State Rhetoric & Arab Families

An Arab Families Working Group Brief

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Despite a common discourse that poses families and states as discrete opposites -- one private and intimate, the other public and formal -- these two spheres intersect in crucial ways in Arab societies. This intersection occurs within the instruments of state power, such as laws, policies and regulations, which are used to shape a particular idealization of the family that suits the 'project' of the state in that historical moment. Therefore, the investigation of law and public policy is a central task when tracing changing visions and valorizations of Arab Families, family relations and youth. In the three geographic areas of concern, Egypt, Palestine and Lebanon, this entails tracking changes across turbulent recent

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histories of colonialism, nationalism, state formation and globalization.

The intersection between Arab families and their respective governments is a site where the tensions, conflicts and contradictions of complex processes of modernity – from colonialism to state formation to globalization – were, and are, made visible. The governing of Arab families, the configuring of the idea of "family" into government and the effects of actual family practices on the nature of governance have important implications for the shaping of citizenship and citizen's rights, the nature and resolution of social and national conflict, family and gender relations and gender equality. Within the rise of the modern centralizing state, "the family" emerges as a category in law, in welfare administration and in public moralizing discourse. The clustering of these issues into a separate domain of "family law" has implications for the families as subjects of public discourse and the positioning of families in state projects as markers of cultural authenticity as well as for their regulation.

While this new legal boundary between public and private might seem to produce a family that is regulated separately, notions of the family haunt, and indeed shape to some extent, constitutional, nationality, criminal, social and labor legislation. A number of scholars have shown that notions of a new, modernizing family and of reforming "backward" families have been central to both colonial and national projects. In addition, while it may be going to far to claim that the nation-state (or previously the colonial project) invents the family, there is perhaps little

quarrel that the nation-state acts through law and policy to regulate family life and relations. This process is evident in both Palestine and Lebanon where "non-state law" or the "non-state normative sphere" generates law where families may be agents, as in some forms of customary law, as well as objects.

Law and public policy as a site for investigating state rhetoric and Arab families has a number of foci, reflecting an interest in understanding how discourses of the "family" and the valorization of particular family relations (for example, father-son, mother-son, or sibling relations) relate to moments of national mobilization, state formation or national crisis. It also reflects an interest in how citizenship and citizen's rights (public rights) have been construed in relation to both legal and political discourse on the family. Researching law and public policy in tandem is critical to understanding such issues as family law reform in the context of political transformation, the search for a social contract or consensus as a basis for political legitimacy and shifting power relations.

The analysis of Lebanon, Egypt and Palestine provides a critical and comparative edge, given the diverse processes of nation and state formation and accompanying differences in law and policies towards families. If features of nation-states include surveillance, manipulation, and mobilization of populations and territory then population policies are of particular use in understanding state-family dynamics. A strong state-led family planning program in Egypt since 1980 has projected the ideal of a small "modern" nuclear family, which offered a

supposed haven of rational and hygienic order, adequate education and health for children and harmonious family relations. The ideal family and the ideal citizen are closely linked in this project. A similar program was carried out in Lebanon, promoting a particular perception of the "modern family," namely nuclear, smaller in size, monogamous and non-extended in its decision-making. In contrast, the ambiguous population policies of the Palestinian Authority have had a long-standing discourse encouraging high fertility as crucial to national survival. However, recently policy makers in Palestine have employed a development discourse, arguing that rapid population growth is an obstacle to economic development, sustainability and a new Palestinian modernity married to a new Palestinian family.

Conceptions of families are embedded in the diverse paths to development within the histories of these societies and among them, including in the current period where a complex array of national, local and international agencies shape developmental agendas that include or valorize certain kinds of families and exclude others. Diverse state development trajectories produce specific ideal family types. The interaction between development agendas and families has great relevance to the present era of both state and globalized interventions in the lives of Arab families, as well as the active response and intervention of families themselves.

An analysis of how the fields of law and public policy (state institutions) are

implicated in the production of Arab families, both in terms of notions about "the Arab family" and in terms of concrete social polices, requires different levels of investigation. Starting at the level of the state, once central set of questions refers to how the family is at stake in the attempts of the (post) colonial state to control its subject populations. The state's attempts at setting up particular legal systems, such as through the codification of (family) law, reforms of legal procedure and the court system (restructuring the relations between the state and the religious establishment), as well as more specific policies with respect to families and family relations are relevant to this investigation. This includes such issues as the legal framing of definitions of the family (who are included or excluded as kin/household/family members) and, more specifically, the ways in which family members are to relate to each other (in terms of rights and obligations) and to society at large.

In the case of colonization and that of nation-state formation state actors build upon particular concepts of "the family" and translate these, as it were, into particular legal policies. Issues such as legal reforms of the family (as exemplified in family law) often are at the heart of virulent debates, in which 'the family' (in particular gender relations in the family) is framed in terms of striving for modernity or referring to notions of cultural authenticity. A focus on debates and discussions is an important starting point to gain insight into 'Arab families in public discourse,' with particular attention to how these discourses and debates

relate to people's daily-lived experiences. In a similar vein, the question of how the production of (legal) texts, such as in the case of legal reform, relates to their implementation on the ground, needs to be addressed. In order to answer such questions we must move beyond a textual approach that only deals with legal texts and turn to other archival material such as court cases and, in particular, to ethnographic research. Finally, we must acknowledge the need to search out 'alternative' notions of family relations that are not explicitly present in either the legal system or propagated by civil society and oppositional activist.