

Dan SANDU
Editor

**European Societies in Transition.
Social Development and Social Work**

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Dan Sandu
Editor

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PREFACE

Involvement in the social life of our fellow human beings in the current context ceases to be the exclusive remit of specialised secular institutions and increasingly becomes an issue of public responsibility that all members of society must be committed to, from transnational institutions to the individual person who cannot and must not disregard the community.

Leading the way in this field are the institutions which provide higher education or vocational training in the domain of social sciences and community service. Such educational bodies can design policies, provide specialist assessment of social problems and propose methods to solve them. The International Consortium for Social Development, the European branch, brings experts together and challenges them to maintain constant dialogue through biennial conferences, organised in various European countries. The priority of such conferences is to ensure that the debates are relevant to the local context and also constitute the ferment for subsequent meaningful action.

The 11th biennial conference of the ICSD took place in Iasi, a leading higher education centre in Romania. The city of Iasi is a cradle of culture and the arts, but equally a place where social outreach and human solidarity, on religious or historic grounds, have been given a pioneering perspective. From a geographical viewpoint, Iași is one of the most eastern academic centres of the European Union. From the perspective of political and social challenges, it is in the midst of profound ongoing change, which is locally referred to as “the transition period”. The state of transition seems to have become the norm after the end of the communist regime, a sort of never-ending process with which the local community has become acquainted as a way of life.

For some, transition in Romania is a negative process, making the transfer from a uniform and stable social system to an unsafe and demanding system, with a predisposition towards unregulated economic competitiveness and a dog-eat-dog social model. Such philosophy provides support for reluctance towards change, regret for the past, and the absence of communal responsibility. One can still notice cases of

people or groups of people who take state assistance for granted, with little awareness of responsible engagement or self-support.

For others, the transition is largely beneficial, as it represents the positive, natural process of passing from a system of censorship and control to social involvement where the liberty and dignity of the person come first. The Church, a social institution by definition, is perfectly integrated in such a process, as the tenets of its doctrine uphold the values of peace, understanding, diligence, generosity, solidarity, and empathy. This is the reason why theology as an academic science nowadays provides specialisation in social assistance; this is why there are numerous projects, structural programmes and parish community initiatives in the service of disadvantaged and vulnerable groups at risk of exclusion.

The contributions collected in this volume are intended to be useful in the Eastern European social context and especially to those who experienced the communist rule. Whereas in the old regime the social disciplines had been eliminated from the academic curricula, now they are widely taught, to restore what was lost in the period of exclusion in terms of theoretical qualifications and practical action. However, the Eastern European societies have been caught rather unprepared for such developments: the transition is fast-paced; sometimes individuals or groups oppose it or refuse to be involved; rules are firm and imposed according to already established models in the Western European countries. Society tends to become more ferocious in content but more accessible through media and democratic liberties. From the economic and politic viewpoint, change is very swift. From the social and religious point of view changes must be slower and need greater attention because of the fundamental and structural nature of these transformations.

Given the ongoing multidirectional crisis at both local and global level, it becomes imperative to take firm action. From the Eastern Orthodox perspective, where faith still has an important role to play, I would like to use Prof. Gheorghe Popa's proposals to counterbalance the effects of the crisis, based on the teachings of the Church Fathers:

a) To the moral and spiritual crisis manifested today in the religion-free society one must respond with the holiness of life and the communion with God and with fellow humans.

One should mention the fact that religion-free society does not stand for atheism. It refers in particular to the difficulty in accepting the

presence of God in everyone's life and in understanding the necessity of a dialogue with Him. The patristic theological reflection states that secularisation starts with the decay of the state of communication with God and with the others.

b) To the individualism, narcissism and self-sufficiency of the global society one must respond by intensifying the spiritual life in local communities. One should notice that the secularised society is profoundly egotistical, selfish and self-contained. The extreme individualism of the secularised human being is expressed by the feeling of loneliness and abandon or by the unremitting search for things which annihilate any feeling of transcendence: drugs, power, wealth and pleasure.

c) To the present ecological crisis we must respond by asserting the fact that the world we live in and the creation in its entirety are "sacraments" of the communion with God and with the others and not just simple "objects" liable to technological manipulation.

The severe ecological crisis, mainly due to the irrational exploitation of the resources of the planet and to the manipulation of nature through biotechnological experiments can be counterbalanced by restraint, the sense of asceticism and rationality in using resources and by genuine commitment to the continuity of life on earth through the generations to come. The Church Fathers stated repeatedly that the world was created to be a "sacrament" and a mystical horizon of communication among people fully accountable to the Creator.

d) To the economical and social crisis one can respond by emphasizing the dignity of every single person, created in God's image.

The rapid progress of biotechnology and the extraordinary development of means of mass communication lead today to major and unpredictable mutations with significant consequences on people's lives. The advances in the fields of medicine and genetic research generate, of course, much hope, but at the same time give rise to many ethical dilemmas concerning human dignity. Globalization, as a specific process of the post-modern world, built on standardisation and levelling and supported by the development in computer-based technologies, must be approached with care so that the global economic development does not become a totalitarian ideology where the individual's dignity and the dignity of the various peoples and cultures are sacrificed on the altar of material profit.

Let me conclude with a little story about the changes in the New World, which seem to have been similar to what is now happening in Eastern Europe. Several Indian tribal chiefs, who normally travelled on horseback, were introduced to travelling by train with 50km/h. On descending they were told: “Now, back on your horses”, but they replied: “No! Not yet! We must wait for our souls to come, too!”

The protracted transition and the financial and economic crisis have a devastating effect especially on vulnerable people who depend on community action and social involvement. In the rush toward progress and amassing wealth, faith communities must make their voices heard, because what matters above all is the human person in its wholeness, who is destined for the life eternal.

Dan Sandu, Ph.D.

Iași, 2009

PART I

STRATEGIES, MODELS AND VALUES IN SOCIAL AND COMMUNITY WORK

LEVELS OF WORK METHODS OF WORK ETHICAL ROOTS CROSSING BORDERS 'GLOBALIZATION' IS MISLEADING

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Abstract:

The autor reminds us of the four levels of social work intervention: face-to-face communication; group interaction; community organization and social development; social policy. He mentions different ethical roots underlining social work in the tradition of different European countries and societies. He describes different modes of 'transition' from one situation (and one method of social work) to another, using his own professional development as example. He warns, not to misunderstand the catch-word 'globalization' as plea for global unification. On the contrary: indigenous traditions should be respected and further developed to meet specific target groups and problems in different countries.

Keywords: social care, policies, globalisation, social development, ethics

1. Introduction

Within the last century Europe has seen and suffered from at least four major transformations: After World War No. One, World War No. Two, the end of the Cold War and the dissolution of socialism and socialist mastery after 1990.

But not only Europe, large parts of the globe are going to be affected and transformed by the internationality and globality of

economic, political, cultural and social processes. Most of us have the impression that we are no longer masters of those processes but objects and may be even victims. We try hard to soften some of the consequences of this transformation and to master it in the end.

2. The four levels of Social Work

As we all know Social Work is performed at four different levels of social interaction:

- the level of face-to-face-communication between helper and client as a problem solving process;
- the level of small group interaction in order to qualify groups of people to work successfully for an identified common aim;
- the level of community organization and development in order to built up or to re-construct infrastructure and resources of a given community, be it parochial, political, social or just geographical;
- the level of social policy-making in order to take care of existing social problems in general and to promote permanent helps for the needy, possibilities for the young, invitation and inclusion for those who knock at our doors and who have something to offer. And to take care of the application of human equality and human rights to all of us. It is now 15 years ago that we proudly call ourselves a 'Human Rights Profession`.

The four levels of Social Work activities are the result of a process of professional development more than one hundred years long. Not all four levels were developed at the same time. In my country - Germany - it started with social case work as a face-to-face helping process practiced by members of the women`s movement and professionalized by Alice Salomon and Siddy Wronsky (1910-1930).

Group work as a self-helping and self-educating process was an achievement of the outonomous youth movement between 1904 and 1930.

Community organization and development was a gift from North-America, Great Britain and the Netherlands between 1970 and 1980. And social policy as a necessity to soother exploitation of workers and the class struggle was installed both by Social Democrats and Reform Capitalists between 1870 and 1930. Later on social policy had a second prime time with Chancellor Willy Brandt (1970-1980).

3. Three phases in Social Work education

Some different disciplines of human and social sciences are involved in the teaching of professional Social Work. In my country I mention especially psychology, sociology, education, law and administration and political science. In the last century we put different accent on different parts of these disciplines. At the very beginning we relied very strongly on individual psychology, social psychology and psycho-analysis. During the 60th and 70th we switched (in the western part of Germany) to a critical theory of society and socio-economical aspects of Social Work. We thought it could be possible to socialize all risks and costs of the reproduction of human labour and the education of the young generation. In the eastern part of my country both functions we part of the unified system of education and qualification. A special system of Social Work was not regarded to be necessary.

Nowadays we have switched to the so called 'meso-level' - the medium level of Social Work intervention. This means working with local people, boards and institutions, with different actors, opinion leaders and non-governmental organizations. As it seems to be impossible to reshape and reform the whole of society in this transition period we try to mobilize local resources, local manpower and local economy. Susanne Elsen from Munic, who is a well known member of your board, is an outstanding European expert especially in this field.

4. Ethical roots of Social Work

Social Work ist not just another activity to care physically for the hungry, the needy, the forgotten. It rests on strong ethical traditions in our different countries. It resta on theories of philosophical, theological, human and socialist origin.

All religions which we know demand their believes to love and care for their fellow-believers as if they were brothers and sisters of their own family.

'Charity` is an ever-lasting command of any religious society or confession.

Another tradition roots in the humanistic movements between the 15th and 19th century all over Europe, which tried to re-discover and revitalize the ancient ideas of freedom, equality and brotherhood of all women and men all over the world.

Not 'charity' but 'active love to all mankind' was the key word of these humanistic movement.

A third tradition has something to do with the ideas of Marx and Enbels (between 1848 and 1890). They had the vision that a new society of free and equal citizens, full of empathy and love for each other could be the result of an united 'working class' which shows and exercises 'solidarity' with those fellow-workers who are in the same situation all over the world and who show the same activity to change their situation collectively.

This means: 'Charity', 'active love to all mankind' and 'solidarity with those in the same situation all over the world' are three keywords to describe the ethical background of International Social Work over time and space.

5. Social Work is something to DO

Social Work, social education and social development is something to DO with your hands, your heart and your head. With the Harald Swedner Award 2008 you remember and remind others of a pioneer in the field of social development who as a brilliant scholar of sociology felt a strong notion to transform his scientific knowledge into practice. To fight social injustice and economic exclusion in Scandinavia and all over the world was the primary motivation for his research, his teaching and for the multitude of action research programmes he brought underway.

When I read Harald Swedners life story I feel quite at home with my own fifty years of practice and research, of writing and teaching Community Organization and social action in Berlin and other parts of Europe. During these fifty years of professional life I went through three periods of transition in my own professional orientation. May be it could be helpful to reconstruct them in this International Conference on 'European Societies in Transition'.

6. My own periods of 'transition'

I was born in 1928 in Dresden/Saxonia into a traditional Social Democratic family, that means with a firm anti-fascist background. Journalism, education and politics were the three main areas of my professional interest. I studied European arts and culture, I worked as a journalist and I became by chance youth worker and group worker in Berlin. I knew political youth life and group work in the shape of Nazi-

Organizations. And I had to re-learn what a democratic youth group was, how kids interact in such a group, which values were persistent, which kinds of activities prevailed and how it was decided upon in the group, how re-orientation from the formal 'leader' of the group to an autonomous team of cooperating members of the group could be established and qualified. And that belonging to one group was not a lifelong task without any 'escapade' but a terminable phase of individual development which could be ended without unscrupulousness.

To learn all this I had to do away my old and unloved group experiences in authoritarian youth organizations and had to study (for instance) the famous leadership-style-research-project of Kurt Lewin (1937) and to contact Gisela Konopka in the University of Minnesota in Minneapolis, to learn what 'social group work' was at that time (1965) in the USA. I am proud of this *first transition period* of my professional development.

As 'Harkness Fellow' I also studied community organization and social action with Harry Specht in Berkeley/California along the line of 'aggressive community organization and social action' in the footprints of Saul Alinsky (USA) and Danilo Dolci (Italy). This shift from group work to community organization was my *transition period number two*: the shift from the small group to larger and more complex communities which larger facilities and power to develop their resources and to define the circumstances for their own development. This was for me a step-by-step strategy on the long road to a better, a more human, a more caring society. The 'caring family' was supplemented by a 'caring community'.

This 'step-by-step idea' ended for me in the last decade of the century behind us. I had to learn that social development does not necessarily mean moving upward and gaining the future but sometimes also moving downward and renewing the past. To arrange with this new situation with new perspectives and new concepts of development was my *third transition period*. I learn that Social Work is bound to social, political and international circumstances which could open or close the doors to a society with more charity, more freedom, more self determination, more solidarity. Here I am. Here we are.

7. Two sides of the profession: Scientist, Craftsman/craftswoman and Educator

Social Work and social development have a threefold orientation: Workers who engage in this profession should have

- the scientific competence to *furnish a diagnosis* of the problems they are working with;

- to develop individual, partner-oriented or collective plans, how to work with those problems and how to perceive, that progress in doing so is achieved; and

- how to foster the helping process by teaching clients, groups and communities to pursue the helping process for themselves and by themselves without further help from outside or to establish a permanent helping network with adequate and willing partners in the community.

This is a combination of analysing- and intervening- also moderating - competence, a combination between a scientist, a craftsman and an educator.

8. Globalization does not mean equalization

Taking part in international conferences - of the International Federation of Social Work, the International Association of Schools of Social Work and the International Consortium for Social Development f. e. - I very often hear this statement:

We are living in one world. All our problems are going to be 'globalized'. We should think, we should analyse, we should act as a unified profession.

I doubt this statement. Shurely our key concern is in agreement with Christian, humanistic and even socialist principles and commandments. But our working situation, the problems we are going to work at, the resources we can take into consideration, the target groups of our work and the political situation - they all are very, very different. To underline this statement I may quote one of the latest publications on 'International Social Work':

"Direct social work practice varies from society to society, depending on cultural variables such as politics, the economy, culture, and religion. Social work practice in countries where a social security systems is in place will vary significantly from countries with limited government-funded social security ... Moreover, the notion of what is social work will vary from society to society" (Borrmann et als.

International Social Work. Social Problems, Cultural Issues and Social Work Education. Farmington Hills: Barbara Budrich: 2007, p. 9-14).

The structuralistic idea of a globalized situation all over the world may be understandable for economists and marketing experts, who are looking for the unification of markets for goods and services under standardized conditions. It may be understandable for internationally operating companies which take advantage of qualified but cheap manpower in so-called 'developing countries'. For Social Work the idea of 'globalization' is as silly as the outmoded concepts of both the United States of America and the old Soviet Union, to export their ideological assumptions to the rest of the world - hiding their economic and political interests in the background.

On our continent we are faced with a history hundreds of years old. We are faced with traditions and indigenous solutions of social problems which are deeply rooted in our collective memory and our individual practice. We should respect them and develop them into the future. Transition of people, of countries, of societies means to cross borders which divide the future from the past. Our future was very very different. So are the problems we face in our respective transition movements. We will learn from each other. We should assist and help each other. My concept of international solidarity has nothing to do with unification. But this solidarity may be helpful for all of us.

SOCIAL WELFARE - AN UNEXPLOITED RESOURCE AT THE DISPOSAL OF PUBLIC SOCIAL POLICY IN POLAND

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Abstract:

As a result of population ageing, transformations of women's employment patterns the demand for long term care services increases in Poland. The limited supply of care proves that social services is not an instrument of integration and indicates commodification of social policy through the growth of pressure on cost lowering in conditions of market competition, transfer of cost bearing on end-users and development of commercial ethos. There are a number of main trends and evolutions of social services in long term care sector in Poland: decreasing participation of families in long term care of their members, deinstitutionalization of public long term care with a shift of care from residential homes to home care services, expansion of long term care provided by unpublic services and decentralization of long term care social services. There are spatial and economic factors that determine access to care services provision for different income groups of users. In urban areas with a bigger number of middle class ageing population there is growing demand for high quality care services provision from private sector while in poor rural areas the only provider and employer for labour force seems to be public sector and voluntary workers from charity organizations. Community care organized by local statutory sector with the use of unemployed and excluded women from rural areas seems to be a good solution as an arrangement for organizing care services for the old people in rural areas. The presentation will be based on results of research Diagnosis of socio-economic situation of women in rural areas of Poland that has been just completed for the Ministry of Labour and Social Policy in Poland and on participation of its author in two comparative studies: organized by European Foundation for Improving of Living and Working Conditions (Dublin) and Observatory of Social Services (Frankfurt and Vienna).

Keywords: social inclusion, social participation, rural women, the old people

1. A specific character of the development process of social welfare in Poland

The stages in the formation process of a new system after 1989

Social welfare constitutes an institution of social policy of a welfare state which enables individuals and groups of people to cope with difficult life situations by means of material benefits and social work. Social welfare developed as an element of socio-economic and cultural order of the industrial society which supplemented or replaced family support systems and the activities carried out by religious and secular charities. The development of social welfare in Poland was marked by the dominance of non-public institutions, predominantly related to the Church. Whereas in Protestant countries, due to Reformation, religious social welfare institutions were replaced by a public system, in Poland the victory of Counter-Reformation and the partitions reinforced the dominance of the Roman Catholic Church. Poland's lack of statehood resulted in the emergence of a different model of the occupational role of a social worker as this role was played by a patriot, an amateur community worker, a priest or a lay member of the Church or another religious community who acts for patriotic and religious reasons. This specific context delayed the process of professionalization of social work regarded as an occupation endowed with public trust and influenced the theory of aid activities. It can be traced in the thought of Helena Radlińska who lay the foundations for social pedagogy which is the Polish version of social work. The institutionalization of social welfare took place only after Poland regained independence in 1918 but a short process of establishing a public system was disrupted by the World War II and the introduction of a new political system in 1945. In the People's Republic of Poland social welfare became a marginal institution in the social security system. Due to the nationalization and centralization of social welfare in this new political system, the tradition of welfare society and its institutions were abandoned. Foundations and associations were made illegal, the local government was abolished and due to the fact that there were no statutory regulations the occupation of a social worker was deprofessionalized.

The formation process of the social welfare system after 1989 was based on the idea of decentralization of the state and the revival of local

self-governance. Two public administration reforms of the year 1990 and 1999 were crucial for forming a new institution¹. The legislative work on the bills concerning social welfare and the local government (1990) resulted in establishing an institution with a new partially decentralized organization structure. Communal social welfare centres assumed the role of a local partner of central and regional state institutions. Central government agencies took on the function consisting in organizing social welfare as well as scheduling, regulating and controlling functions whereas local government bodies provided services in the place of residence. The dual character of targets set for social welfare became a major problem, which was reflected in the division of tasks carried out by social welfare centres. The performance of communes' own statutory tasks was financed from the local government funds and in the case of delegated tasks, financial resources came from the central budget. The subjectivity of the commune with regard to social policy and social welfare was limited to a narrow area defined by statutory tasks, and delegated tasks financed by the state reduced the role played by the local government's social welfare to an instrument of social support for the victims of the systemic transformation, that is to managing and supervising social problems at the local level. Local social welfare provided within the closest environment fulfilled short-term goals of interventional nature directed at new groups in need but at the same time it constituted a vital element of the policy of transformation of the whole social security system in Poland. The activities were aimed at changing common programmes into selective ones which would be available only for the people who meet particular income-related criteria. This resulted in transferring the benefits which used to be universal from social insurance and social security to social welfare. The increase in the number of social welfare beneficiaries and in the range of tasks assigned to social welfare and the limited amount of resources made the system

¹ The division of the development process of social welfare after 1989 into two stages i.e. 1990-1998 and 1999 until the present is applied by many authors. Cf J. Hryniewicz, *Zakres i kierunki zmian w pomocy społecznej*, [in:] M. Rymśza (ed.), *Reformy społeczne. Bilans dekady*, Instytut Spraw Publicznych, Warszawa 2004; M. Rymśza, *Praca socjalna i pracownicy socjalni po reformie samorządowej z 1999 roku*, [in:] K. Frysztański, K. Piątek (ed.), *Wielowymiarowość pracy socjalnej*, Wyd. Edukacyjne Akapit, Toruń 2002.

more bureaucratic. Its role was reduced to distributing funds and controlling whether they were assigned in a legitimate way. This reduction of the role of social welfare was carried out at the cost of social work, non-material services, stimulating economic and social activity of customers etc.

The second public administration reform (1999) was supposed to eliminate the above mentioned flaws of the social welfare system by introducing full-scale decentralization of the social tasks of the state, development of self-governance, subjectivization of local communities, imposing on the family the status of the main subject of social policy and reconstructing civic society pursuant to the principle of subsidiarity. Two new tiers of the self-government system were introduced and the scope of operation of the social welfare system was expanded by adding care and upbringing of children and teenagers to social welfare's range of activities. However, the public administration reform was ineffectively prepared. The scope of operation of the social welfare system, its competence and the measures at its disposal were defined in a very vague way, there were no role models and no patterns of operation for new organizations to follow. Staff did not have adequate background to perform the tasks imposed on them, and the formation of self-government administration units as well as the development of local social policy programmes were carried out in a very spontaneous way being at the same time to a large extent dependent on local determinants. The relations between newly established organizations – district centres of family support (PCPR) and communal social welfare centres (GOPS) proved vital for the development of local social policy and social welfare. A comparative analysis carried out by Marek Rymsza² proved that the institutions which constituted the object of the study differ in terms of the form of aid offered by them (basic level in the case of GOPSes and specialized level in the case of PCPRs), the kind of benefits they offer (financial benefits – GOPSes , counselling – PCPRs), the criteria applied to select beneficiaries (income-related – GOPSes , no criteria – PCPRs), the kind of social intervention carried out by each institution (salvage – GOPSes , prevention – PCPRs), the methods of social intervention (casework – GOPSes , community work method – PCPRs). Communal

² M. Rymsza, *Praca socjalna...*

centres pursue the residual model which entails short-term support whereas district centres of family support represent the institutional model, i.e. prevention, in which the need which arises is the only criterion for offering aid. The customers' background is different in the case of district centres from that of the customers of communal centres. District centres find their customers in residential social welfare establishments whereas communal centres' customers are found in the environment they live in. In the course of functioning of the welfare system it turned out that district centres of family support did not take over the functions consisting in providing assistance for the family as they focused their activities on residential social welfare establishments and a few categories of statutory beneficiaries: foster families, the disabled, refugees and charges of foster care facilities. As Halina Lipke³ pointed out the establishment of district centres of family support created an opportunity for social services development by the application of the community work method of social work and by the participation of social services in the formation of local social policy. Favourable conditions for development were created when better opportunities for cooperation between social services and the non-governmental sector were secured by taking into consideration the role of non-governmental organizations in solving local social problems. The establishment of local district services, whose activity embraces all the families, was supposed to alleviate the effects of stigmatization resulting from the fact of being a beneficiary of social welfare and to secure a more rational development and usage of local social infrastructure. The above mentioned benefits resulting from the new organization of social welfare provision after the reform of 1999 were squandered⁴ because of the shortage of financial resources needed to carry out the tasks, random or politically-biased selection of staff and the adoption of the conception consisting in the lack of mutual dependence between communal and district social welfare organizations.

Józefina Hrynkiewicz very accurately indicated the reasons why the reform proved to be a failure. She pointed out that the model of self-government relations requires an organizational culture focused on

³ H. Lipke, *Współczesne problemy pomocy społecznej*, [in:] D. Piekut-Brodzka (ed.), *System pomocy społecznej u progu XXI wieku*, Wyd. Akademii Pedagogiki Specjalnej im. Marii Grzegorzewskiej, Warszawa 2002, p. 57–64.

⁴ *Ibid.*, p. 57.

cooperation and on abandoning long-standing habits of building group identity and social bonds which take into account particularistic interests⁵. When analysing the policy lying behind the reform, Janelle Kerlin⁶ pointed out that centralized fiscal policy was responsible for the fact that decision-making competence lied exclusively with the central tier and was not delegated to lower tiers. In turn the lack of decentralization of the fiscal system imposed constraints on democracy at the district and regional tier. The establishment of municipal districts (powiat grodzki) resulted in aggravating inequality between rural and urban areas with regard to access to financial resources which can be allocated to social welfare provision.

The public social welfare system which was criticized after the reform of 1999 was amended in the years 2003-2004 and successive changes were aimed at lowering the costs of functioning of the system and increasing its effectiveness. In this period legislative measures concerning public benefit activity and volunteering as well as social employment (2003) and a new Act on Social Welfare (2004) were developed. These legislative initiatives were aimed at building a welfare state by introducing the representatives of the community, non-governmental organizations and individual volunteers into the sphere of activity of public social welfare organizations, by stimulating the economic activity on the part of long-standing beneficiaries of social welfare who are threatened with exclusion, and finally by implementing the instrument of a contract upon which the granting of financial aid is conditioned. This instrument should encourage an inactive beneficiary to participate in the process of aiding local communities and in stimulating their activity.

2. An attempt at evaluating the potential of social welfare

In the above discussion concerning the process of development of public social welfare there was no reference to the current effectiveness of this institution and the degree to which the tasks assigned to it have been carried out. The most fundamental question is whether the practice

⁵ J. Hrynkiewicz, *Decentralizacja zadań...*, p. 192.

⁶ J. Kerlin, *Pomoc społeczna po reformie administracyjnej 1999 r.: Analiza polityki i jej skutków*, [in:] E. Leś (ed.), *Pomoc społeczna. Od klientyzmu do partycypacji*, IPS UW, Warszawa 2002, p. 131–176.

pursued in its operations by the social welfare system meets the social needs: fighting the problem of impoverishment and exclusion of numerous groups and areas. In order to evaluate social welfare provision in an objective way it is necessary to analyse human and financial resources at the disposal of this institution of state social policy, its relations with the environment, i.e. local authorities, non-governmental organizations etc. The questions concerning the condition of the Polish social welfare system require empirical data, answers which will not be anyhow biased or based on stereotypes as they commonly are when being discussed in the media. The lack of knowledge concerning social welfare, the staff working for the benefit of social welfare and welfare beneficiaries is associated with the prevalent negative opinion about this institution. Those who criticize Polish social welfare provision use economic, socio-cultural, political and effectiveness-related arguments to justify their negative opinion. Liberally-oriented economists point out too high in their opinion costs of maintaining the social welfare system and of financing social transfers⁷. Researchers conducting socio-cultural studies warn against making beneficiaries addictively dependent on social welfare and thus impairing their individual responsibility. It is suggested that there exists the risk of de-motivation resulting from granting income guarantees. It is also pointed out that the operations of the social welfare system are influenced by politics, which is evidenced by the strategy consisting in granting low benefits to a wide range of subjects (many people are given small sums of money) without the necessity of carrying out a selection. Such selection could induce those who have been deprived of certain entitlements to goods or services which they have

⁷ Stanisława Golinowaska points out that it is necessary to distinguish two clear-cut stages in the functioning of social welfare provision. In the first stage, in the years 1990-1993, there was an increase in the social benefits expenditure (from 0.2% of the GDP in 1990 to 0.6% of the GDP in 1993) and the number of beneficiaries (from 4.3% of the total population in 1990 to 7.8% in 1993). In the second stage, after the amendment to the legislation in 1996, the proportion of social welfare expenditure in the GDP halved and the number of beneficiaries decreased by one third. This cost-cutting entailed the decrease in the value of benefits and the number of people entitled to benefits and the fall in the number of services (from 20.1% in 1980 to 3.8% in 1999). Cf S.Golimowska, I. Topińska, *Pomoc społeczna – zmiany i warunki skutecznego działania*, CASE, Warszawa 2002, p. 28.

hitherto enjoyed to become political opponents⁸. A negative opinion was also expressed about low effectiveness of the social welfare system with regard to helping beneficiaries to become self-reliant, to regain the life resourcefulness they have lost, which pursuant to the Act on Social Welfare was supposed to constitute the main objective set for social welfare.

What is the actual condition of public social welfare? According to the data collected by the Ministry of Labour and Social Policy which were presented on this department's website, in 2007 there were approximately 120 thousand people (119 922) employed in organizational units of the social welfare system. The highest percentage of these social workers (49 796) was employed in nursing homes, 42 907 in communal social welfare centres and 13 279 in foster care facilities. Communal centres are basic social welfare facilities which pursuant to the Act on Local Self-government can be found in each Polish commune. However, the potential of social welfare provision in communal centres measured by the number of human resources ranges from a few employees in rural areas and a few thousand employees in big municipal communes. The scale on which social welfare benefits are granted is manifested in the number of people who in 2007 were awarded the decision on granting assistance which amounts to 2 366 055 and the total number of people being the members of the families to whom support was offered – 4 383 434. The main reasons for awarding assistance comply with statutory provisions (income-related and situational criterion) and have not changed in any way over the years. They are as follows: poverty (2 444 685), unemployment (2 253 734), helplessness in child-rearing and running a household (1 209 303), disability (1 067 844), chronic or severe illness (964 105).

The data obtained from the Ministry of Labour and Social Policy quoted in this paper showing the prevalence, scale and trends in the operations of the social welfare system have been substantiated in the study entitled “Social aid in the opinion of the Poles: who should receive aid and in what form?”⁹ carried out by the Public Opinion Research

⁸ S.Golimowska, I. Topińska, *Pomoc społeczna...*, p. 61.

⁹ “Komu i jak pomagać? Pomoc społeczna w opinii Polaków” Centrum Badań Opinii Społecznej 2008.

Centre (CBOS) in August 2008. 28% of the respondents surveyed by CBOS stated that he or she or a member of his or her family received aid within the social welfare system and over a half of respondents (54%) knew some beneficiaries of this institution of social security. The following groups of people were granted assistance: the poor, the unemployed, the pensioners, people with no professional qualifications. Women outnumbered men as beneficiaries of social welfare. The reasons for awarding social benefits were reflected in the opinions of Poles on who needs support. Most commonly mentioned groups included: the poor, the unemployed, the sick and the elderly. According to the respondents, the following institutions are obliged to support those in need: self-government social welfare (82%) and state social welfare (72%). More respondents expect the aforesaid institutions to offer assistance than it is in the case of family and other traditionally recognized care systems (eg. secular and church charities). The scope of assistance as perceived by the respondents is still too narrow in relation to social expectations as 42 % of the surveyed by CBOS maintain that the number of people who receive social assistance is too small (in 2004 56% of respondents were of this opinion), and more than half of the surveyed (57%) believe that inadequate amounts of public funds are allocated to this purpose (in 2004 75% of respondents were of this opinion). The comparative analysis of the data collected in August 2008 with the data collected by way of a survey carried out in 2004 shows that the respondents evaluated the operations of the social welfare system in more favourable terms. However, the evaluation of the accuracy of allocating benefits resulted in more negative opinions as only 9% of the surveyed thought that only those people who really need assistance receive it whereas every sixth respondent (17%) thought that only those people who do not really need assistance are the beneficiaries of the social welfare system. The analysis of opinions on who should be granted support from public funds and in what form this support should be offered shows that half of respondents believe that using the services provided by the social welfare system is only natural and that these support services should be available to every person who is in difficulties regardless of his or her financial standing. 74% of the surveyed pointed out that the form of assistance should be adjusted to particular circumstances. The human resources at the disposal of the social welfare

system seem to be the key factor which can contribute to the improvement of functioning of the system. The opinion held by researchers on the professionalism of social workers was different from that expressed by practitioners. Marek Rymśa¹⁰ maintained that thanks to the measures which were adopted and implemented in the period of transformation, the process of professionalization of staff is parallel to the formation process of social welfare institutions. The process of professionalization is conducive to building the professional identity of the employees of the institution of social welfare, who as a result of assigning social work to this institution have become synonymous with social workers. Halina Lipke¹¹ believes that in spite of the professionalization process which was initiated in 1990 by passing a bill on social welfare, statutory qualifications of the employees of the public system pose a problem for the public sector. The conditions of improving the qualifications of social workers substantially deteriorated after putting into force the public administration reform of 1999. The function of training staff was assigned to self-governing bodies at the district and regional level, which resulted in reducing the training activity due to the shortage of funds and the lack of understanding on the part of district local authorities of the importance of the professional development of social workers. The professionalization of social services is hampered by bureaucratization which entails a peculiar cognitive dissonance: the qualifications of social welfare staff improve but at the same time the operations carried out within the framework of social welfare provision become more and more routine. In the studies on communal social welfare carried out by the author of this paper in the years 2000-2004 fully competent human resources constituted the least numerous group of professionals. The predominant group was made up of the employees who were of lesser use for the organization and who required a long-term professional development policy. The process of formal professionalization in educational terms was not accompanied by the process of professionalization in terms of skills. A low level of knowledge and limited skills of social welfare staff were also connected with the reasons for which social welfare staff decided to choose this

¹⁰ M. Rymśa, *Praca socjalna...*, p. 99–110.

¹¹ H. Lipke, *Współczesne problemy...*, p. 62.

occupation which were not related to its substance. This resulted in occupational burnout and decreased job satisfaction, which in turn induced staff to give up their job and adversely affected the quality of customer service. The evaluation of the activities undertaken by the management of social welfare institutions revealed the lack of recruitment and staff selection systems and professional adaptation programmes for employees, which would guarantee a more effective control of the inflow of new employees and facilitate the adjustment process they had to go through to meet the demands imposed by the organization. There were no training systems with regard to professional development and supervision and the working conditions were difficult. External determinants, such as the financial standing of local self-governments, a shortage of jobs and the human resources policy pursued by local authorities which hampered professionalization, were only partially responsible for such a state of affairs.

It is possible to verify whether the findings of earlier empirical studies are still valid by means of a study entitled “Analysis and evaluation of the professional background of social welfare staff in Poland” which constituted a report from a research project commissioned by the Ministry of Labour and Social Policy which was carried out in 2007 in the Institute for the Development of Social Services¹². Within the framework of the project researchers surveyed 2521 employees of 362 establishments which represented 11 types of organizational units. In order to present exhaustive empirical analyses the author would have to go beyond the scope of this paper but it is worth focusing special attention on a few findings. It was evidenced in the survey that the profession of a social worker is feminized (86.8%) and that this profession is characterized by a low pay. Average gross remuneration of the surveyed amounted to 2012.33 PLN but almost half of employees (48%) earn between 1000 and 2000 PLN gross. The analysis of the level of education of public social welfare staff indicates that there has been an improvement in this field – more than half of the surveyed claimed that they completed higher master's degree studies or higher bachelor's degree vocational studies. The predominant field of study was still pedagogy but

¹² *Analiza i ocena przygotowania zawodowego kadr pomocy społecznej w Polsce* (2007), Instytut Rozwoju Służb Społecznych, Warszawa

employees also graduated special colleges for social workers (szkoła pracowników socjalnych). In the period of 12 years (the previous research of this kind was carried out in 1995) the number of employees with higher education almost tripled. As regards continuous professional development, the situation was less optimistic. Only 13.6% of respondents completed post graduate studies and only one out of four respondents were specialized in the profession of a social worker. The majority of the surveyed (82.3%) did not participate in continuous education. This passivity with regard to education may be justified by the self-assessment of qualifications held by respondents. Over 4/5 of the surveyed regarded their qualifications as adequate. Over 2/3 of the heads of establishments in which the survey was carried out also expressed a positive opinion on the professional competence of their employees. 2/3 of employees claimed that in the previous year they attended courses and participated in trainings, which should contribute to improving the qualifications of human resources. However, it is hard to evaluate the quality of the training offer and its usefulness for work practice, especially due to the fact that the surveyed participated in trainings only once a year. A low level of training activity of the surveyed staff of the public social welfare system can be attributed to the fact that only in the case of 15.7% of establishments the management allocates substantial funds to the professional development of their employees. The findings of the study presented by way of territorial and institutional division indicate that there exist major differences in respect of the character of the commune (municipal or rural) and between particular voivodships. The largest number of employees can be found in municipal establishments (38.6 on average) and the following voivodships: śląskie, dolnośląskie and mazowieckie and the smallest number of employees can be found in the social welfare centres in rural communes and voivodships (podlaskie, opolskie). The ratio of the average number of core staff to the average number of all the employed indicates an increase in the effectiveness of core operations of establishments in the poorest voivodships in which rural areas prevail over urban areas (świętokrzyskie, podkarpackie, pomorskie) as they are not so heavily burdened with administrative expenses.

In the course of the process of decentralization of social welfare provision which has been carried out in Poland since 1989 attempts have

been made at the subjectivization of social welfare perceived as an instrument of developing social policy in its self-government, local and regional aspects. The provisions of the Act on Social Welfare of 12 March 2004 (Articles 17.1, 19 and 21) facilitate the realization of this objective as they impose on the commune the duty of developing and implementing the strategy for coping with social problems. The development and implementation of the strategy were the tasks assigned to the district authorities and to voivodship self-government as stipulated in the aforesaid Act. The task of coordinating the implementation of the strategy for coping with social problems was allocated to communal social welfare centres, district centres for family support and regional social welfare centres. However, the statutory provisions do not specify the standards of the strategy, the procedure for developing and implementing the strategy, time limits for these activities, and what is most important they do not prescribe any method of fulfilling this duty. The strategies for coping with social problems and their role in developing local social policy were analysed in the research project carried out in the Institute for the Development of Social Services. Within the framework of the research project 500 communal strategies and 99 district strategies became the object of quantitative and qualitative analysis. The findings of the study on these strategies which were presented in the report by Halina Lipke and Agnieszka Hryniewiecka¹³ are not optimistic. A small number of strategies (40% of communes and over 60% of districts drew up such documents) and low quality of these strategies forced the authors of the above mentioned report to advance a thesis stating that there is no clear vision of solving social problems in an effective way and to question the idea that the documents being the object of the analysis are an instrument of designing local social policy. The authors of the report considered the idea that these strategies play the role of a long-term programme of social welfare provision. These strategies are developed on the basis of the reports drawn up by self-governments and statistics collected by these bodies rather than on the basis of a reliable diagnosis of the social situation. They do not try to predict social phenomena, needs and problems. In many cases they can be regarded as

¹³ Lipke, H., Hryniewicka, A. (2008), *Raport Analiza strategii rozwiązywania problemów społecznych*, Instytut Rozwoju Służb społecznych, (an unpublished report)

examples of wishful thinking, formal documents which are of no use from the point of view of local social policy. The situation with regard to the aforesaid strategies is particularly grave in rural areas, which is evidenced by the findings of a nationwide research project "Diagnosis of the Social and Professional Situation of Rural Women in Poland" carried out in 2007 under the supervision of the author of this paper within the framework of the Sectoral Operational Programme for Human Resources Development (activity 1.6 b)¹⁴. The majority of the documents which became the object of the analysis did not meet the basic requirements of the strategic planning method. These documents did not include any method of monitoring the degree to which the objectives were realized, the sources of funds and estimate costs of pursuing strategic objectives. Only a few strategies were developed with the application of the participatory method which makes it possible to build local partnership focused on the activities aimed at solving local social problems. Many documents were drawn up with the application of the managerial method (local authorities and officials) or the expert method (hired consultants)¹⁵. In the light of the findings quoted in this paper it may be stated that the strategies for solving social problems which theoretically constitute a perfect instrument of social policy planning and of mobilizing local resources do not fulfil the functions attributed to them with regard to integration, building local partnership and social education of self-government bodies and social actors.

¹⁴ Krzyszkowski, J. ed. (2008), *Diagnoza sytuacji społeczno-zawodowej kobiet wiejskich w Polsce*, Ministerstwo Pracy i Polityki Społecznej, Departament ds. Kobiet, Rodziny i Przeciwdziałania Dyskryminacji

¹⁵ Przywojska, J.(2008), *Strategie gminne i powiatowe jako instrumenty polityki władz lokalnych wobec kobiet wiejskich*, in: Krzyszkowski. J. ed. (2008) *Diagnoza sytuacji społeczno-zawodowej kobiet wiejskich w Polsce*

3. Problems and prospects of public social welfare

The above discussion shows that although there have been many reforms implemented after 1989 researchers and practitioners point out long-lasting flaws of the institution of social welfare. Jakub Wygnański¹⁶ grouped these flaws under two categories: structural and systemic faults and functional constraints. The first category encompasses the following faults: the lack of social problems diagnosis, social bureaucracy, a more and more fragmentary nature of local welfare, badly-made social law and the lack of local, regional and central social policy. As regards the category of functional flaws, they include unequal access to social services, the routine character of activities, the lack of local social policy and budget-oriented instead of task-oriented planning. Joanna Staręga-Piasek¹⁷, who was one of the people responsible for developing a new social welfare system after 1989, criticizes the functioning of the system with regard to fighting poverty and social exclusion. In her opinion social welfare in Poland does not fight poverty and exclusion. It is an institution whose structures of beneficiaries are ossified, which leads to decreasing the activity undertaken by the beneficiaries and finally to creating social pathology. The critical opinions presented in this paper are legitimate but they do not devote enough attention to the vital issue of managing social welfare establishments. If the legislative measures aimed at improving the functioning of the social welfare system are to be effective this complex institution must be well managed. If the way in which social welfare is managed improved it would be possible to enhance the organization of work and to prevent overburdening of social workers with administrative activities carried out at the expense of their core activity – social work and thus to minimize the risk of occupational burnout. One of the faults of the system is the focus on short-term activities and the lack of long-term strategies and solutions. The course of action for the system is defined with reference to the so called “fiscal year” and there is no strategic planning at the district and communal level. The issue of

¹⁶ Wygnański J. a talk delivered during the Sociological Convention, Zielona Góra, 2007

¹⁷ Staręga-Piasek, (2005), *Pomoc społeczna. Próba oceny funkcjonowania pomocy społecznej w zwalczaniu ubóstwa i wykluczenia społecznego*, [in:] Golinowska, S. Tarkowska, E. Kopińska, I. Ubóstwo i wykluczenie społeczne. Badania metody wyniki, IPSS

strategic planning is a problem which urgently needs to be solved because of the requirements imposed by the European Union for using the EU funds. The cooperation between public institutions of social welfare provision and non-governmental organizations constitutes another issue which needs to be dealt with. In order to be able to solve social problems at the local level it is necessary to foster cooperation and partnership between public and non-governmental subjects operating in the field of social welfare. The analysis of the functioning of communal organizations dealing with community social welfare indicates that they focus their activity on the disbursement of benefits. The process of stimulating economic activity in the beneficiaries is hampered by insufficient amount of social work based on cooperation with the local environment and its resources. Low operational effectiveness poses the risk of maintaining the situation of dependence on social welfare, marginalization and exclusion of whole social groups and regions of Poland. Social work focused on building social capital in the local community with the purpose of solving the social problems pertaining to this community seems to be an alternative to the application of the community social welfare method which has been applied hitherto. The analyses¹⁸ of local social welfare organizations in terms of the possibility of using them as an instrument of solving the problems of the customers of these organizations and their social environment show that the most effective method of operation consists in using the social capital pertaining to social welfare i.e. the professionalism of managers and social workers, the network of social relations. The findings of a survey¹⁹ carried out among the beneficiaries of social services indicate that there are two fundamental elements which can secure the satisfaction of customers. One of them is connected with subjective treatment of beneficiaries and the other with the quality of service which must be reliable and competent. Other factors which contribute to the satisfaction of customers encompass professional and well-organized welfare provision and the character of the relations with social workers which should be based on partnership. This need for subjective treatment

¹⁸ Krzyszkowski, J. (2005), *Między państwem opiekuńczym a opiekuńczym społeczeństwem*, Wydawnictwo Uniwersytetu Łódzkiego.

¹⁹ *Ibid.*

expressed by customers and their willingness to participate in the process of social intervention in a conscious way was evidenced by the importance attached to the access to the information on the guidelines and procedures for granting assistance. The beneficiaries of social services pointed out how important is the privacy in the relations connected with providing assistance, which should be secured by appropriate organization of a social welfare centre. This need for subjective treatment and enjoying the right to dignity induced researchers to question the opinion that financial factors are the important for satisfying the needs of customers and solving their problems.

The social relations between the environment, local institutional actors and the local community in the territory where social welfare facilities operate are vital for the quality of social welfare provision. The findings of research²⁰ prove that the quality of relations between social welfare facilities and the environment is low. Local authorities do not constitute a suitable partner for managers and social workers, which is manifested in the attitude of local political elites as well as in the strategies adopted by self-government bodies for social welfare provision which ensue from this attitude. The relations between social welfare and non-governmental organizations which operate in the commune constitute a source of social capital. However NGOs cannot be regarded as a significant partner of social welfare centres due to the fact that there is a very limited number of them and they are characterized by a small potential. The negative attitude of social welfare staff to the members of associations and foundations also hampers the development of useful relations. They are regarded as unreliable and incompetent and as the rivals of social welfare centres in the fund-raising battle. Other public subjects of social welfare seem to play the role of a natural source of social capital and an operational partner but the analysis carried out in this field point out that there is no cooperation between public subjects as regards social welfare provision. In order to build local partnership it is necessary to improve the relations with customers, local authorities, public subjects and social organizations. Good relations with the aforesaid partners may result in an increase in the effectiveness of the social welfare provided within the local community and augur well for

²⁰ *Ibid.*

the changes introduced to the system, financing, the role of the employee and the customer as well as the role of the environment. Social welfare depends on local authorities and the public opinion and occasionally it may become the subject of the political game, which requires special knowledge and skills with regard to public relations.

The authors of the report drawn up by the Institute for the Development of Social Services which was quoted before recommend undertaking activities aimed at promoting education and at increasing the availability of continuous education. However, this requires the allocation of additional funds to the professional development of social welfare staff. The aforesaid activities should be accompanied with the measures aimed at improving the financial standing of social welfare staff. One of the most important measures should be the Act on the Profession of a Social Worker which would improve the social perception of this profession, guarantee higher remuneration and improve the image of a social worker. The organizational structure of social welfare institutions also needs to be amended. The activities aimed at enhancing social welfare provision by self-government bodies with regard to its organization and financing should be carried out in the areas characterized by a low level of urbanization.

It is necessary to support the development of the non-public sector in social welfare provision i.e. non-governmental organizations and to promote valuable private initiatives in the areas struck by the shortage of public services (eg. home care services). However any attempts at uncontrolled marketization or privatization of care services provision or at handing over the provision of certain social services to the non-public sector should be prevented. In order to carry out a rational privatization process we cannot focus only on the capital on the part of investors and potential customers but it is also necessary to secure a public system of supervision which would enforce the conformity with adequate standards and availability of services offered by non-public subjects (the scandals which take place in private nursing homes prove that there is no such supervision).

All the conclusions and recommendations presented in this paper which are targeted at the authorities, managers and social workers can produce fruitful results as long as social welfare provision is regarded not

as a cost but as an investment in human resources aimed at reducing social exclusion.

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PUBLIC DISCOURSE – A NEW FIELD OF SOCIAL WORK

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Abstract:

There are many faces of exclusion in contemporary social life: economical, juridical, human rights etc. Regarding the phenomenon we very often pass over the most important dimension of the process of exclusion that is social communication. Being excluded person means not only living in poverty (below minimal monthly income), without own physical space (home) or without full citizen/human rights. „Outsiders” are very often excluded from symbolic (communicational) space both on everyday and public level.

Although I am conscious that the two levels are strongly linked, in my participation I will focus only on public discourse because on the level many mechanisms of communicative exclusion is clearly visible and conference's speech limitations force to hard choices. I will adopt theoretical and methodological perspective of conversation analysis.

Public discourse is main source of our citizen knowledge, very often the only one source. The knowledge consists of the facts (recent events, viewpoints, arguments, figures) but also of argumentative structures (how minorities are presented and commented, what type of identities/labels are connected with particular viewpoints, what system of values dominated). Unfortunately location of public discourse between policy and business makes accomplishing the informational and educational mission very complicated. Detailed analysis of the complications seems necessary preliminary condition of positive or negative answer to the title question, because at first excluding tendencies (at least possible) of public discourse should be assessed.

Being out of public discourse means being out of contemporary society and out of democracy, as a consequence. Regarding, on the one hand, mechanisms of public discourse (dynamics of topics: appearance, existence, disappearance) and, on the other hand, possible usage of public discourse as a platform for exclusion protection and including activity, it seems possible to elaborate some indications for practitioners working in the field of citizenship education.

Keywords: exclusion, public mechanisms, politics, discourse, mission

Introduction

At the beginning of the history of social work we searched for reasons of social problems in a person or rarer in a group. The main stream of professional activities was focused on individual or social diagnosis and medical-like treatment (Richmond, 1917). The only one duty of society it was to find material/financial/organisational resources for social work and delegate well-educated professionals. After years of not very successful fight for better life quality of unprivileged individuals we learnt from the field that social work meant much more than a case work.

In 50's the idea of community work was strong enough to inspire important part of American and European social workers. Many of them found that individual treatment is pointless if not connected with increasing social participation of the client. Socially excluded person becomes step by step an outsider and the process, often beginning from the labour market and social settings, always finishes on social communication. At the stage, excluded person is not only an unattractive entity but is perceived as dangerous by the rest of the society.

Nowadays there is no doubt, that the phenomenon of social exclusion can be dangerous for whole society, especially for political (democratic) order. We are more and more conscious two levels of communicative exclusion: common sense communication and public discourse. My contribution will be focused on the second level.

Language and society

The issue of communication seems to be very popular last times. It has started at the beginning of twenty century with many very influential philosophical concepts i.e. by John Austin, Ludwig Wittgenstein or Jürgen Habermas. These authors found that language is not only a medium, not only a tool for communication, but language and exactly speech acts are major kind of human activity.

John Austin shifted field of interest of communication theoreticians from semantic into human activity. In his concept he divided speech acts into three categories: locution, illocution, and perlocution. The main idea of the diversification it was to show that in speech acts people not only inform others about something (locution) but very often they tend to influence other people, force them to do something, to rise positive or

negative impression, to disturb or empower emotions etc. (illocution). From the perspective of presenting in the text viewpoint, the most interesting is the third type of speech act, because the performative speech act is an example of “pure” activity (the message itself is an action), perlocutionary acts are the side-effects of acting in saying something. Illocution represents indirect activity, actor uses words to force someone's activity, act of perlocution is a social act in deed with no respect to consequences (appears or not), see. sacramental “yes. I do” during wedding ceremony. (Austin, 1962, 13)

John Austin was not able to assess the quantitative size and range of the phenomenon of perlocutive speech acts, but he drawn clear picture, how people use language, how they use words.

The importance of communication for philosophy (epistemology as well as ontology and axiology) was very emphasized by Ludwig Wittgenstein, another twenty century philosopher. In his concept thinking about structure of the world rises epistemological questions about sources of knowledge in society. He found that language is only one source of the knowledge, and concluded that the structure of the language (everyday grammar) is the structure of our world, because language picturing the way things are (Wittgenstein, 2006, 2.1). The way how we used to use words describe the world we live in. Plural in the last sentence is very grounded, because Wittgenstein opposed to philosophical individualism. For him language is not constructed individually, language is social “from the nature”.

Many authors claim that there were two Wittgenstein (“the early” and “the late”) and two Wittgenstein's philosophy of language – mentioned earlier the theory of structural identity of language and world and the language-games concept. Regarding questions how people learn language, Wittgenstein changed his ideas, he discovered that words have no dictionary meanings in common-sense communication. The meaning of the words is constructed, appears in usage, in communication. The same word (for example “game”) have many contextual meanings and people rather play words, than adopt some definitions of them. In the light of the concept, language competence should be perceived as knowledge about the rules of the game, not about meanings of the words. So the important subject of scientific (philosophical) investigation should

be “grammar” of the language, common-sense rules of using language in everyday life (how people play words).

The third mentioned before philosopher Jürgen Habermas represents assumptions not so clearly connected to my point of view, but his very important work on communicative actions can't be cancelled in the text.

Regarding social actions Habermas distinguished four types: teleological (strategic) action, normatively regulated action, dramaturgical action, and communicative action.

In teleological action, oriented to success actors make a decision “among alternative courses of action, with a view to the realization of an end, (...) based on an interpretation of the situation” (Habermas, 1984, 85). They strategically anticipate what other actors will do. Because people usually live in society, their action have to be normatively regulated. That kind of action often is performed automatically, and is regarded as unproblematic by the actors. Sometimes the actor is interacting with people who are “constituting a public for one another, before whom they present themselves” (Habermas, 1984, 86). In the context, people conduct stylized (with a view to the audience), dramaturgical action. But the most important for my theme there is communicative action undertaken when people “seek to reach an understanding about the action situation and their plans of action in order to coordinate their actions by way of agreement.” (Habermas, 1984, 86)

The very sophisticated analysis of communicative action leads Habermas to two distinctive categories i.e. practical and theoretical discourse. In modern mass societies important, complicated or controversial claims are submitted to specialist theoretical discourses (eg. legal procedure, public debate, journalistic investigation). There are also practical discourses in which claims to normative rightness are made thematic and tested. Such processes, especially on theoretical level, rely on rational participants, and we call a person rational if she or he interprets the nature of her/his desires and feelings in the light of social accepted and established standards of value. Such a person also needs to be 'free from illusions' and self deceptions. Communicative action also presupposes that actors are capable of mutual criticism. (Habermas, 1984, 39-51). Both types of discourse are crucial for modern democracy,

because give possibilities of argumentative or political representation in real social life.

Present and still empowered positions of language in modern theory of society allows to formulate some theoretical conclusions.

The first and probably the most important conclusion is that speaking is the same as acting. We chat everywhere with everybody, because we can't keep silent more than few seconds, even most of us work using words in contemporary information world. The conclusion seems to be very clear at the level of individuals but it is also valid at social and political level. We live in very talkative societies (maybe overtalkative) and all important social mechanisms are grounded in communication. Nowadays rational social participation is hard to imagine without access to main sources of information i.e. television and internet. Real political representation is possible only at the level of public discourse.

Second conclusion concerns epistemology. World we live in is created or displayed (dependently on concept) in language. We don't describe world around us in language, we create it playing words. For instance, if I insult someone my behaviour is negative because I use insulting words/language.

The next finding is that language is almost our only one source of knowledge about world. The structure of the language (common-sense grammar) delivers general information about the structure of reality around us and limits our expectations and imaginations in that aspects. For example, question "when do you want to go back?" is appropriate only for those who are out of home (national minorities, homeless people) and can't be used to someone who is "home". The "grammatical" rule creates a structure of social world: someone is a guest and will/should go home earlier or later (the question has sense) but the other is a host because it is her/his motherland (the question is a nonsense).¹ "Grammar" of our language addresses general social relations and it's good starting point for further conclusion.

¹ The example is taken from provocative Internet film "Philharmonie Köln - 40 Jahre Einwanderung" prepared by Turkish minority in Germany (http://www.kanak-tv.de/popup/philharmonie_video.html)

Social relations consist of speech acts. Even if someone uses physical aggression usually before, during or at least after the proceeded communicate with the victim. Very often the speech acts are much more important, much more painful than physical pain. Conducting research into social relations or changing the relations always means scrutinising or reconstructing structure of communication.

The last conclusion of theoretical introduction seems to be the most important. Exclusion from the society is always a set of communicative acts at the level of common-sense communication as well as at the level of public discourse. How long the majority “discusses” (even argues) with minorities, the communities are not excluded and still negotiate their social status. So social inclusion always means establishing communication at general (political) level and in everyday reality.

Public discourse

In twenty century mass media changed the way people communicate totally and created new perspectives for public discourse development. The phenomenon of public debate is very old but mass communication and complicated political structures reconstructed the place and range of the debate in social settings.

Concerning philosophical definition, discourse is a set of linked parts ordered one after another (one-line order), so discursiveness is a *conditio sine qua non* of each language (words have to be ordered in sentences). In the context of mass communication, discourse may be perceived as a set of logically linked arguments or debates on the same topic. Theoreticians of discourse pay attention to the context of each element of debate (micro context) and, in general, cultural, political, and economical frames of reference (macro context).

At the micro level each previously used argument creates a context of the next one. Understanding of the discourse is contextual, it means - depends on knowledge on previous argumentations or presentations.

The special interpretative context of the public discourse is knowledge about participants of the debate. Even very comprehensive understanding of the arguments might be reconstructed by some bias or attitude to speakers. In mass media the effect is emphasised, because the most of public actors is well known to the audience: they are popular, controversial, icons of the pop culture, hated but watched, perceived as

smart or wise etc. In that point it is hard to clearly distinguished is the (pre)knowledge micro or macro context.

The macrocontextual influences on discourse and its interpretations are much more complicated. There is economical impact on public discourse, primary on the time and duration of the programmes. Some programmes are very popular and are recommended to appear in the most expensive “prime time”, some of them are not so popular but very important and can appear by night, and there are unpopular and inappropriate programs that can't be on air at all. Some programmes are “live” without multilevel control, others can not be presented without elaborated procedures of evaluation and highest bosses' permission. But economy influences public discourse also as a frame of reference, many concepts used in debates have economical origins and economical perspective and the arguments are perceived by both direct participants and audience as very important. Of course economy is only an example of macrocontextual influences on public discourse and similar analysis of cultural, religious, political etc. influences might be successfully undertaken, limited size of the work forced me to leave the analyses for further study.

But one notion should be done right now. Relations between policy, economy, etc. and public discourse is not one-way influence, because public discourse influences mentioned disciplines as well. The best example of the mutual relation is fashion: we can't imagine any fashion without promotion in mass media but at the same time we are very conscious that some parts of public discourse are a result of the fashion. Media creates social reality but parallelly the media are a product of the reality.

Citizens' knowledge, attitudes and activities

For about one hundred years sociology of knowledge has been involved in search for sources and mechanisms of social knowledge. Without any ambition to present results of the long-term investigation I would like to focus on relation between common-sense knowledge and public discourse.

There is no doubt that mass media are the main or even the only one source of our political and macroeconomic knowledge. We learn from television programmes: who is the president of our country, what is

her/his political orientation, when is economical crisis and when Stock Exchange Bullish. But the observation is much more universal. Public discourse delivers information about almost everything: social structure, minorities, world and cosmos. Our knowledge of our place in social structure and our dreams are results of mass communication because we still compare to pictures of other people in television. Even taken for granted and very strong belief that the Earth is a sphere is a part of our mass medial education (television, books), because there are only very limited number of people, who has seen the globe from the space, and our everyday experiences go against the fact rather than confirm it.

It would be a mistake to limit mass medial influence only to social knowledge. Structures of our thinking are the very important field of the influences. According to Wittgenstein's concept, the structure of the language is a structure of thinking and, in consequence, structure of world we live in. Public discourse shapes structure of our language, rebuild system of our associations, establishes language/social relations, makes some discourses dominating and other hidden or not present. In the result our world consists of elements (arguments, groups of people, ideologies, etc.) and structures (rules of correctness, strategies of degradation, styles of life, etc.) that have appeared in mass communication. For example, our attitude to Muslim neighbours often more depends on structure and context of medial messages than our everyday experiences, we are afraid or we feel that we should help, because we have watched terrorists' attack or troubles of Arabian people. Even if we oppose the medial messages it influence our mind and our communicative actions.

Social problems

The question of social issues in public discourse is worth a little more detailed analysis, because the issues are the main field of social work.

Traditionally social problem is defined in quantitative manner as a trouble concerning large group of people, but if we look at contemporary social and political reality we found that there are many quantitatively small but socially important problems. Thomas Rauschenbach described the mechanism of social service development in Germany after Second World War (Rauschenbach, 1996). He pointed out that great expansion of social work in last few decades can't be explained increasing number of

important social problems, because after the war people needed much more support than in 80's. Rauschenbach concluded that one of important reason of the growth is social advertisement and promotion of social work. Taking into consideration the fact and powerfulness of public discourse, the definition of social problem should be changed. Quantitative criterion should be replaced with mass medial one, because nowadays the most important is not how many people is in the trouble, but how many people is informed about the trouble and perceived it as very important. If many people feel they are responsible for resolving a problem, even if it is not their problem, the problem should be regarded as social problem. But social assessment what is important and need to be resolved is shaped by mass media, so the conclusion that social problems are created in public discourse will be not very exaggerated.

Mass medial influence on social problems is not limited to naming them. In public debate are determined strategies of solutions. Some of them are the rational result of the discussion, others are the result that the problem was made public. If a problem appears in media, the political/expert discussion starts, but in the same time bosses of different organisations responsible for resolving the problem focus their activity on the problem and in result their neglect other tasks of the organisations maybe much more important from classical point of view.

The result of mentioned above public discussion is usually not clear, during debate participants collect different strategies of problem solving without indication what is the best solution. Because the discourse is very often never ending, collection of the solutions is still reconstructed and only informally influence praxis. But on the other hand, because of politicians involvement the debate influences and even creates social policy, so public discourse affects both practical activities and political projects (social policy) (Diagram 1).

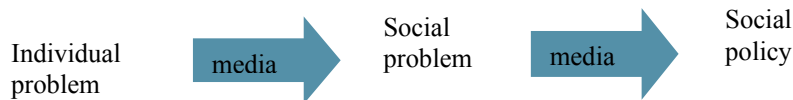


Diagram 1. From individual problem to social policy

Importance of public discourse in searching for problem solutions motivates to deeper analysis of mechanisms of problem selection.

Mentioned previously economical and audience dependency of mass media rises well grounded suspicion that some conditions of the selection make the process irrational. The direct sources of social problems in public discourse there are:

- sensation events (news);
- experts' voices;
- political (governmental) priorities;
- social advertisement and medial activity of organisations;
- own activity of redactors of television programmes.

Regarding direct sources of social problems in public discourse we necessary find sensation events (news). The unusual facts, often exotic, have nothing in common with real life of an average family, and then the events can't represent social problems in traditional meaning. News is attractive if is extraordinary. But there is other kind of sensation events in media, there are extremal facts. The occurrences represent some sort of social problems but in extremal, very often bloody, variant.

Both kinds of mentioned medial events are very attractive for audience, but don't represent real social problems and make the discussion on solutions irrational. First, because the debate, possibly very interesting, will be not representative, and very much public energy will be waste, second, because extremal examples produce special solutions that are not effective or even useless in case of not so extremal example of the problem.

Another source of social issues in public discourse are voices of guests-experts. It seems that the voice could be rational, and from time to time really is, but if we take into account that experts are invited to discussion on topic very restricted by extremal examples, the hope for rationalisation gets weaker. Another limitation is a consequence of the fact that experts are a part of audience with almost the same emotions and structure of knowledge. Similarly, representatives of government and redactors of programmes are maybe not so limited in initiating new topics (new social problems), but their carriers depend on audience's voice, so they often pay more attention to be attractive than to be rational. Some redactors even strategically conflict participants of the debate, if discussion seems to be too rational (boring for audience).

Different organisations, especially non-governmental, create another social problems. They are relatively independent of audience's

assessment, but they are restricted by possibility of found rising. So the organisations promote problems indicated by founders (usually by government).

After mentioned above, there are some natural, usually periodical factors influencing public discourse. The example of the type is weather or season. Same seasonal changes of weather make some social problems actual, for example, in Polish public discourse, homeless is subject of debate every early winter when the first ground-frost appears.

Resuming, mutual relations of public discourse and social policy and their conditions can be presented like on Diagram 2.

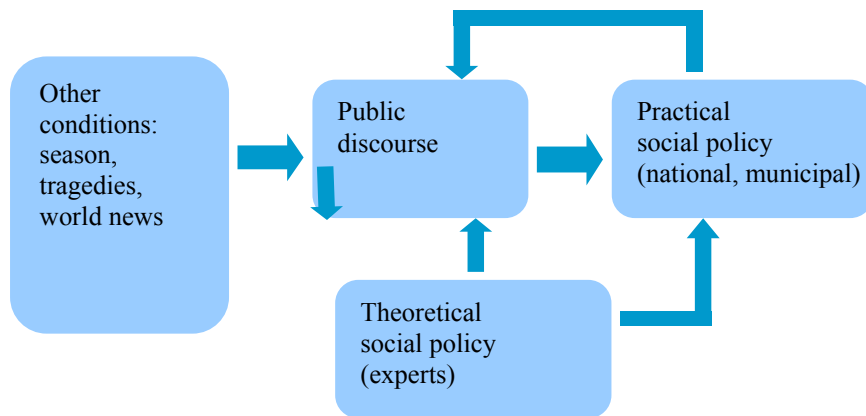


Diagram 2. Public discourse–social policy relations and conditions

Public debate on social questions is a good opportunity for the problems validation. Some of them are highly evaluated others degraded, similarly solutions are criticised. But the important part of the debate usually is focused on looking for responsible or „guilty” institution or person, especially if the reason for the discussion is a extremely tragic case. In the context, very popular is so called “someone else problem” strategy (Czyżewski, Dunin, 1991). Participants create interactional patterns of speech acts and argumentation (logic, economic, rhetoric, based on conversation violence or social expectations, etc.)

Public discourse and democracy

Modern, sustainable and deliberative democracy demands public discourse to eliminate fluctuation between elections. Only ongoing public discussion with respect to audience's voice creates suitable circumstances for presenting different viewpoints, sets of values or arguments on important questions. But similarly to “classical” democracy, discursive democracy works correctly only if all groups of people, all minorities are proportionally represented in the public debate. (Barber, 1989, 358)

The question of participation in public discourse is as well important as social participation. If some groups of people are not represented in public discourse, their perspective, arguments and problems are not taken into account, and in result they have no influence on political decision. Of course, they are still audience and their voice is important, but they can select only other people solutions (passive participation). Paradoxically, the result of the exclusion is that homeless people don't participate in the discourse of homelessness, blind, deaf or disabled person in the discourse of disability and worker class representatives in discourse on labour market.

It is possible that not very high and often decreasing level of political involvement (for example in elections) is the result of the absence in public discourse, because mentioned groups of people feel they are not represented in public debate (their values, perspectives and interests). The lack of the discursive representation between elections decreases chance to create and to promote a real representative, who will be able to win an election.

General effect of the limited participation of widely defined minorities in public discourse is that middle-class values are overrepresented. The “white collar” style of live has dominated mass media, even soap operas mostly promoted lawyers' or doctors' perspective, in contrast, “blue collars” are presented rather in sitcoms. At the very structural level, mass media are completely colonised by elaborated code that is another middle-class insignia².

² The term “elaborated” and “restricted” code is derived from Bernstein excellent theory of codes and social control (for example, see: Bernstein, 1971, 1980).

Public discourse and social work

It seems completely clear that public discourse is not perfect tool for problem solving and democracy developing. Mass media are usually high-profit concerns and the most important criterion for making decision what should be widespread is the audience rate. Even so called public or governmental media are at least semi-profit organisations often politically controlled. Public debate is usually not representative because of the domination of middle-class values and elaborated code. The way language is used within a particular societal class affects the way people assign significance and meaning to the things about which they are speaking (Bernstein, 1971, 76).

“People learn their place in the world by virtue of the language codes they employ” (Littlejohn, 2002, 178). So public discourse is not an appropriate place for working class, they should only watch and learn without any possibilities of expression their point of view, except situation they accept dominated values and become “well-educated” workers³.

In result the incomplete argumentation and the market demands provide to presenting complicated questions as simple, irrational validating of social problems and inadequate solutions. Forced by mass media reactions of organisations are usually spectacular (visible) and oriented on short-term effects (because audience's memory is very short). But there is no other way then mass communication for modern „mass-societies”.

First of all, we need research into public discourse, because the empirical knowledge in the field could be very useful not only for social work but also pedagogy, sociology, psychology and political sciences (Granosik, 2007). But now could public discourse be a useful tool for social work?

Active participation of social work practitioners in public debate seems necessary. On the one hand, the activity will be a kind of promotion and PR building, on the other, it gives a chance for influencing processes of social problem creating and resolving. Social work

³ The same mechanism was observed by Labov in American schools. Black pupils, because of their language, were excluded from class discussions by representing middle-class values teacher (Labov, 1972).

practitioners' voice will be very important supplement of ongoing discussion and to some extent provisional representation of clients' perspective. We can't forget that public discourse is the most powerful tool for reconstructing social imaginations, attitudes and, in result, activity. Appearing and disappearing in social work idea of work with society could come true. There is the only one question, how to create attractive and effective programme or debate.

Public discourse should be also a field of indirect activities of social workers. Social work is naturally placed between a client's everyday life and an institutional/political order (Granosik, 2006). Public discourse seems to be new and very important field of social empowerment. It is impossible to imagine successful social integration (inclusion) of vulnerably groups without appropriate space in public discourse. Social work practitioners should motivate and empower clients to active participation in public debate, the groups being excluded have to be visible, only then they obtain a chance for social acceptance and own place in social structure. But not only excluded groups benefit from the participation, generally if social participation increase quality of democracy is higher, more flexible social organisation (structure) effects less number of conflicts.

We need many different minorities programmes instead of programmes about minority.

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THE CHALLENGE OF HUMAN RIGHTS: CAN RIGHTS CREATE A COMMUNITY FEELING?

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Abstract:

If it is true that rights do not create a community, but presupposes a community, it is nevertheless the fact that rights can deepen the community feelings. This paper discusses the two ways that human rights can strengthen these feelings. In order to do so, it will be distinguished between a classical, static way of considering human relations, and a dynamic way, which involves a more direct commitment of the acting subject.

The paper is divided in four parts. After a brief statement of the problem, the first part deals with the traditional way of conceiving human rights: as inborn and inalienable rights pertaining to every individual. This part focuses on the passive and abstract role assigned to human rights. Rights considered in this way do not imply an active commitment to give help and support when needed.

The second part of the paper deals with a dynamic way of considering the society and the question of values. It will be argued that traditional conceptions of human rights conceive of rights in the frame of an absolute and abstract individualism, presupposing a mechanical conception of man. This way of looking upon man will be confronted with a broader conception of the human consciousness, implying that the human-rights commitment is not only the outermost arc of our obligations, but that they also represent an inner commitment towards ourselves.

The third part will examine more profoundly this new way of looking at the question of human values and rights. It will be pointed out that rights understood in this way get their deeper meaning when they are carried out in active commitment. The essence here is the formal and abstract character of the values, namely that they are universally human, which means that they can be found as goals and guiding factors for all humans, and the material character of the values, namely that they are only concretized when they are realized through human actions: It is just this aspect of them that links humans to their rights as living human beings.

Finally, in the fourth part it will be argued that this philosophy favours a representation of the societal in terms of process or movement, implying that 1) human rights do not impose boundaries between people but include the whole universe, 2) human rights are founded upon action and lived experience, 3) human rights are not only something one *has*, but far more something one *is*, 4) human rights are learnt in social settings, 5) human rights are a constant challenge, as they are at all times threatened by

stagnation and human conformism. All these components of the human rights commitment imply that the society has an obligation to develop those social settings or experiences that can foster further development of social learning, commitment and dialogue and hence to further the idea of a new, dynamic society.

Keywords: Human rights, community feelings, commitment, moral values, moral identity, human consciousness, social learning.

In the last sixty years, human rights have increasingly emerged as an international norm. At the same time, the transformation towards an acceptance of human rights has been accompanied by an increase in scholarly research devoted to the study of those rights. Essential to this discussion is the fundamental issue: *What are human rights?* This question should be the first one to be answered, since before we can engage in a meaningful dialogue regarding human rights, we must first agree on what we mean by that term.

The question as to what human rights are is highly contested within both political, moral and sociological discourses and the field of human rights research. The debate tends nevertheless to presuppose a mechanical view of the human being. In this paper it will be argued that this view, by creating a contradiction in the way the question of the nature of human rights is formulated, leads to an abstract and theoretical conception of human rights. The problem at issue here is the following: Is it possible to consider human rights in a new, pragmatic way, which involves a more direct commitment of the acting subject within society? And would it, on these premises, be possible to lay down the foundation for more practical implications of the concept of human rights, implications that in turn can help us to a better understanding of social processes in terms of commitment and responsibility?

My answer to both of these questions is yes. In order to show why, I will discuss two ways of understanding human rights. I shall argue that only one of them can create a true community feeling.

I. Human rights as traditionally conceived

Human rights have traditionally been conceived of as inborn inalienable rights pertaining to every individual – set up in America in 1776 and in France in 1789 as the foundation for the laws of the state. The beginning of any formal recognition of the human rights regime came in 1948 when the UN General Assembly unanimously adopted the Universal Declaration of Human Rights. This declaration, which still provides one of the most sweeping guarantees of human rights worldwide, begins with the statement that the “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world”.¹ And the first article in the same declaration stipulates that “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood”.²

Considered as inborn, human rights have been looked upon as something static and inherent in human nature, meaning that they are conceived of as not being subject to change or relative to anything else: Indeed, human rights are understood as absolute rights. As I will argue further down, a problem arises when one transfers this static perspective to a living and complex reality.

Nevertheless, there are also other problems attached to the concept of human rights. The first problem concerns the term itself. *What are human rights?* There is a significant disagreement on this point, revealing an inability to come to a consensus which would serve as a basis for practical actions within a program of application of the human rights throughout the world. As a matter of fact, most definitions are definitions of convenience as people (or states) carve out meanings and conceptions that serve their best interests.

From a theoretical and philosophical perspective, we find one prevalent definition of human rights as simply the rights one has because one is human, these rights being understood as universal rights, irrespective of any rights or duties individuals may (or may not) have as citizens, members of families, workers or parts of any public or private

¹ *Universal Declaration of Human Rights, Adopted and proclaimed by General Assembly resolution 217 A (III) of 10 December 1948, preamble, line 1.*

² *Ibid.*, article 1.

organization or association.³ Still, it is a very abstract formula: The definition fails to provide any specificity of what actually constitutes a human right.

In a more pragmatic fashion, states have consequently turned to the international treaties and opted for the types of enumerated rights that reflect their respective ideologies. In the West for example, there is a tendency to emphasize civil and political rights, while marginalizing economic and cultural rights. The ideology of the former communist states, by contrast, called for an emphasis on economic and social equality, eschewing the needs of the individual for the greater good. This preference has since been expressed by the developing countries, often to the extent that they support a short-term suppression of civil and political rights in order to ensure stability necessary for economic prosperity. (Civil and political rights encompass, among other rights, the right to life, to self-determination, the right to a fair trial, freedom of expression and freedom of religion. By economic and social rights are in general understood the right to work, equal remuneration for work, the right to fair compensation, the right to join trade unions, the right to education, the right to participate in culture along with the right to food, clothing and shelter.)⁴

³ See Jack Donnelly: *International Human Rights*, Boulder (CO), Westview Press, 2nd edition, 1998, p. 18; see also idem: *Universal Human Rights in Theory and Practice*, Ithaca/London, Cornell University Press, 1989; Julie Harrelson-Stephens and Rhonda L. Callaway: "What Are Human Rights? Definitions and Typologies of Today's Human Rights Discourse", in J. Harrelson-Stephens and R.L. Callaway (editors): *Exploring International Human Rights, Essential Readings*, Boulder (CO) / London, Lynne Rienner Publishers, Critical Connections: Studies in Peace, Democracy, and Human Rights, 2007, p. 5; Maurice Cranston: *What are Human Rights*, London, Bodley Head, 1973.

⁴ The divide between the West and the East, between giving preference to civil and political rights or to economic and social rights led the UN to create two more statements on human rights besides the Universal Declaration of Human Rights: the *International Covenant on Civil and Political Rights* and the *International Covenant on Economic, Social and Cultural Rights*, both of which went into force in 1976. The three documents together are collectively known as the *International Bill of Human Rights*.

Additional international human rights covenants include the *United Nations Convention on the Prevention of and Punishment for the Crime of Genocide* (1951), *International Convention on the Elimination of All Forms of Racial Discrimination* (1965), *Convention on the Elimination of All Forms of Discrimination Against Women* (1979), *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (1984), and *Convention on the Rights of the Child* (1989). See also the

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The conclusion is that there is no universal agreement on which values the rights are supposed to promote. Most of the preferences are given to a utilitarian approach, which in turn logically would end by rendering relative the meaning of the concept of human rights, and thus creating a self-contradiction since the concept of human rights from the very outset was supposed to be universal.

But there are other problems as well. Human rights were from the outset never inclusive, but rather *exclusive*: They omitted large parts of the earth's population; women, children, people from other continents than Europe and North America, etc. They also distinguished between humans and the rest of nature. The former had, to a certain extent, rights, but the latter did not. Additionally, the human rights set people up against one another: Where, one might ask, did the other's rights end, and where did mine begin? Finally, the rights confront western culture with cultures on other continents: It has been argued that in the name of the abstract concept of human rights, western colonial powers have promoted their own values, especially in Asian⁵, African⁶ and Latin American⁷ countries, as an attempt to impose their own values, with no respect for the unique heritage of these countries themselves. Or even worse: that the rights reveal a new colonialism with the purpose of causing "instability, economic decline, and poverty" in Asia or Africa.⁸

From these remarks I conclude that the classical conceptions of human rights amount to a collection of abstract rights, which are impossible to define in universal terms. Moreover, it seems impossible to

website of the Office of the United Nations High Commissioner for Human Rights at www.ohchr.org/english/law.

⁵ See Rhonda L. Callaway: "The Rhetoric of Asian Values", in *Exploring International Human Rights, Essential Readings, op.cit.*, p. 112-121. See also Fred Halliday: "Relativism and Universalism in Human Rights: The Case of the Islamic Middle East", *Ibid.*, p. 122-126; Imam Zaid Shakir: "American Muslims and a Meaningful Human Rights Discourse in the Aftermath of September 11, 2001", *Ibid.*, p. 127-131.

⁶ See Bonny Ibhawoh: "Restraining Universalism: Africanist Perspectives on Cultural Relativism in the Human Rights Discourse", *Ibid.*, p. 132-140.

⁷ Klaas Dykmann: *Human Rights Policy of the OAS in Latin America: Philanthropic Endeavors or the Exploitation of an Ideal*, Princeton (NJ), Markus Wiener Publishers, 2008.

⁸ Kenneth Christie: "Regime Security and Human Rights in Southeast Asia", *Political Studies*, 43 (1995), p. 206.

specify which specific duties correspond to any given right claimed by someone. Who should fulfil these duties? And can it be demonstrated that they can, realistically, be fulfilled? Human rights are, it is urged, merely “manifestoes”; claims, and not proper rights.⁹ As a consequence of this, it would seem that they do not create a community, or a brotherhood. They are dividing, creating boundaries between different conceptions and cultures. Instead of uniting they cause a “diaspora” of values.

Hence, the task is to understand human rights from a new perspective. This new understanding must imply a conception of human rights in view of relationships, and, as I will argue, relationships as dynamic processes rather than static relations between people.

II. Human rights must be understood in a new philosophical frame

Traditional conceptions of human rights conceive of rights in the frame of an absolute and abstract individualism, i.e. an atomistic conception of man. This means that the rights are not conceived of as relative to the situations in which the persons are engaged, or to the idea of men forming a common brotherhood. In this way *my rights* have a tendency to become *your obligations*. For instance, when we claim a right to expression, we do so in a way that implies, if necessary, the refusal of the rights of somebody else (for instance to freedom of religion). This conception of human rights stems from a certain mechanical representation of society, which regards society as a mere exterior aggregation of beings who exist independently of each other.

This mechanical conception of society has been questioned by several philosophers throughout the 20. century. For instance, the French philosopher Henri Bergson (1889-1941) distinguished between what he calls “the open” - and “the closed society”.¹⁰ By “closed society” he means a society synonymous with natural society; that is a society which is closed upon itself and is characterized by an external and hierarchical authority, by discipline and distance towards strangers and other cultures.

⁹ See David Beetham: “What Future for Economic and Social Rights?” in *Exploring International Human Rights, Essential Readings, op.cit.*, p. 11.

¹⁰ See Henri Bergson: *Les deux sources de la morale et de la religion*, Paris, Félix Alcan, 1932. English translation by R. Ashley Audra and Cloudesley Brereton: *The Two Sources of Morality and Religion*, London, Macmillan, 1935. Reedited Notre Dame (Ind.), University of Notre Dame Press, 1977.

The individuals, who together form this society, are bound together not with interior, but with exterior bonds, that is through social and economic interests rather than through true love for their fellow men.

This society, Bergson contrasts with what he calls “the open society”. “The open society” is based upon a moral feeling of kinship with the rest of the human world: It consists in a movement towards an increasingly bigger expansion of a universal, living human society where each human being is not bound by his obligations towards a particular state but towards the whole of humanity. This fundamental, open morality is described by Bergson as being a morality of love, where love is conceived of as a sense of community with the rest of the world.

This universal community spirit, which is Bergson’s main point in his treatment of moral and political philosophy, has its roots in a new and deeper understanding of human consciousness¹¹. Bergson stresses the dynamic of consciousness. The deeper consciousness is for him life, movement, creation and freedom, whereas the part of consciousness which is turned towards the outer world, consists of layers of stiffened forms; conventions and habits. Such rigid, static and mechanical forms play a decisive role in the human being’s practical functions. But at the same time they act as a covering of the real life, that is life’s own creative force. It would, in other words, be totally wrong to consider the rigid forms that the consciousness presents in day-to-day life to be the only life of consciousness.

The atomistic and individualistic representation of man is a result of the mechanical part of the consciousness, and not of the deeper layers of mental life. But what is more, these layers are consisting in processes which are purely spiritual and cannot be understood in the terms that we use to describe movements and changes taking place in the outer world. As we cannot divide a mental process, it is clear that the processes which constitute a particular consciousness are the same as those which are going on in each other human consciousness. We cannot tell where

¹¹ The word consciousness is here used as a general term to designate any mental state or whatever it is about a state which makes it mental. Hence consciousness includes not only awareness of our own states, but also these states themselves, whether we have cognisance of them or not. If a man is angry, that is a state of consciousness, even though he does not know that he is angry. To be aware of the fact that he is angry, is another modification of consciousness, and not the same.

another person's dreams stop and ours begin. This means that each consciousness is reflected in the consciousness of the others, that they mutually receive impressions from each other, and that this reception of constantly new mental impressions results in changes of quality in each individual personal consciousness. With a philosophical term these kinds of impressions, which are purely mental movements, are called intuitions.

To sum up: The classical view of human rights is a result of a limited and narrow conception of man and consciousness. In a broader perspective man is tied up with other human beings in a particularly intimate way, which consists in a purely mental relationship. This relationship is nothing but the natural unfolding of human consciousness, while it is the condition of an expansion and enrichment of human consciousness. Regarded from this point of view there is beyond the static representation of society a deeper and more true conception, which depicts society as consisting of people being inwardly engaged with each other: Each consciousness must be understood as consisting of processes that constantly mingle with the processes of the others. Altogether these movements form a whole, of which each individual consciousness is a partial process.

The task of philosophy is to recapture the spontaneous contact with the deeper part of consciousness, and through this contact, to try to understand human beings as related to other human beings. In so doing, it would find laid down a dynamic in forms and a creative power, intimately tied to the effort of consciousness. It is because of this dynamic that the closeness to other human beings and the community spirit which it creates, represents an extension and a fulfillment of human consciousness.

III. A processual theory of human rights

The question now becomes: What are the consequences of this processual theory of man and mind, for the question of human rights?

The traditional view of human rights implies that they should be some kind of property, belonging to the human subject much as material or economic possessions do. That this is a false assumption is proven by the fact that the latter can be taken away from the individual or even annihilated in a way that the former cannot. Hence, we do believe that

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human rights belong to the subject in a more intimate way than being merely something you can claim as “property”.

On the contrary, let us consider human rights as pertaining to the intimate life of human consciousness. On these terms human rights must be looked upon as being linked to the inner nature of consciousness itself: They must in some way be related to the processes in which consciousness consists.

Let us then think of rights as something *common* to human beings, and even more, let us consider them as a product of the relationships through which human beings interact, meaning that human rights have their origin in these relationships and that their aim is to foster new and broader relationships.

This means that human rights do not belong to a subject as a consequence simply of this person being a human, but as a consequence of this person engaging in concrete, living relationships with other persons. Moreover, they belong to him as a consequence of the very nature of his consciousness, whose existence is inwrought with the consciousness of every other person. If we then think of man as having a moral obligation towards the people with whom he interacts (if nothing else, at least the obligation to secure their life, freedom and independency), this interaction being as I said, a kind of a mental relationship which is the very condition for the expansion and the enrichment of his own person, it would follow that some fundamental rights have to be ascribed to every human being, by virtue of his being a part of this common relationship of duties binding each human to another: Hence we would have to say that human rights are rights that pertain to every individual as part of a common and universal community of consciousness, and which are thought of as necessary conditions for the human being to fulfil his (or hers) commitment and responsibility within this community.

Several consequences follow from this view: The first one is that the subject of human rights is not the concrete individual, but the community within the individual. This means that a right is a fundamental right only to the extent that it is general and valid for all the members of the community.

Secondly, this community being understood as the community of all human beings in general, a right is a fundamental right only to the extent that it is universal and valid for all human beings generally spoken.

Thirdly, considered from a formal point of view, human rights consist of an obligation towards the community. This means that individual rights are only formal statements of the conditions necessary for you to fulfil your obligations towards other people.

Fourthly, if we understand rights in terms of the conditions necessary for you to fulfil your obligations, then rights are only realized through a person's actions within a community as a whole. This means that even if you can claim universal, human rights for yourself, these rights do not become meaningful, i.e. they do not materialize themselves as rights, but through your concrete actions towards another.

To sum up: From a formal point of view rights consist in an idea of a universal brotherhood of beings whose existence the very notion of human rights is supposed to bring about. More specifically a right pertains to the disposition in a human being to realize this aim. This means that fundamental human rights as civil and political rights (for instance the right to life, to self-determination, freedom of expression and freedom of religion) must be considered as belonging to a subject as fundamental premises for his commitment to his fellow men. From a material point of view a right gets its deeper meaning as it is carried out through this lived experience and commitment.

IV. Human rights as lived community experience

On these terms, the answer to the initial question of whether rights can create a community feeling is given. The answer is yes. What is more, however, is that the question does not even arise in the first place: Understood from the point of view which has been set forth above, human rights create a community feeling because it is of their very essence to do so. When human rights are looked upon not in the frame of an abstract atomism, but of an organic consciousness theory, they do not divide; they do not create schisms and even less "diasporas". A right is only a right with regard to a law. Human rights are rights as to the most fundamental human principle, and this very principle is implied by the very nature of human consciousness, which teaches us that every individual being is a part of a bigger unity, this unity being understood in

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terms of universal, interchangeable and interrelated processes between all kinds of existence.

From what has been said so far, some general conclusions follow, which might help us specify the nature of human rights and what perspective is at stake here.

A concept of human rights that is exclusive in an age where globalisation has become universal, must create problems; it even seems self-contradictory. The large mistake of the traditional human rights view is that it placed boundaries between those who were included in the concept, and those who were not. A new human rights view must therefore take as its starting point a dynamic view, according to which human rights are seen as a process or movement. A process places no boundaries between one person and others; it can, in theory, expand to include the whole universe, and even embrace the whole of nature.

Secondly, such a definition of the concept of human rights cannot be founded on the thought of an inherent human value. Rather, it must be founded on human *action*. Human rights, we will say, are rights that get their full meaning by virtue of their accomplishment through actions.

Thirdly, human rights are not something one *has*, but something one *realizes*. As such, they are not something one *possesses*, but something one *is*: Human rights are a lived experience or a form of life.

Fourthly, human rights are learnt in social settings. In other words, this philosophy represents a dynamic way of looking at society and social and community work. It favours a representation of the societal¹² in terms of processes or movements, which educates man in order to make him really human. Hence the good reason for calling the values bestowed upon man through this education, true human values, and the rights which follows from them, true human rights.

Lastly, human rights are constantly challenged, as they are at all times threatened by stagnation and human conformism. This fact is caused by the tendency of human consciousness to stiffen, and to create

¹² The term "societal" is to be distinguished from the term "social". While "social" refers to the various dimensions of the outward productive capacities of the human being and of communities (health, poverty, employment, hunger, etc.), "societal" refers to the inner relational capacities of a citizen and of a community (capacity for plurality, acceptance and affirmation of the value of otherness, relativization of one's own identity, values and visions, etc.).

habits which cover up the real inner life and the life's creative forces. Therefore, society has an obligation to develop those social settings or experiences that can enrich the creativity of consciousness. Moreover, society has an obligation to commit to dialogue and to further the idea of a dynamic society, in order to foster new development and social learning.

In other words, if it is true that rights do not create a community (you need a common history and shared experience for that), but rather *presupposes* a community, it is nevertheless the fact that rights in various ways can deepen and strengthen community feelings.

THE MOST IMPORTANT THINK AT WORK WITH PEOPLE IS THE PEACEFUL WAY OF SOLVING PROBLEMS

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Abstract:

As it is not a secret for anyone, conflicts are a well-known area of human's living. Even old societies could experience many disagreements and argues. So, we can easily say that if that kind of problems had been experienced through the ages, if our ancestry tried to solve that problems, we should not have to worry about that anymore... in theory... because even wise ancestry's brains, even their good advices can not give us a good solutions for that unpleasant events as conflicts definitely are. Nowadays we still have a lot of fights and situations, in which people can not find a common language, in which people need some kind of support to make things better, to improve their life-situation and relations between them – and this is one of the main challenges for social work .

If we take a look at the social policy (because in our reading social work should be treated as one of the institutions to work out the problems) we can observe that problem of conflicts, especially in family, is a big problem in our life. Suddenly, few years ago, when there took place a large transition in many European countries, we could see some moves to make the conflicts more "softer". In 90's social workers and the psychologists introduced in Poland an interesting idea, which is "**mediation**". That kind of negotiations were used even by people from Sparta and Athens, but contemporary people thought that there are many better solutions for solving problems, for example to refer a case to the court. But, fortunately, during the transformation period, many people decided to become social workers who want to try some modern solutions in relations between people. Social workers use the mediation especially for solving familiar problems. This institution has many advantages – for example both sides (people who are fighting) can make a deal - it gives a chance to make them happy. If conflict takes some time, mediation increases possibilities for happy ending and decreases possibility of recurrence of the problem.

Family mediation gives many opportunities for marriages, for example can help in solving problems like alimony or separation for example. Many countries in Europe use mediations since ages but in Poland this kind of institution has just appeared. Poland has a lot of work to improve mediations but unfortunately we need more specific education, more people with necessary skills. We, as social workers, want to inspire support from different professions (as we can observe in other countries). But we still have a long way to make that situation better, we have to show through the practice and researches to our society that mediation is a good alternative for the court trial.

I want to have a chance to present deeper that topic and discuss that problem with people of science from all of the world. I think it is a new trend in social policy so it is worth take a look of that from the social work point of view.

Keywords: conflict, family, social responsibility, marriage, couples

As it is not a secret for anyone, conflicts are a well-known area of human's living. Even old societies could experience many disagrees and argues. So, we can easily say that if that kind of problems had been experienced through the ages, if our ancestry tried to solve that problems, we should not have to worry about that anymore... in theory... Because even wise ancestry's brains, even theirs good advices can not give us a good solutions for that unpleasant events as conflicts definitely are. Nowadays we still have a lot of fights and situations, in which people can not find a common language, in which people need some kind of support to make thinks better, to improve their life-situation and relations between them – and this is one from the mainly challenges for social work .

If we take a look at the social policy (because in our reading social work should be treated as one of the institution to work out the problems) we can observe that problem of conflicts, especially in family, is a big problem in our life. Suddenly, few years ago, when there took place a large transition in many European countries, we could see some moves to make the conflicts more “soften”. In 90's social workers and the psychologists introduced in Poland an interesting idea, which is “**mediation**”. That kind of negotiations were used even by people from Sparta and Athens, but contemporary people thought that there are many better solutions of solving problems, for example to referral case to the court. But, fortunately, during the transformation period, many people decided to become a social workers who wants to try some modern solutions in relations between people. A modern solution, of which I'm talking about is MEDIATION.

What the mediation is?

First, I want to explain, what that term means. I'll start from looking at polish literature, which treats about that topic. In our books we can find a different term to explain mediation, axially "negotiation with one extra person", which is MEDIATOR¹. Mediation is a kind of way, which has to turn us to good results, which is solving conflict². What is important, mediation is a non-obligatory form of solving problems between victim and perp. Mediation bases on an idea/background, that mediator and the others participants of the negotiation have to find that kind of solution, which will be satisfied to both sides of procedure³.

Our law describes mediation as an alternative, peaceful way of solving civil problems. It is a process of solving problems, in which, by the negotiation, mediator try to find a good solutions for sides of crisis/conflict. People do not have to take a part in mediation, if they do not want to. Additionally, they can drop the negotiation in every moment of that process⁴.

What is important, and we should not forget this, that mediation is not a therapy but some kind of showing a good ways of solving problems⁵.

Who the mediator is?

The necessary point of that kind of negotiations, is, as I said before, mediator. It is a man, without who is not possible to put across well effected negotiation⁶. The mediator helps in take a conversation between argue people on a peaceful way. That person try to keep everyone in good moods, without necessary, bad emotions.

Who can become a good mediator?

- a person, who people can trust, who is honest, who can easily speak with new-meet people, who can listen other people and is patient

¹ Pietrzyk A. (2005), *Family mediations*, "Psychological News", No. 4, p. 46.

² Dunajska A. (2006), *Mediation as a good method of solving conflicts*, "Social Worker", No 5, p. 3.

³ Kordziński J. (2007), *Mediation instead of isolation*, "School Director", No 12, p. 13.

⁴ Act of Parliament, 25 July 2005.

⁵ Pietrzyk A. (2005), *op. cit.*, p. 46.

⁶ Banaszek A. (2003), *Mediations after the judgment*, "Social Work", No 1.

- should have a special qualities to become a mediator (should take part in some courses or special lessons
- should be a master of psychology, pedagogy or sociology⁷.

Mediator is a person, who do not prefer no one from sides of conflict, who is neutral and has a good base to put mediation across the good way.

From the law point of view, we will not find a definition which describe a mediator. All we can read is that mediator is a physical person, who has all rights from the law point of view⁸.

In my opinion, all those skills we can find when we look at the social workers. Personally I feel that kind of profession, as social work is, should educate people also in that way- to help people, to help families. Conflicts between people are a social problem, so we, as a social workers can not ignore that part of life as relations between people are. In Poland, usually, when people want to divorce they are direct to the court trial- they need a helping hand, which will try to solve with them the problem, they need social worker as a mediator. Direct them to the court trial is very mechanic and non-human procedure, which destroys human's life. That's why I think that social work has to open more the eyes and do more with that problem, because family's health is our business, not lawyers.

There are some countries, Canada for example, where family have to go to mediator, obviously, because, in other case the court trial will not give them a divorce. I think the same requisite should be introduce in every country.

It is not a new idea that mediator should have a theoretical base from psychology and other human sciences, but it could be more effective if mediator additionally knows an important information from the low. So, maybe the best solution could be to create some kind of *mediation's teams*, in which can work psychologist, social worker and the lawyer. That kind of group can be really useful and can improve a mediation effects.

⁷ Dunajska A. (2006), *op. cit.*, p. 4.

⁸ Act of Parliament, 25 July 2005.

How does the mediation go?

Mediation is a process created by the well-educated mediator. His goal for this is to make the process of communication more easier. He does not express any emotions to no one from the sides of conflicts. He can not evaluate the people and their behavior. He has to be neutral to the end of the session. Additionally, he has to accept all solutions, which are propose by the concerned people (even when there is not any solutions).

Mediation has a confidential character. The time of one meeting takes usually about 2 hours. It is good if there are min 3 sessions, but there are some cases, where people find good for them solution even after 2 meetings. At the beginning, mediator informs about rules of mediation and both sides start to explain what the problem concerns to. At the end of first meeting, mediator decides if the problem can be solve by the mediation⁹.

The rules of mediation

Mediation has also an interesting rules, which are deffinitely good alternative for the people who are interested of mediation. Mediation is restricted, what means taht every information from the meeting will stay only between the participants. Besides, what is really comfortable for the people, mediation has a private character. Both sides can controll the situation all the time and they take a part in every decision, which is taking during the meeting. Very important, from the participants point of view, is that everyone can resign from the mediation in every moment¹⁰.

Social workers use the mediation especially for solving familiar problems. This institution has many advantages – for example both sides (people who are fighting) can make a deal - its gives a change to make them happy. If conflict takes some time, mediation increase possibilities for happy ending and decrease possibility of recurrence the problem.

As I said before, in Poland for a long time we could not here and read anything about mediation. The government was not even interested of that kind of solving problems. The term of mediation was introduced to our law in 1998¹¹. But we still have mediation on a very low level. People often do not have any idea about the madiation, they are not well-informed by the people who are responsible for the informing

⁹ Dunajska A. (2006), *op. cit.*, p. 4.

¹⁰ *Ibid.*

¹¹ Pocent T. (2003), *Mediations in conflicts with children*, "Blue Line", No 2, p. 6.

people. And here we have the social workers. If they are interested of the mediation, if they practice that kind of negotiation with, for example familiar problems, they will inform people about that kind of method for solving problems. So here I see a big necessity to educate social workers in that way. It is really successful, especially in familiar conflicts. In that cases we benefit from the family mediation.

What does the family mediation mean?

Family mediation gives many opportunities for marriages, for example can help in solving problems like alimony or separate for example. Many countries in Europe use mediations since ages, but in Poland that kind of institution has just appear. As I wrote before, our law described mediation in 1998, but we still do not have any term concerned family mediation, from the law point of view obviously¹². But family mediation is especially important kind of helping people, because, if mediation is effected, we can save many people before their life drama. There is many cases, where mediator saved the family from divorce. Mediation helps also people to make a deal when they are fighting about their child-who will take them with after the divorce. During the mediation people are talking with each other, so that's why they can find the solution. In other ways, where people are fighting all the time and they do not talk with each other, they do not have a chance to stop fighting and listening to each other. Mediation gives that opportunity and takes down the pain which always exists in that kind of problems.

There are much more **advantages** of mediation. One of them is to prevent of making conflicts deeper, stronger and makes, that they are not so long. Besides, it is not so expensive as a court trial is, because you do not need to contact with the lawyer (in court trial people are treating not like an individual person but like another number, without feelings). Additionally, mediation is not so "formal" as court is. Imagine a child, whose parents are fighting with each other and he/she has to choose between the parents – it is very stressful for the child and has a big influence on his self-condition¹³.

But mediation has also some **disadvantages**, namely, people do not have trust to that kind of process. They do not believe that the conversation can help them with their problem, so they do not really want

¹² Pocent T. (2003), *op. cit.*, p. 6.

¹³ Dunajska A. (2006), *op. cit.*, p. 4.

to try this kind of negotiation. Polish people are afraid of talking about their feelings to the strange person, so they are attitude to the mediation. So here again is the place for social workers to make people sure that they can trust us.

What kind of problems can be solved by the mediation?: Pre-marital contract, divorces, children's care, familiar problems, adoptions, violence at home.

Many European countries has improved family mediation to the very high level. In my opinion, one from the best example is Great Britain, where first mediations took place in 70's and nowadays they have a really good results of mediations. In 1998, The European Committee advocate, that every country, who is a Union Member, has to introduce a family mediation to the national law. The Committee took that decision, because researches in United States, Australia and New Zealand showed how effective and successful mediations are. For example, those countries showed that mediation gives an opportunities to improve communication between family members, mediation can limit number of conflicts and is much cheaper that court trial (both from the economical and social point of view). Besides, for the effects we do not have to wait so long.

Many countries, not only from Europe, had to change their law, to make the mediation more effective. Mediation is strictly connected with the law, so to make that kind of negotiations more popular we have to try change our law. We, as a social workers, have to show, that it is one from the best solutions for many families, for many children, to make their life more easier after hard experience.

Another country, which is good to recamend are United States of America. In 1990 the number of divorces increase to 50% from all mariages. Americans were looking for an good solutions for that really serious problem. Finally they try mediation, which minimize divorces to 30%¹⁴.

Why do I wanted to discuss taht problem? Becouse I see that mediation can help many people with their problems, but we have to improve that process and take the education of social workers on a higher level.

¹⁴ H. Przybyła-Basista (2003), *Changes In family act In the world*, "Mediator", No 24, p. 5-18.

How family mediation have been created in Poland?

Family mediation in Poland are still “at the beginning of their life”. But what we can observe, the situation has been changed since last 3 years. The development of family mediation is very dynamic and that gives us hope to make this process better in the future. In 2005 our government accepted the act, which has changed a lot in our country. Some people created a few organizations which encourage to resign from the court trial and try to solve the problem by the mediation. Polish people, who want to improve family mediation in our country, are still organizing some programs to show that mediation is an effective form of solving problems. As an example I will use an experiment, concerned to marriages, who want to divorce. To make sure, that it will not be done badly, 26 mediators, who want to take part in that project had to take a part in very strictly course with a lot of useful theory and practice.

The goals for that project were:

- to decide about divorce
- to make a decision, who will take care about the children
- to make a decision about finance

In experiment took part 166 couples, but only 86 wanted to take a part in mediation. The results of mediations are satisfied, namely 71,6% of mediations had finished by the agreement. That result is close to the world’s effects in family mediations, where 50% to 80% of mediations are succeed.

What do people think about mediations?

Around 90% of people, whose mediation was successful, was satisfied from that kind of negotiations. What is interesting, even if mediation was not effective, almost 56% of people was satisfied.

Is not that interesting?

Why people who could not make any decisions, with husband/wife were still satisfied? The answer is easy-they finally felt comfortable, they could said whatever they need to say (mediation gave them that opportunity), and they knew that mediator is listening to them (69% of people). About 78% of people said that mediation is much better solution for their children (not so stressful)¹⁵.

¹⁵ H. Przybyła-Basista (2006) *Clients’ resistance to divorce mediation: General mediation in specific family context. European Congress on Family Mediation.*

The Most Important Think at Work With People is the Peaceful Way of Solving Problems

People feel satisfied even if they can not make a decision, because more important is opportunity, which is talk, when people can say what they think about their situation and can make some balance in relations with partner.

Poland has a lot of work to improve mediations but unfortunately we need more specific education, more people with necessary skills. We, as a social workers, want to inspire support from different professions (as we can observe in others countries). But we still have a long way to make that situation better, we have to show through the practice and researches to our society that mediation is a good alternative for the court trial.

Why does the family mediation is still not so popular in Poland?

First - lawyers do not know enough about that method of solving problems

Second - there is still much more cases in court trial than in mediation

Third - Poland still do not have enough of well-educated mediators.

In 2007, in Poland more than 900 couples who wanted to divorce were directed to mediation. 42 of them decided to be together, 34 were wondering and 223 found a good for both partners solution.

I think it is a new trend in social policy, so it is worth take a look of that from the social work point of view.

Nowadays, Poland is still poor if we talk about mediation. How we can convince on that mediations are brilliant solution for many people, if we do not have researches to compare situation in Poland before and after 1989.

We have to talk more about mediation, and I do not mean only Poland but also other European countries. If all Europe speaks about mediation, Poland will follow the same way. And we have to ask about that people from other countries, You, because we, social workers in Poland, are not strong enough to “move” that topic.

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TRADITIONS AND NEW APPROACHES IN CHILD'S CARE SYSTEM IN POLAND

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Abstract:

The implementation of new legislation in Welfare System, and Child Care System in Poland, which has been included in social services since eighteen years – has determined a new paradigm connected with replacing the responsibility for a child to family and to professional residential, non-residential, as well as a local social support system. Due to new legal regulations related to organization, task and functions of child care institutions e.g. residential intervention centres, children homes, foster families - should undertake cooperation between all components of socio-educational environment, which are involved in child development and the process of her/his inclusion. It means that care institution more than it used to be in the past times should become an integral element of the environment, where child was behaved and where it is located approaching full socialization of the child taken under its care. New solutions in child's care system should be also friendly for family reintegration including even dysfunctional families in process of care and underline the role of social child care institution in creating better conditions for respecting individual cultural, ethnic and religious needs for maintaining his/her own traditions and habits of child family and environment. These new paradigms based on humanistic approaches in social work with children and families has found its applications not only in some reforms of social care system, but also in concept of education of social workers.

Social professionals working at child's care institutions should teach children how to plan and organize ordinary life, spare time activities, participate in recreational, cultural and sport events and should develop their own responsibilities for behavior, as well as for their own choices. They should also try to equalize developmental deficits and discuss important issues related to children under care with their parents or foster parents, being aware of better cooperation with different socio-educational institutions which have had direct or indirect contacts or have been engaged in social work with families of children parentage. These new approaches in social work with children under social care system require new professional competences,

This paper will reflect on some issues related to indicated areas of social work in child's care system in Poland.

Keywords: children, education, foster family, social work, intervention

Introduction

The social care system in Poland has undergone a lot of changes during the last eighteen years, not only as a consequence of socio-economical and political changes, which have influenced many social problems of the population, but also in accordance with the modern legislation in Welfare in 1990 and in 2004 (before entering the EU). Transformation in the field has also created the need for new professional competences, qualifications and tasks for social pedagogues and social workers, who are responsible for the implementation of the new approaches to social practice.

In the Child Care System, which has been included in social services since 2000, a new paradigm has appeared, connected with replacing the responsibility for a child to the family and to a professional residential, non-residential, local support system. The new paradigm, which is based on eco-system and cognitive-behavioral theories in social work with children and families, has found its applications not only in some reforms of social care system, but also in concept of the education of social pedagogues and social workers dealing with child protection.

This paper will try to analyze some issues related to the in child's care system in Poland, giving some examples of changes in the field of social work practice with children and families in prospect of the new concepts and paradigms in Welfare System and in training social professionals.

1. Background of the Welfare System in Poland

In the prospect of the European democratic context, the social welfare system in Poland has many features of the institutional one and is aimed at enabling individuals and families to overcome difficult conditions which they are not able to overcome using their own resources. Social welfare is organised by the State in cooperation with social organisations, religious and charity associations, foundations and individuals. The first Social Welfare Act (*Ustawa o pomocy społecznej*) passed in 1990 was intended to provide government aid to the most vulnerable. The new Social Welfare Act of 2004 delegates many of the responsibilities to local communities.

Besides the Social Welfare Act in Poland, the Constitution guarantees special protection to children and families (Articles 71, 72).

The Family Code (*Kodeks Rodzinny i Opiekunczy*) is the basic legal document regulating family relations and child protection, and in 2000 a Children's Ombudsman, who plays an important role in promoting child rights, was appointed. The state government exercises its statutory obligations of control over the social welfare system through the Ministry of Social Policy. Since the year 2000, the organisation of child welfare services has been the responsibility of the Ministry of Social Policy. Under the communist regime, child welfare was part of the national education system.

2. Genesis of the Child Care System in Poland

Poland has valuable traditions in founding a child care system (e.g. Janusz Korczak, Czeslaw Babicki, Kazimierz Jezewski, Helena Radlinska), which come from the period between the first and second world war of last century, as well as in defining concepts of the protection of the rights of the child (in 1978, Poland applied to UN for Convention on the Rights of the Child and governed the commission of its draft until 1989).

After Poland gained its independence in 1918, many foster care programs were established, the best-known being the Lodz program, founded in 1926 by the municipal authorities. In this program, the qualifications required of foster families were set out, as were rules for systematic professional supervision. Foster children were guaranteed free schooling, medical care, medicine and hospitalisation, and even summer camps, with costs being covered by the city and foster parents receiving remuneration (Majewska 1948, 157-162). In 1931, the Committee of Foster Families was founded in Warsaw, and this helped to expand the idea of foster care on a country-wide basis. Starting in 1934, the then Ministry of Social Welfare mounted a Campaign for Foster Families to help to promote the idea of fostering throughout the country (Babicki and Woytowicz-Grabinska 1939; Kepski 1991). By 1938, there were already 10,617 children being fostered by 8,447 registered foster families, some of them additionally qualified (and paid) to care for sick or disabled children (Kelm 1983, 74; Majewska 1948, 137).

Foster care played a crucial role in the care of war orphans. During both World Wars, the lives of thousands of children in Poland were saved when they were placed with foster families. 2,500 Jewish children

smuggled from the Warsaw ghetto found refuge with Polish families (Grochowska 2001). After the war, some of the children returned to their families while others found permanent homes with their foster carers (Gładkowska et al. 1995). During that period, foster care continued to be very common: in 1949, there were about 73,000 children in the care of foster families in Poland (Safjan 1982, 13).

However, with the establishment of the Communist State, the policy changed dramatically. The newly-formed Department of Child Welfare was placed under the control of the Ministry of Education. At the beginning of the 1950s, all child-care institutions were nationalised. Child care programs were no longer encouraged and were replaced by large, state-run children's homes. For many years thereafter, fostering was not an area of interest to those responsible for child welfare in Poland.

The revival of democratic society in Poland after 1989 and the ratification of the Convention on the Rights of the Child in 1991, favoured the rise of child advocacy groups and the deinstitutionalisation movement. The movement began in major cities such as Warsaw, Krakow and Gdansk in 1993, with the aim of influencing the Government towards the reform of the child welfare system. The strategies included advising politicians dealing with children's issues at the parliamentary level, responding to consultative documents and popularising the idea of care by educating society at large (Stelmaszuk and Klominek, 1997).

General child welfare reforms were implemented in the year 2000. Child protection services and the management of child-care institutions were delegated to the social welfare sector. District bureaus for children and family services (*Powiatowe Centrum Pomocy Rodzinie*) were instituted. Funds have been allocated and training programs have been designed for prospective foster carers. The regulations concerning foster care (Order by Councils of the Ministers, 26 September 2000; Order by the Minister of Labour and Social Policy, 14 September 2000) emphasised the rights of children to maintain contact with their families and to have efforts made towards family reunification. Young people were entitled to special assistance, including financial support when leaving care. Initially, all funds were provided from the central budget but gradually subsidies and responsibilities were transferred to local governments. The New Social Welfare Act (*Ustawa o Pomocy Społecznej*) of 2004 and the associated regulations (planned to come into

effect in October 2004) promote further expansion, professionalisation, and specialisation in child's care system (Wyrwicka 2004).

3. New Standards in Social Child Care System

Due to new legal regulations related to the organisation, task and functions of child care institutions, which can be called "new standards for the child care system", institution of child care (e.g. residential intervention centres, children's homes, foster families and others) should undertake cooperation between all components of the socio-educational environment which are involved in child development and protection.

It means that the institution should become more of an integral element of the child's environment than it was in the past, aiming for full socialization of the child taken under its care, and being friendly towards family reintegration, including even dysfunctional families in process of care (Kantowicz 2006, s.941).

It is also important from the perspectives of care continuity and of creating a child's socio-cultural identity that the child care institution should give possibilities for regular, personal and direct contact with parents and others close to the child – unless it is forbidden by the court.

New standards underline the role of the social child care institution in creating better conditions for respecting the child's individual cultural, ethnic and religious needs, so that he/she can keep/maintain his/her own traditions and the habits of his/her family and environment.

Social child care institutions should teach children how to plan and organise ordinary life and spare time activities, participate in recreational, cultural and sports events, and to become responsible for their own behaviour as well as making their own choices. Professionals working with children should try to equalize developmental deficits and discuss important issues related to children receiving care with their parents or foster parents.

Due to legal regulations, professionals should be aware of the better cooperation with different socio-educational institutions which have had direct or indirect contact or which have been engaged in social work with children's families, including:

- Individual forms of social support in place of family life;
- consultative-therapeutic family centres ;

- schools which the children attend now and previously attended;
- official court departments and curators looking after the family and/or child;
- non-governmental organizations, the Catholic Church and/or other public or non-public institutions and organizations, foundations or associations which organize any kind of social support in child's/family's environment.

The social pedagogue and social workers working at the child care institution should realize an individual plan of care, which is based on case study and which considers the child when acting in all levels of his/her social life: the psycho-physical development of the child; personal and school possibilities/achievements; special interests and important activities at school, in the care institution and in the local environment; relations and acting with colleagues/educators; relation with parents and relatives; special needs; important events in the child's life.

The individual plan involves a social pedagogue who works directly with a child in the institution of care, keeping close contact with the child, his/her family and other professionals at institution (psychologist, social worker, speech therapist, curator, director etc).

The social pedagogue (direct care worker) and social worker (responsible for contact with the dysfunctional families of children placed in foster care institutions), should reflect and evaluate on the situation of a given child, exploring the effectiveness of previous methods of the child care process and should modify the plan in accordance with the changing situation of a child and his/her family¹.

These tasks and the new paradigm in child care, replacing responsibility for the child to the family and professionals working with a child and family, become fundamental for realized care treatment and for changes in the attitudes of people participating in a process of care. We have in mind changes based on eco-system approaches, which underline the role of a family and child's social environment in the process of care and education, and which promote many forms of socio-educational support and social work with the family e.g. consulting, supervisions, day centres, recreation centres.

Important modifications are also related to the promotion of foster families and of independent flats for older children under the protection

of pedagogues/social workers. They involve professionals in projects for multifunctional social care institutions, which can offer residential and part residential forms of care, therapy and consulting.

4. New paradigms in child's care system and their consequences in social care practice with children and families at risk

Reconstruction of child care system, ongoing in Poland, but also in other European countries, is related - in general, to decentralization of care institutions and moving the responsibility for child and family social support to local authorities. New paradigms in child's care are based on the "New ethic for children", which comes from Convention on the rights of the child (1989).

It has got implications, e.g. in individual approaches to a child and her/his family; ecological and holistic concepts in social practice with children and families; projecting and planning actions for children care; looking for alternative forms of child care institutions like foster families (new types of foster families), familiar houses of care, daily support centers.

Consequences of those changes in the new child care system in Poland can be shorten to:

1. **new type of responsibility in child care system** and removing tasks of child's care from educational system to welfare system (new institution coordinating child's care in the local environments, which is called "Centers of Family Support");
2. **institution of child's care becomes an element of child's life environment and development**, being friendly for creating her/his socio-cultural identity and her/his (re)integration with natural family;
3. **institution of child's care is responsible for keeping proper contacts of a child with her/his parents** and supporting family through other social institutions with cooperation with other professionals, especially social workers;
4. **child's care institution is introducing new standards in the care** and implements new forms of child's and family assessment (diagnosis), which includes **card of the social development of each child** and **plan for care for the nearest future** (3-6 months) - elaborated with a child, professionals who are engaged

in care process and parents of the child.

5. **child's care institution is responsible for implementing** “the new ethic for children” through educating children about their rights (implementing **the right of the child to knowing her/his rights**)

5. Traditions and new approaches to the education of professionals for child care in Poland

The education of social pedagogues and social workers in Poland has always had many significant features related to the valuable traditions of academic training in the Second Polish Republic since 1925 (e.g. Helena Radlińska's concepts). Even in the “old” educational system in place until 1989, the education of social workers was neglected and mostly belonged to the secondary school system, some academic forms which were established in the seventies and some which had existed since the sixties in the field of the academic training of social pedagogues, pedagogues of care and special pedagogues/educators.

According to E. Marynowicz-Hetka, at least two educational options (models) in which to analyse the various approaches to education for social professions have emerged: the adaptive model and the developmental model (Marynowicz-Hetka E. 1996, 191). Nowadays the developmental model of training, represents heuristic-probability thought, where methods of discovery and action is applied in academic education. Training for a developmental model of social work has been applied in Poland for the last sixteen years, even though it was promoted by Radlinska as the “polyvalent model”. This model requires the use of skills of creativity and alternative thinking in the professional educational process and it can be useful, for example, in social planning, as well as in social projects. In this context, we can find ontological, epistemological and axiological sources of social functioning and acting in professional education for the social professions..

In the work of educating social professions working with children and families at risk, the concept of developing such competences and attitudes which correspond with reflective, professional practice.

There appear to be some questions related to these changes in the education of social workers who deal with children from risk families: Do

social workers possess the proper knowledge and skills related to new standards in child care?

- **How do they react to the new paradigm in the child care system?**
- **Do they agree with sharing responsibility of the child with family and different social institutions in the child's best interests?**
- **What are the new practices in coordinating social projects for children and families at risk?**

It means that during the academic education, social pedagogues and social workers are trained to be able to deal with these new tasks and challenges.

For many social pedagogues and social workers in Poland during last years, the main object of diagnosis and evaluation is the family – its needs and social, economic or educational threats, which are described in different monographic editions. Social workers have an unquestionably important role in those analyses. Through their “micro diagnosis” in the local communities, they are developing new knowledge which is founded on a theoretical background and which is useful for new social projects. Social pedagogues and social workers become aware of the main threats to family development and, through social diagnosis, highlight those categories of families that should be supported. At the practical level, they are planning and projecting the most adequate forms of socio-educational help, mostly for the families “at risk”, to create better chances for children and youth development, social participation and activities for adults, handicapped and old people (Kantowicz 2003, s.569).

Children in social care are often come from dysfunctional/risk families, where they have usually experienced different kinds of abuse and neglect. Child abuse and neglect in a family usually has a long history and symptomatic signs of prejudice, so it needs reliable investigation. In the process of diagnosis of child abuse, a pedagogue or social worker has to know not only the factors of children at risk in a family, but also that he or she should assume friendly attitudes towards the protection: a sensibility and readiness to turn against the facts of child abuse; a willingness to protect a child and to give them effective help; an acceptance of the possibility of cooperation with other institutions engaged in child abuse; a readiness to cooperate with specialists having

contact with the child and his/her family; and responsibility for the process of intervention.

On a positive note, current socio-pedagogical assessments indicate that even parents who occupy lower social positions and are at “social risk” show quite high levels of concern for the care and education of their children. It means that even if the life quality of the family and the living conditions are not sufficient, parents are aware of the importance of higher education and of the possibilities for their children possessing professional qualifications for a better future life.

Conclusions

“Child protection” does not mean the same in every country. In general, the term is used to include protective measures in the context of legislation, with a specific connotation of protection from every form of discrimination, neglect and abuse. Child welfare covers the wider field of support for children and families where there are social and psychological problems, and can be inclusive of “child protection” (Hetherington 1998, 72). Besides aspects of the necessity to undertake social, educational and therapeutic actions against the child’s prejudice in accordance with the best interest of the child, the protection has to be based on solid legislative regulations which allow a legal intervention and adequate help, and which allow sanctions to be applied to adults who are responsible for child and his or her abuse or neglect.

The new ethic for children widely considers special rights for children, and underlines the meaning of prevention and compensative actions for children, especially concentrating on support for families which show symptoms of risk for deprivation (Kantowicz 1998, 81).

In analyzing the child care system in Poland, we should underline the role of different socio-educational institutions in the context of the diagnosis and supporting process. Firstly, the contemporary social welfare system allows families at risk to be looked after and supported. It means that in local social service departments there is a register of families in care and outreach social workers are obliged to collect data about the situations in those families. With regular contact with dysfunctional families, it is easier to undertake early intervention in a situation of abuse and neglect. Secondly, Polish educational and social

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institutions, through professionally educated staff, are very aware about the protection of abused and neglected children.

Anyway, the ongoing process of change in the child welfare system has not yet resulted in many research projects. The first published cross-national study was undertaken through the initiative of the Children's Ombudsman by the Institute of Public Affairs (Raclaw-Markowska & Legat 2004). Overall, the research that has been undertaken documents a general acceptance of the reforms and the difficulties with implementation. It confirms, however, that the new paradigm in the child care system in Poland is expanding and is perceived as a promising acceptance of social/care professionals and local authorities.

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MIGRANT DOMESTIC WORK: CHALLENGES FOR NATIONAL AND EUROPEAN SOCIAL WORK

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Abstract:

In the last decade Western European households have come to rely increasingly on paid domestic labour, mainly women working in the informal sector, for services such as childcare, eldercare, cleaning etc. Many of these women are migrants and transmigrants from Eastern Europe, and a number of them have families themselves.

In this workshop we would like to explore the consequences of these domestic workers' migration, which has been described as a 'care drain', on their own family members. Recently, media attention has focused on a number of child suicides in Romania, with these suicides directly attributed to their mothers' working as domestic workers in other European countries. We suspect that the situation is more ambivalent, with many families depending on domestic workers' remittances on the one hand, but also forced to come to terms with mothers' (and daughters') absence, often for extended periods of time. How can social work in Romania and in Western Europe react to this situation? Which issues need to be addressed, which research questions do we need to ask, which strategies should social work develop, in Eastern as well as in Western Europe, to deal with the consequences of this migration pattern? What type of cooperation would be useful between social workers in the countries that send and the countries that receive migrant domestic workers?

Keywords: **migrants, domestic work, care drain**

The focus of our paper is on the domestic workers currently migrating to Germany and the issues we would like to raise here are quite straightforward: We would like to explore the consequences of domestic workers' migration, which has been described as a 'care drain', on their own family members.

How can social work in Romania and in Western Europe react to this situation? Which needs have to be addressed, which research questions do we need to ask, which strategies should social work develop, in Eastern as well as in Western Europe, to deal with the consequences of this migration pattern? What type of cooperation would be useful between social workers in the countries that send and the countries that receive migrant domestic workers?

In order to discuss these questions in a systematic way we think information on the demand side of this process is important and this is what we, coming from Germany, can provide. So we will start out by talking about social policies and the situation of families that has led to the influx of migrant domestic workers in Germany and will point out some characteristics of the German welfare state and show what this means in practical terms for German working women today.

Then we will ask what aspects of the current employment of domestic workers is a new phenomenon.

Finally, we will address the possible political implications of the current migration of domestic workers as we see it.

I. Some Basic Assumptions of the Construction of the Welfare State in Germany

The German welfare state is an institutionally conservative construction (Epsing-Andersen 1990), with social policies still following the "strong breadwinner model" (Lewis 1992). In this model, basic institutions of social policy assume that the traditional family is the fundamental unit providing welfare, i.e. it is the role of one member of the married couple (usually the husband) to be the main provider of income for the family through his participation in the labour market, while the role of the other half of the couple (usually the wife) is to concentrate her efforts on taking care of the household, the children and elderly family members and either not participate in the labour force at all or not work more than part time. There are many facilitators of this "ideal type" of family in our welfare system, e.g. this is the family that the

German tax system encourages, it is the family that our school system takes for granted, it is the reason why there is a lack of affordable official household services for the elderly and so on.

Today, this traditional model of the family is becoming increasingly problematic as the basis of social policy.¹ For many factors have played a role in changing the structure of family life in the last decades, and families cannot provide many of the services that are expected of them without outside help. We can only point out some of the more important developments here. One crucial factor is women's labour market participation which is closely intertwined with women's higher level of education in the younger generations. Married women's labour force participation in (the Western part of) Germany went up from 25% in 1950 to 52% in 2004 (Datenreport 2006:89, Engelbrech 1999). If you break down the numbers according to age groups, today you find more younger women in the labour market, more mothers working outside the home and even when they are unemployed, today's young women not tending to simply disappear into the housewife role, as some would expect, but continuing to look for paid work (this, of course, applies especially for the Eastern part of Germany, where virtually all women of working age were in the labour force during the GDR). Women's labour force participation in (West) Germany still is not as high as in other European countries, but the changes we have seen do have a slow and ongoing impact on the gendered division of labour in the work force². On the other hand, however, we can note virtually no parallel increase in the participation of men in housework and family work (Künzler 1994, 1995, Blossfeld 2006). So this is one source of a vacuum in the area of household work, as working women simply do not have the time to do not only their own housework but the work for their elderly parents and parents-in-law as well.

Another is the changing time and space of everyday life² and the structure of households, with new time and mobility patterns (Bauer/Gross/Schilling 1996) and decreasing household sizes. We find an increase in single person households (many of them elderly people), with the birth rate down and divorces increasingly commonplace, leading to a

¹ Born (1989), Born/Krüger/Lorenz-Meyer (1996) and Krüger et al (1987) have shown that historically the traditional model was never an uninterrupted pattern.

² Jurczyk/Rerrich 1993, Projektgruppe Alltägliche Lebensführung 1995, Voß 1991, <http://www.arbeitenundleben.de/alf-start.htm>

larger number of single parent families, usually single mother households with their children. Living together outside of marriage or 'living apart together' have also become quite normal, so we now also have a larger variety of household and family structures (Bundesministerium 1997, Nave-Herz 2002).

The result of all this is that the prevailing image in West Germany of the typical German household, with the traditional male breadwinner working a full working day continuously and a housewife staying home to look after the children is simply no longer the dominant pattern of everyday life in Germany (even though of course it is still very common). However, German social policy remains based on this assumption of one family pattern of a traditional family nonetheless. This is where paid family helpers play an important role.

For one of the most important factors structuring women's participation in the labour market today is their access to other women's paid and unpaid work. Originally, as women's labour force participation started to increase markedly, family sociologists started out to study this phenomenon by asking: how are patterns in the division of labour in families being negotiated and maybe changing between mothers and fathers when both parents are in the labour force? (and of course that remains an interesting research question). But empirically, we found that the essentially more interesting area of analysis was the complex process in which work is being redistributed between women when mothers go out to work. The extent to which women can be employed at all depends to a very large part on the extent to which they could fall back on other women to "substitute" for them at home. These other women could be grandmothers³, neighbours and friends in their informal mothers' network, paid child minders, babysitters, au pair girls, cleaners etc. - there is often a combination. All in all, reallocation of family work within the kinship network is more important for lower class women, whereas in middle class families, childcare activities tend to be negotiated within mothers' informal networks. And, of course, employing other women to

³ Currently, the redistribution of housework and family work is still mainly taking place within the family network. Grandmothers are the main source of childcare for employed women with children under the age of three in Germany (Moss 1990, Tietze/Roßbach 1992)). However, for many reasons this pattern of support is not likely to be as available in the future.

perform household and childcare activities is very much more important in middle class households for financial reasons.

Here are two examples of how these patterns come together in two families:

Barbara Sommer

Barbara is the main breadwinner of a family with 4 children between the ages of 1 and 9. She works as a very successful journalist, is married to another journalist and lives in a large house on the outskirts of Munich. She and her husband long ago agreed that she would be the 'career person' of the family and he - being neither particularly ambitious nor particularly successful in his career - would be the one to adjust his schedule to hers and the family's needs. Barbara's husband invests far less time in his job than she does, works out of his office in the house and is there most afternoons when the children come home from kindergarten and school. The household also includes a live-in au pair from the Ukraine. The family employs a transmigrant Polish cleaner who comes twice a week and a local German woman to do the ironing. Plus, there are many mothers in the neighbourhood carpooling for the children's activities and, if push comes to shove, there is always Barbara's mother who lives 500 kilometers away but is willing to come to stay and cope with emergencies. Barbara is in the hub of this network organizing everything with a tremendous amount of energy, her full time job notwithstanding. Her lifestyle works for her, but it probably wouldn't for everyone. Often, if she has a deadline to meet, Barbara goes to bed directly after supper the same time as her children at 8 o'clock and sets her alarm clock for 2 or 3 o'clock in the morning to be able to get in some hours of work at her desk without interruptions.

The second example:

Petra Ullmann

Petra works full time as a school teacher and has a fourteen year old daughter. She used to work part time, but went back to a full time schedule after her husband, who was also a teacher, was killed in a car accident several years ago. She lives in Munich next door to her mother, who was her main support after she became a widow and who now needs Petra's help after a major operation. Because of her job, Petra's schedule is very compatible with her daughter's, but with the added responsibility for her ailing mother and two households to care for, Petra says she can only work full time thanks to her two wonderfully reliable Polish cleaners who take care of most of the routine household chores in both her and her

mother's home. Why two cleaners? These two women are sisters, who both used to have jobs for the Polish state administration that disappeared with the collapse of socialism in Poland. For many years the sisters have been taking turns travelling from Poland to Munich and back again in a revolving door type of system, sharing their black market cleaning jobs in Munich as well as their family work in their Polish home town, with one sister looking after both sisters' families at home and the other cleaning for 'their' families in Munich for several weeks at a time.

What do we see here?

Barbara's case points to the fact that the new division of labour between women is not simply a zero sum game, with one group of women being freed from household work by simply handing it over to another group of less privileged women. Instead, we see a complex tableau of women cooperating in varying roles – paid & unpaid, family members & non-family members – and in this case we can also see a man who is very involved. However, even when men take on an unusual degree of responsibility for everyday life in the family as in this example, it is still typically the mother's job to coordinate the various threads and strands of the work of everyday life, even when she has a full time job and she is the main breadwinner.

Petra's case, on the other hand, points to the obvious fact that mothers' labour market strategies are not only dependent on support from older women in the family network, but are can also be restricted by their responsibilities for the elder generation. It is also a typical case in the sense that we see a middle class German professional working mother with a secure job in the formal economy allocating domestic work for pay to foreign women working informally.⁴

⁴ Saskia Sassen points out: "The expansion of the high-income workforce in conjunction with the emergence of new cultural forms has led to a process of high-income gentrification that rests, in the last analysis, on the availability of a vast supply of low-wage workers. This has reintroduced - to an extent not seen in a very long time - the whole notion of the 'serving classes' in contemporary high-income households. The immigrant woman serving the white middle-class professional woman has replaced the traditional image of the black female servant serving the white master." (Sassen 1998:190f.)

A new 'servant class' of immigrant women, many of them transmigrants⁵ of East European origin, are emerging as an important resource for middle class German households.

Womens' participation in the labour market of one nation thus very much depends on the circumstances and strategies of women in the labour market of other nations and vice versa, as the case of these transmigrant domestic workers shows. In other words, the threads of interdependence between working women are often enmeshed in a transnational pattern.

We know that many of the foreign women German mothers hire to do domestic work in order to be able to participate in the labour market are mothers themselves, employing quite complicated labour market strategies of their own. And these strategies, too, are part of an extremely complex pattern of everyday life that these foreign mothers are constructing as transmigrants moving back and forth between two countries. Here we think it is important to see how objective and subjective options are intertwined. The Polish sisters do not want to leave their home town, but their economic circumstances and their local labour market leave them very few alternatives. So they are establishing an intricate pattern of everyday life for themselves as transmigrants, who, as Morokvasic (1994) would put it, are people who leave home in order to be able to stay at home. And they are also establishing a certain lifestyle for the family members who are left behind, about which we know very little so far.

II. An Old or a New Pattern? Or an Old New Pattern?

Which of these patterns are old, which are new? This question is easily put, but difficult to answer, because we do not have enough historical research with a focus on these issues. Older feminist studies in Germany on women's family work, for instance, usually did not look for signs of other women's work in the household but stressed the aspect of the housewife and mother's contribution to society as a type of work in its own right, and if the mothers studied were involved in the labour force

⁵ See Rerrich (1999), Rerrich (2006), Lutz (2007), Lutz (2008). For a discussion of concepts of transmigration, see the contributions in Pries (1997), especially Schiller et al. (1997). For a discussion of the relationship between German professional women and their East European domestic workers, see Friese (1995a, 1995b) and Thiessen (1997). See also Behning (1997), Hillmann (1996), Morokvasic (1994), Odierna/Baumann (1992), Odierna (1998).

as well, the focus of research was usually on the working mother's double day and the search for changing patterns in the division of labour between working mothers and their partners. But once one starts to look for it, one can see examples of a pattern of women supporting women in varying forms and at many different times during the whole of the 20th century.

For example, forced labour in the National Socialist period in Germany included half a million East European women forced to work in large German family households (Mendel 1994). A study of working mothers in the 1960s (Pfeil 1961) mentions grandmothers and paid domestic workers as these mothers' main support on the level of the everyday.

Transnational migration of domestic servants is also certainly not a new phenomenon. For a long time it has been a typical feature of women's migration processes (Bochsler/Gisiger 1989a, 1989b, Chaney/Castro 1989, Katzman 1978, Orth 1993, Wehner-Franco 1994, Wierling 1987).

But are any characteristics of the patterns we are witnessing today new? Three aspects may be not completely new, however they are much more important than they used to be.⁶

First, the aspect of widespread substitution (as opposed to support). Women working in the household today are not mainly assisting housewives, very often they are substitutes for (part of) the housewife and mother's activity and often the major resource setting German women free and enabling them to participate in the labour market. So this is not just a new version of the historical case of women working for and with other women within the context of the household but a rather new pattern in the division of labour, of cooperation and of mutual dependence between women, as well as a very different everyday experience for all concerned.

Second, the aspect of flexibility. We need to note the increasing flexibility of everyday life as a whole, e.g. as a result of increased mobility. For instance, often patterns of cooperation seem to be structured in very short cycles and adjusted and readjusted according to the demands of circumstances that can change very quickly.

Third, the aspect of qualification. Today we see not only unqualified women performing domestic work in the households of

⁶ For a more comprehensive discussion: Ehrenreich/Hochschild (2002), Rerrich (2006), Gather, Geissler, Rerrich (2008), Lutz (2008).

qualified women, but, at least in the German case, many qualified women working in the households of other qualified women. For one thing today's women are more qualified than their grandmothers of former generations were. And for another we can see educated women of some nations leaving their country of origin after their educational achievement has become worthless or less valuable in the context of their local or national labour market, in order to perform domestic work for pay in other countries.

III. Towards a Modernization of Patriarchal Family Structures? Some Possible Political Implications

What do we make of the redistribution of work between women as we have tried to describe it in the political analysis? Several obvious conclusions come to mind.

First, although there has been a great deal of political talk about increasing equality between women and men, more participation of women and mothers in the labour market is not yet leading to a significantly more equal distribution of household and family work between women and men, at least not in Germany. But important processes of redistribution of family work are taking place nonetheless. We are witnessing a modernization of patriarchal family structures as family work is redistributed mainly between different groups of women. If this hypothesis is supported by further research we would have to recognize that (at least German) women's progress in the public sphere is not happening thanks mainly to increasing equality between the sexes, but more likely mainly due to increasing inequality between women.

Second, a number of factors point to the assumption that the new "demarcation lines" emerging between various groups of women follow some of the classical dimensions of social inequality such as age, class, race and ethnic background (Glenn 1992). Younger, wealthier German women and men will be increasingly likely to delegate family work to older, socially disadvantaged and/or foreign women. (And we wonder whether this is not also the case for the migrant domestic workers themselves, when they look for care arrangements for the children and the older people left behind in their home countries.)

Third, we think it is not primarily women themselves who are responsible for such emerging new patterns of inequality between women. Rather, new hierarchies are the result of the interaction of the

situation of two structurally disadvantaged groups in the labour market.⁷ With little or no support for women with family responsibilities in the labour market by social policies still defining work as only taking place outside the home, of course working women will resort to seeking support for family work individually, wherever they can find it. On the other hand, for many groups of migrant women private households are the only part of the economy providing any type of employment at all. Thus, we are witnessing a meeting of supply and demand in a situation that is, it seems, not the result first and foremost of one group of women exploiting another, as some would argue, but first and foremost the result of the problematic structure of the German welfare state in conjunction with the economic hardships and labour market policies of less affluent countries.

In the short run this meeting of supply and demand may be helpful for both groups, providing much needed day-to-day support for some women and much needed income for others. But in the long run, the patriarchal division of labour in German families is simply being modernized rather than challenged in any significant way, as new patterns of social inequality between women are established.⁸ Housework, childcare, care for the ill and the elderly remain mostly women's work in Germany, whether in the public or the private sphere, for love or for money.

And the cost of this "solution" to the housework vacuum in Germany for the countries that many of our domestic workers come from is an open question that we would like to turn to in our discussion now.

⁷ It is important to emphasize that this is not a problem women themselves are responsible for but, rather, the result of a structural one because currently, both groups tend not to politicize this situation but to treat it as their "dirty little secret" - working mothers maybe because they do not live up to the superwoman image, helpers maybe because working in other people's homes offers little prestige and is often illegal.

⁸ This idea was first put forward in Rerrich (1996).

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PART II

SOCIAL INCLUSION OF VULNERABLE GROUPS, PARTICULARLY CHILDREN AND MINORITIES

THE CHALLENGING RETURN: REINTEGRATION OF VICTIMS OF TRAFFICKING FOR SEXUAL EXPLOITATION

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Abstract:

This paper discusses challenges related to the rehabilitation and reintegration of girls and women who are victims of trafficking for sexual exploitation. The discussion is primarily based on findings from a research project on the rehabilitation of victims of trafficking in Serbia, Moldova and Italy.

The project included repeated fieldworks and a series of interviews – with victims of trafficking, rehabilitation professionals, and representatives of various departments, institutions, and organisations involved in the referral, rehabilitation, and reintegration of victims of trafficking. These include representatives of the police and other law enforcement agencies, immigration authorities, local social work offices, and nongovernmental organisations. The majority of the fieldwork and interviews were carried out in Serbia, but some also in Moldova and Italy – the latter known as sending and receiving countries, respectively, for women trafficked through and/or from Serbia.

Reintegration programmes designed for victims of trafficking for sexual exploitation are often initiated through specific rehabilitation activities and services provided in safe houses or shelters. The design and concrete contents of these programmes vary widely, but they are all commonly based on an expectation of a gradual transition towards an independent life without professional assistance.

The paper explores in particular obstacles to a dignified and smooth reintegration and victims' ways of coping with these. These include both challenges rooted in the society at large and in the respective rehabilitation models designed to assist the victims in their reintegration. One of the circumstances that tend to make this transition/reintegration demanding is the fact that a large number of trafficked women come from traditional, male-dominated societies where there is little or no understanding of the fact that trafficking is a criminal offence and of the woman as a victim of organised crime. In fear of being stigmatised and of encountering prejudices, some trafficking victims see no other option than silencing their experiences by cover stories and lies.

The paper stresses the need to take these conditions into consideration when designing reintegration programmes, for instance by facilitating networks or arenas that will allow women to seek support and fellowship. The paper also argues that the wide variety of individual histories, experiences, and future prospects found among trafficked women indicate a need for diverse and flexible reintegration programmes with a holistic approach.

Keywords: Reintegration; trafficking; victims; stigma; prejudices

Introduction

In collaboration with two Serbian researchers (representing the Serbian NGO Victimology Society of Serbia) we in 2005 concluded a research project related to the identification, rehabilitation, and reintegration of victims of trafficking for sexual exploitation. A particular aim of the project was to explore whether and in what ways victims' expectations and needs are met during these processes.

The report (*A Life of One's Own*) from this project is based on repeated fieldworks and a series of interviews – with victims of trafficking, rehabilitation professionals, and representatives of various departments, institutions, and organisations involved in the referral, rehabilitation, and reintegration of victims of trafficking (Bjerkan, ed., 2005). These include representatives of the police and other law enforcement agencies, immigration authorities, local social work offices, and nongovernmental organisations. The majority of the fieldwork and interviews were carried out in Serbia, but some also in Moldova and Italy – the latter known as sending and receiving countries, respectively, for women trafficked through and/or from Serbia.

Trafficking in persons

In order to meet the demands produced by the constantly changing dynamics of trafficking, subsequent international documents have been produced. The most recent is the United Nations Protocol to Prevent,

Suppress and Punish Trafficking in Persons, especially Women and Children (2000) – often referred to as the Palermo Protocol.¹ Article 3 (a) of the Protocol defines “trafficking in persons” as consisting of a set of acts and a set of means:

“the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”

It further defines “exploitation” to include, at a minimum, “the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”;

The following sub paragraph, 3 (b), emphasises that the **consent** of a victim of trafficking (in persons) “to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used.”

Furthermore, sub paragraph 3 (c) stresses that the recruitment, transportation, transfer, harbouring, or receipt of a child² for the purpose of exploitation, “shall be considered ‘trafficking in persons’ even if this does not involve any of the means set forth in subparagraph (a) of this article”.

Trafficking in persons is rated as the world’s second largest and fastest growing international, illegal economy. We have all heard different numbers suggested as to how many persons who annually become victims of trafficking. Whatever number one hears (500 000 or 4 million), it is important to keep in mind that these numbers are based on estimates, or as Elizabeth Kelly (2002), one of the senior researchers and writers on trafficking, has phrased it – they are not even estimates, but “guesstimates”.

¹ This protocol is a supplement to the *United Nations Convention Against Transnational Organized Crime* (2000).

² Article 3 (d) defines “child” as “any person under eighteen years of age.”

Recruitment and vulnerability

We have on several occasions been giving presentations based on our research. Often, we are asked why – after several awareness raising and preventive campaigns – women are still being trafficked. Does this mean the campaigns have no effect? Based on our research findings, we believe some of the answer to this can be found in the ways women are recruited:

Whereas women were earlier often recruited to jobs abroad through false advertisements, at the time of our research they were commonly recruited and betrayed by persons they trust – for instance a neighbour, a friend, or even their own relatives. Moreover, the recruiters are often women. This change in recruitment pattern indicates some of the constantly changing character of trafficking – and reflects the fact that the trafficking networks seem to always be one step ahead of both the police and anti-trafficking organisations.

Cynical recruitment methods are of course not the only explanation to why women remain vulnerable to trafficking. Poverty is for instance frequently mentioned as the root cause of trafficking. To some extent this may be true, but it is not necessarily an exhaustive explanation at the individual level. In reality, the vast majority of women living in poverty do not become prostitutes, and do not become victims of trafficking. However, at a structural level, poverty may be a better explanation, as it may be part of a larger complex consisting of a general breakdown of structures, corruption and the spread of organised crime; all elements that may contribute to an environment where trafficking is possible.

Forms of control and manipulation

As earlier indicated, a large number of women trafficked for sexual exploitation has been recruited and betrayed by people they know and trust. This recruitment procedure ensures that the larger trafficking networks may easily be provided with detailed information about the women's backgrounds, relations, and immediate surroundings.

A psychologist who for several years has worked closely with victims of trafficking told us that she has started to see a pattern in the way traffickers gain the trust of their victims:

Provided the person who intends to exploit a woman knows some details about her family relations, he (or she) will know how to make the woman feel appreciated and valued. Gradually he starts treating her

worse, but at the same time he continuously makes sure she does not give up hoping the situation will improve.

The psychologist illustrated this by the case of a girl who had been trafficked through Albania to Italy:

The girl, who came from an abusive family background, was first taken to Albania, where she was sold on to a young man who told her frankly that his intention had been to exploit her sexually. However, he claimed, after he met her he did not want to exploit her. Soon they became a couple and spent quite some time together in Albania.

When the psychologist first met the girl, several months later, the girl referred to this period as the most beautiful time of her life; she said she had never been treated so nicely before. She recalled in particular how they had celebrated her birthday all night and not gone to bed until early the next morning – and when her boyfriend woke her up later that day, he gave her a diamond ring.

The psychologist presented her analysis of this particular case in this way:

When the girl spoke about this period, she addressed it as if it was a separate period – as if she had never seen this man again. However, it turned out it was the same man who later brought her to Italy, forced her into street prostitution, and demanded she made 1000 euros each night, if not he would get extremely violent. Every time he sensed she could not take more violence, he started talking about the nice time they had spent together in Albania.

“This is a very sophisticated way of exercising force,” the psychologist concluded. She also emphasised the emotional vulnerability of women whose backgrounds are marked by abuse in one form or the other – vulnerability caused by a longing for love, attention and care. Consequently, she warned against simplifying the relationships that have been established between traffickers and their victims: “These relationships are not black and white”, she said, “but on the contrary often extremely complex.”

Rehabilitation

Whereas some women are subject to severe forms of physical violence, others are kept “captive behind open doors” by targeted and effective forms of manipulation and threats posed by the traffickers. Anyhow, for the victims a consequence is a total loss of control and influence over their own lives. Depending on the length and contents of

the trafficking experience, the women may find the transition back to independence and to regaining control more or less challenging.

Our observations indicate that certain phases, or stages, of the rehabilitation process are marked by higher levels of uncertainty than others: This is particularly true of the phases involving a physical transition – such as: from a police station or a hospital to a rehabilitation shelter; from one shelter to another; or from the country of destination to the country of origin. Our findings indicate that the routines as to how and when victims are prepared for a physical transition differ from country to country, and also from one organisation to the other. Moreover, although the shelter employees and other rehabilitation professionals – in our interviews with them – clearly recognised the importance of cooperation and exchange of information with colleagues across borders, in practice they rarely got the opportunity to do so. The relatively limited flow of information between shelters in the region reduces the victims' ability to make informed decisions with regard to their future. What could be a continuum between the different shelters and their programmes often ends up being completely separate, sometimes repeated, stages in the women's transition through the process of rehabilitation.

The challenging reintegration

A large number of the female victims of trafficking for sexual exploitation come from traditional, male-dominated societies where there is little or no understanding of trafficking as a criminal offence, and of the woman as a victim of organised crime. It is known that the majority of the victims choose not to share their experiences with anyone out of fear of stigma and prejudices. This indicates that many of the women struggle on their own in dealing with memories of their painful past.

The fear of stigma and prejudices forces women to develop cover stories and to produce lies that they may have to live with for the rest of their lives. While these lies are a woman's only way of coping with an environment that is not prepared to accept their experiences, this could also be seen as yet another form of revictimisation that turns her into a victim of secrecy and silence.

Nina and Anita were at a very young age trafficked to Turkey and forced into prostitution by violent traffickers. When they finally managed to escape and return home, only Nina chose to tell her parents what had

happened to them. Anita said she could not imagine what would happen to her if her parents got to know.

Anita said: “Although they do not know anything yet, they still do not respect me simply because I was abroad without bringing any money back home. If they knew, I am sure I would not be allowed ever to come and see them again ...”

They both said they feel very stressful, in particular in relation to their parents. They also do not trust anyone anymore. Before they travelled abroad, they used to be happy and easy going, but their experience abroad has changed them both entirely. “I was a virgin when I left,” Anita said with tears in her eyes.

Both Nina and Anita have a dream of finding good boyfriends, getting married and having children. However, whereas Nina believes she would tell her boyfriend everything that happened to her, Anita has decided she wants to hide it – also from him.

Although they are well aware they were both innocent to what happened to them, they still sometimes feel guilty because they accepted to travel abroad and blame themselves with the thought that if only they had stayed at home, nothing would have happened to them.

The privacy and seclusion marking the reintegration of victims of trafficking is commonly at its most intense at the time of return to their native communities. This is the time when the women often have to decide for themselves whether or not to share the truth about their exploitation.

One of our respondents said that although she was not sure that her family would have rejected her if they learned the truth, she chose not to tell them out of fear it would cause them a lot of pain. As a general remark, she said: “Reintegration is difficult when you leave the country to earn money and return home without anything at all”. Another woman, who had been trafficked and sexually exploited over a number of years, told us she had experienced it as very unpleasant to return to her family without bringing with her any money. During the years she had been away from home, she had consciously led her family to believe she had a proper job and that she earned good money. Upon her return, she found herself forced to produce yet another lie to explain for them why she returned without money: “Sometimes it is better to lie to protect your family”, she said. However, even lies cannot always give protection from gossip and social exclusion:

Kristina who had been trafficked to Turkey and forced into prostitution had not yet told her parents what happened to her abroad. However, they knew she had been in Turkey and everybody in the village assumed that if you, as a woman, had been in Turkey, you had been a prostitute. Kristina's mother blamed her daughter for not being able to go to the village market any longer without having people laughing at her. Kristina experienced that nobody in her village supported her, not even her own sisters.

Once during her stay in Turkey she had managed to call home and asked her elder sisters to send her some money. Kristina was in prison at the time and had no money to buy food. Her sister had responded: "If you are in Turkey, you should have money. If you really do not have money, you better stay there and not come home."

There are also women who chose to share the truth with their families and who may experience unexpected support. Jasmina, for instance, who had been trafficked to Albania and violently abused, told her mother and brother what had happened to her. In their case this strengthened their relationship. Jasmina said she was happy that she had decided to be honest with them, but she had decided not to share her story with anyone else.

Other women choose different strategies to get outlet of their frustrations and memories. For instance, one woman we were told about did not tell her parents or other family members about her experiences, but had rather chosen to tell everything to a man whom she had only known for three days. He had tried to prevent her, but she did not want to stop – it was important for her to tell him the whole story. Then, three days later she left him.

Ultimately, the silence most victims of trafficking cover themselves behind implies that the truth about trafficking is rarely communicated to the women's local communities. Consequently, trafficked women's lies and fake stories may, unintentionally, tempt others into following in their footsteps.

Conclusion

To break the vicious circle of silence, changes are required on both structural and individual levels – in both countries of origin and of destination. In destination countries, for instance Norway and Sweden, trafficking in women and children has over the past few years been given extensive political attention and media coverage. Often has the horrifying experiences of victims of trafficking provided political will to support initiatives in the form of rehabilitation and reintegration. In other words, it is after having become victims of trafficking the women are given attention from donor countries.

Take for instance the well-known film “Lilja 4-ever”. The film is about a girl who lived in the former Soviet Union, and who travels to Sweden in search of a new life – concretely to pick strawberries and fruits in the middle of the winter. She is, however, caught by brutal pimps, raped, and forced to prostitution. In the end she commits suicide.

Martin Wyss, chief of mission of the International Organisation for Migration in Moldova, in an interview questioned the fact that – in his experience – most people who have seen the movie are shocked and even cry about the terrible things happening to Lilja in Sweden, but seem quite untouched about the “normal” poverty and despair she had to face at home. This despite the fact that it is clearly her bad situation at home that directly led to her taking the risk of leaving for Sweden. In short, everybody focuses on the consequences of trafficking rather than the reasons that lead to it. This is very, very strange, Mr Wyss goes on to say, because at least two thirds of the movie are about Lilia being pushed into “running away” – she has no hope, no help and no future – she is clearly at risk before she leaves.

As we know, all women in poor countries are not likely to become victims of trafficking. However, some women are more at risk of being trafficked than others. If we manage to identify risk factors, we can also indicate and identify risk groups. As argued by Mr Wyss, if we can identify these risk groups, we can create alternatives that can truly prevent trafficking. But, Mr Wyss, remarks, it takes time to shift the focus from victims of trafficking in countries of destination to the “only” potential victims in countries of origin.

Women who have been identified as victims of trafficking have the right to be offered proper and dignified assistance in the form of programmes of rehabilitation and reintegration. However, in our view,

greater attention needs to be directed to prevent women from becoming victims of trafficking in the first place.

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CHILD WELFARE IN ESTONIA: NEW CHALLENGES AND DIRECTIONS IN POLICY AND PRACTICE

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Abstract:

Child welfare in Estonia is characterized by various unique problems, such as the increasing number of families in need, the shortage of preventive and supportive services, and the lack of consistency and coordination in child protection work. These disadvantages are intensified by current Western European influences on Estonian family structure, such as rising divorce rates, increasing single motherhood and the higher risk of poverty that results from these phenomena. Since re-independence from the Soviet Union in 1991, the Estonian people have enjoyed increased personal freedom, expansion of human rights, a resurgence of Estonian ethnic identity and some Estonians have experienced a dramatic increase in their standards of living. However, the demographic and social changes since re-independence have created serious welfare problems for children and their families. Findings suggest that despite the positive changes in the lives of many Estonian people, problems of children and families are growing in frequency and intensity. For example, rates of HIV are rising as are substance abuse problems along with behavioural problems and violence among children. Today Estonia must cope with the downside of capitalism such as unemployment, homelessness, socioeconomic inequality, poverty and psychological stress, and of course, these factors affect the everyday lives and well-being of Estonian children. The Estonian government has made initial attempts to improve the lives of children such as establishing a child protection system, promoting non-violent parenting, and emphasizing the importance of family values. Despite these efforts, services to troubled children and families are fragmented, inconsistent, insufficient and nonexistent in certain blighted regions of the country. Current services do not meet the real needs of Estonian children.

The author will discuss about the strategies and concepts and with an emphasis on rights and inclusion of children and changes needed in the Estonian child protective system and legislation that will more adequately address the needs of children in this rapidly growing and transitioning nation.

Keywords: Estonia, child welfare, child protection, children at risk, children's rights

General overview of the child population in Estonia

According to the statistics, in 2007 the estimated number of the child population of Estonia was 258 515 children (aged 0-17 years) or 19% of the total population. In 2002 the number of children aged 0-17 years was 297 274 or 22% of the total population and in the year 1990 – 459 853 and 29% accordingly. Since 1995 there has been an excess of deaths over births. In 1990 a total of 22 304 children were born in Estonia (natural increase 2773); the number for 2002 was 13 001 children (natural increase -5354) and in the year 1990 the number of children born was 15 775 (natural increase -1634) (Statistics Estonia 2008a). At present Estonia is characterised by the birth rate lower than or considerably lower than gross reproduction rate (Kask, Mertsina 2007, 19).

Children and poverty

Social changes in the contemporary society is causing poverty and deprivation, inability effectively to participate in the economic, and social life of the society for some of the individuals and families (Sutton 2006; Chapin 2007). In recent years, social exclusion has been more and more recognised as a social problem at the European level (Statistical Yearbook of Estonia 2007, 131).

Social exclusion in Estonian society, the changes in the society have brought a decline in the population's social well-being. The question of reducing the poverty among children is one of the priorities in Estonian social sphere. To define poverty equalised income is used. The main poverty indicator is the at-risk-of-poverty rate, which is defined as the share of people receiving equalised income that is at least 60% lower than the overall median income. According to statistics, in 2004 18% of the Estonian population received the equalised income that remained below this level. By age, children aged 15 or less face the greatest risk of falling into poverty (Statistical Yearbook of Estonia 2007, 132). At-risk-of-poverty rate among children aged 15 or less was 21% in 2000, 18% in 2002 and 20% in 2005. The risk of the poverty is the highest in the households with only one adult member, even worse with a child or children – 37% of people in single parent households were living in relative poverty in 2000, 35% in 2002 and 41% in 2005 (Statistics Estonia 2008b).

Social transfers can be served to reduce the number of the poor in the society. The relevance of social transfers in relieving the poverty is

indicated by the relative at-risk-of-poverty rate before social transfers in 2004 – 39%, which has fallen to the level of 18% due to transfers (Kask, Metsina 2007, 23). The same year benefits (child benefits, disability benefits, etc.) prevented 6% of the population from falling into poverty and helped 13% of children to avoid poverty in 2004 (Statistical Yearbook of Estonia 2007, 133). Võrk and Paulus (2007) have studied how social transfers alleviate the poverty of families with children. The analysis showed that in 2000-2007 social transfers have reduced the poverty (relative at-risk-of-poverty) in this group of population (mainly families with 3 or more children) almost by one third – 20 thousand children or 8-10%. At-risk-of-poverty rate before social transfers (excl. pensions) among children aged 0-15 was 33% in 2000, 29% in 2002 and 31% in 2005 (Statistics Estonia 2008b). Children in families at risk of being poor have less possibilities to have their basic needs met. Poverty results in the non-fulfillment of various needs, and physiological, security, self-actualization, self-esteem, and other needs may suffer. According to Heiner (2006, 89) compared to nonpoor children, poor children are one-third as likely to have had adequate prenatal care, almost twice as likely to be born prematurely, twice as likely to be repeat a grade in school, and about three and a half times more likely to be expelled from school.

Children at risk and need for the help

UNICEF has reported the marked increase in institutional care of Central Europe and the Baltic States during the period of transition, and especially drawn attention to higher rates of child abandonment and rises in poverty-related causes and dysfunctional parenting (see Gudbrandsson 2004).

In the changing society in Estonia, many families with children are in a difficult situation for providing well-being for their children. The number of children left without parental care has increased. In 1995, 1134 children were registered during the year as new clients (children and under 18-year-olds left without parental care), in 2004 the number was 1092 and in 2007 – 1529 (this represents 0.6% of the total child population of Estonia). Registered children who were placed into social welfare institutions these years were 890, 1073 and 543 accordingly. The number of children whose parents have been deprived of parental rights

by court decision or who have been isolated from family by legal decision, was 81 in 1995, 187 in 2002 and 217 in 2007 (Statistics Estonia 2008c).

The number of social welfare institutions has increased, in 1990 there was 26 social welfare institutions for children in Estonia, since 2004 the number has increased up to 38. The number of wards in social welfare institutions for children was 1523 in 1990, 1549 in 2004 and 1621 in 2006 (Statistics Estonia 2008b d). A very low percentage of the children in institutions (between 1-2%) are actually orphans. The majority of the children come from families living under unfavourable social conditions. The difficult and unstable economic situation, which has led to abuse of alcohol and violence, must be regarded as the main reason so many children are neglected and placed in institutional or alternative care. The need for support and help for neglected children has increased constantly. F.e the reasons staying in shelters and rehabilitation centers were mainly lack of dwelling-place (14% of the reasons in 2004 and 19% in 2006), parents abuse of alcohol (11% of the reasons in 2004 and 12% in 2006), violence at home (10% of the reasons in 2004 and 11% in 2006), negligence at home (9% of the reasons in 2004 and 10% in 2006), etc. (ibid.). In 2007 from 1529 registered children 178 were placed into social welfare institutions for children (238 in 2002), 72 children were placed to biological families (441 in 2002), 231 children to foster families (392 in 2002) (Statistics Estonia 2008c).

Child welfare in Estonia

The child welfare system in Estonia is a continuum of programs and services available to children who are at risk of abuse or neglect, or who have experienced abuse or neglect, and their families. Accordingly the primary goal of the child welfare system is to protect children from maltreatment by their parents or other caregivers. The child welfare system also strives to support families by promoting the obligations of parents and caregivers to raise children to the best of their abilities (Lai 2006). Parents have the main responsibility for their children. In case parents are not capable of taking care of children, the state intervenes. Children's welfare is organised on the levels of both state and local governments (guardianship authority for children living in their territory). On the Governmental level the Social Welfare Department of the Ministry of Social Affairs is responsible for coordinating and planning of child welfare work nationwide and creating necessary legislative grounds

for the proper development of the area. For the administration of child welfare and the creation of an environment favourable for child development, local governments shall support children and persons raising children.

National policies and strategies for children at risk

Adequate protection of children requires vastly improved social support for families as well as appropriate legislation (Kufeldt, Simard, Thomas, Vachon 2005, 310). It is the primary responsibility of states to establish policies, laws and services for the protection of children. These should address standards of childcare and regulate practice and agencies providing the services (Van Voorst 2006).

The highest level and most fundamental document relating to the legal position of children and their families in Estonia is the Constitution of the Republic of Estonia (1992). It guarantees the right to the protection of the state and of the law and it states that the protection of parents and children shall be provided by law. To promote children's well-being and to safeguard children's rights in Estonia, following main frameworks are used: Convention on the Rights of the Child (1989), the Republic of Estonia Child Protection Act (1992), the Family Law Act (1994), the Social Welfare Act (1995), the strategy for safeguarding child's rights (2003), and the concept of child welfare (2005).

Estonia joined the UN Convention on the Rights of the Child on 26 September, 1991. In 2001, Estonia submitted a report to the UN Committee on the Rights of the Child; the Committee examined the situation of children's rights in Estonia and put forward their suggestions at the beginning of the year 2003. The Committee criticized the implementation side of the Child Protection Act and expressed their hope that Estonia will take the necessary steps immediately to ensure the rights of the child in real life (the Act mentions the rights, freedoms and duties of the child in detail but does not regulate the implementation issues; the Act has been seen as ineffective in promoting appropriate child protection practice and prevention work with families). In addition to that, it was noted that Estonia lacks an efficient coordination system in the field of child protection, which should be established as soon as possible. The Committee is concerned that there is no process of harmonization between the existing legislation and the Convention and between the various legislative acts. The Committee voiced their hope that Estonia

will finish the national strategy concerning the ensurance of children's rights (United Nations 2003).

In accordance with the suggestions by the UN Committee on the Rights of the Child, the Government of the Republic approved on 16 October, 2003 the strategy for the ensurance of child's rights, directed at the more efficient and concerted compliance with the Convention in Estonia. The implementation of the strategy's action plan is expected to result in the improvement in the efficiency of the organization of the protection of children's rights and promotion of well-being. The action plan foresees a number of activities, the completion of which should bring along a more efficient cooperation between child welfare specialists, improvement in the quality of positive and reactive measures, which, in turn, should result in the increased welfare of children (incl. children with special needs) and in more adequate satisfaction of children's needs. The strategy also brings out short-term objectives (satisfaction of the child's basic needs, satisfaction of the child's special needs, and the child's need for the support of the family, community and environment).

Henberg (2003) has criticized the strategy for non-inclusion of the following: the establishment of the systems for monitoring the rights of the child; the solution of coordination issues in the field of child welfare; the solution of the problems of underage offenders and minors in custodial institutions; the solution of the problem of child welfare specialists' professionalism; and the solution of the problem of planning national and local resources. The overall welfare of children can be improved and the services directed at children developed only if children and all issues connected with children are a priority in the budgetary policy and special attention is paid to these during the process of drafting the budget. In Estonia, before the state and local government budgets are approved, their potential effect on children is not evaluated in detail.

The Republic of Estonia Child Protection Act (1992), passed 8 June 1992 and entered into force 1 January 1993, provides for the internationally recognised rights, freedoms and duties of the child and protection thereof in the Republic of Estonia. The act provides the basis for other legislation of general application of the Republic of Estonia concerning child protection (§1). Child protection is based on the principle that the best interests of the child shall be a primary consideration at all times and in all cases (§3). It mentions the rights (§8-

16) and duties of a child (§18-23). According to the act, the natural environment for the development and growth of the child is the family. Families with children shall receive protection and support from the state (§24). The child and his or her parents shall not be separated against their will except if such separation is in the best interests of the child, if the child is endangered and such separation is unavoidable, or if such separation is demanded by law or a judgment which has entered into force (§27). One of the important aspects of child protection – to fight against violence – is mentioned in the section of treatment and punishment of a child. It is prohibited to humiliate, frighten or punish the child in any way which abuses the child, causes bodily harm or otherwise endangers his or her mental or physical health (§31). It is prohibited in the Republic of Estonia to manufacture or sell toys which imitate objects used to destroy people and other living beings (§48). Child sexual abuse is prohibited for adults in following activities (§33): inducement of a child to engage in sexual activity; exploitative use of children in prostitution; exploitative use of children for pornographic purposes. Every person is required to immediately notify the social services departments, police or some other body providing assistance if the person knows of a child who is in need of protection or assistance (§59).

The Child Protection Act mentions several crucial aspects concerning child protection - child's rights, duties, prohibition of violence but there is nothing written about the implementation, monitoring and assurance of quality. There are also not clear definitions written in the act. Although the past demographic and social changes have had an impact on the present situation, while the political changes with economic and social consequences are creating serious welfare problems for children and their families, during this fifteen years since Child Protection Act was entered into force, no major changes have been made in the act. In 1996 §5 was added about state child protection (state child protection is legislative, investment and supervision activities financed from the state budget and the social fund for the organisation of children's health care, education, work, rest, recreational activities and welfare). The same year inadmissibility of promotion of violence (§48) was written in the legislation; also organisation of guardianship and curatorship (§63) and adoption (§66) - the legal basis for the organisation of guardianship, curatorship and adoption is provided by the Family Law Act. Since 1 May 2004, the teachers and educators of children with

special needs shall comply with the requirements established by law or pursuant to law and be suitable for such employment (§42).

At the end of 2004 the concept of child welfare was initiated by the Ministry of Social Affairs and approved by the Government of the Republic on 27 January 2005. One of the objectives of the concept is to create a system for managing the protection of the child's rights, and to propose necessary changes in the legislation (mainly for the Child Protection Act) providing for and regulating the rights and protection of the child. Another objective is to harmonize the practice of child protection work across Estonia to ensure high-quality help according to standards for the child and the family in the whole country.

The concept is guided by four main principles common to all child welfare measures and activities: (a) The principle of subsidiarity; (b) Graduated services; (c) Partnership with families; and (d) Case management and the use of networking as main methods in child protection.

The abovementioned principles are not new, but local governments have not been able to adhere to the principles on following reasons (Rääk 2004): (a) rural municipalities and towns lack child protection officials (the latest data is from the year 2005 – 153 child protection workers, *Alaealiste kuritegevuse vähendamise arengukava aastateks 2007-2009 2007*); (b) not all the child protection workers have professional education (According to survey carried out in 2006 among social workers who work with children and families, almost half – 42% – the respondents had higher education in social work, 12% were acquiring education in social work at the time the survey was conducted and 46% did not have higher education in the given field, Lai 2007); (c) services for children and families with children are underdeveloped; and (d) the volume and quality of services do not satisfy the needs of children and their families. Because of heavy workload, welfare workers do not have enough time to motivate and counsel the families, to manage the case consistently, to be responsible for it from beginning to end, nor to use all the resources in case network to the full extent.

Child protection concept stresses the need to guarantee counselling, conciliation and support person services to all the families that require these services; to develop children's rehabilitation and nursing treatment systems; to organize the provision of disability specific services by the state; to expand the right to rehabilitation service to

children with behavioural problems; and to legalize the provision of healthcare, welfare and educational services in half-closed institutions to children with behavioural problems as one way of offering rehabilitation service.

Local governments and the state are obliged to adopt measures to ensure that each child's problem is discovered in due course and needed help is provided. The success of child and family policies guarantees cooperation that is goal-oriented and coordinated between the different parties that is necessary for the strengthening and protection of children and families with children. The purpose of a new Child Protection Act (should have been implemented in 2007 but the process has stopped) is to ensure the internationally recognized rights, freedoms and duties of the child and protection thereof in the Republic of Estonia. The Act would provide a basis for other legislation of general application concerning child protection in the Republic of Estonia.

Family Law Act (1994), was passed 12 October 1994 and entered into force 1 January 1995. The act stipulates equality of rights and duties of parents (a parent is required to protect the rights and interests of his or her child, §49), removal of child from parent (at the request of a parent, guardian or guardianship authority, a court may decide to remove a child from one or both parents without deprivation of parental rights if it is dangerous to leave the child with the parents, §53), deprivation of parental rights (at the request of a parent, guardian or guardianship authority, a court may deprive a parent of parental rights if the parent: (a) does not fulfil his or her duties in raising or caring for a child due to abuse of alcoholic beverages, narcotic or other psychotropic substances, or other reason which the court does not deem to be persuasive; or (b) abuses parental rights; or (c) is cruel to a child; or (4) has a negative influence on a child in some other manner; or (5) without good reason, has not during one year participated in raising a child who resides in a child care institution, §54) and restoration of parental right (at the request of a person who has been deprived of parental rights, a court may restore parental rights with respect to a child if the person has improved his or her conduct, and desires and is capable of exercising parental rights as required, §56).

Social Welfare Act (1995) passed 8 February 1995 and entered into force 1 April 1995. This Act provides the organisational, economic and legal bases of social welfare, and regulates the relations relating to social

welfare (§1). Act stipulates following social services for children and their families (§10): counselling, rehabilitation service (on the basis of a decision of a juvenile committee), childcare service, foster care, care in social welfare institutions (§18). Types of social welfare institutions are: (a) day centres; (b) shelters; (c) substitute homes; (d) youth homes – institutions established for living and rehabilitation for youths over the age of fifteen who are from substitute homes, schools for students with special needs, residential educational institutions or have been left without parental care; (e) residential educational institutions – institutions established for living, care, development and education for disabled school-age children); other social services needed for coping

There is lack of services for children and families in risk. Although the Social Welfare Act gives some guidelines for the separation of the child from the family, it is often conducted without previous help and support of the family (Haljasmets 2008).

In child welfare legislation very little focus is given to preventive work. In the strategy for the ensurance of child's rights (2003), it is mentioned that preventive measures and prevention work is crucial with young people living in risk and with socially unacceptable behavior. Concrete action plan is missing. The concept of child welfare (2004) stresses the need for prevention work in human trafficking and child prostitution.

Pardeck (2006), Watson and West (2006) have stated that promotion of positive change for service users and their families is achieved by well-being through targeted services. The challenge is to identify accurately and sensitively those families who may require services, and to ensure that children and families receive an appropriate service which results in good outcomes for children (see Cleaver, Walker, Meadows 2004). According to survey with child protective workers (Haljasmets 2008), it seems that waiting list for services are long and some needed services are missing completely or partially, f.e rehabilitation services for parents with alcohol and drug addictions. There are also shortcomings in the quality of service delivery and the provision of help is depending on the location of the child (different possibilities of local governments). Welfare services and family support must be at the core of prevention strategies for children at risk and in care. Primary prevention refers to strategies and programmes, which aim to stop significant harm to children before it occurs (Gudbrandsson 2004). There

is a lack of consistent assessment system of the child (to address comprehensively all dimensions of child development) in Estonia. No strategy or legislation is giving guidelines/framework for the assessment of the child and family.

The question is about providing a framework through which to improve the management and delivery of children's services. Lindsay (2004) points out that services are often focused on saving children rather than on strengthening families. This can be also said to Estonian child welfare system. Attempts to establish a better link between the objectives of the child protection system and the outcomes for children and their families have failed. There is a question of pursuing the goals for social protection and inclusion for families with children.

Conclusions

The aim of this article was to analyse the extent to which Estonia has developed policy and implementation of the child welfare. The context of the article was provided by reviews of national (and) international literature, legislation and documents concerning child protection.

Since 1990 the number of households with children and children population in Estonia has been decreasing due to reasons of negative birth rate on the transition period of market economy. Although the proportion of the poor has decreased last couple of years in all age groups, the relative-at-risk-of-poverty rate has remained at the level higher than the Estonian average among children aged 15 and less.

The incidence of children registered as first time „clients“ has been increasing, also the number of children taken into public custody. Last four years there has been more demand for social welfare institutions for children due to unstable economical situations at home that results neglect and abuse of children. The number of children living at risk families has been increasing and at the same time the implementation of foster family care model has not been successful.

Child welfare legislation is needed to be improved, according to the needs of the families in today's society. Until today the Government has been inactive in implementing the Child Protection Act. The generality of this law has determined the difficulties in its implementation, which is why the mentioned law has encountered little actual use – e.g. very few references have been made to the law in legal

proceedings. The current child protection system has limitations for providing help needed accordingly to the special situation of the child and the family.

One of the crucial aspects which needed to be considered – requirements for the quality assurance mechanism to improve service delivery.

In the last decades, Estonia has lived through great and rapid changes, and primarily concentrated on general economic indicators. Unfortunately, many people, primarily families with children, have not been able to cope with and adapt to these societal changes and therefore the number of people needing the help of social works is increasing. Today, the opportunities for helping families to cope is better than years ago, however, often the links between child protection system and various assistance measures are missing.

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SOCIAL WORK AND COMMUNITY-BASED SOCIAL ECONOMIES. REFLECTIONS ON THE TASK OF SOCIO-POLITICAL DEVELOPMENT

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Abstract:

The international discourses on social economy as well as its existing local forms are drawing more and more public attention as alternatives to the neo-liberal ideology and practice, which is increasingly subject to crises. Regardless of their different forms and contexts from which they have emerged, they show distinct similarities.

Social economy comprises a broad field of organisations and movements that employ economic means in their quest for independent, civil-society based solutions, complementary to government-driven and market-driven solutions. They can occur in the form of cooperatives, foundations, public-private partnerships, community services, in various areas of the informal economy, as welfare organisations, as ethical investment, savings, or credit institutes, or 'fair trade' organisations. This field of complementary and alternative forms of economic organisations is where, to a large extent, the potential for sustainable development lies. This area, according to analysts, is particularly suitable for generating solutions for the central issues of present and future.

In their existing forms, approaches that pursue the idea of social economy are based on fundamental human and social needs and the necessities of nature. From this point of view, economic activity is predominantly to be considered as a reproductive function for people and communities. It is about the preservation and sustainable organisation of the basics that people need in order to exist and live together in communities. A roof over their head, property, gainful employment to earn a living, an appropriate infrastructure, health services, clean water, and more, are among these things.

Social Economy can develop results from organised forms of resistance against the destruction of our basis of life. This is the band that ties the movement of landless people in Brazil, the movement of women for the preservative use of land and biodiversity in India, the union of working children in Latin America and South Africa, the movements against the privatisation of public services in Europe, or critical consumer campaigns from every region of the world, together. Association and socio-economic self-organisation are also types of reflexive acquisition of democratic rights in an economy or

society, and of defending these - sometimes even in conflictual processes that are linked with experiencing empowerment and that strengthen the sense of democracy.

Keywords: civil society, social work, community work, socio-economy, employability

Never before since the dawn of industrial modernity have the social risks and the threat to people's survival and bases of life through a hostile economic system been as far-reaching as today. The socio-political issues of today are highly complex. They imply the necessity for sustainability and social development of the global society.

And in times when the dominating economic system is increasingly turning against societies and their weakest members, it has become a necessity to rearrange the relationships between social work and the economy. Under such conditions, social work must achieve more than merely to flank the market, it needs to create and defend complementary and alternative structures within civil societies.

Social Work and the Economy - A Troubled Relationship

Social movements for civilian rights enforced the socio-political conditions that protect the working population in Western industrialised countries against the societal risks it has been exposed for the first time in history since the beginning of the 20th century. The laying-down of socio-political rights and professional social work with individuals, groups and communities that emerged in consequence were a significant step in the evolution of societies.

The role of the market was to ensure economic value creation and to integrate humans by making them part of the labour force. Governmental policies were intended to take care of the distribution of values, and of corrective action in terms of market access and market performance. The taxation of commercial enterprises served the purpose of financing societal responsibilities such as education, public infrastructure, culture, social work and the health system, whereas social health and security systems were meant to ensure the security of the labour force. Social (re-)integration was one of the tasks of professional social work. This division of labour in a "social market economy" left social work with merely flanking and stabilising tasks that lie outside the actual field of economics. But it has not gone unnoticed that, over the

past decades, the parameters for this model of industrial modernity have been turned over under the influence of the epochal changes that “neo-liberal globalisation” has brought about. I will not revisit the details of the factual political and economic changes and the underlying neo-liberal ideology at this point.¹ However, it is immensely important to me to point out that the practice of social work, and of education and training for social work, do not sufficiently reflect these fundamental changes and their underlying conditions, even though social and economic sciences have described and highlighted the changes and their consequences for decades.

Recent scientific discourse on the relationship between social work and the economy has been limited to the requirements of creating market-driven social services and the issue of applying the instruments and standards of business management to social and health services. A comprehensive perspective on the creation and distribution of values in societies, on participation of a society's members in the societal wealth it has created, and on the positioning of social policy and social work in this context, is blanked out. Even where more recent socio-political programmes² talk of supporting the “local economy”, this does not also imply that they have given up the outdated segregation of economic and social aspects. In European states, the relationship between social work and the economic system is largely reduced to accompanying and complementary measures of employment policy, ensuring employability and promoting “soft locational factors”; professional actors of social development do not interpret the mission statement of promoting “local economies” by applying the logic of communities and the people in a community, or by applying the requirements of sustainable development, but by applying conventional business development criteria.

In view of the new forms of plunder and expropriation in societies, of the infringements of social, ecological and economic human rights, and the destruction of the natural bases of life, new, integrated approaches are required in social policy and social work, approaches that encourage local, demand-driven economies in the context of social

¹ Elsen, Susanne: *Gemeinwesenökonomie*. Neuwied 1989; and Elsen, Susanne: *Die Ökonomie des Gemeinwesens*. Weinheim and Munich 2007.

² e.g. EU-programmes such as URBAN, LEADER, EQUAL or the joint programme “Die soziale Stadt” between German federal government and the Länder.

action. And the process of creating options for independent development needs to be supported through the instruments of social policy.³

This claim, and correlating action, is by no means new. There is international consensus in terms of the theory and practice of community development that local and demand-driven economies are a central prerequisites for the independent existence and sustainable development of communities, and the theoretical roots of community development as an approach to social policy and structural social work do not ignore economic aspects as a central area of life either.

Social economy in communities - idea and normative claim

Considering the consequences of neo-liberal globalisation and the changing structures of gainful employment, socio-political considerations needs to pay much more attention than before to the local living space as a place of active participation and integration, of collective self-organisation and sustainable development, without abandoning each individual's rights to social services. Shaping social development⁴ has to be about more than just securing livelihoods in terms of securing the life bases of those who have become "dispensable" through technological and economic change, but about economic activity as an expression of social action which takes the preservation of the ecological and social bases of life⁵ into account.

Shaping sustainable social development raises questions about the logic behind socially integrated economic activity geared to maintaining the capacity for social, cultural, ecological and economic evolution. Economic activity, seen from this perspective, needs to be considered as driven by the requirements of individuals and communities. It is about quality of life, about the fair distribution of the values created, about a

³ Lutz, Ronald (ed.) (2005): *Befreiende Sozialarbeit*. Oldenburg 2005, p. 18.

⁴ Elsen, Susanne/Lange, Dietrich/Wallimann, Isidor (eds.) (2000): *Soziale Arbeit und Ökonomie*, Neuwied.

⁵ cf: Duchrow, Ulrich/Hinkelammert, Franz Josef: *Leben ist mehr als Kapital*. Oberursel 2002; Ulrich, Peter/Maak, Thomas (eds.) *Die Wirtschaft in der Gesellschaft*. Bern/Stuttgart/Vienna 2000; Mander, Jerry/Goldsmith, Edward (eds.): *Schwarzbuch Globalisierung*. Munich 2002.

self-determined life and our relationship with nature.⁶ Every project with such a claim is contradictory to the overpowering financial interests that rule the economy and societies, and even people's thought patterns, today.

Given a closer look, it shows that the term “community” implies the goals, principles of coordination, and limits to this kind of social economy. The concept of a community-driven economy is based on the following fundamental implications of the concept:

1. The inextricable entity of use, creation, and distribution of the material bases of life.
2. The shaping of socio-cultural life nexuses through forms of vertical collectivisation based on association and voluntary action.⁷

The idea and claim of social economies in communities as well as its existing forms are always alternative socio-economic concepts to the dominance of financial interests, the focus on self-interest, and the fixation on competition.

In their existing real-life forms, approaches that pursue the idea of a community-driven economy are based on fundamental human, social, and ecological needs. From this point of view, economic activity is predominantly to be considered as a reproductive function for people and communities.⁸ It is about the preservation and sustainable organisation of the basics that people need in order to exist and live together in communities. A roof over their head, property, gainful employment to earn a living, an appropriate infrastructure, health services, clean water, and more, are among these things.

What we are seeking to find through social economies in communities already exists - and has always existed - in the shadow of the dominant economy, and it is currently re-emerging all over the world. In the international discourse, these approaches are currently drawing

⁶ Wendt, Wolf Rainer (2000): Bewirtschaftung des Sozialen. In: Elsen, Susanne/Lange, Dietrich/Wallimann, Isidor (ed.): Soziale Arbeit und Ökonomie. Neuwied, p. 67.

⁷ Further discussions on the topics mentioned here in: Elsen, Susanne: Die soziale Ökonomie des Gemeinwesens. Eine problemorientierte Einführung. Weinheim and Munich 2007.

⁸ Wendt, Wolf-Rainer (2000): Bewirtschaftung des Sozialen in Humandiensten. In: Elsen, Susanne, Lange, Dietrich/Wallimann, Isidor (ed.): Soziale Arbeit und Ökonomie. Neuwied, p. 67.

more and more public attention to themselves as alternatives or complementary structures to the current neo-liberal practice, which is increasingly subject to crises. Regardless of their different forms and the different contexts from which they have emerged, they show distinct similarities, and the attempts at conceptualising these make it clear that they constitute real alternatives to the western growth model and neo-liberal profit model.

In order to understand the potential of these approaches for the further development of work in and on communities, their specific adaptations in community work and the social economy, and the concepts that are tagged as “local economies”⁹ in current socio-political discussions in the German-speaking part of the world, need to be expanded. Development opportunities arise within the broader context of socio-economic self-organisation, which is integrated into civil societies as a concept of a formative social policy that has the capacity to bring up options for disadvantaged people and communities as well as being a step in the direction of sustainability.

The European discourse is based on the idea of a social economy in the “third sector”¹⁰, which contains a variety of organisations that act beyond the public and private sphere and whose main objective is not the maximisation of personal profit. Their central issue is not the generation of profit, but its distribution - and this is what sets them apart from forms of management that are driven by private capitalism. Besides clubs, foundations and mutual societies, this also includes cooperatives.¹¹ In the Euro-Romantic area, the term “*Économie Solidaire*” - in delimitation from the insurance industry and traditional welfare services - is used for cooperatives and other forms of economic self-organisation.¹² The term “solidarity economy” prevails in the global discourse; in particular, the

⁹ This term is used in almost all programmes for employment-related solutions in rural and urban regions in crisis (e.g. the “*Soziale Stadt*” programme); Elsen, Susanne (2005): „Lokale Ökonomie” als Strategie der Beschäftigungspolitik? In: *Forum Sozial*. Issue No. 2, 2005, p. 30f.

¹⁰ The *Économie Sociale Charta* adopted in May 1982 contains seven paragraphs that set forth the principles for the coordination of the sector.

¹¹ Elsen, Susanne: *Bürgerschaftliche Aneignung gegen die Enteignungsökonomie*. In: *SOZIALEXTRA* 28th volume, issues 7-8 2004, p. 42-49.

¹² There has been a Secretary of State for this sector since 1999 in France.

term was influenced by the developments and discourses of the “*economía popular y solidaria*” in Latin America.¹³

Solidarity economies transgress the boundaries of states and markets, and originate in civil society. This is what lends them the ability to create new opportunity structures and solutions that are tailor-made to meet specific demands. Their potential lies in an extended logic of action in an intermediary sector, and in the effect that civic involvement has on people's own lives as well as common concerns.

The term “solidarity economy” emphasises the significance of solidarity as control medium¹⁴ that opens up the actors' willingness to take on extra-functional responsibilities in economic transaction processes and that generates integrated perspectives.¹⁵

Solidarity economies counterbalance the dominance of profit and competition as single control instruments for economic activities. Solidarity economies are controlled through solidarity, and generate social capital through cooperation and the joint management of resources.

They are not merely part of a social sector that corrects inadequacies and failures of market and state, but rather, it is an independent logic of economic action with a social objective, something that is particularly apparent in cooperative solutions. Solidarity economies are characterised by voluntariness, solidarity, cooperation, democratic organisation, association, self-organisation and a focus on common good as their principles of action. The function of (monetary) capital is to serve these purposes. Solidarity economies cannot survive without the inflow and lasting effects of social capital - by means of the 'solidarity resource - as they have to resist the powerful influences of the market¹⁶ with a logic of their own and often in spite of restrictions in terms of insufficient funding.

Solidarity, however, is often limited to the members of a community, which excludes others - and this is an indicator for the

¹³ Elsen, Susanne: (2007), p. 159 et seq.

¹⁴ On the significance and effects of solidarity as a control instrument, cp: Habermas, Jürgen: *Die neue Unübersichtlichkeit*. Frankfurt am Main 1985 p. 158.

¹⁵ Elsen, Susanne(1998): *Gemeinwesenökonomie*. Neuwied p. 95-122.

¹⁶ Birkhölzer, Karl/Klein, Ansgar/Priller, Eckard/Zimmer, Annette (2005): *Theorie, Funktionswandel und zivilgesellschaftliche Perspektiven des Dritten Sektors*. In: Birkhölzer, Karl/Klein, Ansgar/Priller, Eckard/Zimmer, Annette (eds.): *Dritter Sektor/Drittes System*. Wiesbaden, p. 10.

limitations of the approach. Becoming aware of the global interdependencies and the common interest in preserving the basis of life for everyone could resolve tendencies towards particularity and closure¹⁷ when it comes to solidarity-based action in local communities. The concept of the community economy is thus based on an understanding of solidarity that expands beyond the local and temporary context and claims its universal validity for the global society. A solidarity economy does not only emerge from adversity or out of sympathy, but from the realisation of life-threatening and unfair conditions and the discernment that there are no “others” in a globalised world, as the global society shares an ecological and social fate. Globalised solidarity thus stems from the knowledge that we are part of a social and ecological whole, and the strength it can develop results from organised forms of resistance against the destruction of our basis of life. This is the band that ties the movement of landless people in Brazil, the movement of women for the preservative use of land and bio-diversity in India, the union of working children in Latin America and South Africa, the movements against the privatisation of public services in Europe, or critical consumer campaigns from every region of the world, together.¹⁸ Association and socio-economic self-organisation are also types of reflexive acquisition of democratic rights in an economy or society, and of defending these - sometimes even in conflictual processes that are linked with experiencing empowerment¹⁹ and that strengthen the sense of democracy.

The normative premises for community economies are, at the same time, also kinds of strategic behaviour. The following criteria are common to solidarity economy movements around the world:

1. Democratic organisational culture (democratic vote “one person, one vote”)
2. Inclusive ownership (use ownership)
3. Activity driven by need (not primarily focused on profit)
4. Profit appropriation (for defined purposes)
5. Social integration

¹⁷ Elsen, Susanne (1998): l.c., p. 100.

¹⁸ An in-depth description of the diversity of these associations and their development is given in: Elsen, Susanne (2007): l.c.

¹⁹ Elsen, Susanne (2003): Lässt sich Gemeinwesenökonomie durch Genossenschaften aktivieren? In: Flieger, Burghard (ed.): Sozialgenossenschaften. Neu-Ulm p. 57f.

The organisation principles set out by the international movement for cooperatives one hundred and fifty years ago are the basis for this. Lack of capital is and always has been the main motivation for cooperative work. The concept of community economy foots on an extended interpretation of the term labour, based on a broader perspective on meaningful work for a society, covering neighbourhood work, family work, and personal contributions, barter, subsistence economies, work in cooperatives, gainful employment and forms of civic involvement.

The central concept of “community” is derived from the idea of a community of equals based on mutuality. Consequently, it also implies ideas of reciprocity - these are the concepts of reciprocity and fairness that govern acts of exchange, based on equality, between people. The redistribution process is aimed at correcting the unequal distribution of goods and access, and thus at the mitigation of social injustice, because only the fair distribution of goods make reciprocity and equivalence possible in barter deals and contractual agreements.

Consequently, community-based social economies (community economies) should always be considered in the context of a formative social policy that grants disadvantaged groups the right to claim extensive rights within the civic society.

“Common good” and “access for all” are the essential foundations of community-based work. Access for all refers to granting each member access to the central prerequisites of work and life. This kind of access has a defined operative value, but it is also a normative value and assumes differentiated concepts of ownership. Social community economy is based on both collective and individual ownership, and creates sustainable and emancipatory types of ownership through different kinds of solidarity economies.

Community economies as a real utopia

The “community economy” concept is not a standardised position in economic sciences. Its occurrence is both normative and a phenomenon that has occurred in a variety of ways in the past²⁰ and is currently appearing in various shapes and forms across the globe. The history of community economies as a contrasting concept to the capitalist

²⁰ On the history of community economy concepts: Elsen, Susanne (1998): l.c., p. 64f.

approach can be traced back more than two hundred years. There have always been people who counterbalanced the dominant economy with such concepts of a real utopia, and who claimed more social justice and responsibility for communities.²¹

Until today, examples of this can be seen in places where people take on meaningful and essential tasks in communities, where people develop forms of escaping the constraints of capital through subsistence economies and barter trade, where cooperatives act as alternatives to commercialisation and the expropriation of people's basis of life, and where people develop models of solidarity economies collectively or together with - and for - those who are in need of their solidarity. These complementary and alternative networks act collectively and co-operatively. They are based on a holistic view, and, like those of the historic pioneers Robert Owens or the Rochdale Pioneers²², they economic concepts based on the idea of community.

When I talk of “community economies” as an option of for the development sustainable social policies, I am referring to concepts of socio-economic self-organisation in the context of civil society, of organised forms of solidarity or parties that support socio-economic approaches to securing people's livelihood, to integrating and emancipating disadvantaged people, or to preserving the basis of life in communities. Such organisations are based on association, voluntariness, and (are supported by) self-organisation, but commercial interests and/or paternalistic social work do not dominate them. It is a prerequisite that they extend the scope of action options for disadvantaged actors without harming the good of the community.

Cooperatives as a means of organising labour and the organisation and control of public services bear particular potential for solving social problems with economic means.²³

²¹ Elsen, Susanne (2003): l.c. p. 57 f.

²² 150 years ago, the “Rochdale Pioneers” set forth the operative principles for cooperatives based on common use ownership, which apply until today.

²³ Elsen, Susanne: Lässt sich Gemeinwesenökonomie durch Genossenschaften aktivieren? In: Flieger, Burghard (2003): Sozialgenossenschaften. Neu-Ulm, p. 57-78.

Recent examples and an attempt at their explanation

Community economies around the world have always emerged - and still do so today - out of lack of other means of securing one's livelihood and socio-economic participation, or as an explicit and reflected alternative concept to infringements through the globalised market economy. Traditional forms that resemble the logic of a community economy are still the most important basis of people's livelihood in poor or underdeveloped regions of the world. As a reaction to infringements through transnational enterprises, new and reflected alternatives are currently emerging not only in these countries. Faced with a deepening rift in society, the political and economic organisational abilities of the poor and marginalised groups in transforming and developing countries are increasing. The reflections of globalisation-critical groups and increasingly harsh acts of infringement and expropriation are making it more and more obvious that many are affected by the same situation, and the cohesive power of defensive and pro-active movements is growing stronger.

New forms of social distortion on the one hand and the growing influence of the alternative globalisation movement on the other act as the driving forces of movements for controlled and socially integrated economic activity. The current hunger crisis can be attributed to the policies of the IMF, WTO and World Bank, policies that have ruined traditional subsistence economies in the local markets of transforming and developing countries in favour of monoculture and an orientation towards export and global markets. Acts of speculative land expropriation through the agro-industry are becoming increasingly aggressive, especially in Latin America, due to the high demand for animal foods for the production of meat and due to the production of diesel for the agricultural sector. A global civil war is forming, with a focus on Asia and Latin America, against the genetic piracy associated TRIPS agreements²⁴, which are driving people all over the world to poverty and dependency and which destroy cultural and biological diversity²⁵. The credit crunch, which has demonstrated the societal dangers that lurk in the international finance markets repeatedly within a short period of time, is a tailwind for movements that criticise our pecuniary logics and interest

²⁴ TRIPS Programme of the WTO "Trade in intellectual Property Rights".

²⁵ c.f., in particular, Vandana Shiva's work.

mechanisms. Actions to preserve public services (housing, water, public infrastructure, etc.) are a reaction to the privatisation imperative that the WTO has set out in its GATS agreements.²⁶

The growing importance of solidarity economies as alternative or complementary structures is particularly visible in the current developments in Latin America and in the discourses on the significance of solidarity-based economic activities for a different modernity that are held there. The phenomena we currently see emerging all over the world - or that have always existed, but that are currently moving more into the centre of attention - can basically be regarded a part of the tradition of "popular economies" - or "economía popular" - that have existed as a complementary or alternative practice to the dominating form of economy for centuries.

But, as they did 100 years ago, people in the industrialised countries - where such forms of economic self-organisation have been extinguished from collective memory - are now increasingly returning to these concepts of securing the core requirements of life. In welfare states, self-help is a last resort that people only turn to in times of a drawn-out crisis, when all other options have been exhausted. Economic self-help activities are currently taking place in the fields of labour, preservation of public services, strengthening of local and regional economies, and local control over money.

In the industrialised countries, cooperative businesses are currently being founded in the following sectors:

1. Employee-owned companies that are founded as alternative ways of organising labour in the industrial economy, aimed at securing gainful employment locally by taking over businesses as cooperatives.
2. Cooperatives as forms of alternative local employment policy, with women and men who suffer disadvantages in the employment market (Cooperatives to ensure livelihood). The "Cena et Flora" cooperative "in Riesa"²⁷ is worth particular mention in this respect.

²⁶ GATS Programme of the WTO "General Agreement on Trade in Services".

²⁷ Spain passed a law reform in order to promote the foundation of micro-enterprises as a way out of unemployment.

3. Productive cooperatives in which mainly highly-qualified professionals join forces to improve their chances on the market, e.g. technical engineers or IT specialists who are having difficulties to find secure jobs in the public sector, or productive cooperatives of medical professionals (intellectual capital cooperative).
4. Social, educational, cultural, and health cooperatives whose aim is to counteract cutbacks and the downgrading of service quality in these fields through privatisation. These cooperatives are founded by those who offer or use these services and, as alternative socio-political solutions, sometimes receive public funding. These forms of cooperation also need to be considered as emancipation of their sponsors or users (independent living) as the foundation of such a cooperative rids its founders from incapacitation through “experts”. Italy is an impressive example for the development of cooperatives with a social objective.
5. Consumer and customer cooperatives, which emerge along the borders between cities and regions, as a consequence of scandals surrounding the industrial production of food. “Tagwerk”, a cooperative from the region north of Munich, is a convincing example.
6. Cooperatives and funds within the local population to protect public infrastructure and public services (housing, energy, water) against commercialisation. Multi-stakeholder organisations are particularly suitable in this field as well as in the field of educational, social and health services.²⁸ Such forms of “privatisation by collectivisation” are a serviceable alternative, especially when it comes to the privatisation of public services. Foundations of local cooperatives and civic funding in social, health, school and care services in Finland, Spain, Canada, Italy, and Japan come as the local population's

²⁸ Fritz, Thomas/Scherrer, Christoph: GATS: Zu wessen Diensten? Hamburg 2002.

- response to privatisation, commercialisation and expropriation of public institutions and services.²⁹
7. Endeavours to gain local control of money by means of alternative or complementary currencies, local banking cooperatives or investment funds³⁰ in order to promote local value creation and social integration. The extent and scope, the variety and quality of approaches taken in Japan are particularly worth notice. A broad range of local complementary currencies, barter systems and cooperative companies, based on forms of professional organisation, has developed within civil society³¹. They depend upon extra-familiar alliances and are based on the mistrust of market, state, and the value of money. Under the responsibility of civil society, they create sustainable alternatives to these by bundling skills and resources and by non-monetary trading. The *Süddeutsche Zeitung* described this phenomenon as the “social flight of capital”³². In Japan, cooperative-based communal solutions have been developed, mainly in the fields of health care and nursing, combining mutual help, self-help, non-monetary trade and professional help.³³
 8. Movements for the appropriation and self-determined use of ground and for reactivating subsistence options in cities are particularly common in Japan. There are even radical groups, which call themselves the “garden guerrilla”. However, the trend towards urban gardening or community gardening for social, cultural, or therapeutic reasons or for local economic or ecological purposes can be seen in almost all regions of the world, even in Europe and the German-speaking regions.
 9. Fair trade and fair investment initiatives and the control of government procurement processes in terms of their social and

²⁹ Göler von Ravensburg, Nicole: Genossenschaften in der Erbringung Sozialer Dienste. In: Flieger, Burghard (ed.): Sozialgenossenschaften. Neu-Ulm 2003.

³⁰ Eine Dokumentation gemeinwesenorientierter Geldsysteme in: Elsen, Susanne: l.c. 2007, p. 218 et seq.

³¹ Lietaer, Bernard A.: Das Geld der Zukunft. Munich 2002, p. 324 f.

³² *Süddeutsche Zeitung*, 7th Jan. 2003.

³³ Göler von Ravensburg, Nicole: Genossenschaften in der Erbringung Sozialer Dienste. In: Flieger, Burghard (ed.): Sozialgenossenschaften. Neu-Ulm 2003 p. 82.

ecological compatibility have come out of the niches they were previously restricted in only five years. These initiatives, which are often linked to promoting independent local cooperatives in developing countries, are also an investment into social capital that build bridges between the rich and poor parts of the world, and can even be regarded as community work in the global community. The work of the Nord Süd Forum in Munich is a good example of this.

On the significance of socio-economic self-organisation for societies

Every alternative or complementary economic activity has social and socio-political significance, and indicates a profound break with neo-liberal ideology and practice. There are six strongholds of such alternative concepts, all of which the traditional economy also claims for itself:

1. the general organisation of all economic concerns in markets,
2. the utilisation and management of public, cultural, intellectual and biological goods in markets,
3. the conditions of utilising labour,
4. the power of making decisions on economic participation or exclusion,
5. the definition of prices for all these goods,
6. the definition of the logics of money,
7. the organisation of social services as a system that is external to the economy in order not to compromise economic interests.

There are different conclusions one can draw from the emergence of these new associative socio-economic structures and networks all over the world: not least, they are a sign of the transfer of participative democracy to the economic sector - not only to the political sector - and of the consequences responsible citizens are drawing from the realisation that the dependencies and weaknesses of politics and the infringements and irresponsibilities by the economic system require drawing a line and providing sustainable alternatives.

Apart from those kinds of “popular economies” that arise from adversity, it is important to pay attention to those kinds that emerge as a reflected alternative to social distortion or as a responsible step towards a sustainable society. These economies are characterised by their actors' motivation, which is a different from the accumulation of wealth. The

modernisation theorists Hans Loo and Willem van Reijen described these economies as alternative concepts to the market economy of post-industrial societies, and as experimental ground for a new kind of local economy which is organised by laypersons in connection with social movements.³⁴ These “amateur entrepreneurs” are also part of the “anti-productive alliance” described by Jürgen Habermas, of the movement of “growth critics' dissidence” that aims to strengthen the vital foundations of life-worlds against the momentum of subsystems that are driven by administrative powers and money through forms of self-organisation at grassroots level.³⁵ They have the critical awareness that makes them an ally of socio-economic innovation in favour of socially disadvantaged groups.

“Old”, pre-modern models of a plurality economy, which survived in periphery regions of the world before the market economy replaced them completely, or existed in poverty economies of indigenous populations or welfare states, can be carried over into “new” forms.³⁶ For a few years now, as the social movements from around the world are linking up, the residues of pre-modern economic activity have been stepping out of their shadow existence and have gained an understanding of themselves as alternative concepts to neo-liberal expropriation. In either case, the pre-modern or the new, the actors do not expect a solution to come from the “cathedrals of economic, scientific or governmental power”³⁷. Rather, they have identified them as part of the problem's cause.

The knowledge about cooperative forms of economic self-organisation, which originates from other parts of the world, is still a learning context for developing a formative social policy that promotes civil society-based solutions. Sustainable “progress” can mean “regress” in terms of socially integrated economic activity. Oskar Negt comments on this as follows: “One should not seek alternatives to the existing system in something that is radically different (...), but underneath the

³⁴ cf. van der Loo, Hans/van Reijen, Willem (1992): *Modernisierung*. Munich, p. 245.

³⁵ cf. Habermas, Jürgen (1985): *Die Neue Unübersichtlichkeit*. Frankfurt am Main, p. 156.

³⁶ Amongst these are, for examples, the economies of indigenous communities in the rain forests.

³⁷ Beck, Ulrich (1993): *Die Erfindung des Politischen* Frankfurt am Main, p. 158.

current conditions, their tangible forms and the individual trouble spots”³⁸.

The socio-political potential of mixed life-world logics

The potential for socio-economic innovation lies within the mixed logics of the “third” or “intermediary sector”.³⁹ Where the boundaries are blurred or there are ambiguities, as is the case for economic activity with a social objective, this results from the life-world context and its means of coordination, which create this kind of un-differentiation within, between, or outside of various functional areas. Life-world related issues and hardships, and the coordination of actions through communication, cooperation and solidarity, exceed the unambiguousness logics of economic and political systems. The extra functionality of voluntary commitment becomes an innovative capacity of its own. It stands for an openness that stretches beyond functional organisational systems, it stirs up the rationality of the logics of economic and political systems and engenders new combinations and closer-to-life options.

The emerging parallel and complementary economies are hybrid organisations that, transversal to the systems of society, pursue both social and ecological as well as economic goals, that act as if part of the economy, but are actually part of the organised civil society. Well established delimitations between private and public, political and social, or cultural and economic, are challenged by life-world based forms of limitation, appropriation and intervention.

The processes in which social movements intervene through forms of association and socio-economic self-organisation cross borders between the life-world and the political and economic sectors. Among other things, they also cause a de-monopolisation of sectors and expert knowledge, and introduce new actors and life-world logics to the state and market systems.

The foundations of cooperatives as socio-economic companies resulting from a life-world context are a mirror for the socio-economic transformation process in industrialised, transforming and developing countries. These foundations also emphasise the opportunities that result

³⁸ Negt, Oskar: *Arbeit und menschliche Würde*. Göttingen 2001, p. 405.

³⁹ “Intermediary sector” is a less hierarchic term to describe the organisational forms that range “in between”.

from process-like action on the lines of market, state, and civil society. The permeability of these lines and the resilience of the intermediary sector's mixed logics are central to the development and stabilisation of socio-economic concepts. Cooperative economies are the classic counterpart to capitalistic utilisation and expropriation. The recent developments in this respect should not be regarded as a backslide to pre-modernity, but as an anticipation of ways into a different modernity.⁴⁰ Their specific potential stems from the opportunity to combine powers, the tendency to disconnect from the market through management by members, and the principle of identification. Current examples from industrialised, developing and transforming countries illustrate the socio-political potential of an ancient type of social and local economic activity:

- In transforming and developing countries, the organisation of social and healthcare services in cooperatives is substituting care through family members, which is no longer a matter of course as traditions are lost and the conditions of living, working and lifestyle are changing. It is especially the women that are looking to new, collective forms of organisation to replace the traditional family care work.
- Cooperative organisations for public educational, healthcare and social infrastructure and services are substituting public providers in industrialised countries. Cooperatives for providing social, health and educational services are basically a re-privatisation of public services as the government is drawing out of its responsibility for this field. But this option contains the chance of preventing a purely commercial privatisation in favour of organisational models that are controlled by citizens and provide access for all. This model, however, should be considered as a socio-political instrument which expands the particularity of community-based solutions, and should be aimed at providing access for every citizen.
- Foundations of cooperatives in the economic sector have different roles: in developing and transforming countries, they can pave the way from the informal sector into the market. In industrialised nations they make it possible to tap into

⁴⁰ cf. Pankoke, Eckart (2000): Freie Assoziationen. In: Zimmer, Annette/Nährlich, Stefan (eds.): Engagierte Bürgerschaft. Opladen, p. 189f.

particularly labour-intensive segments of local markets or to organise local economic activity in a synergetic manner. Moreover, they are capable - under certain conditions - of stabilising and preserving conventional companies by turning them into cooperatives.

A full examination of these potentials requires abolishing prejudices, even within the critical left, and a serious examination of the conditions of the success or failure of collective economies. It is a demonstrable fact that, over the last 150 years, it was not only the lobby of the capitalist economy that rejected, drained or assimilated unconventional socio-economic projects to promote self-determination and self-government, but also the social democratic and orthodox Marxist labour movements.

Social movements, civil society and socio-economic development

The social movements for workers' rights, for disadvantaged and unpropertied people were fields of socio-political conflict in the 19th and early 20th centuries in western industrialised countries. The conflict potential that social innovations and alternatives can generate is also apparent in current social movements that act in a delimiting and formative way, whose actions expand beyond established government policies and capitalist economies, and extend their influence into the established political and economic systems.

The fact that they are both rooted locally and have international effects gives them an unprecedented quality. Like the social movements of the 19th and early 20th centuries, their attitude is anti-capitalist and collective⁴¹, and they are conceived as a new socio-political force with formative and limiting powers. A multitude of international organisations has evolved from the context of recent social movements; and while these organisations have the capacity for trans-national protest, it is their orientation towards local concerns that bears a great deal of potential for mobilising people and is a source of criticism of the current economic and political practice⁴².

⁴¹ Böhnisch, Lothar/Schröer, Wolfgang (2002): Die soziale Bürgergesellschaft. Weinheim, Munich, p. 14f.

⁴² cf. Roth, Roland (2001): Soziale Bewegungen. In: Otto, Hans-Uwe/Thiersch, Hans (eds.): Handbuch Sozialarbeit/Sozialpädagogik. Neuwied, p. 1669f.

Nicanor Perlas, the president of the Philippine-based Centre for Alternative Development Initiatives (CADI) and Right Livelihood Award laureate, places great hope in the power of civil societies, which have connected at local and global levels since the last part of the 20th century and are now making themselves heard, and counteract the forms of abuse, exploitation and destruction of our planet and humanity that we are experiencing today. “Civil society, in its present form, is the most important social innovation of the 20th century. Its significance equals that of the establishment of nation states in the early 17th century, or the emergence of modern market economies in the 18th century”.⁴³ Perlas defines civil society as one of the dimensions of the socio-cultural life-world, which represents specific roles, norms, practices, relationships and competencies. According to Perlas, these norms and practices of civil society - association, self-organisation, and organised communication - are not restricted to individual spheres of society, but take effect in political, social and economic contexts⁴⁴. He regards the growing strength of the civil society as a balancing third power and speaks of a redistribution of power between state, market and civil society. And in a society which has become unbalanced and contorted under the influence of neo-liberal globalisation, which has conceded defeat to a predominant market and has enslaved its other parts to the economy, he interprets this redistribution as a process towards the societal threefolding of politics, culture, and economy.⁴⁵

Perlas' conception of threefolding is not that of competing sectors, but of an integrative cooperation between politics, economy, and culture, based on citizen's critical commitment which advocates the concerns of society and nature. He sees socially and ecologically responsible economic activity as a global force to bolster the social dynamics of threefolding. De facto, the activism of civil societies around the world is making this novel concept of threefolding perceptible, but reflection upon and conscious description of the process are still in their early stages. A conscious policy of societal threefolding, however, would allow the

⁴³ Perlas, Nicanor (2000): *Die Globalisierung gestalten. Zivilgesellschaft, Kulturkraft und Dreigliederung*. Frankfurt am Main, p. 19.

⁴⁴ With this definition, he is referring to - amongst others - to: Cohen, Jean/Arato, Andrew (1994): *Civil Society and Political Theory*. Massachusetts.

⁴⁵ Perlas, Nicanor (2000): *l.c.*, p. 130.

influence of civil societies to fully unfold, Perlas states. An intermediary function between civil society and state, he says, is just as indispensable as rooting politics in civil societies.⁴⁶

Moreover, new actors of civil society have also “entered the socio-political arena. Their grassroots level and project-based way of working, their orientation towards organisations with networked structures, and their disposition towards protest and civil disobedience place them in the vicinity of what we have already seen in the new social movements”.⁴⁷ Historically, a conflictive impetus emerged from social movements, and present-day government social policies and professional social work have evolved from it.

The new forms of socio-economic self-organisation against expropriation and privatisation or in order to secure livelihoods can be regarded as the fight for the basic civil right to social, political and economic participation. The objectives of these organisations span beyond the interests of particular groups, taking on a socio-political dimension. These movements are true forms of social self-help, as they are a collective effort and originate from a social motivation. Socio-economic self-help and self-organisation are radically different concepts from the quest for employment or the - often precarious - business start-ups through individuals. These concepts aim at achieving goals that are primarily social by employing economic means, which always makes them political. “People's own activity, the collective acquisition of rights, skills, creativity, resources, and power”⁴⁸ are their decisive factors. These models concentrate their limited strengths in associations, and attempt to secure sustainable access to their own and shared bases of life.

The Canadian Robert Campfens describes the effect of such socio-economic movements in his international survey on community development: “Another trend witnessed in recent years is the spectacular rise of social and co-operative movements, many of them serve as agents of CD. Among the most numerous of these movements (...) are the myriad of apparently spontaneous, self-managing local rural and urban

⁴⁶ Ibid., p. 140.

⁴⁷ Roth, Roland (1997): Die Rückkehr des Sozialen. In: *Forschungsjournal Neue Soziale Bewegungen*, Issue No. 2/1997, p. 38.

⁴⁸ Zeller, Christian (2004): Zur gesellschaftlichen Aneignung. In: Zeller, Christian (ed.): *Die globale Enteignungsökonomie*. Münster, p. 312.

organizations that seek to ensure their members' survival through co-operative production, distribution, and consumption. (...) these 'defensive' social movements do not explain the rise of all those social and co-operative movements, that exist to create change (...) These latter movements are often driven by the search for alternatives to the capitalist industrial models, to the state-controlled social programs, and to the centralized, hierarchical, top-down, institutionalised structures of decision-making. The alternatives these groups apply may take the form of redirecting the economy toward the community, the environment, and a sustainable future."⁴⁹

Socio-economic self-organisation and socio-political innovation

According to Böhnisch, Schröder and others, restructuring the relationships between the field of voluntary commitment by means of collective self-organisation and the welfare state take centre stage in the concept of the formative social state. "This is based on the idea that social policies require a general reinvigoration in order to develop a counterworld to - and, consequently, raised social discomfort with - the development of digital capitalism."⁵⁰ Hence, they are not related to institutionalised leadership, but to the socio-political discourse on the fraught relationship between the economy and social system, which, historically, developed as an independent power and uncovered fields of both consensus and conflict in societies.⁵¹ The standard to measure social policies by today is a further development in the direction of full societal participation based on the opportunities offered by unfolded productive powers, the effective restriction of infringements through the market around the globe, and the promotion of civic self-organisation in all socially relevant fields.

Twenty years ago, Jürgen Habermas commented as follows on the situation of the welfare state: "In a situation in which economic stagnation, increasing unemployment levels and crises of public institutions can be related to the cost of running a welfare state, the

⁴⁹ Campfens, Robert (1999): *Community-Development around the world*. Toronto, Buffalo, London, p. 5.

⁵⁰ Böhnisch, Lothar/Schröder, Wolfgang (2002): *Die soziale Bürgergesellschaft*. Weinheim, Munich, p. 184.

⁵¹ *Ibid.*, p. 183.

structural restrictions of the compromise on which the welfare state is based and by which it has been maintained can be felt.”⁵² In such a situation, the welfare state runs the risk of losing its social basis, in the case that its (yet) gainfully employed contributors turn against the claimants of its benefits, thus revoking the welfare states' basic legitimation. If, under such conditions, the welfare state was to lose its central reference point - labour - it can no longer be about including this norm. The project of a sustainable welfare state should exceed beyond introducing guaranteed minimum wages in order to break the spell that the employment market has cast on the life stories of all those that are fit to work - also affecting the growing and increasingly excluded potential of those who only stand in reserve. This would be a revolutionary step, but not revolutionary enough.”⁵³ Habermas adds that the advocates of the welfare state project only ever looked in one direction: “The primary task was to discipline abundant economic power and protect the life-world of salaried employees from the destructive effects of critical economic growth.”⁵⁴ But no attention was paid to the legal and administrative means of implementation for the programmes of the welfare state, which led to a practice of individualisation of cases, levelling, and control, a practice that separates, restricts, and supervises the claimants, forcing them into a passive and conformist role.

Habermas emphasises that there is no alternative to preserving the welfare state and developing it further, but this requires a path-breaking combination of administrative power and intelligent self-restriction in order to mitigate the destructive effects of an interventionist state on its citizens' life-world. This points to a formative social policy that enables and promotes civil self-organisation. As long as social policy is “lined up as a policy to create readiness for work, and every agenda item that is identified arouses the institutionalised suspicion of abuse, a change towards structural regulation means a reproduction of the pattern of undersupply, exclusion and repression that we are already familiar with.”⁵⁵

⁵² Habermas, Jürgen (1985): l.c. p. 149.

⁵³ Ibid., p. 157.

⁵⁴ Ibid., p. 150.

⁵⁵ Cremer-Schäfer, Helga (2004): Nicht Person, nicht Struktur: In: Kessl, Fabian/Otto, Hans-Uwe (eds.): Soziale Arbeit und Soziales Kapital. Wiesbaden, p. 181.

It is true that unemployment should be the starting point for any endeavour of socio-political reform. But unemployed or poor people also need to be able to form a social movement through collective self-organisation. As a matter of fact, none of the employment policy measures that have been put into practice in Germany since the 1970s were aimed at cooperative forms of self-help. These are intensely contradictory of the systematic individualism of neo-classic economics. The social security system of the welfare state centres on the redundant and isolated individual. The ignorance towards approaches of cooperative and mutual action, e.g. the foundation of cooperatives with employment-related and social objectives, and the fixation on individualised approaches to explaining causes and intervention approaches are deeply rooted in the history of the capitalist society. Solidarity and a diversity of lifestyles and ways of utilisation are systematically rejected and are perceived as a threat to particular interests.⁵⁶

Making individual provisions, taking care of oneself, and acquiring wealth are - and always have been - highly rated. Joint efforts to improve one's situation, on the other hand, have never been - and are still not - desired. Instead, preventing collective self-organisation is a recurring theme both in history and in at present. "So long as the needy restricted themselves to welfare work and other activities that were neutral towards the system, such as work in friendly societies, they would be - subject to a certain extent of supervision - tolerated. Society-based initiatives took on a political character, though, and now pose a threat to the existing balance of power and ownership structure."⁵⁷ The bans on forming coalitions and on assemblies enforced in the late 18th century and in the 19th century forced such associations to work in the underground, which, however, only increased their internal cohesion. But today, as opposed to the former workers' movement, there is no shared experience of unbearable working conditions, which had previously led to the formation of defensive movements and cooperatives for economic self-help. This is a major problem for the growing number of victims of the economic system, especially in western industrialised countries, where problematic social situations are individualised in the discourse and then

⁵⁶ Altner, Günther (2004): Ein Wert an sich. Vielfalt und Nachhaltigkeit. In: Politische Ökologie, Issue No. 91-92, p. 19.

⁵⁷ Wendt, Wolf Rainer (1995): Geschichte der Sozialen Arbeit. Stuttgart, p. 63.

professionally worked upon. Shame and retraction are the intended consequences of this, not the abilities required for self-help and self-organisation.⁵⁸

Creating the political and legal framework to enable socio-economic self-organisation or encouraging it through social policy, as it is practised in Italy, is hardly conceivable in a country as statist as Germany. Even in Italy, this practice could only unfold its lasting strength through an intense cooperation between organisations with different mindsets and different professional associations in civil society, which joined forces to assert themselves against the economic and political system. The development of cooperatives with social objectives in Italy is a convincing example of the success that active governmental support for socio-economic self-organisation as means of formative social policy can bring. These cooperatives take on social, educational and health service related tasks, and are targeted at the integration of disadvantaged people into the labour force, or combine social and healthcare services with the integration of employment. These cooperatives are partially exempted from income tax, social costs, and contributions to insurances and pension funds, and are also financially supported and have a cooperative infrastructure of their own at regional and supra-regional levels.

Böhnisch and Schröder also devise an interesting step towards a formative social policy in connection with the possibilities of civic engagement through elderly people. “As elderly people are not subjected to the constraints of their role in the labour society or in their families, they have a freedom to experiment that younger people do not have, and this can be activated. This means that elderly people, as a social group, could be assigned an important role in building regional social economies. (...) Why should elderly people not be capable of providing services - from the general merchandise store to social care services - in rural areas? They do not need to rationalise their offers or their work, on the contrary, they have the capacity and capability to take on complex social tasks. (...) The special value of such regional economies is the fact that people from both the producer side and the consumer side contribute

⁵⁸ cf. Munsch, Chantal (2003): Lokales Engagement und soziale Benachteiligung. In: Munsch, Chantal (ed.): Sozial Benachteiligte engagieren sich doch. Weinheim, Munich.

to them and can build social relationships. (...) The new elderly could also participate in intergenerational models, which are based on the division of labour and could help overcome the intergenerational competition that has crept into markets and society lately.”⁵⁹ Elderly people would need to be financially secure in order to bring in their full potential. They could become the pillars of socio-productive innovation in civic society - which would give them the chance of putting the professional and social skills they have gained during their career to practice without the need to shy away from conflict. In order to make this concept of socially productive commitment happen, the traditional culture of caring for the elderly would have to make room for socio-economic structures of enablement.

In the western industrialised countries, new socio-economic associations are primarily run by organisationally skilled citizens that also fight with and for disadvantaged people and their right to participate, in organisations that are based on solidarity - such as social cooperatives. The opportunities for self-help run along the demarcation lines of social inequality, and in welfare states, the efforts in favour of self-determined participation for disadvantaged people are often opposed by the self-interests of those organisations that claim themselves to be the representatives of the poor and disadvantaged members of society.

The principles that characterise associations are the voluntary basis on which they are formed, the solidarity between and equal status of their members. As organisations based on community, they can only serve to enhance freedom and existential security in combination with social policy. The latter provides the life management resources that individuals can - but are not obliged to - incorporate in their action strategies. These resources are a necessity, but the conditions and barriers to accessing them need to be reduced.

Formative social policy would thus need to be based on the following fundamental premises:

1. To protect the social and ecological life interests, and value these higher than ownership interests.
2. To enable socially productive participation by means of self-organised activity which is based on commonality and targeted

⁵⁹ Böhnisch, Lothar/Schröer, Wolfgang (2002): l.c., p. 97.

- at a social objective, as well as the participation in social and communication networks across all relevant areas of society.
3. To take into account the social aspect as an integral part of socio-economic solutions. Social problems should not be regarded as external to the economy, and not be worked upon as separate issues from economy.
 4. Public spending should be organised in a pluralistic and democratic organisations - e.g. in multi-stakeholder enterprises - in an effective and synergetic way.
 5. Social local policy should use the available material resources and social capital a way that is socially productive. It should generate and manage material resources and social capital.
 6. Formative social policy should open up opportunities for learning and experimenting with new approaches to solving societal problems, also and especially in areas where members of society are marginalised. It requires new forms of organisations, especially in the economic system, the system of education and the system of political administration.⁶⁰
 7. It should be guided by the principle of a plural economy that serves the satisfaction of human needs and respects its ecological limitations.
 8. It requires the possibility to generate resources independently through activity in markets and non-market economies geared at social objectives.
 9. Against the backdrop of mass unemployment, it is necessary to relieve the people affected by redundancy from the crushing fears for their existence through providing guaranteed basic social care, and to rid them from the indignifying compulsory labour in order to receive transfer payments. The partial detachment of being gainfully employed and making a living is the basis for the development of new, socially integrated economies.

Social policy develops from collective attempts of coping with social problems. When individuals who are affected by the same

⁶⁰ Sommerfeld, Peter (2004): Sind gesellschaftliche Probleme gemeinschaftlich lösbar? In: Kessler, Fabian/Otto, Hans-Uwe (eds.): Soziale Arbeit und Soziales Kapital. Wiesbaden, p. 247.

conditions form associations, this generally bears potential for political change. Today, just as it used to be in the times of the beginning workers' movement, the capacity for collective action is based being in the same situation together and reflection upon it, and sharing a common interest to change it. According to Böhnisch and Schröer, this capacity is the historic legitimation of socio-political movements, and it needs to be reactivated in view of the current conditions of excessive capitalism and the tendency towards the redundancy of human labour.⁶¹

Everywhere around the world, collective actors are opposing the new economic mindset of expropriation, are defending life's basic rights and bringing socially integrated forms of economy to life as alternative concepts. They are part of a new grassroots social policy, which will lead to social change in the long run despite the strong resistance there is to it. And today, in view of the changed conditions, all this is no longer only about regaining political control of the powers of the market, or about protecting individuals and communities from infringements through the market, but about developing and maintaining plural forms of independent community-based social economies as an integral part of the life-world.

⁶¹ Böhnisch, Lothar/Schröer, Wolfgang (2002): l.c., p. 146.

ENHANCING SOCIAL INCLUSION OF ELDERLY PEOPLE WITH DEMENTIA: PRINCIPLES OF QUALITY WORK IN INSTITUTIONS

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Abstract:

The issue of combating social exclusion of individuals and groups in the society has a long tradition in Europe. The category of elderly people has been cited as one of the risk category for marginalization by the Commission of the European Communities in the year 1992. Elderly people experience different deprivations, for instance deprivation of resources and social ties, especially those with severe diseases and handicapped. Despite of the fact that general aim in different European countries (including Slovenia) is to keep elderly people in the community as long as possible to provide social inclusion and that throughout Europe there is a diversity of service provision, in Slovenia until now the community services have not developed specialized care for elderly people with severe diseases, especially dementia. Therefore elderly people with dementia are usually housed in the homes for the aged when they or their home care givers are not able to take care of them any more. It seems that in Slovenia the nursing staff and social care staff in the institutions for the aged were not well prepared for this situation. Recent development of the care for the aged in the institutional environment has been in favour of developing psychosocial model as a necessary complement to the prevailing biomedical model, but there was no data available on whether psychosocial model is implemented and what is the impact of the work of service providers on people with dementia living in the institutional environment - does this model enhance social inclusion of elderly people with dementia.

The results of a small-scale qualitative research, based on the methods of participant observation, regarding the implementation of principles of quality work (defined according to Brandon as good relationship, possibility of choice, participation, possibility of personal development, social integration) in the institutional environment when treating elderly people with dementia review that the relationships between people are good and they have the possibility of personal development and to choose among alternative activities. But on the other hand the principles of participation and especially principles of social integration are not considered as much as they should be. When trying to improve the use of principles of quality work, the important factors may be the stage of dementia, organization of work and the staff in the institution. The principles of quality work are present while treating people with dementia in the first stage but the use of the

principles declines with the severity of the disease. It is also important that the staff members have enough time to care for people with dementia and to plan and implement programmes for them.

Keywords: **Dementia, institutions, integration, relations, inclusion**

I. Introduction

The issue of combating social exclusion of individuals and groups in the society has a long tradition in Europe. Elderly people experience different deprivations, which can lead to social exclusion, for instance deprivation of different resources and social ties, especially those with severe diseases and handicapped (Jordan, 1996). The category of elderly people has been cited as one of the risk category for marginalization by the Commission of the European Communities in the year 1992 (Commission of the European Communities, 1992). With the demographic shift the proportion of elderly people in society is increasing. According to Glendinning (1998) the general aim in different European countries is to keep older people in the community as long as possible. Phillips and Waterson (2002) stated that throughout Europe there is a diversity of service provision. In Slovenia there are similar guidelines regarding care for older people (NPSP, 2000) and in the last few years the development in the community care services has been significant. Due to the fact that until now the community services have not developed specialized care for people with dementia, these people are usually housed in the homes for the aged when they or their home care givers are not able to take care of them any more. Risk of dementia raises rapidly with age: 22% of people aged between 85 and 89 and 41% of people aged 90 and more suffer from dementia (Pečjak, 1998). Therefore the institutions for the aged house higher proportion of users who suffer from dementia (Chapell and Reid, 2000). Matthews and Denning (2002) stated that the prevalence of dementia in institutional care settings is 62%.

It seems that in Slovenia the nursing staff and social care staff in the institutions for the aged were not well prepared for this changing situation. Recent development of the care for the aged in the institutional environment has been in favour of developing psychosocial model as a necessary complement to the prevailing biomedical model; nevertheless

this endeavours have not been systematic and don't have the history of more than two decades as in the UK where, as Parker (2005: 263) describes, was a shift in paradigm '...from the biomedical model to a more psychosocial and person-centred approach to dementia'. Chapell and Reid (2000: S234) found out that the researchers in western countries '...are turning their attention to determining how to care best for persons with advanced dementia in long-term care facilities...' but such studies are relatively uncommon. This is particularly the case in Slovenia where no such study has been carried out and there was no data collected on the quality of care for people with dementia before the study presented in this article. Due to the lack of information there was a need to assess the quality of the institutional care for people with dementia and on the basis of results to suggest possible implications and recommendations.

In this article some of the most important criteria which was chosen to assess the everyday life conditions of people with dementia living in homes for the aged, are discussed; the main principles of quality work are described; the methodology of the study, with the aim to assess the presence of the principles of quality work and to identify the factors influencing the use of these principles is presented. In the central part the main findings of the research, regarding the presence of principles of quality work, are presented in different sections for each principle and some suggestions are proposed in the concluding part.

2. The principles of quality work

In the last few decades different principles of quality work (normalization, integration, inclusion) have been taken into account when organizing the care for people in the institutional environment in Slovenia (Cizej, Ferlež, Flaker and Lukač, 2004). The main purpose of normalization is de-stigmatisation of the user, who should have the possibility to take an active part in life, the same way as other people do (Brandon, 1993). The concept of normalization originates from the conceptualisation of individuals' deviance not as their characteristic but as a social phenomenon whose harm can be reduced by social measures (Rode, 2001). According to Wolfensberger (1983), normalization is the reduction of the individual's deviation and its consequences. Procedures of normalization of the individual to achieve the aim of socially appraised living conditions and roles can be divided into two fields: the

improvement of their social image or value in the eyes of others, and the increase of their competence. Further development of the normalization theory¹ brought about an emphasis of the need to reduce the deviation of individuals by increasing social tolerance and changing social norms (Flaker, 1993).

In the last years new terms and concepts appeared as regard the care for people with special needs – integration, inclusion (Kobal Grum, Kobal 2006), including also some of the characteristics of term normalization. These concepts can be seen as goals of normalization according to Brandon (1993), but on the other hand we could consider them as improvement of the principles of normalization, since especially the wishes, needs and individual treatment of the users are emphasized on the way to achieve the goals of the user him- or her-self as final step of inclusion (Žolgar Jerković 2006: 23).

The use of principles of integration and inclusion has expanded significantly from the field of care for people with disabilities to the field of care for other people living in the institutional environment in Slovenia, partly also due to the National Programme for Social Protection until 2005 (NPSP, 2000) which stated that performers of social protection programmes should ensure expert support and help in the prevention and resolution of situations of social distress to all those who find themselves in risky life situations and to those who are, due to various reasons, unable to live and work independently, or cannot function successfully in their social environment; to ensure the influence of the users on the implementation of programmes and services and offer them the possibility to choose the most appropriate form of help. Therefore the use of those principles can be one of the most important criteria of quality assessment of institutional care for people with different disabilities and could be named as principles of quality work. The presence of principles of quality work can have a positive effect on some of the problems quoted by Dwyer (2005: 1081) ‘...disruption of social network and loss of the optimisation of daily functioning’, and can enhance social inclusion.

¹ The concepts of work deriving from above mentioned development were named as integration and later on as inclusion.

In Slovenia there have been different research projects (mainly diploma papers and master degree papers) assessing the presence of principles of quality work in the institutional care for people with disabilities, using surveys with close-ended questions and scales or interviews based on the principles of quality work according to Brandon (1993): presence of good relationships, possibility of choice, participation of users, possibility of personal development, social integration; but among them there has not been any detailed research on everyday life conditions of people with dementia living in the homes for the aged.

3. The study

With a small-scale research which was conducted while implementing the project named 'Caring for People with Dementia – Planning the Model of Care for People with Dementia' (Flaker, Kresal, Mali, Milošević-Arnold, Rihter and Velikonja, 2004), financed by the Ministry of Labour, Family and Social Affairs, the research team wanted to find out to what extent the principles of quality work, according to Brandon (1993), are present and visible when caring for people with dementia, who live in the homes for the aged. Another objective of this research was to disclose the factors that could influence the possibility of putting into force the principles of quality work.

The data were collected with the cooperation of students of Faculty of Social Work in 21 homes for the aged² for 27 people with dementia³. The sample of homes for the aged was a purposeful, convenient sample (Patton, 1990). We chose the homes in which the students were on their regular praxis. Due to the above-mentioned reasons the sample is not representative. It was impossible to collect the data using the methods of questionnaires or interviews, because not all people with dementia can verbally communicate their answers, due to the illness, which is usually the consequence of brain damages and '... is manifested as a severe

² The number of all institutions providing care for the aged in the year 2004 in Slovenia was 65 (Flaker, Kresal, Mali, Milošević-Arnold, Rihter and Velikonja, 2004).

³ The exact number of people with dementia living in the homes for the aged was not available. It was estimated that the number is about 3000; representing about 20% of all elderly people living in the homes for aged (Flaker, Kresal, Mali, Milošević-Arnold, Rihter and Velikonja, 2004).

decline in intellectual functioning with symptoms of mind and memory deterioration, of confused speech, of the loss of time and space orientation...' (Pečjak, 1998: 145). Therefore data were collected with methods of participant observation; similarly to Melin Emillson's (2005) method, which she used in her various research studies. The research team had prepared the guidelines and the students were observing people with dementia and all activities, which were available for them during the entire day (24 hours). The students estimated the presence of following principles of quality work: good relationship, possibility of choice, participation of users, possibility of personal development, social integration, with the marks between 1 and 5 (mark 1 signifies a 'very small scale', and mark 5 a 'very large scale') and described in detail the actual examples of events and situations, which were the basis for assessment.

Presence (or absence) of good relations was estimated on the basis of observing the relations between people with dementia and employees within the institution, between people with dementia and other users and by estimation of equality between people with dementia and employees.

In the second part of the research the students tried to find out whether there is a possibility of choice in the homes for the aged, using the following questions: Do the people with dementia have control over their lives? Do they have a possibility of choice among various activities? Do the employees respect the decisions made by people with dementia? Does a person have a possibility of acquiring new experiences? Does a person manage his/her finances?

In the third part the students estimated whether it is possible for people with dementia to participate in the home for the elderly (do the people with dementia have impact on the services which they use; do they have access to the necessary information; do the employees consult people with dementia about the activities which are taking place; do people with dementia have the possibility of advocacy; can people with dementia decide on things which are important in their lives; is the power equally balanced between the user and the staff).

The possibility of personal development was estimated through the questions whether people with dementia are respected persons with a possibility of personal development; whether the privacy of people with

dementia is respected and whether there is an individualized planning of care.

Social integration was assessed with questions whether the people with dementia are associating with people who are highly respected in the home and outside the home and whether it is possible for people with dementia to use public services.

The estimates were used to calculate averages and the descriptions were analysed by the methods of qualitative content analysis of data (Mesec, 1998). First, the written material was organized and the units of coding were determined. In the next step the units were coded openly, and then relevant conceptions were chosen and defined. Finally, a kind of grounded theory was developed. The averages cannot be generalized to the entire field of institutional care for the elderly people with dementia in Slovenia because the sample was not representative. Apart from this, the differences between the average estimates show that some principles of quality work, when caring for people with dementia, are present to a greater extent than others. For the purpose of research and especially for planning the model of care for people with dementia, the factors that could influence the possibility of putting into force the principles of quality work were of greater importance than the estimates themselves, because the final objective of the research was to suggest the modifications in the organization of care for people with dementia, which could enhance the presence of principles of quality work and that way to enhance also the social inclusion.

4. The findings

4.1. Good relations

We found out that good relations in the observed homes for the aged were present on the 'middle scale' (average mark: 3.35).

Relations between the people with dementia and employees re-establish in different everyday activities in which the people with dementia take part (while serving meals, nursing, during other organized activities in homes for the aged). The quality of relations can be seen in verbal and non-verbal communication, in (un)kindness of employees and users. On average, good relations between the people with dementia and employees are present on the 'middle scale' (3.46). There were many descriptions of good relations, but there were also some particular

descriptions, which indicate 'bad relations'. While nursing, some employees do not wait long enough to make it possible for people with dementia, for example, to dress themselves. Instead of waiting, the employees do everything quickly. In some cases there is hardly any verbal communication (some people with dementia are quiet most of the time and they would need the incentive from the employees to begin to speak). Bad relations can be seen also in the non-verbal communication (for example: a person with dementia drops an object deliberately) and in the unkind behaviour of the employees.

The relations between people with dementia and other users also re-establish in different activities (during work-therapy, lunch, group activities, special activities, spare-time, etc.). The relations can be seen in verbal and non-verbal communication, in help between users, in (non)participation in the informal groups of people with dementia, establishing friendships, knowing each other etc. On average, the good relations between people with dementia and other users are present on the 'middle scale' (3.17). A lot of evidences of good relations were presented by the students, but the students also noticed the events, which show some bad relations, for instance: people with dementia are present during some activities but they do not show any interest, or they do not want to attend any activity. During the work-therapy, a person with dementia was very angry, because another user was walking around all the time and she therefore hit that user. Even in the spare-time some people with dementia never divert, they live in their own world and drive away people who are trying to approach. In some homes for the aged other users draw back if a person with dementia approaches. It is difficult to re-establish a relationship if there is no verbal communication. Some people with dementia never start the conversation and only answer to direct questions; some of them never speak with another user. On the other hand, however, there are people with dementia who are upset all the time. Through the non-verbal signs it is also possible to value the relation (anger can be noticed on someone's face, high pitch of their voice, banging on the table, etc). Furthermore, some people with dementia are totally excluded from informal groups (they are either not desired in these groups or do not even have access to them).

Good relations between people with dementia and employees or other users in homes for the aged depend on various factors. The stage of

dementia⁴ has a strong impact on developing relations on verbal level. While verbal communication is possible with people in the first stage of dementia it is very difficult to talk to people in the last stage of dementia. In such cases non-verbal communication (smile, touch, gentle voice) as a mean of re-establishing good relations is of great importance, but unfortunately, as we were able to observe, this is rarely the case in the homes for the aged.

It is difficult to influence some of the identified factors – personal characteristics of people with dementia, their temporary mood and personal characteristics of employees. But it is possible to influence the factor of contacts. If there isn't any contact between people with dementia and employees (usually there are only contacts between people with dementia and those employees who are directly responsible for people with dementia) or other users (people with dementia who live in the guarded department do not have contacts with other users), it is impossible to expect that any kind of relations will develop. Therefore the contacts should be deliberately stimulated. Employees could have a coffee break with people with dementia; users from other departments should be invited to the guarded department where people with dementia live and joint activities should be organized. Another factor that has impact on the relations is very strict and abundant schedule of employees, which makes longer and more genuine contacts impossible. This could be improved by an appropriate standard setting with regard to the number and qualification of the employees and by changing the organization of work-process. Another factor influencing the good relations is also the extent to which the wishes of people with dementia (regarding different bonuses) are respected. Therefore the relations can improve if the employees respect these wishes. Appropriate organization of activities, which are directed by employees, is another important factor influencing the relations. If the employees anticipate, for instance, the schedule of nursing, the arrangement of people at the kitchen table on the basis of characteristics of people with dementia, it is possible to avoid tensions

⁴ The stages of dementia were divided into three groups (according to Kogoj, 1996): people in the first, commencing stage of dementia usually have bland symptoms of dementia; in the second, progressing stage people suffer severe disturbances in the intellectual functioning; in the third stage people are hardly capable of verbal communication.

and conflicts. An important obstacle, when trying to establish relations, is also distrust of other users in people with dementia. This could be (partly) surpassed by additionally informing other users about the disease.

The following facts indicate the equality between the people with dementia and the employees: whether the people with dementia are treated accordingly to their age, whether the people with dementia can call employees by their first names, whether the employees treat people with dementia respectfully and respect their wishes and interest; whether they can share all the necessary objects and facilities, whether the employees take part in informal parties of the people with dementia, whether the employees ask people with dementia for some kind of advice and whether they show equality in relations to all users.

On the average, the equality is present on a 'middle scale' (average mark: 3.46). Nevertheless, there are some evidences of inequality which show that the employees do not treat people with dementia properly, according to their age (they treat them like children); employees do not have a respectful attitude (they do not address them formally – in Slovenian language using the pronoun "ti" instead of "vi", which indicates the lower level of formality; they yell at them, they insult them, the nursing process is impersonal); employees and people with dementia do not share things and facilities (employees have separate toilettes, separate service).

The level of equality depends on the stage of dementia. Usually there is equality between the employees and people in the first stage of dementia, but there is less equality when it comes to people in the third stage of dementia. An important factor is also the organization of work. There could be more equality if employees had enough time to invite people with dementia to cooperate in different activities. The appropriate activities could probably lead to the extension of the first stage of dementia and the dementia would progress very slowly, facilitating the level of equality. It is necessary to assure people in the second and in the third stage of dementia to be treated respectfully and according to their age. Had they expressed some special wishes (clothes, food,...) before the dementia progressed, those wishes should be considered now, even if they are no longer able to communicate them.

4.2. Possibility of choice

On average, the possibility of choice is present on the ‘middle-scale’ (mark: 3.01).

Some people with dementia can control their lives in various fields: personal hygiene (the decisions such as, when to go to the toilette, when and how to bathe and wash themselves); clothes (which clothes to wear, to dress themselves); bonuses (they can obtain some bonuses if they want to); medical therapy (it is possible for them to reject certain therapies); food (they can decide whether they will eat, what kind of food they will eat, how much they will eat, when they will eat); money (what to do with the money); freedom of decision regarding exercise (in the department, in institution, and in the surroundings); decisions regarding the activities (people choose freely which activities they would like to join and participate in; flexibility when implementing activities, which are common for all users – getting up, daily meals, etc); decisions regarding the timetable of activities (when to implement activities, when to go to bed, when to get up), decisions regarding the manner of implementing activities (agreement with employees and adjustment of program to the people with dementia). Students estimated that people with dementia do not have much control over their lives (average mark: 2.57). Evidences show that control over life is (at times) limited in the fields of personal hygiene (nursing staff persevere in bathing although the person with dementia doesn’t want to take a bath; people with dementia cannot decide when they will bathe due to the fixed schedule nursing staff have prepared); bonuses (alcoholic beverages are strongly limited); medical therapy (person who does not want to go to sleep, must take medicine – soporific; they have a compulsory schedule of medical examinations and therapies); food (menus are combined in advance, people can only choose between two different dishes; schedules of daily meals are fixed and after the meal it is practically impossible to get food); finances (people with dementia are not allowed to take decisions regarding their money and finances); free exercise (in some homes they cannot move around freely even in the guarded department, not to mention the surroundings of home, since the only possibility to get out is to have escort; the possibilities of free exercise are limited due to the fact they live in the institution); decisions regarding the activities (in some homes for the aged, people with dementia are obliged to attend the activities even if

they do not want to; in some homes they can participate in activities or can take a rest only if they have escort, which is usually not available); decisions regarding the timing of activities (usually the timetable of activities is decided in advance, therefore people with dementia cannot decide when the activity is going to take place; in some homes people with dementia would like to have some activities in the afternoon, but this is not possible due to the lack of staff; they cannot decide on daily activities which are common for all users in homes: they have to get up and to go to bed according to the schedule; the situation is similar regarding their daily meals); decisions with respect to the manner of implementing activities (the exercises are fixed; the programme was composed by the employees and people with dementia have to follow it). The wishes of people with dementia are fully respected in some homes, while in others the wishes are respected only if the employees think they could have some benefit for the people with dementia.

Data show that people with dementia have the possibility of choice among various activities on a 'middle scale' (3.42). In order to assure this possibility, there should be a huge number of activities available. Types of activities (special activities for people with dementia, possibility of individual work), timing of activities (activities should be available during the day), and the opportunity for people with dementia to actually decide which activities they would like to participate in, are important factors here. Empirical evidences show that in some homes there are only few activities (for instance gymnastics, discussion groups, singing groups), in some homes there are no activities whatsoever, or only the activities, which are common for all users (people with dementia cannot fully participate in those activities). In some cases, the activities are available only before noon, or are too rare, and the people with dementia are obliged to join the activities (for instance: gymnastics every morning).

Control over the life and possibility of choice among various activities depends mainly on the stage of dementia. With the progression of disease, the possibility of expressing the needs and autonomous decision-making diminishes. Therefore the employees have to be informed about special wishes and interests of people with dementia before the dementia progresses, or to ask relatives about this if there is a person with dementia in the last stage entering a home for the aged. Only thus the employees can respect the wishes of a person (maybe someone

wants a special kind of food, clothes, activities, to get up late) even if the person cannot express them verbally. Another important factor is again organization of work and the employees' style of performing the work. In some homes for the aged the employees are convinced of their own knowledge of what the best options for people with dementia are. Therefore the control over their lives and the possibilities of choice are limited. Employees should avoid such style of work and should begin to cooperate with people with dementia when preparing and implementing activities for them, and consequently to enhance a possibility of choice. Thus it would no longer be necessary to force people with dementia to join the only activity, which is available, since they would have enough activities available to choose from.

Employees respect the decisions made by people with dementia on quite a good level (average mark: 3.60). The decisions are respected regarding the personal hygiene, bedtime, food, roommates, clothes, and choice of activities. People with dementia can express their opinion in group meetings. In some homes for the aged employees do not respect the decisions of people with dementia or these decisions are rarely respected. Some descriptions of events show that a person with dementia did not want to take a bath but nursing staff made him/her do this; in addition, the nursing staff did not explain the basic procedure of having a bath and therefore a person with dementia didn't know what was going on. In some homes people with dementia are forced to eat according to the regular daily meal schedule, even if they do not want to. Sometimes the nursing staff decides upon the clothes even when people with dementia want to be dressed another way. When deciding about joining the activities, in some homes the employees respect only the decision which is, in their opinion, in favour of people with dementia and cannot hurt them, therefore the employees persuade or sometimes even force people with dementia into activities; sometimes they respect the decisions and sometimes not. Too often the employees direct the lives of people with dementia and they do not ask themselves whether a person with dementia agrees with their decisions or not.

The respect for the decisions made by people with dementia partly depends on the stage of dementia, the conditions connected to people with dementia (life story, important relatives and acquaintances), and on the working-style of the employees. We cannot essentially influence the

stage of dementia, but we can lay more emphasis on informing the employees about the importance of respecting wishes of all people, regardless of what they did in the past and how important their relatives are. People with dementia know what is best for them and when employees respect their decision, both parts can through cooperation and participation improve the quality of life.

Students have observed whether the people with dementia have had the opportunities to acquire new experiences. This possibility is present on a 'middle-scale' (3.06). Opportunities to acquire new experiences are present during group-work, establishing friendships, help provided by the employees. People with dementia have access to all information, which are available in institution. However, the additional needs regarding the acquisition of new experiences can be noticed: activities should be available during the day and not only before noon. In some cases the possibility to acquire new experiences is very limited (new experiences can be acquired during some performances or while they are in the company of other users), or is not available due to the similar or equal everyday activities. Furthermore, in some homes for the aged the employees are trying to provide activities, which are known to the people with dementia, but in the others there is only nursing care available and it is therefore not possible to speak about acquiring new experiences. Due to space limitation (people with dementia are placed in the guarded departments) people with dementia have even less opportunities for new experiences.

Opportunities to acquire new experiences depend on the stage of dementia, the interest of people with dementia and on their life-story (if they had a lot of interests before, it is not difficult to motivate them for some new activities).

Since the possibility to acquire new experiences depends mainly on the level of inclusion in the activities, people with dementia should be motivated and encouraged to participate in activities, or to find the activities they would like to participate in, and to ensure the acquisition of new experiences.

The possibility of people with dementia to manage their own finances is possible only on a 'small scale' (1.93). There are few people with dementia who have their pocket money, which is usually spent for small articles. Sometimes they only have a few coins in their purse. In

some homes for the aged the staff believes that people with dementia don't need the money and therefore they don't have the money on their disposal. Not even one of the observed people with dementia is allowed to manage their finances. They usually get all the money they have from their relatives.

An important factor that influences the possibility of managing the finances is the stage of dementia. People with severe dementia have an authorised representative, who is taking care of their money. But there are a lot of conflicts when it comes to the manner of spending money, for instance, the person with dementia wants some bonuses but the authorised representative wants to buy him/her shoes even if the person with dementia never leaves the home for the elderly and actually needs only slippers. It is therefore necessary to consider how to ensure at least some pocket money for people with dementia.

4.3. Participation

On average participation of users with dementia is possible on a small to middle scale (2.89).

People with dementia have small impact on services they use (2.29). They would have impact if they were cooperating in committees, boards or councils, having the opportunity to express the opinion to employees and if employees were satisfying the wishes of the people with dementia. In reality, none of the observed people with dementia cooperated in any committee, board or council. They can express the opinions, but the procedure is different in various homes for the aged. In some homes they can speak about their problems only to the senior nurse, in some homes to all employees or only to those who work with them, or they have special meetings once a week, where people with dementia can express their opinion. In few homes the only possibility is to put a written opinion into a small box, which is located in the reception hall (which is not accessible for some people with dementia) or in the department for people with dementia. There are a lot of differences when it comes to satisfying the wishes of people with dementia. In some homes for the aged, the employees respect certain wishes, such as transfer to different rooms, food etc. On average, however, their wishes are respected only partly. Some wishes cannot be satisfied due to insufficiency of objective

possibilities (e.g. lack of employees to be able to provide some kind of group activities in the afternoons).

Access to information needed by people with dementia is possible on a large scale (3.80). The main sources of information are: posters with important notifications about various activities (schedule), meetings; in some homes there are big calendars to remind people with dementia about the date. Elsewhere the main source of information is meetings, which are organized once a week. In many homes for the aged the information are gained through active personal notifying of employees, relatives and people with dementia. An important manner of providing information is also inscriptions on the doors of the rooms (names of users), labels for bathrooms, kitchen, switch etc. The extent of informing is different in various homes and therefore some people with dementia are regularly informed about the activities, while in other homes the level of informing is rather poor.

The employees consult the people with dementia as regards activities, which take place on the middle scale (3.09). It would be good practice if decisions about activities were reached through the consultation between employees and people with dementia. This is already the case in some homes – there are individual consultations about the activities between the people with dementia and the employees, whereby employees listen to people with dementia as regards their wishes and needs and as soon as activities begin, the employees explain what will be going on and try to talk about the activities with people with dementia, who do not respond. In some homes for the aged decisions about activities are reached without consulting the people with dementia, whereby the main excuse is the specific disease (i.e. dementia) due to which employee is the only one who knows what the best activities for people with dementia are.

Possibility of advocacy is present on a small scale (2.53). The interests of people with dementia are usually represented by relatives or in one case by the representative of elderly people in the home for aged. In the majority of the observed homes for the aged, advocacy is not formally organized. In some homes for the aged there are volunteers while in others there aren't any. Even in the homes where volunteers are present, they are not there to provide advocacy but are trying to improve the quality of life of people with dementia. In all homes where there is

possibility of advocacy or volunteers are present, the opinions of representatives and volunteers are not always respected. In some homes the opinions of volunteers are not taken into consideration due to the fact that people with dementia don't even know what they did say a minute ago because of their disease. But there are some homes where employees are trying to respond to all of the suggestions and the opinions of relatives and volunteers. If employees have a lot of information about users, which were obtained when users entered the home, they try to adjust the activities to people with dementia.

People with dementia can take part in decision-making on a small scale (2.70). In some homes people with dementia have representatives of their interests (relatives, employees), but the extent of their impact is very small. In a few cases the representatives of interests of people with dementia cannot be found and people with dementia do not have any impact on life in the home; all activities are equal for all users and other people decide upon their life.

Students realized that the power isn't equally balanced between the people with dementia and the employees (2.27). Power is equally balanced when people with dementia can express their opinion; when the manner of employees' work is considered together with people with dementia; when people with dementia are encouraged to do the things they are able to do; when employees knock on the door before entering the room; when power is not strictly hierarchically distributed, whereby people with dementia can take decisions in certain things. Empirical evidences show that the power is usually hierarchically distributed. People with dementia can express their wishes to the under-staff working directly with people with dementia. This staff cannot pass on the information to the relatives, because only the social worker can do so.

Sometimes the distribution of power depends on the situation: if the employees think that leaving the power to people with dementia won't hurt them, they give the power; but if they think that it can hurt the people with dementia they do all the work without any consultation. An important factor, which affects the possibility of impact on services, used by people with dementia, the access to the information, the possibility of consultation, regarding the activities performed by the employees, and participation in decision-making, is the stage of dementia. People with the first-stage dementia have more possibilities to cooperate and

participate, while others are severely limited (even when accessing information which is usually present on a large scale, for instance people with severe difficulties read the information and forget them in the next moment; therefore it is necessary to remind them all the time). For a person in the last stage of dementia it is necessary to have a representative, who can advocate his or her interests and indirectly influence the possibility of improving cooperation. An important factor is also the organization of work – mainly the interest of employees to change the manner of work and schedule of work to be more adapted to wishes and needs of people with dementia.

4.4. Possibility of personal development

The research revealed that personal development of people with dementia is ensured on a middle scale (3.27).

People with dementia are respectful persons with a possibility of personal development on middle scale (3.54). This can be noticed in general relations of employees with people with dementia (respectfulness, equality), in processes of work (which are adjusted to the needs and wishes of people with dementia), in the appearance of the home (attractive, nice, friendly, hospitable, homelike, warm, adequately equipped with different colours); in various activities which are available (if there is certain amount of activities there are possibilities of personal development). If people with dementia are treated as respectful persons they will feel better and there will be positive atmosphere without tensions. In some homes or in some cases it is difficult to say that people with dementia are properly respected. For instance, some employees treat people with dementia like children; and make differences in treating people with dementia and other users. Even if the home for the aged is attractive it isn't a real home. One of the homes was described as old, untidy with broken doors, with old furniture, without comfort; there was a smell of urine, and the rooms were overfilled.

The privacy of people with dementia is respected on a middle scale (3.39). Privacy is assured in cases when employees ask for permission to enter the room; when people with dementia can choose who their roommate will be; when people with dementia are alone during the activities of personal hygiene and care. The respect of privacy is seen also in the fact of how many people have the information about people with

dementia. When information is limited to few people (employees who work directly with people with dementia, close relatives), who give the information only in certain cases (i.e. researches), we can say that privacy is respected. In fact the privacy is not equally respected in all of the observed homes for the aged. In some homes employees don't ask for permission to enter the room, people lives in rooms with two, three or even more room-mates and it isn't possible to guarantee the intimacy or there isn't any intimacy (people with dementia are washed while the door is open). Furthermore, the information about people with dementia is sometimes unnecessarily revealed to all employees.

We found out that individualized planning of development (individualized plan) is available to the people with dementia on the middle scale (3.00). In some homes for the aged there are individual plans for each user, which are prepared immediately when entering home, or every year. In other homes the processes of establishing individual plans are still in their initial stage, while in some others there isn't any individual planning at all. In addition to the individual planning there are other possibilities of satisfying the individual needs and wishes: employees take into consideration the suggestions and wishes of a person who cooperates in the activities which are designed for all users; on the basis of wishes, new activities are organized and people are not forced to cooperate in group activities if they don't want to.

Respect for people with dementia, possibility of personal development, respect of privacy and individualized planning of care depends mainly on the employees (the more they are stressed and the less they are qualified, the less individualization of personal development can be observed) and on the stage of dementia (as dementia is progressing people with dementia are no longer treated as respectful individuals and privacy is guaranteed to a smaller extent). Therefore it is necessary to inform the employees that people who cannot express their complaint deserve a greeting and to be addressed formally, to be taken care of properly without being seen by all the others, and to guarantee them basic human dignity. Individualized planning of care is not an activity present in all of the observed homes. Therefore it is necessary to establish procedures of individualized planning whereby people with dementia and their relatives and/or representatives have to be present and cooperate,

especially in the cases where dementia progressed to such extent that a person with dementia cannot even express his or her opinion.

4.5. Social integration

Social integration of people with dementia is present only on a small scale (2.58).

Associating with people who are highly respected in the home is present on the small scale (2.55). There are only few exceptions which show that people with dementia are associating with other users in the homes for the aged. Mainly the associating is limited to organized activities in the home. In some cases people with dementia can associate only with those respected people, who are volunteers or in the cases when people with dementia have a companion who enables them to go to the people who are respected. It is quite often the case that people with dementia cannot even associate with friends from the departments in which they used to live before.

The possibility to use public services is present on a small to middle scale (2.75). In some homes for the aged there are medical services available outside (general physician, eye specialist, dentist, other specialists) and within the facility (general physician on the appointed days or every day); library inside and outside home (usually employees or relatives bring the books from the general libraries outside the home); possibility of visiting church ceremonies and rituals; recreation; stores; restaurants; hair-dressers. Usually the possibility of using public services is limited, due to the fact that only people who are able to walk alone and who do not need escort can go outside. In one of the observed homes only the access to medical services is available.

Social integration depends on the stage of dementia (people with severe dementia cannot express their wishes about services; they cannot use some of the available services or they don't even have any wishes with respect to the services outside the home); on living on a safeguarded department (people who live there have limited possibilities of visiting other users) and on organization of work (due to the small amount of employees they cannot assure escort to all people with dementia who want some public service). We need to find a way of improving the possibilities of contacts between people with dementia and other users who are respected in the home and also others respectful persons outside

the homes (for instance more common performances), and how to extend the possible use of public services (e.g. more escort – with the help of volunteers who will be prepared to escort people with dementia into the library, store, etc.).

5. Conclusion

To summarize the most important findings, we can say that among the principles of quality work in the homes for the aged, good relationships are most obvious (on the middle scale- 3.39), the next is the possibility of personal development (on the middle scale – 3.27), and the possibility of choice (on average a little lower – 3.01; the most outstanding result here is the possibility of managing the finances with the lowest estimate – 1.93). A little bit lower is the principle of participation (2.89) – the impact on services is present only on a small scale (2.29), and the power is not equally balanced (2.27). The lowest is the estimate of social integration (2.58).

Due to the fact that there are no clear rules in the legislation as regards the care for people with dementia in Slovenia and similarly as Melin Emillson (2005: 1405) found out ‘...the staff members themselves experienced unclear formulations of explicit or common goals...’ there are big differences between various homes for the aged regarding the presence of principles of quality work.

The most outstanding factor influencing all the principles was the stage of dementia. If the principles of quality work are present while treating people with ‘mild’ dementia, the presence of principles declines with the severity of disease. Providers of services should not justify this kind of practice in a way that people in the last stage of dementia cannot even express their opinion and wishes and are not enabled to do anything. It is necessary to organize the every-day activities in a way to ensure human dignity.

An important factor, when trying to consider the use of principles of quality work, is the organization of work and employees. In those homes for the aged where there is not enough staff and where the staff do not devote enough time to people with dementia and do not implement special activities for them, the estimates of principles were lower.

In our case the findings of the research present the potential for discussion of how to organize the institutional care for the people with

dementia and as researchers we certainly have had the role as agents '...in the construction of entities through daily practices...and producing... the potential for action or changed action...' (Parker, 2005: 263), especially because of the above mentioned reason that until now there has been the lack of a special act or legislation in Slovenia, defining the basic principles of care for people with dementia. We therefore have the opportunity to influence the development of a more psychosocial and person-centred approach to dementia.

Our suggestions are based on the one hand on the results of various researches, summarized by Chapell and Reid (2000), where the following factors that contribute to better living conditions for people with dementia were identified: staffing, training and special assignment (seem to have impact on reduction of the use of physical restraints and also reduce the amount and inappropriate use of psychopharmacology), rational care planning and programming of activities (individualized care planning is considered to be an important component of quality care), family involvement (it is necessary to involve family members in order to ensure person-centred activities for families past knowledge of the people with dementia), environment (units designed with a continuous wandering loop and fewer residents are related to positive outcomes, for instance increased social interaction). But on the other hand we focus strongly on the shortcomings identified in our own research. First, there should be a consensus of philosophy of principles which lead to a high-quality care for people with dementia, which should be reflected in the respective legislation and only after the recommended principles are implemented into the everyday practice, we will be able to measure the effects on the quality of life of the people with dementia in the institutional environment.

To enlarge the use of principles of quality work when treating people with dementia the advocacy should be guaranteed to all people with dementia in the last stage. Relatives should give all the necessary information regarding interests and wishes of people with dementia. Information about the activities should be given from different sources and privacy during the nursing activities should be guaranteed. It is inevitable to realize that when treating people with dementia more time is required, compared to the other users of home care. Furthermore, various

activities should be organized on the basis of wishes of people with dementia and people with dementia should be treated with respect.

One of the obvious necessities is training. In some homes for the aged only a few employees have undertaken training concerning the development of psychosocial model of care for people with dementia (Flaker, Kresal, Mali, Milošević-Arnold, Rihter and Velikonja, 2004). Comparing this situation to the results of Parkers' (2005) study revealing that even in cases where staff has been trained on the positive approaches to dementia care, this was not seen in their everyday practice due to the fact that there are other factors constructing the meaning of care, it is important that the ethics of social care is promoted through the planned training.

Taylor, Schenkman, Zhou and Sloan (2001) found out, when comparing the total costs of caring for community dwelling elderly persons, that people with a severe form of Alzheimer's disease and related dementias (ADRD) had higher median total costs than people with moderate ADRD or those without it. In the homes for the aged in Slovenia there is no difference in the price for caring for people with dementia, compared to the price of care for the others. This is probably one of the reasons that there is not enough staff that would be able to carry out proper care for people with dementia (more time for each activity, more privacy...). Therefore the price should be reconsidered.

Although Melin Emillson (2005) states that the research results seem not to have a great impact on practice, we hope that our research will influence changes in the institutional environment, especially due to the fact that research results were presented to the field practitioners and they were able to add to or comment upon our proposals.

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SURVEY OF DISORDERED EATING AND BEHAVIOUR IN CHILDREN AND ADOLESCENTS

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Abstract:

Objective: To study obstacles to children's and adolescents' social inclusion. Focus were the associations between body mass index (BMI) and psychosocial problems including those typical for eating disorders. *Method:* 1057 pupils aged 10 to 17 years completed the Youth Self-Report (YSR) and the Eating Disorder Inventory for children (EDI-C). Socio-demographic data and information about height and weight was also gathered. *Results:* The less formal education was reported for the parents, the higher the proportion of overweight daughters. No association between socio-demographic variables and BMI was found in boys. Overweight girls and boys rated themselves as less active in organizations, associations and groups compared to normal weight youngsters. Overweight girls reported a lower number of close friends and fewer social activities outside school.

Underweight girls reported fewer problems than those with normal weight. Overweight girls had higher scores than normal weight girls on six out of eleven EDI-C-scales (drive for thinness, bulimia, body dissatisfaction, ineffectiveness, interpersonal distrust, interoceptive awareness) as well as on the YSR-scales anxious/depressed and social problems. Similarly, overweight boys presented more social problems than those of normal weight and higher scores on the same EDI-C-scales as overweight girls with the exception of interpersonal distrust.

Underweight boys differed from normal weight boys on the YSR in reporting more somatic complaints, but on none of the EDI-C scales. Conclusions: Overweight seems to be an obstacle to social inclusion for children and adolescents. Overweight children and adolescents report psychosocial problems including those typical for eating disorders. Therefore, they require intervention not only for the prevention of medical consequences of overweight and obesity. In the treatment of overweight children and adolescents eating disorder symptoms need to be taken into account.

Keywords: children, adolescents, overweight, psychopathology, social inclusion, social class

Introduction

Obesity and eating disorders can be obstacles to children's and adolescents' social inclusion. A nationwide survey demonstrates the increasing prevalence of overweight amongst children and adolescents in Germany (Kurth & Schaffrath Rosario 2007). The aim of the study was to investigate associations between body mass index (BMI) on the one hand and socio-economic variables and psychosocial problems, including those typical for eating disorders, on the other hand.

Sampling and Methods

Sample of Subjects

1057 10-17 year old pupils (583 girls, 474 boys) were recruited from primary, basic, high, grammar, comprehensive and Rudolf Steiner schools in the German state North-Rhine-Westphalia (see Table 1 and Figure 1). The proportion of pupils from the different types of schools is roughly representative of the German school system. Concerns raised by the data protection agency mean that we do not have data on the number of non-participants in the schools that did take part. It is likely that immigrant families are under-represented as the ability of the pupil and at least one of their parents to read German was necessary for participation. All subjects and the parents of legal minors gave written informed consent.

Measures

The *Youth Self-Report* (YSR, Achenbach 1991a, Döpfner et al. 1997a, b) measures self-reported ratings of behavioural and emotional problems. It was modelled on the *Child Behavior Checklist* (CBCL, Achenbach 1991b). The YSR can be used for ages 11 and up and the items are worded in the first person. It includes 112 items, each to be rated according to a 0 to 2 point scale ranging from 'not true' to 'exactly or often true'. The YSR yields scores on the following eight syndrome scales: social withdrawal, thought problems, somatic complaints, attention problems, anxious/depressed, delinquent rule-breaking behaviors, aggressive behaviors, and social problems. The total problem score subsumes the eight syndrome scales. The three syndrome scales, (withdrawal, somatic complaints and anxious/depressed) constitute the broad band internalizing scale. The syndrome scales (delinquent rule-breaking behaviors and aggressive behaviors) comprise the broad band

externalizing scale. Good reliability and validity of the YSR have been replicated for the German versions (Döpfner et al. 1995, Schmeck et al. 2001).

The *Eating Disorder Inventory for Children* (EDI-C, Garner 1984) is a self-rated questionnaire including 91 items, each with a choice of 6 answers from 'never' to 'always'. The EDI-C yields scores on the following 11 subscales: drive for thinness, bulimia, body dissatisfaction, ineffectiveness, perfectionism, interpersonal distrust, interoceptive awareness, maturity fears, ascetism, impulse regulation, and social insecurity. The total problem score subsumes the 11 subscales.

Height and weight

The pupils themselves reported body weight in kilograms (kg) and body height in meters (m). We did not measure the pupils as their completion of questionnaires during class took up considerable teaching time and additional weighing and measuring body length would probably have led to even more refusals by heads of school to permit the study in their institution. BMI was calculated from these measures (BMI = body weight in kg/ body height in m²).

Statistical Analyses

Children rated below the 10th percentile were treated as underweight, and those above the 90th percentile as overweight (Kromeyer-Hauschild et al. 2001).

Results

No association was found between BMI group and gender of subject, current work of mother or father, or parental education for boys. In girls however, the prevalence of overweight increased with decreasing parental education. Regarding the association between BMI and the type of school attended by the subject, we found significant differences only for girls with the highest prevalence of underweight in high schools and the highest prevalence of overweight in basic and comprehensive schools (see Figure 2).

Underweight girls reported fewer problems than those with normal weight. Overweight girls scored higher than normal weight girls on the YSR scales anxious/depressed and social problems (see Figure 3). Overweight boys scored higher than normal weight boys on the YSR

scale social problems, underweight boys on the scale somatic complaints (see Figure 4).

Overweight girls scored higher than normal weight girls on the following 6 out of 11 EDI-C scales: drive for thinness, bulimia, body dissatisfaction, ineffectiveness, interpersonal distrust, and interoceptive awareness (see Figure 5). Overweight boys scored higher than normal weight boys on the same EDI-C scales as overweight girls with the exception of interpersonal distrust (see Figure 6).

Analyses of covariance with age as covariate see Table 2.

Discussion

Psychological problems have been found in many children and adolescents referred for obesity (Zametkin et al. 2004). In France, higher CBCL total T-scores, internalizing T-scores, externalizing T-scores, and *anxiety/depression* sub-scores have been found in obese compared to diabetic child and adolescent out-patients (Vila et al. 2004). Child Depression Inventory scores of obese patients were negatively correlated with their BMI (Vila et al. 2004). In Turkey, even non referred obese adolescents had significantly higher mean CBCL total problem scores and scores for *social problems* and internalizing behaviour compared to a normal weight controls (Erermis et al. 2004). In Western Australia, overweight (including obese) 7 – 13 year old primary school children with high levels of shape and weight concern were at particular risk for psychological problems (Allen et al. 2006). No information is available to indicate the causal direction of the association. There may well be a bi-directional effect.

Limitations of this study are that the participating schools were not randomly selected. Another limitation is that we did not weigh and measure the pupils. However, in one American study BMI measures based on self-reported and measured weight and length were highly correlated ($r=.85$ for girls and $r=.89$ for boys) (Neumark-Sztainer et al. 2006).

Conclusions

Compared to normal or low-weight children, obese youngsters have higher ratings on general psychopathology and on problems typical for eating disorders. Further studies should examine the direction of this

effect. Assessment of obesity should include attention to psychological symptoms.

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Table 1
Number of pupils recruited at different schools

Type of school	Number of pupils
Primary (Grundschule)	30
Basic (Hauptschule)	209
High (Realschule)	294
Grammar (Gymnasium)	145
Comprehensive (Gesamtschule)	261
Rudolf-Steiner (Waldorfschule)	87

Table 2
Analysis of covariance with age as covariate

YSR-scale	Factor	Result	F	P	η^2
Social withdrawal	Sex	Girls > boys	9.94	<.01	.01
Somatic complaints	Sex	Girls > boys	5.48	<.05	<.01
Anxious/depressed	Sex	Girls > boys	5.86	<.05	.02
Anxious/ Depressed	BMI	Boys: hardly any differences between BMI-groups. Girls: increase especially from normal to overweight	4.79	.01	.01
Delinquent rule-breaking behaviors	Sex	Boys > girls	17.74	<.01	.02
Aggressive behaviors	Sex	Boys > girls	6.61	.01	<.01
Aggressive behaviors	Inter-action BMI/sex	Girls: increasing with BMI; overweight girls = overweight boys. Boys: underweight > overweight > normal weight	3.15	<.05	<.01
Social problems	Sex	Boys > girls	5.61	<.05	<.01

Table 2 continued

Analysis of covariance with age as covariate

YSR-scale	Factor	Result	F	P	η^2
Social problems	BMI	Girls: increasing with BMI. Boys: in underweight almost as much as in overweight	4.46	<.05	<.01
Attention problems	BMI	Girls: overweight >> normal weight > underweight. Boys: over and underweight > normal weight.	3.89	<.05	<.01
Drive for thinness	Sex	Girls in every BMI-group more than boys	58.14	<.01	.05
Drive for thinness	BMI	Increasing with BMI, especially from normal to overweight	37.85	<.01	.07
Drive for thinness	Interaction BMI/sex	Within the sexes overweight >> normal weight and underweight	3.21	<.05	.01
Bulimia	Sex	Within the same BMI-group girls > boys	7.36	<.01	.05
Bulimia	BMI	Within the same sex overweight > normal and underweight	25.67	<.05	.01
Body dissatisfaction	Sex	Within the same BMI-group girls > boys	46.59	<.01	.05
Body dissatisfaction	BMI	Within the same sex overweight > normal and underweight	57.20	<.01	.10
Ineffectiveness	Sex	Within the same BMI-group girls > boys	30.77	<.01	.03
Ineffectiveness	BMI	Within the same sex overweight > normal, underweight	12.32	<.01	.02

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Perfectionism	Interaction BMI/ sex	Decreases in boys, increases in girls with increasing BMI	3.19	.05	<.01
Interpersonal distrust	BMI	Girls: most in the obese. Boys: least in normal weight	3.67	<.05	<.01
Interoceptive awareness	BMI	Within the same sex overweight > normal, underweight	9.50	<.01	.02
Maturity fears	Sex	Girls > boys	6.74	.01	<.01
Social insecurity	BMI	Overweight > underweight > normal weight	5.11	<.01	.01

Figure 1
Number of girls and boys of different ages in years

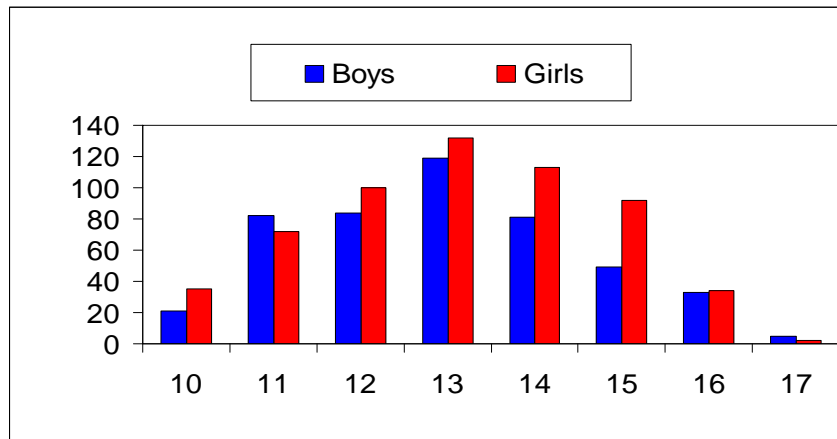


Figure 2
BMI and type of school attended by girls in percent

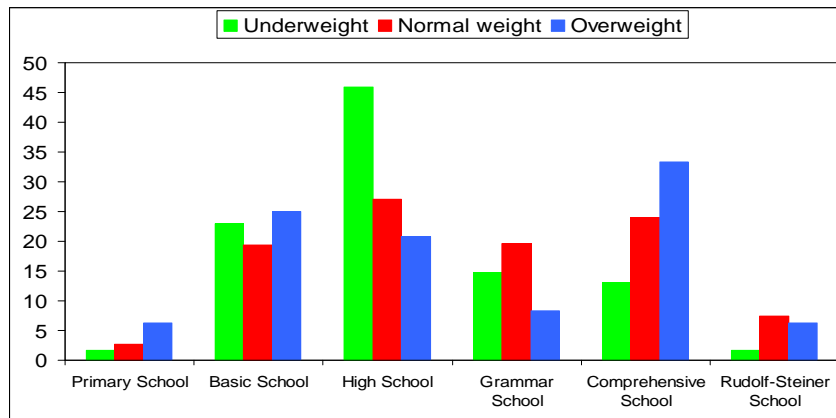
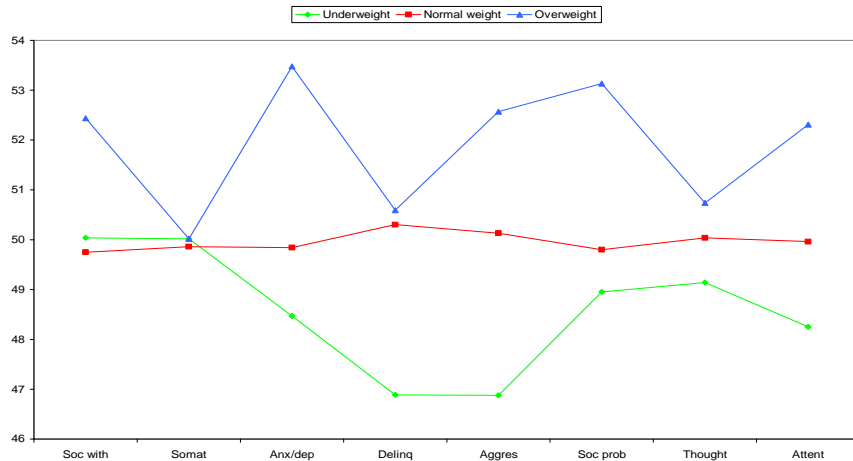
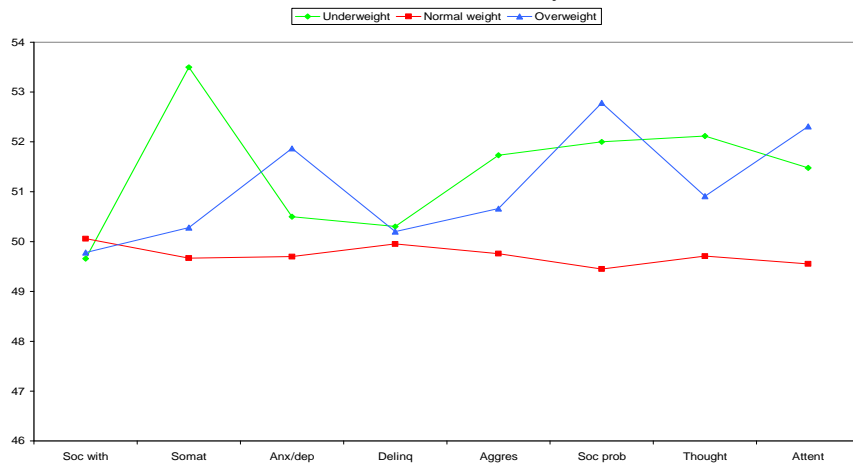


Figure 3
YSR-scale t-values of girls



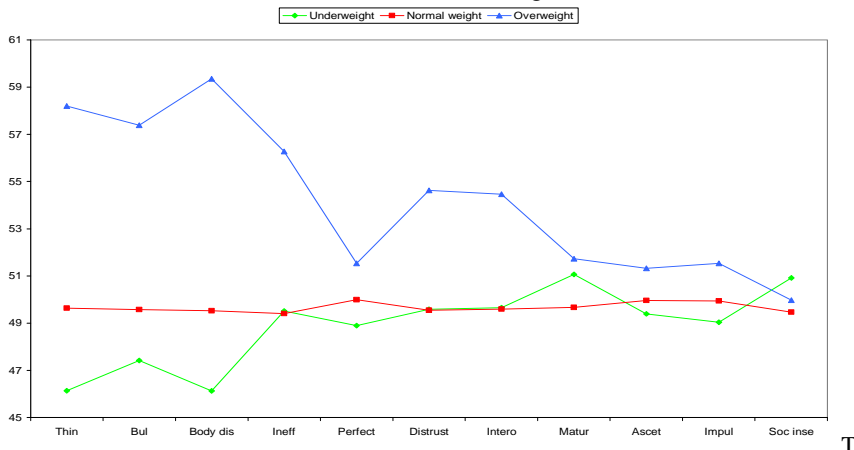
Soc with = social withdrawal; Somat = somatic complaints; Anx/dep = anxious/depressed;
 Delinq = delinquent rule-breaking behaviors; Aggres = aggressive behaviors;
 Soc prob = social problems; Thought = thought problems; Attent = attention problems

Figure 4
YSR-scale t-values of boys



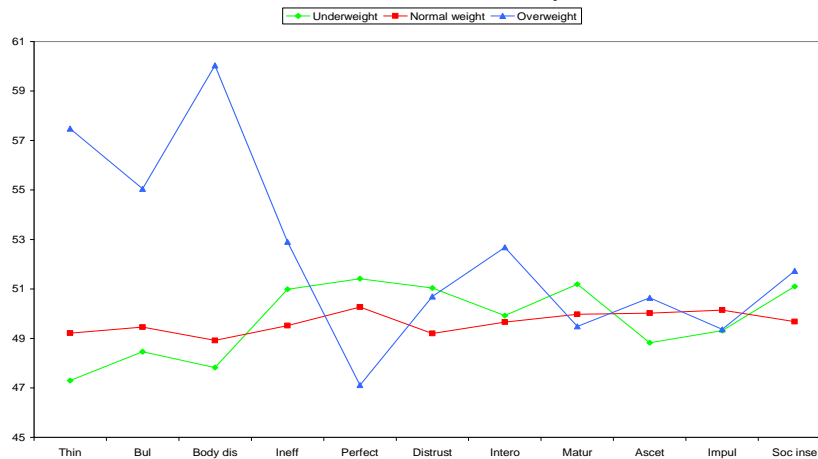
Soc with = social withdrawal; Somat = somatic complaints; Anx/dep = anxious/depressed;
 Delinq = delinquent rule-breaking behaviors; Aggres = aggressive behaviors;
 Soc prob = social problems; Thought = thought problems; Attent = attention problems

Figure 5
EDI-C-scale t-values of girls



Thin = drive for thinness; Bul = bulimia; Body dis = body dissatisfaction;
 Ineff = ineffectiveness; Perfect = perfectionism; Distrust = interpersonal distrust;
 Intero = interoceptive awareness; Matur = maturity fears; Ascet = ascetism;
 Impul = impulse regulation; Soc inse = social insecurity

Figure 6
EDI-C-scale t-values of boys



Thin = drive for thinness; Bul = bulimia; Body dis = body dissatisfaction;
 Ineff = ineffectiveness; Perfect = perfectionism; Distrust = interpersonal distrust;
 Intero = interoceptive awareness; Matur = maturity fears; Ascet = ascetism;
 Impul = impulse regulation; Soc inse = social insecurity