‘Choice’ and ‘flexibility’ in reconciling work and family: towards a convergence in policy discourse on work and family in France and the UK?

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This article examines recent parental leave initiatives in France and the UK within the context of broader debates about family policy. Specifically, it analyses the 2006 Work and Families Act and changes to the Complément de Libre Choix d’Activité. It argues that the discourse of parental choice in both countries is deployed to open up the space for public policy and renegotiate the boundaries between the public and private spheres. However, the dynamics of family policy remain highly path-dependent. In Britain, the equalities lobby is important but the abstract logic of the market dominates, while in France natalist policy focuses on the ‘working mother’.

Introduction

The family is at the heart of changes in the relationship between the public and private spheres in Western Europe (Commaille and Martin, 1998). Signs of policy convergence have been apparent since the 1990s, in response both to common sociodemographic trends (OECD, 2004) and to an emerging agenda at European Union (EU) level (Hardy and Adnett, 2002; Lanquetin and Letablier, 2003). Legal codes were modified to recognise joint parental responsibility in the 1990s; rights for biological parents were reinforced; and policy makers sought to encourage female labour market participation by developing strategies to reconcile work and family life, notably parental leave arrangements, flexible work arrangements and childcare support.

The experience of Nordic countries – based on parental leaves and collective childcare provision – is particularly influential in Western Europe (Dumont, 2005). Nevertheless, national policies on work–life balance remain firmly rooted in different national contexts. This is at least partly because the EU’s policy instruments are weak, with ‘broadly drafted legislation’ (Hardy and Adnett, 2002: 169), which allows national governments to implement initiatives according to national practice and priorities. While European legislation can act as a lever that governments can use to initiate or encourage policy change, in particular by providing legitimising discursive frames, it is unlikely to result in consistent reforms in terms of pace or content.

European overviews distinguish between countries that continue to prefer non-intervention (the UK and the Netherlands), Southern European countries where financial resources constrain policy making, and two groups of countries with interventionist policies on the reconciliation of work and family life: those that favour long leaves (sequential work–life balance), encouraging women to leave the labour market, and those that attempt to juxtapose work and family. In the latter
group, we find Scandinavian countries with relatively generous leave arrangements for both parents, and France and Belgium, which have developed a mixture of family support measures giving parents help with childcare costs and some support to parents wishing to stay at home to raise children (Hantrais and Letablier, 1996). Broad convergence around more egalitarian parental roles is strongly mitigated by existing norms and assumptions about the role of the state and the gendered nature of care. Even in Scandinavian countries with relatively similar policy frameworks and similar models of gender equality and family ideals, work–family policies display a degree of variation, reflecting tensions around the relationship between state and market (Ellingsvaeter and Leira, 2006).

This article tests the convergence thesis by examining two countries, France and the UK, that have traditionally been seen as having fundamentally different conceptions of family policy. In France, state intervention enjoys broad legitimacy while in the UK, public authorities have traditionally been concerned not to intervene in the private sphere.

**Discourse and policy**

In this article we are concerned to track changes in the way policies are developed and presented, both in terms of specific initiatives and the broader way in which policies are framed. There has been a growth of interest in the role of ideas and discourse in the policy process, following Peter Hall’s (1993) work on paradigms, which posited that policy makers usually work within a framework of ideas linking together cognitive and normative ideals about problems and solutions. Here we use the notion of ‘frames of reference’ (référentiels; Jobert, 2003), which we understand as a set of ideas (usually quite simple) with symbolic or representative resonance, which structure relations between policy actors. Frames of reference are constructed through discourse, or ‘whatever policy actors say to one another and to the public ... to generate and legitimize a policy programme’ (Schmidt, 2002: 210).

Discourse matters in policy change because it is an interactive process, as well as having ideational content. Reformers must create a frame that persuades collective actors and the wider population that reform is necessary (Cox, 2001). Policy change may of course see overlapping discourses, which vie for recognition and acceptance, with some minority discourses waiting in the wings (Schmidt, 2002).

In Europe, common new frames of reference have emerged, notably the concept of the ‘active society’, which is promoted by European institutions, policies and programmes and which can be broadly identified with ‘third way’ ideas; however, the distinctive character of different regime types and paradigms remains (Kananen, 2005; Taylor–Gooby, 2005). As we have already noted, work–life balance falls within this broad paradigm, with the aim of mobilising the female workforce.

It is possible to distinguish between the cognitive and normative functions of the European discourse on work–life balance, each representing two separate political agendas: first, cognitive-orientated policies consist of measures or entitlements aimed at enabling mothers as workers to reconcile work and family life; second, the normative-oriented agenda relates to formal equal opportunities policies, which question gendered assumptions about the provision of care and male norms of paid employment. Trine Larsen (2005) argues that, due to reluctance to confront
employers’ veto power, European governments primarily emphasise the (cognitive) activation dimension of work–life balance policies while neglecting (normative) reforms aimed at promoting equal opportunities at work and at home. As a result, the ‘social learning’ aspects of policy discourse are only weakly developed and traditional gender attitudes remain entrenched in business practices. Thus, despite a discursive convergence around fathers’ rights and active parenting, family policies such as parental leaves remain framed within maternalist views of parenting and breadwinner models are only marginally eroded.

As policy discourse on work–life balance tends to blur or conflate the cognitive and normative dimensions, the term is now seen by many commentators as too broad and even misleading, serving to disguise a version of flexibility that is employer-friendly rather than employee-friendly (Fleetwood, 2007) and employment-friendly rather than woman-friendly (Hantrais, 2007: 140). The French term ‘conciliation’ or reconciliation of work and family life has also been widely used in EU policy making (Hantrais, 2007). The term ‘reconciliation’ too is seen as problematic, because it glosses over conflict, emphasises individual solutions and neglects processes at work, and refers to a stable family paradigm, omitting those with a family but no paid work, and those with paid work but no family (see Fagnani, 2004; Silvera et al, 2004; Trifiletti, 2005).

The discourse of individual choice has emerged as an influential policy paradigm in European countries, including in work–family initiatives (Giddens, 2007). The discourse of parental choice sits uneasily alongside a discourse of gender equality, as it tends to ignore or downplay structural constraints such as the gendering of family and parenting obligations (Ellingsvaeter and Leira, 2006).

In this article, we briefly review recent initiatives in the area of parental leaves in France and the UK, placing them within the context of existing frames of reference in family policy, in order to assess the extent of change and of convergence between the two countries. In analysing recent policy change, we focus particularly on the cognitive and normative frames in which work–life balance initiatives are presented, highlighting the extent to which the egalitarian ‘adult worker’ agenda is promoted through the development of specific work–life balance measures and broader gender equality.

Policy change in the UK

Policy context

As noted above, traditionally the British state has fought shy of intervening in the private sphere. Family policy has been fragmented and implicit (Hantrais and Letablier, 1996), although in practice family spending is relatively high as a proportion of total social expenditure (Pringle, 1998) and stands roughly around the EU average, only slightly behind that of France (Dumont, 2005). However, New Labour governments after 1997 announced new approaches to family and work, within social policy and particularly initiatives to reduce child poverty, and within employment policy. They showed willingness to use legislation normatively, to encourage what are seen as positive family practices and discourage other practices (Barlow and Duncan, 2000). A new discourse of work–life balance emerged, with
the potential to raise fundamental questions about the impact of long working hours on individuals’ ability to fulfil family responsibilities. The extent of real change since 1997 is nevertheless the subject of intense debate.

A range of measures was adopted, including:

- the launch of a work–life balance campaign and the funding of workplace initiatives under the Challenge Fund;
- the introduction of the National Childcare Strategy, with the aim of increasing childcare provision for 3- to 4-year-olds, particularly in deprived areas;
- the 1998 working time regulations, whose stated goals include better work–life balance for parents;
- a series of initiatives on parental leaves;
- the introduction of a new right to request flexible working (Conaghan, 2002: 58–63).

The weak enforcement opportunities provided by the measures, particularly the working time regulations (notably the ability of businesses to encourage employees to opt out of provisions), led to criticisms that it was inadequate to address the UK’s long working hours culture (McColgan, 2001; Roper et al, 2003), while criticism of the parental leaves focused on the low replacement rate and the lack of pay for extended maternity leave (Rake, 2001; CIPD, 2004).

Significant shifts in discourse accompanied these initiatives. The most important of these was the dominance of discourse on activation, with social citizenship increasingly dependent on labour market participation. Feminists welcomed the opening-up of a new space for debates around the ‘political ethics of care’ (Williams, 2001: 472), and around the impact of workplace pressures on family (Conaghan, 2002: 53).

However, criticisms focused on three main, related areas. First, the discourse of active citizenship raised issues of care but did not necessarily provide the means to tackle gender inequalities in care (Voet, 1998). The Nordic model depends on well-organised and accessible childcare provision for children under the age of six (Williams, 2001; Dumont, 2005); however, it is not clear that childcare provision is sufficient to enable real labour market choices, particularly for low-income parents. At the same time, increasing access to collective childcare does not question the ‘ideological connection between women and caring’ (McKie et al, 2001: 234). In this sense, debates around active citizenship may actually stifle debates on the gendered nature of care and equality (Lister, 1997; McKie et al, 2001).

Second, gender-based labour market inequalities, particularly around part-time work, were not addressed. The extension of female part-time work as a work–life balance solution for mothers reinforces labour market segregation and the gender pay gap (Women and Work Commission, 2006).

Third, the discourse of ‘win–win’ in government policy documents, aimed at reassuring businesses in order to win their compliance in a ‘voluntaristic’ culture of workplace relations, glossed over the gender implications of caring, with the risk of increasing women’s double burden. While work–life balance policies are in themselves desirable, the existence of policies does not guarantee their effectiveness

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in the workplace. Other aspects of workplace culture, especially in services, may undermine their effectiveness (Hojgaard, 1998).

The discourse of ‘family-friendly’ workplaces, prominent in Labour’s first term, gave way increasingly to a discourse of flexibility and the business case for work–life balance measures; by the early 2000s, it had all but disappeared (Kilkey, 2006). By seeking above all to minimise the impact of work–life balance measures on business, policy makers missed the opportunity to effect a change in workplace cultures. The implementation of a family-friendly agenda ‘has been accompanied by a great deal of ‘trading-off’, in which the more progressive and radical elements of social policy have been undermined by restrictions designed to placate the ‘business lobby’’ (Conaghan, 2002: 69–70).

This ambivalence can be seen in the discourse on active fathering, which emerged in the late 1990s (or even earlier: see Lewis and O’Brien, 1987; see also Dermott, 2008, for a recent review). Changes in the relationship between the law and fatherhood reflect broader processes of change involving shifts in employment and family life (particularly women’s paid employment), a reappraisal of issues of sexuality and, in particular, a rethinking of the relationship between adults and children (Collier, 2001). Moreover, the public visibility of fatherhood as a political agenda has been strengthened, albeit with mixed messages, by the radicalisation of the fathers’ rights movement (Collier, 2005; Gregory and Milner, 2008). However, the relationship between legal change and family practices has been problematic.

On the one hand, the introduction of paternity leave in 1996 had huge symbolic importance as ‘it focuses attention on the intimate relationship between father and child and holds it as important. It implies that men have a specific and significant role in the upbringing of their children’ (Burgess, 1997). On the other hand, public debates around fatherhood have tended to construct it in negative terms, as fragile and/or failing (Clarke and Roberts, 2002; Lewis, 2002). In addition, the dominant discourse of gender neutrality fails to get to the root of the gendered division of labour within the home and the workplace. British fathers spend on average almost 47 hours per week at their jobs, compared with 41 hours in France (Eurostat, 2004). Critics argued that fathers’ role was underplayed in UK policy, and that fathers’ ability to take up parental leaves would remain constrained by business needs, particularly in small firms (James, 2001).

Partly as a result of such criticisms, and because of concerns about signs of female disaffection with policies, Labour governments sought to increase consultation and involvement of relevant stakeholder groups. A 2000 consultation exercise with women revealed a desire for more and better policies aimed at achieving a better balance between home life and employment. The Women and Work Commission was established in July 2004 to examine the reasons for the UK’s continuing gender pay gap, and reported its findings and recommendations in February 2006. Meanwhile, the Work and Families Bill was preceded by an extensive period of consultation, with experts, employers and trades unions, and campaign groups able to comment in detail on the proposals contained in the Green Paper published in December 2000 (DTI, 2000).
The 2006 Work and Families Act

Three main proposals were outlined in consultation (with various options laid out) and in the ensuing Bill: extension of maternity leave and maternity allowance (from 26 weeks to 39 weeks by April 2007 and subsequently, in future regulation, to 52 weeks) and simplification of pay arrangements; transferability of a portion of maternity leave to fathers; and extension of the right to request flexible working to adult carers. Transferability of leave was initially included in the 2000 Green Paper but subsequently dropped, leading to criticism from those who, while expressing fears about its practicability, argued that it would have been symbolically significant in recognising and encouraging father involvement (James, 2001). However, it was reinstated in the 2005 consultation document and the Bill, then later amended when it transpired that European Community legislation prevented governments from taking mothers’ existing rights away. Accordingly, the Department for Trade and Industry proposed granting a separate right of fathers to six months’ paternity leave, irrespective of the mother’s right to maternity leave, provided that where mothers were entitled to the full 12 months’ leave they forgo a corresponding period of their leave. The paternity leave proposals proved the most controversial element of the package, with details and implementation left to subsequent enactment following consultation (and still not adopted at mid-2008).

When the Work and Families Act became law in June 2006, the new proposals were presented as a strengthening of maternity rights and an extension of existing parental leave entitlements. Regulations on strengthened maternity leave rights came into force in October 2006, applying to childbirths or adoptions on or after 1 April 2007. Provisions on the right to request flexible working for carers of adult dependants came into force on 6 April 2007.

Six main discursive themes may be identified in the consultation document and the 2006 Act:

- choice;
- flexibility;
- policy continuity and Labour’s track record;
- ‘win-win’ policy (the business case for work–life balance);
- valuing carers;
- rights of working mothers.

Choice applied to parents’ labour market and childcare choices, and was allied with flexibility:

Choice, equality and flexibility are at the heart of new measures to help working families balance busy home and work lives. (DTI, 2005c)

Today’s bill delivers a commitment to help working parents balance the demands of their job with caring for their children by introducing a modern framework of rights that offers real choice and flexibility. (DTI, 2005c)
The initial proposals on transferability of maternity leave in particular were presented in terms of parental choice.

Leaves and other initiatives were presented as ‘win-win’ measures, with, for example, flexible working described as ‘good for children, good for parents, good for business’. The proposals emphasise the number of employers offering benefits above the statutory provision, despite evidence that take-up of flexible rights is limited and employers were slow to provide additional leave arrangements such as emergency family leave (Dickens et al, 2005; Holt and Grainger, 2005). A key concern was to stress the limited impact of regulation on businesses, which employers emphasised in their reaction to the Bill.

Emphasis was placed on mothers’ rights, with the primary aim of the Bill presented as ‘enabling mothers to transfer a proportion of their maternity leave and pay to fathers’ (DTI, 2005a: 40). Explicitly, the intention was that ‘the mother will decide whether or not to transfer statutory maternity leave and pay to the father’.

On the other hand, discourse on fathers was rather less clear cut. It was recognised that the burden of reconciling work with family responsibilities falls on women: ‘We know that the majority of requests [for the right to flexible working hours] are from women and would like to hear views on the reasons for the fact that more fathers are not requesting to work flexibly’ (DTI, 2005a: 55). However, the transferability proposals explicitly acknowledged fathers’ caring role: ‘Increasingly fathers want to play a more active role in bringing up their children, so we will help fathers take time off when the mother returns to work by introducing a new right to paternity leave’ (DTI, 2005c).

Trades unions and family campaign groups expressed concerns that the Act did not do enough to give mothers and fathers individual rights. Working Fathers, a fathers’ forum and resource network, while welcoming the transferability proposals, stated that ‘we do not believe that they will have a significant impact on the ability of fathers to increase their caring role’ (DTI, 2005b: 50). The Trades Union Congress (TUC) criticised what it saw as a mismatch between the government’s stated goal of enabling fathers to play a more equal role in childcare, and the emphasis placed on limiting take-up of the new paternity rights (with government estimates of only around 1% of new fathers expected to take them up).1

Overall, campaigners and commentators gave the proposals a cautious welcome, but expressed concerns that they did not go far enough in recognising the specificities of fathers’ labour market position and gender pay differentials. Employers retained considerable discretion, making parents’ new right to flexible working ‘de facto redundant’ (Caracciola di Torello, 2007: 319). Debates around parents’ caring role had, in effect, been ringfenced due to government’s emphasis on light-touch regulation and minimising its impact on business. As a result, some academic commentators drew attention to a mismatch between a discourse of active parenting and a weak regulatory framework of parental rights at work, and even dismissed the UK’s initiatives as ‘short-termist and individualistic’ (Gambles et al, 2006: 27). Moreover, this mismatch particularly affected fathers because of employers’ assumptions about the gendered nature of care.

Meanwhile, surveys continued to show significant numbers of British employees of both sexes identifying work–life stress as a result of long working hours, which prevented them from spending enough time at home (between a third and 40% of
those with children) (The Guardian, 3 April 2007). Observed increases in stress levels among both men and women working full time are significantly associated with a desire to spend more time with family (Crompton and Lyonette, 2007). Overall, the novelty and impact of the 2005 proposals appear to have been watered down by business fears about the extension of paternity leave, although the 2006 Act bore the strong imprint of the Women and Work Commission, whose major recommendation lay in the strengthening of maternity leave. However, fathers’ employment rights lay largely untouched. By 2008, a range of trades union and advocacy groups argued that the disparity between maternity and paternity rights left women exposed to discrimination at work. In response, the government announced the relaunch of plans to consider making maternity leave more flexible by giving fathers the right to take the second half of maternity leave, when it is extended to a full year in 2010 (The Independent, 23 July 2008).

Policy change in France

Policy context

As noted earlier, France is usually distinguished among EU states by its explicit interventionist and natalist family policy. French policy has been concerned with raising birth rates since the late 19th century. However, recent social and political changes have called into question ‘la politique familiale’, which connotes traditional natalist (or familist) policy, since the family as object of policy has become more complex, and the state has undergone a process of redrawing its relationship with citizens in the broad sphere of social policy (Commaille et al, 2002).

Historically, familism was linked to Christian philosophy and denoted attachment to and a commitment to defend the traditional family as a value; it is often associated in the French context with natalism and the promotion of the three-child family as a societal norm (Commaille et al, 2002; Pitrou, 1994). In recent years, policy has been caught in a tension between traditional familism and the emancipatory project of feminism, the latter supported by economic arguments in favour of a high female employment rate. The tensions express a deep-seated ambivalence about society’s readiness to challenge traditional gender roles in the household, while accepting the economic benefits of women’s paid employment (Commaille, 1992; Norvez, 1990; Pitrou, 1994).

The third element of the cognitive frame informing French family policy is the protective state (Commaille et al, 2002), particularly in relation to women’s fragile maternity rights in the workplace, where employers are seen as passive or reluctant to recognise women’s caring role unless forced to do so by the state (Commaille, 1992). The state’s protective role is further legitimated by a concern with the rights of children, with a proliferation of policy actors and practitioners working in the field of early years (Klammer and Letablier, 2008).

Thus, and as noted above, debates around the reconciliation of work and family life echo this three-way ambivalence, as well as highlighting public unease about the effect of changing work conditions on individuals’ home life (see also Méda, 2005). From the mid-1990s, further ambiguities have been introduced as family policies were pursued in order to fulfil other policy objectives, notably the fight
against unemployment, leading to a possible instrumentalisation of women’s labour market participation (Fagnani, 1998; Perrons, 2000).

A further concern since the 1994 Family Law has been the growing polarisation between higher-educated, higher-paid women who remain in employment after childbirth (helped by tax relief for individualised childcare), and less educated women who are more likely to take up benefits to leave the labour market. In 1994, the *Allocation Parentale d’Éducation* (APE) (benefit to parents to stay at home to raise children) was extended to families with two (previously three) children. In unfavourable labour market conditions, lower-educated women found it difficult to find jobs paying enough to cover childcare costs, and consequently take-up of the APE was particularly high among these women (Fagnani, 1998; Péresse, 2007). The employment rate of women with two children fell from 70% in 1994 to 55% in 2004, at least in part due to the new leave, following which many women fell into unemployment (Barrière-Maurisson, 2005). Class divisions among households continue to determine labour market outcomes for mothers (Fagnani, 2004; Méda et al, 2004).

Also noteworthy is that fathers’ roles are left largely untouched by extended leaves, 98% of which are taken up by women. Work–life balance – or reconciliation of work and family life – policy was aimed at working mothers: promoting equality between men and women in paid work, while recognising women’s specific role as mothers (Crompton and Le Feuvre, 2000: 338). This conceptualisation of the gendered division of labour, reflecting the historical development of women’s work, is held to be strongly anchored in French culture. At the same time, however, fathers’ rights were strengthened, notably under the Left government from 1997, after years of lobbying by academics, practitioners and family campaign groups, and thanks also in part to the EU’s initiatives on parental leave (Gregory and Milner, 2004).

Family policy conferences were introduced in 1996 as an innovation of the 1994 law. Their purpose is to gather together ministers and ‘social and economic partners’ in order to reflect on family policy, initially in a context of budget surplus for family benefits after 1999 (following the introduction and subsequent raising of the general levy (*Contribution Sociale Généralisée*), which allowed government to commit itself to a ‘global and ambitious family policy’, but from 2003 under more constrained financial conditions. At an early stage (1997), work–life balance was defined as a policy priority, with two main aspects: improving and extending childcare provision; and giving families more choice on time, although in fact its input in this area has been limited to date as the legislative impetus shifted to the two Aubry laws (1998 and 2000) on working time reduction (UNAF, 2005a). The Aubry laws had mixed results but overall appeared to ease work–family stress for parents; however, the impact of the 35-hour-week legislation depended strongly on unions’ ability to bargain favourable conditions at the workplace level. Overall, despite survey evidence that fathers were able to spend more time with children as a result of the laws, the gendered division of labour was not affected by working-time reduction (Fagnani and Letablier, 2004, 2007).

Reflections on the extension of parental leave and specific incentives to encourage fathers to take up leave were presented to the 1997 conference (Gisserot et al, 1997), in the context of wider concerns about the impact of youth crime and ‘failing’ parental responsibility. The 1998 family conference, based on four important reports
André, 1998; Gillot, 1998; Thélot and Villac, 1998; Théry, 1998) on family change and family policy, took an important step away from traditional familist policy by recognising the importance of ‘reconstituted’ and other new forms of families and adopting a lifecourse perspective to caring (an idea that, as we have seen, is central to the UK’s Work and Families Bill with its extension of care from parenting to include care of adults). The democratisation of family life advocated in these reports led, among other initiatives, to the introduction of the *Pacte Civil de Solidarité* (civil partnership). Irène Théry’s report (1998) in particular drew attention to the ‘excessively feminine and domestic’ focus of debates on work–life balance, echoing the work of other sociologists such as Christiane Castelain-Meunier (2002), who had campaigned for the introduction of paternity rights to counteract the ‘overburdening’ of mothers in family policy.

The 2000 conference saw developments on joint parental responsibility (such as emergency family leave) and the setting-up of a task force to look at ways of encouraging a more equal sharing of parental responsibility. In 2001, the family conference led to the extension of paid paternity leave (to 14 days). Take-up of the new paternity leave is relatively high (59% in the first year, subsequently rising to around two thirds), with younger fathers (aged 25-34) more likely to use the full leave (71%) (Bauer and Penet, 2005), although as in the UK there is evidence that it would be much higher if the ceiling for paternity pay was raised (Letablier, 2002). The right continued the parental leave policy with the creation of the *Prestation d’accueil du jeune enfant* (PAJE), raising the ceiling significantly. The CLCA replaced the APE from 1 January 2004; unlike the APE, it is available at birth of first child, but only for a maximum duration of six months.

**The 2005 initiatives on parental leave**

As with earlier key policy initiatives, new measures were announced at the 2005 family policy conference held on 22 September 2005. It was preceded by 10 months of research and consultation within a working group on demography, focusing on maternal employment after childbirth. The need to boost France’s fertility rate (at 1.9 children per woman in 2004, the second highest in the EU but under the replacement rate of 2.1) thus provided the main rationale for reform. The working group, chaired by the UNAF president Hubert Brin, advocated opening up access to the CLCA by giving parents a choice between the current leave (one year, renewable twice) and a shorter but better-paid leave of one year (initially to be made available only at the birth of the third child, but ideally to all parents), based on the basic idea that ‘since most women wish to pursue careers on equal terms with men, the key to fertility is to be found in allowing women to fulfil this desire’ (Brin, 2005: 7). It framed its reflections explicitly within a European context, noting a general convergence of policy objectives as well as of norms and ideas advocated by EU institutions: raising the female employment rate; the extension of childcare provision; and the promotion of an equal division of family tasks within families (Brin, 2005: 24–6).

Accordingly, a key proposal of the Brin report was for shorter parental leave, to be paid at 70% of salary (with a floor of 700 euros and ceiling of 1,000 euros). The main government proposal presented at the family policy conference took
up the recommendation for a shorter leave, but only from the third child, and at a considerably lower rate: a maximum of 750 euros per month. The reason for limiting costs was a sizeable social security budget, with the family branch of social security 561 million euros in the red in 2004 (estimated at 1.3 billion euros in 2005 because of the entry into force of the PAJE). Family campaign groups, although broadly supportive of the measures, expressed fears that the government’s timid approach would limit their take-up, while trades unions broadly denounced the government’s failure to underwrite more radical change.

Other proposals included:

• doubling tax relief for the care of children under the age of six;
• the creation of 15,000 new crèche places;
• the extension of transport reductions and other advantages for large families;
• the extension of emergency leave rights for parents of seriously ill or disabled children.

In addition, a working group was set up to examine further reform of parental leaves. The major discursive theme to emerge from government discourse at the family policy conference and subsequent legislative reform was choice: le libre choix des familles. Choices were related to:

• couples’ decisions on the number of children;
• in particular, the decision on whether to have a third child: the same research was cited to argue that if the number of three-children families doubled, the replacement rate would be guaranteed;
• working mothers’ decision to remain within labour market, around CLCA (UNAF, 2005b);
• the title of the benefit (CLCA) itself;
• a recognition that the state must tread delicately in the private sphere (Brin, 2005: 27): ‘It is not the role of the state to interfere in decisions which relate to fundamental choices about life and couple relationships’. Hence, the discourse of choice is closely related to the idea that the state can only intervene so far, and possibly marks a retreat of the state in the French context. An explicit distinction is made between this liberal approach and old-style, corporatist natalism.

However, unlike the earlier Gisserot recommendations (Gisserot et al, 1997: 40) but as in the UK case examined above, choice was not specifically related to fathers’ labour market position. Rather, recommendations referred explicitly to women’s choices (and mothers’ responsibilities. According to Prime Minister Dominique de Villepin, ‘young mothers in the twenty-first century want to fulfil themselves in employment and secure their financial independence’ (Villepin, 2005). The choice of whether to take up parental leave is attributed to women: ‘Alongside the three-year parental leave which will continue to be available, women will now – from the birth of a third child – be able to take advantage of a shorter leave lasting one year’ (Villepin, 2005). As in the UK, then, choice was gendered.

Finally, the UNAF’s discourse clearly influenced government discourse. As well as choice, a general theme of solidarities (a key discursive theme of UNAF) ran through
the Brin report and subsequent reform proposals: Villepin’s speech on the family policy conference, for example, opened with a statement about the importance of the family, defined as ‘the crucible of fraternity and solidarity between generations’.

For many press commentators, the proposals held few surprises because they reflected traditional natalism. Natalism remains embedded in the distinction between the number of children as criteria of access to leave benefits; France appears to be the only country to practice this distinction, which may seem discriminatory (Brin, 2005: 37). On the other hand, according to some, traditional natalism was to some extent inflected, because the Right now recognises that mothers’ employment is not necessarily the enemy of fertility, in fact the reverse (Tisserond, 2005).

On the other hand, the clear assumption in government discourse that parental leaves remain a women’s issue received little or no comment. Indeed, press comment sometimes adopted this assumption automatically (eg Lutrand, 2005). The combination of a discourse of parental choice and an assumption that parental leaves facilitated women’s choices reflected the traditional gender divisions implicit in French family policy. Nevertheless, the setting-up of a working group to look at fathers’ take-up of leaves at least hinted that a space for debate may be opened up in the future.

Following the conference, Valérie Péresse’s report (2007) reviewed parental leaves (termed ‘work–life balance by default’) and, breaking with earlier concerns about long maternity leaves, expressed concern that reducing leaves or disincentivising longer leaves by making allowances degressive would simply penalise low-earning couples. Rather, the report’s recommendations covered two broad areas. First, it argued that better (and affordable) childcare provision would help women back to work faster than changes to maternity allowance, and correspondingly recommended improving childcare provision for two- to three-year-olds and even the introduction of a ‘right’ to childcare for all children of this age. Second, in an echo of the UK’s 2006 Work and Families Act, the Péresse report recommended moves to help women back into the workplace after maternity leave, through better training and workplace interviews towards the end of leave for employed women, personalised return-to-work plans for unemployed women and a new childcare support scheme for new parents returning to work.

Finally, the report noted that the changes introduced in 2005 had done nothing to encourage fathers to take up leave. Their take-up of parental leaves remained at only 2%. Referring to the Swedish example, the Péresse report recommended that 60 days of maternity leave should be reserved for fathers, and this proportion of the CLCA should be forfeited if paternity leave is not taken, with a bonus if the mother returns to work or undergoes training during this paternity leave.

However, to date, there has been no policy response to the report’s recommendations. Family policy was largely absent from the 2007 presidential election campaign, which focused on youth unemployment and housing.

**Conclusion**

Our analysis of recent policy initiatives has identified elements of policy convergence in France and the UK, notably around the extension of carer rights (adult carers,
carers of disabled children) and measures to facilitate women’s return to work after maternity leave. Elements of discursive consonance also appear, particularly in the discourse of choice, which in both countries reveals policy makers’ sensitivity to fears about state intervention, as well as justifying their intention to intervene. In other words, work–life balance initiatives indicate governments’ willingness to push the boundaries between the public and private spheres, in order to achieve a variety of policy objectives, but also a reluctance to redraw boundaries between state and market. Economic liberalism meets a certain degree of social interventionism, although considerable ambivalence remains around the latter. In the UK case, state reluctance to underwrite the costs of subsidising parental time at home severely limits the extent of real individual choice, while in France, individual choice around childcare is constrained by a system of parental leave that encourages women in lower-income families to stay at home.

On the boundary between the public and private sphere, it is the UK government that has most clearly redefined a societal choice around longer maternity leave, in line with the recommendations of the Women and Work Commission (2006), which identified a scientific consensus on the benefits of mothers being able to staying at home for the first 12 months of a baby’s life. In this sense, UK family policy has become more protective and maternalist. In France, on the other hand, there has been no such problematisation of mothers working during the first year after childbirth; rather, the discourse of freedom of choice reflects a variety of societal choices concerning childcare in early years.

In both countries, recent legislation has re-emphasised the centrality of motherhood in parenting (‘matricentrality’: see Castelain-Meunier, 2002; James, 2006), at odds with a declared intention to involve fathers more closely in childcare and to make parenting, if not gender-neutral, then at least shared more equally between mother and father. In line with Larsen’s (2005) analysis, discursive convergence remains confined to the cognitive dimension, which emphasises female labour market participation, leaving traditional gender attitudes and business practices largely intact. Our case study confirms Lewis’s (2006: 104) observation that ‘The politics of work–family reconciliation policies have been as likely to result in priority being given to women’s traditional role in the family as to encouraging change in the gendered pattern of contributions to families’.

In terms of Commaille’s (1992) triptych of familism–feminism–market, the emancipatory dimension of active parenting has been developed only cautiously, and familism continues to dominate in France, albeit in a modified version. The market continues to dominate in both countries. As a result, the gap between the public and private sectors in the provision of workplace work–life balance measures persists (Lefèvre et al, 2008)

However, glossed over in Blair’s win-win discourse, the tension between market and society is explicitly problematised in the French Right’s discourse (Bloom et al, 2006), and a major difference between the two countries persists in that employment flexibility remains largely a taboo term in French discourse (see Fagnani, 2004). In this sense, Conaghan’s (2002: 70–1) critique of a ‘fundamental and glaring gap between family policy, which purports to value parenting, and employment policy, which clearly does not’ in the UK remains valid (see also Kilkey, 2006). The contradictory impacts of family and employment policy have not been resolved in
France either, as the Pécresse (2007) report also recognised. However, as Conaghan (2002) acknowledges, this gap may reflect a state of transition: work cultures cannot be changed overnight. In both countries, debates have begun that may result in further initiatives in the future, as the UK government’s initiative (announced in November 2007) to extend the right to flexible working to parents of older children suggests; in the UK, advocacy groups working for gender equality currently have higher public visibility than in France.

Path dependency prevails largely because the views of employers often constitute veto points in the debates, as result of which ‘the current transformation towards an adult worker model remains at an early stage’ and the logic of the breadwinner model tends to dominate and to determine the direction of change (Larsen, 2005: 77). At the same time, evidence from both countries of a demand from parents, including increasingly fathers, for changes in employment practices (INSEE, 2004; Méda et al, 2004; Smeaton and Marsh, 2006) may mean a longer-term societal convergence with which policy will eventually have to catch up.

Notes
1 Government sought to downplay the extent of change, claiming that only between 9,000 and 16,000 of the 657,000 new fathers each year would take up additional paternity leave.

2 This still represents a significantly higher ceiling than the 2005 rates of APE (522 euros/month maximum).

3 The article cited here carries a photograph of a woman holding two very young children, with the father nowhere in sight.

References


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