

SHARED PEDAGOGICAL RESPONSIBILITY

SHARED PEDAGOGICAL RESPONSIBILITY

Edited by

Hans VAN CROMBRUGGE

Wouter VANDENHOLE

Jan C.M. WILLEMS

Other contributors

Ineke BOEREFIJN

Martine F. DELFOS

Doret DE RUYTER



Antwerp – Oxford – Portland

Distribution for the UK:

Hart Publishing Ltd.
16C Worcester Place
Oxford OX1 2JW
UK
Tel.: +44 1865 51 75 30
Fax: +44 1865 51 07 10

Distribution for Switzerland and Germany:

Schulthess Verlag
Zwingliplatz 2
CH-8022 Zürich
Switzerland
Tel.: +41 1 251 93 36
Fax: +41 1 261 63 94

Distribution for the USA and Canada:

International Specialized Book Services
920 NE 58th Ave Suite 300
Portland, OR 97213
USA
Tel.: +1 800 944 6190 (toll free)
Tel.: +1 503 287 3093
Fax: +1 503 280 8832
Email: info@isbs.com

Distribution for other countries:

Intersentia Publishers
Groenstraat 31
BE-2640 Mortsel
Belgium
Tel.: +32 3 680 15 50
Fax: +32 3 658 71 21

Shared Pedagogical Responsibility

Hans van Crombrugge, Wouter Vandenhole and Jan C.M. Willemse (eds.)

© 2008 Intersentia
Antwerp – Oxford – Portland
www.intersentia.com

Cover photograph © iStockphoto.com/Mehmet Ali Cida – “Relay Race”

ISBN 978-90-5095-813-4
D/2008/7849/66
NUR 820

No part of this book may be reproduced in any form, by print, photoprint, microfilm or any other means, without written permission from the publisher.

TABLE OF CONTENTS

INTRODUCTION

HANS VAN CROMBRUGGE, WOUTER VANDENHOLE, JAN C.M. WILLEMS	1
---	---

THE UPBRINGING PLEDGE AS A FRAMEWORK FOR THE PARENT-CHILD RELATIONSHIP

HANS VAN CROMBRUGGE	5
1. Introduction.....	5
2. Upbringing Pledge and the Rights of the Child: Some Propositions	7
2.1. The Pedagogical Responsibility of the State	7
2.2. Parenthood.....	8
2.3. Supporting the Parents.....	9
2.4. Concrete Proposals.....	10
3. Discussion	11

WHAT MAY PARENTS BE ASKED TO PLEDGE?

The Convention on the Rights of the Child as a Source of Parental Duties and Responsibilities

JAN C.M. WILLEMS	17
1. Introduction.....	17
1.1. Transism.....	18
1.2. A List of Responsibilities	20
2. State Empowerment and Responsibilization Obligations	21
2.1. State Obligations	22
2.2. Trias Pedagogica	23
2.3. Empowerment Obligations	24
3. Fifty-Plus-One Parental Duties and Responsibilities	25
4. Conclusion	32
Appendix 1. Eight Essential Parental Responsibilities.....	33
Appendix 2. Ten Parental Responsibilities & Ten Parental Rights	35

CHILDREN'S RIGHTS, PARENTAL RESPONSIBILITIES AND STATE OBLIGATIONS: A COUNCIL OF EUROPE PERSPECTIVE

WOUTER VANDENHOLE	37
1. Human Rights of Children	39
2. Human Rights of Parents.....	43
3. Responsibilities of Parents.....	47
4. Obligations of the State	48
4.1. Obligation to Protect Against Corporal Punishment.....	48
4.2. Obligation to Protect Children Against Neglect and Abuse	50
4.3. Obligation to Respect Family Life	51
4.4. Obligation to Assist in Enforcement of Access Arrangements	52
4.5. Obligations Relating to Particularly Vulnerable Groups of Children	52
4.6. Obligations Relating to Equality.....	53
4.7. Obligations Related to Protection of the Family	53
5. Social Cohesion Framework	54
6. Conclusion: An Upbringing Pledge: Optional, Recommended or Mandatory?	55

RECONCILING HUMAN RIGHTS OF WOMEN AND CHILDREN

INEKE BOEREFIJN.....	57
1. Introduction.....	57
2. Equality of the Sexes.....	58
3. The Position of Women in the Public Sphere	61
3.1. Employment and Economic Independence of Women.....	61
3.2. Participation in Public and Political Life	62
3.3. Education	63
3.4. The Upbringing Pledge and Equality of Women and Men in the Public Sphere	64
4. The Position of Women in the Family	65
4.1. Introduction.....	65
4.2. Equal Right to Enter Into Marriage, Equal Rights During Marriage and at Its Dissolution	66
4.3. Sexual and Reproductive Rights.....	68
4.4. Violence Against Women	70
4.5. An Upbringing Pledge and Women's Right to Equality in the Family	71
5. Towards a Human Rights Approach	72

FROM PARENT TO GROUP PARENT**Parenthood (and Upbringing Pledge) in the Virtual Environment**

MARTINE F. DELFOS	75
1. From Parent to Group Parent	75
2. The Virtual Environment	77
3. Educational Authority	79
4. The Need to Form Attachments	80
5. Virtual Life Enschede.....	82
6. Conclusion	84
References	84

**THE UPBRINGING PLEDGE AND THE FLOURISHING OF CHILDREN
AND PARENTS**

DORET DE RUYTER	87
1. Introduction.....	87
2. The Concept of ‘Upbringing Pledge’	88
2.1. The Person Making the Promise: The Promiser.....	89
2.2. The Promisee	92
2.3. The Content of a Promise.....	94
3. Promises and Duties.....	94
4. The Upbringing Pledge and Quality of Upbringing	96
5. The Upbringing Pledge in a Liberal Democracy	98
6. Conclusion	101
Bibliography	102

THE UPBRINGING PLEDGE: A RITUAL IN SUPPORT OF PARENTS**A Rejoinder to Doret de Ruyter’s Critical Analysis**

HANS VAN CROMBRUGGE	105
1. Introduction.....	105
2. The Upbringing Pledge as Ritual: The Institution of Parenthood.....	106
3. The Upbringing Pledge and Its Assumptions: Obligations Versus Facts .	108
4. The Upbringing Pledge and Its Stakeholders: Everyone is Committed Together	111
5. The Pledge and Its Binding Character: The Demand of the Child as a Moral Claim	112

Table of Contents

- | | | |
|----|--|-----|
| 6. | The Pledge Improves the Quality of Upbringing: It Confirms and Establishes Respect for the Rights of the Child | 114 |
| 7. | The Upbringing Pledge in a Liberal Democracy: The Upbringing Obligation Imposed by the Government..... | 116 |