46.85 | 46.47 | 46.28 | 45.14 | 44.80 | 44.86 | 44.57 | 44.62 | 44.58 | 44.86 |
| <b>Germany</b>  | 14.89 | 14.81 | 15.39 | 16.06 | 17.12 | 17.96 | 20.01 | 22.14 | 23.41 | 25.03 | 26.10 | 26.20 |
| <b>Spain</b>    | 10.52 | 10.75 | 10.76 | 11.09 | 11.68 | 13.12 | 14.51 | 16.30 | 17.74 | 19.73 | 26.60 | 23.20 |
| <b>France</b>   | 33.20 | 34.90 | 36.10 | 37.58 | 38.88 | 40.02 | 40.72 | 41.74 | 42.61 | 43.71 | 44.26 | 44.13 |
| <b>Ireland</b>  | 18.03 | 19.93 | 20.82 | 22.26 | 25.26 | 26.81 | 28.71 | 31.14 | 31.51 | 31.18 | 31.09 | 31.40 |
| <b>Italy</b>    | 6.68  | 7.36  | 7.82  | 8.11  | 8.29  | 6.98  | 9.04  | 9.24  | 9.66  | 9.86  | 10.80 | 10.54 |
| <b>Netherl.</b> | 12.44 | 13.10 | 14.26 | 15.52 | 16.99 | 19.16 | 20.78 | 22.75 | 24.94 | 27.20 | 29.13 | 31.30 |
| <b>Poland</b>   | N/A   | N/A   | N/A   | N/A   | 10.17 | 10.97 | 11.55 | 11.70 | 12.13 | 13.12 | 14.42 | 15.82 |
| <b>Finland</b>  | 28.86 | 30.34 | 31.33 | 33.12 | 35.38 | 36.51 | 37.20 | 38.69 | 39.21 | 39.55 | 39.88 | 40.00 |
| <b>Sweden</b>   | 49.47 | 50.42 | 51.60 | 52.96 | 53.88 | 54.08 | 54.65 | 55.29 | 55.33 | 55.49 | 56.04 | 56.00 |
| <b>UK</b>       | 30.83 | 31.75 | 31.99 | 33.57 | 35.51 | 36.74 | 37.62 | 38.79 | 39.48 | 40.05 | 40.63 | 43.10 |
| <b>Norway</b>   | 42.92 | 44.45 | 45.90 | 47.59 | 48.31 | 48.72 | 48.97 | 49.07 | 49.58 | 49.73 | 50.31 | 49.98 |
| <b>EU 15</b>    | 21.09 | 21.79 | 22.50 | 23.50 | 24.48 | 25.09 | 26.62 | 27.71 | 28.60 | 29.95 | 30.60 | 31.40 |
| <b>EU 25</b>    | N/A   | N/A   | N/A   | N/A   | 22.88 | 23.62 | 25.05 | 26.15 | 27.07 | 28.42 | 29.20 | 30.20 |

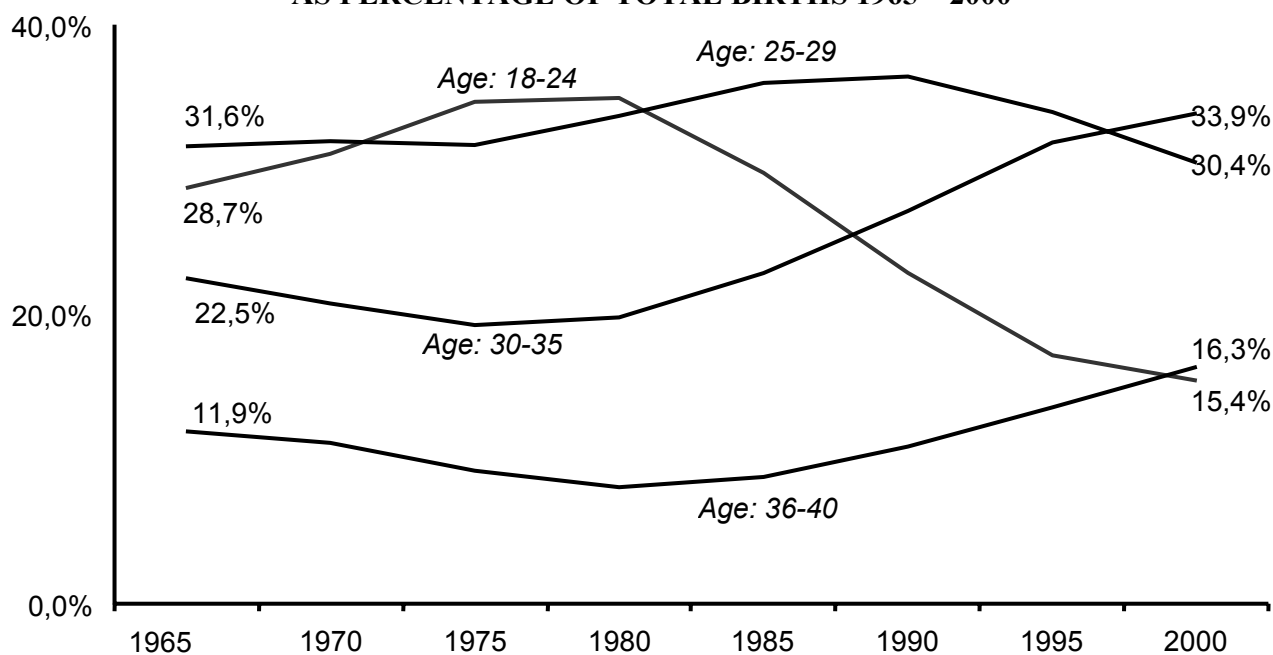
Data elaborated by Vision based on Eurostat statistics

<sup>2</sup> Cfr. [http://www.istat.it/salastampa/comunicati/non\\_calendario/20041027\\_00/testointegrale.pdf](http://www.istat.it/salastampa/comunicati/non_calendario/20041027_00/testointegrale.pdf)



The percentage of women giving birth between the ages of 18 and 24 has decreased from 30% of total births in the 1970's to 15% today. Though the 25-29 year old age group has remained relatively stable, total births attributable to women between 30-35 years of age has increased by 15% since the 1970's. Today 36-40 year olds are responsible for 3,5% more of total births than in the 1960's.

**BIRTH RATE OF VARIOUS AGE GROUPS  
AS PERCENTAGE OF TOTAL BIRTHS 1965 – 2000**



*Data elaborated by Vision based on Istat statistics*



### III THE METAMORPHESIS OF THE FAMILY AS SEEN IN THE MEDIA

In our day to day life as well as through the almost indiscernible but strong signals that permeate from the media and entertainment industry one realizes that the family is changing, and has already profoundly changed. It is perhaps the television and cinema that best tells the tale of the family's most recent revolution within society. The modern family model is to be sought out in popular television series and films, and it is therefore from these sources that we will draw our first qualitative conclusions.

We live in a society that is drastically and rapidly changing. Our current *rhythme de vie* calls into question and demands a reinvention of the traditional family. It is therefore interesting to take into account some of the current family models reflected by television and cinema.

The 1990's ushered in several American television series that have been equally well received in Europe: The now cult *Sex and the City*, as well as two successful sitcoms *Friends* and *Will & Grace*. Although these series have their respective plots and genres, all three have for common denominator an alternative representation of the family. Yet such "alternative" models have become tangible and legitimate ones for a large portion of the population, namely: urban dwelling thirty-somethings with a need for healthy doses of love and affection coupled with independence and financial stability conquered through courage and sacrifice. For these people, the most convenient arrangement is often to create a world in which immediate (both geographically and affectively) "family" comes to include friends, relatives, neighbours – both homosexual and heterosexual who more often than not are single themselves either by choice or consequence.

A closer look at the situation in Italy reveals that advertisements, so kindly imposed on the masses to maintain consumerism, have a non negligible hand in shaping the image of the modern family. We are witness to opposed references either to a traditional mononuclear family (mother, father and child existing in perfect harmony) or to an all out individualism. What emerges is a contradictory cohabitation of values.

The averted reader should not be surprised by a recent survey by a major Italian newspaper revealing that annually singles spend significantly more than married their married counterparts on vacations, restaurants, gym memberships and products denoting well-being and status. Perhaps this is all a subconscious attempt to compensate for a sense of insecurity due to their status as singles and inability to find their soul mate.

For those who haven't yet found their other half advertisements in the media continue to suggest a series of lifestyles deemed socially acceptable and desirable. On the flip side of the coin, the growing popularity in the myth of the fairy tale marriage as the end all be all in terms of happiness and self-gratification feeds the single's sense of frustration in not managing to "settle down".

The problem is to be found in the non negligible number of contradictions people are faced with. The conflict doesn't stem exclusively from an opposition between the "individual" and the "society", between hedonistic temptations and moral obligations – as was long thought. The symbolic evolution of the family and the polemics inherent in this process can no longer be interpreted through such a take one and leave the other optic.



In recent years, as individuals and as a society we have been subject to an unrelenting oscillation between a need for safety coupled with routine and a desire for novelty, between angst and awareness in the knowledge that the world (and the idealistic traditional family model) we were so accustomed to no longer exists. Perhaps what we need isn't so much novelty at all costs but the ability to apply a certain *savoir vivre* when faced with the changes in ourselves and in others. In a context of epoch transformation a new approach to our own inter-personal relationships (both affective and social) is in order.

Thirty years ago, when the majority of the generation that Vision represents was born, the mononuclear family was still the norm. This family model represented the *tour de force* and a genial solution for the consumer society. It is interesting to note that it was during this very epoch 1965 – 1975, and more precisely in 1968, that the family became the focus of the upheaval and re-examination of Western society's values.

Many of the issues facing the family of 2000 were unimaginable to the family of the 50's and 60's: Technological innovations like in-vitro fertilization hadn't yet been invented, work contracts were more stable and women contributed less to overall household income and had their first child ten years earlier. These are radical transformations that represent the starting point from which we will examine and reconstruct a situation at a confused crossroads where opposed directions collide.

The afore eluded to collisions multiply and become more complex: the “private” and “public” realms become disassociated from one another and enter into conflict. More specifically an individual can feel psychologically torn between a “private” and individualistic tendency in himself and a seemingly contradictory valorisation of tradition (i.e.: founding a family etc.). Another collision is between one school of thought which is becoming more and more progressive and another which, as if in reaction to the changes occurring, has gone in the opposite direction, assembling a strong political representation for their conservative ideals. In the past this struggle was mainly played out between classes or political parties but today manifests itself within the bounds of a same social class, and inside same political parties (which are already weakened for lack of ideology) and even within the individual who totters between what he perceives as needs and what he is subjected to in terms of temptation.

A struggle that pits all against all and the individual against himself. But a struggle that manages to not necessarily be dramatic – this being yet another message that television transmits with surprising efficiency. Not necessarily dramatic and sometimes even pleasant and tender – we have in fact grown quite fond of our unresolved contradictions and it is precisely for that reason that they become anchored in our epoch, contributing to the very definition of “modernity”. Like a neurotic character from a Woody Allen film – we are learning to live with our inner toilings slowly but surely.

We cannot content ourselves to remain immobile while we are swept away by the evolutionary winds of change, we must firmly ground ourselves to better understand the situation at hand: considering the causes, imagining the consequences, attempting to govern the sheer complexity of it all.



## IV MUTATIONS AND CRISIS IN THE WORK FORCE

The transformation of the family is not an abstract concept. Within the last century it has occurred several times. The future form of the family is already upon us; present in our daily lives and in the collective imagination. Family and work being the two founding pillars of industrialized society, it follows that transformations in the family unit are inherently bound to those occurring in the workforce.

At one time a job, once obtained, was for life. After studying for a given amount of time a person began his career in the public administration or with a company and would remain employed in the same sector and often in the same job until retirement – work contracts were by definition long term ones.

Several other factors added to the stability of what was still referred to as a “career”, conferring on the employee an additional blanket of security: a long-time network of friends and acquaintances, strong political convictions and cultural inclinations, as well as a relative geographic immobility (though “transfers” existed for white collar workers, and emigration was not uncommon for blue collar workers there was much less punctual travel required than at present). Today the concept of a “career” is with difficulty distinguishable when one takes into account the average employees increasingly fragmented and dynamic work history.

It is therefore clear that the “traditional society”, in which the majority of Vision’s collaborators grew up, was a well-oiled institution and a safe haven where families flourished. One mustn’t lose sight of the fact that this “traditional” family was possible and in turn made possible the world in which it existed and with which it cohabitated. The role of the family and its configuration are causally linked to society and vice versa and must be re-examined as paradigms evolve.

Vision has individuated two trends that summarize the current changes affecting the organization of the workforce and which have radical and often dramatic consequences for the family. These two trends, one in time and one in space, represent the two sides of a medallion named “instability”.

The first is “precariousness”, often more poetically referred to by human resource managers the world over as “flexibility”, while the second is “mobility”.

### A) PRECARIOUSNESS

“*Precaiousness*” (or rather “flexibility”) is the process by which work becomes fragmented so that a same individual will undertake, in his working lifetime, a stream of successive work contracts, not necessarily in the same sector nor in the same company. In order to better grasp the situation, consider a recent statistic stating that an individual should expect to change jobs on average nineteen times throughout his lifetime.

Work precariousness is a recent trend in Italy and therefore Italy represents a privileged experimental terrain for observing the confrontation between transformations in the organization of work and legislation as in pertains to the family. Setting aside the few timid attempts to reform social policy, Italian politicians have yet to manifest the same enthusiasm and determination for the family as was apparent in other issues such as the restructuring of the labour market.



In many industrialized countries the consequence of a weak social policy seems to be an ever-greater apprehension on the part of twenty and thirty-somethings to abandon the parental cocoon and establish a family of their own. This phenomenon cannot be entirely attributed to the stereotypical and well-mediatized peter-pan syndrome. One good reason for not starting a family of one's own is the inability to take out a home loan for lack of a long-term employment contract. Another legitimate reason consists in simply not being prepared for children because income is variable from month to month, year to year, and a person might simply not feel like bringing someone else into the world while not knowing if they will actually be able to bring up their offspring in a way deemed appropriate.

## **B) MOBILITY**

The second trend affecting the organization of work is “*mobility*”. We can differentiate three types of mobility: long-term, medium-term and short-term.

In the past long-term mobility predominated, and in countries like Italy, this translated into the worldwide exodus of millions of Italians as well as massive migration within Italy's own borders. A mobility that was endured rather than freely chosen, by immigrants who sought fortune or simply sustenance abroad. Still this type of exodus or migration, though certainly traumatic at its onset, was perhaps less detrimental to the family unit because the latter tended to take up residence in the new country or city alongside the head of household. Currently a major deterrent for many young (and not so young) people is that a coveted job offer can often require the person to move to a different city or country. A family, in this type of situation, represents an additional burden that many are not ready to shoulder.

Medium-term mobility marks the death of the “life long job” ideal. It can be defined as: the mobility of he who, upon terminating his most recent work contract, is obliged either by necessity or by choice to move in order to secure further work. Today medium-term mobility is characteristic of industrialized countries. It is not necessarily a mobility endured heavy heartedly but a mobility that, for both personal and professional motivations, is welcomed and even sought after by twenty and thirty-somethings. In the last ten years economic activity has become more and more concentrated in hubs in and around major metropolises (Milan, London, Paris). A trend already well embedded in American culture – it is flourishing as well in Europe thanks to the unrestricted circulation of the workforce within the EU and to the study abroad experiences of the “Erasmus Generation”.

The ramifications of these trends on one's private and sentimental life are not to be overlooked. It is no small task to find a significant other willing to take part in such a nomadic lifestyle. A lifestyle which leaves no time for planting roots nor the courage necessary to commit to anything more serious than an endless stream of self-renewing IKEA furniture. All said and done, not everyone will decide to have children – regardless – and face the sad choice between either abandoning the nomadic lifestyle or dragging the children into it.

Finally there is short-term mobility. It is the mobility of he who lives in one place but works in another or others. This too is a nomadic way of life and it is a direct consequence of globalisation. If the world has in fact become smaller due to the drastic decrease in transportation time and cost it means that no place on the planet is any longer self sustaining because economic activity can be distributed in accordance with opportunities offered in specific locations.



Paradoxically the concentration of economic activity in hubs is both a source and by-product of the fragmentation and branching out process of the global economy. Hence the necessity for certain professionals to be in constant motion. The implications are intimidating and often lethal within the confines of the traditional family structure. The young professional lives in a constant whirlwind of encounters that are undeniably stimulating and enriching from a personal point of view, but that render maintaining a stable relationship an arduous task and diminish time spent with one's children.

## V INTERNATIONAL COMPARISON

Until now we have discussed the notion of “family” in the generic sense of the term. In order to better articulate the variables surrounding the subject one must be armed with the appropriate theoretical and statistical instruments.

While the parent-child bond is a natural one<sup>3</sup>, (linked to the survival of the species), the couple demurs a social construct and an artificial outpouring of culture<sup>4</sup>.

At first glance the two variables at the core of the family appear to be the *couple* and *children*. A *qualitative* choice (i.e.: who or which one?) governs the pairing of people within a relationship. One *chooses* a significant other. Because the selection process is well informed it is also intrinsically construed and artificial. At the other extreme, the decision to bring children into the world allows for individual choice only in a *quantitative* measure (i.e.: how many children?). Qualitatively speaking it is an at random process.

These are fundamental notions to keep in mind when reconsidering the status of the family in society. Of these two, *couple* and *children*, it is the parent-child dyad that emerges as having the greatest temporal stability. As we will see, the battles over the right to not have children and over the modifiability of the couple belong to the past. Currently the most heated debate is that over the right to have children and the variety of couples possible.

From the precedent analysis, Vision has elaborated a Family Freedom Index which measures the level of “flexibility” of a country's legal system in according a plethora or restricted number of forms that the family can legally assume. We anticipate that a positive correlation will be found between family performance (measured in number of family units and in birth rate) and a high score from our rating system.

A country's indicator (rating system) outcome should be approached with caution and is in no way intended to be a qualitative measure of the family's well-being in that country (i.e.: a high rating in one country does not imply that the family is better off than in another with a more modest rating<sup>5</sup>).

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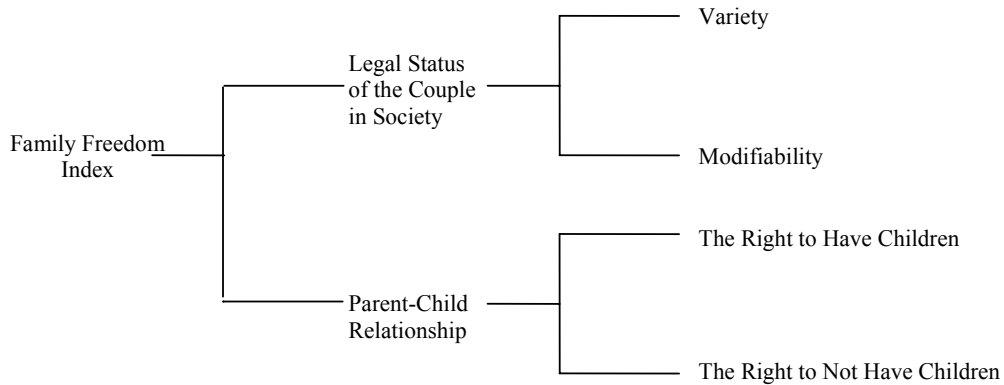
<sup>3</sup> Adopted children constitute a cultural variation of the family – “cultural” is to be taken in the anthropological tradition distinguishing between “nature” and “culture”. In practice even the relationship / ties between parents and children are “complicated” cultural dimensions.

<sup>4</sup> The couple constitutes a “social construct” that doesn't exist naturally: that is to say spontaneously in nature (though there admittedly exists a natural sexual attraction between men and women lending itself to the survival of the species). The aforementioned “social construct” takes on different forms in different societies both geographically (different nations during a given time period, a modern example would be that of different western countries with their divergent cultural takes on the couple) and chronologically (the same country examined during distinct historical time frames, as in the comparison between the turn of the century rural family and the family of the industrialized 1970's).

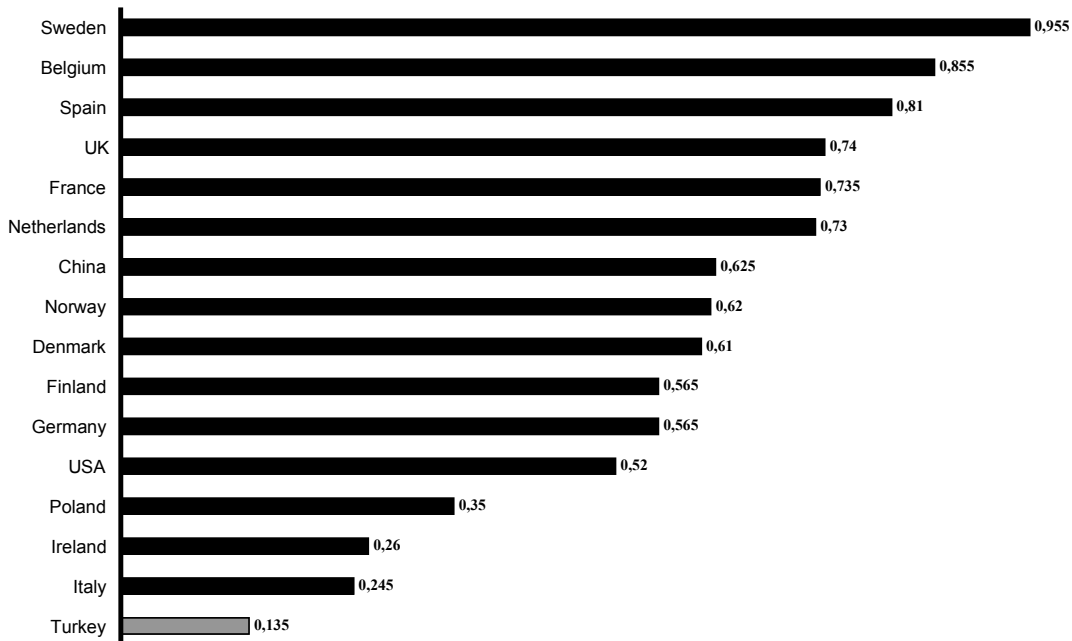


The results that emerge from Vision’s analysis are summarized as follows:

### METHODOLOGICAL SCHEMA OF THE FAMILY FREEDOM INDEX



### LEGAL STATUS OF THE COUPLE IN SOCIETY (from 0 to 1)

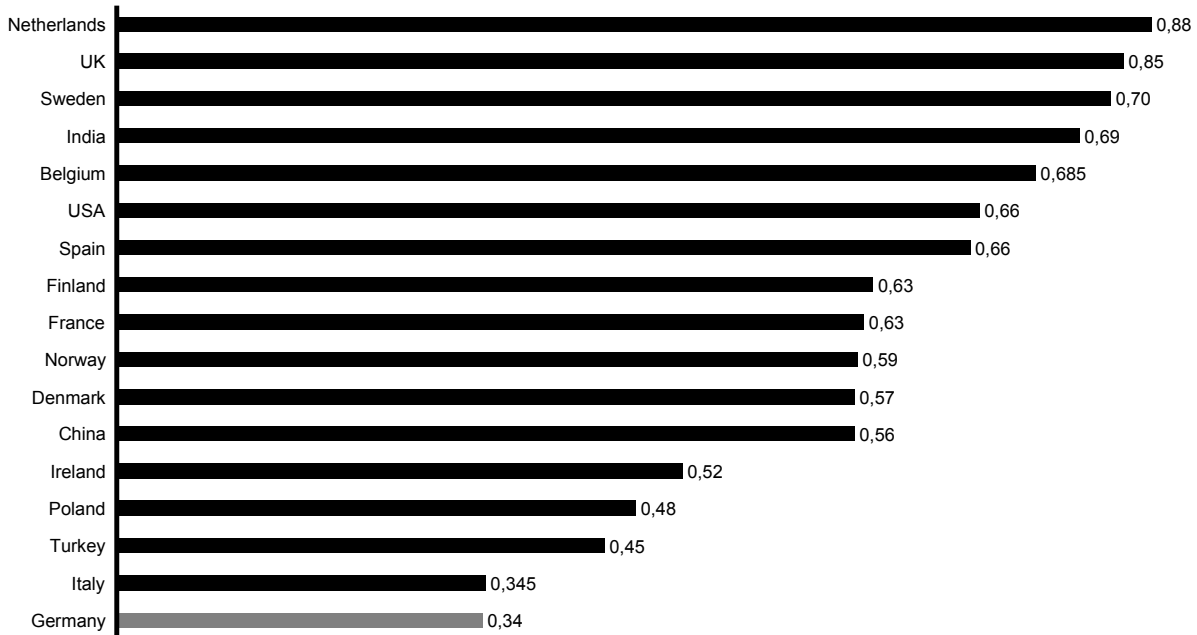


Data elaborated by Vision on the basis of national legislations as recorded in 2005

<sup>5</sup> The same reasoning is applicable to a vast array of comparative international indicators; from competitiveness ratings to ratings concerning a country’s level of democracy. It is theoretically plausible to argue that a maximum rating is not necessarily indicative of a maximum level of well being for a nation’s citizens.

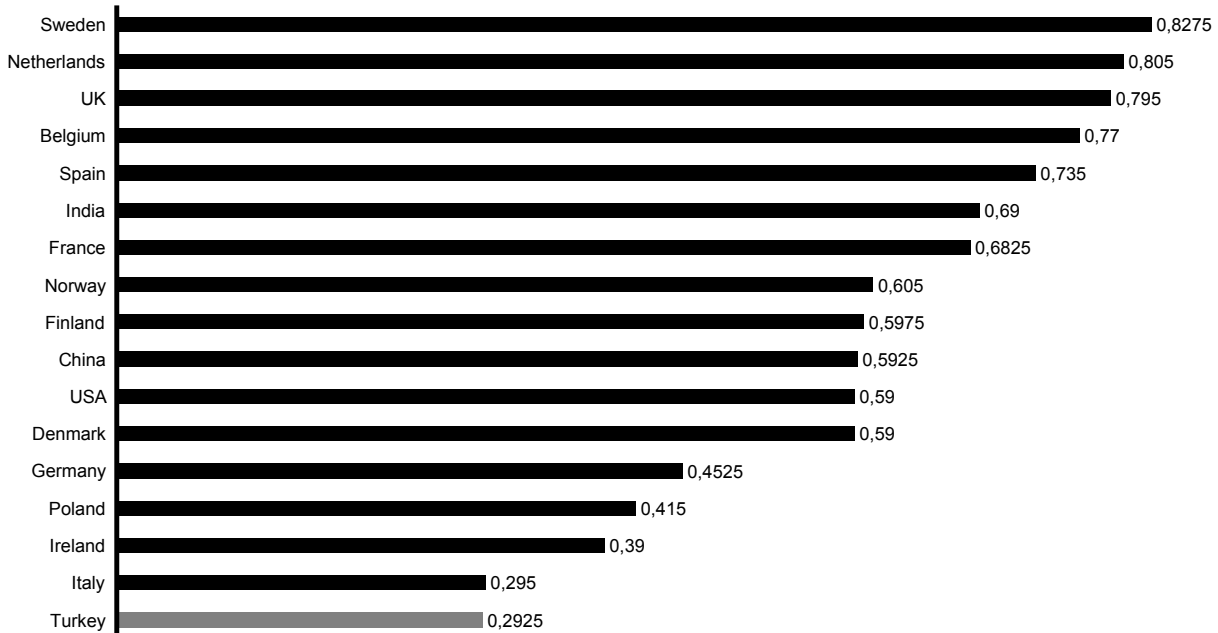


### PARENT – CHILD RELATIONSHIP (from 0 to 1)



Data elaborated by Vision on the basis of national legislations as recorded in 2005

### THE FAMILY FREEDOM INDEX (from 0 to 1)



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## A) THE COUPLE IN AN ONGOING CRISIS

We proceed with an analysis of the couple as it pertains to an individual's ability to choose from among a large array of possible, legally recognized configurations and his ability to modify or terminate his rapport within or with his couple over time. Two factors directly influencing the pairing of couples are *modifiability* and *variety* – analysing each in turn we will see that there exists an ample correlation between them.

There exists, as our analysis will demonstrate, a correlation between modifiability and variety. If one had the possibility to choose between different couple configurations, which are to a lesser or greater extent legally binding (variety), then perhaps the marriage agreement would be more easily modified – rendering an eventual divorce less dramatic (modifiability). Still the divorce or disinvestment process shouldn't be taken for granted, even in countries like the United States where options are endless thanks to “customise-it-yourself” marriage contracts – a divorce can still be quite complicated and costly.

### 1) MODIFIABILITY

We will use the term *modifiability* to make reference to a nation-state's legislation and the extent to which it confers either ease or difficulty in a couple's eventual disinvestment process (divorce). Modifiability can be looked at from several different points of view: To what extent does the legislation of a nation-state permit a disinvestment of the couple? How complicated is the bureaucracy involved? In what measure does a given society see fit to impose and dictate stability within the couple?

Within the optic of Vision's Family Freedom Index the respective legislation<sup>6</sup> of a nation-state can be more or less flexible concerning the required duration of the separation period preceding a divorce. Another issue is whether or not a divorce can be obtained even in the absence of consent on behalf of both spouses – and this with or without going before a judge.

Italian legislation provides very little modifiability when compared to other countries. The obligatory separation period is four years long and if one of the partners does not consent to the divorce, then a request is made before a judge. Compared to Italy, Sweden and Spain have a relatively brief separation period (six months in Sweden). Nor does there exist in either of these countries the notion of divorce by “fault” – presumably “fault” on behalf of one of the partners to fulfil marital duties. In these countries a divorce can be obtained even without the consent of both partners.

Summing up the debate surrounding the couple in the last ten years, it is safe to say that it has been more preoccupied with the subject of variety than with that of modifiability. Even if the conversion of one's legal status is not optimally organized, the general feeling is that there isn't much more to be done on the legislative front: divorce has existed for more than ten years in all the member countries of the European Union.

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<sup>6</sup> A few words on the criteria used to selection the countries surveyed: A primary group of countries was chosen because of a population and economic importance that could not be ignored (Italy, France, Germany, The United Kingdom and Spain). Spain is noteworthy because of its firmly rooted Catholic tradition and the fact that in recent years it has been witness to / it has undergone and is undergoing a radical evolution in its customs and family legislation. A secondary group of countries (Belgium, Holland and the Scandinavian Countries) which have long been pioneers in terms of innovation and initiative as it pertains to family legislation (e.g.: gay marriages) but also legislation concerning other controversial issues such as euthanasia. Ireland was included because it is perhaps the European country with the most conservative family legislation. From amongst the newest adherents to the European Union: Poland was selected with its population of over 40 million and its strong Catholic tradition. A candidate for the European Union, Turkey, has both a Muslim and laic tradition. From outside the European Union the United States was a natural choice given its population and its political and cultural influence. Both India and China were included due to their populations (each more than a billion strong) and their rapidly increasing political and economic influence. Egypt was included as one of the Arab and Muslim countries with “moderate” politics.



**Table 1 – Couple Modifiability**

|  | Italy            | France            | Germany          | UK                | Ireland | Spain | Belgium          | Netherlands      | Sweden            | Finland           | Denmark           | Norway            | Poland | Turkey            | Egypt | USA | China | India |
|--|------------------|-------------------|------------------|-------------------|---------|-------|------------------|------------------|-------------------|-------------------|-------------------|-------------------|--------|-------------------|-------|-----|-------|-------|
| Divorce > 3 years  | NO               | NO                | NO               | Yes <sup>7</sup>  | Yes     | NO    | NO               | NO               | NO                | NO                | NO                | NO                | NO     | NO                |       | NO  | NO    |       |
| Divorce = 3 years  | Yes              | NO                | Yes              | NO                | NO      | NO    | NO               | Yes <sup>8</sup> | NO                | NO                | NO                | NO                | NO     | Yes <sup>9</sup>  |       | Yes | NO    |       |
| Divorce = 2 years  | NO               | Yes <sup>10</sup> | NO               | Yes <sup>11</sup> | NO      | NO    | Yes              | NO               | NO                | NO                | Yes <sup>12</sup> | Yes <sup>13</sup> | NO     | Yes               |       | NO  | Yes   |       |
| 0 < Divorce ≤ 1  | NO               | NO                | Yes              | NO                | NO      | NO    | NO               | NO               | Yes <sup>14</sup> | Yes <sup>15</sup> | Yes <sup>16</sup> | Yes               | NO     | Yes               |       | NO  | NO    |       |
| Divorce = 0 years  | NO               | Yes <sup>17</sup> | NO               | Yes <sup>18</sup> | NO      | Yes   | Yes              | Yes              | Yes               | NO                | NO                | NO                | SI     | Yes <sup>19</sup> |       | NO  | Yes   |       |
| Divorce: with mutual consent                                 | Yes              | Yes               | Yes              | Yes               | Yes     | Yes   | Yes              | Yes              | Yes               | Yes               | Yes               | Yes               | Yes    | Yes               | Yes   | Yes | Yes   | Yes   |
| Divorce: with or without mutual consent                      | Yes              | Yes               | Yes              | Yes               | Yes     | Yes   | Yes              | Yes              | Yes               | Yes               | Yes               | Yes               | Yes    | Yes               | Yes   | Yes | Yes   |       |
| No legal intervention even if divorce without mutual consent | NO               | Yes <sup>20</sup> | NO <sup>21</sup> | NO <sup>22</sup>  | NO      | Yes   | NO <sup>23</sup> | NO               | Yes               | Yes               | Yes               | Yes               | NO     | NO                |       |     |       | NO    |
| Cessation of living stipend payment in case of divorce       | NO               | NO                | Yes              | Yes               | Yes     | Yes   | NO               | Yes              | Yes               | Yes               | NO                | Yes               | Yes    | NO                |       |     |       | NO    |
| Cessation of living stipend payments in case of divorce      | NO <sup>24</sup> | NO                | NO               | NO                | NO      | NO    | NO               | NO               | Yes <sup>25</sup> | NO                | NO                | NO                | NO     | NO                |       |     |       | NO    |
| Cessation of child support stipend in case of divorce        | NO               | NO                | NO               | NO                | NO      | NO    | NO               | NO               | NO                | NO                | NO                | NO                | NO     | NO                |       | NO  | NO    |       |
| Paternal child custody                                       | SI <sup>26</sup> | SI                | SI               | SI                | NO      | SI    | SI               | SI               | SI                | SI                | SI                | SI                |        | NO                |       | SI  | SI    |       |

<sup>7</sup> Non consensual.

<sup>8</sup> A divorce may be obtained without the consent of both partners after a separation period of at least three years.

<sup>9</sup> If both partners do not consent to the divorce then follows a separation period of one to three years at the issue of which a divorce will be processed by the courts.

<sup>10</sup> Mutual consent is not required if the couple has already been living separately for at least two years.

<sup>11</sup> In the case of a divorce with mutual consent

<sup>12</sup> Unofficial separation.

<sup>13</sup> A divorce may be obtained after two years of unofficial separation or one year of legal separation. A divorce may be obtained immediately in exceptional circumstances: for example in the case of spousal abuse or attempted murder.

<sup>14</sup> In the following cases the couple is requested to first reflect for a period of six months: if the divorce is not mutually consented to, if one of the spouses requests the reflection period, if one of the partners lives with and has custody of a child under the age of 16. The couple is not required to live separately during the reflection period.

<sup>15</sup> Six month long reflection period.

<sup>16</sup> If the divorce is mutually consented to the legal separation period is six months long, if not then the separation period is a year long.

<sup>17</sup> In the case of a mutually consented to divorce or in the case of divorce “for fault”.

<sup>18</sup> Divorce “for fault”.

<sup>19</sup> Mutually consented to divorce.

<sup>20</sup> The recent family law reform concerning divorce requires undeniable proof of the unsustainability of the marriage via a separation period of at least two years. This form of divorce concerns only 1,3% of all divorces in France. In French “altération définitive du lien conjugal”.

<sup>21</sup> Even after a separation period of three years the judge may decide against dissolving the marriage if for example the divorce would have grave consequences for the children or for one of the spouses.

<sup>22</sup> Though it is rare, it is possible that one of the spouses contests the fact that the marriage is unsustainable even after an unofficial separation period of at least five years.

<sup>23</sup> A separation period of two years does not constitute irrefutable proof that the marriage is unsustainable.

<sup>24</sup> Though no divorce law makes specific mention of it, in several cases the courts have been receptive to spouses seeking “biological” and “existential” damages.

<sup>25</sup> Consented to only in exceptional cases.

<sup>26</sup> The recent law 3537 (01/2006) adopted by the Italian Parliament introduces the concept of *bigenitorialità-dual parenting*. The new article 155 of the Italian Civil Code allows for parents to share guardianship of their children in the case of a separation.



## 2) VARIETY

The couple is currently mutating in terms of *variety* – we will refer to variety as the different forms of marital union recognized by the law. In recent years certain legislative systems have gone beyond the traditional heterosexual marriage dyad (the only legal form of marriage in Italy), recognizing new couple compositions: unmarried couples living together as well as homosexual couples. The largest amount of variety accorded by any legislative system is that of the Netherlands: conferring legal recognition of marriage, registered partnerships, cohabitation agreement and unregistered cohabitation – all at the disposition of both heterosexual and homosexual couples.

The “registered partnership” is the most legally binding arrangement after marriage (this is the situation in not only the Netherlands but also in Belgium, Denmark, Finland, Sweden and Norway. The “cohabitation agreement” represents a sort of prenuptial agreement. In some countries it is possible to formalize a series of issues (for example financial issues) by simply soliciting a notary and drawing up a simple contract. An “unregistered cohabitation” becomes automatically official in the eyes of the law after a predefined period of cohabitation. There are a certain number of duties and rights that are associated with unregistered cohabitation though of lesser importance in respect to more formalized agreements.

There is no limit to couple variability. In theory one could imagine a society in which the form that couples chose to adopt was an entirely private decision left to the discretion of the couple who answered only to the legal binds that they imposed upon themselves with the help of a private lawyer and not national family legislation (i.e. customized contracts with the help of a notary or lawyer). In short one can imagine a freedom of choice such that couples could arrange for “tailor made” unions.

Premarital contracts have been planted in the collective unconscious through Hollywood films seem to be the key that will unlock the standstill at which many national family legislations seem to be – opening a door on tangible couple variability and therefore on the individual’s right to determine his amorous engagements autonomously. In the United States a judge it is not necessarily a judge who determines alimony payments or asset distribution but more often than not the couple – who prior to the actual marriage had already specified in detail all of these matters in the (un)likely event in which a divorce were to occur in the future.

Perhaps it won’t be long before premarital agreements arrive in some of the family law forsaken European Countries. One has only to key “contratti prematrimoniali” into Google to become aware of the already existent interest in such an arrangement in countries like Italy.

The greatest amount of variability bestowed by family legislation is probably to be found in Holland. Holland recognizes all of the forms of “marital” union which are referenced in Table 2: marriage, registered partnership<sup>27</sup>, cohabitation agreement and unregistered cohabitation – all at the disposition of both heterosexual and homosexual couples.

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<sup>27</sup> We used “registered partnership” because it is the term used in most countries that recognize this form of union. Terminology aside, the French Pact Civil de Solidarité (PACS) is without doubt in practice a registered partnership.



**Table 2 – Couple Variability**

|  | Italy            | France | Germany | UK  | Ireland           | Spain             | Belgium           | Holland           | Sweden           | Finland | Denmark | Norway | Poland           | Turkey | Egypt | USA              | China | India |
|--|------------------|--------|---------|-----|-------------------|-------------------|-------------------|-------------------|------------------|---------|---------|--------|------------------|--------|-------|------------------|-------|-------|
| Trial Marriage for pre-stipulated amount of time                           | NO               | NO     | NO      | NO  | NO                | NO                | NO                | NO                | NO               | NO      | NO      | NO     | NO               | NO     |       |                  | NO    | NO    |
| Registered partnership or registered cohabitation for heterosexual couples | NO <sup>28</sup> | Yes    | NO      | NO  | Yes <sup>29</sup> | Yes <sup>30</sup> | Yes <sup>31</sup> | Yes <sup>32</sup> | NO               | NO      | NO      | NO     |                  |        |       |                  |       |       |
| Registered partnership or registered cohabitation for homosexual couples   | NO               | Yes    | Yes     | Yes | NO                | Yes               | Yes               | Yes               | Yes              | Yes     | Yes     | Yes    | NO <sup>33</sup> | NO     |       | NO <sup>34</sup> | NO    |       |
| Cohabitation agreement for heterosexual couples                            | NO               |        |         | SI  |                   |                   | Yes               | Yes               | Yes              |         |         |        |                  |        |       | Yes              |       |       |
| Cohabitation agreement for homosexual couples                              | NO               |        |         | SI  |                   |                   | Yes               | Yes               | Yes              |         |         |        |                  | NO     |       | Yes              |       |       |
| Unregistered cohabitation for heterosexual couples                         | NO <sup>35</sup> | Yes    |         |     |                   | Yes               | Yes               | Yes               | Yes              |         |         |        |                  |        |       |                  |       |       |
| Unregistered cohabitation for homosexual couples                           | NO               | Yes    |         |     |                   | Yes               | Yes               | Yes               | Yes              |         |         |        |                  | NO     |       |                  |       |       |
| Gay marriage   | NO               | NO     | NO      | NO  | NO                | Yes <sup>36</sup> | Yes               | Yes               | NO <sup>37</sup> | NO      | NO      | NO     | NO               | NO     | NO    | NO               | NO    | NO    |
| Asset management with more than two options                                | NO               |        |         |     |                   | Yes               |                   | NO                | Yes              |         |         |        |                  |        |       |                  | Yes   |       |
| Asset management with two options  | Yes              |        |         |     |                   | NO                |                   | NO                | NO               |         |         |        |                  |        |       |                  | NO    |       |
| One option for asset management  | NO               |        |         |     |                   | NO                |                   | Yes <sup>38</sup> |                  |         |         | NO     |                  |        |       |                  | NO    |       |
| Preuptial agreements legally recognized                                    | NO               | Yes    | Yes     | Yes | NO                | Yes               | Yes               | Yes               | Yes              | Yes     | Yes     | Yes    |                  |        |       | Yes              | Yes   |       |

<sup>28</sup> Three Italian regions (Tuscany, Umbria and Emilio Romano) confer a legal status to cohabitating couples, both heterosexual and homosexual. The Italian government brought this into question before the Constitutional Court. The court was in favor of the regions' initiative and since around thirty Italian communities have begun registering civil unions for homosexual couples.

<sup>29</sup> The Civil Partnership Bill 2004 has been introduced in Parliament. It recognizes cohabitating couples (both heterosexual and homosexual).

<sup>30</sup> Cohabiting heterosexual and homosexual couples are recognized in Aragona, Catalogna, Navarra, Baleari, Comunità di Valencia, Comunità autonoma di Madrid, Comunità delle Asturie, Andalusia, Canarie, Extremadura, Basque Country.

<sup>31</sup> In Belgium it is called "cohabitation légale".

<sup>32</sup> The rights and legal obligations are the same as those associated with marriage. The only exception being that if a child is born out of the union, the parental rights are the mother's. The father is considered the child's parent (legal guardian) only if he officially recognizes the child.

<sup>33</sup> A law with the objective of recognizing cohabitating homosexual couples was approved by the Senate in December 2004.

<sup>34</sup> Only in the State of Vermont.

<sup>35</sup> In some regions they may request public housing (a few regions extend this right to homosexual couples).

<sup>36</sup> A law approved by Zapatero's government.

<sup>37</sup> Sweden is set to legalize homosexual marriages in a year's time.

<sup>38</sup> Dutch law only provides for the division of assets. Still it is possible to draw up a premarital agreement by choosing between one of three models: community of benefits and income, community of gain and loss, separation with a final compensation mechanism. Cfr. Masha Antokolskaia e Katharina Boele-Woelki, "Dutch Family Law in the 21<sup>st</sup> Century: Trend-Setting and Struggling Behind at the Same Time", disponibile sul sito della Netherlands Comparative Law Association ([http://www.ejcl.org/64/art64-5.html#\\_ftn53](http://www.ejcl.org/64/art64-5.html#_ftn53)).



The polemics surrounding variety are more hotly debated than ever. Moreover specific questions like that of gay marriage<sup>39</sup> are the focal points of endless confrontations in the political arena. The information age family will most likely change more in terms of variety than in terms of modifiability. It will be interesting to analyse the interaction between these two factors in order to understand to what extent changes to one effect the other. Vision maintains that it is only through the diversification in legal statuses offered to the couple that we can begin to confront the problems that lay before us.

As an example: several countries have managed to avoid extending marital status to homosexual couples by instead offering them the possibility to become “registered partners”. What is interesting is that more often than not, this arrangement is reserved for the *sole use* of homosexual couples (thus excluding heterosexual couples). This is the case in the United Kingdom, where divorce kits are available in local stores and where premarital contracts are allowed and where the Civil Partnership Act (approved in 2004) exclusively concerns homosexual couples. On the other hand the recognition of couples who live together as a separate legal entity (registered partnership) seems all the more necessary in countries like Italy where the institution of marriage has a low level of modifiability and where the bureaucratic procedures associated with divorce are particularly trying.

## B) TIES BINDING PARENTS AND CHILDREN

We arrive at the second component of the family: the ties binding parents and children. Legislation generally preoccupies itself with two main issues: *the right to have children* (adoption and medically assisted procreation) and *the right to not have children* (the possibility to give up one’s own children for adoption or to abort an unwanted pregnancy).

Just as the question concerning the variety of different compositions of the couple takes precedence in the political arena over that of couple modifiability – so the question surrounding the right to have children predominates the question over the right to not have children (namely abortion which alongside divorce characterised the 1970’s).

As the recent debate in Italy over a proposed assisted procreation law demonstrates, it is the right to have children that is currently at the forefront of political debate. The general feeling being that the debate surrounding a woman’s right to not have children belongs to the past.

### 1) THE RIGHT TO HAVE CHILDREN

Biotechnological advancements are making possible medical interventions that up until now were unimaginable. The natural limitations imposed on us by nature are no more a hurdle for science and technology. It is legitimate therefore to ask oneself whether these new techniques are ethically admissible in our society<sup>40</sup>.

The already volatile debate over the right to have children becomes explosive when combined with an attempt to redefine the legitimate forms that the couple can or should take on. From the moment in which a new form of couple is legally recognized, should the same rights concerning child rearing be

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<sup>40</sup> One thinks of the example of a 67 year old Romanian woman who recently gave birth to twins (one of which died shortly after partum).  
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automatically conferred? Immediately, what comes to mind are adoption requests on behalf of unmarried couples, single people and gay couples.

How realistic is it to build a society based on a priori laws? Society is often more avant-garde than laws that are late in coming and do little more than render official changes already well underway in the collective mentality and in people's general état d'esprit.

The criteria we have adopted in the following tables follows the basic outline of the present paper namely a first table dedicated to the right to have children and a second to the right to not have children. Apart from different means of adoption, we have provided a wide overview of existing techniques for medically assisted procreation. We have also referenced issues which do not directly impact the family, namely scientific research and embryo cloning, but which will no doubt contribute to further the debate in countries such as Italy where the subject is controversial in nature. However the emphasis we place on the subject of assisted procreation is not prompted solely by the heated debate presently taking place around the referendum in Italy.

In reality, for an increasing number of women, the only hope for maternity is through medically assisted procreation. The profound changes in people's mentality and in the workforce have caused women to either decide or believe that they should have children later in life than their mothers' generation did. It should come as no surprise that annually 50,000 Italian couples are reduced to medically assisted procreation when one considers that women's fertility rate drops to 80% between the ages of 25-29, to 50% after the age of 30, to 25% after the age of 35 and to a mere 7% after the age of 40.

We have tried to interweave as much as possible the right to have children with the variety of forms that the couple can take on. For each of the assisted procreation techniques we have indicated whether it was extended to married couples, unmarried couples, lesbian couples and single women. We also covered the question of whether adoption was extended to unmarried couples (heterosexual and homosexual) and single people.

There is a great divide that appears between the countries that consent to "Yes" artificial fecundation for cohabitating couples using donated gametes (sperm/ovule) and those that do not "No". This is reflected in their respective scores.

Nation-states demonstrate two radically different tendencies in dealing with this issue. On one hand, conservative countries like Germany and Egypt get involved in choices that are probably best left up to the individual citizen<sup>41</sup>. On the other hand, there are progressive countries like the United Kingdom, which extends medically assisted procreation to single women, and lesbian couples and also permits post mortem gamete (sperm and ovule) extraction as well as surrogate births.

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<sup>41</sup> The current Italian law, although it consents to the assisted procreation for cohabitating couples, is one of the lowest ranking countries in the Family Freedom Index.



**Table 3 – The Right to Have Children<sup>42</sup>**

|  | Italy            | France            | Germany          | UK  | Ireland <sup>43</sup> | Spain             | Belgium <sup>44</sup> | Netherlands | Sweden            | Finland | Norway            | Denmark | Poland <sup>45</sup> | Turkey | USA | Egypt             | China | India |
|--|------------------|-------------------|------------------|-----|-----------------------|-------------------|-----------------------|-------------|-------------------|---------|-------------------|---------|----------------------|--------|-----|-------------------|-------|-------|
| Artificial fecundation for married couples using donated sperm                                 | Yes              | Yes               | Yes              | Yes | Yes                   | Yes               | Yes                   | Yes         | Yes               | Yes     | Yes               | Yes     | Yes                  | Yes    | Yes | Yes               | Yes   | Yes   |
| Artificial fecundation for married couples using donated sperm                                 | NO               | Yes               | Yes              | Yes | Yes                   | Yes               | Yes                   | Yes         | Yes               | Yes     | Yes <sup>46</sup> | Yes     | Yes                  | NO     | Yes | NO                | Yes   | Yes   |
| Artificial fecundation for cohabitating couples using the couple's gametes (sperm/ovule)       | Yes              | Yes <sup>47</sup> | NO               | Yes | Yes                   | Yes               | Yes                   | Yes         | Yes               | Yes     | Yes               | Yes     | Yes                  | NO     | Yes | NO                | NO    |       |
| Artificial fecundation for cohabitating couples using donated gametes (sperm/ovule)            | NO               | Yes <sup>48</sup> | NO               | Yes | Yes                   | Yes               | Yes                   | Yes         | Yes               | Yes     | Yes               | Yes     | Yes                  | NO     | Yes | NO                | NO    |       |
| In-vitro fertilization for married couples using their the couple's gametes (sperm/ovule)      | Yes              | Yes               | Yes              | Yes | Yes                   | Yes               | Yes                   | Yes         | Yes               | Yes     | Yes               | Yes     | Yes                  | Yes    | Yes | Yes               | Yes   | Yes   |
| In-vitro fertilization for married couples using donated gametes (sperm/ovule)                 | NO               | Yes               | NO               | Yes | Yes                   | Yes               | Yes                   | Yes         | Yes               | Yes     | NO                | Yes     | Yes                  | NO     | Yes | NO                | Yes   | Yes   |
| In-vitro fertilization for cohabitating couples using their the couple's gametes (sperm/ovule) | Yes              | Yes <sup>49</sup> | NO               | Yes | Yes                   | Yes               | Yes                   | Yes         | Yes               | Yes     | Yes               | Yes     | Yes                  | NO     | Yes | Yes               | NO    |       |
| In-vitro fertilization for cohabitating couples using donated gametes (sperm/ovule)            | NO               | Yes <sup>50</sup> | NO               | Yes | Yes                   | Yes               | Yes                   | Yes         | Yes               | Yes     | NO                | Yes     | Yes                  | NO     | Yes | NO                | NO    |       |
| Access to assisted reproduction for single women   | NO               | NO                | NO               | Yes | Yes <sup>51</sup>     | Yes               | Yes                   | Yes         | NO                | Yes     | NO                | NO      | NO                   | NO     | Yes | NO                | NO    |       |
| Access to assisted reproduction for lesbian couples (cohabitating or married)                  | NO               | NO                | NO               | Yes | Yes <sup>52</sup>     | Yes               | Yes                   | Yes         | Yes <sup>53</sup> | Yes     | NO                | NO      | NO                   | NO     | Yes | NO                | NO    |       |
| Insemination post mortem   | NO               | NO                | NO <sup>54</sup> | Yes | NO <sup>55</sup>      | Yes <sup>56</sup> | Yes                   | Yes         | NO                | NO      | NO                | NO      | NO                   | NO     | Yes | NO                | NO    |       |
| Cryogenic embryo storage   | NO <sup>57</sup> | Yes               | NO <sup>58</sup> | Yes | Yes                   | Yes <sup>59</sup> | Yes                   | Yes         | Yes               | Yes     | Yes               | Yes     | Yes                  | Yes    | Yes | Yes <sup>60</sup> | Yes   | Yes   |
| Maximum number of embryos implanted per session = 1  | NO               | NO                | NO               | NO  | NO                    | NO                | Yes <sup>61</sup>     | NO          | Yes               | NO      | NO                | NO      | NO                   | NO     | NO  | NO                | NO    |       |
| Maximum number of embryos implanted per session = 2  | NO               | NO                | NO               | Yes | NO                    | NO                | Yes <sup>62</sup>     | NO          | Yes               | Yes     | NO                | Yes     | Yes <sup>63</sup>    | NO     | Yes | NO                | NO    |       |

<sup>42</sup> The primary source of data and statistics for this table was the IFFS (International Federation of Fertility Societies) Surveillance 04, in *Fertility & Sterility*, Vol. 81, No. 5, Suppl. 4, May 2004.

<sup>43</sup> No specific law exists on assisted procreation, only recommendations in the form of texts issued by ethical committees or doctors' associations.

<sup>44</sup> No specific law exists on assisted procreation, only recommendations in the form of texts issued by ethical committees or doctors' associations.

<sup>45</sup> No specific law exists on assisted procreation, only recommendations in the form of texts issued by ethical committees or doctors' associations.

<sup>46</sup> Only if the man is sterile or there exists a risk of transmitting a hereditary disease.

<sup>47</sup> Couples living together (cohabitating) for at least two years.

<sup>48</sup> Couples living together (cohabitating) for at least two years.

<sup>49</sup> Couples living together (cohabitating) for at least two years.

<sup>50</sup> Couples living together (cohabitating) for at least two years.

<sup>51</sup> In the interest of the child's welfare, some clinics limit access to stable heterosexual couples only.

<sup>52</sup> In the interest of the child's welfare, some clinics limit access to stable heterosexual couples only.

<sup>53</sup> Laws in the process of being approved.

<sup>54</sup> Is not prohibited but is not done in practice.

<sup>55</sup> In most clinics requests can only be made when both parents are living.

<sup>56</sup> Only when prior consent has been given and within six months of death.

<sup>57</sup> Consented to only in exceptional cases (e.g.: only to save the embryo in cases where immediate transplantation is not possible)

<sup>58</sup> Consented to only in exceptional cases (e.g.: only to save the embryo in cases where immediate transplantation is not possible)

<sup>59</sup> No specific prohibition, all clinics keep frozen embryos. It is, however, explicitly forbidden to destroy embryos.

<sup>60</sup> Only experimentally.

<sup>61</sup> First cycle.



| <b>Table 3</b>   |              |               |                |                   |                             |                  |                             |                    |               |                   |               |                |                            |                   |                   |              |              |              |  |
|--|--------------|---------------|----------------|-------------------|-----------------------------|------------------|-----------------------------|--------------------|---------------|-------------------|---------------|----------------|----------------------------|-------------------|-------------------|--------------|--------------|--------------|--|
| <b>The Right to Have Children (continued)</b>            | <b>Italy</b> | <b>France</b> | <b>Germany</b> | <b>UK</b>         | <b>Ireland<sup>64</sup></b> | <b>Spain</b>     | <b>Belgium<sup>65</sup></b> | <b>Netherlands</b> | <b>Sweden</b> | <b>Finland</b>    | <b>Norway</b> | <b>Denmark</b> | <b>Poland<sup>66</sup></b> | <b>Turkey</b>     | <b>USA</b>        | <b>Egypt</b> | <b>China</b> | <b>India</b> |  |
| Selective destruction of already implanted embryos       | Yes          | Yes           | Yes            | Yes               | NO                          | Yes              | Yes                         | Yes                | Yes           | NO                | Yes           | Yes            | NO                         | Yes <sup>67</sup> | Yes               | Yes          | Yes          | Yes          |  |
| In-Utero screening for diseases                          | Yes          | Yes           | NO             | Yes               | NO <sup>68</sup>            | Yes              | Yes                         | Yes                | Yes           | Yes <sup>69</sup> | Yes           | Yes            | NO <sup>70</sup>           | Yes               | Yes               | Yes          | Yes          | Yes          |  |
| Scientific research on embryos                           | NO           | NO            | NO             | Yes <sup>71</sup> | NO                          | SI <sup>72</sup> | Yes                         | Yes                | Yes           | Yes               | NO            | Yes            | NO                         | NO                | Yes               | Yes          | Yes          |              |  |
| Cloning  | NO           | NO            | NO?            | Yes <sup>73</sup> | NO                          | NO               | NO                          | Yes                | Yes           | NO                | NO            | NO             | ? <sup>74</sup>            | NO                | Yes <sup>75</sup> |              | Yes          |              |  |
| Person in the eyes of the law = fecundation              | Yes          | NO            | NO             | NO                | NO                          | NO               | NO                          |                    | NO            | NO                | Yes           | NO             | Yes <sup>76</sup>          | NO                | NO                |              |              |              |  |
| Person in the eyes of the law = zygote                   | NO           | NO            | SI             | NO                | NO                          | NO               | NO                          |                    | NO            | NO                | NO            | NO             | NO                         | NO                | NO                |              |              |              |  |
| Person in the eyes of the law = 14 day old embryo        | NO           | NO            | NO             | Yes <sup>77</sup> | NO                          | NO               | NO                          |                    | Yes           | Yes <sup>78</sup> | NO            | Yes            | NO                         | NO                | NO                |              |              |              |  |
| Person in the eyes of the law = Viability of the foetus  | NO           | NO            | NO             | NO                | NO                          | NO               | NO                          |                    | NO            | NO                | NO            | NO             | NO                         | NO                | Yes <sup>79</sup> |              |              |              |  |
| Person in the eyes of the law = at birth                 | NO           | NO            | NO             | Yes <sup>80</sup> | NO                          | Yes              | NO                          |                    | NO            | NO                | NO            | NO             | NO                         | Yes               | NO                |              |              |              |  |
| Surrogate mothers / pregnancies                          | NO           | NO            | NO             | Yes               | Yes                         | ? <sup>81</sup>  | NO                          | Yes                | NO            | NO                | NO            | NO             | ? <sup>15</sup>            | NO                | NO <sup>82</sup>  |              | NO           |              |  |
| Adoption after preliminary investigation                 | Yes          |               |                | Yes               |                             |                  |                             |                    | Yes           |                   |               |                |                            |                   |                   |              |              |              |  |
| Adoption without preliminary investigation               | NO           |               |                | NO                |                             |                  |                             |                    | NO            |                   |               |                |                            |                   |                   |              |              |              |  |
| Adoption by unmarried heterosexual couples               |              |               |                | Yes               |                             |                  | Yes                         | Yes <sup>83</sup>  | Yes           |                   | NO            |                |                            |                   |                   |              |              |              |  |
| Adoption by homosexual couples (cohabitating or married) |              |               |                |                   |                             | NO <sup>84</sup> | NO                          | Yes <sup>85</sup>  | Yes           |                   | NO            |                |                            |                   |                   |              |              | NO           |  |
| Adoption by single people                                | NO           |               |                | Yes               |                             |                  |                             | Yes <sup>86</sup>  | Yes           |                   | Yes           |                |                            |                   |                   |              |              |              |  |

Data elaborated by Vision 2005

<sup>62</sup> Second cycle.

<sup>63</sup> For women over 35 years of age.

<sup>64</sup> No specific law exists on assisted procreation, only recommendations in the form of texts issued by ethical committees or doctors' associations.

<sup>65</sup> No specific law exists on assisted procreation, only recommendations in the form of texts issued by ethical committees or doctors' associations.

<sup>66</sup> No specific law exists on assisted procreation, only recommendations in the form of texts issued by ethical committees or doctors' associations.

<sup>67</sup> Not mentioned in legal texts but is done in practice.

<sup>68</sup> Considered to be an experimental procedure.

<sup>69</sup> Consented to but not done in practice.

<sup>70</sup> Not mentioned in guide lines and not done in practice.

<sup>71</sup> Stem cell research is allowed with prior authorization from the HFEA (Human Fertilisation and Embryology Authority).

<sup>72</sup> Only with embryos unfit for use for reproductive purposes.

<sup>73</sup> Limited to cloning of stem cells for research projects approved by the HFEA (Human Fertilisation and Embryology Authority).

<sup>74</sup> Not mentioned in guide line texts.

<sup>75</sup> On the condition that no federal funds are used.

<sup>76</sup> No explicit legal indications exist but there are deeply rooted attitudes based on religious principles.

<sup>77</sup> Only in the case of scientific research.

<sup>78</sup> Limited to scientific research.

<sup>79</sup> The landmark 1973 verdict of the United States Supreme Court in the case of Roe v Wade defined viability as the stage where the fetus is "potentially able to survive outside mother's womb, albeit with artificial aid".

<sup>80</sup> A person in the eyes of the law.

<sup>81</sup> Not mentioned in guide line texts.

<sup>82</sup> Allowed in California.

<sup>83</sup> Only children resident in The Netherlands.

<sup>84</sup> Only authorized in the Province of Navarre, Spain.

<sup>85</sup> Only children resident in The Netherlands.

<sup>86</sup> Only children resident in The Netherlands.



## 2) THE RIGHT NOT TO HAVE CHILDREN

The table dedicated to the right to not have children mainly concerns the possibility to terminate an unwanted pregnancy. The countries with the lowest scores are those in which abortion is illegal or extremely restricted (Ireland, Poland, Egypt and at least in theory Spain<sup>87</sup>). From amongst the countries where abortion is legal, a first distinction can be made in function of the number of weeks in which an abortion is practicable. The limit is 12 weeks (from conception) in most countries. Still all of the countries surveyed consent to abortion beyond this time limit if the mother's life is in danger and/or if the foetus is seriously deformed. The most permissive countries are the United Kingdom, the Netherlands and Sweden.

Another indicator concerns alternatives to surgical abortion, the most common alternative being abortion via RU486 (an abortive pill that is swallowed). Many consider surgical abortion both traumatic and perhaps even a sort of "punishment" for a woman. The absence of an alternative to surgical abortion has left Italy "out in left field" compared to the other countries included in the study. Finally we have taken into account an emergency form of contraception / abortion known as the "Morning-After Pill" which allows to prevent the implantation of the embryo if taken within 36 hours of unprotected intercourse.

## 3) PARENTS AND CHILDREN

There is also the issue of parents' responsibility toward their children, but why not also the question of children's responsibility toward parents. In a gerontocratic society like Italy, where children tend to obtain economic independence at a later and later age, to what extent and for how long should parents be held legally responsible for providing for their offspring?

A few years ago a French film came out called, "Tanguy", with a storyline about a young man named Tanguy who refused categorically to leave the parental nest. During one scene another character says of the protagonist, "*A 28 ans, il habite encore chez ses parents*" "*At 28 years of age he's still living with his parents*". To the French mind, such a situation can only be interpreted as ridiculous if not scandalous but ironically an Italian wouldn't detect anything amiss. To an Italian what is strange is not Tanguy, the 28-year-old nest squatter, but his parents and the great lengths that they go to in encouraging him to "take a hike" so to speak<sup>88</sup>.

Italian society is not only a gerontocratic one, but like many western societies, one that is aging. Currently 24% of the Italian population is over 60 years old (this is the highest percentage in the world). Currently the average age of the population is 40, but by 2050 that figure will rise to 50. There is obviously great cause for alarm over the current pension systems ability to provide for the elderly of the future. The family of the future will also without doubt be confronted with these issues and will have to take a stance on what is to be done with aging parents. Life expectancy now verges on 80 years

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<sup>87</sup> According to Spanish Family Law, a pregnancy may only be terminated in the following three cases: when the pregnancy is a result of rape; in the case of serious foetal malformation; or when the physical or mental health of the mother is in danger. In reality, thanks to the flexible interpretation of the third condition, abortions ( terminations) are widely practised in Spain. According to statistics, there are 80,000 legal terminations per year.

<sup>88</sup> A recent ruling by the Appeals Court released a father from his "duty" to help financially a 30 something daughter who had repeatedly refused job offers (including a permanent post in Milan) which she justified by her desire to be near her sick mother who had in fact long since recovered from her illness. The novelty of this episode lies not only in the verdict of the appeals court, which in the past had not given the same ruling in such cases, but also and above all, in the fact that the initiative was taken *by the father* of the girl.



in numerous countries throughout the world and this fact explains the ever growing number of degenerative diseases such as Alzheimer's. Added to this is the current tendency

It is as if in the *frénésie* of our youth obsessed society – in which parents prefer to dress and act like teenagers or at most twenty-somethings – we refuse to accept generational renewal and implicitly generational extinction. The older generation refuses to relegate a just percentage of political power to the younger generation and consequently policy makers pursue programs which promote at all costs (some would say insufferably) the prolongation of human life – favouring therapeutic treatments using embryonic stem cells and precluding under all circumstances euthanasia. In the meantime twenty and thirty-somethings rebuke the idea of having children perhaps because it is a symbolic reminder that they too are growing older – and it is often perceived by both young and old as the most intolerable of demises.



**Table 4 – The Right to Not Have Children**

|  | Italy             | France             | Germany | UK                | Ireland <sup>89</sup> | Spain             | Belgium <sup>90</sup> | Netherlands       | Sweden             | Finland | Norway             | Denmark | Poland <sup>91</sup> | Turkey            | USA | Egypt | China | India |
|--|-------------------|--------------------|---------|-------------------|-----------------------|-------------------|-----------------------|-------------------|--------------------|---------|--------------------|---------|----------------------|-------------------|-----|-------|-------|-------|
| Abortion not allowed or allowed only in exceptional cases              | NO                | NO                 | NO      | Yes               | NO                    | Yes <sup>92</sup> | NO                    | NO                | NO                 | NO      | NO                 | NO      | Yes <sup>93</sup>    | NO                | NO  | Yes   | NO    | NO    |
| Abortion ≤ 12 weeks  | Yes               | Yes                | Yes     | Yes               | NO                    |                   | Yes                   | NO                | NO                 | Yes     | Yes                | Yes     |                      | Yes               | Yes | NO    | NO    | Yes   |
| Abortion > 12 weeks  | NO                | NO                 | NO      | NO                | Yes <sup>94</sup>     |                   | NO                    | Yes <sup>95</sup> | Yes <sup>96</sup>  | NO      | NO                 | NO      |                      | NO                | NO  | NO    | Yes   | NO    |
| Abortion after the normal time limit in specific cases <sup>97</sup>   | Yes               | Yes                | Yes     | Yes <sup>98</sup> | Yes <sup>99</sup>     |                   | Yes                   | Yes               | Yes <sup>100</sup> | Yes     | Yes <sup>101</sup> | Yes     |                      | Yes               | Yes | NO    | Yes   | Yes   |
| Parental consent to abortion not necessary for minors < 16 years       | NO <sup>102</sup> | Yes <sup>104</sup> | NO      | NO                | Yes                   |                   | Yes                   | Yes               |                    | Yes     | Yes                | NO      |                      | NO <sup>106</sup> | NO  |       |       |       |
| Parental consent to abortion not necessary for minors 16 < 18 years    | NO                | Yes                | NO      | NO                | Yes <sup>103</sup>    |                   | Yes                   | Yes               |                    | Yes     | Yes                | NO      |                      | NO                | NO  |       |       |       |
| Morning After abortive pill allowed                                    | Yes               | Yes                | Yes     | Yes               | Yes                   | Yes               | Yes                   | Yes               | Yes                | Yes     | Yes                | Yes     |                      |                   | Yes |       |       |       |
| Morning After abortive pill allowed only with doctor's prescription    | Yes               | NO                 | Yes     | Yes               | NO                    | Yes               | NO                    | NO                | NO                 | NO      | NO                 | NO      |                      |                   | Yes |       |       |       |
| Morning After abortive pill allowed only without doctor's prescription | NO                | Yes                | NO      | NO                | Yes                   | NO                | Yes                   | Yes               | Yes                | Yes     | Yes                | Yes     |                      |                   | NO  |       |       |       |
| Abortion via surgical intervention as only means of abortion           | Yes               | NO                 | NO      | NO                | NO                    |                   | NO                    | NO                | NO                 | NO      |                    | NO      |                      |                   | NO  |       | NO    | NO    |
| Pharmacological abortion allowed RU486                                 | NO                | Yes                | Yes     | Yes               | Yes                   |                   | Yes                   | Yes               | Yes                | Yes     |                    | Yes     |                      |                   | Yes |       | Yes   | Yes   |
| The right to not legally recognize the child at birth                  |                   |                    |         |                   |                       |                   |                       |                   |                    |         |                    |         |                      |                   |     |       |       |       |

Data elaborated by Vision 2005

<sup>89</sup> No specific law exists on assisted procreation, only recommendations in the form of texts issued by ethical committees or doctors' associations.

<sup>90</sup> No specific law exists on assisted procreation, only recommendations in the form of texts issued by ethical committees or doctors' associations.

<sup>91</sup> No specific law exists on assisted procreation, only recommendations in the form of texts issued by ethical committees or doctors' associations.

<sup>92</sup> Abortion is allowed only if the mother's health is in danger (including the case in which there is the chance she may commit suicide).

<sup>93</sup> Abortion is allowed if the mother's life is in danger, if the pregnancy is the result of a rape or in the case of serious foetal malformation.

<sup>94</sup> Within 24 weeks.

<sup>95</sup> Within 24 weeks.

<sup>96</sup> Within 18 weeks.

<sup>97</sup> In general when the pregnancy presents serious health risks for the mother or when the foetus is seriously malformed it is possible to abort even once passed the number of weeks normally allowed by the law.

<sup>98</sup> Up until 22 weeks if the mother's life is in danger. There is no time limit in the case of foetal malformation.

<sup>99</sup> There is no time limit if the mother's life is in danger.

<sup>100</sup> Up until 22 weeks.

<sup>101</sup> With the consent of the parents or a judge.

<sup>102</sup> In the absence of parental consent it is possible to solicit the judgement of the courts.

<sup>103</sup> With the consent of the parents, a legal tutor or a social worker.



## VI THE FUTURE OF THE FAMILY

If it is true, as Vision has maintained, that the battle over the right to not have children and over the modifiability of the couple belong to the past and that currently the most heated debate is that over the right to have children and the variety of couples possible, then one can conclude, as Vision has, that the family is not a dying institution. Rather people's need for diverse forms in family structure and in couple formation is increasing. Two different and yet oddly complementary currents of thought give form to the family of the future, a family that is already a reality. A conservative current of thought foresees the survival of the family institution and perhaps an expansion of its role accompanied by the rediscovery of affection and strong binds capable of resisting instability and mobility imposed by work and of overcoming hedonistic individualism. A more progressive current predicts a diversification in the family's form, conferring a greater amount of freedom to individuals in their pursuit of a family model that doesn't necessarily coincide with the traditional one.

Freedom and security, individualism and affection, tradition and innovation that neither the traditional right wing nor the ideological left wing are able to grasp let alone govern. A re-examination of the family is upon us, for we cannot go forth as a society if we blindly, deafly and dumbly insist upon viewing ourselves through prescription glasses better suited to a society that is no more.

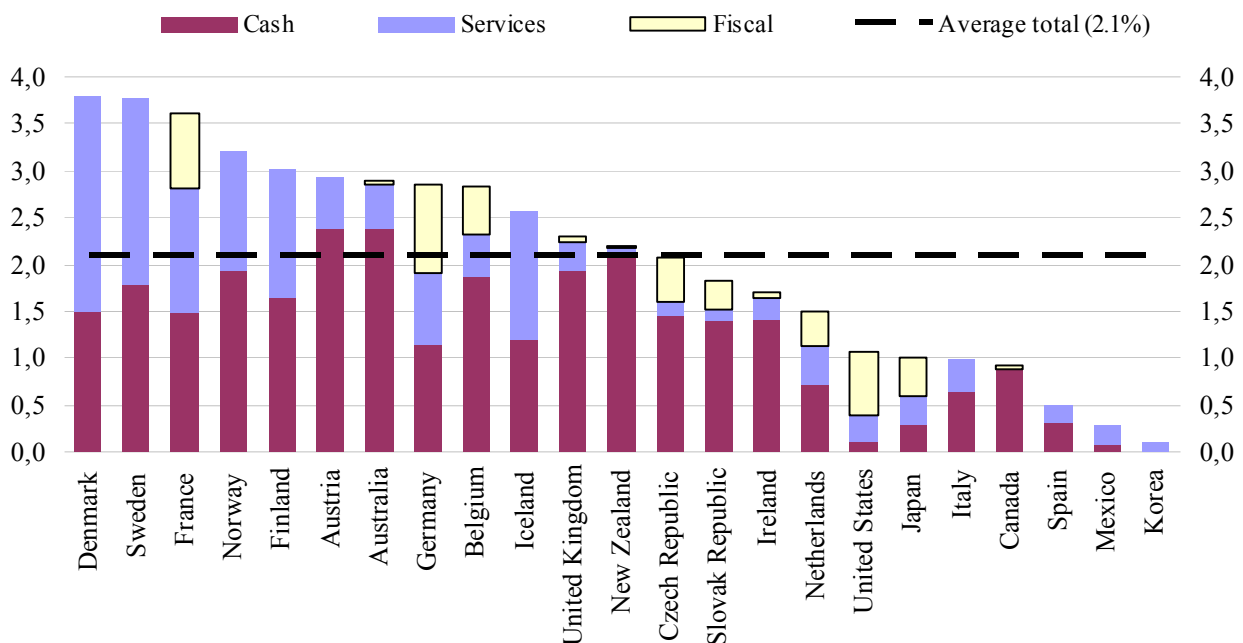


## VII THE WELFARE PARADOX

As with all things taken for granted, the question of Welfare hides dangers and paradoxes. Politicians seem to unanimously agree upon the necessity to allocate more monetary funds to the family, yet these same policy makers appear to believe that there is a causal relation between sums spent and the family's "performance" within or rather for society. It is also taken for granted that the family's "performance" (measured in number of marriages and births) is in and of itself a desirable and righteous objective.

Yet few policy makers stop to consider whether 1. There is in fact a causal relation between the amount of welfare at the disposition of families and those same families' "performance" (measured in number of marriages and births) in and for a given society. 2. What status is to be attributed to a family's "performance". One wonders if "performance", as measured in number of marriages and births is in and of itself such a desirable objective.

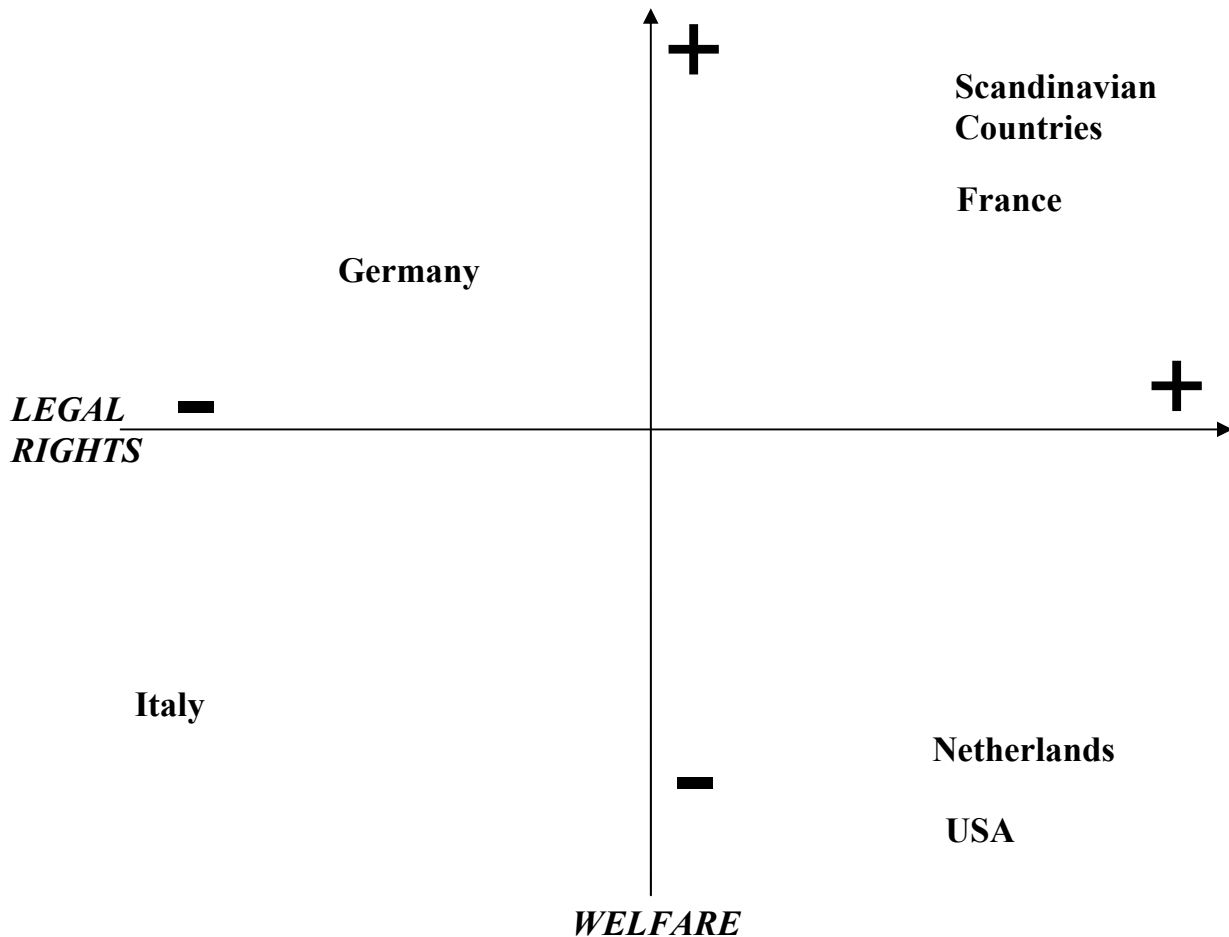
**PER FAMILY STATE SPENDING (AS PERCENTAGE OF GNP) MEASURED IN CASH, SERVICES, AND FISCAL ADVANTAGES IN 2001 (DATA OECD)**



The Scandinavian countries as well as France are the biggest investors in social family policies and programmes. It comes therefore as no surprise to find that they are also at the forefront of Vision's Family Freedom Index. What correlation exists between public spending on the family and the legal recognition of rights conferred on the family in the various countries Vision has surveyed? In the following graph we have repositioned a few exemplary countries in terms of welfare and legal rights.



**POSITION OF NATIONS IN TERMS OF WELFARE  
AND LEGAL RIGHTS (FAMILY LAW)**



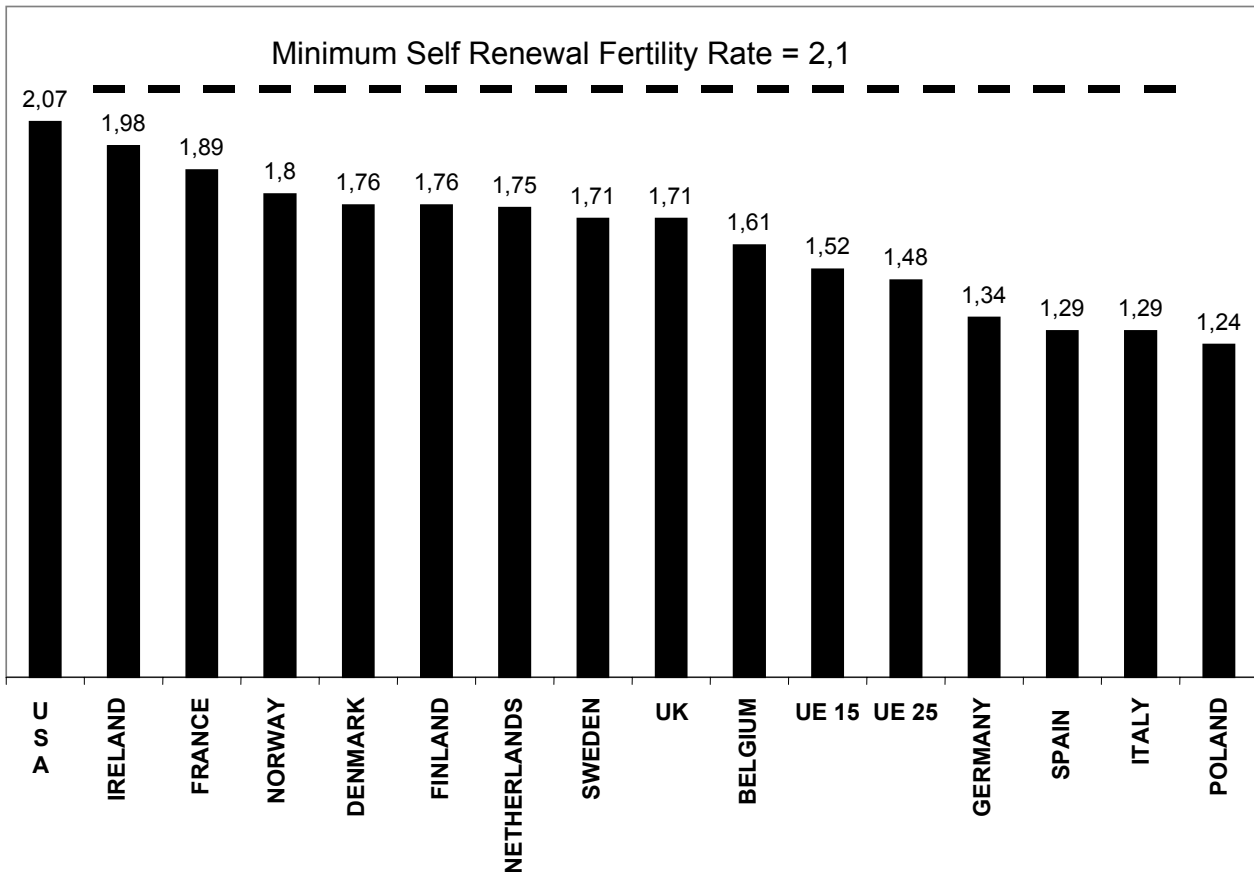
Welfare and legal rights are two distinct variables with little correlation between them as the graph indicates (no significant clusters were found). For example Italy confers an extremely restricted number of rights to its citizens in terms of family law and provides relatively little welfare assistance. The Scandinavian countries and France provide both a wider spectrum of legal rights and generous welfare benefits. Germany and the Netherlands are mixed.

It is legitimate to ask oneself what qualitative combination of legal rights and welfare assistance is most propice to the “performance” of the family? The following graph reveals the number of live births per woman in 2003, and was chosen because the birth rate is often one of the main indicators of family “performance”.



## NUMBER OF LIVE BIRTHS PER WOMAN 2003

Data elaborated by Vision based on Eurostat statistics



The average birth rate of all of the countries taken into consideration by the Family Freedom Index is 1,63 (well below the species renewal rate of 2,1 per woman). It is perhaps no surprise that the countries positioned in the upper right hand corner of the precedent graph (France, Norway, Denmark, Finland and Sweden conferring a large array of legal rights along with significant sums of welfare assistance to families) are also the countries with the highest birth rate per woman. The scientific method affirms that a theory is not validated through affirmation but through refutation and therefore these statistics don't prove anything. We can't necessarily conclude that it is one or the combination of these factors that necessarily promotes a higher birth rate within a country, though it is logical to assume that a country such as France (with a large budget attributed to social programs in favour of the family such as free or very low-cost day-care (*les crèches publiques*) may have an important hand in influencing a couple's decision to have a second or third child. Note that in France mothers (regardless of income) receive a monthly stipend from the government per child. From the third child onwards this stipend greatly increases and is paired with a series of benefits (reduced transport costs, day-care costs etc.) conferred by the newly acquired status of "*famille nombreuse*" "large family".

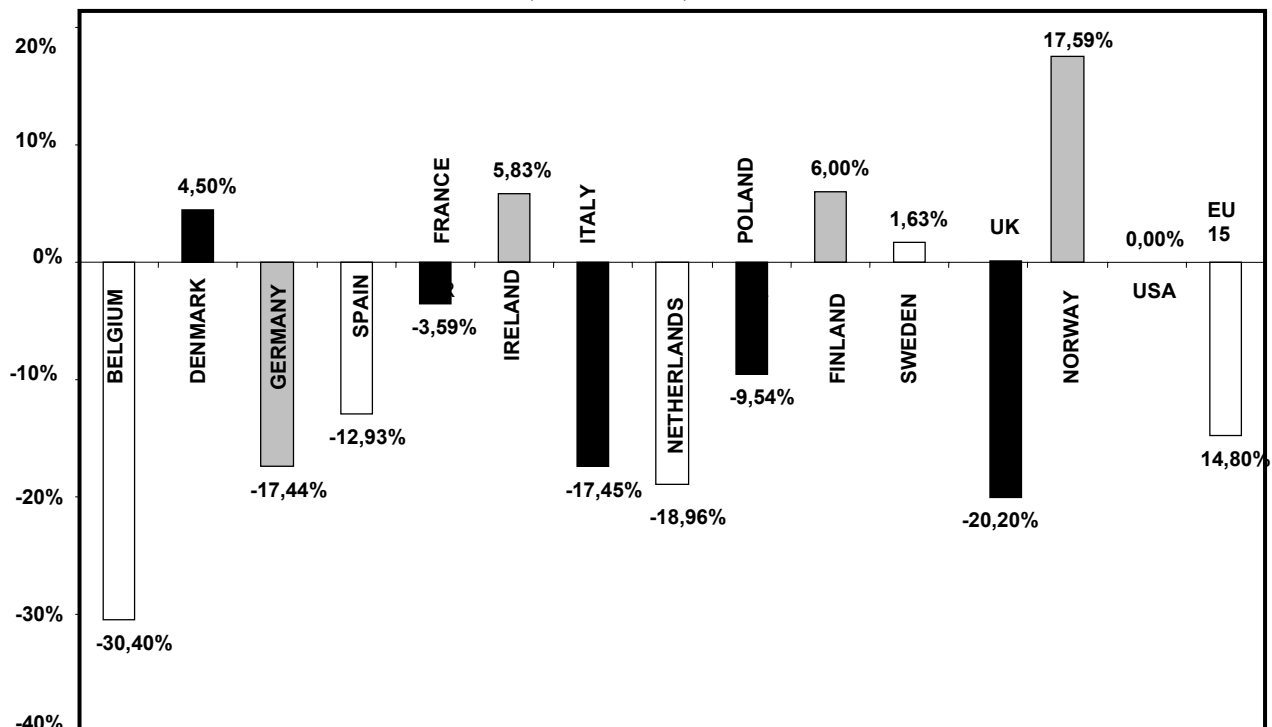


## EUROPEAN COMPARISON OF THE EVOLUTION OF THE MARRIAGE RATE

|                 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | Marriages (per 1000 people) |      |      | 2001 | 2002 | 2003 |
|-----------------|------|------|------|------|------|------|-----------------------------|------|------|------|------|------|
| <b>Belgium</b>  | 5.79 | 5.37 | 5.14 | 5.07 | 4.98 | 4.69 | 4.35                        | 4.32 | 4.40 | 4.09 | 3.91 | 4.03 |
| <b>Denmark</b>  | 6.22 | 6.10 | 6.78 | 6.64 | 6.83 | 6.48 | 6.55                        | 6.66 | 7.19 | 6.82 | 6.92 | 6.50 |
| <b>Germany</b>  | 5.62 | 5.45 | 5.41 | 5.27 | 5.22 | 5.15 | 5.09                        | 5.25 | 5.09 | 4.73 | 4.75 | 4.64 |
| <b>Spain</b>    | 5.57 | 5.14 | 5.09 | 5.10 | 4.92 | 4.97 | 5.22                        | 5.22 | 5.39 | 5.08 | 5.07 | 4.85 |
| <b>France</b>   | 4.74 | 4.44 | 4.40 | 4.40 | 4.83 | 4.88 | 4.65                        | 4.88 | 5.06 | 4.87 | 4.69 | 4.57 |
| <b>Ireland</b>  | 4.68 | 4.70 | 4.63 | 4.32 | 4.45 | 4.25 | 4.91                        | 4.93 | 5.04 | 4.98 | 5.10 | 5.08 |
| <b>Italy</b>    | 5.50 | 5.32 | 5.13 | 5.10 | 4.90 | 4.88 | 4.92                        | 4.92 | 4.99 | 4.58 | 4.65 | 4.54 |
| <b>Netherl.</b> | 6.17 | 5.77 | 5.39 | 5.27 | 5.48 | 5.45 | 5.54                        | 5.66 | 5.53 | 4.97 | 5.20 | 5.00 |
| <b>Poland</b>   | 5.66 | 5.40 | 5.39 | 5.37 | 5.27 | 5.30 | 5.42                        | 5.68 | 5.49 | 5.10 | 5.02 | 5.12 |
| <b>Finland</b>  | 4.67 | 4.87 | 4.89 | 4.65 | 4.77 | 4.56 | 4.66                        | 4.70 | 5.05 | 4.79 | 5.19 | 4.95 |
| <b>Sweden</b>   | 4.29 | 3.90 | 3.90 | 3.81 | 3.79 | 3.65 | 3.57                        | 4.03 | 4.50 | 4.02 | 4.26 | 4.36 |
| <b>UK</b>       | 6.14 | 5.87 | 5.67 | 5.50 | 5.33 | 5.26 | 5.15                        | 5.06 | 5.12 | 5.12 | 5.10 | NA   |
| <b>Norway</b>   | 4.49 | 4.51 | 4.75 | 4.97 | 5.29 | 5.41 | 5.27                        | 5.26 | 5.65 | 5.09 | 5.30 | 5.28 |
| <b>USA</b>      | N/A  | N/A  | N/A  | N/A  | N/A  | N/A  | 8.34                        | 8.38 | 8.38 | 8.39 | NA   | NA   |
| <b>EU 15</b>    | 5.54 | 5.33 | 5.21 | 5.15 | 5.08 | 5.08 | 5.11                        | 5.13 | 5.1  | 4.94 | 4.83 | 4.72 |
| <b>EU</b>       | 5.63 | 5.38 | 5.25 | 5.18 | 5.09 | 5.10 | 5.14                        | 5.16 | 5.1  | 4.96 | 4.85 | 4.76 |

Data elaborated by Vision based on Eurostat statistics

## PERCENTAGE OF VARIATION IN MARRIAGES PER 1000 HABITANTS (1992 - 2002)



Data elaborated by Vision based on Eurostat statistics