

The Natural Family

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FEATURES	Marriage, Family, and National Sovereignty in the European Union Thomas A. Jagels	1
	The Serbian Movement Dveri <i>A Family-Centered Political Organization</i> Nemanja Zaric	19
	Marriage at a Crossroads in Romania Adina Portaru	29
	The Spirit, Tools, and Results of Hungary's Family Policy Katalin Novák	41
	La Manif Pour Tous <i>An Interview With Ludovine de La Rochère</i>	53
REVIEWS	Out of the Shadows: Family Life and Policy Making in Early Twentieth-Century Europe <i>Family Politics: Domestic Life, Devastation and Survival, 1900-1950</i> Paul Ginsborg Reviewed by Allan C. Carlson	59
	Message from Malachi <i>The Turning: Why the State of the Family Matters, and What the World Can Do About It</i> Richard and Linda Eyre Reviewed by Bryce J. Christensen	64
NEW RESEARCH	Bryce J. Christensen and Nicole M. King	71

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The Natural Family

Marriage, Family, and National Sovereignty in the European Union

Thomas A. Jagels

IN RECENT YEARS, THE EUROPEAN UNION (EU) has taken on a symbolic role as a champion of so-called “social progress” and liberal values, especially in light of greater European integration and the welcoming into its fold of more, mainly post-communist eastern European nations. Naturally, as debates over foundational social issues have become increasingly pronounced and polarized, such as on the definition of marriage and family and the relationship of the state to these, questions have arisen as to what constitutes a hypothesized shared set of European values. In light of recent existential challenges to the EU and the aspirations it sets for itself, its current socially progressive trajectory has begun to be questioned with more force, as Member States begin to reassert their sovereignty, identity, and traditional cultural values—values that appeared to be on the verge of disappearing into the “end of history.” The eventual universal acceptance of same-sex “marriage” in particular had become almost a foregone conclusion and article of faith within EU institutions, but a number of countries have started, albeit to differing extents, to push back against this. This has largely occurred via popular initiatives and electoral shifts, particularly in eastern European nations like Poland and Hungary, as well as by way of the re-emergence of a traditionalist narrative within

mainstream political discourse, rather than it being relegated to the realm of fringe populism. The dividing lines between the liberal, globalist, and “tolerant” ruling elite on the one hand and the “reactionary” and discontented voting populace on the other have become clearer than ever.

Current Provisions and Trends

Foundational EU documents are relatively thin on explicit references to the family, due to the fact that specific regulation of such was always intended to be a Member State competence.¹ On marriage specifically, Article 9 provides that “the right to marry and the right to found a family shall be guaranteed in accordance with the national laws governing the exercise of these rights.” Such limited references mean, in accordance with the principles of conferral, subsidiarity, and proportionality, that Member States are free to define marriage and the family as they see fit without Union interference.² The self-understanding of the EU, however, in light of its anti-discrimination provisions with respect to sexual orientation in Article 21 of the CFREU and in Articles 10 and 19 of the Treaty on the Functioning of the European Union (TFEU), as well as the professed attitudes of many of her politicians and top bureaucrats, muddies the waters on this issue.

To date, 16 of the 28 EU Member States recognize only the union

1. Article 33 of the Charter of Fundamental Rights of the European Union (CFREU) provides that “the family shall enjoy legal, economic, and social protection,” and that “everyone shall have the right to protection from dismissal for a reason connected with maternity and the right to paid maternity leave and to parental leave following the birth or adoption of a child.”

2. Article 5 TEU provides that “(1) The limits of Union competences are governed by the principle of conferral. The use of Union competences is governed by the principles of subsidiarity and proportionality. (2) Under the principle of conferral, the Union shall act only within the limits of the competences conferred upon it by the Member States in the Treaties to attain the objectives set out therein. Competences not conferred upon the Union in the Treaties remain with the Member States. (3) Under the principle of subsidiarity, in areas which do not fall within its exclusive competence, the Union shall act only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States, either at central level or at regional and local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at Union level. The institutions of the Union shall apply the principle of subsidiarity as laid down in the Protocol on the application of the principles of subsidiarity and proportionality. National Parliaments ensure compliance with the principle of subsidiarity in accordance with the procedure set out in that Protocol. (4) Under the principle of proportionality, the content and form of Union action shall not exceed what is necessary to achieve the objectives of the Treaties. The institutions of the Union shall apply the principle of proportionality as laid down in the Protocol on the application of the principles of subsidiarity and proportionality.”

of a man and a woman as marriage and, of these, 7 (Bulgaria, Croatia, Hungary, Latvia, Lithuania, Poland, and Slovakia) have constitutionally enshrined this definition.³ In addition to same-sex “marriage,” the other twelve (Belgium; Denmark; Finland; France; Ireland; Luxembourg; Malta, which recognizes same-sex unions conducted abroad; the Netherlands; Portugal; Spain; Sweden; and the United Kingdom, excluding Northern Ireland) also invariably allow joint adoption of children by same-sex couples, a policy also imposed by the Constitutional Court in Austria and at different stages of being pursued by the governments of Czechia and Germany.⁴ Of the countries that do not recognize same-sex “marriage,” Austria, Croatia, Cyprus, Czechia, Estonia, Germany, Greece, Hungary, Italy, and Slovenia all have statutory civil union schemes for same-sex couples. A 2015 Eurobarometer poll largely reflects the legal situation, with popular support for EU-wide legality of same-sex “marriage” being far higher in those Member States that have already enacted marriage or civil unions for same-sex couples than in those countries which recognize neither.⁵

Despite this diversity of views, however, the EU as a bloc and an institution appears to be taking a more unified approach. Even in light of the conservative stances maintained by a large portion of its members, the

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3. Constitution of the Republic of Bulgaria, Article 46(1); Constitution of Hungary, Article M(1); Constitution of the Republic of Latvia, Article 110; Constitution of the Republic of Lithuania, Article 38; Constitution of the Republic of Poland, Article 18; Constitution of the Slovak Republic, Article 43.
 4. Norbert Demuth, “German court rejects case to allow gay adoption on technicality,” Reuters, February 21, 2014, available at <http://www.reuters.com/article/us-germany-gayadoption-idUSBREA1K10T20140221>; Verfassungsgerichtshof Österreich, “Press Release: Adoption ban for same-sex partners found unconstitutional,” January 14, 2015, available at https://www.vfgh.gv.at/downloads/spr_e_adoptionen_ep_presseinformation.pdf; *Prague Daily Monitor*, “Government backs bill on adoption of children in same-sex couples,” October 25, 2016, available at <http://www.praguemonitor.com/2016/10/25/govt-backs-bill-adoption-children-same-sex-couples>; On February 2, 2017, the Plenary Session of the European Parliament adopted a resolution with 533 votes in favor to 41 against calling upon the European Commission to require all EU countries to recognize each other’s adoption certificates automatically, which may have certain implications when it comes to adoptions by partners of the same sex, *cf.* European Parliament, “MEPs call for automatic cross-border recognition of adoptions,” February 2, 2017, available at <http://www.europarl.europa.eu/news/en/news-room/20170131IPR60307/meps-call-for-automatic-cross-border-recognition-of-adoptions>.
 5. European Commission, “Special Eurobarometer 437: Discrimination in the EU in 2015 Report,” published October 2015, available at http://www.equineteurope.org/IMG/pdf/ebs_437_en.pdf, T247, last accessed February 3, 2017.

EU consistently votes as a bloc at the United Nations in favor of resolutions regarding “sexual orientation and gender identity,” as well as against those on the protection of the family where the resolution does not acknowledge the existence of “various forms of the family.”⁶ The Court of Justice of the European Union (CJEU) has also on a number of occasions ruled that where a Member State reserves marriage to opposite-sex couples, but also provides an analogous life partnership scheme to same-sex couples, it amounts to direct discrimination on the basis of sexual orientation to not afford the same material benefits to both institutions in a supposedly “arbitrary” manner.⁷ Judicial activism from the European Court of Human Rights (ECtHR) within the ambit of the Council of Europe has also served to provide potential sources of CJEU jurisprudence in cases indicating that same-sex relations should be understood as falling under the right to private and family life in Article 8 of the European Convention on Human Rights (ECHR).⁸

A resolution adopted by the European Parliament in Strasbourg on February 4, 2014 on the “roadmap against homophobia and discrimination on grounds of sexual orientation and gender identity” called on the Commission to produce guidelines ensuring respect “for all forms of

6. A/HRC/RES/17/19, Human Rights Council Resolution on human rights, sexual orientation and gender identity, adopted June 17, 2011, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G11/148/76/PDF/G1114876.pdf>; A/HRC/RES/26/11, Human Rights Council Resolution on Protection of the Family, adopted June 26, 2014, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/086/78/PDF/G1408678.pdf>; A/HRC/RES/27/32, Human Rights Council Resolution on human rights, sexual orientation and gender identity, adopted September 26, 2014, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/177/32/PDF/G1417732.pdf>; A/HRC/RES/29/22, Human Rights Council Resolution on Protection of the Family: contribution of the family to the realization of the right to an adequate standard of living for its members, particularly through its role in poverty eradication and achieving sustainable development, adopted July 3, 2015, available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/163/18/PDF/G1516318.pdf>; A/HRC/RES/32/2, Human Rights Council Resolution on protection against violence and discrimination based on sexual orientation and gender identity, adopted June 30, 2016, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/154/15/PDF/G1615415.pdf>; A/HRC/RES/32/23, Human Rights Council Resolution on Protection of the Family: role of the family in supporting the protection and promotion of human rights of persons with disabilities, adopted July 1, 2016, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/156/45/PDF/G1615645.pdf>.

7. CJEU *Maruko* case (C-267/06) and *Römer* case (C-147/08).

8. *Schalk and Kopf v. Austria* (Application no. 30141/04), Decision of June 24, 2010; *Oliari and Others v. Italy* (Application nos. 18766/11 and 36030/11), Decision of July 21, 2015.

families legally recognized under Member States' national laws," as well as to make proposals "for the mutual recognition of the effects of all civil status documents across the EU, in order to reduce discriminatory legal and administrative barriers for citizens and their families who exercise their right to free movement."⁹ Malta holds the Presidency of the Council of the European Union for 2017, and has scheduled a high-level ministerial conference in order to revisit the roadmap, identifying "LGBTIQ issues" (Lesbian, Gay, Bisexual, Transgender, Intersex, and Questioning) as a core part of its social inclusion policy in its presidential capacity.¹⁰

On March 12, 2015, the Parliament adopted another resolution on "the Annual Report on Human Rights and Democracy in the World 2013 and the European Union's policy on the matter." Paragraph 162 reads that the Parliament has taken note "of the legalization of same-sex marriage or same-sex civil unions in an increasing number of countries—17 to date—around the world; [and] encourages the EU institutions and the Member States to further contribute to reflection on the recognition of same-sex marriage or same-sex civil union as a political, social and human and civil rights issue."¹¹ Just over a year later, the Council of the European Union on June 16, 2016 reached consensus for the first time among all 28 Member States on a Netherlands-backed condemnation of "discrimination on the grounds of sexual orientation," though this did not purport to explicitly impose a mandate on States to redefine marriage in order to remedy said discrimination.¹²

9. European Parliament, "European Parliament resolution of 4 February 2014 on the roadmap against homophobia and discrimination on grounds of sexual orientation and gender identity (2013/2183(INI))," February 4, 2014, available at <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2014-0062&language=EN&ring=A7-2014-0009>.

10. Malta EU 2017, "High Level Ministerial Conference on LGBTIQ Road Map, 23-Feb-2017," available at <https://www.eu2017.mt/en/Events/Pages/High-Level-Ministerial-Conference-on-LGBTIQ-Road-Map.aspx>, last accessed February 15, 2017; MaltaEU 2017, "The Maltese Priorities," available at <https://www.eu2017.mt/en/Pages/Maltese-Priorities.aspx>, last accessed February 15, 2017.

11. European Parliament, "European Parliament resolution of 12 March 2015 on the Annual Report on Human Rights and Democracy in the World 2013 and the European Union's policy on the matter (2014/2216(INI))," March 12, 2015, available at <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2015-0076+0+DOC+XML+V0//EN&language=EN>.

12. Council of the European Union, "Council conclusions on LGBTI equality," June 16, 2016, available at <http://www.consilium.europa.eu/en/press/press-releases/2016/06/16-epsco>

In addition to “soft law” and political pressure occurring within the organs of the EU itself, peering into the ideological trajectory of the EU can be achieved via the windows of its informal advocacy as well. This has included, for example, the participation of the European Commission in the EuroPride2016 Canal Parade with its own boat.¹³ The incumbent First Vice-President of the Commission, Frans Timmermans, delivered the keynote address at the 2015 Equality Gala organized in Brussels by ILGA-Europe (International Lesbian, Gay, Bisexual, Trans and Intersex Association), the transcript of which is hosted on the official website of the European Commission. In the course of this speech, Timmermans stated his belief that “the Commission should go forward, and try to get all Member States in the EU to unreservedly accept same-sex marriage as other marriages,” or at the very least recognize same-sex “marriages” contracted in other States, as well as his pleasure regarding what he perceived as the quick turnaround in countries like Poland, which a couple of years prior seemed “beyond hope of redemption because of the everlasting oppression of the Catholic Church.”¹⁴

conclusions-lgbti-equality/.

13. European Commission, “We All Share the Same Dreams’ Awareness Raising Campaign: Social Media Toolkit” last accessed February 13, 2017, available at: http://ec.europa.eu/justice/discrimination/files/shareyourdream_toolkit_en.pdf; European Parliament, “Parliamentary Questions: Answer given by Ms. Jourová on behalf of the Commission,” June 15, 2016, available at: <http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2016-002111&language=EN>; In response to questions about this, Věra Jourová, European Commissioner for Justice, Consumers and Gender Equality responded on behalf of the Commission that: “The European Union is founded on the values of respect for equality and human rights according to Article 2 of the Treaty on the European Union. The Commission promotes these values through specific campaigns and communication activities. The list of actions by the Commission to advance Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) equality addresses specifically the discrimination on the basis of sexual orientation. The sponsoring of a boat at the Europride 2016 is part of the awareness raising activities for equality, financed by the EU budget under the Rights, Equality and Citizenship Programme, agreed to by the European Parliament and the Council. In line with the wishes of the European Parliament and the Council, these activities include awareness raising for Lesbian, Gay, Bisexual, Transgender and Intersex. A budget of EUR 24,000 has been allocated to this activity. All the practicalities and organisational arrangements related to the parade are run by an external contractor whose work is thoroughly supervised by the Commission.”
14. Franz Timmermans, “Keynote speech of First Vice-President Frans Timmermans at the Equality Gala, organized by ILGA-Europe, Brussels (transcript),” European Commission, June 24, 2015, available at: https://ec.europa.eu/commission/2014-2019/timmermans/announcements/keynote-speech-first-vice-president-frans-timmermans-equality-gala-organized-ilga-europe-brussels_en.

Article 245 of the Treaty on European Union (TEU) and Article 17 of the TFEU both make clear that independence and objectivity go to the core of the duties of the Commission and its members.¹⁵ This raises questions regarding the capacity in which Timmermans made this politically charged statement at an event organized by a pro-LGBT advocacy group. Given that it has been published on the website of the Commission, it is only reasonable to assume that it was either made in his official capacity or, at the very least, that the Commission is willing to officially endorse it. This indicates that the issue of same-sex “marriage,” as far as EU institutions are concerned, has left the realm of legitimate debate and dispute and has entered that of unchallengeable received wisdom.¹⁶

Croatian, Slovenian, and Slovak Referendums

This single-minded supranational advocacy makes sense in light of the seemingly unstoppable march of same-sex “marriage” legalization across the Western world, notably by the United States Supreme Court in the decision of *Obergefell v. Hodges* and in the successful Irish constitutional referendum, both of which occurred in early to mid-2015. As the EU has been forced relatively recently to face an ongoing existential crisis over the challenges it has begun to confront, both internal and external, however, fault lines are appearing where they previously would not have been expected. This had already emerged in a preliminary form in three former Eastern Bloc countries: Croatia, Slovenia, and Slovakia.

In 2013, against the wishes of the governing left-wing coalition, a ballot initiative proposing to amend the Croatian constitution to define marriage as the union of a man and a woman garnered the support of

15. Article 245 TEU: “Members of the Commission shall refrain from any action incompatible with their duties. Member States shall respect their independence and shall not seek to influence them in the performance of their tasks”; Article 17 TFEU: “The members of the Commission shall be chosen on the ground of their general competence and European commitment from persons whose independence is beyond doubt. In carrying out its responsibilities, the Commission shall be completely independent. Without prejudice to Article 9 E(2), the members of the Commission shall neither seek nor take instructions from any Government or other institution, body, office or entity. They shall refrain from any action incompatible with their duties or the performance of their tasks.”

16. European Dignity Watch, “Commission VP Timmermans mocks neutrality duty by siding with LGBT Lobby,” July 17, 2015, available at <http://europeandignitywatch.org/day-to-day/detail/article/commission-vp-timmermans-mocks-neutrality-duty-by-siding-with-lgbt-lobby.html>.

over 700,000 signatories in order to be put to referendum.¹⁷ By the time that the campaign officially began on November 8, Croatia had only been an EU Member State for just over four months, and the government was anxious about the potential outcome. Then-Prime Minister Zoran Milanović pledged to vote against it, and President Ivo Josipović labeled it “unnecessary,” saying that it would send a message that “we are not willing to accept diversity, that we want to stop throughout the democratic world a clear process of equalization of rights of all people, regardless of their different personal characteristics, in particular their sexual orientation.”¹⁸ Close to a year after the referendum was carried with over two-thirds of the vote, Deputy Justice Minister Sandra Artuković appeared at a conference held jointly by the EU Fundamental Rights Agency and the Council of the European Union, referring to the referendum as “unfair” and to the traditional values of her country as a “challenging barrier.”¹⁹ On September 11, 2016, however, the right-wing Croatian Democratic Union won a plurality of parliamentary seats, leading to the appointment of leader Andrej Plenković as Prime Minister. During the election campaign, Plenković had unequivocally stated that the referendum represented the will of the Croatian people, that the law on same-sex partnerships would not and should not eventually give way to a redefinition of marriage, and that the position of his party was that a distinction between the two is necessary.²⁰ This has provided some cause for optimism, on the part of pro-family groups, that Croatia may begin to chart a different path from the EU collectively, including in its capacity as a member of various international organizations such as the UN.

Slovenia also expressed a similar rejection after a referendum initiated by civic petition succeeded in nullifying a National Assembly bill

17. BBC News, “Croatia to hold referendum on same-sex marriage ban,” November 8, 2013, available at <http://www.bbc.com/news/world-europe-24873498>.

18. *Ibid.*; Rosana Stojmenović, “Josipović: Ovaj referendum već ima jak psihološki,” *24sata*, December 1, 2013, available at <http://www.24sata.hr/news/josipovic-ovaj-referendum-vec-ima-jak-psiholoski-efekt-343447>.

19. European Dignity Watch, “FRA’s big lie on ‘homophobia’ challenged at the European Council,” October 29, 2014, available at <http://europeandignitywatch.org/pl/codzienny/detail/article/fras-big-lie-on-homophobia-challenged-at-the-european-council.html>.

20. Vedran Pavlic, “Election Debate: Plenković—Milanović,” *Total Croatia News*, August 12, 2016, available at <http://www.total-croatia-news.com/item/13566-debate-plenkovic-milanovic>.

which redefined marriage (the first formerly communist country in Europe to do so), garnering over 63% of the vote, with conservatives having been called upon by Pope Francis to “back the family as the structural reference point for the life of society.”²¹ A similarly initiated referendum in Slovakia in February 2015 aimed at bolstering the country’s constitutional definition of marriage as the union of a man and a woman even further, as well as proscribing same-sex and polyamorous adoption and mandatory sex education, failed to be carried due to insufficient turnout. All three questions, however, received affirmative responses from over 90% of the electorate.²² Again, a number of senior politicians expressed their displeasure at the initiative and the results, with former Prime Minister Iveta Radičová stating that the referendum was merely an attempt to “cover up the real problems” in Slovakia and that it was motivated by “fear of the new, the unknown, and the other”; she also labeled its supporters as xenophobes possessing “aggressive attitudes bordering on Neo-Nazism,” and worried that “filth is all we will be left with.”²³ These three campaigns have turned out to have been the precursor to the display of a broader ideological divide across the continent, in which the common thread is that the progressive pro-European political elite is finding itself increasingly at odds with significant contingents within its citizenry, whose policy concerns have largely gone ignored in the ongoing quest for “progress.”²⁴

United Kingdom

That which initially seemed to be just a mild “rebellion” by a few small nations that had not had time to “catch up” may well have bloomed into a

21. BBC News, “Slovenia rejects gay marriage in referendum,” December 20, 2015, available at <http://www.bbc.com/news/world-europe-35147257>.

22. BBC News, “Slovakia referendum to strengthen same-sex marriage ban fails,” February 8, 2015, available at <http://www.bbc.com/news/world-europe-31170464>.

23. Monika Tódová, “Iveta Radičová: I worry that all we will be left with is filth,” *Visegrad Revue*, February 6, 2015, available at <http://visegradrevue.eu/iveta-radicova-i-worry-that-all-we-will-be-left-with-is-filth/>.

24. In light of the recent election of Donald Trump as President of the United States off the back of a populist surge in formerly Democratic strongholds populated by working-class voters, and the shocked and stunned response from left-wing figures and commentators which followed, this may be a phenomenon not unrecognizable to observers in the United States.

civilizational crisis in light of the current issues facing the trajectory and very existence of the EU itself. Although a substantively separate issue, the liberal and globalist project underpinning deeper European integration has been deeply shaken by perceived threats to its security and the erosion of trust in the motives and competence of its architects and maintainers. The feared domino effect of the crisis in the Eurozone, coupled with increased concern over migration and the joint immigration policy within the Schengen Area, especially in the wake of growing numbers of refugees due to the conflict in Iraq and Syria, has caused deep fractures within European society. Against the wishes of almost the entire British political establishment, the United Kingdom voted to leave the European Union on June 23, 2016. Of the Conservative Party candidates formally nominated to replace outgoing Prime Minister David Cameron after he resigned due to the result, three out of the five, including runner-up Andrea Leadsom, were on the record as either having explicitly opposed or having harbored deep reservations concerning the redefinition of marriage in England and Wales in 2013.²⁵ A number of Eurosceptics subsequently given senior roles in Theresa May's Cabinet, including Philip Hammond and David Davis, are also on the record as having opposed plans to redefine marriage in the United Kingdom.²⁶

France

Across the Channel, when the government of France, the historical anchor and harbinger of secular humanism, progressive values, and the Enlightenment, also moved to legalize same-sex "marriage" in 2013,

25. BBC News, "Liam Fox: Gay marriage plans 'divisive and wrong,'" January 10, 2013, available at <http://www.bbc.com/news/uk-politics-20977765>; Jessica Elgot & Peter Walker, "Stephen Crabb and Liam Fox launch Tory leadership campaigns," *The Guardian*, June 29, 2016, available at <https://www.theguardian.com/politics/2016/jun/29/stephen-crabb-conservatives-defends-opposition-to-gay-marriage>; *Belfast Telegraph*, "Andrea Leadsom: I didn't like gay marriage law because it hurts Christians, admits Tory contender to be PM," July 7, 2016, available at: <http://www.belfasttelegraph.co.uk/news/politics/andrea-leadsom-i-didnt-like-gay-marriage-law-because-it-hurts-christians-admits-tory-contender-to-be-pm-34865088.html>.

26. Oliver Wright, "Philip Hammond breaks ranks on gay marriage," *The Independent*, May 18, 2013, available at <http://www.independent.co.uk/news/uk/politics/philip-hammond-breaks-ranks-on-gay-marriage-8621928.html>; *Hull Daily Mail*, "MP criticizes gay marriage plan," December 18, 2012, available at <http://www.hulldailymail.co.uk/mp-criticises-gay-marriage-plan/story-17619046-detail/story.html>.

Socialist President François Hollande defied hundreds of thousands or, according to some estimates, even over a million protestors on the streets of Paris in pushing ahead.²⁷ In light of Socialist policies having allegedly “destabilized families,” according to *La Manif Pour Tous* co-founder Ludovine de la Rochère, however, the movement is experiencing a revival, with hundreds of thousands of protestors having again taken to the streets of Paris in October 2016 to demand that presidential candidates for the 2017 election support traditional family values.²⁸ Indeed, until recently it appeared almost certain that no left-wing candidate would successfully advance past the first round in April, and that the second round in May would without a doubt be between *Les Républicains* candidate François Fillon and National Front leader Marine Le Pen.²⁹ Both candidates, to varying degrees and in differing respects, are trying to appeal to voters who are skeptical of further European integration, open borders, and uninhibited immigration, and who wish to see a return to traditional values, especially those concerning marriage and the family.

Fillon and Le Pen also both maintain relatively positive positions regarding Russia and Vladimir Putin, whose own internationally controversial policy program has involved the strengthening of Russian national identity by way of tying it to the Eastern Orthodox faith and traditional family values, including incentivizing marriage and childbirth and legally and socially discouraging the normalization of “non-traditional sexual

27. John Lichfield, “France: Huge gay marriage protest turns violent in Paris,” *The Independent*, May 26, 2013, available at <http://www.independent.co.uk/news/world/europe/france-huge-gay-marriage-protest-turns-violent-in-paris-8632878.html>.

28. *France 24*, “Anti-gay marriage protesters return to streets of Paris,” October 17, 2016, available at <http://www.france24.com/en/20161016-anti-gay-marriage-protesters-hit-streets-paris>.

29. In January 2017, it was alleged in French satirical newspaper *Le Canard enchaîné* that Fillon had used taxpayer funds to fraudulently engage his wife and children in fictitious employment. Although Fillon has denied any financial misconduct or illegal activity, his polling numbers have declined, and he pledged to end his candidacy if formal charges are brought against him (but has since reversed that stance as the investigation against him has ramped up, labelling it an attempt at “political assassination”). As of early March 2017, however, he is still in the race and remains relatively competitive against centrist Emmanuel Macron for second place in the first round of the presidential election, with some commentators maintaining that his long-term odds are still better than even; cf. Pascal Emmanuel Gobry, “Can François Fillon survive?” *The Week*, February 10, 2017, available at: <https://theweek.com/articles/679039/francois-fillon-survive>.

lifestyles.”³⁰ So-called “Putinism” has, in this sense, become a popular alternative to the liberal democratic order in countries questioning the current status quo, and France is no longer an exception. There are many questions to be asked concerning the sincerity of any or all of the figures involved and whether or not the notion of “traditional family values” is being cynically utilized for political gain. What is certain, however, is that what appeared not long ago to be the unchallenged narrative and trajectory concerning such values in Europe may not be so assured after all. A recent resurgence in French traditionalism, both socially and religiously, has begun to signal a decline in the heretofore apparent inevitability of modernity.³¹

Fillon’s own conservative Catholic image, a married man with five children, has been noted as being in keeping with an election focused largely on questions of national identity, and although he does not plan to directly challenge laws enabling same-sex “marriage,” he has spoken about “put[ting] parentage back on the line” and also said that “nobody can deny that a child always has a father and a mother.”³² This is recognized even by his pro-LGBT detractors, one of whom stated disparagingly that “Fillon is the true right: He has the passion for the nation, the religious anchoring, the superstition of traditions, [and] the exaltation of

30. Tom Parfitt, “Vladimir Putin calls on Russian families to have three children,” *The Telegraph*, December 12, 2012, available at <http://www.telegraph.co.uk/news/worldnews/vladimir-putin/9739678/Vladimir-Putin-calls-on-Russian-families-to-have-three-children.html>; Justin Palmer, “Russia’s anti-gay law an ‘invented problem’: minister,” *Chicago Tribune*, August 18, 2013, available at: http://articles.chicagotribune.com/2013-08-18/sports/sns-rt-us-athletics-world-gay-20130818_1_sochi-russian-black-sea-athletes; *Reuters*, “Le Pen says ‘world peace’ would gain from a Trump-Putin-Le Pen trio,” November 16, 2016, available at <http://www.reuters.com/article/us-france-election-le-pen-idUSKBN13B230>; Helene Fouquet & Gregory Viscusi, “Fillon Gives Putin Hope for New Ally as Sanctions Zeal Fades,” *Bloomberg*, November 29, 2016, available at <https://www.bloomberg.com/news/articles/2016-11-29/fillon-win-gives-putin-hope-for-new-ally-as-sanctions-zeal-fades>.

31. David Joseph-Goteiner, “The Decline of Modernity and Rise of Traditionalism in France,” *Prospect Journal of International Affairs at USCD*, May 11, 2012, available at: <https://prospectjournal.org/2012/05/11/the-decline-of-modernity-and-rise-of-traditionalism-in-france/>.

32. James McAuley, “François Fillon, France’s conservative front-runner, promises the return of the traditional right,” *The Washington Post*, November 23, 2016, available at https://www.washingtonpost.com/world/francois-fillon-frances-conservative-front-runner-promises-the-return-of-the-traditional-right/2016/11/22/a528a252-b0bd-11e6-bc2d-19b3d759cfe7_story.html?utm_term=.a0a2e81d8714.

the family[.]”³³ If predictions of a Fillon-Le Pen head-to-head matchup were to prove true, assuming that Fillon can, in defiance of his misconduct allegations, survive a first-round challenge on April 23 from *En Marche!* dark horse candidate Emmanuel Macron, then it would likely be undeniable that the political climate and conversation in France would change irrevocably, and the implications of this on the advance of the EU on marriage and family could not be understated. Even if he does not manage to advance to the second round, however, it has been observed that it is “already clear that French politics has changed,” as Fillon has “openly catered to the Catholic vote in a country where religious expression in public is taboo” and nevertheless won the nomination of a major party in a striking upset.³⁴

Hungary

Fidesz party leader and Hungarian Prime Minister Viktor Orbán has also polarized international public opinion due to his linking of Euroscepticism, national identity, and sovereignty with values rooted in Christian heritage and the natural family. A staunch anti-communist even during the dying days of the Marxist regime, Orbán was a pro-Western liberal democrat during the 1980s and 1990s, but following his return to a second stint at the premiership in 2010 in the wake of the global financial crisis, his *modus operandi* has reportedly become “an uncompromising defense of national sovereignty and a transparent distrust of Europe’s ruling elites.” This has been largely buoyed by socially conservative working-class voters and a disdain for the “corrupt values” of the European “liberal elites,” a continuation of the theme previously observed.³⁵ Orbán has resoundingly won two parliamentary elections during his current term as Prime Minister.

Soon after his second victory in April 2014, Orbán laid out his

33. *Ibid.*

34. Pascal-Emmanuel Gobry, “How François Fillon scrambled the French election,” *The Week*, November 29, 2016, available at <https://theweek.com/articles/664190/how-francois-fillon-scrambled-french-election>.

35. Luke Waller, “Viktor Orbán: The Conservative Subversive,” *Politico*, available at <http://www.politico.eu/list/politico-28/viktor-orban/>, last accessed February 3, 2017.

best-known exposition of his political philosophy at a youth conference in Băile Tuşnad, a small Romanian town populated largely by ethnic Hungarians, during which he stated that “the Hungarian nation is not simply a group of individuals but a community that must be organised, reinforced, and in fact constructed,” that while a non-liberal state should not reject liberalism’s fundamental principles like freedom, such an ideology should not be “the central element of state organisation,” and that values and institutions such as the family, national self-sufficiency, and cultural identity should form part of a “different, special, national approach.”³⁶ To achieve this end, Fidesz family policy has focused on boosting birth rates, offering generous financial support to married couples in return for their pledge to have at least three children and buy a flat or build a house, developing day-care facilities, channeling one billion euros per year into family tax allowances, and dedicating half a billion euros per year to family housing support schemes.³⁷

Poland

To the north, Poland, once the poster child of the enthusiastic integration of former Warsaw Pact countries into the EU, has marked out a distinct trajectory for itself in recent years as well. Beginning in May 2015, when Law & Justice (*Prawo i Sprawiedliwość* or PiS) presidential candidate Andrzej Duda won a shock victory over popular pro-European incumbent Bronisław Komorowski, and further solidified in October of that same year by PiS winning its first ever parliamentary majority (and indeed the first parliamentary majority at all since the fall of communism), Poland’s relationship with the EU has taken a more Atlanticist geopolitical approach, opposing European federalization and holding that the EU should “benefit Poland and not the other way around.”³⁸

36. Viktor Orbán, “Prime Minister Viktor Orbán’s Speech at the 25th Bálványos Summer Free University and Student Camp,” Website of the Hungarian Government, July 30, 2014, available at <http://www.kormany.hu/en/the-prime-minister/the-prime-minister-s-speeches/prime-minister-viktor-orban-s-speech-at-the-25th-balvanyos-summer-free-university-and-student-camp>.

37. *Euronews*, “Hungary leads way in EU family policy, but motives suspect,” May 27, 2016, available at <http://www.euronews.com/2016/05/27/hungary-leads-way-in-eu-family-policy-but-motives-suspect>.

38. Michaela Maier and Jens Tenschler, *Campaigning in Europe—Campaigning for Europe* (Münster:

Having moved away from an explicitly neoliberal and free-market economic approach, the party has adopted a social market economic model more in line with traditional Christian Democratic parties in Europe, emphasizing “social solidarity” and safety nets as the means to fulfill commitments to traditional values and the use of social policy to support the family.³⁹ This has included tax decreases and rebates in line with number of children, the introduction of a system of state-guaranteed housing loans, the building of large numbers of housing units for young couples considering marriage, and the expansion of maternity leave provisions.⁴⁰ This has also emerged in the form of strong opposition to same-sex “marriage” and other forms of legal recognition for same-sex couples, sex education, public affirmation of non-traditional sexual behaviors and relationships, and in-vitro fertilization, as well as by way of renewed efforts to outlaw abortion for any reason other than to save the life of the pregnant woman. The government, however, pulled back on the latter issue after widespread “Black Monday” protests, encouraged by progressive international advocacy groups, took place on October 3, 2016 and the days thereafter.⁴¹

LIT Verlag Münster, 2004), 374; Ronald Tiersky and Erik Jones, *Europe Today: a Twenty-first Century Introduction* (Lanham: Rowman & Littlefield, 2007), 392.

39. Tim Bale & Aleks Szczerbiak, “SEI Working Paper No 91: Why is there no Christian Democracy in Poland (and why does this matter)?” Sussex European Institute, University of Sussex, published December 2006, 19-20, 42, available at <https://www.sussex.ac.uk/webteam/gateway/file.php?name=sei-working-paper-no-91.pdf&site=266>.
40. *BBC News*, “Poland elections: Law and Justice party can govern alone,” October 27, 2015, available at <http://www.bbc.com/news/world-europe-34648575>; Christian Niles, “Poland paying families to have more babies,” *Church Militant*, December 1, 2015, available at <http://www.churchmilitant.com/news/article/poland-paying-families-to-have-more-babies>; Lorenzo Berardi, “The Family 500+: Poland’s new child benefit programme,” *New Eastern Europe*, March 3, 2016, available at <http://neweasterneurope.eu/articles-and-commentary/1909-the-family-500-poland-s-new-child-benefit-programme>.
41. Lydia Smith, “Poland: The hard-right Law and Justice Party is destroying the few LGBT rights that exist,” *International Business Times*, June 11, 2016, available at <http://www.ibtimes.co.uk/poland-hard-right-law-justice-party-destroying-few-lgbt-rights-that-exist-1564620>; Rick Lyman and Joanna Berendt, “As Poland Lurches to Right, Many in Europe Look On in Alarm,” *The New York Times*, December 14, 2015, available at <https://www.nytimes.com/2015/12/15/world/europe/poland-law-and-justice-party-jaroslaw-kaczynski.html>; *BBC News*, “Black Monday: Polish women strike against abortion ban,” October 3, 2016, available at <http://www.bbc.com/news/world-europe-37540139>.

The Turning of the Tide

Despite the Polish government's retreat on further limiting abortion, it is still the case that Hungary and Poland, and possibly Croatia, may together be signaling the beginning of a sea-change within the EU and in its relationship with the rest of the world. In December 2015, two draft regulations dealing with the settlement of property disputes by couples in marriages and civil partnerships across the EU, in line with the principle of freedom of movement, were rejected by the current Polish and Hungarian governments on the grounds that it conflicted with their domestic principles of family law.⁴²

Hungary specifically marked out its position as being that "it is clear and obvious that traditions and values related to the family, as a basic element of society, is a part of national identity," and even an author critical of the Polish and Hungarian position recognized that "what happened on December 3rd in the Council on Justice is a very clear sign [of] the fact that the EU is facing a [Eurosceptic] crisis, which threatens the very matter of its existence."⁴³ This opposition to an indirect recognition of same-sex "marriage" in the face of collective EU pressure "speaks volumes about the direction Poland and Hungary have chosen" but is not "the trajectory in which EU diplomacy, reliant on EU consensus, has taken so far"; it can only be hoped that smaller countries in Europe more socially aligned with Poland will be emboldened to form a stronger bloc behind their leadership.⁴⁴

Three recent cases in the ECtHR, all of which featured Poland as the defendant, also led to the Court ruling that there is no right to divorce under Article 8 (respect for private and family life) and Article 12 (right to marry) of the ECHR.⁴⁵ In light of this, as well as other cases in recent

42. Stefano Gennarini, "Poland and Hungary May Break EU Bloc at UN on Gay Rights and Much More," Center for Family & Human Rights, December 17, 2015, available at https://c-fam.org/friday_fax/poland-hungary-may-break-eu-bloc-un-gay-rights-much/; Adelina Marini, "Poland and Hungary Blocked EU," *euinside*, December 8, 2015, available at <http://www.euinside.eu/en/news/poland-and-hungary-blocked-eu-on-matrimonial-property-regimes>.

43. Marini, "Poland and Hungary Blocked EU"

44. Gennarini, "Poland and Hungary May Break EU Bloc at UN on Gay Rights and Much More."

45. *Gajewski v. Poland* (Application no. 8951/11) Decision of December 15, 2016; *Piotrowski v. Poland* (Application no. 8923/12) Decision of December 15, 2016; *Babiarz v. Poland* (Application no. 1955/10) Judgement of January 10, 2016.

years which have denied the existence of an international human right to same-sex “marriage,” a weakening of CJEU jurisprudence via EU fracturing may turn more focus toward the Council of Europe and the ECtHR, which has a broader membership and even more diversity of views on these controversial issues, although it is by no means guaranteed that this will be unmitigatedly positive for the pro-family contingent.⁴⁶ On the other hand, a case originating from Romania set to be heard by the CJEU may either bolster Member State sovereignty on the issue of defining marriage, or impose a genderless definition on all twenty-eight Member States.⁴⁷ Should the latter occur, it will fall to more traditionally-minded EU nations to defend their understanding of marriage in the face of EU jurisprudence, which itself has the potential to bring on further and even more consequential division.

* * *

The resurgence of a commitment to national sovereignty and identity in opposition to globalism and further European integration has provoked numerous responses, positive and negative, cautious and enthusiastic. Value judgements aside, however, it has become undeniable that in the wake of a growing perception that the prevailing liberal order is unstable and unsustainable, a renewed interest in promoting traditional family values and policies has emerged on a wide scale. Whether the primary political actors currently appealing to these are, in doing so, sincere, cynical, or somewhere in between, it is imperative upon advocates of the natural family to seize the opportunity to influence the narrative, and as such to bring about lasting and genuine changes in direction on these

46. *Schalk and Kopf v. Austria* (Application no. 30141/04), Decision of June 24, 2010; *Chapin and Charpentier v. France* (Application no. 40183/07), Decision of June 9, 2016. Compare, however, with *Oliari and Others v. Italy* (Application nos. 18766/11 and 36030/11), Decision of July 21, 2015, which did establish a positive obligation on States to provide for some form of legal recognition of same-sex couples, though not marriage.

47. ILGA-Europe, “Definitive answer within reach for same-sex couple seeking recognition in Romania,” November 29, 2016, available at <http://www.ilga-europe.org/resources/news/latest-news/definitive-answer-within-reach-same-sex-couple-Romania>; for more extensive detail on this case, cf. Adina Portaru, “Marriage at a Crossroads in Romania,” *The Natural Family: An International Journal of Research and Policy* 31.1 (2017): 29-40.

issues, both in Europe and beyond. In the face of a growing grassroots demand for the support of strong and stable natural institutions, mainstream political forces in more nations would do well to return *en masse* to their ideological roots, and the obligation on States to protect and promote the family as the natural and fundamental group unit of society, in order to avoid the cause becoming the exclusive domain of more radical movements on the political fringes.

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The Serbian Movement Dveri: A Family-Centered Political Organization

Nemanja Zaric

THE HISTORY OF THE SERBIAN MOVEMENT DVERI begins with the first issue of the *Journal for National Culture*, which was published on January 27, 1999, as a publication of students at Belgrade University in Serbia. Those were very turbulent times in Serbian history. On one side, there was a socialist government made up of members of the old communist regime. From the other side, a rising opposition looked to the liberal West for support. The Serbian people found themselves between a hammer and an anvil, between two faces of the same anti-Christian ideology, and it was actually difficult to tell which one would be more efficient in destroying what was left of Serbia after the breakup of Yugoslavia. A number of Serbian students were unwilling to accept this new reality. We understood then, very clearly, that the only true path for Serbia in years to come must begin with a return to our Christian values.

In addition to publishing over 50 issues of the journal thus far, Dveri has organized hundreds of lectures at Belgrade University, covering virtually all topics regarding the importance of faith, family, freedom, and patriotism. Four years later, in 2003, we registered as an NGO, the first Serbian patriotic NGO at that time. Our representatives travelled to over 60 destinations around the globe visiting our people, many of whom had fled the communist regime. We brought them news that the Serbian youth had awakened, and that we were finally starting to turn to ourselves, to our Christian heritage and traditions. In 2004, we adopted the symbol of a mother with a baby—resembling the Holy Mother of God

with the Christ Child—as our logo, sending out a strong message about our values. After 10 years of hard work, Dveri received recognition from His Holiness the Patriarch of the Serbian Orthodox Church, Pavle.

In 2010, Dveri organized the first march for family, attended by thousands; this soon became one of our organization’s most significant repeated events. This march was the foundation of all our future efforts in protecting and promoting the natural family. It was held on the streets of Belgrade, with people celebrating a permanent commitment to the protection of life, faith, and family.

Two years later, 2012, after the World Congress of Families in Madrid, we realized that we were not alone in this battle, that families around the world share the same problems we faced. In 2013, with the help and active participation of our newfound friends and colleagues, we organized a street protest in Belgrade one day before the “gay pride” parade was to be held, with thousands attending; the protest swayed the government to cancel that shameful event. It was a great victory, not only for Dveri, but for all pro-family forces worldwide.

These events give a glimpse into the heart and soul of why Dveri was established back in 1999: to bring the alternative to people in Serbia, to remind everybody that we are a family-oriented, Christian nation, to break the cultural chains of socialism and at the same time to establish effective social mechanisms for resisting the terrible, anti-family, and anti-civilizational wave of liberalism. We have been at the forefront of this battle for the past 18 years, sending out a clear message that marriage and the natural family are the first line of defense and a stronghold that we will fight with everything we have to protect and preserve. That fight is equally important and crucial in every country, in every culture, on every continent.

In September 2015 our social movement decided to enter the political arena, so we registered as a political organization. We proclaimed that demographic winter is the biggest threat facing our society and state, and that pro-family policies are the most important for the future of Serbia. We presented this platform to the Serbian people during the parliamentary election campaign at the beginning of 2016. As it turned out, despite all the hostility directed against us; despite being labeled as fascists, homophobes, and far-right madmen; despite the total media

blackout, these policies were enough for us to cross the threshold and enter the Serbian Parliament as the only pro-life and pro-family political organization. In September of last year, we organized a regional conference of the World Congress of Families, which was the first regional conference ever to be organized in a national Parliament. The topics were comprehensive: demographic winter in Serbia and worldwide, abortion and post-abortion syndrome, surrogacy, euthanasia, same-sex partnerships, sexualization of our children, home schooling, pro-family policies, and so on. Speakers at the Conference were experts in various fields from Serbia, the Republic of Srpska, Russia, the United States, Italy, France, and Georgia. After adopting the Belgrade Declaration in 2016, we marched through the streets of Belgrade to deliver the Declaration to the Serbian Government in order to remind them what their job was all about.

In December of 2016, Dveri signed the Cape Town Declaration¹, joining hundreds of organizations and leaders in the global effort to protect and promote the importance of marriage between a man and a woman as well as the importance of the natural family.

Current Battles

The current demographic situation in Serbia is devastating. Our total fertility rate is 1.43, far below replacement level. The average age of men entering marriage is 29 years, and for women it is 27. The average duration of marriage in Serbia is only 13 years. We are a nation of a little over 7 million people, but we have over 100,000 abortions annually, and some researchers estimate this number to be closer to 200,000. Only last year we lost 38,000 citizens, and over half a million in the last 15 years. According to the latest research conducted by the Novae Terrae Foundation, which ranked nations based on a set of three indicators measuring factors such as fertility, marriage rates, divorce rates, family cohesion, social trust, and political supports, Serbia took the 40th place, out of 46.² Our media

1. See *The Natural Family* 30.4 (2016): 349; also, <http://www.capetowndeclaration.com/>.

2. Luca Volontè, Francesca Maccioni, Giovanna Rossi, Maria Letizia Bosoni, and Vera Lomazzi, *Independent Global Index on Family: Report 2016 on the Right of Family in the World*, Novae Terrae Foundation and the Family Studies and Research University Centre of the Catholic University of Milan, July 7, 2016, Table 2.2, available at <http://www.novaeterrae.eu/en/publication-list/877-igif-published-the-independent-global-index-on-family-2016.html>.

and cultural space are polluted by messages of consumerism, violence, extreme individualism, and the sexualization of our children. Liberal politicians are pushing very hard to legalize same-sex “marriages,” surrogacy, and euthanasia through the proposed new Civil Code of Serbia. Despite our open letter to the Minister of Foreign Affairs, the Serbian ambassador to the UN voted for establishing the mandate of an independent expert on sexual orientation and gender identity (SOGI).

We are witnessing major global geopolitical changes. The liberal side is still very strong, well organized, well funded, and in control of virtually all governments and mainstream medias in the world. But that should not worry us. We know all too well what is at stake here. Besides that, developments occurring even in this moment could be very useful for families around the world. The victory of Donald Trump in the U.S. and the first steps of his administration; strong political movements in France, Italy, Austria, and Germany that could reshape the European Union; Brexit; the victories of pro-Russian, and more importantly, anti-Brussels-EU and anti-NATO politicians in Moldova and Bulgaria; a pro-family Hungary—these are clear examples giving us all hope in better futures for our families, hope that we could not even imagine possible just a few years ago. The rising number of pro-life and pro-family organizations around the world clearly demonstrates that the time for returning to our core values, our heritage, and our traditions is at our doors.

Liberalism is now paying the price for its extreme positions, for forcing multiculturalism and political correctness around the world. Serbia is a part of the European geopolitical sphere, and we are looking forward to major changes in mainstream politics that the Eurosceptic parties are bringing to the table. We believe that the future of Europe lies in mutual recognition of similarities and differences and in respect for our cultural specialties. This cannot be achieved through multiculturalism, which has obviously failed. European elites must respect the will of the majority to preserve their own religious beliefs and cultural norms. People of European countries want to see their fundamental rights protected, not attacked by the Brussels bureaucratic machinery. Human rights were established for the purpose of protecting the people from the tyranny of governments, and the socially most important rights are those granted to the natural family. Instead of respecting the central role of the natural

family in the well-being of an entire society, European liberals are tirelessly imposing the so-called new human rights—sexual rights, the right to abortion, the right to “death with dignity.” The majority of Europeans do not share these liberal values. Under pressure from liberal totalitarian ideology, and with developing crises of identity and economics, they are turning to our long-standing core values: faith and family. The position of Dveri is that the EU needs fundamental reorganization, beginning with the recognition of its Christian roots, values, and heritage. In the center of these values lies the natural family, as the most important social institution and the bedrock of our society. We strongly believe that by placing the natural family in the center of our social and political actions, we could resolve the majority of social problems, with the demographic winter being the most important one. This cannot be done with liberal immigration policies, as we can witness from painful examples all over Europe. From our standpoint, Serbia should be a part of European *economic* integrations, but not a part of European *political* integrations as long as the dominant ideology is liberalism. Forcing our nation, which is strongly pro-family, to accept liberal values as one of the conditions for joining the EU is not something that Dveri is willing to accept.

As a parliamentary political organization, we are using this new opportunity to present our family policies. It is not an overstatement to say that Dveri is the only political organization in Serbia that promotes natural family values and pro-family politics as the most important politics for the twenty-first century. We also truly believe that the family-first principle in politics could be a stepping stone for overcoming our differences and the future of human civilization.

Many people have asked us: why have you entered politics? They believe that we will become just like all other parties, looking out for personal interests, and selling out to the wealthiest lobby. They say that the social conservative, Christian, pro-life, and pro-family movement has no place in politics. We strongly disagree. We believe that family-centered politics is exactly what Serbia needs. We believe that going back to our Christian roots and values is exactly what is necessary for the rebirth of our nation. And we believe that our greatest enemy today is liberal ideology. So we took our chance, and now we have a unique opportunity to present a number of laws that will promote, defend, and strengthen the

natural family in Serbia.

Serbia is currently dedicating only around 0.4% of GDP for direct financial support of families, through means of child and family allowances, which is far below the European average of 2.6% and very far away from the leading country in this field, the Republic of Hungary. Politicians in Serbia unfortunately still fail to realize that welfare payments are inefficient and that a comprehensive approach to family policy is absolutely necessary. Also, they do not recognize the fundamental importance of a marriage between a man and a woman for the demographic and economic development of Serbia, which they clearly demonstrated last year by dedicating the first session of the Parliamentary Committee for human rights to protecting the rights of the LGBT community.

I strongly believe that all of us have the obligation to take this battle to the political arena, wherever and whenever we can, all around the world. Without the power to make some real changes, our entire efforts will be at least very limited, and more probably, they will fail. As Aleksandr Dugin well said, if we want to make changes, first we must win.

Plans For The Future

At this time, there are unfortunately no true pro-family policies in place in Serbia. We have child allowances, which are census dependent, and family allowances, which are paid to the parents for first, second, third, and fourth children, and which are also census dependent. Both of these measures are social welfare programs, however, which have proven to be highly ineffective in dealing with demographic winter. Dveri proposes first that the state should truly recognize the natural family as the fundamental unit of society, as is written both in the Universal Declaration of Human Rights and the Constitution of the Republic of Serbia. Second, the natural family should be recognized as the basic economic unit and the foundation of sustainable development of the Republic of Serbia. Third, the State must protect the natural family from growing anti-family ideologies. Having these in mind, we are proposing an act for the protection of the family in order to:

- create the legal framework that would oblige all political parties to protect the natural family as their political priority;

- define the natural family as the union of man and woman in the sacred bond of marriage, and a social institution of highest importance;
- legally separate pro-family policies from welfare policies once and for all;
- oblige the government to prioritize pro-family policies in state budget allocations each year;
- oblige the state to create a real and positive work-family balance, one which would allow working mothers to take care of their children, end discrimination against mothers, and create the opportunity for motherhood (of three or more children, under certain circumstances) to be recognized as a job category;
- oblige the state to create and support a special housing project for large families;
- create a legal basis for introducing lectures in our elementary and high schools on the sanctity and dignity of human life from the moment of conception, healthy lifestyles and behaviors, and the importance of family and responsible emotional relationships—all with the idea of preparing our youth for marriage and family life;
- require TV stations to adjust their programs in accordance with the values of marriage and family;
- reinforce the right of parents to decide the education their children should receive in public schools;
- stimulate a return to rural areas and farms with non-refundable incentives—a piece of land and subsidies for housing and mechanization for those willing to farm;
- reform the tax system to allow families with more children to retain a larger portion of gross salary;
- reallocate health-care funding to facilities offering primary health care, OB/GYN clinics, and children's hospitals;

- offer kindergarten for all children, but free of charge for the second and every subsequent child;
- offer subsidies and start-up programs for family businesses;
- give a family allowance for every child, without discrimination;
- abandon state funding of all NGOs that promote LGBT rights and abortions, and at the same time, reallocate these funds to NGOs that promote the natural family, healthy lifestyles, the beauty of the unborn baby, family counseling, pro-family think tanks, *etc.*;
- establish an independent Parliamentary Committee for family.

In addition, and to help accomplish these goals, we will establish a Ministry for Family, which Serbia currently lacks. It would be an important signal to families in Serbia that things are changing for them. We are also very seriously considering implementation of a Family Impact Statement, and establishing an independent office of Family Ombudsman that would control actions of the government regarding the well-being of the family.

Simultaneously with the introduction of new family policies, we must protect our families from totalitarian ideas and ideologies. Our position is that we do need sexual education in our schools, but the kind of sexual education that we look to implement is one that would teach our children about reproductive organs, conception, pregnancy, the beauty of prenatal life and birth; it should inform our youth about STDs and the avoidance of risky sexual relationships, and promote the ideal of sex with a loved one, in a monogamous relationship and ideally in marriage. Such education should promote values and virtues of honesty and fidelity in a relationship and in marriage; it should promote marriage and family as a natural environment in which the sexual relationship has a higher purpose. We are firmly opposing programs of comprehensive sexual education, and thanks to our efforts, the first textbook on CSE, which had an entire chapter dedicated to LGBT ideology, was removed from 72 schools for revision. The new textbook is free of LGBT propaganda.

We will continue to oppose this indoctrination of our minors, and we will propose a law that will prohibit it in public spaces, as has been

done in the Russian Federation. Our position is that every citizen's human rights must be respected, but we strongly oppose special rights on the grounds of sexual orientation and behavior.

Dveri has already made amendments to the proposed new Civil Code of Serbia, in which we asked for the prohibition of every form of surrogacy and euthanasia as well as prohibition of legal grounds for recognition of same-sex "marriages."

What we are especially dedicated to is ending genocide by abortion in Serbia. We need a comprehensive state-level program that will promote birth, motherhood, fatherhood, and the truth about the beauty of prenatal life.

A long road lies before us. Everything we have done in the past is merely a foundation for our future work. Dveri is a family-centered political organization, and while we can have different opinions on some issues, we strongly believe that the care of our families can be a building block for future political alliances not only in Europe, but around the world. There is nothing more beautiful in this world than the face of a smiling child and the picture of a happy family. As Dostoyevsky said, beauty will save the world. Our mission is to save beauty.

Dr. Nemanja Zaric is the International Secretary for the Serbian movement Dveri.

Marriage at a Crossroads in Romania

Adina Portaru

ROMANIA IS AT A MARRIAGE CROSSROADS. On the one hand, Romania will hold a referendum in the spring of 2017 to constitutionally enshrine marriage as the union of one man and one woman. The petition for the referendum received the most support of any so far in Romania's history as a democracy, and it was unanimously approved by the Romanian Constitutional Court.

On the other hand, the same Romanian Constitutional Court has prompted a “European *Obergefell v. Hodges*” case, having referred preliminary questions to the Court of Justice of the European Union (CJEU) relating to the concept of “spouses” in European Union (EU) free movement legislation. If the CJEU interprets “spouses” as including same-sex partners, then all 28 Member States of the European Union would be obliged to recognize same-sex “marriages” contracted abroad, even if their domestic legislation as it currently stands does not allow them. In the long term, the decision of the CJEU would render the Romanian referendum moot as it may introduce same-sex “marriage” through the back door in all 28 EU Member States.

How could such diverging actions be possible?

Legal Overview

The areas of marriage and family are largely regulated by the Romanian Constitution and the Civil Code.

Article 48 (1) of the Romanian Constitution states: “The family is founded on the freely consented marriage of the spouses, their

full equality, as well as the right and duty of the parents to ensure the upbringing, education and instruction of their children.”

The drafters’ intention to include “man and woman” in the definition of “spouses” is illustrated by the Civil Code, which was drafted after the Constitution and which speaks, in Article 258 (4), of “the man and the woman united through marriage.” Moreover, Article 259 (1) of the Civil Code states that marriage is “the freely consented union between one man and one woman.” In addition to defining what marriage *is*, the Civil Code also defines what marriage *is not*: Article 277 (1) of the Civil Code emphasizes that “marriage shall be prohibited between persons of the same sex.”

Furthermore, Article 277 (2) of the Civil Code states that Romania shall not recognize same-sex “marriages” contracted abroad (either by Romanian or foreign citizens). In accordance with Article 277 (3), the same is applicable to civil partnerships.

Article 277 (4) of the Civil Code emphasizes that the legal provisions for EU citizens, regarding the free movement of persons in the territory of Romania, are applicable.

These provisions should be seen in the light of international and European human rights conventions and related jurisprudence, which make clear that the competence to define and regulate marriage lies with Member States.

In the words of the European Court of Human Rights (ECtHR), “the question whether or not to allow same-sex marriage is left to regulation by the national law of the contracting state.”¹ Furthermore, States “enjoy a certain margin of appreciation as regards the exact status conferred by alternative means of recognition” of same-sex relationships, and its differences concerning the rights and obligations conferred by marriage.² The reason behind this is that “marriage has deep-rooted social and cultural connotations which may differ largely from one society to another.”³ The ECtHR has consistently held that the European Convention on Human

1. *Schalk and Kopf v. Austria* (Application no. 30141/04), June 24, 2010, para 61.

2. *Chapin and Charpentier v. France* (Application no. 40183/07), June 9, 2016, para 48.

3. *Schalk and Kopf v. Austria*, para 62.

Rights (ECHR) does not guarantee either a right to or a corresponding obligation on Member States to introduce same-sex “marriage.”⁴

The jurisprudence of the CJEU has also confirmed this.⁵ The EU constitutional framework means that such legislation *must* respect national competence in this area, and this is evident from the language permeating the relevant Directives and Regulations.⁶

A Tale of Two Developments

The citizens’ initiative to enshrine natural marriage in the Constitution of Romania was initiated by the Coalition for Family (Coalitia pentru Familie), an alliance of pro-family Romanian organizations, and was supported by a number of prominent public figures.⁷

The Coalition for Family filed a proposal for a constitutional amendment, seeking to replace the word “spouses” in the Constitution of Romania with “one man and one woman.” The initiative’s stated goal is to bring clarity and coherence to Romanian laws by fully aligning the constitutional regulation of marriage with the definition given by the Civil Code.

The wording of Article 48 (1), as proposed by the Coalition for Family, is: “A family is established through the free willed marriage between *one man* and *one woman*, and is based upon their equality and their right and duty to provide for the raising, the education and the training of children.”

The amendment, which was supported by three million citizens, was registered at the Romanian Senate on May 23, 2016. Subsequently, it was submitted for consideration to the Constitutional Court, which is

4. *Schalk and Kopf v. Austria*, paras 61-62, *Hämäläinen v. Finland* (Application no. 37359/09) July 16, 2014, *Chapin and Charpentier v. France*, para 39..

5. CJEU *Römer* case (C-147/08), para 38, *Maruko* case (C267/06), para 59, *Parris* case (C-443/15), para 59.

6. EU Directive on the Free Movement of Persons, para 6 of the recital, Article 3 (2); Council Directive 2003/86/EC of September 22, 2003 on the right to family reunification, para 10. Although the Directive on the right to family reunification does not apply to the *Coman* case (as it involves an EU citizen), it is relevant insofar as it reflects the EU approach to subsidiarity and national competence in matters concerning family and marriage.

7. For more information, see the website of the Coalition for Family, accessed February 9, 2017, <http://coalitiapenturfamilie.ro/>.

required to confirm its constitutionality.

Awaiting the decision of the Constitutional Court,⁸ advocates for same-sex “marriage” claimed that the citizens’ initiative was unconstitutional and undemocratic, that it constituted a “tyranny of the majority,” and that it illegitimately restricted fundamental rights, such as the right to marry and the right to private life. Although until this time such advocates had claimed not to be interested in advancing same-sex “marriage,” the press release of the twelfth Bucharest Pride Parade alleged that the right to family life was a universal human right, which was being infringed upon by the three million citizens who had signed the petition for a referendum.⁹ MozaiQ, an NGO recently established in Romania, publicly called upon the authorities to take steps towards the legalization of same-sex “marriages” and civil partnerships.¹⁰

On July 20, 2016, the Constitutional Court of Romania unanimously ruled that the citizens’ initiative was constitutional, but the reasoning of the decision followed only on October 14—a delay of over a month longer than the time prescribed by law.¹¹ Responding to the claim that the initiative might infringe upon the universal right to marry and restrict the right to marry on the part of same-sex couples, the reasoning, which is worth repeating at length, outlined:

[T]he Court concludes that [the proposal] does not remove, eliminate or annul the institution of marriage . . . replacing the phrase “between spouses” with “between a man and a woman” merely clarifies the

8. ADF International sent *amici curiae* briefs to the Constitutional Court of Romania in both the citizens’ initiative and in the *Coman* case. “Documente pentru dezbateri și inițiative publice,” Coaliția pentru Familie, accessed February 15, 2017, available at <http://coalitiapentrufamilie.ro/documente/>.

9. “Luni începe festivalul Bucharest Pride 2016, care se va încheia sâmbătă cu Marșul Diversității,” Hotnews, accessed February 10, 2017, available at <http://www.hotnews.ro/stiri-esential-21094440-luni-incepe-festivalul-bucharest-pride-2016-care-incheia-sambata-marsul-diversitatii.htm>.

10. Marin, “Asociația MozaiQ cere recunoașterea legală a căsătoriilor și parteneriatelor civile între persoane de același sex,” *Elle Romania*, accessed February 20, 2016, available at <http://www.elle.ro/lifestyle/asociația-mozaiq-cere-recunoașterea-legală-casatoriilor-si-parteneriatelor-civile-intre-persoane-de-acelasi-sex-482107/>.

11. According to Law 47/1992, Article 60 (1), the prescribed time frame is 30 days. The Constitutional Court offered no explanation for the delay in the reasoning.

exercise of the fundamental right to marriage by expressly stating that this is to be contracted between partners of different biological sexes. This was actually the original meaning of the text. In 1991, when the current Constitution was adopted, marriage was seen in Romania in its traditional meaning as the union of one man and one woman. This idea is also supported by the subsequent evolution of family law in Romania and by the systematic interpretations of the constitutional provisions. Thus, Article 48 of the Constitution defines the institution of marriage correlating it with child protection, both for children “outside” and “within” marriage. It is obvious, therefore, that the constitutional lawmaker based its conception of marriage on the biological component, which has undoubtedly been regarded as a union between a man and a woman, since only through such a union can children be born, whether within or outside of marriage . . .¹²

Despite this relatively uncontroversial reasoning, the unexpected and unexplained delay in the drafting of the reasoning made it impossible for the marriage referendum to be organized to coincide with the parliamentary elections in December 2016. This is because, in the Romanian legal system, a referendum prompted by a citizens’ initiative needs to go through a number of strenuous steps: after the initiative is approved by the Constitutional Court, it is examined by the Juridical Committees and Plenaries of both the Senate and the Chamber of Deputies, which need to approve it by a two-thirds majority. Had the Constitutional Court delivered its reasoning in the prescribed time frame, the referendum could have been held at the same time as the parliamentary elections, which would have likely ensured the turnout threshold of 30% was met.

In light of these delays, the expected date of the referendum is now April 2017, a date chosen by the Coalition for Family in concert with the three major political parties including both the socialists (PSD) and the liberals (PNL and ALDE).

The second initiative relating to marriage refers to the recognition of same-sex “marriages” contracted abroad. The two complainants are Mr. Clai Hamilton, an American citizen, and Mr. Relu Adrian Coman,

12. All the translations from Romanian to English used by this paper are the author’s.

a Romanian citizen. The two have been engaged in a long-term relationship, and in 2010 contracted a civil marriage in Belgium, where it is possible for two persons of the same sex to enter into a legally-recognized “marriage.” The two applicants have asked that the Romanian state recognize the “marriage” contracted in Belgium so that Mr. Hamilton may receive a permit to legally reside in Romania.

The complainants’ application relies on the assumption that the notion of “spouses,” under Directive 2004/38/EC of the European Parliament and of the Council on the right of citizens of the Union and their family members to move and reside freely within the territory of Member States (EU Directive on the Free Movement of Persons), as well as the Romanian Constitution, includes same-sex couples. According to this interpretation, the Civil Code provisions forbidding the recognition of same-sex “marriages” contracted abroad are unconstitutional and not in accordance with EU law.

This line of reasoning is in opposition to that of the Coalition. The Coalition seeks to strengthen marriage as the union of one man and one woman in the Constitution of Romania by explicitly aligning it with the Civil Code. Conversely, the *Coman* case relies on a presumed normative conflict and seeks to repeal the provisions of the Civil Code which forbid the recognition of same-sex “marriage.”

The proceedings began in 2013, and it took almost two years to determine which court was competent to hear the case. The lower tribunal in Bucharest, which was eventually deemed competent, referred the case to the Constitutional Court in December 2015 on the grounds of a presumed normative conflict between the Civil Code and the Constitution as interpreted in light of the EU Directive on the Free Movement of Persons.

Although the Constitutional Court initially announced that it would rule on both the citizens’ initiative and the *Coman* case on the same date (July 20, 2016),¹³ it unanimously approved the former and postponed the

13. The debates of July 20, 2016 before the Constitutional Court are partly available here: “Curtea Constituțională Dezbate Două Spețe Privind Familia,” PrivescEU, accessed February 9, 2017, available at <https://www.privesc.eu/arhiva/68181>. The National Council against Discrimination supported the same-sex couple. The Romanian Government recommended the Constitutional Court to dismiss the case.

latter. This was the first postponement in a series of three, in which the Constitutional Court was at pains to justify the delay in delivering a decision. To do so, the Constitutional Court either relied on the complexity of the case and the need to hear the applicants once again,¹⁴ or the exigency of considering a referral to the CJEU (a historical first).¹⁵ Not even on November 29, when the Court finally decided to submit preliminary questions to the CJEU,¹⁶ did the judges mention what their exact questions or issues were.

Although the preliminary questions are not yet publicly available,¹⁷ they most likely relate to the constitutionality of the Civil Code provision banning the recognition of marriages contracted abroad by same-sex couples, in conjunction with the legal provisions which state that freedom of movement is guaranteed to all EU citizens. This line of reasoning has already been clearly emphasized by ILGA Europe (the European Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association):

[R]estricting the notion of “spouse” to opposite-sex spouses amounts to discrimination on the grounds of sexual orientation; the prohibition of such discrimination is enshrined in the preamble to the Directive, which—even though not binding—the CJEU will take into account when interpreting the Directive.¹⁸

In accordance with Article 267 of the Treaty on the Functioning

14. Stoica, “CCR amână, pentru 29 noiembrie, dezbaterile pe sesizarea referitoare la recunoaşterea căsătoriilor dintre persoane de acelaşi sex,” Agerpres, accessed February 9, 2017, available at <http://www.agerpres.ro/justitie/2016/10/27/ccr-amana-pentru-29-noiembrie-dezbaterile-pe-sesizarea-referitoare-la-recunoasterea-casatoriilor-dintre-persoane-de-acelasi-sex-16-29-30>.

15. Up until now, the Romanian Constitutional Court had never submitted a referral to the CJEU.

16. In accordance with Article 267 TFEU, Member States’ national judges can make a reference when there are questions on the interpretation or validity of EU Law. National courts of the final resort with no judicial remedy are bound to make a reference to the CJEU for a preliminary ruling.

17. “Case-law of the Court of Justice,” InfoCuria, accessed February 9, 2017, available at <http://bit.ly/2ltUpll>

18. Piotr Bakowski *et al.*, “The rights of LGBTI people in the European Union,” 8, EPRS, accessed February 9, 2017, available at <http://www.europarl.europa.eu/EPRS/EPRS-Briefing-557011-Rights-LGBTI-people-EU-FINAL.pdf>.

of the EU (TFEU), the decision of the CJEU is binding on all of the national courts of all Member States. This means that the interpretation of “spouses” in the EU Directive on the Free Movement of Persons (whether it ultimately strengthens or redefines marriage) will become mandatory across the EU from the moment that it is delivered by the CJEU. Following that, the Romanian Constitutional Court will ultimately need to rule on the constitutionality of the Civil Code provisions which were challenged in the *Coman* case, and will then refer the case back to the lower tribunal. Whatever the outcome of the *Coman* case may be at the national level in Romania, the greatest repercussions will be seen at the level of EU law.

If the notion of spouses is interpreted by the CJEU to include same-sex couples, then all Member States of the EU may be required to recognize same-sex “marriages” contracted abroad. This would erode national competence in the area of marriage and family and would be the first step in regulating same-sex “marriage”: once cross-border recognition is allowed, there is no logical stopping point.

How Did the Two Separate Developments Come About?

If the law is clear on the definition of marriage, subsidiarity, domestic competence, and limits to EU power, how is it possible that the same Constitutional Court unanimously upheld the initiative to strengthen marriage in the Constitution of Romania, and yet had doubts regarding the concept of “spouses” in the EU Directive on the Free Movement of Persons which undoubtedly impacts the concept of “spouses” domestically?

A couple of reasons can be derived from the public statements triggered by these two initiatives. On the one hand, the understanding of marriage as the union of one man and one woman in the Romanian legal order is clear. This has been explicitly stated by the judges of the Constitutional Court in the reasoning in the citizens’ initiative decision. It has also been supported by the largest expression of democratic will, outside of an actual election, in the history of Romania.

At the same time, one should not overlook the hostile political and media environment within which the citizens’ initiative found itself. Although the mainstream media and politicians did not initially engage

with the issue, it became more and more difficult to ignore. Even with the scarce opportunities to publicize—the Coalition’s website, social media, and a number of conservative platforms—the citizens’ initiative, or “the longest letter to ever be addressed to Parliament,”¹⁹ could not be overlooked. When the issue became a topic for political debate, however, the public reactions on the part of politicians were negative on the whole. Statements made from the upper echelons of the political establishment opposed, criticized, or misrepresented the citizens’ initiative. When asked about the Coalition for Family, the President of Romania said that he belonged to an ethnic and religious minority and that “it is wrong to listen to and follow the path of *religious fanaticism*” as opposed to openness and tolerance toward one another.²⁰ Less than a month later, when he was given the opportunity to clarify his position on the initiative, the President said that he stood by his words. He also mentioned that it was important to be “mindful” of initiatives to change the Constitution on the topic of family. “Social peace can be obtained only through compromise . . . between society and the church and between the different groups in society.” He also said that, in his opinion, “although the topic was raised with many signatures, around three million, and has important supporters, it is not a topic which has penetrated Romanian society and statements made by politicians have not managed to significantly move voters.”²¹

Ms. Raluca Prună, Minister of Justice, speaking at a symposium on November 1, 2016 dedicated to tolerance and anti-discrimination, referred to “extremist movements . . . promoting traditional values in an extreme way . . . attempts to legitimise, by way of attachment to

19. Apostol and Marinescu, “Coaliția pentru familie a depus la Parlament cele 3 milioane de semnături pentru revizuirea Constituției,” Active News, accessed February 8, 2017, available at <http://www.activenews.ro/stiri-social/Coalitia-pentru-familie-a-depus-la-Parlament-cele-3-MILIOANE-de-semnaturi-pentru-revizuirea-Constitutiei-Reprezentam-trei-milioane-de-romani-care-doresc-ca-familia-sa-fie-formata-dintre-un-barbat-si-o-femeie-133439>.

20. Ionescu, “Klaus Iohannis se declară împotriva fanatismului religios,” Adevărul, accessed February 9, 2017, available at <http://www.digi24.ro/stiri/actualitate/social/patriarhia-ii-raspunde-lui-klaus-iohannis-pe-tema-fanatismului-religios-592474> (emphasis added).

21. Peia, “A fi tolerant nu înseamnă a fi tăntălău,” Agerpres, accessed February 8, 2017, available at <https://www.agerpres.ro/politica/2016/11/09/iohannis-a-fi-tolerant-nu-inseamna-a-fi-tantalau-22-45-26>.

traditional values, what is in fact the rejection of somebody else's fundamental rights—for instance, the right to marry for all.”²²

At the same event, Cristian Pârvulescu, the dean of the Department of Political Science at the National School of Political and Administrative Studies in Bucharest, said: “Three million people signed a petition to change the Constitution in a restrictive way . . . and our political class, with its famous courage, immediately gave way to the pressure of the mob.”²³

The three million supporters of the Coalition were labelled as “three million stupid people” by one of the largest print newspapers in Romania.²⁴ The media advanced the idea that Romanians had been tricked into signing the petition, that they did so without knowing what they were really signing, and that the Church had “used” its powers to suppress minority opinion.

Even if the three million had intentionally, in an informed manner, supported marriage, they still were not to be considered a democratic voice. ACCEPT, the organization representing the complainants in the *Coman* case, claimed that the citizens' initiative represented “hate speech,” and that the three million signatures were an expression of “hatred.”²⁵

Under the argument that such “hate speech” is conducive to violence and should therefore be banned, Iustina Ionescu, the lawyer of the applicants in the *Coman* case, opposed the idea of a referendum organized at the same time as the parliamentary elections, calling it a “social danger”: “Homophobic sentiments, that are pervasive in our society, will be raised to the level of political and electoral discourse. The electoral campaign will be turned away by these messages and the LGBT persons will be

22. Florea, “Din 2002 avem 16 persoane trimise în judecată pentru rasism și xenofobie; e foarte puțin,” Agerpres, accessed February 8, 2017, available at <http://www.agerpres.ro/justitie/2016/11/01/raluca-pruna-din-2002-avem-16-persoane-trimise-in-judecata-pentru-rasism-si-xenofobie-e-foarte-putin-16-14-26>.

23. *Ibid.*

24. Iaru, “Trei milioane de proști,” Adevărul, accessed February 9, 2017, available at http://adevarul.ro/news/societate/trei-milioane-prosti-1_574461a25ab6550cb83fca10/index.html.

25. “Three million Romanians are mobilized by hatred against LGBT people,” ACCEPT, accessed February 9, 2017, available at <http://www.acceptromania.ro/blog/2016/05/23/trei-milioane-de-romani-mobilizati-de-ura-fata-de-persoane-lgbt>.

made the scapegoat for all Romanians' problems."²⁶

When asked what the best response would be to "the religious right" support of natural family, the couple's lawyer replied to simply block the referendum, as it does not bring anything new to the legal regulation of marriage and the ban on same-sex "marriage." At the same time, the very case that Iustina Ionescu is litigating seeks to introduce same-sex "marriage" through the back door by using the freedom of movement argument against the national competence of Member States to regulate marriage and family. By so doing, marriage would ultimately be redefined.

* * *

In this context, under the pressure of political statements and the media, the judges might have wanted to be "on the safe side" with respect to the ruling. Upholding the citizens' initiative was respectful of the Romanian and European legal order and of the unprecedented democratic expression. A different outcome would have contradicted Article 2 of the Constitution of Romania, which states that "national sovereignty appertains to the Romanian people, who express it through . . . referendum."

On the one hand, referring preliminary questions to the CJEU might have been seen as a way to respond to the statements coming from the highest levels of the political establishment and to the media portrayals of the citizens' initiative. Given that the Constitutional Court had already, rather uncommonly, delayed the decision several times, it might have considered the CJEU referral as the only means to further delay a decision on what was perceived to be a very controversial issue.

On the other hand, suspending the case for at least one year would allow sufficient time for the citizens' initiative to go through the required steps in the Romanian Parliament. It would also allow the judges, if they wished, to clarify once and for all the dispute over what marriage is. This is a historic moment: it is a challenge, but also an opportunity.

If the applicants' case is accepted, however, it would undermine domestic legislation and, implicitly, EU and ECHR jurisprudence and

26. Paletta, "ILGA meets . . . Adrian Coman and Clai Hamilton," ILGA, accessed February 8, 2017, available at <http://ilga.org/ilga-meets-adrian-coman-clai-hamilton-romania>.

legislation, which highlight the competence of Member States in this field.

The marriage crossroads that Romania is at is in some ways very simple. It entails either a strengthening of marriage as the union of one man and one woman in the Constitution of Romania (the initiative of the Coalition for Family), or a weakening and erosion of this institution by recognizing same-sex “marriages” contracted abroad (the *Coman* case).

While it may be simple, there is still much at stake. Marriage is the fundamental building block of all human civilization—the smallest and most essential group unit of our society.

Finally, the decision will have enduring implications because the *Coman* case has the potential to undermine the democratic process by validating institutions which the direct democratic process does not support. Not only is this relevant to Romania, but also to Europe as a whole. The *Coman* case has the potential to redefine marriage across the continent. This would erode national competence in the area of marriage and family, and would be the first step towards legislating for same-sex “marriages” on a pan-European scale.

It is unfortunate that the Constitutional Court devolved the same question to two decision matters. Ultimately, since it was not a question for the CJEU, it would have been better for the Constitutional Court to await the outcome of the referendum.

Since it has now gone to the CJEU, it is not clear what the path ahead looks like. What is clear, however, is that, in trying to avoid ruling on a controversial issue, the Constitutional Court has set up a very rocky road ahead.

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The Spirit, Tools, and Results of Hungary's Family Policy

Katalin Novák

AS POLITICAL LEADERS, OUR ACTIONS AND DECISIONS must be based on the values and traditions generally considered as fundamental by the majority of our society. We need to make efforts to survey the way our citizens choose their values, and understand their needs and motivations and, thus, to have a realistic view of what motivates them. We also must know and respect our history, our Christian roots, the values and principles that our nation was built upon. This is the way to make good decisions in favor of our citizens.

To better understand Hungary, the Hungarian government's motivations and goals, it is first necessary to survey our recent history. After 40 years of communist dictatorship, Hungary regained its independence and experienced a political transition in 1989-90. After 20 years of transitions in government, and without a real structural, political, ethical, or economic reconstruction, by 2010, our country and Hungarian people found themselves in a crisis. But then the current government, led by Prime Minister Viktor Orbán, gained a 2/3 majority at the general elections of 2010. We decided to rebuild our country on strong foundations.

We reject the concept of the neutrality of values, and, in terms of Hungary's governance, we find such neutrality exceedingly harmful. We govern Hungary along clear values, in harmony with our own principles. This approach has proved to be a success: during the general elections of 2014, the Hungarian people for the third time gave their vote of confidence to a right-centre wing government, again by a vast majority. Hungarians believe in the ideal of a nation based on robust and unchallengeable values.

What are the important Christian values that we respect? Hungary respects human life, freedom, human dignity and communities. These values are the basic building blocks of Hungary's democratic form of state, which evolved 26 years ago and whose practical implementation is guaranteed by Hungary's legal system and its Fundamental Law (adopted in 2011). More specifically, the preamble to the Fundamental Law, entitled *National Avowal*, serves as a catalogue of Hungary's values.

The *National Avowal* starts with the sentence: "God bless the Hungarians," followed by these phrases: "We are proud that our king Saint Stephen built the Hungarian State on solid ground and made our country a part of Christian Europe one thousand years ago. We are proud of our forebears who fought for the survival, freedom and independence of our country."

Hungary respects the independence of others states, recognizes their internal legislation and provisions, and expects other countries to do the same in return. Therefore, we would like to emphasize that, *as a sovereign state*, and as a member of different international organizations, while respecting commonly defined rules and principles, we shall define our own values and interests as well as governmental measures in favor of Hungarian citizens. We insist on this approach, which is evidenced most clearly in our foreign policy. We regard the European Union as an alliance of sovereign states. We believe that the unified force of nations stems from our common European roots. Nowadays, there are visible signs that the twenty-first-century European community tends to ignore its robust intellectual, cultural, and spiritual heritage to a growing degree, and fails to find its roots. This urges us to strengthen our nation state and our traditions, and, in this spirit, to defend our values bravely on the international stage.

We are convinced that approaches that put the individual's welfare, success, and interests first do not bring about long-term economic and ethical growth. Such growth can be attained by a society solely through strong communities. The smallest and most basic of these communities is family. Family is the cradle and maintainer of life, and it is our duty to protect and strengthen it. These principles and convictions are represented in our legal system. As the Hungarian Fundamental Law puts it, "We hold that the family and the nation constitute the principal framework

of our coexistence, and that our fundamental cohesive values are fidelity, faith and love.” With its more specific provisions, the Fundamental Law makes efforts to offer a stronger protection for families and to recognize that families comprise the foundation of Hungary’s integrity. Beside the Fundamental Law, the Act on the Protection of Families also ensures that the rights of families are strengthened and widely recognized. Therefore, *the interests of families* have been the focus throughout the whole period of our governance. Supporting and strengthening families on a continuous basis allows for our nation’s stability.

What does the concept of “family” mean for us? There are various possible answers to this question, as family plays various roles in an individual’s life. Let me begin on a personal note. I am a minister of state in the Hungarian government, but before that, a daughter of my parents, sister of my brother, wife of my husband, and mother of our three wonderful children. Family is where I come from, family is whom I belong to, and family is the main source of joy and love in my life. In a more general way, family is the smallest, most basic, and strongest social community and, as such, it is the founding unit of society; at the same time, it is a community of individuals that serves as a home. Also, it is the focal point of private life. For the Hungarian government, family is the foundation stone for our choice of values and the guideline for our political decisions. Families show how strong a nation is. If families are weak, then the nation is weak, too. If families are strong, a strong nation may also be achieved.

This is our belief, along which we attempt to define the principles and measures of our social policy. The welfare of families is the motif and common denominator for our political acts. The reason for this is that the future of Hungary as a whole depends on what types of tools we create and operate in the interests of families. In 2010, being aware of Hungary’s demographic problems and neglected families, we initiated comprehensive reform of social and family policies. We decided to treat family policy as a basic entity, and—in order to create a family-friendly social environment—we set long-term goals.

Human life is also to be highly respected and protected in Hungary. This principle is emphasized in various parts of the Fundamental Law; for example, the Preamble reads: “We hold that human existence is based

on *human dignity*.” Again, this time in the Section entitled “Freedom and Responsibility”: “Human dignity shall be inviolable. Every human being shall have the right to life and human dignity; the life of the foetus shall be protected from the moment of conception.” In 1991, the Institutional Court laid down the basis for the regulation of abortion. Accordingly, abortion is not prohibited in Hungary, yet—for the protection of unborn life—it is restricted and can be performed only when there are serious reasons for it. We believe that all human life must be respected in all stages.

Beside families and life, the protection of the value of *marriage* is another fundamental objective of ours. In twenty-first-century public discourse, marriage is often associated with negative qualities. Some think that marriage is an old-fashioned formality and should not necessarily precede having children. We, on the contrary, are convinced that the institution of marriage is indeed old but not outdated, being the most stable form of partner relationship and the one which offers the greatest security for children. Hungary’s Fundamental Law defines the concept of marriage as follows: “Hungary shall protect the institution of marriage, the conjugal union of a man and a woman based on voluntary and mutual consent, also the family, as the basis for survival of the nation.” The concept of marriage is a basic value of our legal system, and, thus, is to be protected and strengthened.

There is a great amount of evidence that justifies enshrining marriage in our legal code. First, married couples have almost twice as many children as partners in non-marital relationships do. A reason for this may be that the stability guaranteed by the family strengthens a couple’s intention to have children. Second, it is a well-known fact that married individuals live longer and are healthier, and that people supported by their family members heal more quickly. Family and children offer protection to them.

As I have highlighted above, the way the majority of society choose their own values has a decisive role when it comes to political decision-making and governance. We are fortunate, as the Hungarian people have a unified opinion of the importance of family; we are a very family-focused nation that cares for its children. As evidenced by research, family and home are more important for Hungarians than other areas

of life, such as work, free time, or friendships. In addition, family is the most important scene for national solidarity. In its opinion of the role of family as a community, Hungarian society also stands out when compared to other European countries. It should be added that these facts hold true not only for the older generation; young people have a similarly positive attitude toward family life and having children. In this light it can be stated that it is our duty to create a supportive background that falls in line with this. This is our *duty*, even if in this rapidly changing world there are many challenges, and many people who say that family is declining and marriage has lost its importance. With all our strength, we support family communities, because we know that, for the majority of society, family is still the most important point of reference. Family is not an abstract concept. It is real and always timely, because it stems from the nature of human beings to desire family. This desire is independent of sex, culture, or historical era.

We are convinced that the individual should be seen through his or her relations with others, because humans are social beings. As our Fundamental Law says: “We hold that individual freedom can only be complete in cooperation with others.” We see the human being as a parent, child, husband, or grandparent who has specific duties and roles within the family, and not as a separate being. It is our relations that define us socially. “Individuals” stand alone and need to achieve their goals for and by themselves, while “family members” stand for their communities. There is a major difference between these two attitudes. Therefore, we are convinced that the basic unity of a society is not in the individual but in the family. It is within families that the functions of mothers and fathers can evolve.

Our interpretation of the role of the state can also evolve. We think that the most important role of the state is to serve public good through political measures. It is also important to make distinctions between the responsibilities of the person, the family, the community, and the state. There are certain duties which should be fulfilled by family members and the community, not the state. The state cannot and should not replace the role of parents when raising children, family members when fulfilling family roles, or churches when building communities. The government should create the framework necessary for these entities to prosper, keep

the rules respected, and intervene when necessary. Raising children is the life-long responsibility of parents, and should be preserved as such.

The Spirit and Goals of Hungary's Family Support System

It is indeed our belief that a precondition of the medium- and long-term social development of Hungary is *a turn in demographic trends*. In Hungary, just as in most European nations, we face a severe demographic challenge. Hungary's population has been decreasing continuously since 1981. In the last 35 years, it has decreased by almost 10%. A major challenge of the coming years is to use efficient tools to counterbalance drastic population decline and the phenomenon of an ageing society that occurs in parallel. Given the current demographic conditions, Hungarian population may decline from 9,850,000 to 7,206,000 by 2060.

Given the situation described above, a prioritized goal of the Hungarian government is to effectuate *a sustainable demographic turn* and—linked to it—a comprehensive change of perspective, focused on healthy and strong families. To this end, in 2010 we began work on the establishment of a society based on families and work. We formulated our social policy measures along these principles. The amount of financial supports granted to families grows year by year. Our in-cash expenditure related to family policy tripled between 2010 and 2016. We have set up and are operating a *family policy system* that is capable of meeting various demands simultaneously and has a financial and symbolic incentive power. It is our firm belief that an ideal family policy is flexible, stable, complex, and targeted. Such a policy should also respond to changing conditions and should be predictable. Thus, it is able to create a safe environment for families.

Another pillar for the implementation of the demographic turn is *a society based on work*. As our Fundamental Law says: “We hold that the strength of community and the honour of each man are based on labour, an achievement of the human mind.” People tend to dedicate themselves to starting a family once they feel that predictable conditions and proper financial resources are available. Therefore, those conditions must be created that help young persons who still do not have children arrive at such dedication. International experience corroborates this fact, showing that the birth rate is growing in those countries where the state—beside

encouraging employment—pays great attention to the reconciliation of professional and family life, and makes attempts to create flexible conditions. In Hungary, the *dual-earner family model* is the most common, which means that both members of couples take part in the maintenance of the household.

In Hungary, parents have freedom of choice when deciding upon family management. Parents (mostly mothers) may benefit from a three-year-long parental leave while being covered by the social-security system and also getting child-care benefits. Women can also choose to work while raising children. We must facilitate women meeting both of these demands, family and employment. At the same time, it must be taken into consideration that it is particularly difficult for women with children to perform equally well in both fields. We think that it is an important task of the state to recognize that looking after the family and children while working efficiently in the labor market presupposes an extra performance. Therefore, in this respect, too, we attempted to create conditions that are aligned to changes, and recognize performance at work and at home alike.

As evident from the above, *our objectives are extremely diversified*, yet all of them serve a single purpose, namely, the implementation of a family-friendly social policy. The generous family policy benefits and allowances form its core. Beside financial support, this policy includes institutional developments, such as measures taken to improve day care for children and employment policy incentives. We have also introduced several other measures that support starting a family or otherwise make life easier for families with young children.

In terms of starting a family, a key factor is to have a home of an adequate size. In this field, we launched the most significant housing support program of the last 25 years. It is intended to exercise its effects in two ways. With the introduction of the Family Housing Allowance (Hungarian abbreviation: CSOK) scheme we attempt, on the one hand, to ensure that the lack of an adequate home does not prevent individuals from having children, and, on the other hand, to allow for economic recovery through the construction sector. The measure is complex; it consists of various elements. For large families, the major element is that, in the case of purchasing or constructing a new flat, they are eligible to

apply for a non-refundable support of \$33,000 and for a loan of an extra \$33,000 at a discounted rate. In addition, during the construction process, families may recover the amount of VAT up to HUF (Hungary Forint) \$16,000, while a preferential VAT rate (5%) continues to be imposed on the prices of construction materials. Taking into account the real-estate market in Hungary, with this financial assistance, a young couple ready to have at least three children in the next ten years is able to buy an apartment or house without any of their own contribution. Another pillar of the housing allowance program is the National Community for Homes (Hungarian abbreviation: NOK), which functions as a community funding model and whose objective is to give members of the community access to new immovable properties within a short period of time.

The recognition of work is also served by our tax base reduction measure; previously, political decision-makers failed to support the extension of the measure. This was what we had to change in order to reduce the burden of those citizens who decide to have children. In recent years, the number of those eligible for a *family tax allowance* has been increased considerably. Currently—as a result of a major extension of scope—the state offers, through the taxation system, significant financial help to families (from families with one child to large families). The properly targeted nature of the measure is shown by the fact that it reaches 94% of families. This measure ensures that Hungarian large families wherein both parents earn an average wage do not pay any personal income taxes.

Hungary's family policy, thanks to its complexity, assists families in various ways, but always takes into consideration that these are the parents with young children who *must have the opportunity to make decisions that are best for their families*. Besides dual-earner households, we also devote our efforts to families where one of the parents (in most cases, the mother) decides to stay at home to raise the children. Our main task is to try and offer each family the opportunity that is most suitable for them in terms of raising their children.

The Job Protection Action as a key measure within our labor market must also be mentioned. It is a complex measure that, in the case of the employment of persons belonging to groups that are the most vulnerable in terms of employment (e.g. women with young children), reduces the wage costs to be paid by the employer. This measure also contributes to

the preservation of jobs, but the key objective is to include women with young children as extensively as possible, as well as to offer them opportunities to return to the labor market.

In our opinion, it is important for the pension system to recognise women's increased share of the social burden. Our Women40 measure serves various goals. First, it enables women who performed their duties at work and at home alike to retire from the labor market once their eligibility period expires, even if they have not yet reached the pensionable age. Another evident objective of the decision-makers was to strengthen cooperation between generations, as women who retire in this manner will have the opportunity to participate in caring for grandchildren or even their elderly parents. If grandparents assist in caring for their grandchildren, the parents will have the opportunity to continue the professional career they started before the children were born. Hitherto, a total of 186,000 women have used this option.

A better reconciliation of professional and family duties called for the development of day-care institutions for children. We increased the number of places available in day nurseries and kindergartens, as the proper availability of institutional care for young children is a key factor that determines how individuals time their return to the labor market after their children are born. Furthermore, we have initiated a reform of the system, whose objective is to ensure that it is basically the parents' demands that define the way institutions operate.

The well-being of families and children is a particularly important goal of our family policy. The options for child catering (meals for children) free of charge or at a reduced price have continuously improved. This is demonstrated by the fact that in recent years we have increased the state expenditure for child catering by more than two times. In Hungary, the rate of children receiving meals free of charge in day nurseries and kindergartens is currently over 80%. The development of the catering program, however, needed to be extended to the quality of food as well, because surveys show that we have every reason to pay attention to children's health. The persistence of children's poor eating habits would result in an extremely unfavorable public-health impact in the long run. With this in mind, we introduced major reforms and modernisation in the catering system of educational institutions, so that children

are offered more fresh fruit, vegetables, dairy products, and whole-grain bread products.

The diversity of our family policy profile is reflected in our highly successful social holiday scheme targeted specifically at children, large families, persons with disabilities, and retired persons. Our Erzsébet Programme, a unique scheme in Europe, reaches a very large number of citizens. Since its introduction in 2012, 800,000 persons (including 400,000 children) used the opportunity to have holidays or participate in summer camp programs at a very limited price. Keeping the present framework but taking the possibilities of extension into consideration, we wish to develop the program further, as it provides special experience to more and more generations every year.

The supports, allowance, and cost-cutting measures specified above point in the same direction: the prosperity of families and, thus, the evolution of a stronger society. Still, we think that family policy is not simply the total of benefits offered; the establishment of *a way of public thinking that focuses on families* must be of equal significance. In this regard, we are working on the *introduction of a family-friendly quality* to workplaces, public institutions such as places of education and the media, and *to the country as a whole*.

As for awareness-raising, our work is supported mainly by NGOs and churches. Since 2010, the government has supported or organized several programs aimed at the importance of a family-friendly attitude. Since 2011, through calls for tenders and individual support, the government has involved social actors in the popularization of a family-friendly approach, the restoration of family-friendly public thinking and practice, and the building of families' communities. In this spirit, several calls for tenders have been published. The tenders focused on the support of educational and training programs—more specifically, series of lectures and communication programs aimed at preparing young people for the choice of a partner, marriage, and family life. The Family-Friendly Workplace Prize is intended to encourage employers to create “parent-focused” environments for working mothers and fathers, thus ensuring a proper balance of private life and professional life.

The supportive and family-friendly political measures of recent years have brought very promising results. In 2010, data on the willingness of

Hungarian people to start a family and have children gave rise to serious concern. Our primary objective is to ensure that those Hungarian citizens who desire to have children will not face any constraints. In this field, our greatest success is the rise of the total fertility rate from the critical 1.23 of 2011 to 1.48 in 2016. The total fertility rate had not been that high since 1996. Another favorable development is that between 2010 and 2015 the number of abortions decreased by 23%. We are particularly pleased that there were favorable changes in the lack of willingness to marry, as evidenced by the fact that the number of weddings was almost 50% higher in 2016 than in 2010. This clearly demonstrates that the institution of marriage continues to be very popular among young people. We hope that this may bring about a future increase of the birth rate.

The positive demographic indicators are to be interpreted as a combined effect of family policy measures and constructive employment policy initiatives. *Recent years have seen a rapid increase of female participation in the labour market*, which justifies the support of the dual-earner family model and of our family-friendly initiatives (more specifically, the creation of flexible conditions that are becoming more widespread or the support of the balance of family and professional life). The current rate of female employment (almost 60%) is to be regarded as a major success; in Hungary, the rate has not been that high since the time of the democratic transition.

In Hungary, we will continue to focus on family values, and we are ready to represent these values in international discussions as well, where basic principles are often the target of various attacks.

In May 2017, the Hungarian government, in cooperation with Hungarian and international NGOs, is organizing a series of events in favor of a family-oriented approach. Between May 25-28, 2017, we invite those interested to the Budapest Demographic Forum II; to the World Congress of Families, Budapest; to the One of Us Forum; and to the Family Festival on Sunday. Our motto is: Building Family-Friendly Nations, Making Families Strong Again!

Katalin Novák is Minister of state for Family, Youth and International Affairs, Ministry of Human Capacities, Hungary.

La Manif Pour Tous: An Interview with Ludovine de La Rochère

Ludovine de La Rochère is President of La Manif Pour Tous, the French organization which has spearheaded some of the most remarkable and well-attended protests against same-sex “marriage” in the world. Here, she discusses her organization’s history, motivations, and great success.

Tell us a bit about the background and history of La Manif Pour Tous. How and when did the movement begin? What are your primary goals?

We founded the movement in October 2012 when the homosexual “marriage” and adoption bill was to be presented before the French Parliament. Since the very beginning, we have also struggled against “queer theory” and all its consequences, which include not only gay “marriage,” but a new conception of humanity and society. We were ordinary citizens considering that we had to do everything we could to avoid such an absurd law.

What are the political and religious affiliations of your constituents?

La Manif Pour Tous is neither a political nor a religious organization. The movement refuses to align itself with a specific political party: actually, the fact that marriage means a man and a woman is a question of reality. The couple builds the family, and the family is based on the couple.

Because the point of marriage is to create a family and its purpose is to protect each member of the family, adults and children, marriage is

not an issue of the right or left. It is not a conservative, socialist, or liberal issue. And any person, from any political or philosophical background, may join La Manif Pour Tous. As a transpartisan movement, it aims to gather a majority of French people within the political spectrum so as to efficiently promote marriage and the “father-mother-child” relationship.

Its neutrality regarding religion also means that any person, whatever his religious belief, may side with La Manif Pour Tous. It is indeed our contention that promoting and defending marriage and filiation do not require subscription to any teaching or dogma from any church: it is simple common sense that leads us to adhere to such values.

Your protests have drawn the French to Paris by the thousands—they are some of the most remarkable and yet peaceful anti-gay-“marriage” gatherings that the world has seen. To what do you attribute the popularity of your movement?

“Family” is one of the most important institutions for all human beings. Thus, the loi Taubira [the law opening marriage to members of the same sex, named after French Minister of Justice Christiane Taubira] is a violent threat jeopardizing the fundamental pillar of our society. I think that people were very hurt by the idea of willingly depriving some children of a father or a mother through the legalization of assisted reproductive technology.

This anthropological revolution has been prepared by the diffusion in French society of “queer theory,” which preaches that man and woman are not really different and that sexual identities do not really matter. This theory has begun to spread in French schools.

This revolution has been accompanied by anti-family policies that have caused the impoverishment of French families, a sharp decline in our fertility rate, *etc.* French President François Hollande and his government really dislike family: for them, it is one of the chief causes of inequality and injustice.

These threats have been a watershed in France since the civil unrests and student protests of May 1968: for the first time a massive part of the French people have decided to no longer tolerate those attacks that put children in a horrible predicament.

Because La Manif Pour Tous has been denouncing those measures and has been promoting a deep shift in attitude toward family, it has succeeded in gathering hundreds of thousands of people across the country for four years. The last protest in October 2016, which attracted 200,000 people to Paris, proved that there is a decisive and lasting trend in favor of family.

In a 2014 article on La Manif Pour Tous, Alexander Stille wrote in The New Yorker, “Political street demonstrations are so much a part of French life that they have their own nickname, la manif, short for manifestation, or protest. They have a long history of blocking or undoing legislation, toppling governments, and reshaping the country—sometimes quite literally.” Your name means, in English, “the protest for everyone.” Can you say more about the tradition of street demonstrations in France? And also about your name?

Street demonstrations perhaps happen more often in France than in other countries. Usually they are organized by labor unions which are opposed to any reform of work conditions.

In the case of La Manif Pour Tous demonstrations, the goal is to defend common good, society, and civilization. These are strong motivations, but cannot be compared to other protests!

Besides, the meaning of our name is twofold. It was first created in reaction to the Bill named “le mariage pour tous,” namely “marriage for all,” which aimed to legalize same-sex “marriage” and adoption. In response to what was in fact a communitarian law that would have an impact on all children, a movement which was really “for all” was launched. This is the second meaning of our name: we do not discriminate against people, whatever their background. We are a movement for all French people who believe that marriage is the union of a man and a woman who desire to build a family.

Before the legalization of same-sex “marriage” in France, there was a law allowing both heterosexual and homosexual couples to enter into a civil union. Why has La Manif Pour Tous not protested such legal protections for gay unions? How are such unions different from marriage?

The PACS [“pacte civil de solidarité”] was enacted in 1999: it is the French equivalent of civil partnerships. For the first time in French law there was recognition of same-sex relationships as legal couples who could claim fiscal rights in particular. But PACS did not, and still does not, confer adoption rights on the partners. It is a contract that can be entered into by both opposite-sex couples and same-sex couples. It should be noted that more than 95% of PACS have been contracted between a man and a woman.

Many people were opposed to the PACS and some organizations did set up protests that were rather important. These were not organized by La Manif Pour Tous because we did not exist in 1999!

Your website speaks of the “rights of the child,” stating that “Marriage for All’ will inevitably lead to scientific procreation for all.” What do you mean by that?

The law legalizing both same-sex “marriage” and same-sex adoptions will inevitably lead to the approval of “assisted reproduction for all” because marriage is made to found a family, but two men or two women cannot have a child together!

Adoption cannot resolve this problem because there are currently more than 18,000 *opposite-sex* couples who are waiting to adopt a child. It is thus mere arithmetic: there are not enough children “available” to be adopted to fulfill the desires of same-sex couples.

Thus, when LGBT associations pretend that they want adoption and no more, it simply cannot be true. And, of course, I underline that adoption for two men or two women is a scandal because a child needs both a mother and a father: two men cannot be a mother, nor can two women be a father, even if they are marvellous.

This law has really enshrined in French law broadly the “right to a child.” Even if our opponents have been asserting that marriage is just the business of the couple, everybody knows, in fact, that marriage usually leads to children. So logically, same-sex couples say now that they have as much a right to have a child as anybody else and that it is our fault if they do not, because the means exist. Now they want these means to be legalized. This is the only way for them to have access to parenthood.

As a result, and logically, wide, public, and massive campaigns began just after the vote of loi Taubira to authorize both ART (Assisted Reproductive Technology) for lesbian couples and surrogacy on the ground of equality. To date, La Manif Pour Tous has succeeded in preventing the implementation of those bills.

Also on your website, you claim to be fighting the “Marriage for All” legislation “Because we have the historic responsibility of preserving our civil state, our society, and our humanity . . .” Why and in what ways do you believe that this legislation will undermine the civil state and humanity of France? Why is the family consisting of a married mother and father that crucial?

Family is the first cell of society; it is the essential link between the person and the whole community. This cell is the best at welcoming and bringing up a child. It is also the first place of solidarity, dignity, etc.

For this reason, family is essential for all human beings and for the whole society and its future. The first concern is the family’s most vulnerable member: the child. The very purpose of civilization is to protect the weaker, not to allow harm to come to him, for example by ordering him through a surrogate mother or depriving him of a father or a mother.

I insist that family entails sexual otherness. To deny this, to act as if a male-female couple is the same as two men or two women in founding a family, is to completely deny human reality. It is also wrong from a biological or psychological perspective.

I would even link such a denial to transhumanism: queer theory is a part of the human transformation wanted by some people.

What other family policy concerns/issues/agendas do you have?

Since the beginning of the first term of François Hollande as French President, his government has been adopting tragic measures.

After the law against marriage in May 2013, the Hollande government has continued pushing forward new bills against families. For instance, there are currently new threats to the freedom of educational choice, an astonishing permissiveness regarding the offence of surrogacy,

the pledge for the vote of “ART without a father,” the absurd promotion of “multiple parenthood” and of “queer theory,” as well as a tattered family policy. All of those issues were among the many that led us to take to the streets to protest on October 16.

Above all, the 2017 presidential and general elections are our next targets. We will raise awareness of family issues among the general public: the repeal of the 2013 Marriage Act together with the complete withdrawal of queer theory from school curricula are among the many measures we hope the candidates will pledge.

We have also been very vigilant regarding the EU agenda. For example, the annual report on the situation of fundamental rights in the European Union that was adopted last December shows a latent trend toward the promotion of the LGBT agenda within the EU. Through our European organization, “Europe For Family,” we have been working closely on family issues but also on transhumanism: the recent parliamentary report by Mady Delvaux is of much interest as it purports to give a legal status to robots.

The Council of Europe has also attracted our attention as well as the Hague Conference, notably because of their work on surrogacy. Those attempts to frame it as a morally sound and legitimate practice are unacceptable.

Where do you see your movement in five years? Or ten? What do you hope to have accomplished?

This is very hard to answer. I assume we will continue, even in five or ten years, to promote the culture of respect of male and female sexual identities, of family, of human ecology. The matter is so huge that it will not be resolved within a few years! But there is also the political aspect: the nature of actions we will realize depends on the policy of the next president, government, and parliament. We always have to adapt our strategy to the context.

REVIEWS

Out of the Shadows: Family Life and Policy Making in Early Twentieth-Century Europe

Allan C. Carlson

Family Politics: Domestic Life, Devastation and Survival, 1900-1950

Paul Ginsborg

Yale University Press, 2014; 444 pages, \$35.00

NARRATIVES OF MODERN EUROPE, argues history professor Paul Ginsborg of the University of Florence, have commonly left families “off stage,” “hidden from history.” In *Family Politics*, he seeks to insert the story of the European family during the tumultuous first half of the twentieth century “into a wider and deeper general history.” Using both biographical sketches and statistical measures of social change, he focuses on the family life found in five nations especially torn by political and wartime traumas: Russia, Turkey, Italy, Germany, and Spain. All but the latter took part in the Great War of 1914 when, to borrow a phrase from Wilfred Owen, “half the seed of Europe” was wiped out. For its part, Spain experienced the devastations of an unusually brutal civil war. In all five cases, the consequence of war, revolution, political unrest, and civil strife was the emergence of dictators: V.I. Lenin, Joseph Stalin, Kemal Atatürk, Benito Mussolini, Adolph Hitler, and Francisco Franco.

The result of Ginsborg’s efforts is an admirable, highly readable, and compelling, if sometimes flawed, volume. Using family life as his lens, the author describes in often vivid prose the distinctive tragedies found within his broad subject, including: the Armenian genocide of

1916, where parents were commonly forced to choose which of their children would die first; the Ukrainian famine of 1921, when virtually every child under the age of three perished; the burning of hundreds of churches and the murder of 10,000 Catholic priests, monks, and nuns by Spanish Republicans in 1936, coupled with the destruction of whole family villages by Franco's vengeful Army of Africa. Ginsborg shows how such woeful incidents derived from "the poisoned chalice" of nineteenth-century European nationalism, what one of his characters called "that magnificent national madness."

The author gives proper attention to the mostly sordid family lives of the dictators themselves. Two of them, Hitler and Atatürk, never married. Yet both kept mistresses: for the former his first cousin; for the latter his "adopted daughter." Lenin had a formal wife and several mistresses, but the Revolution "was his only child." Both Mussolini and Stalin had wives and legitimate children, yet they mostly ignored them, sometimes viciously so (Stalin also went out of his way to exterminate his in-laws). While otherwise despising the man, Ginsborg does admit that only Generalissimo Franco had a positive domestic life: a marriage lasting over 50 years, a daughter, and seven grandchildren.

The book has a coherent point of view. As the author acknowledges, his work "is full of feminists of one sort or another." He clearly favors full gender equality, sexual liberty, and policies such as collective child care. Any advance toward these goals he directly or indirectly praises. Any attempt to defend full-time motherhood or the breadwinning father, he deplors (with the limited exception of Turkey in the mid-1920s, described later). This orientation allows him to raise up certain heroes. He particularly admires Alexandra Kollontai, the only female Kommisar in Lenin's revolutionary government of 1917. The author of *Red Love*, she was the architect of the new Soviet Union's Family Code of 1918, which introduced no-fault divorce and collectivized child care, while dismantling marriage and the home economy. Although the real immediate results included millions of abandoned women and about seven million homeless children, and even though Kollontai wound up as a propagandist for the murderous Stalinist regime, Ginsborg keeps coming back to her "fascinating" and "striking" example. He gives similar attention to two other notable women: Halide Edib, who pushed for family reform

within the new Republic of Turkey; and Margarita Nelken of Spain, a “home schooled” journalist and advocate of “free love,” a defender of the “Libertarian Communism” of the Anarchists, who sought to give coherence to the domestic policies of the embattled Republic.

Ginsborg’s family-centered point of view produces villains, as well. As noted above, the author holds Franco in historical contempt. He works to deconstruct the Generalissimo’s claim to be saving “religion, the fatherland, and the family,” arguing that the Republican Constitution of 1931 was actually pro-family and that Franco’s ruthlessness during the civil war had nothing “religious” about it. More broadly, Ginsborg dislikes the Roman Catholic Church of this era. He is skeptical of its attempts to reassert the “Social Kingdom of the Church,” finding here little more than patriarchal reaction. He criticizes in particular Pope Pius XI, for signing the Concordant with Mussolini which created Vatican City and for authoring the encyclical *Casti Connubii* (*On Human Marriage*), which Ginsborg deems proto-fascist. He even dismisses the great Catholic social encyclicals, *Rerum Novarum* (Leo XIII, 1891) and *Quadragesimo Anno* (Pius XI, 1931), because they endorsed full-time motherhood and family wages for fathers. The author holds the Russian Orthodox Church in even greater historical contempt, finding in its mysticism mere superstition and “magic” and in its ecclesiastical structure an oppressive patriarchalism.

The book does have objective flaws in interpretation. The author asserts that the philosophical architects of Communism, Karl Marx and Friedrich Engels, were vague about the political future of the family. However, Engel’s 1884 volume *The Origin of the Family, Private Property, and the State* does lay out a clear policy agenda: free love; an end to traditional marriage; no-fault divorce; elimination of the distinctions between “legitimate” and “illegitimate” births; elimination of family-held property; and the collectivization of housing, child care, and meals. True, few details were given, but this is precisely the agenda that Kollontai and other Bolsheviks would pursue in 1918. Ginsborg also asserts that the protests by Italian peasants after the Great War, demanding social justice and land redistribution, represented a movement “larger than that of any other part of Europe except Russia.” He seems completely unaware of “the Green Revolution” that swept through Eastern Europe between

1918 and 1932, where peasant-led governments actually came to power in Bulgaria, Romania, Poland, Czechoslovakia, and Finland, with sweeping agendas of land reform, family policy, and rural social welfare.

All the same, there are many pleasant surprises in this book. For example, the author gives a fine, novel interpretation to the transformation of the Turkish family during the early years of Atatürk's Republic. Seeking to replace the old Islamic practices of polygamy, veiling, and the isolation of women (the primary activity for the Ottoman wife in Istanbul, circa 1900, had been "sitting"), writers such as Halide Edib and Ziya Gökalp built the case for a *strengthened* nuclear household as a center for "family morality," "a small nest-like family" (as Ginsborg summarizes) that would become "the powerhouse of the nation." To that end, Atatürk implemented perhaps the most remarkable act of "family policy" in modern history. In 1924, he declared that "[t]he direction to be followed in civil law and family law should be nothing but that of Western civilization." Two years later, the new Turkish Republic adopted—without changing a single word—the Civil Code of *Switzerland* as its family law. This had the immediate effect of abolishing polygamy by default and granting a host of new rights to women, including equality in access to divorce and in property matters. (Ginsborg notes, correctly I think, that part of the appeal of the Swiss Code was its soft version of patriarchy, which did continue to view the husband and father as head of the family; indeed, Swiss women did not gain the vote until 1971!)

Another pleasant surprise is Ginsborg's treatment of the Italian Communist, Antonio Gramsci. Unlike his fellow Marxists in Russia, Gramsci actually held a very positive view of the European Christian family. He stressed the power of virtuous family-centered schooling; as a necessary limit to collective life, the state could not be allowed to control the education of children. Where the Bolsheviks defined "morality" by the needs of "the Revolution," Gramsci held that it was rather "an 'infinite rosary' of benign everyday initiatives." Indeed, he gave the future Communist utopia a very different spin: "Only the abolition of private property and its conversion into collective property can ensure that the family will be able to fulfill its destiny: that of being an organ of moral life." While Gramsci clearly misunderstood the role of certain kinds of private property (house, garden, *etc.*) in preserving family integrity, his

example does underscore another of Ginsborg's themes: not all totalitarianisms—theoretically and practically—were the same.

In a similar way, Ginsborg ably dismantles the myth that Italian fascism was pro-family. As one of the precursors to the movement, the “Futurist” Filippo Tommaso Marinetti, wrote in 1919: “The family as it is constituted today by means of marriage and without divorce is absurd, harmful and prehistoric. . . . The family dining room is the twice-daily dumping ground for bile, ill-humor, prejudice and gossip.” He added that while the idea of the Fatherland “was generous, heroic, dynamic, *futurista*,” that of the family was “narrow, fearful, static, conservative, *passatista*.” The leading philosopher of Fascism, Giovanni Gentile, concurred: “the state cannot realize itself unless it absorbs the family and annuls it.” Mussolini praised the family, and seemed to support it, only when he needed more children who would become the soldiers behind his imperialist goals.

In short, I recommend this book—despite its shortcomings—to anyone interested in the formation of contemporary family policy. Even from the perspective of this journal, it highlights ways in which family policy has been done well. It provides warnings over how such policies can become harmful and destructive. And it raises up provocative suggestions about future policy options lying outside conventional ideological lines that could strengthen the Natural Family.

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Message from Malachi

Bryce J. Christensen

The Turning: Why the State of the Family Matters, and What the World Can Do About It

Richard and Linda Eyre

Familius, 2014; 339 pages, \$18.95

SOCIOLOGISTS, POLITICAL SCIENTISTS, ETHICAL PHILOSOPHERS, demographers, psychologists, public-policy experts—these are the credentialed authorities loudly proffering their services as guides to a world confused about family life in the twenty-first century. So on whom do authors Richard and Linda Eyre rely in developing their perspective on this critically important topic? First and most fundamentally, they rely on Malachi, the ancient prophet who delivers the word of the Lord in the concluding lines of the Old Testament: “. . . turn the heart of the fathers to the children, and the heart of the children to their fathers, lest I come and smite the earth with a curse” (Malachi 4:6). Having taken these words as the epigraph and—implicitly—the title for their book on family issues, the Eyres cite them in a sobering opening chapter on the “curse” certain to fall upon the world “if families lose their cohesion, if the hearts of parents are not turned to their children and the hearts of children do not turn to parents.”

In the modern pivot away from both the inherited social patterns of the past and from the revealed mandates of religion, the Eyres detect profound threats to family life—and to the freedom and well-being that depend on it. Resisting the bombardment of neophilic media obsessed

with the latest trends, the Eyres affirm “the basic, and ancient, institution of family” as the wellspring of timeless benefits. “The family,” they realize, “has functioned for millennia as the basic unit . . . for replacing and replenishing humanity, and for raising and rearing children by teaching and training them and integrating them into broader society.” Regardless of changes in economic, political, or cultural institutions, they insist, “the essence of families doesn’t change.” Underscoring their point, they remark, “Some things never change: the innocence of children; our own innate, intuitive, inherent love for children and family; and the natural emotional tendency to prioritize spouse and kids. These feelings, these priorities have not changed from the beginning of time.”

But the Eyres recognize developments that might tempt us to regard family as a historical artifact we—as enlightened creatures of a postmodern world—can leave behind. “Prior to the twentieth century,” they note, “most households were farm and rural families,” families that functioned much as families always had: “farm families worked together, and family communication happened in connection with the work time spent together.” Marriages rested upon a natural gender complementarity in an agrarian world where “the specialized roles of husband and wife, mother and father were accepted and recognized.”

The Eyres trace the persistence of this agrarian pattern even during the first half of the twentieth century as newly urbanized (and suburbanized) families developed “an adjusted and updated version of the rural lifestyle,” a version defining “fairly clear roles according to gender” and marginalizing “both divorce and living together before marriages [as practices] . . . shunned to the point of social stigma.”

Though they insist that the deep-down character of family never changes, the Eyres concede that norms that once reinforced marriage and home-based family life began to “change in the sixties, and these changes increased as the last decades of the century played out.” Many cultural developments helped catalyze this acceleration of family-subverting social change, but few proved more potent than a new contempt for the past among social revolutionaries.

And as the Eyres point out, the media have never stopped celebrating—and exacerbating—this break with the past by tirelessly (mis)informing us that “traditional families are out of date and old-fashioned.” Rendering

this rupture with the past more decisive and more difficult to reverse, “government as a whole seems determined to take over every traditional function of the family.” As a branch of government, “public schools often undermine family values and parental authority.” The educational war against traditional family values and parental authority has grown especially intense in public universities, where students learn from utopian ideologues—Marxist, feminist, Malthusian, and environmentalist—that the natural family of ages past incubated sexism, bigotry, prejudice, and indifference to Nature. Not surprisingly, influential figures in the private sector—including corporate executives, advertisers, entertainers, and merchandizers—have sought profit and social influence by attacking family-centered traditions while opportunistically advancing trendy replacements.

Family life inevitably decays in a society cut off from its past. So, too, does faith. For, as the Eyres remark, when schools and other institutions promulgate “anti-family or family-irrelevant views of the world,” they inevitably advance an ideological world meant “to supersede the religious world or the family world.” Though they slide toward infelicitous jargon when they speak of “the faith and family factor,” they do underscore the vitally important linkage between “the greatest institution (the sovereignty of God) and the most basic institution (the family).” It is thus a linkage between “faith [as] the force from the heavens above, the belief that God’s word is more important than man’s” and “family [as] the force from the grassroots below, the belief that the fundamental unit of society is what makes up and controls all larger institutions.”

Sadly, the linkage between family and faith frays, even threatens to disappear, in an insistent secular world. The fading of traditional, family-reinforcing faith—faith in the God of Malachi—has not, to be sure, meant the disappearance of all forms of spirituality. As a fundamental human need, worship persists—albeit in socially destructive new forms. As the Eyres soberly acknowledge, “We live in a world that literally worships the cult of the individual.” Indeed, only the prevalence of this cult can account for the way “words like ‘spirit,’ ‘soul,’ and ‘faith’—once the domain of the church—are trendy and popular now to mean *my* spirit, *my* soul, *my* inner consciousness, *my* faith in *my* self.” With good reason, the Eyres worry about how this pseudo-spirituality of self “can work

against a reverence for God, a dependency on His will and power. With self-orientation . . . can come a kind of selfishness that detracts from family commitments.”

Rather than sustaining the enduring family commitment that defines a marriage, the modern cult of Narcissus converts men and women into live-for-the moment sexual hedonists. Repudiating traditional religion’s wedlock-fortifying restraints of chastity and fidelity, this new cult invites one and all, as the Eyres acknowledge with chagrin, to indulge in “recreational sex” as “the ultimate easy pleasure . . . the almost-instant result (and gratification) of any remotely romantic encounter.” The contemporary cult of self particularly fosters the radically self-absorbed form of “recreational sex” available through pornography, identified by the Eyres as “a lie that kills love,” but nonetheless a lie now so ubiquitous (thanks to the Internet) that it has become “both the fastest growing and most profitable business in many developed countries.”

But the profitability of pornography only very partly explains why government has so far done very little to combat it—or any other form of self-centered sexual indulgence. Such indulgence may actually serve the desires of government leaders more interested in augmenting their own power over captive clients than in serving the public good. Recognizing the way those who indulge themselves sexually tend to forget about larger questions of political liberty, Aldous Huxley perceptively remarked in 1946, “As political and economic freedom diminishes, sexual freedom tends compensatingly to increase. And the dictator . . . will do well to encourage that [sexual] freedom. . . . [I]t will help to reconcile his subjects to the servitude which is their fate.” We can hardly hope to see many restraints among self-worshipping cultural amnesiacs. As Alasdair McIntyre has reminded us, “Any conception of chastity as a virtue . . . in a world uninformed by either Aristotelian or biblical values will make very little sense to the adherents of the dominant culture.”

Cut off as they are from both the past and from timeless religious faith, “the adherents to the dominant culture” prove vulnerable to the temptations of hedonistic sex but resistant to the commitments of stable family life. “In virtually all developed countries,” the Eyres lament, “cohabitation, homosexual marriage, and intentional single parenthood are expanding rapidly as traditional marriages and birthrates decline.”

The malign consequences of this erosion of family life threaten our well-being, both collective and individual, on every side. The Eyres recognize family breakdown as a prime cause of “increases in violence, gangs, substance abuse, bullying, teen promiscuity and pregnancy, crime, teen suicide, gang violence, school dropout rate, and AIDS.” This growing tide of woe appears particularly ominous when many “governments . . . are now panicked by less-than-replacement birthrates” threatening their economic and political futures.

But the Eyres, at least, are not despairing. Rather, they are intent upon advancing a bold plan of action for reaffirming the family. Parts of that plan involve collective action outside of the home. The Eyres provide helpful guidance on how to form coalitions that can challenge the “false paradigms” distressingly prevalent in our governmental, educational, financial, corporate, media, and entertainment institutions. They even provide templates for letters that such coalitions might use to advance their agenda within these institutions.

Nonetheless, in a book dedicated to renewing family life, the recommendations that finally weigh heaviest are naturally those that spouses, parents, and grandparents will apply within their own homes. “No other success,” the Eyres stress, “can compensate for failure in the home.” Among the recommendations the Eyres give for home life, those that matter most are finally those that align most fully with the prophetic message they have drawn from Malachi. The Eyres indeed speak openly of their need for prayer. Readers caught in the thicket of life’s complexities are invited to join with the Eyres in remembering that “a belief in God and in absolutes can simplify life in a positive way, giving us a framework of what is right and wrong, good and bad, relieving us of the oppressive obligation to make every one of those judgements for ourselves.”

Without an eternal and divinely inspired perspective—that is, without the kind of perspective from which Malachi speaks—it is very hard to see how many readers will join the Eyres in affirming “fidelity and chastity” as essential principles for family life. Without an anchoring in religious faith, who will commit to “the value and security of fidelity within marriage and restraint and limits before marriage” in a culture awash with “casual, recreational sex”?

Themselves parents of nine children, the Eyres passionately call on

fellow parents to accept “the scriptural cure of turning our very hearts [to our children] . . . [as] a solution that moves up through the trunk of parents and extends out to effect the branches and leaves of every child.” But parents are also themselves children. So heeding Malachi’s words means parents must also turn their hearts to their parents—and their parents, and their parents . . . back along an ancestral chain. Precisely because they recognize this fact, the Eyres also recognize turning to parents as part of what we must do—surprisingly—in turning our hearts to our children. “Looking back into our ancestor[-defined] identity,” they write, “is perhaps the *most* powerful and effective approach of all for building strong and confident *identity* within our children” (emphasis added). Stressing the role of “strong traditions” as “the glue that holds families together,” the Eyres explain how they “worked some of [their] ancestors . . . into [their] traditions because [they] wanted [their] children to have that extra layer of identity of knowing where (and who) they came from.” The Eyres explain, “We wrote some simple bedtime stories based on real experiences of these ancestors . . . and we now have a little ‘ancestor birthday party’ for them which includes ‘their story.’”

Twenty-first-century parents face daunting challenges. But the Eyres give us hope that we can meet these challenges by listening to an ancient prophet. Such listening will mean turning our hearts to our children and to our parents. If that hope is to be more than an illusion, that hope must also mean turning our hearts to the God who sent that prophet.

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NEW RESEARCH

Bryce J. Christensen and Nicole M. King

The Contraceptive Mindset Invades the Gambia

As champions of the feminist cause, progressives tirelessly insist that they want to expand the range of choices open to women around the globe. But a new study out of the Gambia in West Africa manifests more than a little progressive discomfort with one kind of female choice: that of bearing and rearing a large family. Indeed, this study signals a strong progressive commitment to prevent this female choice through a contraceptive reordering of Gambian society.

Conducted by researchers at the University of the Gambia, this new study focuses on “grand multiparity,” the obstetric phenomenon manifest when a woman has “carried five or more pregnancies to the age of viability.” The Gambian researchers note that “grand multiparity is still quite common in The Gambia,” where the Total Fertility Rate stands at 5.6 births per woman.

In studying grand multiparity, the researchers are studying a phenomenon they regard as a problem, one they definitely wish to make less prevalent by prevailing on more Gambian women to use modern contraceptives. “High parity,” the authors of the new study remark, “is . . . still a common *problem* in obstetric practice in many developing countries” (emphasis added).

Why do the researchers regard it as a *problem* that many Gambian women bear five or more children? They note that grand multiparity is “associated with maternal anaemia in pregnancy, antepartum haemorrhage, abnormal foetal presentation, postpartum haemorrhage as well

as medical conditions such as hypertension in pregnancy.” They further remark that, compared with mothers who have given birth to fewer children, “the grand multiparous woman is also more likely to require a surgical obstetric intervention with its attendant risks.” In addition, among the children born to grand multiparous women, medical professionals see a distinct elevation of “perinatal problems including low birth weight, preterm birth and congenital malformations.”

Nonetheless, the researchers acknowledge that “grand multiparity does not necessarily end in adverse pregnancy outcomes.” So why do they not devote themselves to finding ways of dealing with or preventing the medical problems *sometimes* associated with grand multiparity? After all, the researchers themselves acknowledge that such medical complications “can be minimized by good antenatal care.” Why not focus on providing such care instead of labeling grand multiparity a problem in and of itself?

It would appear that social and cultural attitudes, not simply medical concerns, are at work here. The researchers indeed evince a desire to guide the Gambia toward a future in which it more closely resembles “developed countries,” countries characterized by “high literacy level, availability of modern contraceptive methods, liberal abortion laws and . . . improved health care services which ensure the survival of almost all children,” countries—such as those in Western Europe and North America—where the incidence of grand multiparity “now ranges from 3 to 4%.”

The authors of this new study believe that Gambian mothers should be “advised to practice effective family planning methods to prevent further pregnancy,” thus making themselves more like Western European and North American mothers. Indeed, the researchers note that “the Gambian National Reproductive Health Policy [already] provides for the provision of free family planning services in all the health centres in the country.” It is therefore clearly a matter of frustration to the researchers that “despite this huge investment in family planning by the government and international donors, grand multiparity remains a common feature of obstetric practice in The Gambia.”

To better understand the persistence of grand multiparity in their country, the Gambian scholars examine data collected from 514 mothers visiting Edward Francis Small Teaching Hospital (the Gambia’s only

tertiary health facility) for prenatal care. Of these 514 mothers, 136 (26.5%) were grand multiparous mothers expecting a fifth or subsequent child.

When the researcher asked them why they were pregnant with this child, these grand multiparous mothers most commonly replied that they simply wanted more children. As the researchers report, “The most common reason given for the current pregnancy among the grand multiparous was a desire for more children.” What is more, these mothers are not having large families in ignorance of contraceptive options. The researchers conclude that “97.1% of study participants were aware of the availability of contraception. In fact, 56.6% of these mothers had been counseled regarding availability, accessibility and various options available for contraception in the hospital before discharge in their previous pregnancy. Therefore, inability to use contraception to prevent the occurrence of pregnancy was not due to lack of contraception or accessibility.”

Perceptive readers will discern the anti-natal bias evinced in the researchers’ reference to grand multiparous mothers’ “*inability* to use contraception” (emphasis added) to prevent a pregnancy—as though women would somehow *want* to bear a fifth child only because they lack some essential ability.

To be sure, a significant number of the grand multiparous mothers in this Gambian study did identify their latest pregnancy as a “mistake.” Among these women, the authors of the new study suspect they see “an unmet need for contraception” and therefore call for “additional efforts . . . to target those with unplanned pregnancies” as potential users of contraceptives.

The Gambian researchers recognize the imprudence of openly impugning the desires of Gambian women who say they wanted their latest pregnancy. But in identifying “high parity” as itself a problem, they unmistakably indicate that these women are also targets in their plans to spread the contraceptive mindset. Even though the number one reason that Gambian women become grand multiparous mothers is simply that they want many children—regardless of the availability of contraceptives—the Gambian researchers see in the high number of such mothers an indicator “of low literacy, poverty and other forms of injustice and inequity faced by women in the developing world.” No wonder, then, that

they envision a nationwide cultural change that will reduce the number of such mothers by sharply increasing contraceptive use. To effect that change in “a religious country” like the Gambia, one of “patriarchal nature,” they believe that advocates of contraception “need to develop family planning messages that specifically target men and religious leaders” in order to “get women to practice contraception.”

In their repeated use of the verb *target*, the authors reveal much about their aggressive cultural intent. *Target* typically means aligning a weapon for firing against foe or prey—often with lethal effect. The advocates of contraception now target a Gambian society that they find unacceptably different from the contraceptive-friendly, low-fertility societies of Europe and North America. To the degree that these crusaders for contraception do discharge their cultural weapon, Gambian society as it now exists will live no more—and many of the baby Gambians who might have been born will never see the light of day. These crusaders may then congratulate themselves on having solved the problem of large Gambian families.

(Patrick Idoko, Glenda Nkeng, and Matthew Anyawu, “Reasons for Current Pregnancy amongst Grand Multiparous Gambian Women—A Cross-Sectional Survey,” BMC Pregnancy Childbirth 16 [2016]: 217, Web.)

A Bad Gut Feeling about Fatherlessness

Among the indicators of good infant health, one that receives relatively little attention is the presence in the neonatal gut of the right kinds of bacteria. A number of factors can affect the makeup of the microbes living in a baby’s gut, but a new study identifies family structure as a predictor of the relative healthiness of that makeup. Babies living in fatherless homes, it turns out, are at risk right down to their guts.

Conducted by scholars at the University of Michigan; the University of California, San Francisco; Augusta University; and Henry Ford Health System, this new study of microbes in infant guts explores an issue of underappreciated gravity. As the research team explains, “The human gut microbiome, the mixed-species community of microbes that reside in the gastrointestinal tract, plays a critical role in physiological and immunological maturation and homeostasis.” It is therefore predictable that when newborns experience “perturbations to gut bacterial community

composition,” they subsequently face increased risk of “a variety of pediatric disorders,” in ways that may compromise their “childhood health status.”

To identify just what puts children at risk of developing an unhealthy gut microbiome, the researchers genetically analyze the microbiota of 298 children from a Detroit-based birth cohort. Of these children, 130 were neonates (median age of 1.2 months), and 168 were infants (median age of 6.6 months).

Statistical analyses of the data identify a number of independent predictors of the healthiness of babies’ gut microbiome. These predictors include maternal race-ethnicity, breastfeeding, exposure to tobacco smoke, household income, and maternal marital status. The last two items in this list might merit particular attention given the way the number of out-of-wedlock births has skyrocketed in many developed countries, including the United States, so helping to keep child poverty rates troublingly high. The researchers report that “infants of married mothers and of high-income households had . . . higher abundances of *Bifidobacterium* taxa” than did infants of unmarried mothers and of low-income households, *Bifidobacteria* being microbes so beneficial in the gut that they are sometimes ingested as medicine.

But in their summative analysis, the researchers identify marital status—and not household income—as part of a particularly problematic cluster of correlated statistical predictors of unhealthy gut microbiota in infants. In investigating what they label as the most unhealthy of three distinctive Microbiome-associated maternal profiles (MMPs), the researchers discern a troubling conjunction of high rates for out-of-wedlock childbearing and for exposure to second-hand tobacco smoke linked to low rates for breastfeeding. Compared to mothers with either of the other two MMPs, the mothers with this most problematic MMP manifest “the highest rates of E[nvironmental]T[obacco]S[moke] exposure (87%) and the lowest rates of both breastfeeding (3%) and being married at delivery (20%).”

The researchers warn that children born to mothers with this MMP evince “a susceptibility profile with potentially detrimental health effects that may be mediated by early life gut microbiome composition.”

It appears that the perils that fatherless children face include invisible

but consequential ones they carry about with them in their guts.

(Albert M. Levin et al., "Joint Effects of Pregnancy, Sociocultural, and Environmental Factors on Early-Life Gut Microbiome Structure and Diversity," Scientific Reports 6 [2016]: 31775, Web.)

Deprived of Breastfeeding in Infancy, Vulnerable to Severe Depression in Adulthood

Though pediatricians and public-health officials have fought to increase the practice of breastfeeding, their efforts have often proven fruitless in a world of out-of-wedlock childbirths and out-of-home maternal employment. And unfortunately, evidence continues to mount that children deprived of breastfeeding in infancy pay a price later on. The latest evidence comes from a study in Brazil finding distinctively high levels of psychological problems among adults who were not breastfed as babies.

Published by researchers at the Federal University of Pelotas and the Universidade Católica de Pelotas, both Brazilian institutions of higher education, this new study probes the long-term effects of breastfeeding. The scholars conducting the study acknowledge that previous research has already established that individuals breastfed as babies are significantly less vulnerable to "behavioral and internalization problems, psychological stress, and depressive/anxiety symptoms" than are individuals who were not breastfed during infancy.

More particularly, the researchers recognize prior studies concluding that, compared to individuals who were not breastfed during infancy, those who were breastfed achieve better performance on cognitive tests, manifest fewer behavioral and internalization problems, suffer from less psychological stress, and prove more resistant to depression, anxiety, and attention deficit disorder (ADD).

But the authors of this new study launch their inquiry because studies evaluating the effect of breastfeeding on "specific mental health disorders are scarce" and because some earlier studies "have failed to observe an association between breastfeeding and later mental health." Desirous of filling the gaps and resolving the inconsistencies in the previous research on the matter, the Brazilian scholars set out "to assess the association between breastfeeding and mental health outcomes in young

adults.” To that end, the researchers parse data collected in 2012-13 from 3,657 individuals born in Pelotas in Southern Brazil in 1982, assessing these data in the context of information on breastfeeding collected for these individuals when they were young children.

When analyzing their data for simple binary associations, the researchers find that those who had been breastfed for less than one month were more vulnerable to common mental disorders (CMD), major depression (MD), and severe depression than were those who had been breastfed for at least six months. The Pelotas scholars then reassess their data in a more sophisticated multivariable statistical model (one accounting for the possible influence of factors such as birth weight, maternal smoking during pregnancy, and parental psychiatric problems). In this multivariable statistical model, the likelihood that young adults who were not breastfed would develop common mental disorders or major depression at rates seen among peers who were breastfed fell below the threshold of statistical significance. Even in this model, however, young adults who had not been breastfed were still significantly more likely to suffer from severe depression than were their breastfed peers.

“In summary,” the researchers remark, “our findings suggest that breastfeeding reduces the odds of having more severe depressive symptoms.”

The researchers theorize that “the effect of breastfeeding over other mental health outcomes [such as common mental disorders and major depression] might be small,” too small to establish a significant association in a study limited by the number of individuals involved.

Looking at their overall results, the researchers remark, “[W]e believe that our findings suggest that breastfeeding is associated with mental health in early adulthood, specially depression or depressive symptomatology.”

Though they acknowledge inconsistency in the findings of previous research on the matter, the authors of this new study interpret their conclusions in light of “studies [that] show the protective effect of breastfeeding over outcomes like general behavior or mental well-being, in children and adolescents.” In particular, the researchers find relevant a 1998 study finding that “among [children and adolescents] who were never breastfed, the odds of having major depression were higher, even in

fully adjusted models.” Likewise relevant, in their view, was a 2012 study concluding that among adults “the odds of being depressed were higher among those breastfed for less than 2 weeks” than among those who were breastfed for at least six months.

The Pelotas scholars tentatively identify as “a possible pathway explaining the association between breastfeeding and mental health . . . the relationship between breastfeeding and cognitive development.” This pathway seems plausible given that social scientists have shown that “children with lower IQ have an increased risk of developing adult depression” and that “breastfeeding is associated with a higher IQ.”

The researchers discern a second possible explanation of the linkage between breastfeeding and mental well-being in earlier “studies [that] suggest that home environment and/or maternal care during childhood could influence the appearance of later mental health disorders and that breastfeeding is associated with [favorable] parent-child qualities.”

Lamentably, adverse trends in family life around the world are putting more and more babies in homes where mothers’ marital or employment status makes sustained breastfeeding unlikely. That is good news only for those seeking full employment for psychiatrists and psychotropic drug manufacturers.

(Christian Loret de Mola et al., “Breastfeeding and Mental Health in Adulthood: A Birth Cohort Study in Brazil,” Journal of Affective Disorders 202 [2016]: 115-19.)

Out-of-Wedlock Birth—a Lifetime Handicap

Though ideology compels progressives to embrace diversity in family forms, they can hardly ignore the growing mountain of social science showing that children are suffering in the most common non-traditional type of family—namely, the fatherless family. So progressives maneuver out of their temporary discomfort by way of complaints about the miserliness of welfare-state benefits to single mothers on the one hand and paeons to the resilience of children on the other. Yes, they say, life is hard for children born to unmarried mothers. But it would not be so bad if governments gave these mothers more financial aid. In any case, children are resilient—they soon surmount the problems incident to

out-of-wedlock birth. However, neither of the progressives' rhetorical ploys for minimizing the problem of out-of-wedlock birth looks very credible in light of a recent study of children born out of wedlock in Finland. This Finnish study concludes that economic status alone cannot account for the lifetime disadvantages suffered by children born to unmarried mothers.

Published by scholars at Helsinki and Oulu Universities in Finland and the University of Southampton in the United Kingdom, this new study examines the relationship between birth to an unmarried mother and adult trajectory in socioeconomic and marital status. The authors of this new study begin their investigation aware of "numerous [prior] studies show[ing] that single parent family background is a highly relevant determinant of health at least among children and young adults, among whom it is associated with adverse physical and mental health outcomes, as well as poorer educational performance and idleness (being neither in school nor employed)." But they recognize a need for their new inquiry because "less is known about the effects of single-parent background across the life course, because most of the previous studies are performed in relatively young cohorts."

To assess the life-course effects of birth to an unmarried mother, the researchers parse data collected at five-year intervals from 13,345 individuals born in Helsinki between 1934 and 1944.

These data reveal that "children born out of wedlock almost 80 years ago attained a lower S[ocio]E[conomic]P[osition] in adulthood and were more likely to remain unmarried than children of married mothers." In other words, "children born out of wedlock carry a socioeconomic disadvantage throughout life."

More particularly, the researchers report that, compared with children born to married mothers, the individuals in their study face "approximately three-fold odds of ending up in the lowest [rather] than in the highest educational and occupational categories." Careful statistical analysis establishes that "these associations are not explained by other socioeconomic factors as indicated by mother's and possible male caregiver's occupational statuses." The Finnish and British scholars consequently assert that birth to an unmarried mother remains a lifetime disadvantage "over and above the disadvantage associated with childhood

family occupational status.”

Compared to peers born to married mothers, those born to unmarried mothers were “also less likely to reach the highest income third in adulthood [Odds Ratio of 1.63] and more likely to stay unmarried themselves [Odds Ratio of 0.66 for marriage].”

The authors of the new study further suggest, quite plausibly, that the “disadvantage starting in early life [for those born to unwed mothers] is likely to have a substantial effect on lifetime health.”

Not surprisingly, the “most disadvantaged” individuals in this study were those “born to an unmarried mother who did not have a male caregiver during childhood years.” These especially disadvantaged individuals were the “most likely to end up in lower S[ocio]E[conomic]P[osition] and to stay unmarried.”

Predictably, the lot of those born to an unmarried mother proved less dire if their mother later married, so giving them a “male caregiver” during childhood. Nonetheless, the data indicate that “children who were born to an unmarried mother and who later had a male caregiver [still] attained a lower S[ocio]E[conomic]P[osition] than those born to married mothers.”

Perhaps in part yielding to the pressures of political correctness—pressures strong in academe—the researchers emphasize “the specific historical context of the study period.” For this study, acknowledging this historical context means recognizing that those born between 1934 and 1944 grew up “during an era when marriage was the norm.” Because that norm has largely evaporated through much of Europe, the researchers believe “no direct analogy can be drawn [from their study] to birth outside marriage and single parenting in contemporary societies.”

But this acknowledgement of historical context does not blind the researchers to the obvious: “There are . . . still many contemporary contexts where single mothers may have limited material and social resources [that were] similarly [scarce for] participants of the present study.”

The unfortunately persistent relevance of this historical study makes it deeply lamentable that “growing up with one parent has become increasingly common for children in the Western world,” with the percentage of European children living in single-parent (usually mother-only) households rising from 10% to 21% between the 1980s and 2008.

Throughout Europe, and in other areas of the globe, a growing number of fatherless children face lifelong hardship.

(H. Maiju Mikkonen et al., “The Lifelong Socioeconomic Disadvantage of Single-Mother Background—The Helsinki Birth Cohort Study 1934-1944,” *BMC Public Health* 16 [2016]: 817, Web.)

Bringing It Home—Home Birth and Breastfeeding

Despite overwhelming evidence of the health advantages babies enjoy when their mothers breastfeed them, surprisingly few mothers give their offspring that advantage in modern nations, where the home has shriveled into cultural insignificance as other institutions have taken over its meaningful functions. But a study recently completed by researchers at Trinity College Dublin reveals that breastfeeding rates run distinctively high among mothers who restore meaning to the home in an emphatic way: by choosing to give birth at home rather than at the hospital.

The authors of this new study are acutely aware that as “the optimal form of infant nutrition,” breastfeeding delivers “short-term and long-term benefits for the infant and mother.” For the breastfed child, these short-term benefits include “improved neurodevelopment, reduced incidence and severity of infections,” and the long-term benefits include “a protective effect against common adult-onset metabolic diseases . . . later in life (e.g., obesity, hypertension, dyslipidaemia, type 2 diabetes), and reduced incidence of gastrointestinal diseases (including inflammatory bowel disease and coeliac disease).” For the breastfeeding mother, the benefits of the practice include “reduced rates of breast and ovarian cancers later in life.”

But the Dublin scholars are also painfully conscious that in the affluent West, “very few women and infants are receiving the benefits of breast feeding for the 6 months duration that is recommended by the W[orld]H[ealth]O[rganization].” In search of information that may guide strategies for fostering breastfeeding, the authors of this new study draw inspiration in previous studies finding high rates of breastfeeding among mothers who have given birth at home. However, because these earlier studies did not track breastfeeding over time, the Dublin researchers launched their own inquiry as “a comprehensive examination of this

association at multiple time points.”

To carry out their analysis of the linkage between home birth and breastfeeding, the researchers examine two sets of data: the first collected in 2008-2009 for 11,134 nine-month-old infants born in Ireland, the second collected in 2001-2002 for 18,552 nine-month-old infants born in the United Kingdom. In both countries, the researchers note, midwife-assisted home birth is a medically approved option for low-risk pregnancies. Consequently, among the infants tracked in these two data sets were 157 babies born at home in Ireland and 340 babies born at home in the United Kingdom.

When the researchers analyze the data, a clear pattern emerges: “Home birth was positively associated with initiation of breast feeding and with sustained breast feeding at all time points.” What is more, this pattern changes very little in statistical models that adjust for background variables such as household income, maternal education, and child’s birth weight. Using multivariable adjusted analysis, the researchers calculate that mothers who gave birth at home were more than twice as likely as mothers who gave birth in the hospital to be exclusively breastfeeding their babies at six months (Odds Ratios of 2.77 for Irish mothers and 2.24 for British mothers; $p < 0.0001$ for both groups).

As they reflect on their findings, the researchers acknowledge that “the association between home birth and breast feeding is unlikely to be directly causal.” But they conjecture that “the physiological experience of giving birth at home in a familiar environment may lead to reduced stress, and a reduction in stress could contribute to an intervention-free birth, and may consequentially influence breast feeding outcomes.”

Looking even more deeply at the matter, the Dublin scholars suggest that “a woman’s decision to give birth at home is often embedded in a refutation of a public narrative (the medical model of childbirth) and a challenge to obstetric models of care; hence, they implicitly challenge the reliance on technology and more medicalised approaches to childbirth.” Quite naturally, “this perspective on birth is more likely to lead women towards the adoption of natural methods of infant feeding and hence favour breast feeding.”

Whatever else this new study reveals, it appears to confirm that when the home reemerges as a place where the family’s most meaningful events

occur, good things happen—for babies and for mothers.

(Clare Quigley et al., “Association between Home Birth and Breast Feeding Outcomes: A Cross-Sectional Study in 28,125 Mother-Infant Pairs from Ireland and the UK,” BMJ Open 6.8 [2016]: e010551, Web.)

Aborting Mental Health

For decades, progressive champions of abortion rights have argued that elective abortion safeguards women’s psychological health. But evidence to the contrary keeps surfacing. The latest indication that submitting to an abortion actually puts a woman’s mental well-being in peril comes in a study recently published by sociologist Donald Paul Sullins of the Catholic University of America.

Sullins recognizes a need for a new study of the psychological impact of abortion at a time when, “despite claims to the contrary from psychiatric associations and abortion providers, evidence of psychological distress and mental disorders following abortion continues to accrue.” To be sure, because of the “uneven quality in earlier studies of this question,” physicians see “sharply contested results” that cloud rather than clarify the issue. Sullins contrasts, for example, two 2011 studies. One study finds an “81% increased risk of mental-health problems for women having an abortion,” its authors interpreting this increased risk as “a moderate to highly increased risk of mental-health problems after an abortion.” The second study concludes that “the rates of mental-health problems for women with unwanted pregnancy were the same whether they had an abortion or gave birth.”

Looking at other recent studies, Sullins identifies a number finding “a positive association between having an abortion and a range of difficulties, including post-traumatic stress disorder (PTSD), anxiety, suicidality, and substance abuse.” “The most persistent finding,” Sullins notes, “has been that of an association between abortion and subsequent indicators of depression.” Still, he must concede that other recent studies into the psychological effects of abortion have yielded “weak or null results.”

In this tangle of uncertain research swirling around a medical practice now occurring more than 40 million times annually, Sullins sees little that justifies current defenses of “abortion as physician-certified therapy

for women's mental health." But to resolve the issue definitively, researchers need "effective, rigorous [study] designs using longitudinal data" that extends beyond the "short follow-up periods, typically 5 years or less," relied on by earlier investigators.

What is needed, Sullins argues, is precisely the kind of long-term data parsed by researchers in two recent studies analyzing the psychological effects of abortion in Norway and New Zealand. By tracking women from adolescence into their late twenties, the authors of these two studies find "small but significant post-abortion increases in the risk of affective and addictive disorders, including depression, anxiety, suicidal ideation, and abuse of alcohol, marijuana, or other illicit drugs."

But Sullins admits that "comparable [long-term] evidence from other countries has not been examined." It is to that end that he sets out "to amend this lack by replicating the major features of these two studies [from Norway and New Zealand], examining similar, strong longitudinal data from the United States." Sullins weighs the psychological impact of abortion by using data collected in the United States between 1994 and 2009 from a nationally representative sample of 8,005 women surveyed at ages 15, 22, and 28, data sufficient to indicate linkages between a pregnancy outcome (birth, abortion, or involuntary pregnancy loss) and subsequent depression, anxiety, suicidal ideation, alcohol abuse, drug abuse, cannabis abuse, and nicotine dependence.

Using a statistical model that accounts for background variables, including race, childhood sexual or verbal abuse, neuroticism, poverty, educational attainment, and intimate partner violence, Sullins draws from the data the unmistakable finding that "abortion is consistently associated with a moderate increase in risk of mental health disorders during late adolescence and early adulthood."

Summarizing his conclusions, Sullins writes, "Exposure to induced abortion was consistently associated with increased rate of most mental disorders." More particularly, women who had submitted to an abortion were more than three times more likely to report "illicit drug abuse/dependence" than were peers who had not had an abortion (Odds Ratio of 3.02). Less dramatic but still statistically significant are the elevations of risk among women who had an abortion that show up for cannabis abuse/dependence (Odds Ratio of 2.30), depression (Odds Ratio of 1.54),

alcohol abuse/dependence (Odds Ratio of 1.51), anxiety disorder (Odds Ratio of 1.49), and suicidal ideation (Odds Ratio of 1.40). “The trend is summarized,” Sullins remarks, “in the fact that women exposed to abortion from ages 15 to 29 (on average) experienced overall rates of mental-health problems 1.34 times higher than those not exposed to abortion ($p < 0.001$).”

In sharp contrast, the data reveal that “exposure to live birth was consistently associated with *reduced* rates of mental disorders” (emphasis added). Compared to peers who had not given birth to a live child, those who had given birth were less than half as likely to report suicidal ideation, illicit drug abuse/dependence, or alcohol abuse/dependence (Odds Ratios of 0.52, 0.61, and 0.61 respectively). “This trend is summarized,” in Sullins’ view, “in the fact that women giving birth from ages 15 to 29 experienced overall rates of mental-health problems 0.66 times lower than those not giving birth.”

Overall, Sullins regards his findings as “remarkably similar” to the Norwegian and New Zealand studies from which he has taken his study design. Sullins marvels at “the similarity of results . . . given the very different cultural, social, and legal contexts examined.” This similarity, he reasons, may even validate the supposition that “while most cultures have slowly come to consider abortion as a normal and acceptable part of women’s health care, the real psychological effects that aborting one’s child has on a mother can never be completely avoided.”

Teasing out the further implications of his study, Sullins stresses “the remarkably consistent” association between abortion and “elevated risk of mental disorders,” an association not seen with any other pregnancy outcome. This consistent association indicates that “the association of abortion with subsequent mental distress is not merely contingent but is indeed causal,” especially since this association remains “robust” in statistical models adjusting for extensive background variables. Buttressing a causal interpretation of the linkage between abortion and psychopathology is the statistical effect of repeated abortions, an effect that proved “substantially additive, so reinforcing the view that distress is associated with the abortions themselves, and not merely with accompanying conditions that may also be associated with the propensity to have an abortion.”

In his conclusion, Sullins marvels over “the expectation of therapeutic benefit, not merely the absence of harm,” as a fundamental “premise of expanded access to abortion.” “The assumed premise of . . . arguments [for such expanded access],” he elaborates, “is that procuring an abortion will result in less anxiety, constraint, pain, and mental distress than will bringing a pregnancy to term.” But as he surveys the available empirical literature, Sullins finds “not a single study [that] has documented mental health benefits for women from the practice of induced abortion.” On the other hand, his own study adds to “the growing body of evidence that supports the claim that exposure to abortion among women facing pregnancy is implicated in higher rates of mental distress.”

Progressive crusaders for abortion rights may cling tightly to their “expectation of therapeutic benefit” as a “premise of expanded access to abortion.” But this new study “contributes strong evidence from American women to the research consensus that that premise is without basis in evidence.”

(Donald Paul Sullins, “Abortion, Substance Abuse and Mental Health in Early Adulthood: Thirteen-Year Longitudinal Evidence from the United States,” SAGE Open Medicine 4 [2016]: 2050312116665997, Web.)

Day Care: Calculating the Cost, Ignoring the Cause

When a parent or child contracts gastrointestinal disease, the family often incurs illness-related costs. But a new Dutch study of such costs implicates the day-care center as a prime conduit of pathogenic transmission for this disease. Epidemiologists would, of course, recognize gastrointestinal disease as just one of the many illnesses the day-care center incubates and spreads. Indeed, even as its authors calculate the costs of one particular disease, this new study invites reflection on the broader social and cultural costs of the retreat from home-centered family life that has put so many children in day care.

Affiliated with Utrecht University and the Netherlands’ National Institute for Public Health and the Environment, the authors of the new study express concern that the incidence of acute gastroenteritis (AGE) “remains high amongst preschool children in developed countries.” As a disease involving “diarrhoea and/or vomiting that may impair daily

functioning,” AGE is particularly common “amongst preschool children during wintertime.” These children are especially vulnerable because of “a naïve adaptive immune system and imperfect hygiene behaviours.”

The high AGE infection rate among young children inevitably imposes a “societal burden” evident in “healthcare utilization and productivity loss.” To assess the magnitude of this societal burden, the Dutch researchers seek first to identify the correlates of AGE in young children and then to weigh the consequences that follow for the families affected.

To reach their research objectives, the Dutch researchers scrutinize data collected between 2012 and 2014 from a nationally representative sample of 8,768 parents (83% mothers), each responding to questions about AGE and its effects for one child under the age of four.

The data from the parent-child pairs indicate that 17.4% of the children and 7.3% of the parents experienced AGE during the study period. When parents contracted the illness, it appears that they usually did so from their children: the researchers calculate that “parents of AGE-affected children had a concurrent 4-fold increased AGE risk.”

Where were the children contracting this illness? Disproportionately, at a day-care center. “Compared to home-cared children, those attending DCCs were at increased risk of AGE until twelve months of attendance,” the researchers report, suggesting that after twelve months of day-care exposure, children had developed immunity. Day-care attendance means an increased AGE risk not only for young children but also for their parents. “Parents were at increased risk of AGE with increasing number of DCC-attending children, confirming that attending DCCs does not only pose a risk to children, but also to parents via increased secondary transmission.”

Besides day-care attendance, two other predictors of AGE among preschoolers likewise reflect weakness in home and family life: compared to never-breastfed infants, infants who were breastfed were only half as likely to contract AGE (Relative Risk of 0.51), and compared to young children with two parents, children living with a single parent (usually a single mother) were more than one-third again more likely to contract AGE (Relative risk of 1.35).

In gauging the “social burden” imposed by AGE, the researchers calculate that about one in five (18.3%) of the children and one in ten (8.6%)

of the parents who contract the illness receives some kind of professional healthcare, with its attendant costs. Among children who contracted AGE, about one in fifty (1.6%) required hospitalization. None of the parents who developed AGE required hospitalization. But almost one in three (29.8%) of the parents who contracted the illness reported missing work. In addition, about one in six (16%) of the parents of children who developed AGE reported having missed work as a consequence.

Given the pathogenic role of the day-care center, it seems piquantly ironic that the Dutch researchers apparently count employed mothers' time away from paid employment as a sizable fraction of the costs consequent to gastrointestinal disease. After all, it is maternal employment that puts children's health at risk in the first place by taking young children out of the home.

But the researchers appear so committed to a family-subverting social order that even as they document the role of the day-care center in spreading AGE, they include in their tally of the social costs of AGE the absence from day care of approximately one in four (26.2%) of the children who contract the illness. Given that AGE is only one of many illnesses spread in day-care centers and that previous studies have implicated such centers in the development of various childhood psychological and behavioral problems, absence from the day-care center looks like a positive good for children, not a social burden!

To be sure, when the researchers enumerate concerns in their concluding remarks, they identify day-care centers as "a particular target" for interventions because such centers were "a major determinant of AGE in both children and parents." But this targeting amounts to no more than a call for efforts "to improve hygiene in DCCs" so as to reduce the spread of germs there. Probably aware that such efforts will yield minimal results, the researchers of the study take a peculiar comfort in their finding of some level of eventual immunity. "This," the researchers curiously assert, "is a reassuring finding given the increased reliance on DCCs in high-income countries due to growing employment of women and rise in single-parent households."

Reassuring? For those truly committed to the well-being of children, the genuinely reassuring finding would be that policymakers and families in the Netherlands and elsewhere are now finding ways to keep

little children out of the illness-incubating institutions we call Day Care Centers. And the best ways to do that involve ensuring that little children grow up in two-parent homes where their own mothers care for them.

(Lap Mughini-Gras et al., “Societal Burden and Correlates of Acute Gastroenteritis in Families with Preschool Children,” *Scientific Reports* 6 [2016]: 22144, Web.)

The Rain in Spain Falls Mainly on—the Fatherless Child

Among the progressive firebrands who began crusading in the 1960s for sexual liberation and easy divorce, children have never been more than an afterthought. Millions of children are now paying a high price for this zealotry. Clarifying just what that price entails is a new study conducted in Spain, where researchers have catalogued a depressingly long list of ills—economic, psychological, behavioral, social, and academic—distinctively common among children not living with both of their parents.

Published by scholars at the University of Santiago de Compostela and the University of Vigo, the new study quantifies “the damages of parental separation” for children and adolescents. The authors of the new study believe that current social conditions in Europe make it imperative to so quantify these damages. After all, since 1965, a marked decline in marriage rates in the countries that now make up the European Union has been accompanied by a 150% rise in the divorce rate, sharply increasing the likelihood of parental separation. “In absolute terms,” the Spanish scholars note, “the number of marriages in 2011 [in the European Union] was around 2,100,000 with about 986,000 divorces, with just over half (~500,000) being divorces involving children.”

The children affected by these parental divorces appear quite vulnerable, the Spanish scholars believe, pointing to earlier research finding that “parental separation is linked to multiple negative outcomes for children in all spheres of life.” To be sure, the Spanish scholars acknowledge that some of their colleagues have theorized that the negative outcomes among the children of divorcing parents constitute merely the effects of a “selection process.” That is, these colleagues theorize that “negative outcomes [among children of divorcing parents] are not due to parental separation [*per se*], but to other factors such as parental incompetence,

parental characteristics (e.g., antisocial personality), or genetic predispositions,” making the linkage with parental separation “spurious.” But this line of interpretation appears dubious to the Spanish researchers in light of “longitudinal studies and studies with a design controlling factors not germane to separation.” In the judgment of the Spanish researchers, these earlier studies have “underscored a causal relationship between parental separation and negative outcomes for children.”

And it is a causal relationship that the authors of the new study repeatedly signal in the language they use in summarizing the linkages they find between parental divorce and negative outcomes among the children involved in their own field study in Galicia, Spain. This study draws its data from 346 children, 173 living with two parents in intact families and 173 with separated parents.

These data indicate that children whose parents separate face a troublingly high risk of living in poverty. The researchers calculate that the probability of children falling below “the poverty threshold” runs more than twice as high once their parents separate as it does while they are still together (Odds Ratio of 2.11; $p < 0.001$). The researchers explain that this elevation in the risk of falling into poverty “entails an increase in the poverty incidence rate of 33.9%.” What is more, the researchers concede that because their analysis looks only at parental income, it likely understates the effect of parental separation in pushing children into poverty. An analysis that took into account “the effects derived from additional expenditure” incident to parental separation—including expenditures such as those required to run two households (instead of one) and to pay legal fees inevitable with divorce would almost surely highlight “further financial hardship.”

But more than poverty awaits children when their parents separate. The researchers discern in their data evidence of “an effect of parental separation on the psychological adjustment of children” that is both deleterious and broad. “In comparison to children from intact families,” the researchers conclude, “children from separated families exhibited higher levels of depression, anxiety (generalized), hostility (*i.e.*, aggression, anger, fury, irritability, rage, resentment), paranoid ideation (*i.e.*, suspicious, fear of losing autonomy, need of control, difficulties in expressing their hostility), and psychoticism (. . . interpersonal alienation, *i.e.*, feeling different

[from] others, feeling mistreated, misunderstood, unwanted, finding it difficult to express their hostility)." Epidemiological analysis reveals that parental separation was responsible for increases in symptoms for these various psychological problems that ranged from 17% (anxiety) to 27% (hostility). "Moreover," the researchers add, "parental separation entailed greater global severity distress, which increased by 17%." Summing up, the researchers remark that "parental separation led to a very important injury in psychological adjustment in children in general."

Not surprisingly, given the psychological load they were carrying, children of separated parents were distinctively more likely to engage "in aggressive behavior in social contexts" than were peers living in intact families. More precisely, the researchers report that "parental separation was linked to an increase in mean aggressive behavior in social relations of 11.8%." Probably because they are especially prone to aggression, the children of separated parents—no doubt the female children in particular—face "a higher probability of being exposed to gender violence" than do peers from intact families. Alarming, the researchers conclude that the risk of such gender violence is elevated by almost half (43.2%) among children of separated parents.

Predictably, the new study also finds that parental separation was associated with "more disruptive behavior in class (disobedience)," with "children from separated families more than doubling the probability of disruptive behavior in the class[room], $O[\text{dds}]R[\text{atio}] = 2.18$, [compared to] children from intact families." The data from the new study further "revealed more social withdrawal in children from separated families as compared to intact families, *i.e.*, they were actively or passively alienated from others."

Gauging its global impact on children's social behavior, the researchers assert that "parental separation increased social withdrawal, aggressive behavior, dominance, stubbornness, and disobedience (less self-control)" in ways that "undermined . . . social competence, which in turn led to deficiencies in problem-solving and conflict-management skills."

The children of separated parents may behave in this socially incompetent manner in part because they feel very negatively toward themselves. The authors of the new study detect in these children a self-concept damaged in many dimensions. The data reveal that, compared

to peers from intact families, children of separated parents suffer from “lower levels of academic, emotional, physical, and family self-concept.” The authors of the study calculate that the mean loss in self-concept linked to parental separation ranged from 22% in physical self-concept to 37% in family self-concept. Scanning the turbulent wake of parental separation, the researchers remark that the “injury in the self-concept of children [consequent to such separation] was very important, *i.e.*, in the region of vulnerability and maladjustment, and affected four dimensions [academic, emotional, physical, and family], with no compensatory effect among them.”

Given that a damaged self-concept can become “a risk factor of maladjustment . . . in academic performance,” it is entirely predictable that the authors of this new study find “lower academic achievement with higher school dropout rates” among the children of separated parents than they do among children from intact families. More specifically, the researchers find “negative academic performance” more than twice as likely among children of separated parents as among children from intact families (Odds Ratio of 2.16). Compared to peers from intact families, the children of separated parents were again more than twice as likely to have to repeat a grade in school (Odds Ratio of 2.27). And the children of separated parents were so prone to dropping out of school entirely that the researchers calculate that “parental separation implied an increase in the mean school dropout rate of 14.6%.”

Though only 346 children were involved in this particular study, the authors adduce statistical evidence that “the adverse effects found in this study were generalizable to other samples with a high probability (>0.975).” Because that generalizability pertains only to other samples within this region of Spain, the researchers acknowledge that their findings “may reflect potential cultural differences, particularly in the size and ranges of the adverse effects observed.” They further concede that “the size of the adverse effects may vary through time.”

But lest anyone miss the broader implications of their findings, the researchers rightly conclude their study by insisting that, “regardless of the effect sizes, the adverse effects of parental separation on children are significant and extemporal in western cultures.” In other words, the sobering findings of this new study carry lasting weight everywhere in

the Western world where children see their parents separate.

(Delores Seijo et al., "Estimating the Epidemiology and Quantifying the Damages of Parental Separation in Children and Adolescents," Frontiers in Psychology 7[2016]; 1,611, Web.)

The Land of Confucius Imports Cohabitation

Unfortunately, it now appears that the heirs of Confucius have imported a rather dubious Western social arrangement—namely, nonmarital cohabitation. Because ever more heedless Hong Kong couples take their cue from Western couples living together without wedlock, social scientists at the University of Hong Kong recently collaborated with medical professionals at two local hospitals in a study comparing domestic-violence injuries sustained by women in cohabiting relationships with those sustained by married women. Their findings might sober social progressives East and West.

For the authors of the new study, cohabitation is a “romantic relationship” of a sort that has “become widely accepted in contemporary societies.” Hong Kong is increasingly one of those cohabitation-accepting societies, even though cohabitation ill accords with “Chinese norms and traditions.” But the researchers recognize that because “its history as a British colony has provided Hong Kong with a mixed culture,” residents of Hong Kong evince a decided “openness to Western values and beliefs, especially demonstrated in younger generations.” This openness probably accounts for polls showing that the percentage of Hong Kongers finding cohabitation acceptable rose from just 36% in 1981 to 51% in 2008. The Western influence that Hong Kongers felt during this period becomes clearer when the researchers limn rising rates of cohabitation among American women, increasing from 34% in 1995 to 48% in 2006–2010. The Hong Kong scholars conjecture that “this rising rate may be due to women obtaining higher levels of both education and economic status in the 20th century,” making them less socially dependent upon marriage.

The cultural sway of Western social patterns may consequently cause young Hong Kongers to endorse cohabitation as a relationship which “can provide co-residential intimacy and a family-like environment with more egalitarian family structures [than those based on wedlock] and a

low level of economic consolidation.” What is more, young Hong Kongers wary of the trauma of divorce might regard cohabitation as advantageous because it offers “a weakened relationship bond without an inherent barrier against separation.”

Cohabitation’s easy exit might seem attractive to young people worried about the risk of Intimate Partner Violence (IPV). The authors of the study even note that progressive social theorists have long supposed that precisely because cohabitating partners face no “barrier to dissolution if IPV occurs,” we might “expect less IPV in cohabiting relationships than in married relationships.”

But the authors of the new study know the relevant social-science research undercuts the notion that cohabitation prevents IPV. That research has indeed revealed that “physical violence in cohabitating relationships is at least twice as common as in married relationships.”

The Hong Kong researchers recognize that previous studies on physical violence among cohabiting couples were based on data collected in the 1980s. “Considering the substantial increase in the prevalence of cohabitations recently,” these scholars believe that “the association between physical violence and cohabitating relationship should be re-examined.” Further reason to launch such a new study lies in the fact that “no studies have [ever] investigated the level and pattern of IPV-associated physical injuries.”

Accordingly, the Hong Kong scholars embark on an assessment of data accessed through two computerized hospital systems for 1,011 women who came to emergency rooms seeking treatment for IPV between 2010 and 2014. These data reveal that the IPV injuries inflicted on women in cohabiting relationships are horrifically more severe than those inflicted on married women. In a statistical model that takes into account differences in age and education level, cohabiting women in this study were “approximately 2.1 times more likely than married women to [have suffered] head, neck, or facial injuries ($O[dds]R[atio]=2.1$, $p=.002$), and the risk of having multiple injuries in different locations (head, neck, face, torso, limbs) was almost twice that for cohabitating women compared with married women ($O[dds]R[atio]=1.82$, $p=.001$). Furthermore, cohabitating women were almost two times as likely as married women to experience more than one method of physical

violence (OR = 1.72, $p = .005$.)”

As a complement to earlier studies showing that cohabiting women were more than twice as likely as married women to sustain physical violence of any sort, this new study establishes that the level of IPV injuries inflicted on cohabiting women is dramatically worse than those inflicted on married women who do suffer such violence.

In interpreting their findings, the authors of the new study suggest that while “married women may enjoy a shared family income for family expenses, investment, or other joint ventures, . . . cohabitating women may choose to be more financially independent” and to strive for “equality principles” in relationship “power . . . and wage-earnings.” The consequence of such choices might be that cohabiting women are especially likely to experience “tension and conflict in [their] relationship, or jealousy regarding wage-earnings, [which] could intensify and escalate into severe physical violence and injury.”

Surprisingly, the authors of the new study report finding formal educational levels among cohabiting women that were “significantly higher than [those among] married women.” Though they have no data to substantiate their speculations, the researchers reason that education does not protect cohabiting women because “some characteristics of people who cohabit might increase the risk of IPV.” In this context they suggest that “people who chose to cohabit were more likely to grow up with divorced parents, to have a non-traditional attitudes [sic] toward marriage and to be non-religious than people without cohabitation.” Earlier researchers have, in fact, established that “attendance at religious services was associated with lower rates of IPV victimization among males and females and lower rates of IPV perpetration among males.”

Regardless of the reasons, though, cohabiting women face troublingly high risks of suffering severe IPV injuries. The authors of the new study therefore believe that, “owing to recent social changes to the family structure, including the growing acceptance of cohabitation, it is essential that a screening program for IPV [be] established for cohabitating women.”

But this study makes all too clear that professionals should start prescribing marriage—not cohabitation—for young couples. The physical well-being of many young women depends on such wisely preventative

medicine.

(Janet Yuen-Ha Wong et al., “A Comparison of Intimate Partner Violence and Associated Physical Injuries between Cohabiting and Married Women: A 5-Year Medical Chart Review,” *BMC Public Health* 16 [2016]: 1207, Web.)

Real Suicide Protection—Chastity

Having imbibed the permissive philosophies promulgated by the Behavioral Left since the 1960s, many public-health officials and scholars who deal with health issues now regard nonmarital teen sex as normal, even healthy, so long as those involved use appropriate contraceptives. What these highly credentialed professionals now often consider abnormal—even unhealthy—is what our grandparents called *chastity* or perhaps *continence*, now more often labeled *abstinence*. Even when evidence surfaces that chastity, or abstinence, protects adolescents’ well-being in ways no condom can, these professionals deliberately avert their eyes. Strong evidence that chastity does protect young people appears in an article recently published by a team of South Korean researchers who have learned to evade the implications of such evidence just as well as their Western counterparts.

Affiliated with Korea University, the authors of the new study express concern about “suicide [as] the leading cause of mortality among Korean youths aged 10–19 years.” These researchers express a particular concern about L[esbian]G[ay]B[isexual] youth, among whom previous researchers have found “suicidal attempts 2-3 times more often than [among] heterosexual youths.” These researchers therefore assess the linkage between sexual experience (abstinence, heterosexual intercourse, homosexual intercourse, and bisexual intercourse) and suicide risk outcomes (SROs: suicidal ideation, plans for suicide, suicidal attempts) among 146,621 randomly sampled South Korean students (grades 7 to 12, 12 to 17 years old) surveyed in 2012 and 2013.

A clear pattern of relative risk emerges in these data: “SROs based on sexual intercourse experience seemed to increase in the following order: no experience in intercourse, opposite-sex intercourse, same-sex intercourse, and then both-sexes intercourse experience.” The differences

in sexual experience, in fact, translate into quite dramatic differences in Suicide Risk Outcomes: among abstinent male and female South Korean youth (that is, females with no experience with sexual intercourse), the researchers find that only 2.4% and 5.0% (respectively) had attempted suicide. In sharp contrast, among male and female South Korean youth with heterosexual intercourse experience, the percentage of those who had attempted suicide jumps to 7.4% and 18.0% respectively. The percentage climbs higher still among those who have experienced homosexual intercourse: 17.0% among males, and 28.4% among females. The percentage remains about the same among males who have experienced intercourse with both sexes (16.8%), but notches up still further among females who have experienced intercourse with both sexes (34.1%). The researchers thus limn an overall correlation between sexual experience and suicide attempts that registers as highly significant ($p < 0.001$). The patterns for suicidal ideation and suicide planning run largely parallel to those for actual suicide attempts.

Anyone intent on preventing suicide would surely recognize the clear implication for Korean adolescents in these data: sexual continence shields against suicide. Chastity saves lives. Curiously, the authors of this study appear more determined to protect their own reputation for political correctness than to protect Korean youth. To be sure, they briefly do acknowledge that their “results serve as fundamental data demonstrating that intercourse in youths contributes to the risk of suicide” and that therefore these data might justify “sexual intercourse prevention programs.” But this acknowledgement is brief and perfunctory. The authors of the new study—responding more to the imperatives of modern political orthodoxy than to their data—appear most concerned about taking up rhetorical arms against “homophobia,” inveighing against “a society that is full of negativity and discrimination towards homosexuals” and urging educators to “instill acceptance of diversity.” “School educators,” the researchers insist, “must continue to advocate for these youths and implement LGB inclusive policies and programs.” After all, they reason, “supportive and inclusive social environments for sexual orientation may lower the risk of suicide attempts among LGB youths.”

But anyone who can read statistics will see that as a measure that “may lower the risk of suicide” among *all* South Korean adolescents,

nothing beats chastity. Indeed, the statistics unmistakably identify young people with LGB impulses as those who *especially* need the protection chastity affords. Even if, somehow, educators and public-health officials could fully extirpate “homophobia” in an “Asian society, [where] homosexuality has been considered unnatural for ages”—an unlikely prospect—this new study indicates that young men and women who engage in homosexual intercourse would still, like those who engage in heterosexual intercourse, be much more vulnerable to suicidal impulses than are abstinent peers.

So why so do the authors of this new study express so much more concern about stamping out homophobia than about inculcating abstinence? After all, despite the remarkable success of homosexual activists in recent decades in making Western countries “gay-friendly,” the South Korean researchers know that recent Western meta-analytic reviews have concluded that “the risk of suicide among LGB youths . . . [still runs] 2.9 times higher than in heterosexual youths.”

Always a terrible tragedy, adolescent suicide appears unlikely to diminish much in the Land of the Morning Calm—or anywhere else—so long as scholars do more to protect their reputation for political correctness than to give young people the life-protecting benefits of chastity.

(Geum Hee Kim, Hyeong Sik Ahn, and Hyun Jung Kim, “Type of Sexual Intercourse Experience and Suicidal Ideation, Plans, and Attempts among Youths: A Cross-Sectional Study in South Korea,” BMC Public Health 16 [2016]: 1229, Web.)

Growing Overweight While Mom's at Work

Public-health officials in affluent countries have grown increasingly disturbed in recent years about the rising number of children who are overweight, even obese. Because of the ubiquitous influence of progressive ideology, few have been willing to acknowledge the role of maternal employment in incubating this epidemic. But the evidence of that role just keeps growing. The latest evidence comes in a study recently conducted in Japan by researchers at the University of Tokyo and Kyoritsu Women's University.

In this new study of the disturbing rise of weight problems among

children, the Japanese researchers parse data collected in 2003 for 2,114 preschool children ages three to six attending nursery schools and kindergartens in Tsuruoka, in northeastern Japan.

On the basis of these data, the researchers identify six clusters of children, each cluster characterized by a distinctive profile of four possible predictors of unhealthy childhood weight gain: electronic screen time, nighttime sleep duration, dinner time, and outdoor play. Subsequent analysis of these clusters revealed that children with unhealthily high weight were significantly more likely to log more electronic screen time and to sleep fewer hours at night than children whose weight came in at healthy levels. The researchers discerned no significant linkage between children's weight problems and their dinner time and outdoor play in this particular data set.

But who are the children who are growing overweight while parking in front of an electronic screen and sleeping little at night? It is, the researchers report, disproportionately children with employed mothers. In the four clusters in which they find a "higher proportion of employed mothers," the researchers discern the clear prevalence of "lifestyle behaviour patterns with shorter sleep duration and higher prevalence of overweight than the other two clusters."

Elaborating, the Japanese scholars remark, "These findings are consistent with studies showing that the length of mothers' working hours was negatively associated with children's sleep duration and that maternal employment was associated with children's overweight." The researchers further identify maternal employment as one of the "environmental factors that influence children's habitual behaviours such as sleep duration and dinner timing," and consequently "influence children's body weight status."

Worth noting, too, is the fact that it is one of the four clusters with distinctively high levels of employed mothers and high numbers of overweight children that researchers identify as the cluster "characterised by having the most screen time."

The authors of the new study interpret their findings in the context of earlier studies on how "children's lifestyle behaviours are affected by family environments." Though their own study proved conclusive on the matter of outdoor exercise, the Japanese scholars note that earlier studies

have found that “children with siblings were more physically active than an only child.” More in line with their own findings are earlier studies finding that “children with one parent or a working mother spent more time watching TV and those with a working mother also had increased high-energy drink consumption and short sleep duration.”

The Japanese scholars conclude their study with a call for “a public health approach to shape children’s healthy lifestyle behaviour patterns, especially decreasing screen time and increasing night-time sleep duration.” This approach, they explain “should focus on family members living with children, as well as on children, and should focus on modifying family environments, such as having regular mealtimes as a family and decreasing parents’ screen time.”

Though these scholars apparently lack the courage to challenge political orthodoxy on this matter, no perceptive reader of this study could miss how the findings should really guide public-health officials in “modifying family environments” so as to reduce childhood weight problems: when fewer mothers are employed outside the home, fewer of their children will be overweight.

(Etsuko Watanabe et al., “Clustering Patterns of Obesity-Related Multiple Lifestyle Behaviours and Their Associations with Overweight and Family Environments: A Cross-Sectional Study in Japanese Preschool Children,” BMJ Open 6.11 [2016]: e012773, Web.)

Delaying Parenthood—Formula for Problems

As Western nations have turned away from family commitments in recent decades, those men and women who have still included parenthood in their life script have typically done so later in life. Intent on pushing motherhood to the margin of women’s lives, feminists have been particularly prominent among those applauding such delays in motherhood. But some researchers have demurred. For their inquiries are exposing serious medical and psychological problems inherent in delayed parenthood. These problems indeed receive sobering attention in a study recently published by medical researcher Ulla Waldenström of Sweden’s Karolinska Institutet.

Building on an earlier medically focused study of delayed parenthood,

Waldenström's new study probes the medical, social, and psychological aspects of this phenomenon. And it *is* a phenomenon: Waldenström remarks that "parental age when having a first child in Sweden and Norway has increased by five years" in a single generation, adding that "a similar development has taken place in many other high-income countries." This development has typically been viewed as "a rational adaptation to changes in society" in an era characterized by "women's increased participation in the labour market, including longer education and career engagement, and couples' inclination to schedule the first child to a point in time when family income is high."

However, what is actually rational about delayed parenthood if, as Waldenström asserts, it proves "problematic for several reasons"? The rationality of delayed parenthood might indeed look suspect to national leaders who realize that it can "partly explain [a] declining birth-rate" that is "associated with economic cost for society." National birth rates can certainly be expected to decline when many couples who have postponed parenthood unhappily learn that their bodies have lost some of their earlier fertility and that "treatment for involuntary childlessness can be . . . expensive, time-consuming, and draining." No one should marvel that couples who delay parenthood often have difficulty in "having the number of children they wish."

But the rationality of delayed childbearing appears dubious to Waldenström even in many cases in which an older mother does become pregnant, given that "childbirth at advanced maternal age is associated with medical interventions and adverse pregnancy outcomes." Waldenström's most recent inquiry, in fact, substantiates both medical and psychological problems consequent to delayed childbearing.

To limn the medical and psychological profile of delayed parenthood, Waldenström correlates data from the Swedish and Norwegian Medical Birth Registers with data from a Norwegian survey of mothers and children, a Swedish survey of young adults, and a Swedish survey of mothers. These data were supplemented with data from a controlled trial of prenatal education, and were interpreted in light of Waldenström's earlier study of the medical sequelae of delayed parenthood.

Analysis in a statistical model that accounted for factors such as smoking and obesity reveals that in having a first child at ages 30 to 34,

women were notably more likely than mothers ages 25 to 29 to give birth to a very preterm baby (adjusted Odds Ratios of approximately 1.25 in both Sweden and Norway) and that women ages 30 to 34 were more than half again as likely as the younger reference group to have this unfavorable birth outcome (adjusted Odds Ratio of 1.64 in Sweden and of 1.76 in Norway).

Waldenström discerns a comparable linkage between maternal age and stillbirths. Taking the risk of stillbirth among women giving birth to a first child at ages 25 to 29 as her baseline, Waldenström calculates that “stillbirth risk increased by maternal age in first births [among Swedish women]. Compared with age 25–29 years, this increase was approximately 25% at 30–34 years and doubled at age 35 years.”

Waldenström stresses that the “absolute risk” for an older individual woman having a very preterm baby or a stillbirth was “small . . . but may be significant for society as a result of the large number of women who give birth after the age of 30 years.”

Society as a whole may also bear part of the expense of the more costly medical procedures commonly required when older women bear a first child after age 30. Among the Swedish women for whom she has data, Waldenström finds that “the rates of elective and emergency caesarean section increased continuously by maternal age. Only 57% of the oldest women had a normal vaginal delivery compared with 77% in the youngest group.” What is more, Waldenström finds that 7% of the infants born to the mothers over age 34 required transfer to the neonatal clinic after the birth, compared with 1.6% of the infants born to mothers under the age of 29.

Remarkably, Waldenström adduces evidence that older women do *not* face the same higher risks of medical complications when giving birth to a second child, perhaps because “structural changes during the first pregnancy [can] have a positive effect of placental perfusion during the second pregnancy . . . [and so] could reduce the negative effects [that are] . . . age-related.”

Waldenström plausibly suggests that the medical complications involved in later-life first childbirth may help explain why, despite the fact that younger mothers are more likely to face “problems such as low level of education, and being single and unemployed,” women having

a first child at older ages are slightly more likely to experience “anxiety during pregnancy and a negative overall experience of childbirth.”

But more than medical complications may account for older women’s negative experience in first childbirth: Waldenström reasons that “older first-time mothers may also be less prepared [than younger counterparts] for the unpredictable life of parenthood after having been used to a higher degree of control during many years.”

And though it is mothers who experience the medical consequences of delayed parenthood, fathers share some of the psychological consequences. In this realm, Waldenström reports that “analyses of data on first-time fathers suggest that advanced paternal age has similar effects.” More specifically, the data indicate that while the mother of their child was going through her first pregnancy, “mixed or negative feelings about the upcoming birth were more prevalent in the oldest [fathers ages 34 and older] (29%), compared with [those] of average [age 28 to 33] (26%) or young [ages 27 and younger] (18%) age ($p < 0.01$).” Compared to younger fathers, the oldest fathers also experienced significantly more “childbirth fear” ($p < 0.01$). In sum, Waldenström characterizes older fathers’ “overall experience of childbirth [as] less than positive.”

In reflecting on her findings, Waldenström acknowledges that many Swedes and Norwegians hold the “common view . . . that postponing parenthood to advanced age may be beneficial because of a higher degree of socioeconomic stability and parental maturity.” This view, she asserts, “is challenged by our finding that first-time mothers’ satisfaction with life decreased by age, suggesting that becoming a parent later in life may be more difficult than expected.”

Waldenström piquantly contrasts “public awareness in Sweden . . . in relation to negative effects of smoking during pregnancy,” with public ignorance of “the negative effects . . . of advanced maternal age,” which have “still not gained the same public attention.”

It is time, Waldenström argues, for her colleagues and for the public in general to recognize “advanced maternal age should be regarded as a modifiable lifestyle factor that could affect pregnancy outcomes”—just like maternal smoking, which obstetricians universally and vigorously combat.

Waldenström’s reasoning is sound. However, she does not seem to

realize the depth of feminist ideological investment in delayed parenthood. Unfortunately, that investment ensures that they will do all they can to shield delayed parenthood from adverse scrutiny. Tobacco growers and cigarette makers may watch their labors with admiration.

(Ulla Waldenström, "Postponing Parenthood to Advanced Age," Upsala Journal of Medical Sciences 121.4 [2016]: 235-43.)