

# Regulations of intimate life: changes and evolutions in Europe

*Thursday 1st & Friday 2nd December 2011*

*Salle Alfred Sauvy*

*Ined, Paris*



Until the nineteenth century, marriage remained for the governments a fundamental institution for the ruling of social order, maintained through a certain conception of moral rules. However, the economic changes during the nineteenth century, the wide diffusion of new ideas, new practices regarding the evolution of social facts, led legislators to reform the institution. Various factors explain these reform still driven by the desire to suppress any "social threat": the recognition of the interests of the child by law (such as taking into account the situation of an illegitimate child), the debate to redefine the standards of sexuality (straight to the question relations before marriage, including during the engagement, and the problem of double standards, what was accepted for a man, was denied to women), the emancipation of women through especially the growing access to the labour market, the spread of unmarried cohabitation, etc.

From these marriage reforms policies at the beginning of the 1920s the institution has evolved with the ongoing economic and social changes through the century. Disaffection of marriage and growing choice of cohabitation among couples have thrown the pioneering countries into an increasing legal and social protection towards the individuals adding to the one of couples. These legal reforms have occurred mainly in the welfare states, where the individual concern has extended to the equality for all objective and the primacy of human rights which led Nordic countries first to create marriage-like structures to same sex couples, then the transformation of marriage as gender neutral.

The diffusion of these legal developments if it appears to spread in chain in northern countries is slower and by steps in other European countries. The way ideas and laws travel inside Europe and the regulations concerned at the biggest extent reveal how the governments are interacting with their citizens. The political concern on society, however, can not fail to confront the reality within Europe where the movement of people has become if not a rule more than a growing fact and the initiatives to harmonize legal policies applied to domestic relations reflect as much transnational conflicts as national problems.

The purpose of the seminar is to examine why and how the governments have modelled the changes through the study of the national experiences, the role of the state and politics regarding the social change in different contexts and legal systems but also the growing implication of individuals or social groups, to get an idea of the evolution of the perception of private life in growing individualised societies.

## ORGANISATION

Marie Digoix(INED) & Nathalie Le Bouteillec (CURAPP-ESS, INED)

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133 bd Davout, 75980 Paris cedex 20

Thursday 1<sup>st</sup> December 2011  
**Family law reforms in the Nordic context**

10h - 12h30

*An Icelandic marriage pattern*

**Ólöf Garðarsdóttir** (University of Iceland)

*Socio-economic determinants of divorce in early twentieth-century Sweden*

**Glenn Sandström** (University of Umeå, Sweden)

*Separate together: individualism and post-divorce parenthood in 20th century Sweden*

**Helena Bergman** (Stockholm University, Sweden)

14h - 17h30

*Divorce law and practice in Iceland 1873-1926*

**Brynja Björnsdóttir** (University of Iceland)

*Equal but economically dependent - The Swedish law of marriage 1921 and the construction of equal housewives*

**Zara Bersbo** (Växjö Linnaeus University, Sweden)

*Women's Rights and the Well of the Nation. Debates on Marriage Law Reform in Sweden at the beginning of the 20th century*

**Christina Carlsson Wetterberg** (University of Örebro, Sweden)

*Democratization of the private sphere and the politics of reproduction: the Danish experience*

**Bente Rosenberg** (University of Copenhagen, Denmark)

Friday 2<sup>nd</sup> December 2011

10h - 12h30

**Gender neutral marriage and same-sex partnerships:  
European experiences**

*The legal recognition of cohabiting couples in Italy: an analysis of a debate*

**Marina Franchi** (London School of Economics, United Kingdom)

*Was it too soon? Revisiting the legalization of same-sex marriages in Spain*

**Kerman Calvo** (University of Salamanca, Spain)

*Confirmed partnership in Iceland: the failure of a differentialist marital law*

**Marie Digoix** (National institute for demographic studies, France)

14h - 16h

**European regulations: Toward new family laws?**

*Legal recognition on the double: recognition of foreign recognition of same sex partnership and parenting*

**Kees Waaldijk** (Leiden Law School, The Netherlands)

*Progressive family laws in the nordic countries: comparative, political and institutional perspectives on legal policy*

**David Bradley** (London School of Economics, United Kingdom)