

Family policies for the 21st century: new challenges and new opportunities

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Abstract

Family is going through complex processes of change. This circumstance requires efficient public policies of support, responding to the functions and necessities of the families. Departing from a broad bibliographic and documentary review, this research discusses current views about the strategic functions of the families, and the role of the agents of social provision, focusing on social and legal-political environments. It also describes the main instruments for implementing family policies in the light of the new paradigm of social policies given by the pattern of a Social Investment Welfare State.

La famiglia sta attraversando complessi processi di cambiamento. Ciò richiede un sostegno efficace attraverso politiche pubbliche adeguate alle sue funzioni e alle sue esigenze. Sulla base di una rassegna bibliografica e documentale, la ricerca analizza l'attuale percezione sociale e politico-giuridica delle funzioni strategiche della famiglia e il ruolo dei principali agenti di fornitura sociale. Descrive inoltre i principali strumenti di politica familiare alla luce del nuovo paradigma di politiche sociali fornito dal modello di Stato di investimento sociale.

Keywords: family policies, work-life balance, *social investment welfare state*, family functions and needs

Parole chiave: politiche familiari, equilibrio tra lavoro e vita privata, *stato di investimento sociale*, funzioni e bisogni della famiglia

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1. A New Social Contract with a Family Perspective

«The way a society is structured undoubtedly has profound consequences for the lives of its members and the architecture of their opportunities», says M. Shafik, director of the London School of Economics. It determines not only their material conditions of life, but also their well-being, their relationships and their prospects for the future. At the same time, «the structure of society is conditioned by its political and legal systems, the economy or the way in which the lives of families and local communities are organised»¹. The concrete consensus on which issues are left to individual judgement and which are decided collectively defines the social contract of a given society and requires regular renegotiation as circumstances change. This mix of individual and collective responsibility is chosen by each country and «each of these models reflects a very different way of looking at what one generation owes to the next», concludes Shafik². We agree with her that this social contract is now in serious and widespread decline and needs to be replaced by one that is more in line with the challenges and needs of the 21st century³. It is no longer possible to build a social contract on the premise that families are headed by a single male breadwinner and that women take care of children and the elderly; marriages are stable and children are born only within marriage; jobs are permanent and the education and skills acquired during childhood and youth are sufficient for the rest of one's life. Many of these elements are today completely blurred⁴; however, the figures of these demographic developments are generally not accompanied by the corresponding interpretations and assessments of whether these developments are good or bad. It is useless to aspire to understand family change if we only look at certain indicators. «Those who attach great importance to the phenomena

¹ M. Shafik, *Lo que nos debemos unos a otros. Un nuevo contrato social*, Ed. Paidós. Estado y Sociedad, Barcelona 2022, p. 18 (Tit.: *What We Each Other*, The Bodley Head, 2021).

² *Ibi*, p. 37.

³ Among the indicators calling for a new social contract, the author mentions: the economic consequences of the 2008 financial crisis and the COVID-19 pandemic, youth protests over climate change, the rise of populism, the backlash against globalisation and technology, the culture wars with race, and the increased role of women in society. *Ibid*.

⁴ For an analysis of demographic change, see J.A. Seltzer, *Family Change and Changing Family Demography*, in «Demography», 56 (2), 1 April 2019, pp. 405-426.

of family disintegration or decomposition – says P. Donati – only focus their attention on a part, and not the majority, of the population»⁵.

In short, the decision to found a family, to have children, to care for them and to educate them is a very personal decision, but one with important social consequences. The Covid-19 pandemic has also confronted us with relevant questions such as whether growth that destroys care, marginalises the caring population⁶, makes people work to exhaustion or assumes that rest and family life are luxuries for the rich⁷.

These problems show that family policy is one of the key elements of the social contract, which calls for a rigorous analysis devoid of ideological battles and a greater political and economic commitment on the part of governments. We therefore need a «family perspective» in all public policies⁸. However, we agree with Shafik that policies alone are not enough; the social contract has to change also within the household⁹; these «silent revolutions» are slower, but more effective.

2. A family policy based on rights and the recognition of its strategic functions

One of the main challenges is to rescue family policy from a classic welfare vision and to anchor it in a policy based on rights and evidence¹⁰, which implies recognising the family and its members as a subject of rights¹¹. The family is not merely a set of private arrangements but also

⁵ Cf. P. Donati, *Manual de sociología de la familia*, Eunsa, Pamplona 2003, p. 46.

⁶ Vid. the reflections of M.A. Durán, *Las cuentas del cuidado*, in «Revista Española de Control Externo», vol. 20, n.º 58 (2018), pp. 57-89.

⁷ Cf. S. Kale, *Time millionaires: meet the people pursuing the pleasure of leisure*, The Guardian, 12 October 2021.

⁸ Cf. L.M. Berger - M.J. Carlson, *Family Policy and Complex Contemporary Families: A Decade in Review and Implications for the Next Decade of Research and Policy Practice*, in «Journal of Marriage and Family», 1 (82/2020), pp. 478-507.

⁹ Cf. M. Shafik, *What We Owe Each Other*, cit. p. 70.

¹⁰ The human rights approach is based on two fundamental pillars: the public authorities as guarantors of rights and subjects responsible for their promotion, defence and protection; and individuals and social groups as rights-holders with the capacity and the right to claim and participate.

¹¹ As Zárte warns, «el hecho de que en España, al igual que en otros países, siga siendo controvertida la subjetividad jurídica de la familia y que el constituyente español haya preferido proteger a sus diferentes miembros de manera diferenciada, lo que ha hecho que esta protección no sea integral y no tenga en cuenta todos los aspectos relacionales de la familia, sino que

a genuine subject of citizenship. It needs to be supported in order to develop its primary social capital, while its autonomy as a social subject must be respected and promoted¹². On the other hand, the incorporation of the family perspective that we demand for all policies facilitates a different, less individualistic and more relational reading of some rights.

The specificity of the family as a legal-private institution with great social relevance lies in the fact that it is based on biological and anthropological foundations that are as perennial as human nature¹³. Its articulation in a specific socio-cultural context may vary, as it is determined by cultural, social, economic, political, religious and legal determinants. There are, therefore, different models of the family. For some jurists¹⁴, this diversity is a reflection of the contingency and plurality that defines the family; while others¹⁵ maintain that it is a natural and primary reality in its nuclear aspects and contents; a pre-legal reality in that the law does not create it, but receives it.

What is certain is that the family today is an option of free choice, to which everyone arrives with their individual plans, with their own interests and experiences, and whose stability is subject to a great diversity of risks, limitations and pressures¹⁶. The end result is that there has been a shift «from the *institutional family*, founded on marriage, with a hierarchical structure and unitary configuration, superordinate to the par-

se trata más bien de una política fragmentada que adolece de falta de visión de conjunto» (B. Zárate Rivero, *La narrativa de la política de familia en la sociedad actual*, in «Rev. Quaestio Iuris», 15 [2022/I], p. 741).

¹² Vid., in this sense, P. García Ruiz, *Políticas familiares y formas de subsidiaridad: hacia una ciudadanía de la familia*, in «Revista Empresa y Humanismo», Vol. XI, 1/08 (2007), p. 110.

¹³ Vid, in this sense, Durán's lucid analysis of the impact that the market is having on our society and on the crisis of the ethics of responsibility and care, both of which are directly related to family policy models. Vid. P. Durán y Lalaguna, *Una reivindicación de la condición humana*, in «Persona y Derecho», vol. 87 (2022/2), pp. 317-338.

¹⁴ Vid. J. Gálvez, *Artículo 39*, in «Comentarios a la Constitución», Civitas, Madrid 1985; E. Roca Trias, *Familia, familias y Derecho de familia*, in «Anuario de Derecho Civil», 4 (1990), p. 1055.

¹⁵ Vid. J.L. Martínez López-Muñiz, *La familia en la constitución española* [The family in the Spanish constitution.], in T. Prieto Álvarez - J.L. Martínez López-Muñiz (Coord.), *Acoso a la familia: del individualismo a la ideología de género*, Editorial Comares, Granada 2016, pp. 1-30; M.A. Glendon, *The transformation of Family Law*, Chicago, The University of Chicago Press, Chicago 1989; P.J. Viladrich, *Agonía del matrimonio legal*, Eunsa, Pamplona 1989.

¹⁶ S. Ruiz - M.C. Martín, *New family forms, old family policies. Las familias monomarentales*, in «Nómadas. Critical Journal of Social and Juridical Sciences», 1 (22/2012), p. 7.

ticular interests of its members, to the *contractual or voluntaristic* family, not necessarily founded on marriage, with an egalitarian structure and plural configuration, subordinated to the individual interests of its members»¹⁷. Hence it is more appropriate to speak of ‘families or models of family grouping’, which respond to what is called *psychologisation*¹⁸ or *individualistic subjectivisation*¹⁹ of the family. To the classic differentiation between nuclear and extended families, new family typologies have been added: reconstituted or reconstructed, consensual or cohabiting, single-parent, homoparental, adoptive, mixed or mestizo, affective units, among others²⁰.

In many countries, these profound legal and sociological changes of the family have not always been accompanied by a corresponding social policy²¹. Moreover, just because a society considers something to be the «best form» of family does not necessarily mean that it is right. A more pragmatic approach requires questioning from which family models the state and society derive the most benefits²².

E. Martín López considers that a good «demostración empírica del acierto de una presunta mejor forma institucionalizada consistiría en que sus resultados (...) sean coincidentes con los valores/fines que originaron su puesta en marcha»²³. It would therefore be necessary to abandon the concepts of traditional and modern family and replace them with the qualifier of “functional”, i.e., one that fulfils the functions that society expects of it;

¹⁷ C. Martínez de Aguirre, *Diagnóstico sobre el derecho de familia*, in «Documentos del instituto de ciencias para la familia», n° 21, Editorial Rialp, Madrid 1996, p. 25.

¹⁸ Garzón, *Political and social changes in the family*, in «Psicología Política», 49 (2014), pp. 27-57.

¹⁹ C. Martínez de Aguirre, *ibid.*, pp. 29-51; R. Navarro Valls, *Matrimonio y Derecho*, Tecnos, Madrid 1994, p. 59 et seq.

²⁰ Vid. Cordero, *La familia española entre el tradicionalismo y la postmodernidad*, in «Humanismo y Trabajo Social», 9 (2010), pp. 157-170; A. Garzón (2014) *ibid.*; B. Lorence Lara - J. Pérez Padilla - S. Menéndez Álvarez-Dardet - I. Rodríguez Pascual, *Diversidad familiar: una experiencia docente en el grado de trabajo social. Alternativas. Cuadernos de Trabajo Social*, (22/2015), pp. 33-51.

²¹ Vid. OECD, *Evolving Family Models in Spain: A New National Framework for Improved Support and Protection for Families*, OECD Publishing, Paris 2022, pp. 182-183. <https://doi.org/10.1787/c27e63ab-en>.

²² This approach is defended by B. Kelle, *El ideal familiar: el debate en Alemania*, in F.J. Contreras, (ed.), *La batalla por la familia en Europa*, Sekotia, Madrid 2016.

²³ Cfr. E. Martín López, *Familia y sociedad. Una introducción a la sociología de la familia*, Rialp /Instituto de Ciencias para la Familia, Pamplona 2000, pp. 61-63.

therein lies its special social and public relevance²⁴. This functionality is what allows us to distinguish between realities that should be promoted and others that should be tolerated or discouraged²⁵. Thus, family policies, understood as «governmental activities designed to support families and improve the well-being of family members»²⁶, must serve the needs of families for the development of their functions²⁷.

An important part of the functions is linked to reproductive and child-care aspects, hence the necessary link between family and child policies. However, the new family models – and with them, family policies – must also contemplate other family functions and needs, such as the exponential increase in the rate of ageing in many Western countries, accompanied by the number of people living alone, which has forced various governments to address loneliness as one of the main social problems in the medium term in the West²⁸. In this context, it is essential to question the role of the family and other actors, such as the state (public administrations), the market and the community, as well as the interactions, gaps and overlaps between them.

2.1. *The family in international human rights law*

International and regional human rights instruments recognize that the family is a fundamental institution of society and that it performs valuable functions for its members and for the community; hence derive the legal-political obligations not to interfere unlawfully or arbitrarily in family

²⁴ «The characteristic of institutions – Contreras argues – is their objectivity: an institution cannot have the structure that the participants in it whimsically agree upon; the institution always possesses intrinsic rules, its own logic, determined by the social needs it serves». The features of marriage are, therefore, «objective requirements of the institution, logically derivable from the social function it fulfils» (F.J. Contreras, *Una teoría institucional del matrimonio*, in *Debate sobre el concepto de familia*, CEU Ediciones, Madrid 2013, pp. 63-89).

²⁵ This thesis is maintained by J. Pérez Adán, *Repensar la familia*, Ediciones Internacionales Universitarias, Pamplona 2005, pp. 74-81.

²⁶ Vid. M. Robila, *Family policies across the globe: Development, implementation, and assessment*, in M. Robila *Handbook of Family Policies Across the Globe*, Springer, New York 2014.

²⁷ Meil precisely defines family policy as «a set of measures or instruments of public policy more or less articulated to recognise the social functions fulfilled by families». Vid. G. Meil Landwerlin, *Presente y futuro de la política familiar en España*, in «Revista Española de Investigaciones Sociológicas», 70 (1995), pp. 67-90.

²⁸ Cf. C. Alemán Bracho, *Servicios Sociales y políticas públicas para la familia*, in «Revista Gestión y Análisis de Políticas Públicas», 22 (2002), p. 110.

life²⁹, to respect the responsibilities of parents towards their children³⁰, to refrain from interfering in the relations between the child and the family³¹, to protect and to provide social and economic assistance to the family³². Furthermore, the protection of the family in international law is inextricably linked to the principle of equality of rights among family members, including gender equality³³, and to the protection of family members against all forms of discrimination, violence or abuse in the family environment³⁴. These obligations must be respected in all laws, policies and interventions relating to the family.

At the same time, international standards do not prescribe a specific concept of the family, which may vary according to the historical, social, cultural and economic background of the community and the life circum-

²⁹ Vid. art. 17.1 of the International Covenant on Civil and Political Rights (1966); art. 8.1 of the European Convention on Fundamental Rights and Freedoms (1950); art. 11 of the American Convention on Human Rights (1969).

³⁰ Vid. art. 5 of the Convention on the Rights of the Child (1990).

³¹ Art. 8 of the Convention on the Rights of the Child (1990).

³² Vid, among others, art. 16.3 of the Universal Declaration of Human Rights (1948), art. 10 of the International Covenant on Economic, Social and Cultural Rights (1966); art. 23.1 of the International Covenant on Civil and Political Rights (1966); art. 44.1 of the International Convention on the Protection of the Rights of Migrant Workers and Members of Their Families (1990); art. 17.1 of the American Convention on Human Rights (1969); art. 15 of the Additional Protocol to the American Convention on Human Rights (1988); art. 18 of the African Charter on Human and Peoples' Rights (1981); art. 33 of the Charter of Fundamental Rights of the European Union (2000) and art. 16 of the European Social Charter (1996). The Preamble of the Convention on the Rights of the Child (1990) is very eloquent in this regard: «Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members, and particularly children, should receive the necessary protection and assistance to enable it to assume its responsibilities within the community to the full».

³³ Vid. arts. 2, 23.2 and 26 of the International Covenant on Economic, Social and Cultural Rights (1966); arts. 2 and 23.4 of the International Covenant on Civil and Political Rights (1966); art. 2 of the Convention on the Rights of the Child (1990); art. 23 of the Convention on the Rights of Persons with Disabilities (2006); art. 17.4 and 5 of the American Convention on Human Rights (1969).

³⁴ United Nations High Commissioner for Human Rights, Report on Protecting the family: the contribution of the family to the realization of the right to an adequate standard of living for its members, including through its role in the eradication of poverty and the achievement of sustainable development, 2016 (UN Doc. A/HRC/31/37, para. 23). The right of women to be free from violence or abuse within the family has been addressed by the CEDAW Committee in its General Recommendation No. 19 (1992). The right of the child to be free from all forms of violence is addressed by the Committee on the Rights of the Child in its General Comment No. 13 (2011) (UN Doc. CRC/C/GC/13).

stances of the family members³⁵. Certainly, the family as a social institution has a dynamic and difficult to delimit character. «Se basa en fundamentos biológicos, pero también en fundamentos de carácter afectivo, normativo, cultural, económico...»³⁶. Therefore, States retain some flexibility in defining the concept of family in national legislation, although they must respect at least two minimum conditions imposed by international standards for families to enjoy recognition and protection at the national level: «first, respect for the principle of equality and non-discrimination, including the equal treatment of women and, second, the effective protection of the best interests of the child. On the basis of these parameters, human rights mechanisms have determined that some types of relationships, such as polygamy and child marriage, are contrary to international human rights standards and should be prohibited»³⁷.

The absence of a definition of the family in international human rights law has meant that human rights monitoring bodies have not only responded to changes in the concept of the family, but have also actively promoted them³⁸. Nevertheless, almost all of them explicitly or implic-

³⁵ The Human Rights Committee notes that the concept of the family may differ in some respects from State to State, and even between regions within a State, so that it is not possible to give a uniform definition of the concept (General Comment No. 19 (1990) para. 2). Similarly, the Committee on Economic, Social and Cultural Rights has affirmed that the concept of family should be understood in a broad sense and in accordance with local usage (General Comment No. 4 (1991) on the right to adequate housing, para. 6 and General Comment No. 5 (1994) on persons with disabilities, para. 30). Similar views have been expressed by other international human rights mechanisms: see CEDAW general recommendation No. 21 (1994) on equality in marriage and family relations, paras. 13 and 18 and No. 29 (2013) on the economic consequences of marriage, family relations and its dissolution, para. 24, and CEDAW general comment No. 7 (2005) on the right of persons with disabilities, para. 7 (2005) of the Committee on the Rights of the Child on implementing child rights in early childhood, para. 15 and also the Report of the Working Group on the issue of discrimination against women in law and practice, examining discrimination against women and girls in cultural and family life, submitted to the 29th session of the Human Rights Council, April 2015 (UN Doc. A/HRC/29/40, paras. 23 and 24).

³⁶ M^a T. C. Cabanillas, *Modelos de hogar y cultura de familia*, Tesis doctoral del Departamento de Psicología y Antropología, Universidad de Extremadura, Badajoz 2010, p. 52.

³⁷ UN Doc. A/HRC/31/37, para. 26.

³⁸ This interventionism has been accused of social engineering that undermines the sovereignty and identity of peoples by reinterpreting rights and creating new ones, thus avoiding national parliamentary debate and the consensus of the states that ratified the original texts. See, in this sense, A.M. Vega Gutiérrez, *Políticas familiares en un mundo globalizado*, Navarra Gráfica Ediciones, Pamplona 2002; M.A. Peeters, *Il gender*, San Paolo, Collana Progetto Famiglia, 2014; S. Gennarini, *The Importance of Consensus at the UN*, in *Definitions. A Monthly*

itly situate this institution in intrinsic relation to the central fact of the generation of new human persons³⁹. Ultimately, the entire legal system of international child rights protection rests on the «principle that both parents have common obligations for the upbringing and development of the child and that the parents or, as the case may be, the legal guardians have the primary responsibility for the upbringing and development of the child»⁴⁰.

2.2. *The family, a strategic agent for sustainable development*

The commemoration of the 20th anniversary of the International Year of the Family in 2014 has provided an opportunity to place family policies at the centre of the social protection agenda and to underline the need for family-centred interventions as part of a comprehensive and integrated approach to development⁴¹. Indeed, the family is humanity's «ecological niche» par excellence, as the primary social subject that exists and acts as a unitary subject, and not only as the sum of its members; for this reason, it is a strategic agent for the sustainable development of any society. It is often a basic unit of production and the main mechanism for coping with social, economic and political adversities. And it is also the basis of care relations⁴².

The essential and cross-cutting role that the family plays in social articulation, cohesion and well-being, and its importance as an economic actor, justifies attention to the explicit or implicit impact that policy and normative decisions on the 2030 Agenda for Sustainable Development

Look at UN Terms and Ideas, Issue 22, July 28, 2021. Available at: <https://c-fam.org/definitions/the-importance-of-consensus-at-the-un/>; S. Douglas - S. Yoshihara, *Rights By Stealth: The Role of the UN Human Rights Treaty Bodies in the Campaign for an International Right to Abortion*, in «The National Catholic Bioethics Quarterly», 7 (2007). Defending, on the contrary, this evolutionary interpretation of the family: M. Sepúlveda Carmona, *A Contemporary View of 'Family' in International Human Rights Law and Implications for the Sustainable Development Goals (SDGs)*, UN Women Discussion Papers, pp. 8-15.

³⁹ Vid. J.L. Martínez López-Muñoz, *La familia en la constitución española*, op. cit.

⁴⁰ Art. 18 of the Convention on the Rights of the Child, 1989.

⁴¹ See UN Economic and Social Council resolution 2011/29, para. 4. The UN General Assembly has recognised the role of families in development in a wide range of resolutions. See these references in UN Doc. A/HRC/31/37, paras. 11-17.

⁴² Cf. M. Sepúlveda Carmona, *A Contemporary View of 'Family' in International Human Rights Law and Implications for the Sustainable Development Goals (SDGs)*, cit.

have on the family, either in analysing how they affect the strategic roles of families or in examining how families can contribute to the achievement of the Agenda's goals. The UN Department of Economic and Social Affairs argues that the implementation, success and sustainability of the SDGs depend to a large extent on a family-centred approach that takes into account the contexts within which decisions on laws, policies and programmes are made. Isolated approaches that target individuals without taking into account the broader family environments in which they are embedded are destined to fail⁴³.

A large part of the analyses of public policies show that in order to fight against social exclusion and poverty, especially that affecting the child population, to reduce social inequality, to face the demographic challenges of our societies and to promote equal opportunities between women and men, policies for the protection and support of families are essentially efficient, since they are transversal and universalist in nature and facilitate the impact of more specific policies. In this sense, family policies have a multiplier effect on programmes to reduce inequalities.

For these reasons, family policies are a «policy lever» for the achievement of many of the goals associated with the SDGs of the 2030 Agenda. In countries with well-defined and developed family policies, the family is taken into account as the main actor in many social actions; the family unit becomes an irreplaceable subject for the construction of a truly inclusive society. In short, a *functional* family is the «most ecological and sustainable environment» for human beings and one of the most valuable and efficient instruments available to governments in the face of the challenge of improving the standard of living of future generations. Hence the need to strengthen its strategic functions through increasingly efficient policies.

The *Sustainable Development Goals of the 2030 Agenda* (SDGs) reflect a wide range of goals that are important for the protection of the family and its members and for the realization of the right to an adequate standard of living⁴⁴. Several SDG targets and indicators contribute directly to some of the strategic family functions, while others may generate conditions

⁴³ Available at <https://www.un.org/development/desa/family/>.

⁴⁴ Vid. art. 11.1 International Covenant on Economic, Social and Cultural Rights, 1966. Indeed, the very definition of this right in international law is inextricably linked to the family dimension.

conducive to the achievement of these functions, even if this is not their primary objective. Similarly, there are strategic family functions that contribute directly to an SDG and others that contribute indirectly.

From the UNESCO Chair in Democratic Citizenship and Cultural Freedom at the University of La Rioja, we have made a proposal to align the 2030 Agenda with the strategic functions of the family and its rights through the design of an open data tool, *Family Goals*⁴⁵. With this, we aspire to stimulate the incorporation of the family perspective in the actions of public and private organisations, along the lines promoted by the Secretary General of the United Nations:

«The very achievement of development goals depends on the way in which families are empowered to contribute to the attainment of these goals. Thus, policies that focus on improving the well-being of families will undoubtedly contribute to this development. Such policies should not only help families cope with their many responsibilities and protect them from vulnerability, but should also aim to support various family functions, rather than replace them and treat families as groupings of individuals who need support independently»⁴⁶.

Therefore, guaranteeing the optimum fulfilment of their personal and social functions, which are nowadays strategic and irreplaceable, is key when it comes to conceiving a fair family policy in an advanced democratic society. The family has the right to be called upon as a primordial social subject and to participate in its design and execution, with the corresponding social and public support.

3. Identifying the strategic roles of the family

3.1. Methodology

Drawing up a complete list of the functions of the family is not an easy task because it is a richly nuanced and therefore complex reality. Many of the functions mentioned have been essential to family life, probably since families were formed thousands of years ago. However, the importance of one or another changes at different times according to socio-cultural developments and historical evolution, and they also vary from one culture to another. Depending on the period or time of development of the

⁴⁵ Available at: <https://familygoals.app/>.

⁴⁶ Report of the Secretary-General of the United Nations, 2010 (UN Doc. A/66/62-E/2011/4, p. 4).

welfare state, there are family functions that are taken over by the state or the market, or are shared and, in times of crisis, are taken over by the family again. On the other hand, depending on the scientific perspective and its methodological assumptions (sociology, psychology, law, economics, political science, etc.), some functions are prioritised or made more visible than others, also because their way of understanding and analysing the family differs.

For the development of this work, a bibliographic review of family models and policies was carried out using three databases of scientific publications: Web of Science, Scopus and Dialnet⁴⁷. The use of these databases offers a complementary overview of the research carried out at an international level.

The review has been carried out from a multidisciplinary perspective (different areas belonging to the social sciences): legal, sociological, political science, public administration and social work, because these are the areas from which family protection is approached. Economics and health have been expressly eliminated due to the impossibility of analysing everything, even though they are relevant subjects for the protection and public intervention in family issues, and could each occupy a study of their own. The review period was 2010-2020 and limited to the most relevant articles in prestigious international scientific journals. Records in English and Spanish were selected. The concepts used for the search were: Family Policy/Family Policies/ Familyfriendly policies/ Work-Family Policies. The records located were 445 WOS, and 307 SCOPUS, 97 Dialnet. 219 articles of the 307 SCOPUS records matched those in WOS because they belong to the same journals and use the same key words. More than 50% of the Dialnet records did not really correspond to the object of study⁴⁸.

The study has been complemented with a critical analysis of the most relevant studies in this area of public policies and a documentary analysis, through official websites such as the United Nations, European Commission, OECDE, competent in family policies.

⁴⁷ The first two are the main international sources of information at the academic level; in addition, the second is one of the main international sources of indexed and peer-reviewed journals. Dialnet is the world's leading web repository of scientific content in Spanish.

⁴⁸ The main results of this analysis are reflected in B. Zárate Rivero, *La narrativa de la política de familia en la sociedad actual*, cit. pp. 737-770.

3.2. Results

One of the first enquiries was to identify these functions in the scientific literature over time. Table 1 shows the main research studies with their respective classifications of the functions of the family. The classification made by T. C. Cabanillas⁴⁹ from the sociological point of view is the most complete and updated. Following a review of the literature on the subject, we have expanded and reorganised the functions proposed by these authors, incorporating other classifications that have taken into account new approaches, above all from psychology and psychiatry, but also others that have a bearing on the relational dimension of the family (relational sociology) or on realist sociological theory.

Table 1 [pp. 68-69] - Identification of family functions in the scientific literature

In the final choice, we have opted for those that highlight the relational dimension of the family. And a series of sub-functions have been deployed within each function, thus enriching the nuances that characterise each of them⁵⁰.

⁴⁹ Vid. M^a T. C. Cabanillas, *Modelos de hogar y cultura de familia*, Doctoral thesis, Department of Psychology and Anthropology, University of Extremadura, Badajoz 2010, p. 199. Vid. also M^a T. C. Cabanillas - F. Vicente Castro, *Modelos de hogar y cultura de familia*, in «Revista de Psicología y educación», 5 (2010), pp. 127-138.

⁵⁰ The definition of each function and sub-functions is available at <https://familygoals.app/Metodolog%C3%ADa.pdf>.

Table 2 - Strategic family roles and sub-functions

Procreative and sexual function <ul style="list-style-type: none"> - Sexual - Procreative 	Economic function <ul style="list-style-type: none"> - Economic cooperation - Economic transfer (maintenance, economic security) - Household economy
Socialising function <ul style="list-style-type: none"> - Personalisation or identification - Social control - Status determination 	Care function <ul style="list-style-type: none"> - Protection - Upbringing - Accompaniment and emotional support - Cooperation and intergenerational equity - Recreational
	Educational function <ul style="list-style-type: none"> - Affective-emotional - Social - Values - Cognitive development
<i>Source: Own elaboration</i>	

In the study carried out by Cabanillas, it was found that 60% of people agree or totally agree that the family currently fulfils the eleven functions mentioned. The functions with the highest levels of agreement are those of upbringing, education, protection, emotional stability and socialisation. At the opposite extreme are reproductive, sexual and avoiding loneliness. In between are economic, recreational and control⁵¹.

The postmodern family responds to a new sociological model characterised by the fall in marriage and birth rates, the emergence of new forms of cohabitation, the instability of the family bond and the dual income model. The latter is also a protection mechanism against child poverty. In this process of change, parental roles, not necessarily associated with

⁵¹ Vid. Ma T. C. Cabanillas, *Modelos de hogar y cultura de familia*, cit., p. 200.

the blood relationship, take on a prominent role in family functions⁵². As the extended family and the community have been losing weight in the processes of family care and support, new forms of cohabitation and relational exchange are emerging, which must also be taken into account in the design of public policies, as they take on part or a large part of the family's functions.

Changes in the family model and the emergence of new family typologies show that families develop different response strategies in the exercise of their functions, depending on the provision of resources by the main welfare agents: state, market and civil society. In fact, there are more and more differentiated sub-systems that carry out functions that once belonged to the family: the education system, the health system, political institutions, etc.

Does this mean the end of the principle of subsidiarity in family policies⁵³? In our opinion, it does not. Subsidiarity means, first of all, that the family is not left to its own competitive fate, according to the rules of the market, nor is it subject to links of mere welfare dependency, derived from a redistribution of funds and services controlled by the political system. The operational independence of these functional subsystems, however, does not detract from their structural dependence. As P. García Ruiz warns, «en el caso de la familia, los demás subsistemas no pueden hacer cualquier cosa pues las consecuencias de lo que ocurra en las familias termina por afectarles también a ellos, lo quieran o no, lo prevean o no. (...). La idea de subsidiaridad "horizontal" se refiere, por tanto, no sólo a la familia ni sólo a la política sino a todos los subsistemas, que tienen responsabilidades y metas con respecto a los demás. Por eso, es preciso plantearse qué significa y cómo pueden hacerse operativos intercambios sensatos entre las familias y el sistema educativo, el sanitario, el económico, el político, etc., de

⁵² Vid. A. M. Rivas, *El ejercicio de la parentalidad en las familias reconstituidas*, in «Portularia», 2 (12/2012), pp. 29-41.

⁵³ Following Donati, we understand subsidiarity as the way in which families access and use the resources, means and instruments necessary to develop both their primary social capital – internal to the family – and the secondary social capital – associative – in the local community. Cf. P. Donati - R. Prandini, *The Family in the Light of a New Relational Theory of Primary, Secondary and Generalized Social Capital*, in «International Review of Sociology», vol. 17, no. 2 (2007), pp. 209-223. On the role of this principle in family policy, vid. R. Athié - A. and J. Ros, *Subsidiaridad. Familia, comunidad y sociedad política*, Tirant Lo Blanch, Valencia 2019.

manera que se consiga «apoyar la autonomía de la familia»⁵⁴. Subsidiarity therefore consists of defending and promoting the freedom of families as long as this does not endanger the rights and freedoms of their members. Whenever family actions lead to publicly undesirable situations, the political system assumes the right and duty to intervene.

Table 3 schematically presents the forms of response and connects, on the one hand, the main functions of the family (regardless of the type of family) with the main agents of welfare provision: Family (differentiating between nuclear and extended cohabitation units), State (as duty bearer, with policies differentiated according to a selectivist approach, linked to means-testing or specific need, and those with a universalist approach), market (private) and civil society (organised and informal).

Table 3 [pp. 70-71] - Analysis of forms of response in addressing the functions of the family as a social institution

4. Family policy models

Family policy is nowadays conceived as the set of measures and instruments linked to social policies that confer rights, benefits and services to people with family responsibilities in order to enable them to carry out their family functions⁵⁵, as we have already indicated, without their personal or social interests being undermined. Certainly, the objectives of family policy have been evolving in public discourse. Family policy is no longer only a public compensation of family burdens, but also a tool against child poverty⁵⁶ and for the promotion of work-life balance, which is now one of the principles of the European social pillar⁵⁷.

⁵⁴ P. García Ruiz, *Políticas familiares y formas de subsidiaridad: hacia una ciudadanía de la familia*, cit., pp. 112-113.

⁵⁵ Cf. G. Meil Landwerlin, *Presente y futuro de la política familiar en España*, cit.

⁵⁶ Cf. O. Thévenon - T. Manfredi - Y. Govind - I. Klauzner, *Child poverty in the OECD: Trends, determinants and policies to tackle it*, OECD Social, Employment and Migration Working Papers, No. 218, OECD Publishing, Paris 2018, <https://doi.org/10.1787/c69de229-en>.

⁵⁷ Cfr. <https://op.europa.eu/webpub/empl/european-pillar-of-social-rights/en/>. See also G. Meil Landwerlin, *The Evolution of Family Policy in Spain*, in «Marriage & Family Review», 39/3-4 (2006), pp. 359-380, http://dx.doi.org/10.1300/J002v39n03_07.

On the other hand, the governmental design of family policies means adopting a certain model (implicit or explicit) of what is the ideal family organisation⁵⁸ or, at least, the one that ideologically they want to support⁵⁹. There is no neutral public space: there is always a better form of family that competes in terms of resources, protection and social esteem with the rest of the alternatives. In general terms, we can speak of two main models of social contract: the familialist model, i.e. the one that favours intra-family support, and the individualist model. The former emphasises the role of the family and gives little or no economic or social support to individuals. This approach is typical of Southern European and East Asian countries. The alternative model empowers individuals to deal with their caring responsibilities independently of their family relationships by providing public (state) or private (market) alternatives. France and Northern European countries are examples of this model.

Some see the individualisation of the legal position of family members as one of the main features of the modernisation of family life and propose to include definitions of the family unit that are more in line with the «economic or functional unit» (individuals living together and sharing resources) than with the «family bond» (individuals living together related by blood, marriage or adoption)⁶⁰. They argue that this model curbs the traditional division of roles between men and women; it forces some risks (pensions and health care) to be shared jointly rather than being borne by intra-family intergenerational commitments; and it enables individuals to organise their lives outside traditional structures – for example, in single-parent households – and allows for greater flexibility in terms of family conception and types⁶¹.

Others, on the contrary, argue that social policies should aim at promoting and strengthening family life and preserving family ties⁶², taking into account the specific needs of the different members of the family. The

⁵⁸ Cf. M. Shafik, *What we owe each other. A New Social Contract*, cit. p. 49.

⁵⁹ In this sense, is interesting the analysis of family-related issues in the electoral programmes of the five national parties that contested the 2019 elections in Spain by L. Ayuso Sánchez and M. Bascón Jiménez, *El descubrimiento de las políticas familiares en España: entre la ideología y el pragmatismo*, in «Revista Española de Investigaciones Sociológicas», 174 (2021), pp. 3-22.

⁶⁰ Cf. OECD, *Evolving Family Models in Spain*, cit. pp. 42 and 183.

⁶¹ Cf. M. Shafik, *What we owe each other. A New Social Contract*, cit. pp. 57 and 71.

⁶² Cf. C. Alemán Bracho, *Servicios Sociales y políticas públicas para la familia*, cit.

individualistic perspective means that protection is not comprehensive⁶³ and does not take into account all the relational aspects of the family: intergenerational, solidarity and gender⁶⁴. They note that this weakening of family relationships generates social problems, such as an increase in situations of dependency and social isolation⁶⁵. The relational approach to the family – they argue – allows for the elaboration of coordinated, global and coherent policies, and not only sectoral ones⁶⁶.

In any case, it is absolutely necessary to pay attention to diverse realities and different situations. This is not least because differences in entitlements to benefits and social protection according to marital status or family composition can cause substantial variation in children's standard of living⁶⁷.

For this reason, it is necessary to disaggregate cases and modify laws so that they are able to contemplate the different situations. In this sense, the question arises as to whether they should be policies that repair the shortcomings of families and their negative effects or active policies designed for prevention and the reinforcement of families in their functions. This evolution has been influenced by the emergence, especially in Europe since the early years of the 21st century, of an approach known as the *social investment welfare state* which, for many, implies a change of paradigm in the definition of social welfare policies and in the role of policies

⁶³ Cf. J. Iglesias De Ussel, *La protección de la familia en España*, in «Papeles de Economía española», 77 (1998), pp. 224-238.

⁶⁴ Cf. P. García Ruiz, *Políticas familiares y formas de subsidiaridad*, p. 117.

⁶⁵ Thus, it is common, for example, for measures to support single mothers to lead to an increase in single-parent families, a situation that was initially intended to be avoided. Vid. S. Zamagni, *La famiglia come soggetto economico: argomenti per una politica della famiglia*, in L. Santolini - V. Sozzi (eds.), *La famiglia soggetto sociale*, Città Nuova, Roma 2002. According to Seltzer, the diversity of families has generated greater uncertainty about family relationships and has weakened the private safety net that families provide for their members. See J.A. Seltzer, *Family Change and Changing Family Demography*, cit.

⁶⁶ Cfr. P. Donati - P. García Ruiz, *Sociología relacional. Una lectura de la sociedad emergente*, Prensas de la Universidad de Zaragoza, Zaragoza 2021 and B. Zárate Rivero, *La narrativa de la política de familia en la sociedad actual*, cit. p. 742.

⁶⁷ For example, in many OECD countries, children of parents living together informally do not have the same access to benefits as children of married parents. Similarly, financial support for children affected by the breakdown of the informal partnership or the death of a parent is often not the same as when the parents were married. See A. Miho - O. Thévenon, *Treating all children equally: Why policies should adapt to evolving family living arrangements*, OECD Social, Employment and Migration Working Papers, No. 240, OECD Publishing, Paris, 2020. <https://dx.doi.org/10.1787/83307d97-en>.

to support families with children, giving them a new or greater centrality in social protection policies as a whole⁶⁸. This approach is reflected in the *European Union's Europe 2020 Strategy*, which calls for modernising and broadening the areas in which social policies are implemented. Social policies are now seen as a social investment, which requires support not only for individuals but also for the family group⁶⁹.

«A central feature of this modernising approach is the idea that social policies should be oriented towards 'preparing' the population to prevent certain risks related to the greater labour and family instability of contemporary societies, and to minimise the intergenerational transmission of poverty, rather than 'repairing' through income guarantee benefits the consequences of these changes once they have occurred»⁷⁰. This preventive character makes it possible to minimise «the effective cost of family support policies, insofar as they have demonstrated a high level of economic return: the expenditure incurred is more than recouped, in the medium term, mainly due to the savings produced by avoiding other expenses and by guaranteeing lower exclusion rates and/or longer working careers»⁷¹.

A direct reflection of this new approach has been the joint proclamation of the *European Pillar of Social Rights* on 17 November 2017 at the Gothenburg Social Summit for Fair Jobs and Growth. This pillar expresses principles and rights essential for social progress for the benefit of both citizens and societies, and is conceived as a compass that should point the way towards a renewed process of upward convergence for better living and working conditions in the European Union. One of its results is the adoption of Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on reconciling the work and family life of parents and carers and repealing Council Directive 2010/18/EU.

⁶⁸ Basque Government - Department of Employment and Social Affairs, *Family support policies in the European Union and in the Basque Autonomous Community*, June 2012, p. 7. https://www.gizartelan.ejgv.euskadi.eus/r45-obpubfam/eu/contenidos/informacion/publicaciones_observatorios/eu_publica/adjuntos/politicas_apoyo_familias.pdf.

⁶⁹ European Commission. *Towards social investment for growth and cohesion, including the implementation of the European Social Fund 2014-2020*, COM (2013) 83 final.

⁷⁰ SIIS Centro de Documentación y Estudios / Fundación Eguía-Careaga, *Políticas de apoyo a las familias en la Unión Europea y en la CAPV*, in «Zerbitzuan», 52 (2012), p. 66.

⁷¹ Basque Government - Department of Employment and Social Affairs, *Políticas de apoyo a las familias en la Unión Europea y en la CAPV*, cit., p. 13.

5. Family policy instruments

The key instruments of a family policy focus on the provision of monetary resources, services and time⁷². Depending on how they are organised, people's decisions to form a family, its size and the quality of care and socialisation of its members will be guided. The characteristics of these three mechanisms are summarised below.

5.1. Monetary resources

This tool consists of different economic transfer measures to families, either directly (benefits) or indirectly (tax relief or exemptions). Its objective is to «guarantee the economic capacity of families to adequately carry out care tasks, which are often associated with situations of special need, due to the birth of children or the possible scarcity of family resources»⁷³.

They are common and welcome in social protection systems because of their relative flexibility, which allows them to respond more easily to needs or objectives, such as poverty rates or the need to cut spending in times of budget constraints. They are also more transparent; their costs and outcomes can be assessed more quickly. They can be classified into horizontal transfers, which shift income from one group in society to another (such as universal family benefits), and «vertical» transfers, which shift income from one point in a person's life cycle to another (such as social security-based leave policies)⁷⁴.

Most studies point out that the impact of cash benefits on increasing fertility is limited⁷⁵. They seem to have more impact on the decision of

⁷² Vid. O. Thévenon, *Family Policies in the OECD Countries: A Comparative Analysis*, in «Population and Development Review», 1 (37/2011), pp. 57-87.

⁷³ Gobierno de Navarra - Subdirección de Familia y Menores, de la Agencia Navarra de Autonomía y Desarrollo de las Personas, *II Plan integral de apoyo a la familia, la infancia y la adolescencia en la comunidad de Navarra 2017-2023*, December 2017, Pamplona, p. 102.

⁷⁴ Most OECD countries transfer at least 1% of GDP to families with children in the form of cash benefits, which is on average around 1.2%. Other OECD countries devote the largest share of their household budgets to family benefits, child benefits or support for working families, but also to maternity, paternity, parental leave and childbirth benefits. Several OECD countries also include in these amounts one-off benefits such as back-to-school allowances or social grants (such as payments to support one-off household purchases). *Ibid.*, p. 128.

⁷⁵ Cfr. O. Thévenon - A. H. Gauthier, *Family policies in developed countries: a 'fertility-booster' with side-effects*, in «Community, Work & Family», 2 (14/2011), pp. 197-216; D. Boertien, G.

when to have children than on the decision to have children or not. They are thus only a short-term incentive. They may also have contradictory effects on female employment. Particularly among women with lower educational levels and in the role of secondary providers⁷⁶. With a main source of income in the household, benefits supplement family income while discouraging work outside the home. Hence, some authors advocate decoupling the entitlement to benefits from the mother and making the receipt of benefits conditional on her remaining in employment⁷⁷. This increases women's bargaining power and avoids the abandonment of employment after the birth of children, which is a risk factor for poverty in households with dependent children of low socio-economic resources.

Direct economic benefits such as the «*baby cheque*» have a limited impact on reducing child poverty, increasing the birth rate and even have contradictory effects in terms of encouraging female participation in the labour market. In fact, these types of measures are questioned for «not favouring the development of ways to overcome the traditional conventional model of domestic work organisation which assumes that women bear the greatest burden of family domestic work»⁷⁸.

Indirect benefits are considered to be more effective in encouraging work than cash benefits, but may not be as easy to apply to directly improve household outcomes, such as reducing child poverty, if access to work is not easy or is paid at low wages. In this sense, they may be clearly regressive in redistributive terms, because low-income households who are excluded from filing tax returns do not benefit from them, and because, if they are applied to the tax base, they favour higher incomes more by reducing their tax burden⁷⁹. G. Esping Andersen considers it «ineffective as a strategy to reduce child poverty and to increase the employment

Esping-Andersen & P. Gracia, *A multiple equilibrium approach to couple specialization*, in «European Sociological Review», 4 (29/2013), pp. 1280-1295.

⁷⁶ Cfr. Gobierno de Navarra - Subdirección de Familia y Menores, de la Agencia Navarra de Autonomía y Desarrollo de las Personas, *II Plan integral de apoyo a la familia, la infancia y la adolescencia en la comunidad de Navarra 2017-2023*, cit., p. 103.

⁷⁷ Cfr. G. Esping Andersen and B. Palier, *Los tres grandes retos del Estado del bienestar*, Ariel, Madrid 2010; M. Pazos, *Desiguales por Ley*, La Catarata, Madrid 2013.

⁷⁸ O. Salido - L. Moreno, *Bienestar y políticas familiares en España*, in «Política y Sociedad», 2 (44/2007), p. 108.

⁷⁹ *Ibid.*

rates of low-income women»⁸⁰. On the other hand, the administration of child benefits through tax systems is sometimes not used due to barriers to claiming, lack of knowledge about the requirements or lack of trust. behavioural insights, automation and artificial intelligence can also help to ensure that more people claim eligible tax benefits. However, in recent decades, this type of redistribution has been growing in the OECD, reflecting the evolution of tax and benefit systems designed to promote welfare through work⁸¹.

5.2. *Provision of services*

It consists of the articulation of a network of socio-community support services for families that allow for the externalisation of part of the care tasks. Early schooling services are usually referred to. However, other types of family support services should also be taken into account, both those aimed at caring for children during non-school hours through leisure activities and those aimed at other dependents in the household or other family members. These public services for families amount to 0.9% of OECD-wide GDP on average. Denmark, Iceland and Sweden spend more than 2% of their GDP in total; France 1.4% of GDP compared to 0.7% of GDP in Spain⁸².

Alongside care services, it is necessary to consider support resources in the performance of positive parenting functions. The objectives of such measures are to provide families with resources to be able to participate in the labour market, to ensure equal educational opportunities and to support parental figures in the development of positive parenting.

The development of family and gender policies in certain countries, particularly in the social democratic regimes of the welfare state, «has generated the development of family services for the care of children and women, which have made it possible to make family and professional work compatible, as well as promoting the outsourcing of services. In these cases, it has been achieved that the family, and the fact of having children, does not become an impediment to women's incorporation into

⁸⁰ G. Esping Andersen, *La política familiar y la nueva demografía*, in «Información Comercial Española, ICE: Revista de economía» (Issue dedicated to: Consecuencias de la evolución demográfica en la economía), p. 59.

⁸¹ Cf. OECD, *Evolving Family Models in Spain*, cit. p. 130.

⁸² *Ibid.*, p. 129.

the labour market»⁸³. The existence of a wide network of services allows for a greater incorporation of women into the labour market. Research shows that where the coverage rates of care services are higher, the female labour force participation rate is also higher⁸⁴. Adequate organisation of care services for children and dependent persons allows for greater participation of women in the labour market.

As important as the existence of services for the decision to have one or more children is their cost. «Many women from the poorest strata have been forced to give up work due to the general lack of institutional family support alternatives and their high cost in the market»⁸⁵. D. Del Boca finds that publicly funded systems have proven to be the most effective in ensuring that women remain in employment, especially those from disadvantaged backgrounds⁸⁶.

Moreover, early schooling of children is a particularly important mechanism not only for gender equality and equal opportunities for women in the labour market⁸⁷, which in turn reduces the risk of poverty, but also for ensuring equal educational opportunities. Its positive effects translate into better educational performance, positive effects on children's cognitive and social development, higher labour market achievements, better health conditions⁸⁸. It is also found that it can compensate for the effects generated by different degrees of parental involvement and parenting styles. This positive impact of early schooling is greater when starting from a low socio-economic and educational level⁸⁹. The results provided by the

⁸³ A. Moreno, *Incidencia de las políticas familiares en el empleo femenino en los estados del bienestar del sur de Europa en perspectiva comparada*, in «Papers», 86 (2007).

⁸⁴ Vid. P. Baizán - M.J. González, *Are nursery schools the solution? The effect of the availability of nursery schools (0-3 years) on female labour behaviour*, in «Situación Social de España», 2 (2007) and D. Del Boca, *The impact of child care costs and availability on mothers' labor supply*, in «ImPRovE Working Paper», 4 (15/2015) cited in the II Plan of Navarra 2016, p. 105.

⁸⁵ Vid. A. Moreno, *ibid.*, p. 98.

⁸⁶ Vid. Del Boca, *cit.*

⁸⁷ Cf. OECD, *Walking the tightrope: Background brief on parents' work-life balance across the stages of childhood*, OECD, Paris 2016; OECD, *The Pursuit of Gender Equality: An Uphill Battle*, OECD Publishing, Paris 2017.

⁸⁸ Cf. OECD, *PISA 2012 Results: Excellence through Equity (Volume II): Giving Every Student the Chance to Succeed*, PISA, OECD Publishing, Paris 2013.

⁸⁹ Cf. J. Garcia et al, *The Life-cycle Benefits of an Influential Early Childhood Program*, in «National Bureau of Economic Research Working Paper Series», No. 22993, National Bureau of Economic Research, Cambridge, MA, 2016; T. Havnes - M. Mogstad, *Is universal child care leveling the playing field?*, in «Journal of Public Economics», 127 (2015), pp. 100-114.

OECD corroborate the importance of aspects related to the family context (e.g. professional occupation, parents' educational and cultural level, educational resources available at home, etc.)⁹⁰. Thus, it can be concluded that the most socio-economically disadvantaged students in OECD countries are almost three times more likely to fail to reach the level of basic skills expected in the education system. According to the results of PISA 2015⁹¹, a higher economic, social and cultural background implies better results (family context, social composition of the neighbourhood, school context). In this sense, and in line with the principles of equity and equal opportunities, it seems necessary to allocate more resources (additional support) to families and schools with students from disadvantaged backgrounds, low income levels, immigrant origin or ethnic minorities.

In addition to academic training, it is necessary to reinforce the integral formation of the person. Hence the importance of policies to support families in positive parenting. Parents have a strong influence on children's outcomes and on their cognitive and linguistic development, and their understanding or knowledge of child development also plays an important role⁹². In addition to providing parents with the advice and help they need, public policies to support parenting are a key element in promoting children's rights, as well as in preventing child maltreatment, school failure and social exclusion.

In sum, it should be noted that the provision of services within the framework of a family policy has a positive effect on the well-being of its members. Its absence is related to low birth rates, «en la medida en que la mujer desea incorporarse al mercado de trabajo y la carencia de plazas en guarderías y en residencias para cuidar a niños y mayores le impide desligarse de sus tradicionales responsabilidades familiares»⁹³.

⁹⁰ Cf. OECD, *PISA 2015. Key Results*, Paris 2016; OECD, *PISA 2015 Results (Volume III): Students' Well-Being*, OECD Publishing, Paris 2017.

⁹¹ Cf. OECD, *PISA 2015. Key Results*, cit.

⁹² Cf. H. Yoshikawa, *Long-term effects of early childhood programmes on social outcomes and delinquency*, in «The Future of Children», 5/3 (1995), pp. 51-75.

⁹³ A. Garrido Rubia, *La política familiar en España: ¿el futuro empieza hoy?*, in «Carthaginesia: Revista de estudios e investigación», Vol. 23, nº 44 (2007), p. 466.

5.3. Contribution of time

All these measures form different mechanisms for the reconciliation of personal, work and family life. According to the European Parliament Resolution of 9 June 2015 on the EU strategy for equality between women and men after 2015, «reconciliation policies aim at improving the balance between family, private and professional life; it is an important factor for economic recovery, sustainable demography and personal and social well-being, and equal participation of men and women in the labour market»⁹⁴.

These policies are aimed at facilitating the direct performance of care functions by families and are materialised through different work-life balance mechanisms, particularly maternity and paternity leave, breastfeeding leave, leave of absence to care for children or dependents, reduced working hours and other forms of flexible working hours. They have become one of the main features of family support programmes in recent decades⁹⁵. In addition to protecting the health of working mothers and their newborn child, it is a key tool for promoting gender equality and promoting the redistribution of work in the household, while providing fathers with the opportunity to spend time at home with their children when they are young⁹⁶, which also affects children's well-being, such that greater paternal involvement during the first months leads to greater cognitive and behavioural development of children⁹⁷.

In OECD countries, the right to paid parental leave usually consists of the payment of a certain number of weeks of leave that parents can divide as they see fit. In theory, this approach offers both parents the opportunity to take paid parental leave. However, in practice it is mainly mothers who

⁹⁴ European Parliament resolution of 9 June 2015 on the EU strategy for equality between women and men after 2015 (2014/2152(INI)), par. 29. https://www.europarl.europa.eu/doceo/document/TA-8-2015-0218_ES.html.

⁹⁵ Cf. OECD, *Rejuvenating Korea: Policies for a Changing Society*, OECD Publishing, Paris 2019.

⁹⁶ Cf. O. Thévenon et al., *Child poverty in the OECD: Trends, determinants and policies to tackle it*, OECD Social, Employment and Migration Working Papers, no. 218, OECD Publishing, Paris 2018.

⁹⁷ Vid. M.C. Huerta - W. Adema - J. Baxter - W.-J. Han - M. Lausten - R. Lee - J. Waldfogel, *Fathers'Leave, Fathers involvement and child development: are they related? Evidence from four OECD Countries*, in «OECD Social, Employment and Migration Working papers», 140. OECD Publishing, Paris 2012, cited in II Plan de familia de Navarra 2018, p. 111.

take this leave and they tend to use paid leave cumulatively (maternity and breastfeeding).

For this reason, some authors highlight the gender inequality effect it causes. In fact, when leave is very long, it can have negative effects on women, through the loss of their human capital and limiting their possibilities for promotion. In addition to gender differences, social inequalities are reinforced. Thus, mothers who have an advantageous position in the labour market benefit more from maternity leave.

Studies also allude to the effect of statistical discrimination against women who see their employment opportunities reduced during the childbearing years because of the risk of becoming pregnant. Empirical evidence shows that countries that have implemented leave that consolidates universal, individual, non-transferable and well-paid rights are used indiscriminately by men and women⁹⁸.

On the other hand, optional parental leave, where the family must decide which parent will take the leave, reduces the possibilities for men to take parental leave. In addition, gender pay inequality, where male income is the main source of household income, would imply a greater economic loss for the family as a whole.

Council Directive 96/34/EC of 3 June is the first example of an integrated approach to maternity, paternity and family responsibilities. This Directive marked a shift from «pure labour and social protection policy to family policy». It has opened a path in which Community and national policies on reconciliation have been improved through the adoption of successive Directives, inter alia, to provide more incentives for men to take on an equal share of caring responsibilities⁹⁹.

⁹⁸ Vid. J. Gornick - M. Meyers, *Creating Gender Egalitarian Societies: An Agenda for Reform*, in «Politics & Society», 3 (36/2008), pp. 313-349.

⁹⁹ Vid, in this regard, Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on reconciling the work and family life of parents and carers and repealing Council Directive 2010/18/EU: «The Directive extends the minimum period of parental leave that cannot be transferred from one parent to the other from one to two months, in order to encourage parents to take parental leave while maintaining the right under Directive 2010/18/EU for each parent to take at least four months of parental leave. The aim of ensuring that each parent has at least two months of parental leave, on an exclusive basis and cannot transfer it to the other parent, is to encourage fathers to make use of their right to parental leave. This also encourages women to return to the labour market after maternity and parental leave» (par. 20).

To encourage men's uptake, several OECD countries offer their own paid parental leave entitlements on a «use-it-or-lose-it» basis to peers (and mothers)¹⁰⁰. Many OECD countries also offer fathers additional paid parental leave and/or extended leave for home care. These entitlements give parents additional flexibility to balance their work and family life. These leaves can be used to extend the period of childcare at home (e.g. in case of lack of good quality childcare), but can also be used when a specific need arises, such as a sick child or a temporary closure of childcare¹⁰¹.

A. Moreno Mínguez and E. Crespo¹⁰² point out that generosity in the amount of leave granted exclusively to fathers and in the percentage of salary covered during leave time have an important effect on the advancement of equality in men's and women's employment and care relations and arrangements, both in the workplace and in the sharing of childcare and domestic chores.

Nevertheless, the great challenge of promoting a new culture of co-responsibility remains. Socio-cultural and symbolic gender parameters continue to weigh on the decision to reconcile work and family life, together with women's lower perceived income compared to men¹⁰³.

For parents who are unable or unwilling to stop working altogether, part-time work or flexible leave can be a solution¹⁰⁴. However, such con-

¹⁰⁰ «These specific rights for parents can take different forms. The most common are 'mum and dad quotas', i.e. specific parts of an overall parental leave period that are reserved exclusively for each parent (...) Other options are 'bonus periods' – where a couple may be entitled to additional weeks/months of paid leave if both parents use a certain amount of shared leave, as in Germany – or the granting of paid parental leave as an individual and non-transferable entitlement for each parent» (OECD, *Evolving Family Models in Spain*, cit., p. 161).

¹⁰¹ Cf. OECD, *Evolving Family Models in Spain*, cit. p. 158.

¹⁰² Vid. A. Moreno Mínguez - E. Crespo Ballesteros, *Relaciones de género, maternidad, corresponsabilidad familiar y políticas de protección en España en el contexto europeo*. Secretaría de Estado de la Seguridad Social, Ministerio de Trabajo e Inmigración. Ministerio de Trabajo e Inmigración, Madrid 2010, pp. 57-70.

¹⁰³ A.I. Del Valle, *Bondades y debilidades de una década de medidas de conciliación de la vida laboral y familiar*, in «Aequalitas: Revista jurídica de igualdad de oportunidades entre mujeres y hombres», 39 (2016a), pp. 12-28. A.I. Del Valle et al., *Equal in provision: changes in the narratives of care?*, in C. Simó - C. Díaz (eds.), *Brecha salarial, brecha de cuidados*, Tirant Humanidades, Valencia 2016b, pp. 195-218.

¹⁰⁴ Cf. OECD, *Parental leave: Where are the fathers?*, OECD, Paris 2016.

tracts may entail disadvantages for women related to difficulties in promotion, low income and access to less responsible positions¹⁰⁵.

Reconciliation has been described as a «successful concept but a failed policy objective»¹⁰⁶ insofar as it has not focused on the unequal sexual division of labour. Certainly, the interpretative framework that has guided these policies has been oriented towards the promotion of women's employment, ignoring the deficit or debt of men in the balance of the social organisation of care. This reality «reveals the shadows of a work-life balance that does not question the social organisation of work and care time, that fails to achieve its main objective – increasing female participation in employment – and that fails to convince its main targets, women, who for the most part do not demand it»¹⁰⁷.

Economic growth and competitiveness depend to a large extent on the fight against phenomena of horizontal and vertical segregation of women, as these limit fair employment, exclude them from positions in de facto high hierarchies and encourage double working hours. In short, it could be explored more broadly how «care policies or cuts in public services for child and dependent care have positioned women in a space of vulnerability, understood as a politically induced product»¹⁰⁸. This is compounded by the limitation of flexible working hours and co-responsibility for care.

In general, work-life balance policies are being conceived and implemented as policies aimed primarily at adjusting women's time and availa-

¹⁰⁵ Vid. S. Berbel, *Contratos a tiempo parcial: ¿oportunidad o trampa para las mujeres?*, El diario.es, Madrid 2015.

¹⁰⁶ Vid. A. Moreno, *Incidencia de las políticas familiares en el empleo femenino en los estados del bienestar del sur de Europa en perspectiva comparada*, cit.

¹⁰⁷ Vid. P. Carrasquer - V. Borràs - T. Torns, *La conciliación de la vida laboral y familiar: ¿un horizonte posible?*, in «Sociología del Trabajo», 50 (2004), pp. 111-138; L. Castelló, *Care work, gender and social class. Unequal remedies to a common problem*, in «Sociología del Trabajo», 73 (2011), pp. 24-40; S. Parella Rubio, *La conciliación de la vida familiar y laboral a debate. Risks and opportunities from a gender perspective. Local initiative for equality and work-life balance. Foro de Ciudades para la Conciliación*, Federación Andaluza de Municipios y Provincias, (2004) pp 36-46; T. Torns, *Conciliación de la vida laboral y familiar o corresponsabilidad: ¿el mismo discurso?*, in «Revista interdisciplinar de estudios de género», 1 (11/2011), pp. 5-13.

¹⁰⁸ Vid. S. López Rodríguez, *New dimensions in the analysis of public policies: implications in the analysis of gender equality and youth policies*, in «Metamorphosis. Journal of the Queen Sofia Centre on Adolescence and Youth», 4 (2016), pp. 28-29.

bility rather than as comprehensive gender-sensitive approaches that have an impact on the market and the family, aimed at reconfiguring care and employment times, and targeting both men and women»¹⁰⁹. In this sense, it seems that reconciliation policies reinforce the current social contract between genders¹¹⁰ with measures that only succeed in making women reconcile without dismantling the established order in the organisation of employment and care. Attention has focused more on the impact of policies on women's employment and their equality conditions than on their effects on the dynamics of internal organisation within families¹¹¹. And, as recent research shows¹¹², inherited cultural patterns weigh on the choices, decisions and daily care and employment strategies of men and women, shaping their preferences and resisting effective equality, highlighting the ambivalence and inadequacy of regulatory instruments. Hence the need to reinforce «involved fatherhood»¹¹³, which empowers men in their participation in the family and in caregiving.

¹⁰⁹ A.I. Del Valle, *Bondades y debilidades de una década de medidas de conciliación de la vida laboral y familiar* cit. pp. 21 and 25.

¹¹⁰ Vid. P. Carrasquer - V. Borràs - T. Torns, *La conciliación de la vida laboral y familiar: ¿un horizonte posible?*, cit.

¹¹¹ Vid. A. Moreno Mínguez - E. Crespo Ballesteros, *Relaciones de género, maternidad, corresponsabilidad familiar y políticas de protección en España en el contexto europeo*, cit., p. 48.

¹¹² Vid. P. Abril, *Decisiones de empleo y cuidado en parejas de dos ingresos en España*, in «DemoSoc Working Paper», 48 (2012); L. Castelló, *Care work, gender and social class. Unequal remedies to a common problem*, in «Sociología del Trabajo», 73 (2011), pp. 24-40; A.I. Del Valle et al., *Equal in provision: changes in the narratives of care?*, cit.; R. Royo Prieto, *Maternity, paternity and work-life balance in the Basque Autonomous Community*. Bilbao: Editorial Universidad de Deusto, Bilbao 2011.

¹¹³ Cf. T. Lapperstad - T. Kornstad, *Social Norms about Father Involvement and Women's Fertility*, «Social forces», vol. 99, no. 1, (2020), pp. 398-423; B. Elizalde-San Miguel, V. Diaz Gandasegui - M. Diaz Gorfinkel, *Is Involved Fatherhood Possible? Structural Elements Influencing the Exercise of Paternity in Spain and Norway* in *Journal of family issues*, vol. 40, no. 10 (2019), pp. 1364-1395.

6. Conclusions

The three classic dimensions of the definition of family (sexuality, procreation and cohabitation) have undergone profound transformations and evolved in divergent directions, giving rise to different forms of family and cohabitation¹¹⁴. Correlatively, changes in society's prioritisation of the strategic functions of the family can also be observed. Likewise, there is a loss of social protagonism of the family – accessory or peripheral – from the point of view of its basic functions, now assumed – partially or with a tendency towards totality – by the State, by other social or economic organisations of greater scope than the family group (company, market) or by the individuals themselves.

This new context constitutes a challenge for public policies and especially for social policies affecting the family. The new approach provided by the concept of the *social investment state* can be very useful in this respect. In this paradigm, «social policies must be seen as a productive element, essential for economic development and employment growth. A radical change is therefore called for in the consideration of social policies as an economic burden and as an obstacle to growth»¹¹⁵. We share the opinion that «the new model proposes a much more efficient functioning of the Welfare State, based on the need to direct spending to those areas in which the economic effort can be more profitable or cost-effective in the medium and long term, and can have a greater preventive impact»¹¹⁶.

In this sense, the study of the conditions that influence greater *child poverty* and the *feminisation of poverty* is particularly relevant. There is scientific evidence that investment in families is more efficient and equitable if it starts when children are young, from birth to about four years of age, which is the critical period for child development and parents' professional development. Because each family is unique, the family sup-

¹¹⁴ Vid. E. Jelin, *Bread and affection. La transformación de las familias*, Fondo de Cultura Económica, Buenos Aires 1998; I. Valbuena, *Discusiones y reflexiones en torno a la investigación en familia*, in «Revista Tendencias y Retos», 1 (17/2012), pp. 59-66.

¹¹⁵ Gobierno de Navarra - Subdirección de Familia y Menores, de la Agencia Navarra de Autonomía y Desarrollo de las Personas, *II Plan integral de apoyo a la familia, la infancia y la adolescencia en la comunidad de Navarra 2017-2023*, December 2017, Pamplona, p. 25.

¹¹⁶ SIIS Centro de Documentación y Estudios / Eguía-Careaga Foundation, *Políticas de apoyo a las familias en la Unión Europea y en la CAPV*, cit., p. 65.

port system must be flexible in its approach to working with families and children. The combination of conditional cash transfers and integrated, low-barrier support services can be an effective way to increase the uptake of services and improve their impact on family outcomes. Also, the work-life balance debate, concerns about population ageing and the need to address the care of the elderly and vulnerable groups such as disability and children have given rise to a specific typology of family policies, which emphasise *care policies*. This function is becoming one of the most fundamental in our societies.

However, largely absent from the current family policy literature is housing policy, a serious problem in countries with less developed social systems, even in Europe itself¹¹⁷.

Finally, the study shows how important it is for family policies to be integrated and coherent policies, with a strengthened data infrastructure and more relevant indicators. The creation of the *European Pillar of Social Rights* is a decisive impulse to update and complete the legislation of the EU and its Member States where necessary. In this sense, knowledge and recognition of the diversity of family grouping models and the evolution of the social and legal-political perception of the specific functions of the family must be essential axes guiding the *family perspective* in all public policies in the coming years.

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¹¹⁷ Cf. B. Zarate Rivero, *La narrativa de la política de familia en la sociedad actual*, in «Rev. Quaestio Iuris», 15 (2022/I), p. 759.

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Table 1 - Identification of family functions in the scientific literature

Ogburn and Nimkoff, 1955	Davis, 1960	Good, 1963	Lundberg, 1968
	Reproduction	Procreation	Reproduction
			Regulation of member's sexual behaviour
Economic	Maintenance	Socio-economic security	Cooperation and division of labour
	Placement		
	Socialisation	Socialisation	
	Social control		
	Status determination		
Educational			
Sisters			Care and education of children
Affective			
Protection			Primary group satisfactions
Recreational			

Smith and Preston, 1977	Schwab, Bell and Stephenson, 1987	Cabanillas, 2010
Reproduction	Perpetuation of the group	Reproduction
Regulation of sexual activity	Regulation adult sexuality	Sexual
Economic	Group maintenance	Economic
Socialisation, especially the transmission of culture to children	Learnin and enculturation (values, beliefs and skills)	Socialisation
		Social control
Status attribution		
		Educational
Upbringing		Upbringing
Provision of affection	Emotional support	Emotional support
		Protection
		Recreational
Provision of company		Avoiding loneliness

Table 3 - Analysis of forms of response in addressing the functions of the family as a social institution

Agent	Family		State	
Function	Cohabitaion unit	Extensive	Selective focus	Universal approach
Daily life care (including parenting)	Difficulties in reconciling work and family life	Grandparent carers	Services to low-income families	Second cycle preschool education (4 to 6 years)
	Family carers	Overburdening of children (particularly daughters)	Services for the elderly and dependents, according to financial resources	Services for the elderly and dependents
Protection (ensuring survival)	Follow-up support			Health system
	"Dysfunction" (abuse, neglect...)	Host family		Child protection system
Educational (preparation for adult life)	Support, monitoring		Sectors at risk (targeted support)	Education system (6 to 16 years)
Economic (guaranteed income)	Dual revenue model	Contingency mattress	Citizenship income. Fiscal measures, other financial support	Other contributory benefits
Socialisation (transmission of values)	Individualisation of the family	Loss of intergenerational relationships		
	Diversity of family models			
Emotional stability	Conflicts of coexistence the "I" versus the "we"	Lack of stable references	Selective intervention (indicated) in severe cases and not from the point of prevention	
Recreational (Family leisure and use of free time)	Lack of time-sharing (work-life balance and common interests)			Public family leisure activities on offer
	Risky behaviour			Offer of activities
Control (boundary setting and respect for authority figure)	Conflicts of coexistence. Lack of limits	Loss of reference to authority figures	Targeted intervention in serious cases	

Agent	Civil society	
Private for profit	Third sector and social organisations	Informal support network
Nursey schools from 0 to 3 years old. Domestic work		Proximity relations, relational capital
Private family support services	Volunteer programmes	
	Self-help associations	
Extracurricular activities	School support programmes	
Employment labour market	Solidarity or charity aid	Personal support network
	Religion	Personal network
	Awareness-raising	Peer group
Private Psychology Offices	Specific non-preventive intervention programmes	
Family leisure activities on offer		Peer group
Risk of inappropriate consumption		Peer group
Private Psychology Offices	Specific non-preventive intervention programmes	