

Article

Family, filiation, parenthood: new arrangements, new questions

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Abstract: In this article we analyze important and current questions and challenges caused by changes occurring in the field of family, filiation, and parenthood, and the way contemporaneous authors place themselves regarding them. For this purpose, several fields of knowledge were analyzed such as psychoanalysis, sociology, anthropology, and philosophy. First, the ideas of authors who negatively interpret the emergence of new family arrangements shall be introduced and criticized, with some of them being against the demands made by homosexuals of union and access to filiation. Then, proposals of authors who value new scenarios and problematize points and impasses that emerge in society, as well as in the clinic, will be discussed, and clinical propositions for welcoming patients and their families are proposed.

Keywords: family, filiation, homoparenthood, social, clinic.

Introduction

In our contemporary culture, the idea that citizens can freely choose the style of the family they want to have has been starting to be part of the social imagery, in addition to the idea they should not be penalized for preferring alternative unions to the heterosexual and monogamous family (Delaisi de Parseval, 1999). The traditional family model gives place to very different configurations, single-, multi-, and homo-parenting.

Single-parenting families refer to children's creation by one adult, mother or father, who can be biological or adoptive. Multi-parenting families consist in configurations in which children are raised by more than two adults, whether in families recomposed after a divorce, or by various arrangements due to artificial reproduction (two mothers and one father, two mothers and two fathers, two fathers and one mother). On the other hand, homo-parenting ones are those in which children are raised by at least one adult who self-reports being homosexual. They may originate after the breakup of a previous heterosexual connection or from adoption, access to assisted reproduction, or "surrogate" (in the case of gay men).

According to Márcia Arán (2003), the father-mother-child organization, so far naturalized as the place par excellence of the constitution of the being, faces a crisis, whose first sign was the decline of fertility rates in some developed countries from the post-war and that remains nowadays, including a source of concern for demographic policies. Subsequently, there has been a decrease in the number of marriages and, in contrast, an increase in divorce and separation, despite the increase in the number of same-sex unions (Delaisi de Parseval, 1981).

Nowadays, it is estimated that 42.5% of married couples get divorced, compared with 10% in the 1960s (Cadoret, 2007).

Thus, families change, with the multiplication of divorces and the increasing unpopularity of marriage (Cadoret, 1999). Also, the intellectual empowerment of women and their insertion into the labor market has contributed to the postponement and even to a certain devaluation of marriage, because they began to prioritize their careers, seeking to consolidate themselves in the work field before getting married and deciding to have children (Birman, 2007).

In addition, new doors are being opened in the field of filiation and parenthood from the 1980s onwards, with the emergence of medically assisted procreation, which favors even more – following the advent of the contraceptive pill and the legalization of abortion in some countries in the previous decade – women's freedom in the exercise of their sexuality and procreation¹. If feminist and medical conquests have already enabled a possible sexuality free from the reproduction imperatives, new reproduction technologies have freed the reproduction and filiation of sexuality imperatives, to the extent they may happen nowadays without the need for sexual intercourse (Perelson, 2006, 2010).

Thus, the new wave of assisted reproductions has caused a turmoil in our values, beliefs, and representations of filiation in addition to a twist in the representation of the relationship between nature and culture (Arán, 2003). The psychoanalyst Michel Tort (2007) even speaks of a "family revolution" nowadays, associating it with the

¹ It is worth mentioning the difference between filiation and parenthood, although both concepts are interconnected and are used together in current debates. Filiation concerns the relationship between children and mother or father, which is established from the legal recognition of motherhood or fatherhood of such children, being them biological or adopted. On the other hand, parenthood refers to the exercise of a function (parental) of the adult, mother or father, in relation to the children.

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crisis of patriarchy. If women gains greater control of procreation, we see that the family then established is far apart from the patriarchal model, in which the father decided even about the breastfeeding of their children. Today, the father has been expelled from his family and domestic priesthood, losing control over women, mothers, and procreation, and the conception of family bonds and sexuality starts depending on the will of individuals.

Moreover, it is noteworthy mentioning the LGBT+ movement within this context of contemporary family transformations, and it can be considered one of the most important social actors of the last decades of the XX century (Arán, 2003). In the late 1980s, the movement, still lacking the most recent acronym and called “gay movement” only, was organized much in reaction to both the social prejudice suffered by the AIDS epidemic and the legal fragility of homosexuals, which became clear with the death of some of them and the inability of their partners to benefit from their assets and inheritance. Then, proposals for implementing the legal recognition of the same-sex union emerged in several countries.

In France, for instance, this recognition took place in 1999 with the approval of the Civil Solidarity Pact (Pacs, from French *Pacte Civil de Solidarité*), which allows the union of two people, of the same sex or of different sexes, and establishes between them certain legal rights and duties, but without giving the couple the right to filiation. In 2013, same-sex civil marriage was approved, and thus the adoption of children by homosexual couples is also possible provided they are married.

Both the moment prior to the Pacs approval and the 10-year gap between it and the approval of same-sex civil marriage were marked in France by many debates, including the media outreach. As we shall see in this article, there has been, in the face of these new laws, a rather conservative reaction on the part of some French psychoanalysts and sociologists, whose main concern regards the legitimacy of homosexual filiation. In defense of family morale and a supposed “symbolic preservation” of society, they have played an important resistance role to the approval of both laws.

In Brazil, same-sex common-law marriage was legally enabled in the entire country in 2011. In 2013, the National Council of Justice issued a Resolution enabling the conversion of a stable same-sex common-law partnership into marriage, and determined notary offices to conduct same-sex marriages.

Moreover, in our country there are conservative reactions concerning same-sex relationships and homo-parenting. A recent example is the Family Articles of Association, a bill created in 2013 by a deputy member of the evangelical delegation, which defines what can be deemed as a family and deals with their rights and public policies aimed at serving them. According to this article of association, family consists in the union between man and woman, through marriage or common-law relationship, or the community formed by some of

the parents and their children. There is, it does not only disregards same-sex unions, but also other alternatives of family arrangements. In addition, it states that the “natural family,” “open to procreation,” i.e., the heterosexual one, which can “naturally” conceive children, is worth of protection, since it is the foundation of society.

Considering these important transformations that have occurred in the fields of family and sexuality in the last fifty years, and also the paramount issues they produce in the social environment and in the clinics, we intend to analyze how authors of several fields of knowledge (psychoanalysis, sociology, anthropology, and philosophy) have positioned themselves before these changes, whether rethinking or not of the theoretical framework available to analysts to welcome patients and their families.

We shall begin our analysis with authors who, more or less explicitly, misinterpret the emergence of new family arrangements nowadays, some even opposing the legal recognition of same-sex union and homo-parenting. We will perceive that these consist in problematic discourses, since they still corroborate heterosexuality and the gender-like and sexual-like binary as indispensable norms of subjectivation and family constitution. Although to many of us they already seem outdated and refutable by many arguments, their strength and influence is still huge – hence the importance of knowing their constructions.

Then, we will see the proposals of authors who, on the other hand, deem positive the emergence of the new and, therefore, problematize new issues and impasses that may arise in the current clinics.

Passion for dissymbolization

The sociologist Irène Théry (1997) is one of the authors who opposed the recognition of same-sex marriage and the right to filiation of homosexual couples, still referring to a demand for a Contract of Social Union (from Portuguese, *Contrato de União Social* – CUS) in the Gay and Lesbian Pride Parade of 1996, in France, prior to the Pacs project. CUS, as well as Pacs, aimed at allowing the marriage of two and any people, of the same sex or different sexes.

The author states that the problem of CUS, and of the claims of the LGBT+ movement in general, is the misunderstanding between the fight against discrimination and the aspiration to indistinction, which would refer to a “passion for dissymbolization,” characteristic of the contemporary society.

Referring to the ideas of Marie-Thérèse Meulders-Klein, Théry (1997) argues that when saying that homosexual couples are not similar to heterosexual couples does not reveal an attitude of discrimination, but an operation of distinction. From this perspective, the non-access of homosexuals to marriage would not be a form of discrimination, but a way of sustaining the

distinction between straight and homosexual couples, and also of reaffirming marriage as an institution that organizes relationships between men and women, and one of the family foundations.

A contract of social union would pave the way for a plurality of couple's legal bonds, jeopardizing the unique character of civil marriage, which would guarantee the anchorage and immutability of the matrimonial institution in society. Moreover – and this seems to be the greatest concern of the sociologist –, the contract would confer on the same-sex couple the right to filiation, in the form of adoption or artificial reproduction.

For Théry (1997), the legal recognition of same-sex union jeopardizes three fundamental elements of differentiation, which, from her perspective, draw the symbolic order indispensable to the subjectivation of individuals: the couple, the gender, and the filiation.

Regarding the couple, the distinction at stake is the one between the bond that enables sexual intercourse and that which excludes or forbids it. By allowing “non-couples” to be legally united, the contract of social union would abolish the reference to the couple, a notion that implies a sexual dimension. In this process, common sense would be denied and differences would be established based on concrete situations and private choices, at the expense of the law level, the established common meanings, and the symbolic order. This would be, in the author's words, an attack on the symbolic order of human bonds, a way of dissymbolizing the difference: “no society can refrain from distinguishing men from women, children from adults, and certainly sexual from non-sexual” (Theory, 1997, p. 173, free translation). The risk of society losing its legitimacy by distinguishing what consists in a couple from what does not is an absolute indistinction and the unintelligibility of the individuals' experience.

The passion for dissymbolization would be present also in the erasure of representations of gender differences, of the male and the female. The author's position is that if there is no distinction between homosexual and heterosexual couples, individuals, emancipated from their female or male identities, would be deprived of gender, one of the principles that inserts them in the symbolic differentiation. Hence, they would be deprived of a paramount dimension in their humanity. The demand for equal rights would then be the great contemporary “villain” from the sociologist's perspective, since it would weaken the traditional modes of institution in the culture of gender difference and sexual drive.

According to her theory, the understanding of Théry (1997) of the sexes' difference (binary, objective, biological, observable in the body) is evident, as a universal and ahistorical category from which the genders' difference is deduced. For the sociologist, the classification systems of subjectivities and sexualities, always binary – man/woman, male/female, heterosexuality/homosexuality – are paramount for

preserving the culture against the chaos of indifference and unintelligibility.

In this sense, she corroborates the thesis of another French sociologist, Françoise Héritier (1996), follower of Lévi-Strauss, according to which the sexual difference – understood as a universal biological datum that is translated into a male hierarchy over the feminine – is a pillar of culture and a condition of the family.

Théry (1997) precisely states that it is “to preserve the culture” that one must prohibit any form of “unisexual” filiation, which would give the children two mothers or two fathers such as the adoption by homosexual couples or the artificial insemination by a lesbian couple. From her perspective, this “unisexual” filiation opposes the essence of symbolic issues, which is that children have a mother, a father, and a genealogical enrollment.

The author clearly defends, hence, that homosexual couples cannot have access to union or marriage, because marriage is the institution that enrolls the sexual difference and the difference of generations in the symbolic order, linking the couple to the filiation. “In the name of difference,” it sustains the fundamentally heterosexual nature of marriage and its necessary relation to filiation. Only heterosexual couples would be inscribed in the symbolic order of the difference between the sexes. Homosexual orientation would be incompatible with fatherhood or motherhood because of the symbolic destruction of the difference between feminine and masculine.

My criticism about Irène Théry's theory is that by sustaining sexual and gender binary as immutable and ahistorical facts, in addition to understanding them as a *sine qua non* condition of the organization of culture and family, she separates families and individuals into normal and deviant, reinforcing heterosexuality as a norm. And, as Foucault (1969/2008, 1979/2007, 1983) and Canguilhem (1966/2009) teach us, the discourses of specialists produce laws of truth and subjectivity, i.e., they prescribe the “good” conditions of subjectivation and affect the way subjects are welcomed and treated. Thus, her theory excludes homosexuals from access to certain rights, interprets new families in a negative way, and prevents us from discussing new issues and challenges that arise nowadays, including in the clinic, and let us create new proposals to address them.

Sexual difference, Oedipus and paternal function

In the field of psychoanalysis there are also authors who restlessness perceive new elements that emerge in the contemporary culture and question categories and concepts deemed universal so far in the analysis of subjectivities and families such as those of sexual difference, Oedipus complex, paternal and maternal functions, and identifications.

One of them is the psychoanalyst Michel Schneider (2007), who positions himself against a series of achievements and claims of LGBT+ movements. Overall, his criticism regards that the struggle of minorities for equal rights, such as homosexual union and filiation, would produce a misunderstanding of the sexes in political and social representations, which would also lead to the abolition of sexuality.

He positions himself against homoparenthood, because the difference between the sexes would be erased and filiation would not be sexualized, since it would not be related to the union of two people of different sexes. Once again, there is the argument, resembling that of Irène Théry, that homoparenthood denies the difference between the sexes, a constituent element of the symbolic order along with the difference of the generations. And such results in indeterminacy, confusion, unintelligibility.

The psychoanalyst also supports the articulation between the Oedipus complex and heterosexual identifications. According to him, the question implied in homoparenthood is that, instead of the “classic” Oedipal scheme (attraction of the child to the parent of the opposite sex and rivalry with that of the same sex), such would perform the fantasy of founding their own origin by themselves. A sexuality which the difference between the sexes does not structure anymore would be at stake; a sexuality without alterity. He wonders what would the children of homo-parenting families be, whether male or female, and define them as “symbolically modified individuals” (Schneider, 2007, p. 79), in a game of words with genetically modified organisms, the target of environmental-related debates.

Moreover, the psychoanalyst Joel Dor (1991), in his book *O pai e sua função em psicanálise* [The father and his function in psychoanalysis], although not emphasizing the specific topic of new families, develops his theory in such a way he provides elements aiming at pathologizing or considering arrangements that deviate from the father-mother-child model as a risk. Thus, he approaches Théry and Schneider, including with regard to the understanding of certain categories, such as sexual difference, as ahistorical and immutable.

When addressing the paternal function, at first the author states there is no need of a man for there to be a father, since the symbolic role of the father is sustained by the imaginary attribution of the phallic symbol desired by the mother. Or, in addition, based on the Lacanian theory, since the symbolic father has a significant existence – the signifier Name-of-the-Father –, the exercise of the paternal function would be suffice for this signifier to be present in the mother’s discourse, and for the child to understand that the mother’s desire is or has been referred to him².

2 In the rereading of the Oedipus complex made by Lacan, the Name-of-the-Father is the signifier of the paternal function, being responsible for interdicting the incestuous relationship between the mother and the child. When the father fails, it is said that there was the foreclosure of the Name-of-the-Father, characteristic of the psychotic subject (Lacan, 1955-56/1995).

Throughout his reasoning, however, this initial idea is not sustained. The psychoanalyst says that the institution of the paternal function depends on the circulation of the phallus in the Oedipus Complex, and such circulation, in its turn, assumes that different protagonists occupy different positions in the Oedipal configuration. He stresses that these protagonists cannot be elements indifferently placed between them, and illustrates: a father cannot be a mother, nor does a mother can replace a father, even if each one can identify with the other’s position. According to him, a mother can identify with the paternal position, but never perform the paternal function, because identifying positions do not correspond to symbolic functions, and do not have the symbolic reach attributed to them.

Next, the author argues that these different symbolic functions depend on the difference between sexes, understood by him as real and irreducible. When taking as an example homosexual women who have children, he argues that one of the women in the couple could never assume the paternal function with the child, no matter how hard she works for doing it so, because she would need to be marked by her sexual difference in relation to the mother to incarnate the signifier Name-of-the-Father.

According to Dor (1991), the paternal function, a function of mediation, is only symbolically operative by proceeding from the sexual difference as it appears in the child’s eyes. The need for a third party who has a penis in the body, the mark of the sexual difference in relation to the mother (emasculated, without a penis), so that the paternal function is exercised, derives from the binary and anatomical model of the sexual difference, and is certainly a problematic argument. He places in the field of pathological domain, for example, homo-parenting families formed by two women and one child, since one of them could not “save” the child from the “dangerous,” “psychosis-inducing” relationship with the other.

A third psychoanalyst worth mentioning in our discussion is Pierre Legendre, who manifested himself against the approval of the Pacts and the civil marriage between homosexuals in France, and continues to oppose the claims of sexual minorities. Besides being a psychoanalyst, Legendre is also a jurist, and he proposes his theory precisely in the intersection between the field of law and psychoanalysis.

In a text titled *Poder genealógico do Estado* [Genealogical Power of the State], he starts with an example of a Canadian justice decision in the late 1980s which he deems problematic to develop his theory and his criticism of contemporaneity. It is the case of a mother of a 14-year-old teenager who, divorced from the father of her son, gained his custody and the right, from the dismissal of the father, of the parental authority of the father, from whom the child had no memory whatsoever. The teenager uses his mother’s last name. Then, this mother submits herself to a sex reassignment surgery, takes on the appearance of

the male gender, and changes her name and marital status. She requests the adoption of her son as a father, so that his birth certificate is in conformity with the new identity of the genitor. Her request is granted.

When commenting on the case, Legendre (1992/2004) states that this request should not have been granted, because it disregards limits and subverts the institutional organization of positions. From his perspective, the judge, who should represent the “third party,” the “law” before the request, has failed. The negative consequence would be leaving the child fully subjected to the law of the mother, without space and resources for his subjective constitution.

According to Legendre’s theory (1992/2004), the decision of the Canadian Justice would be problematic, hence, for failing to create the space within which the teenager in question could constitute his psychic structure. In addition to allowing the child to only use the mother’s surname, which would denote the lack of interdiction of incestuous bonds, she would misinterpret the functions of the mother and the father, essentially symbolic and founding functions. The logical rules of continuity and differentiation placed by the laws of filiation would then be compromised, and with them the designation of limits and positions. Without the submission to these prohibitive and prescribed inscriptions, it would not be possible to be a subject. Hence, the author refers to the adolescent as a “symbolic handicap,” (p. 83), a subject lacking the symbolic.

The idea has the same pejorative connotation of the expression “symbolically modified individuals,” by Schneider, aforementioned, since both authors perceive the transformations that occur today in the field of sexuality and family in an exclusively negative and “dangerous” way, defending that there are certain universal, ahistorical coordinates that cannot be surpassed without great cost to subjectivities.

Also in relation to these psychoanalysts and authors, our intended criticism is about the production of the subjectivity that results from the use and defense of the arguments we have just analyzed. Once again resuming the Foucaultian idea of the relations between knowledge and power (Foucault, 1969/2008, 1979/2007, 1983), we can report that these discourses, taken as true, bring with them specific power effects, because it is through them that subjectivities, their impasses, malaises, and even demands are judged, and whose destinations and resolutions are thought of and proposed, both in the clinical sphere and in the social and juridical practices.

To illustrate that, we can mention the position of psychoanalysts against the approval of the *Pacs* and the civil marriage in France, against the sex reassignment surgeries demanded by transsexual people, against the adoption and artificial insemination in the case of homosexual couples, against laws that fight against patriarchal authority and male domination. Always “against,” since they are averse to the new, bound to a nostalgia of patriarchy.

Next, we will think of other discourses, which differ from these by trying to establish and welcome the new arrangements that become possible in the sphere of family nowadays as well as new demands and technologies that emerge from this. These are authors who privilege the dimension of historicity of both subjectivity and sexuality, and of the theoretical constructions themselves, which allows them to propose alternatives to deal with what emerges as new in the culture and in the clinic.

Heterosexuality, sexuation, and filiation

In the text “Is kinship always already heterosexual?”, Judith Butler (2003) criticizes the necessary relationship that is established nowadays between marriage and kinship, and states that the demand of homosexual couples for marriage (as a necessary condition for the future adoption of a child) has the negative effect of reinforcing the normalization, on the part of the State, of recognizable kinship relationships.

She problematizes same-sex marriage, understanding that, on the one hand, its recognition extends the rights of the contract, but it does not rupture the patrilineal assumptions of kinship, making it more difficult to defend the viability of alternative arrangements of kinship, which deviate from dyadic forms of heterosexual families. The risk of demanding the recognition of the State is that of ending up corroborating the idea that certain sexualities and sexual arrangements are illegitimate and unreal without its recognition. Thus, it would end up reinforcing the separation between “legitimate” homosexual couples, who are entitled to marriage, and “illegitimate” ones, i.e., new hierarchies would emerge. There would be the transformation of a collective delegitimization (of the LGBT community as a whole) into a selective delegitimization (of homosexual people with alliances outside of marriage).

On the other hand, Butler (2003) understands that living without norms of recognition causes suffering and contributes to the “disempowerment” of homosexual people’s claims, which configures the dilemma in favor or against the recognition of same-sex marriage. According to the philosopher, this dilemma becomes even more complicated when considering the arguments used against the same-sex union or the adoption of children by these couples, as aforementioned, that families formed by homosexuals would go against the “symbolic order” and would be a threat to the culture.

Then, we may say that on one hand Butler (2003) recognizes the difficulties in denying the union to homosexual couples, since this would correspond to weakening the LGBT+ movement and its rights, and reinforce the problematic argument of defending the sexual difference and heterosexuality as symbolic foundations of culture and filiation. On the other hand, the author defends a more radical social transformation, which deviates from the reductions of kinship to the heterosexual family and the field of sexuality to marriage.

Opposing some psychoanalysts who use concepts of psychoanalytic theory as universal truths and stress heteronormativity, such as those we saw in the previous section, Butler (2003) proposes critical and subversive strategies. Regarding the paternal function, the philosopher suggests the paternal law should be refused as a strict and universal determinism that makes identity an established issue, and defends that multiple identifications are operating in an individual and such coexist with and produce innovative conflicts, convergences, and dissonances. And it is precisely for producing the innovative that these identifications dispute the binary organization of the gender and the establishment of the male and female positions.

Concerning the Oedipus complex and heterosexuality as norms of culture and filiation, Butler (2003) argues that Oedipus is not a universal category, but even if it were, this would not corroborate the thesis that it is the condition for culture. The philosopher prefers to think of it, in a broader sense, as a triangularity of desire, which can take multiple forms and does not imply heterosexuality. She criticizes, therefore, the role of psychoanalysis in guaranteeing norms of subjectivation, or even of heterosexual norms of subjectivation.

Homoparenthood

On the specific theme of homoparenthood, studies and analyses of some contemporary authors are worth mentioning, who generally argue that distinct parental functions, including mediation, do not require that the sexual difference is inherent to parents, which may be two women or two men. Moreover, there may be other differences, not only sexual-related, but structuring for subjectivities and families.

The anthropologist Anne Cadoret (2002, 2007) believes that homo-parenting families force us to think of other conceptions of family, relationships between sexes that deviate from the idea of the natural complementarity between man and woman, and the need for the female and male to be present in the family as the figures of the mother and father.

They do not deny the difference between the sexes, nor the differentiated existence of feminine and masculine, but refuse to take it as the only basis of desire, sexuality, family . . . alliance and filiation. They completely disconnect sexuality from procreation and family unity as a privileged place for expressing sexual complementarity . . . or male domination. (Cadoret, 2007, p. 57, free translation)

If on the one hand the author recognizes the legitimacy of the homo-parenting family, on the other she states the need for the existence of two sexes, of two sexual-related positions, the feminine and the masculine, to be transmitted to the child. According to

the anthropologist, children must be able to represent, to symbolize the difference between the sexes, the masculine and the feminine, but the images, the male and female models must not necessarily lie in the marital couple.

Homosexual parents have bricolage as a recourse, i.e., they can find in society or within the family other reference figures, such as neighbors, school professionals, godmothers, aunts, grandparents, of both sexes, thus constituting countless possibilities of identification for the children. In other words, Cadoret proposes that the sexual difference is not strictly and immutably linked to marriage and filiation, as Irène Thèry argues, for example.

The psychoanalyst Geneviève Delaisi de Parseval (1999) also seeks to negatively respond to the question about whether the heterosexuality of the parents is a necessary condition for parenthood. The author defends that neither the heterosexuality of the parents is a *sine qua non* guarantee of the good development of the child, nor homosexuality, threat of perversion. She also states that we must distance ourselves from the idea that the family formed by a heterosexual couple is the normal family, the social and psychological condition necessary for raising children.

She understands that children have some needs to be developed without psychic risk, needs whose fulfillments are independent of the family being heterosexual or homosexual. One of them is that of two adults who have been able to constitute themselves as parents, have completed the psychic work of parenthood, of maturation of the will to be a father, usually done in the time of expecting for the child. There is an osmosis between the psychic and the sexual life of the parents and of the children, in such a way they are nourished and enriched by the quality and enrichment of the exchange between their parents. Conversely, absent or disturbed relationships between parents can be very harmful to the child.

Another need is for children to clearly know who are their father, mother, and other persons who participated in their birth (a sperm donor, for instance). In this case, it is good for children to positively fantasize, instead of denying, about the other person who was part of this process. It is also important for children to know they were born from two individuals of different sexes, although one is absent in their family such as in the case of homosexual parents. There is also the need for them to have been desired by their parents.

The issue of sexual difference emerges in the psychoanalyst's discourse when she mentions the importance of children knowing that two people of different sexes are needed to reproduce, two gametes, the male and the female, which the homosexual sexuality does not allow. By telling the story of their conception, parents state the difference between the sexes to their children, without needing to embody it in them. Here, the author approaches Cadoret.

Furthermore, when addressing the argument usually used by the authors opposed to homoparenthood,

of the risk of indifference between parents and incest between children and the non-biological father, the author argues against the notion that this risk does not result from the homo-parenting situation itself, but from the social refusal in recognizing it, i.e., in establishing distinct social roles between the two same-sex parents. Hence, she understands that society should help parents to establish these points of reference.

And the role of the analyst would also follow this idea, i.e., to help homo-parenting families in establishing bonds in a symbolic way, by the establishment of social codes and rituals understood by everyone. This also implies considering “collateral” characters in this family, such as uncles, grandparents, cousins, godparents, who may perform a complementary parental function.

In a more recent text, Delaisi de Parseval (2008) addresses more carefully the issue of sexual difference in homoparenthood and positions herself in an even more interesting way. First of all, she invalidates the idea that recognizing the right of homosexuals to start a family would be to admit, legally and symbolically, that children can originate from two people of the same sex, arguing that this is not the main point of the discussion, given the evidence that children are always conceived by two people of different sexes. The central point regarding homoparenthood is to know whether the sexual difference is necessary and sufficient to the good development of the child.

The psychoanalyst states that the difference is core in the development of human psyche, but the difference between the sexes is not the only one to have a structuring role, and other differences may emerge. “There are undoubtedly new systems of differentiation. The essential, from the analytical point of view, is that the psychic triangulation, which is fundamental for the psychological maturation of the future adult, can be structured” (Delaisi de Parseval, 2008, p. 275, free translation).

This position also involves going beyond the model of Oedipus forged at the time, when most families were formed by mother, father, and son, and of identification with two parents of “naturally” different sexes and with two parents only. According to the author, the role of the father, of the third party between the mother and the child, who makes children leave this narcissistic omnipotence, does not need to be occupied necessarily by a man. Thus, two women or two men can create different representations for the roles of mother and father, and thus allow children to conform to Oedipus and structure themselves.

Moreover, due to the psychic bisexuality of every human being, children would receive messages from the unconscious bisexuality of each of their parents, and the construction of his sexuality would not only be the direct expression of the identifications with a man or a woman. In the case of a single mother, the identification game would also take place through her psychic bisexuality

and, in the case of parents without a stable identity, other characters could fulfill parental functions. Again, she argues that the identity, the “self” of children, is formed in the convergence of the psychic, relational, and sexual life of the adults who raise them, and it is independent of them being of different sexes or of the same sex.

The author also very much criticizes the conservative resource regarding the concept, or “pseudo-concept,” as she calls it, of symbolic order, when trying to define what is and what cannot be deemed a good parenthood, and thus the implicit desire to maintain historically surpassed family structures, still attached to the patriarchal model.

The symbolic order is, therefore, a skillful sophism that I would like to impose there is a state of things immutable by nature, which would induce the founding of culture against nature, to confuse procreation and filiation . . . For some decades, we have undoubtedly witnessed the end of a world, that of the totally authoritarian and unequal patriarchal order, in which the family organized society in a hierarchical way, woman being subordinated to the husband and children to the father. That’s a fact, but is that the end of the world? Isn’t it time to stop praising this outdated order in such a nostalgic manner? (Delaisi de Parseval, 2008, p. 294, free translation)

The psychoanalyst Márcia Arán (2009) approaches Delaisi de Parseval regarding the exercise and the inscription of alterity and difference not consisting in the sexual difference. This idea is developed by Arán from the reading of Stéphane Nadaud and in response to authors, such as Irène Théry, who oppose the legal recognition of same-sex union and homoparenthood, defending that in this family configuration it would be impossible to live and convey differences.

The counterargument of Arán (2009) is that these authors are based on a concept of difference totally tied to the male/female polarity, and we cannot say a priori that there are no alterity in homosexual relationships. We should acknowledge that there are several possibilities of differentiation beyond the sexual difference and, in this sense, the construction of a way of life or a family life.

The psychoanalyst Simone Perelson (2006) also argues in favor of homosexual filiation. She questions the imprisonment of the sexual difference to anatomical binary, described as presence or absence of a penis, present, for instance, in the theory about the paternal function of Joel Dor, aforementioned author, when he defends that in a homo-parenting family formed by two women and one child it would not be possible for one of them to play the role of mediation between mother and child. To incarnate the signifier Name-of-the-Father, indispensable to the psychic organization of the child, it would be necessary, according to Dor, for it to be

marked in its anatomical sexual difference in relation to the mother, which is impossible.

Perelson (2006) refuses this determinism that ultimately leads to an interpretation of homosexual filiation as linked to the Name-of-the-Father's foreclosure and to psychosis. Nor does she agree with the reduction of paternal function to a unit, to a single agent. On the contrary, the author suggests that we think of the paternal function and the figure of the third party in contemporaneity as the fragmentation and multiplication of its agents. There would not be necessary anymore to gather in the same figure embodied the attribution of the phallus and in the real difference between the sexes. Nowadays, there would be the Names-of-the-Fathers, and no longer the Name-of-the-Father.

Thus, the subversive proposal of these authors is the defense of a function of mediation between mother and child that ruptures the conditions of sex and gender or the phallus and the Name-of-the-Father. In this sense, they oppose ideas according to which there cannot be difference in a homosexual couple, and that homosexuality is, therefore, incompatible with filiation and parenthood.

Final considerations

In this article, we analyzed the contemporary theme of new arrangements of family and filiation, and the position of some authors with this regard, whether of criticism and refusal or of embracement and problematization. The argumentation contrary to the approval of the Pacts was brought as one example of psychoanalysis and other fields of knowledge nowadays producing truth, immersed in a *microphysics of power* (Foucault, 1979/2007) and, thus, limiting perspectives and possibilities of choice, experiences, and affection of individuals.

In this example, the authors' belief against the Pacts implied the refusal of the possibility of homosexual filiation. Such speech produced the following regime of truth: homosexual couples are not inscribed in the symbolic order of the difference between the sexes, they refuse it, they destroy it. Without the inscription of sexual difference, there is no function of mediation between mother and child, nor transmission of this difference, both necessary for subjectivation and the entry into culture. Thus, homoparenthood would promote the social dissymbolization or generalized perversion. This regime of truth divides, therefore, the universe of the union and filiation between the pole of normality (heterosexual)

and deviation (homosexual). In a culture in which this theoretical construct is taken as the only reference, the only possible and legitimate attitude is the refusal of homosexual claims.

The nuisance here is concerning this discourse presented as the only true and able to analyze the forms of contemporary subjectivation. New interpretations would completely change the way they are seen and the attitudes towards them. In its turn, the belief is that there are other possible discourses to be invented and deemed positive, new policies of truth that oppose this theoretical unit discourse.

Regarding homoparenthood, we observed that other narratives are presented as alternatives. Parents can assume different parental functions even though they are of the same sex, with the aid of the analyst and the support of society, and the role of mediation between mother and child does not demand that the difference *man X woman* to be embodied in the parents. Other reference figures, other models of femininity and masculinity, can participate in the exercise of parenthood, which nowadays is becoming more and more plural. In addition, some authors propose other possibilities of symbolic differentiation of individuals beyond the sexual difference.

After developing this discussion, it seems that this theme, extremely current, is still new and requires continuing to be thought of and problematized. An interesting question that remains for us to reflect, for example, is the one addressed by the psychoanalyst Sabine Prokhoris (2000) to the authors who advocate for homoparenthood arguing that in a couple of two women one of them could do the function of separation between the son and the biological mother. Her criticism is that this argument stresses the idea, unnecessary, that the initial relationship of the mother with the child is always a paralyzing fusion. Considering that nowadays women are part of numerous activities beyond domestic chores and taking care of their children, would there be no possibility for the mother herself to gradually distance herself from her child to resume her autonomy and activities?

Thus, considering recent historical changes – such as the greater insertion of women in society and the new roles played by parents in childcare –, concepts deemed universal still must be deconstructed and, on the other hand, new proposals and alternatives must be created, both regarding issues and impasses placed by these changes in the family organization and filiation, and the concepts we have to deal with them.

Família, filiação, parentalidade: novos arranjos, novas questões

Resumo: Este artigo pretende analisar questões e desafios importantes e atuais que se colocam com as transformações ocorridas no campo da família, filiação e parentalidade, e a maneira como autores contemporâneos se posicionam em relação a eles. Para isso, serão explorados diversos campos do saber, como psicanálise, sociologia, antropologia e filosofia. Primeiramente, apresentarei e criticarei as ideias de autores que interpretam de modo negativo a emergência de novos arranjos familiares,

alguns inclusive criticando as demandas dos homossexuais de união e acesso à filiação. Em seguida, explorarei as propostas de autores que positivam o novo, problematizam pontos e impasses surgidos no social e na clínica, e fazem propostas clínicas para o acolhimento dos pacientes e suas famílias.

Palavras-chave: família, filiação, homoparentalidade, social, clínica.

Famille, filiation, parentalité : nouveaux arrangements, nouvelles questions

Résumé: Cet article vise à analyser les questions et les défis importants et actuels qui se posent avec les transformations produites dans le domaine de la famille, la filiation et la parentalité, et comment des auteurs contemporains se positionnent par rapport à eux. Pour cela, des différents domaines de connaissance seront explorés, comme la psychanalyse, la sociologie, l'anthropologie et la philosophie. D'abord, nous allons présenter et critiquer les idées d'auteurs qui interprètent de manière négative l'émergence de nouveaux arrangements familiaux, certains même critiquant les revendications des homosexuels d'union et d'accès à la filiation. Ensuite, nous allons explorer les propositions d'auteurs qui positivent le nouveau, problématisent des points et des impasses survenus dans le social et dans la clinique, et font des propositions cliniques pour l'accueil des patients et de leurs familles.

Mots-clés: famille, filiation, homoparentalidade, social, clinique.

Familia, filiación, parentalidad: nuevas composiciones, nuevas cuestiones

Resumen: Este artículo pretende analizar cuestiones y desafíos importantes y actuales que se plantean con las transformaciones ocurridas en el campo de la familia, de la filiación y de la parentalidad, y de qué forma los autores contemporáneos se posicionan con relación a ellos. Para ello, se explorarán diversos campos del saber, como el psicoanálisis, la sociología, la antropología y la filosofía. En primer lugar, presentaré y criticaré las ideas de autores que interpretan de modo negativo la emergencia de nuevas composiciones familiares, algunos incluso criticando las demandas de los homosexuales de unión y acceso a la filiación. A continuación, exploraré las propuestas de autores que positivaron lo nuevo, problematizan puntos e impasses surgidos en el social y en la clínica, y hacen propuestas clínicas para la acogida de los pacientes y sus familias.

Palabras clave: familia, filiación, homoparentalidade, social, clínica.

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