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Parental Leave Policies in the French Work Family Regime: Innovative Formulation, Disappointing Implementation

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Introduction

In this working paper, we are starting from a premise that the current social and economic difficulties are less dependent on sources that are linked to the economic climate (a period of crisis and its consequences) than on structural and global type phenomena (the obsolescence of the organisational principles of the Work Family Regime). It will therefore be necessary to emphasise a dual time frame: that of the societal consequences of slow and progressive changes and that of the social consequences of an invasive and severe economic crisis.

We are making an observation: that France is displaying a contradictory attitude to the place of women in society as it is developing "women-friendly" social policies whilst defending a very traditional family figure. It will therefore be necessary to emphasise in this article the critical posture which consists of not taking the intention of the reforms at their word in order to get a better measurement of their impact in their practical consequences.

If this premise and this observation are taken seriously, the analysis of the *Work/Life balance during Economic Crisis* is a complex equation. To give a rapid summary of the content, we could say this: any attempt at reform in France tends on the one hand to reinforce contradictory structural trends already in play; and on the other hand, to destroy any innovative nature of the reforms that result from public policies which are nevertheless costly and well founded. We shall defend this affirmation of a paradox through an illustrative example: the contradictory effect of a "modernisation" of neutral and very innovative parental leave within a context of strong inequalities between men and women which reinforce the scarcity of employment and funds to help support returning to work. Beforehand, it is advisable to go back somewhat over the concept of Work Family Regime which we will use as an interpretative support.

On the usefulness of the concept of Work Family Regime

To account for the contradictory position of French society towards the place of women in society, an analysis tool must be found that accounts properly for the multiple dimensions which set out the

foundations of the subordination of women in social relationships. From this point of view, we propose here to hinge our analysis around a concept - the Work Family Regime - which at the same time draws from the knowledge acquired from large European comparative studies (particularly those by Gösta Esping Andersen) and from those which come from the feminist critique of these works.

The concept of regime is not new in the social science lexical; it has been used for a long time in history, in law and in political science in multiple and varied meanings, going from the more tangible (in the sense of system - for example, when a political system is designated) to the more abstract (in the sense of social value - for example, as in regimes of historicity). More recently, in the wake of comparative works on the convergence of large regional integration processes from the contemporary period, this concept has been understood in a new, more cognitive meaning (the one that we are going to favour) and refers to the continuous construction of rules, values and institutional arrangements contributing to produce societal coherence and practices. Contrary to the notion of model, that of regime expresses a social construction that is less ordained than negotiated within a dynamic – that of the democratic movement. The regime is therefore one of the major expressions of the way in which a democracy shapes, organises and objectivises its strategy of coexistence. A pioneer in the operationalisation of the concept thus defined, Gösta Esping Andersen (1990) builds his typology of the Welfare State, and shows that after the Second World War, each nation has expressed fundamental terms (freedom, equality, fraternity, etc.) through a common principle (the "Welfare State") stated particularly in the national regimes ('corporatist', 'liberal' and 'social democrat').

Much work over the last two decades has been based on the typology of Welfare State Regimes, both to enrich it and to criticise it. Today, variations in the concept of regime are numerous, particularly in gender studies (e.g. Lewis, 1992, 1993; Orloff, 1993; Sainsbury, 1996, 1999; Fagan et al., 1998). By working on dimensions deemed to be forgotten or played down by Esping Andersen, these studies account for local arrangements that result from principles connected to equality between men and women.

It is surprising that if the concept of regime has been mobilised to show the normative foundations of gender social relationships, it has not actually been mobilised to understand the way in which society links productive and reproductive activities together, in other words what we are proposing to call the Work Family Regime¹. Yet, the Work/Family Relationship (namely, the way of embedding the institution of Work and the institution of Family) is based on normative foundations which can be easy to identify and have been identified for a long time thanks to work from Women's studies.

In fact, the concept of regime has been subject to mobilisation, but in *partial* segments of reality (care regimes, citizenship regimes, gender regimes...). In other respects, when more inclusive approaches have been developed, the concept of "regime" is not then called upon. For example considering the nature and developments of various patterns of Work/Family relationships in developed contemporary societies, Rosemary Crompton (1999) has stylised her acquired experiences by talking not about regimes but about family models which, along a continuum, contrasts the traditional model ("male-breadwinner/female-caregiver") with a model of the future ("dual-earner/dual-caregiver") or parity of the social commitments of men and women at work and within the family). She shows that within the continuum, between these two extremes, there are intermediary models ("dual-earner/female part-time-caregiver", "dual-earner/state-caregiver" or "dual-earner/marketised-caregiver"). Two other pieces of founding work, particularly those by Nancy Fraser (1994) or Jane Lewis (1998), contribute to clarifying these hybrid configurations but also do not borrow from the cognitive grammar of the notion of regime. By re-examining however the

importance of temporal, salary, and family referents which established the definition of the rights and duties of each in declining the models from the "Crompton continuum", these authors once more outline models, alternatives that are more socially desirable than the traditional models. These models therefore go from the traditional perspective which consists of raising care tasks to the level of "work" (which socially rebalances the place of women who nevertheless continue first and foremost to be allocated these functions), to the perspective of a maximum de-familialisation of care tasks (which insists on there being male-female equality in the workplace without transforming the masculine figure of the individual at work) passing through a perspective of re-articulating family structures and productive structures within the same logic based on free choice for men and women (which invites a simultaneous redefinition of temporal, salary and family referents in view of a parity and real freedom of participation in all activities that are socially useful).

Much work has therefore enabled advances to be made on the normative foundations of gender relationships and their role in the organisation of social arrangements, but no notion is currently able to grasp simultaneously social sex relationships, their consequences in the productive organisation of goods and people, and their devices for legitimation and reproduction. In an elliptical way, we could say that this work illustrates the outlines of a new type of Work Family Regime but without showing the cogs needed to build a distribution of activities that are socially useful and not based on sexual division, or outlining the way forward towards the end of the "myth of separated worlds" (Kanter, 1977). It is from these blindspots and from the extension of such studies that work to define the concept of Work Family Regime must be carried out in order to incorporate all dimensions and how they can be embedded within a complex and encompassing category.

This definition work is still to be carried out and cannot be done in this article. Conversely, we can use what we mean by Work Family Regime to illustrate some aspects of the effects of the economic crisis on the Work/Life Balance.

In France: a traditionally paradoxical Work Family Regime

Both in French society and in other European societies, the feminisation of the labour market, the emergence of dual-income couples, the increase in single-parent families, the ageing of the population, threats to life courses, increased flexibility in employment, the intensification of work or raising the value of well-being (and the child well-being in particular) have been tests without precedence of the traditional Work/Family relationship (Fusulier, 2013). Both in French society and in other European societies, specific responses have been institutionalised in an attempt to answer these new societal issues. That being said, France is something of an exception insofar as, as is often the case in this country, innovation rubs shoulders with conservatism. The French Work Family Regime does not escape from this. For example, France has always displayed a contradictory attitude on the place of women in society: the whole of society is based on highly traditional sexual figures for production and reproduction whilst developing a strong support for "women-friendly" social policies.

Highly traditional sexual figures for production and reproduction

In all the labour societies "invented" at the end of the 19th century, putting the productive workforce to work is built around a similar standard: a world of work which requires the individual (man or woman) to present themselves as free and available for recruitment and a "standard" for the figure of employee which takes us back to the fiction of a single individual who is free of any relationship, conjugal or family constraints (Beck, 2001). This standard then requires that another figure exists, the carer, obliged to display in return a continuous temporal availability for the day-to-day activities of looking after and reproducing individuals. Consequently, as men have historically been defined as

heads of the family (*pater familias*) at the head of a domestic group considered to be weak (women, children and servants) (Verjus, 2010): men have first and foremost been assigned to the productive sphere and to remunerated work (Daune-Richard, 2004). Mirroring this, as women have historically been considered to be sentimental beings, virtues which can be well expressed in the family (Tronto, 2009): women have first and foremost been assigned to the family sphere and to non-remunerated work. Later, all the Welfare States of the 20th century would make these naturalistic foundations their own to shape the systems of reference which cover the risks of entering into the labour market: inscribed deep in the unconscious which configure the organisation and social structuring of labour societies, these foundations reify the economic and social subordination of women (and specifically mothers) in social relationships.

Therefore, in France, some national choices have come to reinforce an exclusion of women from full and complete citizenship:

- the choice of building Social Security onto Employment. This will condemn most French mothers (at home or vulnerable) to only benefit from the rights (so-called derived) of their salaried spouse. It is in effect earning status which is the standard reference in terms of social citizenship in France and this choice requires that so-called standard employment is exercised (defined as stable and full-time throughout life) to give direct access to full rights. In such configurations, those who are "unavailable" to standard employment are (often) mothers. They can therefore be found in the main to be inactive or in so-called "non-standard" jobs and they benefit from protection methods which are less generous and more random (at best, derived rights from their spouse or at worst, assistance for single mothers). Such systems of reference in the principles for building protection devices push mothers into denial of full citizenship;

- the choice of the principle of monetary compensation (state benefits paid to the family and complex fiscal adjustments) rather than that of a wage for mothers. Although it is disputable in terms of discrimination, a wage for mothers has at least the advantage of thinking a family activity from the notion of work (non-remunerated work certainly but nevertheless acknowledged through social benefits). By denying this choice, France has contributed greatly to the collapse of social and economic values in domestic, family and parental activities, therefore pushing services and service providers into invisibility and the metaphysics of the *Agape* (unconditional giving and love), which is very detrimental to the principle of a fair place for care and women in society.

France is therefore a country where the figure of mothers (like that of the family) draws from the very traditional register of naturalism and conservatism which has always symbolically and practically weakened the social position of women in society.

Figures who contrast with long-standing "women-friendly" social policies.

If the old debates to know if the place of women is at work or at home have never ceased (no more in France than elsewhere), the fact that mothers (like other women) are justified in their wish to work has always been officially acknowledged (in France more than elsewhere, probably). This gap has crystallised around a rhetoric older than the "women's right to work": that of "free choice". It has always been accepted in France that women must have the choice to work or not. This bias for "free choice" has been and remains today the backbone of the peculiarities that are French family policies. Therefore, "State feminism" (Revillard, 2007, 2009) has always been strong in its undertakings to make services and equipment available "to assist working mothers": at first confined to the promotion of nursery schools and then supplemented with laws on the development and protection of part-time work, this bias is currently focused on the development of new tools to reconcile

working life and family life (paid parental leave, diversify care arrangements, state-subsidised services to individuals and so on) which the authorities have opened up to private competition and to company policies. Furthermore, the authorities are contributing to supporting female activity through support for part-time jobs and public and territorial employment development policies that are strongly feminised.

In parallel with this support for mothers in the labour market, the figure of the working mother has always been assessed at the expense of that of the wife and mother in France: magazines, the media, and public opinion are there to witness the lack of consideration granted to the "at-home" French mother who, so to speak, "is nothing, thinks nothing and does nothing". The almost total disappearance of the social value of domestic activity in France since the 1960s is certainly a major factor in the struggle of French women to claim "the right to work" or "professional equality between men and women", a central pillar of feminist voices (academics, politicians or artists) for more than half a century (Nicole, 1986).

The Work Family Regime is therefore completely paradoxical in France because it is based on a traditional, unequal and sexual model of the division of socially useful activities (work and care in particular) whilst giving more value to an emancipated figure of woman in general and the working mother in particular. The consequences of such positions are themselves also paradoxical.

On the one side, French women are performing well. They have a long-standing high activity rate. They have never ceased to work and, for mothers, the desire to have a career is an old story (Nicole-Drancourt, 1989). Then, far from being a "reserve army" (a term which given in the 1960s to a potentially available paid female workforce), French women are and remain in massive quantity on the labour market in a period where there is a shortage of jobs. Furthermore, the working activity rate of mothers is withstanding the test of unemployment and lack of security. Finally, the number of births has continued to increase in France despite the economic crisis. On the other hand, if French women have a large presence in the labour market², they are concentrated in the "poor" jobs (for family reasons³), where they stay longer on average than men and where they are less mobile (Milewski, 2011). Furthermore, surveys show that the phenomenon of the double working day remains more than ever the day-to-day experience of active mothers (Roy, 2012): women remain today the main (or even essential) providers of parental, domestic and family tasks. That the key to this performance has a cost and this is well known: if on the one hand, a homogenisation of male and female activity ratios is reported, on the other hand there is a growing gap in the working activity conditions of fathers and mothers in France. The career paths for mothers are then loaded with all the marks of the economic crisis, namely: recurrent reduced activities, increased diversity in forms of non-standard employment, strong vulnerability in the employment relationship and a difficulty to return to the labour market after parental leave.

The situation of mothers therefore remains quite worrying even if, as Gornick and Meyers (2011) affirmed that, *seen from abroad*, France is characterised by extensive support for mothers' employment.

The French Work Family Regime tested by reforms

Within the current context of disruption to world order (economic, political, climatic, ecological, and demographic) all countries (France included) are revisiting the basics of their social organisational structure to attempt to rewrite its grammar. Within this context, the shared characteristic of the great reforms in progress is not therefore their corrective nature (which attempts to curb the effects of the crisis by making adjustments on the fringes) but their transformative nature (which attacks the

foundations of social order through reconstruction of the production and reproduction mechanisms of this order) (Fraser, 2005). If this analysis is taken seriously, how can that which reveals the effects of the French economic crisis and that which reveals dysfunctions connected to transitions to the new social order be disentangled? In a maze of the great reforms that France has been undertaking for almost fifteen years, those that concern the transformation of the Work/Family relationship are far from being minor. Is the economic crisis destroying, putting the brakes on, building on or deferring what has been undertaken? The only way to respond, as we have said, is to attempt to think together, both about a long time frame (that of the transformation of societies under the influence of great economic and social disruption) and a short time frame (that of deteriorations in standards of living under the influence of the rigours of current economic crises). Which reform can be used as an analyser from such perspectives? Two policies are on offer to us: entry via company family policies or entry via parental leave.

Company family policies

In the French Work Family Regime, the company has long been ignored because of the predominant role played by public family policy in favour of parents (mothers) who work. Nevertheless, since the start of the 2000s, the advance of time constraints, the intensification of the pace of work and a growing flexibility in employment have accentuated a growing tension in terms of the relationship between work and family for employees. Sensitised by international organisations, by European directives and elected by a majority through the national interprofessional Agreement on equality at work⁴, French companies are committing themselves as well in favour of a better balance between family life and work. From this perspective, for some years in France, employers have been developing three types of arrangements: benefits in-kind, financial advantages and time flexibility measures that enable better flexibility of time at the request of the employee.

Initial evaluations show that the consequences remain limited in spite of the newly confirmed commitments. According to the IGAS report (Grésy, 2011), more than half of the establishments offer practically no work/family reconciliation measures (it is rather the large firms and regional authorities that offer this). Furthermore, only about one establishment in five (which represents about one quarter of employees) offers in-kind or financial benefits but with little in the way of flexible working time arrangements. Finally collective negotiation remains low on these issues.

Despite some progress (Gregory and Milner, 2006), it has to be admitted that the consideration of active parenthood by companies remains limited practically and above all symbolically, even if the emphasis on conciliation policies as *a justice or performance issue* is starting to emerge, particularly in large groups. The authorities' incentive is of premier importance here.

French parental leave: an analyser

For the reasons stated, we shall therefore not choose company policies as an analyser of Work Family Regime in a period of crisis. We shall conversely prefer to use those of parental leave (PAJE⁵ - Prestation d'Accueil du Jeune Enfant - early childhood benefit) which, launched during the first decade of this century, brought multiple contradictory parameters into play (crisis, reforms, dependency path, etc.). For this reason, PAJE can be seen not only as very representative of the French Work Family Regime but also is very emblematic of the attempts to make profound transformations in the Work/Family relationship in France (Nicole-Drancourt, 2011). PAJE constitutes a relevant analyser of the complex effects of the economic crisis on the Work/Life Balance.

For Peter Moss and Sheila Kamerman: "Leave policy, more than many other social policies, is at the intersection of the economic (since it bears on labour force participation and labour market regulation), the social (since it bears on children, families and gender equality) and the demographic (since it bears on fertility). This generates a complex situation of different potential objectives and conflict between objectives [...]" (2009, p. 9). The saga around the adoption of the European directive on parental leave illustrates just how much this concerns a policy that is societally sensitive (Fusulier, 2009). Jeanne Fagnani and Antoine Math presents the case of parental leave in France as providing "a window into the ambivalent attitudes to gender underpinning the French welfare state and shows the growing hold that employment policies have had on family policy since the beginning of the 1980s" (Fagnani and Math, p. 114). As a result, let us analyse the formulation and implementation of parental leave.

Parental leave policies in France: innovative formulation, disappointing implementation

Very concerned always to maintain its birthrates and to remain faithful to universal family allowances while supporting the most disadvantaged families, French family policies have been undergoing major transformations for 30 years (see box 1).

Box 1 Family policies (1980-2010): some markers

1970s

- Removal of the *Allocation de salaire unique* (Single Salary Benefit) (started as means-tested in 1972 and abolished in 1978).
- The establishment of two years' unpaid parental leave (1977).

1980s

- **Congé parental d'éducation (CPE - parental leave)** – universal unpaid for full-time or part-time for one year, renewable twice (1984).
- Development of *travail à temps partiel* (TTP – part-time work).
- **Allocation parentale d'éducation** (so-called **APE 3** - child-raising benefit) for families with at least three children, paid leave on condition of having worked for two years out of the last five years preceding the birth (1985).

1990s

- **Allocation parentale d'éducation** (so-called **APE 2** - child-raising benefit) - paid, on condition (of working status and family status). For families with at least two children. Accessible either at full rate, in which case the person must be totally inactive, or at reduced rate, in which case the person must work less than 80% of the time (1994).

2000s

- The **Prestation accueil jeune enfant (PAJE 1** in 2004 and **PAJE 2** in 2006) replaces four benefits (which will disappear after a fixed period) and will be accessible to more households than the four old benefits combined.

In this maze of reforms, the *allocation parentale d'éducation* (APE - child-raising benefit) was the core issue in the 1990s. APE is a neutral arrangement (which is aimed at fathers and mothers) and to be eligible for APE you must: be the parent of a second or a third child of less than three years of age and have worked at least two years during the last five years preceding the birth of the child. It possible to benefit from this in two ways: either at full rate (full-time leave), or at a reduced rate (the applicant must work less than 80% of the time).

In its formulation, the APE is considered to be a widening of the policy of free choice in terms of type of childcare. The offering of the early-years child benefit methods has diversified: within this framework, care at home (up till then reserved for an elite) has become more democratic to

compete with both collective care (in a crèche or at an approved child minder) and the care of their child by one of the two parents.

In its implementation, the APE is presented as the first remunerated parental leave, and therefore as a real right, for a parent, to look after their newborn until they are three years old. This right is expressed through a benefit (on average equivalent to half of the SMIC - Salaire minimum interprofessionnel de croissance (French statutory minimum wage) - in the events that all activity ceases) which legitimises a "choice". In the event of a simple reduction in hours worked, the APE makes up the income (if the latter is below the full-rate allowance). Mirroring this, those who do not make the "choice" of the APE care method are also supported (either with a public offering of care in a crèche or with a child minder, or with an allowance for private care⁶, an innovative idea of the period in line with the wish to develop a breeding ground for so-called family jobs).

The APE is going to have considerable success: a great number of mothers have taken it up (not those targeted by the forecasts) and the mechanism has risen from 175,000 beneficiaries in the first year to 536,000 beneficiaries five years later. Intended potentially by the authorities for less than half of this, the APE is costing much more than anticipated. Difficult to defend in a period of economic decrease activity, the APE has then become the target of all the critics with regard to what was deemed to be at the time "the damage from the APE": the APE appeals to 90%... of mothers; the activity ratio of mothers of toddlers aged less than two years has fallen by 25 points; a growing segmentation of infant care arrangements is developing with on the one hand those from wealthier backgrounds (who outsource childcare) and on the other hand, low-income families (who take this on themselves even if it means that the mother withdraws from the labour market)⁷.

The APE, an abortive mechanism in its formulation

The APE has been analysed in the most harmful consequences of its implementation whilst it would have been more relevant to have performed an analysis of its limits at the level of its formulation which remained abortive. Why? With the APE, assistance is being given at the emergence of the acknowledgement of hybrid situations. This acknowledgement bless the edges of the sexual division of work and inaugurate the opening up of the question of support to the family outside the female question. That being said, the APE mechanism remained abortive in its formulation because if, on the one hand, the APE is moving away from the French tradition (by taking family work out of the ideology of the moral donation and free work) and goes beyond the Anglo-Saxon tradition of a wage for mothers (by relating the allowance to professional status close to employment), on the other hand this mechanism is still designed as a traditional mechanism by remaining within family policy principles: APE is very little related to employment policies, and it is and will remain one more mechanism of family policies (employment policies being exempt from any debt in its regard). Mothers will therefore never be supported in their plans to re-enter the workplace.

This means that the cognitive revolution consisting of embedding family commitments and professional commitments within the very heart of the Work Family Regime has not been sufficiently endorsed in the very formulation of the APE. Although only a break at this level of social construction could overcome the conservative pressures of the French Work Family Regime. This principle was still existing, however, in draft form, but without relays for implementation it has remained a dead letter.

The APE or the wrong answer to the right question

The APE has not created a problem, but it has revealed its extent. Even if family responsibilities are no longer what they were (Chenu, 2002), the problem remains the impossible double day of an

individual active as soon as the responsibilities outside production (parental, family or others) become too weighty.

The tolerance threshold cannot be measured from this impossibility: objective factors reduce or magnify the weight of the responsibilities (the number of children, total budget, the quality and flexibility of a job) but in the end it is not the more or less significant weight of these responsibilities that determines the feeling of being overwhelmed: everything depends on the difficulty to sell an individual's employability, to hold down the post, to raise a child, to withstand stress and physical or psychological fatigue, etc. There are therefore no heavy responsibilities in themselves, there are only responsibilities that are too heavy for an individual at a given time. This is what explains the sociological diversity of the population of mothers who have taken up the APE: whether currently educated to degree level or not, or in a couple or not, many active mothers are overwhelmed by their double day and are looking for solutions to get through their pile of tasks. This diversity shows both the multiplication of the spaces for social investment of individuals and the search for tools that cannot be found, to be able to take on their investment choices in a sustainable manner. This also concerns both the users of the APE and other users of public mechanisms or, from "bad" work to part-time (vulnerable and under-paid) for those who do not come under any of the access criteria to the mechanisms.

The APE has therefore not created a problem, it has above all revealed the scale of a search, which is of concern to society in new needs: the need for mothers to adjust who are caught in multiple social commitments and complex paths, the need to spend time with a child that is coming, need to rebalance your life projects following a conjugal break-up, etc. These needs are new in the sense that they no longer belong to a minority of mothers "in difficulty" but potentially to all men and women living in modern labour societies and choosing to have a family life.

The CLCA: a path to progress towards a new type of parental leave?

It is within this context of criticism and emergency that the PAJE appeared at the start of the 2000s in the wake of the progressive disappearance of the APE.

Faithful to the "free choice" bias, the *Prestation d'accueil du jeune enfant* (Early childhood benefit) (the so-called PAJE) is the generic name given to additional measures which, under certain conditions, can be granted to beneficiaries cumulatively: the childbirth (or adoption) allowance for every new child is very simple; what is more complex is the basic allowance and the supplement for childcare, two financial benefits which link up with two figures of new-type parental leave: The *Complément Libre Choix d'Activité* (Free Activity Choice Supplement) (CLCA) and the *Complément Optionnel de Libre Choix d'Activité* (Optional Free Activity Choice Supplement) (COLCA).

Box 2. Summary presentation of the PAJE

The PAJE will progressively come to replace all early childhood care benefits (APJE, APE, AGED and AFEAMA). The *Prestation Accueil du Jeune Enfant* (early childhood benefit) includes:

- a childbirth allowance (universal)
- **a basic allowance** (for the birth of a child from 0 to 3 years and on condition of resources);
- **the Complément de libre choix du Mode Garde** (Free Choice of Care Method Supplement (CMG) (for a mother active continuously or discontinuously: except for resource conditions and cumulative with the CLCA); if an approved child minder (a part of the remuneration is covered on condition of resources); if care is at home (social security contributions are covered)
- **le Complément de Libre Choix d'Activité** (Free Choice of Activity Supplement) (CLCA). Except for resource conditions. The CLCA is granted when the parent ceases to work or is working part-time from the first child (for six months) and/or the second or more (for three years).
- **the Complément Optionnel de Libre Choix d'Activité (Optional Free Activity Choice Supplement COLCA** (creation inaugurated the PAJE2 in 2006): Except for resource conditions, experimental and exclusively for the third child; shorter and better compensated, the COLCA can be used by the father or the mother, discontinuously within 12 months.

Contrary to its official display which presents the PAJE as a simplification of the service to all, the *Prestation d'Accueil Jeune Enfant* (early childhood benefit) (PAJE) is a monument of complexity and subtlety in its formulation. In effect, we have recalled that the APE did not call into question what is the basis of the gender choices on which male/female inequalities feed, namely: the atomisation of the productive and reproductive spheres and their political expression through the separation of employment and family policies. On the contrary, the flagship mechanism of the PAJE (the CLCA) initiates this new way. By going to the end of the cognitive revolution initiated by the APE, the formulation of the CLCA, on the one hand, will reinforce the relationship of family benefits to a professional status close to employment and, on the other hand, will break the atomisation of measures in family policies and place them under the hybrid principles of social policies (Work/Family). This is done in two ways: firstly, by requiring a close proximity to employment to access PAJE (to be eligible for CLCA, an individual must have worked for two years out of four and not two out of five years for APE); secondly, by "activating" the work/allowance accumulation in the CLCA (the APE were content to accept the total up to substituting the amount of the old allowance through employment; the PAJE "activates" this total by increasing the total income by 15% when a part-time job is taken during parental leave).

From our point of view, the PAJE therefore renews the Work Family Regime by embedding the family commitment and work commitment under new terms. It offers a legal framework to the social event which supposes the arrival of a child to active parents (or parents close to employment). This framework acknowledges under the same principle the work commitment and family commitment by offering either the possibility of temporarily suspending the work commitment to the benefit of the family commitment (CLCA at full rate) or of linking the work commitment and the family commitment (CLCA at partial rate). This parity of principle means the initiation of a triple acknowledgement: that of being absence for family reasons is a necessity since the individual is concerned; if this necessity can destabilise a career path and if on this account it must be framed within a system of rights and protections, secured against the path and financed by a contribution-based, fiscal or mixed system.

Discussion

The formulation of French parental leave therefore sanctions a break in principle. Of course, the question remains of knowing what its implementation is. This is where the question of the short time frame comes: that of the economic crisis which cripples any financial support to the innovations

which demand it, that of the strong figures which persist in weighing on the institutions of French society, those of the experiences of professionals of the social intervention who need time to invest in innovations which are often disguised. Therefore in France, the same thing is happening with the CLCA as happened with the RMI (*revenu minimum d'insertion* - income support): failing the political will to confirm the Copernican reorientation that the formulation of this parental leave represents and without actual financial means to implement it in its entirety, the mechanism loses much of its transforming impact on the Work Family Regime. Today, it must be said, with close to a half of the beneficiaries of the CLCA in complete withdrawal from activity, with major difficulties encountered by women who want to keep themselves in reduced activity without forgetting the total absence of support to get back into the workplace, failing investment in this area of intervention, the CLCA is becoming in its implementation a simple social advantage (just as the RMI lost, in its time, the i from insertion and had become a simple minimum resource allowance).

France therefore is formulating neutral and innovative parental leave in *its formulation*. However the structural ambivalence of French Work Family Regime (which does not fundamentally challenge, within *the implementation* of the reforms, the unequal position of men and women in employment and in the family) and the period of severe crisis (which makes supporting public finance very difficult) will nevertheless neutralise these innovative features.

Finally, the use of the mechanism will remain almost exclusively female⁸, will penalise the employment of women and will reinforce gender inequalities. The economic crisis, by making available work scarce, will only reinforce such dynamics. Supported by recent work on parental leave, this assertion should be argued.

That being said, if the implementation is temporarily led astray, it takes nothing away from the profoundly innovative impact of the formulation of French parental leave. The critics who conceive the CLCA as a trap for women do not however grasp the transforming potential of the mechanism. Proof can be found in the new reform of French parental leave launched in May 2013: families with one child, who are already entitled to six months unpaid parental leave, will be allowed an additional six months for the second parent. For families with two children, the maximum parental leave will remain three years, as long as six months of that time is reserved for the second parent. Certainly, this type of reform is an incentive for fathers. However, it leaves unanswered the question of the impossible reconciliation of Work and Family. It is very probably that women will continue to take it in the majority and to exhaust themselves in the double working day. As Rosemary Crompton writes: "as far as gender egalitarianism is concerned, the impact of state policies in supporting families and working parents is highly mediated by the gendered division of labor in the home, which is rather traditional in France" (2011, p. 372). This acknowledgement underlines, from our point of view, that for a symmetry between men and women to be attained, a symmetry must be acknowledged societally in the value granted to reproductive work and to productive work, and this ensuring that the mechanisms for changing from one to the other, to withdraw from one another or the porous integration of each other are supported. The CLCA, in its formulation, contained this change in paradigm in favour of a better symmetry, but its implementation has been thwarted both by the economic crisis (and the lack of social investment) but also by the ambivalence of the French Work Family Regime which struggles to recognise its contradictions.

Conclusion

If the economic crisis, through its effects on the lowering of volume of employment and on public money available within a context of increased competitiveness through globalisation, accentuating pressure for full employment (including in its most vulnerable forms) to the detriment of a

reconciliation of working life with family life, it only accentuates the paradoxical characteristics of the French Work Family Regime, and above all exacerbates its initial contradictions where "free choice" becomes artificial since women must provide care through personal choice and social duty and men, in an identical way, provide the work.

The real sociological question is therefore less to understand how the crisis is putting the brakes on (or even destroying) acquired experience in terms of reconciling working life/family life than to measure the growing discrepancies between social practices and normative frameworks that cause dysfunction and inconsistency phenomena within most contemporary societies. From this point of view, Work Family Regimes are in crisis everywhere. The discrepancy between standards and practices are reinforced against three contradictory phenomena: one that refers to the process of homogenising employment ratios between men and women; a second that refers to the permanence of a sexual allocation of productive and reproductive activities (sexual division of social activities); and a third which expresses the desire of women and men to be able to be reconciled without wearing down their working life and their family life.

In this context, the discrepancy between standards and practices represents an historic time of potentialities which have both constraints and enabling qualities (Giddens, 1984). In other words, this discrepancy causes traditional Work Family Regime crisis phenomena that carry risks (as within the contexts of economic recession which are passing through contemporary economies, some responses to emergencies represent real dangers with regard to female/male equality and the work/life balance), but can also represent a key moment in democratic development (because the crises are also unprecedented windows of opportunity towards change). This is why we are assuming that this period of tension is an opportunity to be grasped to reaffirm the social value of care activities, a non-sexual commitment to these activities and to acknowledge through the world of work the integration of these socially useful commitments in the wage-labour nexus, at the same time the involvement of the authorities in guaranteeing the universality of the rights to care for everyone.

In so doing, a sociology of the relationship of working life with family life engages a "realistic utopia" scenario (Giddens, 1990), an expression signifying that a Utopia can be pursued from normative presuppositions but, in order to be realistic, it must be based on a multi-level scientific analysis of the structural, cultural, institutional and mapping parameters (Fusulier, 2011). The underlying realistic-topic scenario is that of the conversion of the labour society into a multi-active society based on a new division and combination of activities which are socially useful without any being hegemonic or reserved for one or other sex, a society that the State would support through a principle of social investment and that professional communities and productive organisations would incorporate into their operating mode and would simultaneously contribute to producing it.

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¹ A quick search using Google Scholar to identify the use of the expression "Work Family Regime" underlines the weakness of its presence, which does not go beyond five references with "regime" in the singular and three references in the plural (search conducted 14 February 2013) which furthermore do not have a real theoretical significance.

² French women from 25 to 54 have an activity rate of almost 85%.

³ "Almost 60% of women on low salaries are mothers" (Milewski, 2011, p. 42). By way of example, if 7.5 million French women are working full-time, more than 3 million of them are working part-time and almost 4.5 million do not work. These women in underemployment are mainly "mothers" since it is known furthermore that the activity ratio of women from 25 to 35 years is 92% if they have no dependent children and 50% if they have two dependent children (where the youngest child is less than three years old).

⁴ Signed in 2004 by social partners, this agreement explicitly integrates the question of parenthood in the incitements to the company's plans in favour of male and female equality at work, either as a direct result of the employer's actions (through staff management) or as a result of action by the works council.

⁵ *Prestation accueil jeune enfant* (early childhood benefit) (PAJE 1 in 2004 and PAJE 2 in 2006)

⁶ The AGED (*Allocation de garde à domicile* - Allowance for home childcare) enables a child minder to be recruited to work in the home and gives the right to tax allowances equal to the employee's social security expenses.

⁷ The CNAF (*Caisse nationale des allocations familiales* – National family allowance fund) will be conducting the debate for years on the results of the APE. We note the important edition of *Recherches et Prévisions* which documents the work of various institutions (DREES (Directorate for Research, Studies, Evaluation and Statistics), CRÉDOC (Research Centre for the Study of Living Conditions), DARES (Directorate for the Coordination of Research, Studies and Statistics), CNRS (National Scientific Research Centre), ADEPS (Association for polio sufferers and the disabled), etc.) on the question. See *Recherches et Prévisions* (2000); Fagnani (2000); Afsa (1996).

⁸ On 31 December 2011, women represented 96.5% of the 530,000 beneficiaries of the CLCA and almost 60 % of the 18,200 fathers benefiting from the CLCA (full and partial rate) have income less than that of their spouse before receiving the benefit (CNAF, 2013).